London Borough of Hackney

Statement of Community Involvement (SCI)

January 2014
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1.0 INTRODUCTION

1.1 What is the Statement of Community Involvement?

The purpose of the Statement of Community Involvement (SCI) is to outline the Council’s standards for community involvement in the planning process and to identify ways we will achieve these standards.

The SCI sets out the Council’s approach to public consultation in two areas of planning:

- **Planning Policies**: the preparation, alteration and continuing review of planning policy documents included within the Local Development Framework (LDF); and
- **Planning Applications**: Consultation on planning applications.

1.2 Reviewing the SCI

The Council adopted its first SCI in 2006. This is the first review of this document in response to changes in planning legislation and national policy.

The SCI review also takes into account:

- the experience of people and organisations we have consulted and engaged with;
- the experience and practice of the Council;
- the need to involve the community in effective and efficient ways; and
- best practice in consultation.

1.3 How does the SCI link with the Council’s other community involvement initiatives?

The SCI incorporates and builds upon the principles and commitments of each of the following initiatives where relevant in involving the local community and other stakeholders in the preparation of Hackney’s LDF and the processing of planning applications:

*Team Hackney (Local Strategic Partnership)*

Team Hackney is Hackney's local strategic partnership which is dedicated to improving the quality of life for everyone in the Borough by bringing together the key people in the public, private, community and voluntary sectors.

New partnership arrangements were introduced in April 2013 following discussions with partners, which are underpinned by a fresh set of principles, a new way of assessing progress and a more co-ordinated consideration of community insight.

The partnership is responsible for overseeing the preparation and implementation of Hackney’s Sustainable Community Strategy.
Team Hackney is identified as a general consultee and is used as a conduit to help reach other groups and community sectors within Hackney as part of their wider network.

**Sustainable Community Strategy**

Hackney's Sustainable Community Strategy is our shared vision for the local area for the next 10 years and was adopted in 2008. It sets out our vision, our priorities and a set of outcomes around which all partners will be organising their business plans in the coming years.

The Strategy is not a static document, it is a means by which the Council will achieve its strategic priorities. This includes focusing on the six priorities in our work, learning more about how we address them and inviting residents and organisations to engage in the decisions that affect the area.

The Council and the Local Strategic Partnership have carried out a three year review of the Sustainable Community Strategy 2008-18. More details can be viewed at: [http://www.hackney.gov.uk/community-strategy.htm](http://www.hackney.gov.uk/community-strategy.htm).

**Hackney Compact**

The Hackney Compact outlines the consultation code which must be followed when consulting the Voluntary and Community Sector. This written agreement sets out the way they work together to benefit local people and deliver the objectives of Hackney’s Sustainable Community Strategy. This can be accessed via: [http://www.teamhackney.org/compact-homepage.htm](http://www.teamhackney.org/compact-homepage.htm)

**Hackney Equality Policy**

The Council’s Equality Policy applies specifically to discrimination, equality of opportunity and the promotion of good community relations in respect of age, disability, ethnicity, race, colour and national origin, gender, religion and sexual orientation. It applies at all levels of the Council’s activities and to all aspects of the Council’s functions including community involvement. This policy can be downloaded from: [http://www.hackney.gov.uk/ce-pandc-equality-diversity-861.htm](http://www.hackney.gov.uk/ce-pandc-equality-diversity-861.htm).

**Living in Hackney Scrutiny Commission**

A review was undertaken of the Hackney Planning Service by the Living in Hackney Scrutiny Commission in September 2011 which specifically focused on resident involvement in the Planning Application process.

The key recommendations from this review relevant to the SCI update include:

1. Consideration is given to how the role of Ward Members can be better publicised in the forthcoming review of the Statement of Community Involvement;
2. That the Planning Service continues to engage groups to register their interest in being informed about planning applications in their area. Consideration should be given to different ways of contacting groups where responses are not forthcoming; and
3. The Planning Service should consider formalising the advice given to developers about holding some level of consultation with local communities and ward Members prior to an application being submitted, especially for the largest and most sensitive applications.

These recommendations are taken forward in sections 4.6, 2.4 and 4.7 of the SCI respectively.

*Hackney’s Public Consultation Charter*

The Council also has standards under its Public Consultation Charter which will also be adhered. The Charter sets out six standards that should underlie all public consultations carried out by the Council. Further details can be viewed at: [http://www.hackney.gov.uk/consultation_charter.htm](http://www.hackney.gov.uk/consultation_charter.htm)

**1.4 Consultation Principles**

The above mentioned initiatives have helped inform the establishment of several key consultation principles. These principles in turn have been used to guide community involvement practice on both planning applications and planning policy as set out in this document:

- **Community involvement that is appropriate to the level of planning.** We will try to find the most appropriate method and level of community involvement depending on the nature of the planning process involved. We will try to establish the needs of the community and use methods that reflect those needs.

- **Front loading of involvement.** ‘Front loading’ means finding ways to involve the community from the earliest stages of the planning process. Through this we will encourage meaningful involvement that can influence and inform policy decisions.

- **The methods used to encourage involvement and participation should be relevant to the experience and expertise of persons involved.** We will try to find ways to involve the community that will be suitable for the particular needs of the community affected by plans or proposals.

- **Clearly articulated opportunities for continuing involvement.** The involvement of communities will not end after a consultation exercise. We will give feedback to the community after consultation and will also outline the key stages when further involvement will be possible and when key decisions are to be made.

- **Transparency and accessibility.** We will make the processes clear by letting people know when they will be able to participate and the ground rules that will be in place.

- **Planning for involvement.** Involvement will be incorporated into the planning process at key stages, in particular in the developmental stages, and will also
be linked to other council consultation processes such as the Sustainable Community Strategy.
2.0 STAKEHOLDERS

This section provides some background on the general makeup of the Hackney community and outlines the various stakeholders involved in planning in the Borough. It is critically important to understand the dynamics of the community being consulted with in order to ensure the right consultation methods are being used. The Borough-wide snapshot provided below will be supplemented where appropriate with ward profile information in order to acquire the most comprehensive understanding of local communities as possible. Updated ward profiles for Hackney are available on the Council’s website\(^1\).

2.1 Who is the Hackney Community?

Hackney is a rich, vibrant mix of different communities and the sixth most diverse borough in London.

The 2011 Census estimates Hackney’s population to be 246,300\(^2\). This is expected to grow to 316,500 by 2041\(^3\). Around 40 percent of the population come from Black and minority ethnic groups with the largest group (approximately 20%) being Black or Black British. Hackney is also home to a number of smaller national and cultural communities and it is estimated that over 100 languages are spoken in the borough. Hackney has the largest group of Charedi Jewish people in Europe who predominately live in the north east of the Borough and represent seven per cent of the Borough’s overall population. Hackney also has a well-established Turkish and Kurdish community - six per cent of Hackney’s residents were born in Turkey – living throughout the Borough. Other prominent communities include Chinese and Vietnamese, people from African countries and Eastern Europe.

Hackney is a young borough with 25 per cent of its population under 20 and a further 23 per cent aged between 20-29 years old; people aged over 55 make up only 14 per cent of the population. In terms of trends for future growth, Hackney’s young population is likely to experience little change between 2001 and 2041. In contrast, Hackney’s working age population (aged 16-64) is projected to rise significantly by over 45,000 over the next 30 years. The 65+ age group is also projected to rise both in terms of numbers and the proportion of the population, particularly after 2021.

