

# Statement of Community Involvement

November 2021 - Draft Version



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# 1. Introduction

- 1.1 Planning makes decisions about the future of our towns, villages and countryside. It balances the need for development with conserving the environment, public spaces, heritage and improvement of amenities.
- 1.2 For many people, planning is something they only get involved with when a development proposal directly affects them. The Statement of Community Involvement (SCI) sets out how residents and stakeholders can get involved in planning from the early stages of preparing local planning policies through to the determination of planning applications.
- 1.3 Preparing an SCI is a legal requirement of Section 18 of the Planning and Compulsory Purchase Act 2004. MVDC's SCI sets out the different approaches the Council will take to find out what communities and individuals think about planning policies as they are developed and what their views are on planning applications. The Council will consider the needs and preferences of the communities, groups and organisations likely to be affected.

## Listening to what you tell us

- 1.4 MVDC aims to give the whole community the opportunity to take part in the preparation of planning policies and decisions on planning applications. The Council will:
- a) Make sure that consultation publications are clear and concise, avoiding the use of unnecessary technical jargon;
  - b) Ask interested and affected individuals, groups and organisations for their views as early as possible.
  - c) Listen to, respect and consider the comments that are received and explain what happens to them;
  - d) Inform those who respond to a consultation with details about later stages in the process.

## Working with your Councillors

- 1.5 MVDC's Councillors play an important role in making decisions on planning matters and developing local policies. They are a key contact for local communities providing more information about planning applications. Details for contacting your councillor can be found on the Council's website.

## Updating the SCI

- 1.6 The current SCI was adopted by the Council in 2016. There have been further amendments to national legislation and planning policy, including a requirement to review the SCI every five years. Therefore, it is necessary to refresh the document and this is the revision.

## 2. Consultation and Notification Techniques

2.1. The Council can use some or all of the following techniques to contact stakeholders. The type of consultation will dictate which of the consultation techniques will be used.

### a) Council Website

The Council can devote a webpage to planning policy and neighbourhood planning consultations. The Council's online planning register has details of all planning applications, with plans and background information.

The web address for the introductory planning policy page is:

<https://www.molevalley.gov.uk/home/building-planning/local-plans>

The dedicated page for the emerging local plan on the website is:

<https://www.molevalley.gov.uk/home/buildingplanning/local-plans/future-mole-valley-localplan-2020-2037>

The web address for the introductory neighbourhood planning page is:

<https://www.molevalley.gov.uk/home/building-planning/local-plans/neighbourhood-planning>

The web address for the introductory planning applications page is

<https://www.molevalley.gov.uk/home/building-planning/planning-applications>

### b) Standalone Websites

The Council can use standalone websites for particular consultations. Currently, the Council has a standalone Local Plan website, which can be accessed at

<https://futuremolevalley.org/>

### c) Council Library and Council Offices

The Council can lodge planning policy and neighbourhood planning consultation documents at relevant council offices and libraries for those stakeholders without access to the internet. For some planning policy consultations (see chapter 3), at certain consultation stages, consultation documents are required to be made available during normal office hours for inspection at a local planning authority's principal offices and at such other places within their area as the authority consider appropriate. Table 2.1 shows the Council offices and libraries and their opening hours as of September 2021.

**Table 2.1: Council Offices & Libraries**

Office or Library	Opening Times
<b>MVDC Offices</b> Pippbrook, Reigate Rd, Dorking, RH4 1SJ	<b>Mon- Fri:</b> 8.30-17.30
<b>Dorking Library</b> St Martin's Walk, Dorking, RH4 1UT	<b>Mon- Fri:</b> 9.30-17.30 <b>Sat:</b> 9.30-17.00
<b>Ashtead Library</b> Woodfield Lane, Ashtead, KT21 2BQ	<b>Mon:</b> 10.00-13.00 <b>Tues, Thurs- Fri:</b> 10.00-13.00 & 14.00-1700 <b>Sat:</b> 10.00-13.00
<b>Leatherhead Library</b> The Mansion, Church Street, Leatherhead, KT22 8DP	<b>Tues- Sat:</b> 9.30-17.00
<b>Bookham Library</b> Townshott Close, Great Bookham, KT23 4DQ	<b>Tues:</b> 10.00-13.00 & 14.00-1700 <b>Thurs:</b> 10.00-13.00 <b>Fri:</b> 10.00-13.00 & 14.00-1700 <b>Sat:</b> 10.00-16.00
<b>Beare Green Community Library</b> Beare Green Village Hall, Merebank, Beare Green, RH5 4RD	<b>Wed:</b> 13.00-14.30 <b>Fri:</b> 10.00-11.30

**d) Notices in Local Newspapers**

The Council may publish notification of certain types of planning applications received and development orders in the local newspaper - usually the Dorking and Leatherhead Advertiser.

**e) Press Releases**

For planning policy consultations and neighbourhood planning consultations, the Council can issue press releases to increase awareness.

