

# Allerdale

*Local Development Framework*



## Statement of *Community* Involvement

Adopted August 2007



**If you would like this document in an alternative format  
please phone 01900 702767 or 01900 702765**

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## Foreword

A statement of Community Involvement has to be produced by the Council as part of its Local Development Framework. It sets out how the Council will involve the community in the preparation and the revision of Local Development Documents and the consideration of planning applications. It will apply to the whole of Allerdale outside the National Park.

This Statement of Community Involvement has been adopted by the Council, following examination by an Inspector appointed by the Secretary of State. Copies of this document can be viewed on the Council's website [www.allerdale.gov.uk](http://www.allerdale.gov.uk) or at the venues listed in appendix 3. Additional copies can be obtained by contacting the regeneration Strategy Team at Allerdale House, Workington 01900 702765.

The Council also maintains a database of organisations or individuals who would like to be consulted on the preparation of Local Development Documents. If you wish to be added to the database please write to:.

**Regeneration Strategy Manager  
Allerdale Borough Council  
Allerdale House  
Workington  
CA14 3YJ**

Email: [ldf@allerdale.gov.uk](mailto:ldf@allerdale.gov.uk)  
Fax: 01900 702866

Further information on the Local Development Framework can be found on the Council's website.

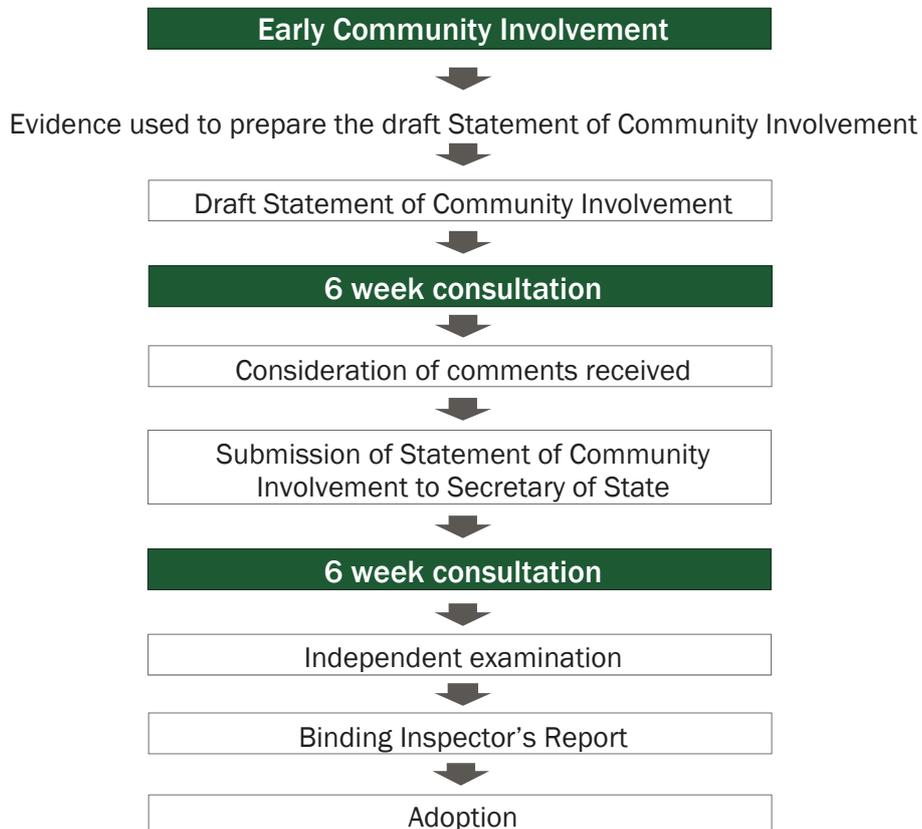


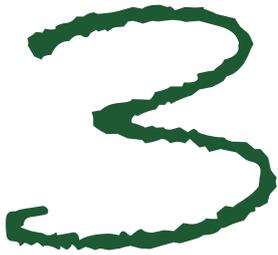
## Introduction

**2.1** The Government has replaced the present Local Plan system with the Local Development Framework. At the centre of these changes is improving the way the community participate in the preparation of local development documents as well as making decisions on planning applications.

**2.2** The Council is committed to ensuring that the views of the community are incorporated as far as possible into the policy framework that guides development in the Borough. Community involvement will ensure that the plan is sound and encourages the whole process to become inclusive. In addition, issues can be identified at an early stage with the aim to resolving areas of conflict.

### Statement of Community Involvement Preparation





## Local Development Framework

The Local Development Framework (LDF) process provides an opportunity to engage more constructively in shaping planning policy and a much more proactive approach to community involvement in plan preparation. The LDF will be made up of a folder of documents known as Local Development Documents (LDD). There are two types of Local Development Documents, Development Plan Documents and Supplementary Planning Documents.

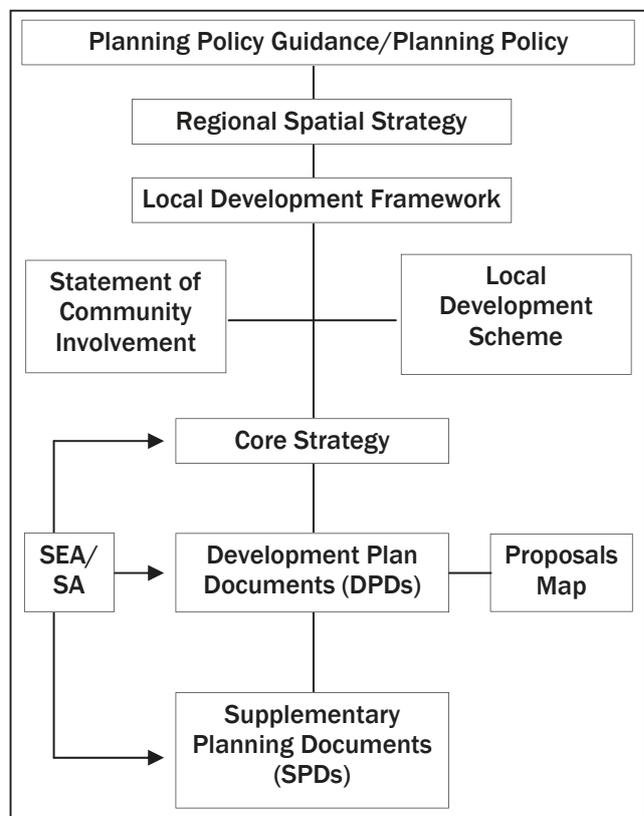
### 3.1 Development plan documents

The Council will produce separate Development Plan Documents which will include a Core Strategy, site allocations and generic development control policies. Together they will form the policy framework against which individual planning applications will be decided. Area Action Plans can also be prepared, if required, and they would also form part of the Development Plan.

#### 3.1.1 Core Strategy

This will be the first document to be produced and will outline the overall approach and core policies guiding development. As all Development Plan Documents have to be in conformity with the Core Strategy, the consultation carried out during its preparation will shape and inform the preparation of subsequent Development Plan Documents, in particular site allocations and generic development control policies.

### Relationship between documents in the LDF



#### 3.1.2 Site allocations

This Development Plan Document will identify individual sites for such uses as housing, employment, leisure and tourism and will reflect the spatial strategy and objectives contained in the Core Strategy.

### **3.1.3 Generic Development Control Policies**

This document will set out in greater detail the policy framework for deciding planning applications.

Local development Framework will also include the Statement of Community Involvement, the Local Development Scheme and the Annual Monitoring Report.

### **3.1.4 Proposals Map**

The proposals map will show geographically the adopted development plan policies. The proposals map will be updated as each new Development Plan Document is adopted.

### **3.4 Local Development Scheme**

The Local Development Scheme (LDS) provides an outline of each Local Development Document that the Council intends to produce. It also sets out the timetable for preparing and reviewing each document. The Local Development Scheme can be viewed on the Council's website.

### **3.1.5 Area Action Plan**

Area action plans focus on specific areas to identify issues and solutions particularly with regard to potential redevelopment.