Despite being adjacent to the wealth of the city of London, Hackney’s has one of the worst levels of deprivation in the country although there has been some reduction in deprivation since 2007\(^4\). Hackney has a higher proportion of working age residents with no qualifications compared to the London or Britain averages, but it also has a higher proportion of residents qualified to degree level and above. Job density in Hackney is lower than London or Britain and this ratio of jobs to working age population has declined slightly, meaning there are not as many jobs per person in the borough\(^5\).

\(^2\) [2011 Census data](http://www.hackney.gov.uk/Assets/Documents/deprivation-findings.pdf)
\(^3\) GLA SHLAA Census-Based Population Projections, 2012
\(^4\) [http://www.hackney.gov.uk/Assets/Documents/deprivation-findings.pdf](http://www.hackney.gov.uk/Assets/Documents/deprivation-findings.pdf)
There are nearly 12,000 businesses in Hackney, most of which are small and medium in size - approximately 90% of the borough's businesses employ fewer than ten people. Forty-eight per cent of the Borough's businesses are in Professional, Scientific, Technology, IT and communications, and arts, entertainment and leisure. However, the primary employment sectors are education, public and social services (hospitals etc), transport, food & beverage and retail and cleaning jobs, which make up 55% of employment in Hackney.

2.2 Specific and General Consultation Bodies

As well as the community itself, the Council will consult with a number of specific and general consultation bodies in our planning processes:

- **Specific consultation bodies** – are statutory consultation groups that are often knowledgeable in certain subjects (e.g. the Environment Agency on flooding matters and utilities companies which operate in the Borough). In addition the government has introduced a 'Duty to Co-operate' under the Localism Act 2011. Many of the consultees required under this duty are already included in the list of 'specific consultees'.

- **General consultation bodies** – include a wide range of other groups and organisations such as voluntary bodies, special interest groups (e.g. those that represent the interest of different racial, ethnic or national groups) and hard-to-reach groups (e.g. youth, elderly) who may be interested to find out how the proposed changes may affect them.

A full list of consultees are outlined on the SCI page of the Council’s website.

2.3 Person resident or carrying out business in the Borough

In addition to Specific and General Consultees, the Council keeps and maintains an LDF database which contains the details of any individuals, businesses, landowners and developers, which have been involved in past consultations, or have requested to be involved in future planning consultations.

Persons may request to be involved in the preparation of either a specific planning document or all future planning consultations. Those interested in only a specific planning consultation will be consulted on that document up until it is adopted in accordance with this Statement of Community Involvement.

Those wishing to be added to, or deleted from this list should contact the Council at:

Email: ldf@hackney.gov.uk
Phone: 020 8356 8084
Write to: Strategic Delivery
2 Hillman Street
Hackney, E8 1FB

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6 [http://www.hackney.gov.uk/ep-planning-policy-sci.htm](http://www.hackney.gov.uk/ep-planning-policy-sci.htm)
Hackney’s diverse community raises particular challenges in terms of achieving effective consultation and engagement on planning issues as set out in the following Table.

**Table 1. Potential barriers to consultation and available solutions**

<table>
<thead>
<tr>
<th>Nature of challenge</th>
<th>Solution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Language barriers may affect the community’s ability to understand oral and written communications.</td>
<td>Clear translation and interpretation will need to be made available.</td>
</tr>
<tr>
<td>Poor literacy levels may reduce the effectiveness of written communications.</td>
<td>Visual displays and opportunities for face-to-face contact will need to be provided.</td>
</tr>
<tr>
<td>A relatively low uptake of online services due to low incomes.</td>
<td>Documents will need to be made available offline as well as online, and arrangements will need to be made for the community to access online services, for example, by visiting the Planning Reception and local libraries.</td>
</tr>
<tr>
<td>Young people are less responsive to traditional forms of consultation (such as letters).</td>
<td>Innovative and interactive consultation methods will need to be employed to engage this section of the community including websites, digital surveys, interactive displays etc.</td>
</tr>
<tr>
<td>Higher levels of unemployment / varied working hours.</td>
<td>Arrangements will need to be made to ensure opportunities for people to be involved during the working week, evenings and weekends to balance the needs of those who are and who are not in employment during ‘normal’ working hours.</td>
</tr>
<tr>
<td>Some areas may be dominated by businesses and some by residents.</td>
<td>Need to ensure that an appropriate mix of consultation is undertaken meeting the needs of all groups.</td>
</tr>
</tbody>
</table>

2.4 Monitoring

Consultation methods will be assessed for their effectiveness in reaching communities in Hackney through ongoing monitoring and feedback, to ensure that future consultation targets those groups that are not engaging in the consultation process. This will ensure that techniques for community involvement remain appropriate, and are achieving a representative level of public involvement across all sectors.
3.0 CONSULTATION ON PLANNING POLICY DOCUMENTS

3.1 Consultation methods for planning policy documents

Based on existing experience and practice, analysis of the Hackney community and the response to earlier consultations on planning policy, there are a range of possible methods and types of community involvement that the Council will use during the plan making process and when consulting on planning applications.

Since the first SCI was adopted in 2006 there have been significant changes in the way people interact with the Council. Access to the internet has increased and there has been an increasing shift towards online services. The Council will make best use of the www.hackney.gov.uk website for planning consultations.

However, the Council recognises that not everyone has access to the internet and therefore documents will also be made available in a variety of formats to encourage the widest possible readership.

The Council is committed to maximising participation from the community, whilst having to manage the impacts of ever increasing resource pressures. Particular efforts will be made to engage ‘hard to reach’ groups, such as young people, elderly people and ethnic minorities that often do not take part in planning consultations.

The scale of consultation and the methods used at any particular stage will depend on:

- the appropriateness of the method for that particular consultation;
- the nature of topic being considered;
- the geographic coverage of the document;
- the stage of the planning process reached;
- the need for specialist knowledge; and
- the availability of resources in terms of staff and costs.

The consultation methods the Council will use are set out in the table below.

<table>
<thead>
<tr>
<th>Method</th>
<th>Main considerations and benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Available for Inspection</td>
<td>This a minimum requirement set in planning regulations. Copies of planning documents will be made available for inspection at Council libraries and the Hackney Service Centre. The availability of these documents will be advertised in a number of ways, including by letter/email, website and occasionally through an advertisement in Hackney Today. All locations are accessible to people with disabilities.</td>
</tr>
<tr>
<td>Website</td>
<td>All planning policy documents, consultation and supporting information will be available on our website. We may also use the website for online comment forms, questionnaires, surveys and feedback.</td>
</tr>
<tr>
<td>Letters/mail-outs</td>
<td>Letters/mail-outs are used to notify relevant people depending on the issue and are mainly used for statutory notification or to</td>
</tr>
</tbody>
</table>

7 The Town and Country Planning (Local Planning) (England) Regulations 2012
communicate with a specific group of bodies.

The Council maintains a database (LDF database) of interested parties for this purpose (see section 2.3). Any person who makes a comment on a planning document will be added to this database and kept informed of subsequent stages of the process.

