

Consultation Statement - Statement of Community Involvement

December 2023

Introduction

1. The draft Statement of Community Involvement was published for consultation between 26 June – 6 September 2023. This statement details the consultation on this document before and during the consultation period and the responses received.

Background on the Statement of Community Involvement

2. The Statement of Community Involvement (SCI) sets out how Eastleigh Borough Council (the Council) will involve the local community in planning matters. These include Local Plan and Supplementary Planning Documents, Neighbourhood Plans and the consideration of planning applications.
3. The SCI will replace both the previously adopted SCI from 2015 and the Addendum SCI published in December 2020 in response to temporary legislation during Covid restrictions (which expired in December 2021). It reflects updated requirements and a general shift towards people accessing consultation materials and responding electronically. More information is also provided on how the Council will consult on planning applications.

Public consultation on the draft SCI

4. The Council published the Statement of Community Involvement for public consultation from 26 June – 6 September 2023.
5. Notification of this consultation was sent to everyone who had signed up to the Council's Local Plan email updates and individuals and organisations on Local Plan consultation database, approximately 3,900 emails and letters. These including statutory consultees, residents and developers.
6. The statement was available online via links on the Council webpage. Paper copies were also available to view at Eastleigh House, other Parish/Town Council Offices and libraries in the borough.
7. The Council encouraged people to respond electronically using the consultation hub; <https://eastleighboroughcouncil.citizenspace.com>. Representations were also accepted via email and by letter.

Responses on the SCI

Number and type of responses

8. Responses were received on the content of the SCI from two members of the public and from Southern Water and Historic England. In addition Natural England responded and expressed support for key principles of engagement but was unable to comment on the details in the SCI. Further internal comments were also made by Planning officers.

Issues raised

9. Appendix 1 is a schedule of the comments received during the public consultation and internal comments on the draft SCI. The key issues raised are summarised below.

Summary of issue	Council's response and recommended changes
Importance of holding face to face exhibitions and consultations	Agree, these methods are included in the draft SCI. No change required
Concern about lack of transparency in consideration about planning applications	Noted. The Council publishes all public comments and the Planning Officer's report (which summarises and assesses these) on the website. There is also the opportunity to make verbal deputations at the public committee meeting for applications referred to Committee.
Concern about a lack of engagement by applicants and response to community concerns	<p>Noted. Applicants should engage with the local community at the pre-applications stage and feedback influence the development. If applications are altered during the application stage, further consultation is required. Public notification is carried out and comments considered in the same way as at the start of the process.</p> <p>While there is no mandatory requirement for the applicant to re-engage following major changes, this is encouraged. Text added to state this.</p>
Insufficient time given for public consultation when applicants make major changes and submit extra documents	Noted. Full publicity is carried out by the Council to ensure the public has sufficient time to comments on changes should they wish to.

Request from Southern Water to be consulted on any major planning applications to assess network capacity	Noted. No change, this text highlights statutory consultees only
Request to add specific references to Historic England and early engagement with statutory agencies.	Noted. Historic England added as statutory consultee. Specific reference to early engagement not required
New section required with details of planning enforcement	Agree. Text incorporated into final version
Further clarification required on neighbourhood planning and the role of the Council and the parish or town council	Agree. Changes made to chapter 7

Changes to the draft SCI

10. The following changes were made in the revised SCI:

- a. New paragraphs 2.9 - 2.11 were added to the chapter on legislative requirements. These provide information on the Council's responsibilities for Neighbourhood Plans
- b. Text added to note that neighbourhood plans are written by local communities and led by parish or town councils (paragraph 7.3)
- c. Bullet point text amended where there is an overlap with the activities of the parish/town council and the Borough Council in publicising a Neighbourhood Plan:
 - i. from the Council making documents available and notifying people to ensuring that this happens (para 7.6 ii).
 - ii. from the Council notifying those local to the area about the plan to working with the parish or town council to ensure that those local to the area are notified (para 7.6 iii).
- d. The reference to notifying parish / town councils was removed as this was no longer needed following the wording change above (para 7.6 iii).
- e. The requirements that the Council 'will' use Borough News to notify households of plan consultations and 'will' issue a press release were amended to 'may' to provide more flexibility about how plans are publicised.
- f. New bullet point added to state that for major and contentious applications where major changes are proposed, applicants will be encouraged to undertake further local community engagement (paragraph 8.14).

- g. New paragraphs 8.20 – 8.23 were added to chapter 8 on planning applications. These cover planning enforcement and how the team will contact people for their input and provide information to Councillors and Parish/Town Councils.
 - h. Text added to paragraph 1.5 following the Levelling Up and Regeneration Act receiving royal assent. This notes that the SCI will be reviewed in due course to consider the associated regulations and policy changes.
11. Other minor text changes and corrections were made in the SCI. The text on neighbourhood planning was simplified to refer to 'parish or town councils' instead of 'a qualifying body' (paras 7.3-7.7). References to neighbourhood planning and planning enforcement were added (paragraph 1.3). The final SCI has been prepared for publication and designed to reflect the Local Plan style.