### **3.5 Annual Monitoring Report**

The Annual Monitoring Report, which is published each December, reports on the progress of the Local Development Scheme and monitors the implementation of policies in the saved Local Plan and the emerging Local Development

### **3.2 Supplementary Planning Documents**

Supplementary Planning Documents (SPD's) add greater detail to policies contained in the Development Plan Documents and saved Local Plan, but would not form part of the Development Plan. In addition to the SPD's that the Council intends to produce the County Council will produce county wide SPD's details of which are set out in the Local Development Scheme. With regard to the county SPD's consideration has been given to the establishment of a Joint Committee; however it has been decided that the County Council will carry out consultation in accordance with individual districts SCI's.

### **3.3** In addition to the above documents the

# 4

## Development Plan Documents

The preparation of a Development Plan Document involves the following stages:

### 4.1 Pre-production

The policies contained in a Development Plan Document (DPD) should be founded on a good understanding of the needs of the area and the opportunities and constraints which operate within the area. This first stage in the preparation of a Development Plan Document therefore concentrates on survey work and evidence gathering on the principal physical, social, economic and environmental characteristics of the area, which in turn leads to identifying key issues facing the Borough.

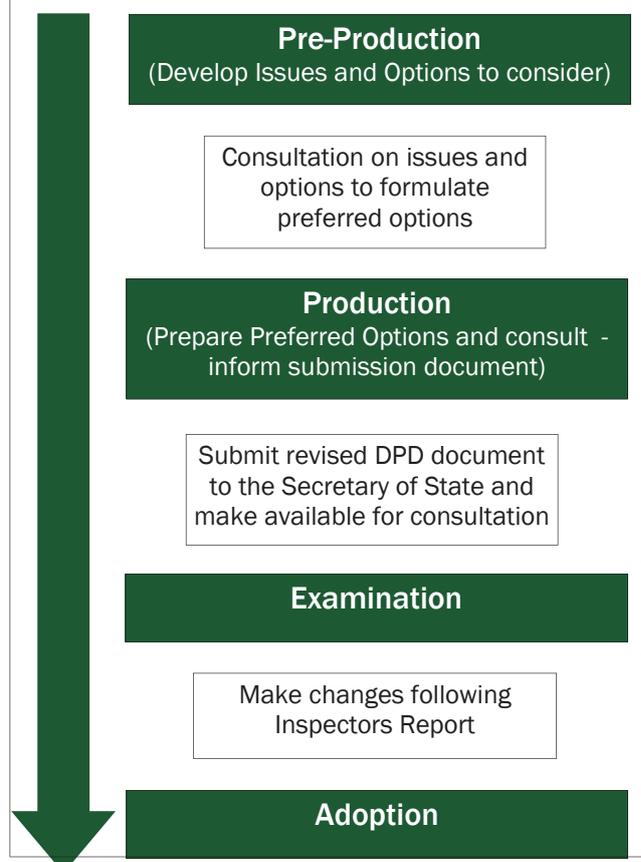
### 4.2 Production

Preparation of issues and alternative options

Drawing on the evidence collected in the pre-production stage the next step would be to develop issues and options. As required under Regulation 25 of the Town and Country Planning (Local Development) (England) Regulations 2004, the local community and stakeholders must be consulted and involved in identifying local issues and alternative policy options. Consultation at this stage should be a continuous process of informal discussion as opposed to formal discrete public participation required at the next stage.

The Council will produce an Issues and Options report, the purpose of which will be to set out the key issues that may need to be addressed by the Development Plan Document and a range of alternative options. Comments on the key issues and options will be sought from specific and general consultees, in accordance with the **8 Adopted August 2007**

### Process for Producing Development Plan Documents



minimum requirements set out in regulation 25. In addition it is proposed to engage the local community and stakeholders using a variety of methods, details of which are outlined in section 10. How a particular consultation method will be used and when is contained in appendix 4.

The Council recognises that this is a key stage for the involvement of the community and stakeholders in the identification of issues and the development of options and as such the Council's resources will be concentrated at this early stage. Preparation of the Preferred Options Document

This document builds on the evidence base and consultation with the local community and stakeholders. It sets out the Local Authority's preferred policy options, along with supporting reasons and a summary of the alternative options that have been considered.

Regulation 26 of the Town and Country Planning (Local Development) (England) Regulations 2004 requires that the Preferred Options document and the Sustainability Appraisal are subject to a formal consultation period of six weeks to allow the local community and stakeholders to comment on the options and alternatives proposed. All comments received are assessed and would inform the preparation of the submission development plan document.

At the start of the Regulation 26 consultation period the Council will statutorily advertise in the Times and Star and the Cumberland News and issue a Press Release at the same time. Copies of the document will be available at the council offices and other venues listed in appendix 3, as well as on the council's website.

In addition to the formal six week consultation period outlined above it is intended to re-consult using the same techniques chosen for the issues and options stage. It is anticipated that this will enable feedback on the discussions which took place in the earlier stages and to involve the community in the development of the Preferred Options. The mix of consultation methods will vary depending on which Development Plan Document is being prepared, details are set out in appendix 4.

#### **4.3 Submission to the Secretary of State**

Upon submission to the Secretary of State of the Development Plan Document and sustainability appraisal Regulation 28 of the Town and Country Planning (Local Development) (England) Regulations 2004 requires a six week

consultation period to allow for the community and stakeholders to submit representations. If the DPD involves site allocations a further six week consultation maybe required to consider alternative sites that have been put forward by the community and stakeholders.

At the time of submission to the Secretary of State the Council will issue a press notice and statutorily advertise the DPD in the same local newspapers mentioned above. Copies of the DPD will also be available at the same venues used at the previous stage. All specific and general consultees who were consulted previously will be notified that the document has been submitted and will be sent a copy if they have indicated that they require a hard copy, otherwise they will be directed to the Council's website.

#### **4.4 Examination**

An independent examination of the soundness of the Development Plan Document is carried out by an inspector appointed by the Secretary of State. The tests of soundness are set out in Appendix 2. Any organisation or individual who makes a representation within the specified six week consultation period, under regulation 28, has a right to have their representations considered by the Inspector. The presumption will be that the majority of representations will be considered by written submissions but there is a right to be heard should anyone so choose.

#### **4.5 Adoption**

Following the examination the Inspector will issue a report which is binding on the Council. The next stage is for the Council to formally adopt the Development Plan Document in accordance with the Inspectors recommendations. Any person may challenge the validity of a DPD by submitting an application for Judicial Review to the High Court within six weeks of the date of the adoption notice for the DPD.

# 5

## Supplementary Planning Documents

5.1 Supplementary Planning Documents (SPD) also form part of the policy framework for the Borough. Although part of the Local Development Framework they do not form part of the Development Plan. These documents tend to deal with more specific or localised issues and sites and would expand on policy contained in a Development Plan Document or linked to a saved local plan policy. The Council has already adopted the Interim Housing Policy in July 2005 as a SPD. A list of the SPD's the Council proposes to produce is set out in the Local Development Scheme, which is available on the Council's website. The production process for a SPD is similar to a Development Plan Document, with the exception that it is not subject to an independent examination and falls into three stages.

### 5.2 Pre-Production

As with the preparation of a Development Plan Document compiling an evidence base and the identification of constraints, issues and opportunities is the starting point for preparing a SPD. As part of this process consultation will be carried out with the local community and stakeholders, as appropriate, to identify issues.

As a Supplementary Planning Document can cover diverse issues and be in different formats ranging from design guides to masterplans the consultation methods and the range of consultees will vary depending on the specific issue or location dealt with by the SPD.

### 5.3 Production

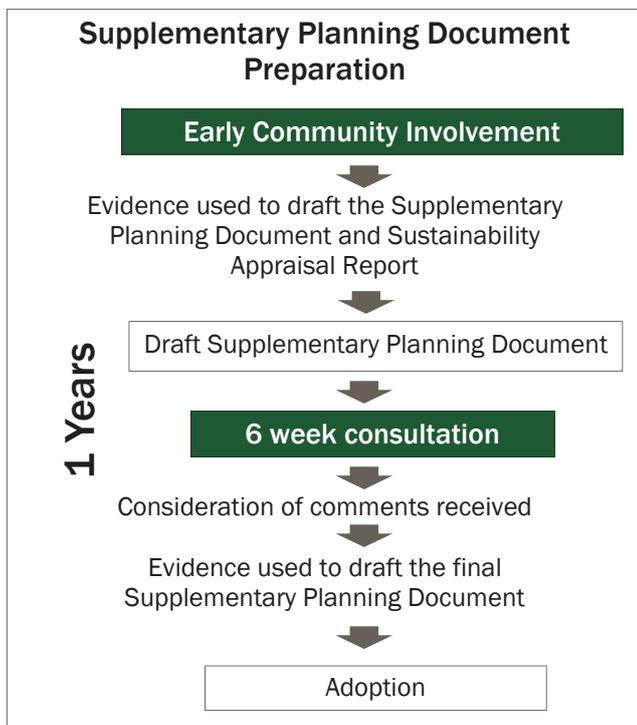
The issues raised and representations received during the pre-production stage will be fed into the preparation of the SPD. In accordance with regulation 17 of the Town and Country Planning (Local Development) (England) Regulations 2004 the draft SPD along with a sustainability appraisal will be subject to a formal six week consultation period.