**Email**

Email has been a popular method of communication so far in planning policy consultations with the majority of responses being received electronically. Email is a quick and accurate way of communicating with the public and key stakeholders. The LDF database contains details of consultees and is regularly updated as consultations take place.

As email is the preferred means of consulting, we will not send notifications by post where a valid email address is held. Wherever possible the Council will use email for consultation in preference to using hard copies of the documents and letters.

**Printed media/ Hackney Today**

It is no longer a statutory requirement for local authorities to advertise planning policy documents in the local press. However, the Council may place formal notices in the local press (including Hackney Today and other forms of ethnic press) where it is appropriate to do so (e.g. publication and adoption stages). This notice will provide details as to where further information can be found and where and when responses are to be sent.

**Consultation Finder**

The Council publishes a list of forthcoming consultations, including start and finish dates on the Council’s website. Consultation Finder lists all of Hackney’s consultations in one place making it easier for people to access. [http://www.hackney.gov.uk/consultation.htm](http://www.hackney.gov.uk/consultation.htm). The programme for developing policy documents within the LDF is also outlined in the Council’s Local Development Scheme (LDS) which is available at [http://www.hackney.gov.uk/ep-policy-lds.htm](http://www.hackney.gov.uk/ep-policy-lds.htm).

**Leaflets, summary documents and questionnaires**

Leaflets, summaries and questionnaires may be mailed out directly and made available at borough libraries and via the Council’s website during the course of a consultation.

**Meetings with selected stakeholders and key interest groups**

This is a useful means of identifying key issues, getting key people involved and achieving alignment with other strategies and initiatives. The Council will engage with amenity groups, Town Centre Partnerships, Business Forums and Ward Forums as appropriate.

**Focus Groups/ Workshops**

Workshops may be arranged to bring together key stakeholders and community groups together to express their concerns and identify key issues. They are a useful way for the Council to gain a better understanding of views and opinions and may be best applied to assessing various options for progressing a piece of work generally at the outset of a project and/or prior to formal consultation beginning. This approach is
expected to be particularly helpful for the ‘hard to reach’ groups.

The Council will ensure that all venues are accessible and usable by all members of the Hackney Community. Where possible meetings/workshops and focus groups will be held on more than one occasion and at a different time/day to increase the likelihood of attendance.

| Exhibitions/ Stalls | While this method may not be suitable for all consultations, exhibitions and stalls may be used to explain specific proposals/documents in a more visual sense and, when staffed, are useful for clarifying our approach and generating feedback. |

### 3.2 Local Plans

The Council’s Local Development Framework consists of the Local Plans (formerly Development Plan Documents) and Supplementary Planning Documents. Together these documents outline the spatial planning strategy for the local area. The Local Plan has an important role to play as it includes policies and proposals for specific areas of land and is subject to requirements set out in the planning regulations\(^8\).

Legislation allows for the Local Plan to be one single document or it can comprise of a number of development plan documents, which in combination, will make up the Local Plan.

The key Local Plan documents in Hackney include:

- **Core Strategy**
- **Area Action Plans**
- **Proposals Map** (will be replaced by the Policies Map once the Development Management Local Plan is adopted)
- **Emerging Development Management Local Plan and Site Allocations Local Plan**

Local Plans are supported by a range of general and area specific policies outlined as Supplementary Planning Documents which complete the LDF and are described further in Section 3.3.

Further information regarding the Council’s programme for preparing LDF documents is contained in the Local Development Scheme\(^9\).

Figure 1 shows the relationship between the planning policy documents that are produced by the Council.

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\(^8\) At the time of drafting this is the Town and Country Planning (Local Planning) (England) Regulations 2012.

\(^9\) [http://www.hackney.gov.uk/ep-policy-lds.htm](http://www.hackney.gov.uk/ep-policy-lds.htm)
Hackney’s Local Development Framework (LDF)

**London Borough of Hackney Core Strategy**
Primary and strategic document in the Local Development Framework (LDF). It sets out a long term spatial vision and strategic objectives for future development in the area.

- **Area Action Plans (AAPs)**
  Provide specific planning policy and guidance for an area where significant regeneration or investment needs to be managed.

- **Emerging Development Management Local Plan**
  Contains the development policies that elaborate the [Core Strategy](#).

- **Emerging Site Allocations Local Plan**
  Individual policies and proposals for specific sites where change is likely to happen.

**Supplementary Planning Documents**
Further guidance and advice to show how local policies will be interpreted and implemented.

**Policies Map**
Map showing the areas of Hackney where particular policies and designations apply.

**Neighbourhood Plans**
Plans prepared directly by the community to guide and manage change in local neighbourhood areas. Neighbourhood Plans are prepared independently of, but must be in general conformity with, the strategic priorities of the local plan (e.g. objectives in the Hackney Core Strategy).

**Local Development Scheme**
The programme and timetable for preparing documents making up the Local Development Framework.

**Statement of Community Involvement**
Statement setting out how we involve local people in plan making and planning applications.

**Monitoring**
Authority Monitoring Report setting out how the LDF is performing against its objectives and targets.

Figure 1. Documents making up Hackney’s Local Development Framework
Table 3 outlines the complete preparation process for Local Plans while Table 5 describes the process for Supplementary Planning Documents (SPDs).

**Table 3. Local Plan preparation process**

<table>
<thead>
<tr>
<th>Stage 1</th>
<th>Pre-production evidence gathering</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This stage involves us collecting an up-to-date information base on a range of social, economic and environmental matters.</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Stage 2</th>
<th>Preparation of a Local Plan (Regulation 18)</th>
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<tbody>
<tr>
<td></td>
<td>The results of Stage 1 are used to identify the main issues that the plan needs to deal with and the options that are available. An assessment of the plan’s social, economic and environmental impacts is also produced at this point, in the form of a Sustainability Appraisal (SA).</td>
</tr>
<tr>
<td></td>
<td>At this stage, we are required to notify each of the <strong>specific consultation bodies</strong> that we consider may have an interest in the proposed Local Plan, and any <strong>general consultation bodies</strong> that we consider appropriate, as to the subject of the proposed Local Plan, and invite them to make representations.</td>
</tr>
<tr>
<td></td>
<td>Local residents and businesses may also be informed, and invited to comment. The local authority must take into account any representations received as a result of preparing the Local Plan.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Stage 3</th>
<th>Further preparation of a Local Plan</th>
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<tr>
<td></td>
<td>At this stage we continue to develop our plan. This includes considering any comments from Stage 2 and the findings of any new studies.</td>
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<table>
<thead>
<tr>
<th>Stage 4</th>
<th>Publication of a Local Plan (Regulation 19)</th>
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<tbody>
<tr>
<td></td>
<td>We publish the plan in what we think should be the final version. A more detailed assessment of the plan’s social, economic and environmental impact (SA) is also published. Policy documents will be subject to an EqIA initial screening to determine whether they would result in significant equalities issues which would require a full EqIA. Refer to Section 3.7 for further information on EqIAs.</td>
</tr>
<tr>
<td></td>
<td>A public consultation will be held for a minimum of six weeks however this may be extended if they overlap with defined holiday periods.</td>
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<tr>
<td></td>
<td>After completing the above requirements, the Council will send a request to the Mayor of London seeking his opinion regarding the conformity of the plan with the London Plan.</td>
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<tr>
<th>Stage 5</th>
<th>Submission to the</th>
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<td></td>
<td>We will send the plan and any supporting documents to the Secretary of State to be examined and also</td>
</tr>
<tr>
<td>Secretary of State (Regulation 22)</td>
<td>notify both specific and general consultation bodies that the documents are available for inspection at the Hackney Service Centre and local libraries. We will also notify anyone that requested to be notified of the submission of the Local Plan to the Secretary of State that it has been submitted.</td>
</tr>
<tr>
<td>Stage 6 Independent examination (Regulation 24)</td>
<td>An Inspector appointed by the Government will carry out an independent examination of the ‘soundness’ of the plan. Those who made representations on the plan under Regulation 20 may be allowed to appear in front of the Inspector in person.</td>
</tr>
<tr>
<td>Stage 7 Publication of the Inspector’s report and adoption (Regulations 25 and 26)</td>
<td>Following the examination, the Inspector writes a report and decides what changes (if any) need to be made. The recommendations of the Inspector will be published online and the plan will be changed in line with the recommendations. It is this version of the Plan that will be adopted by Full Council.</td>
</tr>
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</table>
Table 4 below outlines the methods used to involve the community during the preparation of a Local Plan:

<table>
<thead>
<tr>
<th>Evidence Base</th>
<th>Preparation of LP (Reg 18)</th>
<th>Further Preparation of LP</th>
<th>Publication of LP (Reg 19)</th>
<th>Submission to Secretary of State (Reg 22)</th>
<th>Examination (Reg 24)</th>
<th>Inspector's Report (Reg 25)</th>
<th>Adoption (Reg 26)</th>
</tr>
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<tr>
<td>Documents available for Inspection at the Council's Service Centre and local libraries</td>
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<td>Information available on the Council’s website</td>
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<td>Letters / Email to specific and general consultees¹</td>
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<td>S</td>
<td>S</td>
<td>S²</td>
<td>S³</td>
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<td>Use of printed media/ Hackney Today</td>
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<td>R</td>
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<td>Consultation Finder (online)</td>
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<td>Leaflets, summary documents and questionnaires</td>
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<tr>
<td>Meetings with selected stakeholders and key interest groups</td>
<td>O</td>
<td>R</td>
<td>O</td>
<td>O</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Focus Groups / Workshops</td>
<td>O</td>
<td>O</td>
<td>O</td>
<td>O</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Exhibitions/ Stalls</td>
<td>O</td>
<td>O</td>
<td>O</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

¹ Other consultees (residents and businesses) may be notified if considered appropriate.

² Notify only those that have made a representation in accordance with Regulation 20 and have not withdrawn that representation.

³ Give notice to those persons who requested to be notified of the publication of those recommendations.
3.3 Supplementary Planning Documents (SPDs)

Supplementary Planning documents add further detail to the policies in the Local Plan rather than introducing new policy themselves. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions in support of Local Plan documents.

The Council has a number of adopted SPDs and will producing further SPDs over the next 3 years. These documents will support the Local Plans that will also be produced during this period.

A list of these documents and a timetable for their production is set out in the Local Development Scheme (LDS).

The preparation of SPDs follows slightly different regulation requirements and involves the following formal stages. SPDs can often be completed much quicker as they only have to undergo one round of consultation of a minimum of four weeks and are not required to undergo an Examination in Public. SPDs, unlike Local Plans, are also generally not required to be accompanied by a Sustainability Appraisal given that their purpose is to support Local Plan policies which themselves have undergone a Sustainability Appraisal (see section 3.7 for more details).

Table 5. SPD preparation process

<table>
<thead>
<tr>
<th>Stage 1</th>
<th>This stage involves us collecting up-to-date information on a range of social, economic and environmental matters.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development of evidence base</td>
<td>A draft version of the SPD is produced, based on the evidence collected at stage 1.</td>
</tr>
<tr>
<td>Stage 2</td>
<td>Once the draft has been produced, we will consult on this document for a minimum period of 4 weeks. This timeframe may also be extended if it overlaps with defined holiday periods. Any representations made will be considered and amendments will be made to the document, where required.</td>
</tr>
<tr>
<td>Stage 3</td>
<td>The SPD is adopted in line with Regulation 14 requirements.</td>
</tr>
<tr>
<td>Adoption of (Regulation 14)</td>
<td>Note: Sustainability Appraisal and Habitats Regulation Assessment will not usually be required for SPDs, so long as the statutory bodies are satisfied that the parent policy has been subject to that process.</td>
</tr>
</tbody>
</table>
Table 6 below outlines the methods of consultation for SPDs:

<table>
<thead>
<tr>
<th>Evidence Base</th>
<th>Prepare draft SPD</th>
<th>Public Participation (Reg 12)</th>
<th>Prepare Final SPD</th>
<th>Adoption (Reg 14)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Documents available for Inspection at the Council's Service Centre and local libraries</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Information available on the Council's website</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Letters / Email to specific and general consultees</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use of printed media/ Hackney Today</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leaflets, summary documents and questionnaires</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meetings with selected stakeholders and key interest groups</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Target meetings</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Focus Groups / Workshops</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Exhibitions/ Stalls</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1 Other consultees (residents and businesses) may be notified if considered appropriate.

2 A copy of the adoption statement will be sent to any person who has asked to be notified of the adoption of the SPD.
3.4 Localism and Duty to Cooperate

The Localism Act (2011) has introduced the Duty to Co-operate which requires planning authorities and other public bodies\(^1\) to actively engage and work jointly on strategic matters. London is unique in retaining a Regional Spatial Strategy (RSS) in the form of the London Plan which acts to co-ordinate regional policy in London. The 33 London boroughs’ Local Plan policies are required, under Section 21 of the Planning Regulations\(^2\), to be in general conformity with the London Plan. There are a number of issues such as transport, flood risk and waste management that have impacts that cross borough boundaries in the context set by the London Plan. The London Plan also establishes the London-wide growth strategy culminating in a hierarchy of designated town centres, identification of key growth points in the form of Opportunity Areas and London-wide approach to industrial land. The Council will explore appropriate approaches to such issues jointly with neighbouring boroughs and public bodies to ensure that strategic priorities are reflected in the Local Plan.

3.5 Neighbourhood Plans

The Localism Act 2011 made provision for the preparation of Neighbourhood Plans by communities. Communities can prepare neighbourhood plans to influence the future of their areas. These let people set out their vision for their local area and general planning policies to guide development in their neighbourhood. Neighbourhood Plans can only be prepared by a designated Neighbourhood Forum within a given Neighbourhood Area agreed by the Council following a public consultation.

Neighbourhood Plans must be in conformity with national policy as well as the Development Plans (e.g. the Local Plan and the London Plan) that have been adopted by the Local Planning Authority (LPA). Consultation requirements pertaining to Neighbourhood Plans are outlined in The Neighbourhood Planning (General) Regulations 2012.

If you are thinking of preparing a Neighbourhood Plan in your area, please visit the Neighbourhood Planning webpage on the Council’s website\(^3\) which will help guide you through the application process.