**f) Features and Articles**

For planning policy consultations features can be published in online or print newspapers and magazines, such as the Surrey live website.

**g) Consultation Database (Emails and Letters)**

The Council maintains a planning policy consultation database of stakeholders who have an interest in local planning matters. The Council will identify which stakeholders on the database it considers should be notified when a planning policy consultation is due to take place, via either email or letter.

Should you wish to be added to the consultation database, please email: [planning.policy@molevalley.gov.uk](mailto:planning.policy@molevalley.gov.uk). Details will be held electronically and will only be used for consultations on planning policy and related matters.

**h) Email Newsletter**

The Council regularly sends a Planning Policy E-newsletter to interested parties on the Future Mole Valley contact list with updates of the Council's progress on key planning policy matters.

**i) Leaflets and Response Forms**

For certain planning policy and neighbourhood planning consultations, the Council can deliver leaflets and response forms to addresses. This technique is generally reserved for site or area-specific consultations as a district-wide leaflet drop is prohibitive financially.

**j) Referenda**

The neighbourhood planning process requires a referendum in the neighbourhood area to agree a neighbourhood plan. This will be organised by the Council.

**k) Letter to Neighbours**

For planning applications, the Council can notify neighbours by letter.

**l) Site Notices**

For certain planning policy consultations relating to a specific area and planning applications, the Council can put up site notices.

**m) Open Community Workshops and Meetings**

For planning policy consultations, the Council can arrange community workshops and meetings to discuss plans and issues with residents face-to-face.

**n) Closed Community Workshops and Meetings**

For planning policy consultations, the Council can arrange for officers to meet certain groups to discuss particular plans and issues. For example young people and people with disabilities.

**o) Staffed Exhibitions**

For planning policy consultations, particularly area-specific consultations, the Council can put on staffed exhibitions for passing members of the public to discuss plans and issues face-to-face. These are staffed by Council officers but Councillors can also attend.

**p) Council Committee Meetings**

Planning policy consultations are normally approved by Councillors at a council meeting prior to consultation and the responses are usually considered by councillors at a council meeting following the consultation. In most instances, the relevant committee is the Cabinet or Full Council. Some planning applications are decided at officer level, however, some applications are decided at Development Management Committee. These council meetings are open to the public. Details of council meetings can be found at: <https://www.molevalley.gov.uk/home/council/committee-agendas-minutes>

**q) One-to-One Meetings**

In certain circumstances, such as the preparation of a Site Brief Supplementary Planning Document, the Council can engage in one-to-one meetings, for example with a landowner. This will usually occur prior to a formal consultation to ensure that any proposals, included in a formal consultation, are feasible and deliverable.

**r) Social Media**

For planning policy consultations and neighbourhood planning consultations, the Council can use its Facebook page @MoretoMoleValley or its social media feeds for Twitter @MoleValleyDC and Instagram <https://www.instagram.com/molevalleydc/>

**s) MyAlerts**

MyAlerts will send an email notifying you of relevant information on planning applications within a set buffer zone area of your choice. A maximum of one email alert will be sent within a 24-hour period. You will only receive an alert when a change has been detected in your set buffer zone area, i.e. a new planning application has been registered. It is therefore unlikely that you will receive an email alert every day. Details of how to sign up can be found in paragraph 5.12 of this document.

## 3. Planning Policy

3.1. The main types of planning policy consultations are for the following documents:

- The Local Plan/Development Plan Documents;
- Supplementary Planning Documents;
- The Community Infrastructure Levy;
- Local Development Orders; and,
- Article 4 Directions.

3.2. This section will also cover the Council's approach on Duty-to-Cooperate requirements, engagement on the preliminary stages of plan making and how the council will provide assistance on neighbourhood planning.

### The Development Plan

3.3. The current Development Plan comprises:

- Saved Policies of the Mole Valley Local Plan 2000 (MVDC, 2000)
- Saved Policy NRM6 of the South East Plan (Regional Assembly, 2009)
- Core Strategy (MVDC, 2009)
- Dorking Town Area Action Plan (MVDC, 2012)
- Ashted Neighbourhood Development Plan 2015-2026 (Ashted Neighbourhood Forum, 2017)
- Bookham Neighbourhood Development Plan 2015-2026 (Bookham Vanguard Neighbourhood Forum, 2017)
- Parish of Capel Neighbourhood Development Plan 2016-2026 (Capel Parish Council, 2017)
- Westcott Neighbourhood Development Plan 2017-2026 (Westcott Village Forum, 2017)
- Surrey Waste Local Plan 2019-2033 (Surrey County Council, 2020)
- Surrey Minerals Plan Core Strategy DPD (Surrey County Council, 2011)
- Surrey Minerals Plan Primary Aggregates DPD (Surrey County Council, 2011)
- Aggregates Recycling Joint DPD for Minerals and Waste Plans (Surrey County Council, 2013)

3.4. The Council must review its Local Plan every five years and decide whether to revise it, either in whole or in part.