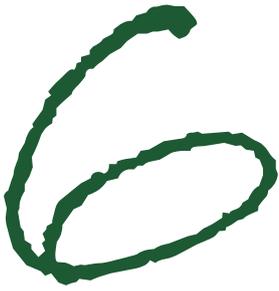
Everyone who submitted representations at the pre-production stage will be sent a copy of the SPD as well as appropriate specific and general consultation bodies. It will be statutorily advertised in the Times and Star and the Cumberland News. A copy of the SPD will be available at the venues listed in appendix 3, as appropriate, as well as on the Council website. A press release would also be issued and if appropriate a local exhibition maybe displayed. The range of consultation methods which could be used, depending on the content of the SPD, are set out in appendix 4.

## 5.4 Adoption

Comments received during the above six week consultation will be incorporated into the final SPD, where appropriate. All those that submitted representations will be advised what changes to the document, if any, occurred in response to their comments. As with a Development Plan Document any person may challenge the validity of a Supplementary Planning Document by submitting an application to the High Court within six weeks of the date of the adoption notice.

The adopted SPD will be available at the same locations used for the previous six week consultation and on the Council website.





## Strategic Environmental Assessment and Sustainability Appraisal

6.1 Sustainability Appraisal is a systematic and iterative appraisal process, which incorporates the requirements of the Strategic Environmental Assessment Directive.<sup>(4)</sup> The purpose of a sustainability appraisal is to appraise the social, environmental and economic effects of the strategies and policies in a Development Plan Document or Supplementary Planning Document from the outset of the preparation process. To be effective the sustainability appraisal must be an integral part of the plan making process and inform the development of alternative options.

6.2 At the pre-production or evidence gathering stage a sustainability appraisal scoping report will be prepared which will be a baseline report covering the plan area and will identify the sustainability issues which a Development Plan Document or Supplementary Planning Document would have to address. It would also set out the sustainability appraisal framework, which will be used to assess the options as they develop. Consultation on the scoping report will be carried out with the statutory consultees as specified in the Strategic Environmental Assessment Directive and appropriate stakeholders, by sending a copy of the document and where necessary by holding individual meetings.

6.3 With respect to a Development Plan Document a full sustainability appraisal (SA) will be published along with the Preferred Options document for comment. Copies of the SA will be sent to the same consultees who were consulted on the scoping report. Any comments received will be taken into account before a final SA report and the Development Plan Document are

submitted to the Secretary of State for examination.

6.4 A full SA report is also published along with the draft SPD for comment. Copies of the SA will be sent to the same consultees who were consulted on the scoping report. Any representations received will be considered and any modifications to the SPD, together with the reasons, will be published as part of the adoption process.

With the exception of the Statement of Community Involvement all Local Development Documents are subject to sustainability appraisal.

### 6.5 Appropriate Assessment

Appropriate Assessment (AA) is required when a plan would be likely to have a significant effect on a European wildlife site. The scope of the AA will depend on the location, size and significance of the proposed plan. Scoping on the need for an AA will be undertaken at the same time as the SA scoping report for a Local Development Document and will be published for comment at the same time. If an AA is considered necessary then it will be published in conjunction with the full sustainability appraisal for a particular Local Development Document.

Natural England is the only statutory consultee with respect to Appropriate Assessment. However, the Council may consult with other organisations that could have an interest in the AA process, dependent on the scope of the Local Development Document.



## Consultees

**7.1** The Town and Country Planning (Local Development) (England) Regulations 2004 specify that certain specific consultation bodies must be consulted. The minimum consultation requirement for DPDs Issues and Options is set out in Regulation 25, Preferred Options (Regulation 26) and submission to the Secretary of State (Regulation 28). If the DPD relates to site allocations a further six week consultation period may be required to consider alternative sites, in which regulation 29 and 32 are applicable. Regulation 17 sets out the consultation requirements for SPD's.

Each of the specific consultation bodies to the extent that the local planning authority considers that the proposed subject matter of the Local Development Document affects the body; and

Such of the general consultation bodies as the Local Planning Authority consider appropriate.

**7.2** The specific consultation bodies include:

- The Regional Planning Body
- Cumbria County Council and neighbouring authorities
- Parish Councils
- North West Regional Development Agency
- Environment Agency
- Highways Agency
- English Heritage
- Natural England
- Network Rail
- Owners/controller of telecommunications apparatus
- Strategic Health Authority
- Those organisations that provide electricity, gas and water and deal with sewerage

The general consultation bodies include

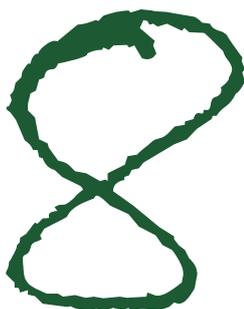
community groups and other stakeholders such as:

- Voluntary bodies whose work benefits the area
- Bodies representing the interest of the business community
- Bodies that represent national organisations

**7.3** The Council will also consult with various government departments as listed in Appendix 1. All general consultation groups and individuals have been invited to register their interest for involvement in the preparation of the Development Plan Documents and SPD's. However the Council will include groups which are considered relevant to a particular Development Plan Document and SPD, even though they may not have indicated an initial desire to be involved. Where an individual or organisation has previously identified a preferred method of consultation the Council will endeavour to accommodate this, where resources allow.

**7.4** Allerdale Borough Council maintains a database of individuals and organisations that wish to be involved in the preparation of the LDF documents including, local businesses, residents associations, voluntary groups, government bodies and individuals. If you would like to join the LDF consultation database and be kept up-to-date on the new development plan for Allerdale please contact us on 01900 702767. Please also contact us if you are already on the LDF consultation database and want to change your details or be removed.

**7.5** With regard to planning applications the consultation process is outlined in greater depth in section 11 Statutory regulations form the basis of consultation on planning applications however the range and scope of consultations will depend on the type of application and the proposal.



## Hard to Reach Groups

**8.1** The Council considers that some sectors of the community are harder to reach than others, in particular:

- People from Ethnic Minority groups
- Gypsies and Travellers
- People with Disabilities
- Young adults and older people
- Homeless people
- Single parent families
- Carers
- People living in areas of deprivation or low income
- People living in remote rural areas.

**8.2** The Borough covers a large rural area which is serviced by limited public transport thus limiting access to services. In addition there are significant areas of both rural and urban deprivation and as a result people on low incomes which all act as barriers to becoming involved the consultation process. There are very few people from ethnic minorities or Asylum Seekers in the Borough and the age profile of the area is reasonably balanced, with the exception of such towns as Silloth which are predominately retirement areas.

**8.3** To overcome potential consultation barriers a variety of methods and approaches need to be employed that are tailored to the particular needs of the consultees, these are outlined below.

### **8.4 Written Information**

Written material is a key consultation tool in the plan making process, ranging from consultation documents to exhibitions and press articles. However people can have difficulty accessing information in this format due to learning or physical disabilities, poor literacy levels or the need for translation into another language.

**8.5** The Council has published a Corporate Communication handbook which establishes guidelines to ensure that written material is accessible and user- friendly. The measures include:

#### **8.5.1 Format for written material**

- At least 12 point
- Large print version (16-22 point)
- Avoid block capital letters and italics, as hard to read.
- Avoid shadows and underlining
- Use plain language
- Avoid confusing colours and backgrounds  
Use single line spacing

**8.5.2** All written material would also be available on audio tape, Braille and translated into different languages up on request. Summaries of large documents would also be made available, where appropriate.