Before applying, we request you get in touch to discuss your plans and timetable. Email ldf@hackney.gov.uk or call 020 8356 8084.

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\(^1\) See SCI webpage for list of public bodies: [http://www.hackney.gov.uk/ep-planning-policy-sci.htm](http://www.hackney.gov.uk/ep-planning-policy-sci.htm)

\(^2\) Town and Country Planning (Local Planning) (England) Regulations 2012

\(^3\) [http://www.hackney.gov.uk/neighbourhood-planning.htm](http://www.hackney.gov.uk/neighbourhood-planning.htm)
3.6 Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a new planning charge that came into force on 6 April 2010. The Legislation and accompanying Regulations allow Local Authorities to collect and pool financial contributions from developers to help pay for strategic infrastructure that is necessary to support new development, such as; transport, community and leisure facilities, schools, and public open spaces.

The CIL, once adopted by the Council, will replace Section 106 agreements as the principal means by which developer financial contributions are collected for infrastructure to support new development. S106 agreements will still be used but in more specific ways to manage the impacts of a development scheme and will include restrictions on the pooling of agreement in an area before any monies have to be spent.

Further information in relation to development of the Council’s Infrastructure Levy can be found on the Council’s website¹ or by phoning: 020 8356 8084.

3.7 Supporting Documents

Planning policy documents will be supported by a range of research, reports and other material that contribute to, explain and justify their preparation. These supporting documents will be made publicly available alongside the policy documents to support consultation.

Sustainability Appraisal (SA)

Local Plans will be subject to a Sustainability Appraisal (SA) to assess the social, environmental and economic impact of its policies. A SA is carried out throughout the preparation of the Local Plan and there will be opportunities for consultation at the following stages:

- Initial consultation on the scope of the appraisal with statutory consultees (e.g. the Environment Agency, English Nature and English Heritage).
- Sustainability commentaries are produced during the preparation of the Local Plan if needed to inform decision making.
- A Sustainability Appraisal report is issued alongside the published Local Plan.

The Planning Act 2008 removed the requirement for carrying out a SA on Supplementary Planning Documents (SPDs). In principle, SPDs should not be subject to the SEA Directive or require a SA because they do not normally introduce new policies or proposals or modify planning documents which have already been subject to SA. However, a SPD may occasionally be found likely to give rise to significant effects which have not been formally assessed in the context of a higher-level planning document. In these instances, a Sustainability Appraisal will be required.

¹ http://www.hackney.gov.uk/hcil.htm
Habitats Regulations Assessment (HRA)

Habitats Regulations Assessment (also commonly referred to as an ‘appropriate assessment’) of plans and projects is required under the European Habitats Directive. It assesses whether a plan or project, ‘in combination’, could affect the ‘integrity’ of sites of international nature conservation importance in Europe. It takes a precautionary approach: plans or projects that could affect site integrity may not be adopted unless a series of stringent requirements – testing of alternatives, proof of overriding need, and provision of compensation - are met.

The Habitats Directive requires appropriate assessment for Special Protection Areas (SPAs) for birds; Special Areas of Conservation (SACs) for habitats and species; candidate SACs; and European offshore marine sites.

HRA documents produced by the Council will also be made available alongside the Local Plan at key stages of the Local Plan process.

Equalities Impact Assessment (EqIA)

The purpose of an Equalities Impact Assessment (EqIA) is to ensure that planning policies do not discriminate and that, where possible, they promote equalities.

All policy documents will be subject to an EqIA initial screening stage to determine whether they would result in significant equalities issues which would require a full EqIA. If the initial screening stage highlights anything that may have a negative impact on any of the identified equalities groups, a full EqIA will be carried out. The full EqIA will assess the impact of policies on equalities groups relating to gender, race, disability, age, faith and sexual orientation. The results of this full EqIA will highlight changes that can be made to the policies to mitigate any negative impacts on the equalities groups.

Further information relating to EqIA is available on the Council’s website:\(^1\).

3.8 What we do with any comments received?

At the end of the consultation period, officers will consider all of the representations received and make changes to the plan if appropriate.

All of the comments received will be made public. This means that they will be available for other people to view upon request.

A Statement of Consultation will be produced which contains an overview of the consultation activities undertaken a summary of the responses received and how we have taken these into account when producing the final version of the document. A copy of this Statement will be placed on the Council’s website and will be made available to view at the Hackney Service Centre and Borough libraries.

When submitting a Local Plan to the Secretary of State for Examination, the Council is also required to submit a statement which sets out which bodies and persons were invited to make representations, how they were invited to make representations, a

\(^1\) http://www.hackney.gov.uk/xp-ed-eis.htm
summary of the main issues raised and how these issues have been addressed in the Local Plan.
4.0 CONSULTATION ON PLANNING APPLICATIONS

4.1 The Planning Application Process

Involvement of the community and stakeholders at an early stage of the planning application process is of great benefit to the public, individuals, organisations, authorities and the applicants themselves. The following section explains how the Council will seek to encourage awareness and involvement in the planning application and decision-making process, starting with pre-application discussions and continuing through to the application stage, and after a decision has been made.

The Planning Application Process is shown in the chart below:

Figure 2. The Planning Application Process
4.2 Permitted Development (PD) rights and recent changes

Permitted development rights are basically a right to make certain changes to a building without the need to apply for planning permission. These derive from a general planning permission granted from Parliament, rather than from permission granted by the local planning authority.

On 30 May 2013, the Town and Country Planning (General Permitted Development (Amendment) Order 2013 came into force which introduces new changes in respect of further permitted development rights for certain building works and changes of use without the need to apply for planning permission. A brief summary of what the changes relate to is provided below. Full details of the criteria and procedure are contained in the legislation¹ and on the Planning Portal's website².

In brief, the key changes include allowing the following without the need for planning permission.

- larger single storey rear extensions to residential properties
- larger extensions to industrial and warehousing premises, shops and offices
- conversions from office to residential uses
- more flexible temporary uses of shops, offices, residential institutions and agricultural buildings
- easier conversion of premises to school use
- telecommunications installations in conservation areas

Please note: If you want to carry out any of the above you may still need to notify the local planning authority of works/change of use.

The Council has produced guidance notes specifically for the change in PD rights for home extensions which outline the process and requirements for both applicants and the Council. Full details are outlined on the Council’s website³. Further guidance on PD rights can also be viewed on the Planning Portal website⁴.

4.3 Pre-application Advice

The Council encourages developers to discuss their proposals with planning officers before submitting an application.

Pre-application advice will help you:

- Identify aspects of your proposal that may need amending;
- Identify information you need to include in your formal application;
- Receive advice on any consultation you should carry out before submitting an application;
- Find out how we apply our planning policies, and

¹ [http://www.legislation.gov.uk/]
² [www.planningportal.gov.uk/]
³ [http://www.hackney.gov.uk/planning.htm]
⁴ [http://www.planningportal.gov.uk/permission/responsibilities/planningpermission/permitted]
- Learn about planning obligations (known as Section 106 Agreements that are sometimes applicable to minor and major applications).

All pre-application meetings between an applicant and the Council are private and confidential. The Council’s advice is normally confidential. The Council has a schedule of charges for pre-application advice. Fees have been set according to the size and type of development. Details of the fees and further information including the downloadable pre-application advice leaflet can be viewed on the Council’s website\(^1\).