Appendix - Schedule of comments and EBC responses

Number and Type	Comments Summary	Specific Relevant Points/Suggestions	EBC comment	Change req.
Response 1 Individual	Comment on the importance of face-to-face exhibitions and consultations	Reasons provided: learn from first-hand experience of the local area; not everyone is digitally enabled and not everyone is capable of expressing themselves in writing	Agree, no change required	No
Response 2 Individual	Concern about lack of transparency in consideration about planning applications	A lack of transparency in the Councils consideration of public comments submitted on planning applications means we have no confidence that our concerns have been considered.	<p>All public comments made on planning applications are scrutinised and made public on the Council's web site. The officer's report summarises the comments made by members of the public. All material planning considerations (including those raised by members of the public) are assessed in the planning officer's report and conclusions reached on each point to inform the decision-making process. A copy of the decision and planning report are made available on the website following the decision and all members of the public that have commented on the application will be informed of the decision.</p> <p>A more detailed planning report is produced for applications referred to Committee and will also summarise public comments on the application and address the material planning matters in the report. All members of the public that have made comments on the applicant are informed of the relevant committee meeting and given the opportunity to make verbal deputations at the public committee meeting, highlighting main points.</p>	No
Response 3 Individual	Concern about a lack of engagement by applicants and response to community concerns	A lack of engagement by Applicants with the public during planning application consultation phase resulting in a lack of response to community concerns.	Agree that applicants should engage with the local community at the pre-application stage and any feedback considered seriously to influence the development. Feedback reports could highlight the key issues raised and how these have been	Yes

Number and Type	Comments Summary	Specific Relevant Points/Suggestions	EBC comment	Change req.
			<p>considered in relation to the development. A Public Consultation Feedback report would helpfully capture this in one document.</p> <p>Applications that are altered during the application stage do involve further public consultation. There is a time period of 14 days and public notification is carried out on changes to planning applications as carried out at the start of the process including: site notices (if required); neighbour notification and press notices (if required). Any subsequent public comments are considered in the same manner as the first stage of public consultation and are summarised in the officer's report. The officer's report clarifies when amended plans have been submitted and sets out the public comments in relation to the stages of consultation. Where material planning matters are raised these will be assessed in the body of the report and a planning assessment made.</p> <p>There is no mandatory requirement for the developer to re-engage with the local community following major changes to development schemes. However we do encourage this on the major sites where there are substantial changes. Paragraph 8.14 amended to state that for major and contentious applications where major changes are proposed, applicants will be encouraged to undertake further local community engagement.</p>	
Response 4 Individual	Insufficient time given for public consultation when applicants make major changes and submit extra documents	Insufficient time given for public consultation when applicants make major changes to their initial planning applications and submit many additional documents. Good examples of this occurred on the Moorlands Farm and	Major changes to planning applications can occur during the assessment period. These can be made later in the process and full publicity is carried out by the LPA to ensure members of the public and relevant consultations have sufficient time to comment on the changes should they wish to. We	No

Number and Type	Comments Summary	Specific Relevant Points/Suggestions	EBC comment	Change req.
		Ageas Bowl application when only a few days were given for public consultation of major design amendments.	can follow up the individual cases with the enquirer to understand the situation.	
Response 5 Southern Water	Request to add in reference to consulting with Southern Water (a non-statutory consultee) to paragraph 8.1.3, in the section on Planning applications publicity	Whilst not a statutory consultee on planning applications, Southern Water would wish to be consulted on any major applications for development in the Borough in order to assess whether adequate network capacity exists for any requisite wastewater or water supply connections to new major development. Where inadequate capacity exists, this would help to ensure the delivery of timely upgrades.	Note comment. There are many non-statutory agencies that the Council would consult on major developments, depending on the nature, location and scale of development proposed. Instead of adding a long list to the SPD and potentially missing some agencies, this will be assessed on a case-by-case basis.	No
Response 6 Historic England	Request to add in reference to Historic England	Encourage reference to Historic England as a specific consultation body in paragraph 2.4.	Reference added	Yes
Response 7 Historic England	Request to reference early engagement with statutory consultees on plan-making	Encourage early engagement on plan-making and query if early engagement with statutory consultees might be referenced in the SCI. Paragraph 5.2 point viii refers to statutory consultees, but the impression given is that the focus here is on notification. In our experience informal exchanges can be invaluable, enabling a more fruitful evolution of discussions than is possible through a focus only on statutory requirements.	While the Council supports and will seek early engagement, the SCI includes text relating to the evidence base and content that address this. There is reference to reviewing and updating the evidence base in consultation with relevant organisations and authorities (5.2 ii). There is also reference to arranging workshops and meetings with interested parties including specific consultation bodies to explore issues and options in more depth (5.2 vi.).	No
Response 8 Historic England	Request to add in reference to duty to cooperate organisations	Query if the SCI might refer to the organisations with which the Council has a duty-to-cooperate	Note comment. The SCI includes reference to involving specific consultation bodies and the wider context within which planning policy. The specific	No

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			duty to cooperate has been removed. No change required.	
Response 9 Historic England	Correction	Amend the reference in Appendix 2 from English Heritage to Historic England.	Agree	Yes
Response 10 Historic England	Request for notification of neighbourhood planning areas	<p>With regards to neighbourhood planning, we would welcome notification of proposed neighbourhood planning areas as well as consultation on draft plans. The regulations state that we should be consulted on draft plans where our interests are considered to be affected.</p> <p>Our published advice on neighbourhood planning can be found at: https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/</p>	<p>Note comment. Paragraph 7.6 refers to notifying relevant specific consultation bodies at all stages of the Neighbourhood Plan which includes publicising neighbourhood planning areas.</p> <p>No change required</p>	No
Response 11 Natural England	Supportive comments	Supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in policy and planning applications	Welcome support	No
Response 12 Internal comment	New section required on Planning Enforcement	New text provided to cover the role of the team, information on enforcement investigations, communications to Councillors and Parish/Town Councils and a link to the enforcement website.	Text incorporated into final document	Yes