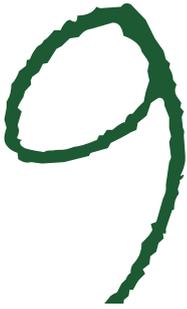
## **8.6 Forums, Focus Groups and Presentations**

Face to face techniques maybe more accessible to parts of the community who are not confident or have difficulty in accessing written documentation. However, in order to ensure such events are effective and accessible the following factors would have to be considered.

- Access to the venue particularly for people with disabilities
- Location of the event- use venues around the Borough, accessible by public transport
- Timing – try to respond to the needs of a particular group.
- Special attention will be paid to the needs of Gypsies and Travellers via outreach consultation so that there is direct and accessible communication with them.

All Council staff have undertaken diversity training to ensure that all sections of the community have an equal opportunity to participate.

**8.7** The Council intends to feed into the existing network of community workers and forums which exist for people with disabilities, young people and older people. It is hoped that this will be co-ordinated through the Community Empowerment Network.

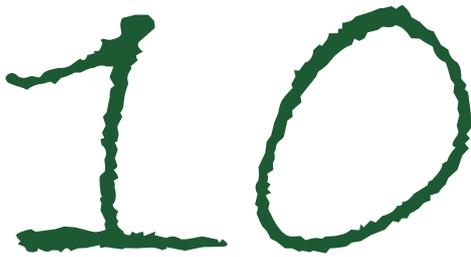


## Local Strategic Partnership

### 9.0 Local strategic partnership

The Local Development Framework is a key tool in the implementation of the spatial element of the Community Strategy. Therefore the preparation and production of each Local Development Document will be fed into the work undertaken by the Living Environment Group of the Local Strategic Partnership. This will ensure that the preparation of the Local Development Framework is fully considered by the Local Strategic Partnership and as such becomes an integral part of the Community Strategy.

Details of the current version of the Sustainable Community Strategy is available from the West Cumbria Local Strategic Partnership website [www.westcumbrialive.com](http://www.westcumbrialive.com) or by contacting the Local Strategic Partnership on 01900 702990.



## Proposed Approach and Process

**10.1** The new planning system places greater emphasis on ‘front loading’ and consensus building with local communities on the contents of the plans that will shape the future of the Borough. ‘Front loading’ involves facilitating early involvement and securing inputs from the community and all stakeholders. The development of alternative options will be derived from the development of an evidence base, the awareness of local issues and the views of stakeholders and the community. This will ensure that the community will influence the evolution of Local Development Documents from the start. Failure to take this opportunity may compromise a consultees ability to participate in the Examination in Public, which will concentrate on whether the plan is sound, In particular stakeholders would have to demonstrate that the level of community involvement had not been sufficient. A full list of the test of soundness is contained in appendix 2. Traditionally, community involvement in the planning process would involve inviting comments on proposed policies and proposals in a written document (with relevant maps) at specific stages in the process. The new planning system encourages greater community involvement at the earliest stages in order to create a stronger local dialogue with the community. This general approach will be used through out the Development Plan Document preparation.

**10.2** In order to ensure that community involvement is as effective and far reaching as possible the Council sent out questionnaires in November 2005 to ask people how they would prefer to be involved.

**10.3** The questionnaire was designed to initiate a

dialogue with the community and stakeholders on how they wished to be involved in the production of the Local Development Framework. This Statement outlines the Council’s proposed approach based on the feed back from the questionnaires. However the Council recognises that many of the techniques are resource intensive and this strategy therefore aims to strike a balance between meeting the objectives of community involvement in the process and the resources available to undertake such techniques.

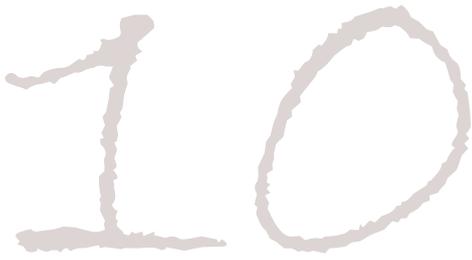
**10.4** As a result of the responses received from the questionnaire the council has put together a number of consultation methods which aims to provide flexibility dependent on the type of document involved and the nature of the consultees see appendix 4.

### **10.5 Neighbourhood Forums**

There are eleven Neighbourhood Forums in the Borough and they provide a network, set up and serviced by the County Council, to enable local residents to informally discuss and debate local issues and help influence priorities. It is considered that this network can provide a local emphasis and would be used to debate the preferred options for the Development Plan Documents, in particular with regard to the site allocations.

### **10.6 Exhibitions**

This is a more traditional method of engagement with the community but it allows, by using venues



## Proposed Approach and Process

around the Borough, local residents, community groups and local businesses to gain access to proposals for their area and would provide face to face contact with officers, as appropriate, to discuss and provide further explanation of policies options and individual site allocations.

### **10.7 Allerdale Outlook**

This is a quarterly magazine produced by the Council, delivered to every household in the Borough. It is proposed to gain views and feedback on issues and the development of options using a postal or email response. However, the use of this consultation method will be dependent on the timing of the magazine and the space available

### **10.8 Consultation documents**

Sending copies of consultation documents either through the post or via email to specific and general consultees was chosen by the majority of organisations who were surveyed during the preparation of the Statement of Community Involvement (SCI) and as such will be a key consultation method. In addition to sending out documents to consultees on its database draft documents will be available for inspection at the Council's offices and libraries around the Borough. Written comments will be sought either by post or email. Full details of the proposed venues and opening times are contained in appendix 3.

### **10.9 Planning for Real<sup>(TM)</sup>**

The council may use this technique to engage the local community particularly in the preparation of Area Action Plans where the issues and policies relate to a defined area. This would be particularly useful for identifying existing issues and developing preferred options.

### **10.10 Council website**

All documents, at all stages of preparation will be available for inspection on the Council's website requesting written comments. A comments form will be available to download and its intended that comments can be submitted on-line for the Core Strategy, site allocations and Development Control Development Plan Documents. The web-site will be kept up to date.

### **10.11 Presentations**

This could be used as part of scheduled meetings such as the Parish and Town Councils. This will allow a question and answer sessions with officers afterwards. It is proposed to consult Parish and Town Councils regularly and attend where appropriate their meetings or invite them collectively to separate meetings. This is in addition to receiving all documentation as a statutory consultee.

### **10.12 Community Voice**

This is a panel of approximately 500 residents of Allerdale who are representative of the Borough.

They have agreed to respond to surveys and research conducted by the Local Authority. It is intended to use small focus groups made up of members of Community Voice to discuss issues and options and preferred options.

### **10.13 Planning Aid**

Planning Aid is a voluntary service offering free, independent and professional advice on planning matters to the community groups and individuals. The Council will endeavour to ensure that members of the community are aware of the advice and support available. Further details about the Planning Aid Service can be obtained from Joint Professional Centre for Planning & Landscape, 3rd Floor, Claremont Tower, University of Newcastle upon Tyne, Claremont Road, Newcastle NE1 7RU, 0870 850 9803 or [ntcw@planningaid.rkpi.org.uk](mailto:ntcw@planningaid.rkpi.org.uk).

### **10.14 Meetings with stakeholders**

This method will be used at the issues and options stage to gather information to build up the evidence base and to discuss the development of preferred options.

### **10.15 Press**

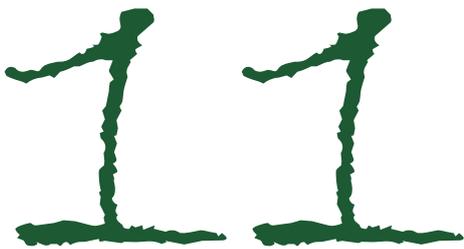
Press Releases will be used to inform the community of the publication of Local Development Documents and how they can submit comments. It is also intended to include articles in the press to raise the profile of the Local Development Framework and direct

individuals and organisations to consultation events.

### **10.16 Community Empowerment Network**

This is an established network of community groups and forums which can be used to carry out consultation with harder to reach groups. In particular there are existing forums for people with disabilities, young and older people.

It is recognised that both the Council and the Local Strategic Partnership undertake a variety of consultation on a range of subjects at various times of the year and that a more co-ordinated response would be beneficial to avoid consultation fatigue. The community engagement strategy, developed by the Community Empowerment Network, and the Council's consultation review, aim to develop opportunities for joint consultation, where possible. The development of a community gateway through the Local Strategy Partnership (LSP) aims to co-ordinate all the consultation programmes of the LSP partners and it is hoped that the Local Development Framework would utilise this.