### 4.4 Planning Performance Agreements

Some larger and more complex planning applications would most appropriately be dealt with through a Planning Performance Agreement (PPA). PPAs are a framework for local authorities and applicants to agree how development proposals should be managed through the planning process. It is designed to address some common problems encountered by local authorities and applicants, such as timescales, resources, and the quality of applications and decisions, by providing a framework and project management approach for delivering good quality outcomes. One of the key benefits of PPAs is their ability to give developers greater certainty and confidence in the planning process.

PPAs may be subject to a different charging structure to pre-application advice requests, details of which can be viewed on our website\(^2\).

### 4.5 Design Review Panel

Hackney’s Design Review Panel comprises a group of independent professionals with architectural and urban design expertise.

The Panel advise the Council on design issues for a range of applications both at the pre-application and application stage. Applications to be considered by the Design Review Panel can either be nominated by the applicant or by officers and members if the scheme is considered to require sensitive or specific architectural and/or urban design advice.

Meetings of the Panel are not open to the public. Projects at pre-application stage are commercially confidential. The Panel's consideration of pre-application schemes are normally dealt with in a closed session. However, any advice provided by the Design Review Panel is outlined in the case officer's report and reported to the Planning Sub-Committee.

### 4.6 Member (Councillor) Protocols

Applicants have the opportunity to present proposals to the Planning Sub-Committee through the Council’s pre-application service for ‘larger-scale major’ applications. This service allows applicants to present proposals to the committee followed by a question and answer session.

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\(^1\) [http://www.hackney.gov.uk/planning-preapplication](http://www.hackney.gov.uk/planning-preapplication)

\(^2\) [http://www.hackney.gov.uk/planning-forms-guides](http://www.hackney.gov.uk/planning-forms-guides)
Whilst any advice given is not binding on the Council, this service will be useful as it will inform applicants of the approach of the Planning Service and the Planning Sub Committee on the basis of the information available. In most cases you can expect the Planning Service to adhere to their comments when the formal planning application is submitted unless new information becomes available which requires the Planning Service to take a different view.

More information on this service including details of what constitutes ‘larger-scale major’ applications will soon be available on the Council’s website¹.

Members of public can also discuss planning applications with local councillors either directly or at the appropriate ward forum. For more information on how to contact them please go to www.hackney.gov.uk/council-democracy or call the Members’ Support Team on 020 8356 3373.

4.7 Pre-Application Consultation (NPPF & The Localism Act)

Developers are encouraged to consult neighbours and/or local interest groups before submitting an application, particularly for larger-scale major or potentially controversial proposals.

The Localism Act 2011 (section 122) sets out the requirements for pre-application consultation. The secondary legislation that will set out what types of development the provision will apply to has not yet been introduced therefore this duty is not yet in force (at December 2013); however pending its introduction, applicants are encouraged to adopt practices to meet the requirements of the Act. The National Planning Policy Framework (NPPF) also encourages applicants who are not already required to do so by law to engage with the local community before submitting an application. The Council’s requirements for pre-application consultation may change to match the statutory minimum once the government publishes the relevant development order.

Notwithstanding the emerging statutory requirement to consult at the pre-application stage, consultation has been considered good practice for many years. Pre-application consultation provides the opportunity for local communities and stakeholders to raise any issues directly with the applicant and influence their proposals.

At the beginning of the pre-application consultation process, the Council expects the applicant/agent to agree the extent and type of pre-application consultation with us to make sure that the consultation process proposed is suitable. Applicants should also consider contacting local Ward members as part of this process. Contact details can be obtained from www.hackney.gov.uk/council-democracy or by calling the Members’ Support Team on 020 8356 3373.

Where pre-application consultation is carried out, applicants should prepare a report summarising the type of consultation carried out, the key issues raised and how the scheme has been amended (if at all) to addresses these issues.

¹ http://www.hackney.gov.uk/planning-forms-guides
4.8 How and when planning applications are publicised?

The Council informs people of planning applications in a number of different ways. There is a statutory requirement to inform specific Statutory Consultees of planning applications through Schedule 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2010. A list of these stakeholders is outlined on the Council’s website\(^1\). The organisations to be consulted will vary according to the nature of the proposal and its location.

The Council already maintains a list of contact details for amenity and residents groups, and will arrange to notify them of applications in their interest area.

The below table outlines how the community is notified of planning applications and how they can find out further information. Not all consultation methods will be used for all applications.

**Table 7. How the community is notified of planning applications**

<table>
<thead>
<tr>
<th>Consultation method</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weekly list of applications</td>
<td>A copy of the list of applications received in a particular week is published on the Council’s website and is also sent to Councillors.</td>
</tr>
<tr>
<td>Website</td>
<td>Hackney’s website contains details of all applications including copies of all associated documents and drawings. You can search for applications using a number of criteria and also submit comments on any validated planning application: <a href="http://www.hackney.gov.uk/search-applications">http://www.hackney.gov.uk/search-applications</a></td>
</tr>
</tbody>
</table>
| Duty Planning Officer | Members of the public can contact the Duty Planning Officer with either general enquiries about the planning process or with questions regarding what stage a planning application is at within the decision making process. Please note detailed questions about a specific planning application should be directed to the relevant Case Officer. The Duty Planning Officer will be able to advise who the relevant Case Officer is and can be contacted as follows:  
  o Phone: Monday to Friday 9am-5pm, T: 020 8356 8062  
  o Face to Face: Monday to Friday 10am-12pm or 2pm – 4pm at Hackney Service Centre, 1 Hillman Street, London E8 1DY. |
| Application Material available for Inspection at Hackney Service Centre | Applications (including plans) can be inspected upon request at the Hackney Service Centre, 1 Hillman Street, London E8 1DY by appointment by phoning: 020 8356 3000. |
| Neighbour Notification (Letters) | Notification of neighbours with a postal address will be in the form of a standard letter sent via second class post to the neighbours as outlined in Appendix 1. |

\(^1\) [http://www.hackney.gov.uk/ep-planning-policy-sci.htm](http://www.hackney.gov.uk/ep-planning-policy-sci.htm)
<table>
<thead>
<tr>
<th><strong>The geographical extent of distribution will depend on the application type (e.g. for Major Applications, properties within at least 30m(^*) of the boundaries of the application site will be notified). See Appendix 1 for more details.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Copies of letters can be viewed on the Council’s website by searching for the planning application: <a href="http://www.hackney.gov.uk/search-applications">http://www.hackney.gov.uk/search-applications</a>.</td>
</tr>
<tr>
<td><strong>Site notice</strong></td>
</tr>
<tr>
<td><strong>Press Notice</strong></td>
</tr>
<tr>
<td><strong>Letters sent to Statutory and Non-Statutory Consultees</strong></td>
</tr>
<tr>
<td><strong>Public Meetings and exhibitions</strong></td>
</tr>
<tr>
<td><strong>Consultation with CAAC</strong></td>
</tr>
<tr>
<td><strong>Planning Sub-Committee</strong></td>
</tr>
<tr>
<td><strong>Neighbouring Borough Notification</strong></td>
</tr>
</tbody>
</table>

\(^*\) The Council will notify Hackney residents only. If the application site is close to the boundary of an adjoining Borough, the respective Borough Planning Department will be notified of the Planning Application. A site notice will also be displayed on or near the land to which the application relates.
4.9 Standards of Planning Application Notification, Publicity and Consultation

In deciding how and who to consult on a planning application, the Council take the following into account:

1. The minimum statutory requirements for publicity of planning applications as set out in the relevant legislation\(^1\); and
2. The type of application - for example the Council will normally go beyond the minimum notification requirements where a development may give rise to significant local controversy, or is on a particularly sensitive site or is of a large-scale.