## Consultation on Planning Applications

The Development Control service has adopted a planning and development service charter which sets out in detail how the Council will approach pre-application advice and deal with planning applications. A copy is contained in appendix five.

### 11.1 Pre-application Advice

The Council encourages applicants to discuss their proposals before submitting formal planning applications. Appointments can be made with Planning Officers to discuss proposals and obtain advice on how best to proceed. Planning Officers are available to discuss pending applications throughout the process for the applicant and objectors. The Council's development control section is divided into two teams. One team is responsible for the north of the Borough while the other covers the south. The Council will encourage potential applicants of large scale schemes to consult with statutory consultees as well as local community groups and residents who would have an interest in the proposal before an application is submitted.

### 11.2 Planning Applications

The scale and nature of consultation will vary dependent on the type of planning application.

Major applications;

Major development is defined as residential applications for ten or more dwellings or sites greater than 0.5 hectares. For all other uses the definition is based on floor space of 1000 square metres or more or sites over 1.0 hectares.

Consultation on major applications would include a press notice, site notice/s, and individual letters

to local residents and businesses. Details of the application will be placed on the Council website and statutory consultees and local amenity groups will be consulted, as appropriate.

Listed Building applications;

Consultation on Listed Building applications would include a press notice, site notice and individual letters to adjoining residents. Local amenity groups would also be informed, as appropriate, as well as consultees such as English Heritage.

Conservation Area consent;

The consultation process for Conservation Area consent will use the same methods as outlined above for Listed Buildings applications.

Householder applications;

Householder applications are advertised by site notices and individual letters to adjoining properties. Relevant organisations such as Parish Councils and the Highway Authority would also be informed, if appropriate.

Minor applications;

Consultation on minor applications will involve the use of site notices and individual letters to adjoining neighbours. In addition Parish Councils and other agencies such as Highway Authority or Environment Agency will also be informed, where appropriate.

Departure applications;

If the Council are minded to approve a planning application, which does not accord with the provisions of the Development Plan, then the Council would publish a further press and site notice inviting comments on the proposal.

**11.3** For the purpose of consulting neighbouring residents and businesses, the Council sends individual letters to properties immediately adjacent to the application site. For larger proposals this would be extended to a wider area depending principally upon the scale and nature of the proposal. Consultation letters invite comments to be made within 21 days of the date of the letter. However, bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation. The results of any such consultation will be reported and taken into account in decisions made by, and on behalf of, the Council. Site notices are posted as required by the Regulations and are used to advertise proposals which are deemed to have a wider impact on the community.

Where a press notice is required or thought necessary, the Council will place this in one of two newspapers in the Borough depending on the location of the application site.

A protocol has been agreed between the County Council and the District Councils which establishes when the County Council should be consulted on planning applications received by the District Council. Details of the type of applications this covers are contained in appendix 6.

**11.4** If an application is amended during its consideration, the Council will send a further round of consultation letters to nearby residents and to people who have also commented on the proposal. A copy of the revised plans will also be sent to the Parish/Town Councils. However if the Council considers that the proposed amendments

alter the original application radically then a new application maybe required to enable proper consideration of the revised scheme and to allow full consultation with statutory and non-statutory bodies.

**11.5** The Council will place copies of applications and accompanying plans, on deposit at its offices at Workington. However, full details of major applications and proposals, that have a wider impact on the community, will also be available at the appropriate area office. The Council will receive comments by post, fax and email.

**11.6** Over 90% of the applications received by the Council are dealt with through delegated powers to officers and do not go to the Development Panel. The Development Panel is made up of Council Members providing representation across the Borough. The Council allows the public to speak at the Development Panel meetings. Anyone who has submitted written comments on an application may address the Panel for 5 minutes. The applicant has the same period of time to respond to the issues raised by an objector.

**11.7** The Council posts decisions on planning applications on the Council's website. Parish and Town Councils receive a copy of the decision notice.

At present a weekly list of applications, full details of individual planning applications, reports to the Development Panel and decisions on all the applications are available on the Council's website.



## Member Involvement

**12.1** Members have an important role to play in the preparation of the Local Development Framework and in the determination of planning applications. All Local Development Documents will be considered by the Development Panel. In the case of the Issues and Options documents the Development Panel have delegated authority to sanction its consultation. The later stages of preferred options and the submission document would also be considered by Executive and Full Council, in addition to the Development Panel

**12.2** All comments received during each consultation stage will be reported back to members when each stage is considered.

**12.3** The Council's Development Panel determine planning applications that fall outside the powers delegated to officers.

**12.4** In addition to the formal consideration of Local Development Documents it maybe appropriate to hold group meetings with Members to involve them in the discussion of the issues and the development of options prior to drafting a Local Development Document.

Contact details for District Councillors and Parish Councils together with dates of Council meetings are available on the Council website [www.allerdale.gov.uk](http://www.allerdale.gov.uk) or by telephoning 01900 702557.

# 13

## Reporting back to the Community

**13.1** All comments will be acknowledged and, where appropriate, it may be necessary to undertake follow up meetings with consultees to discuss issues raised as part of the consultation process.

A summary of the representations received, at Preferred Options and Submission stage, for a DPD will be made available at the venues listed in Appendix 3 and also on the Council website. The summary will also include the Council's response to the representations and indicate whether the DPD has been amended or not as a result. A similar summary document will be produced for SPD's following the Regulation 17 consultation.



## Resources

**14.1** The Council has limited resources and has therefore concentrated on techniques that use existing consultations networks such as those developed by the Local Strategic Partnership and the Neighbourhood Forum. These networks have officers dedicated to them which can help with the process. In addition the Council will consider the use of outside facilitators particularly in relation to Planning for Real <sup>(TM)</sup> exercises. The Council has also employed an additional member of staff to work on the Local Development Framework.

**14.2** The consultation techniques which have been included in this SCI have been selected to achieve as wide coverage of community groups as possible while using existing staff resources efficiently. The effective implementation of the SCI will depend on retaining a fully staffed planning policy team, which at present consists of four full-time posts. Any change to this would have an impact on the range of consultation exercises that could be undertaken.

# 15

## Monitoring and Review

**15.1** The Statement of Community Involvement will be a flexible document and will be revised in the light of experience and an evaluation of the success or failure of particular methods of consultation. This may result in techniques being removed and new ideas and opportunities being tried.

**15.2** The Annual Monitoring Report will include an assessment of the success of the SCI. This report will be available on the Council's website. A review of the SCI will be undertaken if the numbers of people attending an event or the level responses to other consultations are unacceptably low, the types of groups originally identified have significantly altered or new techniques need to be included. Any review of the Statement of Community Involvement will follow the same process as undertaken for this one.



## Glossary

**Annual Monitoring Report (AMR)** : part of the Local Development Framework, the annual monitoring report will assess progress on the Local Development Scheme and monitor the implementation of policies contained in the Local Development Framework and saved Local Plan.

**Area Action Plan (AAP)** : used to provide a planning framework for areas where significant change or conservation is needed.

**Community Strategy** : a document produced by West Cumbria Local Strategic Partnership. The Strategy aims to promote and improve the economic, social and environmental wellbeing of the community. It contains key strategic policies.

**Core Strategy** : sets out the long-term spatial vision for the future development of Allerdale. It will contain the key strategic policies.

**Development Plan Document (DPD)** :  
A document which forms part of the Local Development Framework, and which sets out the planning policy framework against which proposals for development are assessed.

### **Development Panel**

A panel of Allerdale Councillors that decide planning applications that have not been delegated to officers as well as emerging Local Development Documents.

**Generic Development Control Policies** : a suite of policies against which planning applications for the development and use of land and buildings will be considered.

**Inspector's Report** : a document written by an independent Inspector from the Planning Inspectorate which assesses the soundness of the documents which form part of the Local Development Framework.

**Local Development Documents (LDD)** : all Development Plan Documents, Supplementary Planning Documents and the Statement of Community Involvement are known as Local Development Documents.

**Local Development Framework (LDF)** : a portfolio of planning documents, which includes Local Development Documents, Supplementary Planning Documents and the Statement of Community Involvement. The LDF will replace the old Local Plan system.

**Local Development Scheme** : sets out a programme for producing Local Development Documents.

**Local Plan** : the Allerdale Local Plan is a district wide Local Plan (excluding the National Park) and will be replaced by the Local Development Framework.

**Local Planning Authority (LPA)** : Allerdale Borough Council is the LPA for most planning applications in the District, apart from applications within the National Park and those for mineral extraction or waste disposal.

**Local Strategic Partnership** : partnerships of stakeholders from the public, private, community and voluntary sectors which promotes the social, economic and environmental well-being of the community.

**The Regulations** : Town and Country Planning (Local Development) (England) Regulations 2004.

**Regional Spatial Strategy (RSS)** : a plan for the North West Region which deals with large scale planning issues across the Region and which takes account of other social, economic and environmental issues at a regional scale.

**Site Allocations** : designation of land in a DPD for a particular land use.

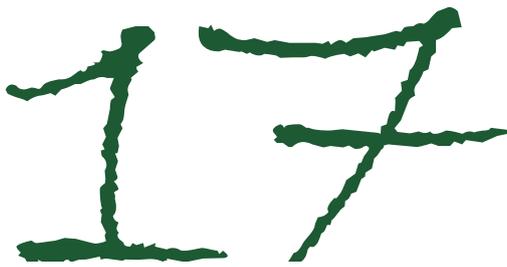
**Statement of Community Involvement (SCI)** : sets out the standards which authorities will achieve with regard to involving local communities in the preparation of Local Development Documents and development control decisions. The Statement of Community Involvement is not a Development Plan Document but is subject to independent examination.

**Strategic Environmental Assessment (SEA)** : a report which assesses the potential environmental impacts of a proposal or Local Development Document.

**Supplementary Planning Documents (SPD)** : Documents prepared by the Council which provide extra information on policies and proposals in DPD's.

**Sustainability Appraisal (SA)** : a means of assessing documents to ensure they reflect sustainable development objectives.





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## Appendix 1: Consultees

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

### **Specific consultation bodies**

Cumbria County Council  
English Heritage  
Environment Agency  
Highway Agency  
Lake District National Park  
Mobile operator's assoc  
National Grid  
Natural England  
Neighbouring District Council  
Network Rail  
North West Regional Assembly  
North West Regional Development Agency  
Strategic Health Authority  
Town/ Parish Councils in and adjoining the authority  
Transco  
United Utilities

### **Government Departments**

Department of Constitutional Affairs  
Department for Culture, Media and Sport  
Department for Education and skills  
Department for Environment, Food and Rural Affairs  
Department of Health  
Department of Trade and Industry

**30 Adopted August 2007**

Department for Transport  
Department of Work and Pensions  
Government Office North West  
Home Office  
Ministry of Defence  
Office of Government Commerce

### **General consultation Bodies**

Ancient Monuments Society  
British Wind Energy Association  
BT  
CABE  
Campaign for Real Ale  
Capita  
Centre for the ecology and hydrology  
Church commissioners  
Coal authority  
Cockermouth Civic Trust  
CPRE  
Cumbria Ecologist  
Cumbria Local Access Forum  
Cumbria RIGS Group  
Cumbria Wildlife Trust  
Council for British Archaeology  
County Archaeologist  
Crown Estate Office  
Defence Estates  
Forestry Commission  
Friends of the Earth  
Health and Safety Executive  
National Playing Fields Assoc  
National Trust

NFU  
 Npower renewables  
 Royal Mail Group plc  
 RSPB  
 Society for the Protection of Ancient Buildings  
 Solway Coast AONB  
 Solway Firth Partnership  
 Sport England  
 The Garden History Society  
 The Georgian Group  
 The Ramblers Association (Lake District)  
 The Theatres Trust  
 The Twentieth Century Society  
 The Victorian Group  
 Wardell Community Power Station  
 West Cumbria Ramblers Association  
 Woodlands Trust  
 Workington Civic Trust  
  
 Crime and Disorder Partnership  
 Fire Brigade  
 Local Education Authority  
 North Cumbria Acute Hospital Trust  
 Police  
 Social Services  
 West Cumbria Primary Health Care Trust  
  
 Age Concern  
 Allerdale Disability Association  
 AWAS  
 CALC  
 Citizens Advice Bureau  
  
 Cumbria Childminding Assoc  
 Cumbria Youth Alliance  
 Cumbria Neighbourhood Watch Association  
 Churches together in Cumbria  
 Commission for Racial Equality  
 Connexions  
 County Youth Service  
 Disabled Persons Transport Advisory Committee  
 Disability Rights Commission  
 Equal Opportunities Commission  
 Gingerbread  
 Gypsy Council  
 Help the Aged  
 Older Persons Forum  
 Rural Women's Unit  
 Sure Start  
 Voluntary Action Cumbria  
 West Cumbria CVS  
 Women's Institute  
 Young Farmers  
 Youth Cumbria  
 Youth Outreach  
 Youthtastic  
  
 Aggregate Industries  
 Allerdale Business Forum  
 British Chemical Distributors  
 CBI  
 Cockermouth Chamber of Trade  
 Cockermouth Partnership  
 Cumbria Housing Group  
 Cumbria Chamber of Trade and Commerce

Cumbria Inward Investment Agency  
Cumbria Rural Enterprise Agency  
Cumbria Rural Housing Trust  
Cumbria Strategic Partnership  
Cumbria Tourist Board  
Cumbria Vision  
Derwent and Solway Housing Association  
Eden Housing Association  
English Partnerships  
Home Builders Federation  
Home Housing  
Impact Housing  
Institute of Directors  
Learning and skills Council  
Local Strategic Partnership  
Market Town's Initiative  
Morrisons  
North Housing Consortium  
Regeneration Maryport  
Rural Regeneration Cumbria  
Tesco  
West Cumbria Development Agency  
Westfield Housing Association  
West Lakes Renaissance  
Workington Regeneration

Port of Workington  
RAC  
Stage Coach

Various consultants who have requested to be consulted on the LDF

**Internal consultations**

Environment  
Housing  
Property Services

Airport Operators Association

Associated British Ports  
Civil Aviation Authority  
Freight Transport Association  
National Air Traffic Services  
North Cumbria Community Transport

## Appendix 2: Tests of Soundness for a Development Plan Document

Tests of Soundness for a Development Panel Document.

Outlined below is the framework for the assessment of soundness which will be carried out by Inspectors at the independent examination.

The Soundness tests fall into the following three categories:

### **Procedural Tests**

The Development Plan Document has been prepared in accordance with the Local Development Scheme.

The Development Plan Document has been prepared in compliance with the Statement of Community Involvement, or with the minimum requirements set out in the regulations where no Statement of Community Involvements exists.

The plan and its policies have been subjected to Sustainability Appraisal.

### **Conformity Tests**

It is a spatial plan which is consistent with national planning policy and in general conformity with the Regional Spatial Strategy for the region, and it has properly had regard to any other relevant plans, policies and strategies relating to the area or to adjoining areas.

It has had regard to the authority's Community Strategy.

### **Coherence, Consistency and Effectiveness Tests**

The strategies/policies/allocations in the plan are coherent and consistent within and between Development Plan Documents prepared by the authority and by neighbouring authorities, where cross boundary issues are relevant;

The Strategies/policies/allocations represent the most appropriate in all the circumstances, having considered the relevant alternatives, and they are founded on a robust and credible evidence base.

There are clear mechanisms for implementation and monitoring.

It is reasonably flexible to enable it to deal with changing circumstances.