The Council’s standards of consultation is categorised in terms of the application types defined in the table below:

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Definition / Details</th>
<th>Statutory Requirements</th>
<th>Timescale for determining application</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major Applications</td>
<td>Hackney Council defines major developments as –</td>
<td>Press Notice and either Site Notice or Neighbour Notification</td>
<td>Normally within 13 weeks</td>
</tr>
<tr>
<td></td>
<td>• Residential development with 10 or more dwellings or if site area is 0.5ha or more</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Any other use where the proposed floorspace is equal to or greater than 1000sqm or if site area is 1ha or more</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Proposal is of strategic or borough wide significance such as key housing sites, regeneration projects, infrastructure and transport projects.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Departure Applications (Apps) / Apps accompanied | • Departure Applications: They include applications that are considered to be in breach or may significantly compromise | Press Notice and Site Notice                                   | Normally 8 – 13 weeks  
                                                                                                                                   | 16 weeks for

by EIA\textsuperscript{2} Apps affecting Public Right of Way (ROW) | the delivery of local planning policy.  
- Applications that require an Environmental Impact Assessment (EIA)\textsuperscript{1}  
- Applications affecting the POW relate to development which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 (public rights of way) relates. | EIA Apps. |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Minor Applications and Other Applications</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
- Residential development of between 2-9 dwellings or where the site area is below 0.5 hectares  
- New floor space or change of use of less than 1,000 square metres or where the site area is less than one hectare  
- Approval of reserved matters | Site Notice or Neighbour Notification | Normally within 8 weeks |
| Applications for which consultation is not required | A broad range of other related applications including but not limited to:  
- Applications for advertising consent  
- Applications for tree works  
- Discharge of condition  
- Non material amendment | None | Normally within 8 weeks |
| Householder Applications | The alteration, improvement and / or enlargement of an existing dwelling house, or development within the curtilage of a dwelling house for any purpose incidental to the enjoyment of the dwelling house. It does not include -  
1. An application for a change of use,  
2. An application to change the number of dwellings in a building; or  
3. Permitted development outlined in the General Permitted Development Order (as amended) | Site Notice or Neighbour Notification | Normally within 8 weeks |
| Listed Building Consent (LBC) | Required for the demolition or partial demolition of a listed building, or for its alteration or extension in any manner which would affect its character as a building of special | Press Notice and Site Notice (if statutory listed) | Normally within 8 weeks |

\textsuperscript{1} See the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.
### Standards of consultation

As every planning application is individual and treated as such, the community involvement and consultation techniques used for each application will vary. While it is impossible to detail every type of application, the table below outlines what action the Council will take in order to provide the community with the opportunity to put forward their views on planning applications both prior to and during the development management process. The table below takes into account and meets the minimum statutory requirements tabulated above.

<table>
<thead>
<tr>
<th>Lawful Development Certificate (LDC)</th>
<th>Certificate of Lawfulness applications are made to determine if:</th>
<th>None</th>
<th>Normally within 8 weeks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• The existing use of buildings or other land is lawful;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Operations that have been carried out are lawful such as building works;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Failure to comply with a condition or limitation attached to a planning permission is lawful;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Any proposed use of buildings or other land is lawful; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Any operations proposed to be carried out are lawful such as building works.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Permitted Development Rights up to 2016 | Prior approval applications are required for single storey rear extensions to residential houses, and for change of use from offices to residential | Neighbour Notification and Site Notice for office to residential changes | 42 days for residential extensions and 56 days for office to residential |
Table 9. Standards of planning application notification, publicity and consultation

<table>
<thead>
<tr>
<th>Consultation method (see Table 7 for full description)</th>
<th>APPLICATION TYPE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Major Apps</td>
</tr>
<tr>
<td>Weekly list of applications</td>
<td>✓</td>
</tr>
<tr>
<td>Website</td>
<td>✓</td>
</tr>
<tr>
<td>Neighbour Notification</td>
<td>✓</td>
</tr>
<tr>
<td>Site notice</td>
<td>✓</td>
</tr>
<tr>
<td>Press Notice</td>
<td>✓</td>
</tr>
<tr>
<td>Letters sent to statutory and non-statutory consultees</td>
<td>As Appropriate</td>
</tr>
<tr>
<td>Public Meetings / Exhibitions</td>
<td>Occasionally depending on proposal</td>
</tr>
<tr>
<td>Consultation with CAAC</td>
<td>If it affects a Listed Building or Conservation Area</td>
</tr>
<tr>
<td>Design Review Panel</td>
<td>As Appropriate</td>
</tr>
<tr>
<td>Available for Inspection at Hackney Service Centre (upon request)</td>
<td>✓</td>
</tr>
</tbody>
</table>

1 Always for Minor Applications and as appropriate for Other Applications
2 If statutory listed
3 Required for changes from office to residential
4.10 How to Comment on Planning Applications

The statutory minimum consultation period is 21 days. This is clearly stated on all advertisements, site notices, and notification letters. Stakeholders can assist the Council by meeting the stated period. However, the Council will consider all comments received up until the time a decision is made as far as reasonably possible.

Comments can be objections, support, or observations about the application and can be made by anyone in the following ways:

- going online at www.hackney.gov.uk/search-applications;
- writing a letter; and/or
- completing the submission form that is sent with the notification letter.

The Duty Planner is available at Hackney Service Centre, 1 Hillman Street, London E8 1DY, Monday to Friday* 10am - 12pm or 2pm - 4pm, or on phone 020 8356 8062 between 9am - 5pm Monday to Friday* to explain proposals.

You may wish to discuss the application with your local councillor. Please visit our website for details of how to contact your Councillors, www.hackney.gov.uk/council-democracy, or alternatively write to them care of London Borough of Hackney, Town Hall, Mare Street, London, E8 1EA. Any comments that you wish the planning service to take account of should be provided using one of the above three methods.

Alternatively you can seek professional planning advice from – Planning Aid for London. For contact details visit: www.planningaidforlondon.org.uk

More information on how to comment on planning applications can be obtained from the Council’s website¹.

4.11 What you can comment on and how the Council takes views into consideration

All comments received in writing are acknowledged within 7 working days of receipt. If the Planning Sub-Committee are making the decision, those who have commented are informed of the date of the meeting and how they can make representations at the meeting.

All comments, for and against, an application are considered by the Council if they raise material planning considerations², as these can be taken into account during the assessment process.