## Appendix 3: Locations where documents can be Viewed

### **Allerdale Borough Council**

Allerdale House  
Workington  
CA14 3YJ  
Tel: 01900 702765/702767

*Opening times:*

Monday to Thursday 8.45 – 17.15  
Friday 8.45 -16.45

### **Allerdale Borough Council**

Customer Service Centre  
Town Hall  
Oxford Street  
Workington  
CA14 2RS  
Tel: 01900 702702

*Opening times:*

Monday to Thursday 8.45-5.00  
Friday 8.45-4.30

### **Aspatia Library**

The Brandraw  
Aspatia  
CA7 3EZ  
Tel: 016973 20515

*Opening times:*

Monday 14.00 – 19.00  
Tuesday 10.30 – 13.30 14.00 – 16.30  
Wednesday 13.00 – 17.00  
Friday 12.45- 17.45  
Saturday 10.00- 12.00

### **Cockermouth Library**

Main Street  
Cockermouth  
CA13 9LU  
Tel: 01900 325990

*Opening times:*

Monday 9.15-19.00  
Tuesday 9.15-17.00  
Wednesday 9.15-19.00  
Thursday 9.15-12.30  
Friday 9.15-17.00  
Saturday 9.15-13.00

### **Maryport Library**

Lawson Street  
Maryport  
CA15 6ND  
Tel: 01900 812384

*Opening times:*

Monday 9.00- 19.00  
Tuesday 9.00-19.00  
Wednesday 9.00 13.00  
Thursday 9.00-19.00  
Friday 9.00-19.00  
Saturday 9.00- 13.00

**Silloth Library**

Solway community school

Liddel Street

Silloth

CA7 4DD

Tel: 016973 32195

*Opening times:*

Monday 14.00-19.00

Wednesday 10-13.30 14.30-17.00

Thursday 10-13.30 14.30-17.00

Friday 10-13.30 14.30-17.00

Saturday 10-12.00

**Workington Library**

Vulcans Lane

Workington

Tel 01900 325170

*Opening times:*

Monday 9-19.00

Tuesday 9-19.00

Wednesday 9-19.00

Thursday 9-16.00

Friday 9-19.00

Saturday 9-16.00

Sunday 12-16.00

**Wigton Library**

High Street

Wigton

CA7 9NJ

Tel 016973 66150

*Opening times:*

Monday 10-17.00

Tuesday 10-19.00

Thursday 10-17.00

Friday 10-19.00

Saturday 10-12.30

**Wigton Area Office**

King Street

Wigton

Tel 01900 702890

*Opening times:*

Monday-Thursday 8.34-5.15

Friday 8.45-4.45

**Cockermouth Customer Services Centre**

Fairfield Car Park

Cockermouth

CA13 9RT

Tel 01900 702870

*Opening hours:*

Monday–Thursday 8.45-5.15

Friday 8.45-4.45

# Appendix 4: Consultation Stages and Methods

APPENDIX FOUR : CONSULTATION STAGES AND METHODS												
LDF Document and consultation stage	Neighbourhood Forum	Exhibitions	Allerdale Outlook	Consultation Documents	Planning For Real	Council Website	Presentations	Community Voice groups/Questionnaires	Individual Meetings	Press	Community Empowerment Network	Audience
<b>Statement of Community Involvement</b>												
Early Consultation				X		X	X					All specific and general consultee bodies set out in appendix 1
Formal public participation				X		X	X			X		All specific and general consultee bodies set out in appendix 1
Submission to SoS				X		X				X		All specific and general consultee bodies set out in appendix 1
<b>Core Strategy</b>												
Early Consultation			X	X		X	X	X	X	X		This is a key document and as such consultation will be comprehensive. All specific and general consultation bodies will be involved, as listed in appendix 1.
Formal public participation			X	X		X	X	X	X	X		As above. This will allow feedback on the previous consultation stage.
Submission to SoS				X		X				X		As above.
<b>Generic Development Control Policies</b>												
Early Consultation				X		X	X		X	X		All specific and general consultation bodies. In particular those that have a housing, regeneration, environment or infrastructure remit.
Formal public participation				X		X	X		X	X		As above
Submission to SoS				X		X				X		As above

LDF Document and consultation stage	Neighbourhood Forum	Exhibitions	Allerdale Outlook	Consultation Documents	Planning For Real	Council Website	Presentations	Community Voice Focus groups/Questionnaires	Individual Meetings	Press	Community Empowerment Network	Audience
Formal public participation				X		X	X		X	X	X	As above
Submission to SoS				X		X				X		As above
<b>Site Allocations</b>												
Early Consultation	X	X		X		X	X		X		X	All specific and general consultation bodies. In particular those agencies involved in infrastructure and service provision, developers, regeneration and housing partners as well as the wider community.
Formal public participation	X	X		X		X	X		X	X	X	As above
Submission to SoS				X		X				X		As above
Consultation on alternative sites				X		X				X		As above

LDF Document and consultation stage	Neighbourhood Forum	Exhibitions	Allerdale Outlook	Consultation Documents	Planning For Real	Council Website	Presentations	Community Voice Focus groups/Questionnaires	Individual Meetings	Press	Community Empowerment Network	Audience
<b>Area Action Plan</b>												
Early Consultation				X	X	X			X		X	Residents, businesses and local amenity groups connected to the plan area. Also Specific and general consultation bodies that have an interesting in the Action Plan area.
Formal public participation		X	X	X		X	X		X	X		As above
Submission to SoS				X		X				X		As above
Consultation on alternative sites				X		X				X		As above
<b>Supplementary Planning Documents</b>												
Early Consultation		X	X	X		X	X		X		X	All specific consultation bodies will be involved in the preparation of SPD's. Consultation with general consultation bodies will be tailored to the subject covered by the SPD.
Formal public participation		X	X	X		X	X					As above depending on the nature and content of the document.

# Appendix 5: Planning and Development Charter

Allerdale Borough Council has an ambitious vision of making Allerdale “a great place to live, work and visit”. In 2006 a Corporate Improvement Plan was published which takes the vision one step further by identifying how, over the next 5 years, we will work towards making it happen.

As part of this the Planning and Development Service has a purpose of improving and protecting Allerdale’s physical environment and economy. The main aims of the service are summarised in the strategic plan as:

- To provide an efficient Planning and Development Service that allows and encourages development opportunities, safeguards existing investment but offers control that ensures the public interest is maintained, involves public scrutiny and treats individual applicants as customers.
- To continue to advise on changes in legislation, guidance and advise through reports, seminars and training sessions, and provide appropriate training opportunities to staff at all levels.
- To provide a Planning and Development Service that is integrated with every relevant Council department and works closely with the private sector.

In furtherance of the above, the Service looks towards achieving the following.

## 1 General Standard of Service

We will:

- Treat applicants, neighbours, people we consult, and the public as customers of the service.
- Treat all customers politely and fairly.

- Make a planning officer available during office hours to give general advice and information about what you might propose before submission of an application. To gain the most from this service it will be best to make an appointment with the most appropriate officer prior to visiting the office.
- Seek to offer a response to a written request for advice *within 10 working days*.
- Aim to answer telephone enquiries that cannot be dealt with immediately *within 1 working day*.
- Give whatever advice we can about whether your proposal requires planning permission and, if it does, whether it is likely to be given.
- Provide information about planning policies, past decisions, Council procedures, dates for Development Panel meetings, list of Development Panel members.
- Provide advice notes for customers.
- Provide notes on office procedures.
- Publicise performance against stated criteria.

## 2 Pre-Application Discussion: Asking for Information and Advice

We will:

- Welcome pre-application discussion with a view to encouraging high quality applications which can be dealt with as efficiently as possible.
- Encourage customers to make appointments prior to visiting the office.
- In the case of large scale and/or complex proposals, seek to establish a 'development team approach' to give customers the best possible guidance.
- In cases where advice is sought by letter, aim to offer a written response *within 10 working days*.
- In the case of telephone enquiries which cannot be dealt with immediately, to offer a response *within 1 working day*.
- Offer advice which is accurate and objective.
- On request, comment on the merits of a proposed application having regard to policy, previous decisions and Council requirements. If appropriate the advice of likely consultees will be sought or the enquirer advised that the opinion might be the subject of further comment.
- Give advice, where known, on any other approvals or consents that may be required for the development.

## 3 Dealing with Applications

We will:

- Write to you *within 3 working days* confirming that your application has been received but cannot be registered because it is incomplete or invalid. The letter will explain what is missing or how to correct any mistakes. Further, the letter will explain that it

is intended to return the application and refund any fees paid if the errors are not resolved *within 15 working days* of the date of the letter.

- Register the application when complete, if it was not on the day of receipt, and acknowledge receipt *within 3 working days*. The acknowledgement letter will set out your rights and give a date by which a decision should be made.
- Place a copy of the application on the statutory public register the Authority is required to keep *within 3 working days* and have the register available for public inspection at all reasonable hours.
- *Within 3 working days* of receipt initiate consultation with as wide a public audience as might be seen to be appropriate in order that they will have opportunity to comment on the merits of what is proposed.
- Will seek to publish a weekly list of applications received in the local press. The details of the applications received will also be published on the Councils web-site.
- The application site will usually be inspected by the case officer *within 10 working days* of receipt of the application and a professional appraisal of the proposal made.
- If further consultation is considered necessary following the site inspection, it will be initiated *within 3 working days* of the visit.
- If minor revisions are required to enable an application to be considered favourably, or further information required, these will be requested *within 21 working days* of receipt of the application and it will be expected that a formal response be received *within 15 working days*. The Council may need more time to consider applications changed in this way as, for example, re-consultation with interested parties may be deemed to be necessary.

- If revisions to a proposal are more than might be described as minor, the applicant will be given the opportunity to withdraw the application and if this opportunity is not taken then the application will be determined as submitted.
- Inform the applicant, in writing, of the decision *within 3 working days* of it being made and, if appropriate, offer clear reasons why it was necessary to either turn down the proposal or to add conditions to an approval.
- *Deal with the following % of applications received in each differing category within the following Best Value Performance Indicators:*

Major and commercial and industrial applications  
60% in 13 weeks

Minor commercial and industrial applications  
65% in 8 weeks

**All other applications 80% in 8 weeks**

- Where details required by a planning condition are submitted for consideration the Council will aim to decide whether what is proposed is acceptable or not *within 10 working days of receipt*.

#### **4 Dealing with Proposals to do Works to Trees and Hedges**

We will:

- Register any request to do work to trees either protected by a Tree Preservation Order or located within a Conservation Area, and hedgerows as defined in the Hedgerow Regulations, and *acknowledge receipt within 3 working days*. The acknowledgement should

set out your rights and give a date by which a decision shall be made.

- The tree(s)/hedgerow will be *inspected within 10 working days of receipt* and an appraisal of the proposal made. Such an appraisal will include consideration of the need for further technical/arboricultural advice. In cases where further advice is deemed necessary it *shall be requested within 10 working days*. Such advice will be expected to be *received within 14 days* of it being requested.
- *All requests to carry out works to trees, the subject of a Tree Preservation Order, will be determined within 8 weeks of receipt.*
- *All requests to carry out works to trees within a conservation area will be determined within 6 weeks of receipt.*

#### **5 Dealing with Complaints about Unauthorised Development**

We will:

- Acknowledge complaints alleging that unauthorised development is occurring within *3 working days of receipt*.
- The site will be inspected within *10 working days of receipt* in order to establish the facts.
- Where a breach of control is established, the person responsible will be written to and informed what action is necessary to correct it.
- The complainant will be notified *within 15 working days of the findings of the investigations, and explaining what action is to*

*be required, or why no formal enforcement action is to be pursued.*

- The complainant will be informed within 10 working days of a decision to take formal enforcement action.

**Contacting the Planning and Development Service:**

**e-mail**                      [planning@allerdale.gov.uk](mailto:planning@allerdale.gov.uk)

**Telephone**

Northern Team            01900 702740

Southern Team            01900 702760

Enforcement and  
Tree Team                    01900 702750

[www.allerdale.gov.uk](http://www.allerdale.gov.uk)

look under the Housing, Building and  
Planning link

# Appendix 6: Development Control Protocol agreed between Cumbria County Council and Local Planning Authorities

Thresholds on the types of development that would require a County Council corporate response.

The thresholds set out below have been derived through reference to Schedule 6 (Amendments of the Planning Acts) of the Planning and Compulsory Purchase Act 2004, District Councils must consult the County Planning Authority on:

*“(a) a development which would materially conflict with, or prejudice the implementation of a relevant county policy;*

*(b) a development of land in respect of which the county planning authority have given notice in writing to the district planning authority that they propose to carry out development;*

*(c) a development which would prejudice a proposed development mentioned in paragraph (b) in respect of which a notice has been given as so mentioned;”*

For the above purposes, a relevant County Council policy is defined in Schedule 6 of the Planning & Compulsory Purchase Act 2004 as:

*“(10) (b) a policy contained in a structure plan which has effect by virtue of paragraph 1 of Schedule 8 to the 2004 Act”.*

It is expected that District Local Planning Authorities will have the general objectives of the Structure Plan in mind when determining all applications. In most cases, proposals will raise issues that are essentially of local interest. Whilst the adopted Structure Plan and other County Council policies, together with any existing

relevant adopted Local Plans (and revisions), and the new Local Development Documents will form the context for determining these proposals, the County Council does not need to be formally consulted on these “local interest” applications.

However, some development proposals will raise wider concerns which affect County Council policies, and hence statutory consultations will need to take place on these applications. To assist the interpretation of which development proposals would be covered, the types of application have been agreed and these are set out below.

The thresholds identified within this list are not prescriptive, and should not be rigidly interpreted. Scale is a variable quality, and its significance should be related to the character, nature and capacity of the surrounding area to absorb the development. In assessing which applications will be the subject of consultation District Councils should consider whether there may be applications which although the threshold are likely to have County Council policy implications or which cumulatively may be significant in effect. District Councils should use their discretion and consult the County Council where they believe this to be the case. In particular other County Council policies should be used to inform this judgement.

## Thresholds

If a proposed development is allocated or identified and in accordance with an adopted Local Plan or Local Development Document, then there will be no need to consult the County Council.

However, in all other cases, the following development should be the subject of a formal consultation with the County Planning Authority:

**A.** All housing development (assuming a density of 30 dwelling/ha) in excess of:

- i) 60 units or 2ha within the Key Service Centres (see definition below); or
- ii) 30 units or 1ha within any other settlement identified as a Local Service Centre;
- iii) 7 units or 0.25 ha elsewhere (i.e. rural area); or
- iv) any development where the annual rate of provision in the JSP is exceeded by 10% (taking account of phasing policies).

**B.** All retail development in excess of:

- i) 2,500 (gross) sqm either out-of-centre, or edge-of-centre locations providing a gross floor space (including outdoor sales) within Key Service Centres; or
- ii) 1,000 (gross) sqm within the Local Service Centres, or development which would be at a scale inappropriate to the needs and size of the catchment of the Local Service Centre;
- iii) all retail development within other rural settlements and villages, (smaller than Local Service Centres), where the scale could be harmful to local service provision.

**C.** All employment development [i.e. B1 – B8 of the Use Classes Order (Amendment) 2005] in excess of:

- i) 2ha within identified Key Service Centres; or
- ii) 1ha, or 2,500sqm (gross) for Use Class B1 developments, or 5,000sqm (gross) for Use Class B2 developments, either on the edge of, or

adjoining a Key Service Centre or within a Local Service Centre; or

- iii) 0.5ha elsewhere in other rural areas; or
- iv) Any application in connection with any Airport, which would involve a new runway, construction of a new airport terminal, or the expansion of the terminal, which would provide additional capacity;

or

- v) Any application in connection with the ports in Cumbria, which would enable new or extended trading docks, piers and ferry terminals and connected land-based infrastructure.

**D.** Redevelopment for other purposes of existing employment land (or land allocated in a local plan or with planning permission) in excess of 1 ha.

**E.** Any significant tourist/leisure proposal by reason of both size and number of visitors which is not within a Key Service Centre; i.e. caravan chalets, hotels or conference centres.

**F.** Any other significant development proposal outside a Key Service Centre, by reason of its scale, size or potential cumulative impact on: the present character, quality and setting of the landscape; impact on the integrity of an area or feature of national or international conservation importance or within their settings (see definition in JSP Policy E34); or impact on local amenity.

**G.** All significant proposals for service areas on motorways and trunk roads.

**H.** Any wind energy proposal (turbines 15m high to hub and above) within 20km radius of another proposed or approved scheme, or any scheme of

3 or more turbines( 15m high to hub and above) elsewhere, and any other renewable energy infrastructure proposals.

**I.** Significant developments with potentially wider than district impact (including sea defence and reclamation works on coastal areas or floodplains).

**J.** Major developments such as prisons, pipelines, oil or gas terminals, energy supply schemes (conventional, nuclear, or large-scale renewable on- or off-shore), water supply schemes, or upgrades to the electricity distribution network required as a result of development.

**K.** Development concerned with spent fuel reprocessing activity and any other new nuclear related development that is a 'District' matter, which is significant in size or impact.



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