Some examples include –

*excludes public holidays
¹http://www.hackney.gov.uk/Assets/Documents/how_to_have_your_say_on_planning_applications.pdf
²A material planning consideration can be any consideration which relates to the use and development of land. Whether a particular consideration falling within that broad class is material in any given case will depend on the circumstances.
• loss of privacy
• loss of trees
• loss of daylight
• visual appearance
• traffic generation and road safety
• noise or smell
• something contrary to Council policy and/or London Plan policy and/or relevant national policy
• impact on Listed Buildings and/or Conservation Areas
• impact of increased activity.

Matters that are not material to planning application assessment and cannot be considered are –

• requirements under building regulations or other non-planning laws such as structural stability, fire precaution or the like
• private issues between neighbours such as party wall disputes
• damage to property, private rights of way, covenants or the like
• commercial competition
• property values
• loss of a private view

It is important to note that along with any objections received, the Council must also consider local, regional and national planning policy that may affect an application.

Relevant planning comments will be responded to in the Council Case Officer’s report which is available for viewing on-line once the application is determined.

Copies of comments are kept on the planning file and must be made available to the applicant in the case of an appeal against the Council’s decision. Once submitted to the Council, letters of objection or support become public documents which other interested parties are entitled to inspect.

The Council may negotiate with the applicant to revise a scheme so that it is acceptable in policy terms. Changes may be made to resolve objections. In these cases there is no legal requirement to re-consult stakeholders, although the Council may re-advertise and re-consult for a 14 day period.

4.12 Determination of a planning application

It is important that planning decisions are open and transparent. Decision on a planning application can be made in either two ways –

1. Approximately, 95 per cent of applications are decided by the Assistant Director of Planning and Regulatory Services, including all proposals for Telecommunications equipment.
2. Major applications and applications that generate significant community concern on relevant planning issues are usually determined at the Planning Sub-Committee, which is made up of local Councillors. Planning Sub-Committee meetings are open to the public and you can register to speak at these meetings. Meetings are held monthly except in August.

More information about how the Planning Sub-Committee works and speaking at a meeting can be found online\(^1\):

### 4.13 Letting people know the outcome

Applicants will receive a decision notice, which sets out whether permission has been granted along with any conditions, or if refused along with reasons for refusal and information of the right to appeal.

People and organisations that make representations in respect of an application will be notified of the decision in writing or by email in due course.

The decision notice will also be published on-line\(^2\). If the planning application decision was made by Members at the Planning Sub-Committee, the minutes of the meeting will be also be available on the Council’s website\(^3\).

### 4.14 Appeals

The Council’s decision to refuse planning permission, to grant planning permission subject to conditions, or for failure to determine an application within the statutory period may be appealed by the applicant. Appellants are required to make any appeal within a 6-month period from the decision date or the end of the statutory 8-week or 13-week processing period (whichever is appropriate). Appeals on planning applications relating to enforcement matters must be made within 28 days from the date of the decision and appeals relating to Householder Applications must be made within 12 weeks from the decision date. It is advisable to seek independent legal advice regarding appeals.

In such cases where an appeal is lodged, the Council will send a letter to inform the following:

- a. All neighbours as originally consulted;
- b. Any objectors to the original application; and
- c. Any other consultees if considered appropriate.

Further comments relating to the application/appeal should be directed to the Planning Inspectorate rather than the Council. They can be contacted at

\(^1\) [http://www.hackney.gov.uk/Assets/Documents/Leaflet_2_-_How_to_have_your_say_at_Planning_Sub-Committee.pdf](http://www.hackney.gov.uk/Assets/Documents/Leaflet_2_-_How_to_have_your_say_at_Planning_Sub-Committee.pdf)

\(^2\) [www.hackney.gov.uk/search-applications](http://www.hackney.gov.uk/search-applications).

\(^3\) [http://mginternet.hackney.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1](http://mginternet.hackney.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1)
4.15 Planning Obligations and Community Infrastructure Levy

Planning Obligations are sought through section 106 of the Town and Country Planning Act 1990 (as amended). They are essentially agreements negotiated between local authorities and developers to mitigate against the impact of a proposed development; such as the increase in pressure on publicly accessible open space or the need for additional school places. Section 106 agreements must be necessary to make an otherwise unacceptable development acceptable in planning terms and can take the form of financial contributions and/or works in kind.

The Community Infrastructure Levy (CIL) is a new planning charge that came into force on 6 April 2010. The Legislation and accompanying Regulations allow Local Authorities to collect and pool financial contributions from developers to help pay for strategic infrastructure that is necessary to support new development, such as; transport, community and leisure facilities, schools, and public open spaces. The CIL once adopted by the Council will replace Section 106 agreements as the principal means by which developer financial contributions are collected for infrastructure to support new development.

The Council’s currently adopted Planning Contributions SPD (s106) is available at http://www.hackney.gov.uk/planning-contributions-spd.htm.

The Council is currently reviewing its Planning Contributions SPD alongside the development of CIL Charging Schedule. Both documents are likely to be adopted in 2014. Further information is available at http://www.hackney.gov.uk/hcil.htm.
Appendix 1. Neighbour Notification Requirements

The Council will carry out the following minimum notification of adjacent occupiers (neighbours) in respect of planning applications in line with the table presented below. It should be noted that there will be particular circumstances where wider notification is required.

Notification of neighbours will be in the form of a standard letter sent via second class post to the neighbours identified in line with the below standards. Other parties may still be notified through being listed as statutory and non-statutory consultees or through site notices or advertisements (see Table 9). If a party is not notified by any of the above methods but nevertheless becomes aware of the application, they may comment on the application and will be afforded the same weight as comments received from formally notified parties.

The consultation period will run for a period not less than 21 days from the date of sending the letter to the neighbour consultees.

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Notification Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Certificate of Lawfulness</td>
<td>Developments do not generally require neighbour notification.</td>
</tr>
<tr>
<td>• All advertisements</td>
<td></td>
</tr>
<tr>
<td>• Consultations from adjoining London borough councils and the Corporation of London / London Legacy Development Corporation</td>
<td></td>
</tr>
<tr>
<td>• All tree applications</td>
<td></td>
</tr>
<tr>
<td>• Approval of details</td>
<td></td>
</tr>
<tr>
<td>• All Listed Building Consent (LBC) applications</td>
<td></td>
</tr>
<tr>
<td>• All Conservation Area Consent (CAC) applications</td>
<td></td>
</tr>
<tr>
<td>Householder Applications</td>
<td>We will notify all adjacent properties which have a shared section of boundary with the application site. We will notify other nearby properties where those properties would be affected by the development (e.g. houses on the opposite side of the road in the case of a front extension).</td>
</tr>
<tr>
<td>Minor Applications and Other Applications</td>
<td>As a minimum we will notify all properties physically abutting the application site. This will include all properties with a shared section of boundary. Where appropriate, we may also notify properties within a 360 degree arc of the application site including properties separated by a</td>
</tr>
</tbody>
</table>
roadway.

**Minor Applications – public interest**
- Telecommunications
- Change of use to social club, A3, day nursery, hostels, health facilities etc.
- Other proposals likely to be of wide public interest

The extent of neighbour consultation will be at least be equal to that required in a minor development (as above). The extent of notification will be assessed during the validation process for the application.

**Major Applications and Departure Applications**

We will notify all adjoining properties as for minor development and also all properties within at least 30m of the boundaries of the application site. This area is the minimum requirement and it will remain at the officer’s discretion to notify neighbours outside this area.