3.5. Government guidance states that there should be two main stages of consultation when reviewing plans (see Table 3.2): Stage 1, when the issues and options are available for comment, and Stage 2, when there is a consultation on the draft plan. However, the Stage 2 consultation is limited to issues of "soundness". The Tests of Soundness are set out in Table 3.1 and are reproduced from Paragraph 35 of the National Planning Policy Framework. Consultees wishing to comment at this stage are advised to formulate their responses within the context of the Tests of Soundness. It is possible that there would be a further consultation after the Examination but the Council will be guided by the Inspector on this matter.



**Table 3.1: Tests of Soundness from Paragraph 35 of the National Planning Policy Framework**

Local plans and other development plan documents “are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. plans are ‘sound’ if they are:

- a) Positively prepared** – providing a strategy which, as a minimum, seeks to meet objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the Framework and other statements of national planning policy, where relevant.

3.6. Table 3.2 sets out how the Council will consult on the Local Plan at each stage of preparation.

**Table 3.2: Consultation Arrangements for the Local Plan and other Development Plan Documents**

<b>Stage</b>	<b>Consultation Details</b>	<b>Consultees</b>	<b>Consultation Requirements and Methods</b>
<p><b>Stage 1: Preparation of the Local Plan [Regulations 18, 35 and 36]</b></p> <p><b>Reason for Stage:</b> To present issues for discussion and to get views on options</p> <p><b>Result:</b> Responses give the Council an insight into local opinion.</p> <p>The Council must consider those representations in the preparation of the Local Plan.</p>	<ul style="list-style-type: none"> <li>● Consultation on issues and preferred options document of the Local Plan plus its Sustainability Appraisal</li> <li>● Background evidence documents will also be available.</li> <li>● Consultation will be a minimum of 6 weeks</li> </ul>	<ul style="list-style-type: none"> <li>● Those relevant on the consultation database.</li> <li>● Those with interests in any specific sites mentioned in the draft document.</li> <li>● Those who comment as a result of other publicity</li> </ul>	<p><u>Statutory Requirements</u></p> <ul style="list-style-type: none"> <li>● Notify each of the <i>specific</i> and <i>general</i> consultation bodies, residents, businesses and organisations who the Council considers may have an interest in the subject of a Local Plan.</li> <li>● Invite each of the people notified to make representations to the LPA during the period from the date of the notice about what a Local Plan ought to contain.</li> </ul> <p><u>Options for additional community engagement</u> See Chapter 2 <i>Consultation Techniques</i>.</p>
<p><b>Stage 2: Publication of the Proposed Local Plan [Regulations 19, 20, 21, 35 and 36]</b></p> <p><b>Reason for Stage:</b> To present draft plan, to refine any policies or allocations, to identify the contentious issues</p>	<ul style="list-style-type: none"> <li>● Consultation on the draft Local Plan plus its Sustainability Appraisal</li> <li>● Background evidence documents will also be available.</li> <li>● Consultation will be a minimum of 6 weeks</li> </ul>	<ul style="list-style-type: none"> <li>● Those relevant on the consultation database</li> <li>● Those with interests in specific sites mentioned in the draft document</li> <li>● Those who comment as a result of other publicity</li> </ul>	<p><u>Statutory Requirements</u></p> <ul style="list-style-type: none"> <li>● Proposed submission documents will be published on the Council’s website and made available for inspection during normal office hours at the Council offices and at other places within the district as appropriate.</li> </ul>

<p><b>Result:</b> Responses will be sent to the Inspector</p> <p>The Council will review those representations.</p>	<ul style="list-style-type: none"> <li>● Consultation at this stage is limited to the tests of soundness (see Table 3.1) and legal compliance.</li> </ul>	<ul style="list-style-type: none"> <li>● Those who commented at Stage 1</li> </ul>	<ul style="list-style-type: none"> <li>● Links to the appropriate document pages on the website will be sent to the <i>general</i> and <i>specific</i> consultation bodies, together with a statement of the representations procedure.</li> </ul> <p><u>Options for additional community engagement</u> See Chapter 2 <i>Consultation Techniques</i>.</p>
<p><b>Stage 3: Submission</b> <i>[Regulation 22]</i></p>	<p><b>THIS IS NOT A CONSULTATION STAGE</b></p>		
<p><b>Stage 4: Examination</b> <i>[Regulations 23 and 24]</i></p> <p><b>Reason for Stage:</b> To present case to Inspector</p> <p><b>Result:</b> Inspector's Report</p> <p><b>Reason for Major Modifications Consultation:</b> To provide an opportunity to comment on a major change to the plan</p> <p><b>Result:</b> The responses will be sent to the Inspector and the council will publish the responses on its website</p>	<ul style="list-style-type: none"> <li>● The Inspector decides the issues to investigate further</li> <li>● Where differences between respondents and the Council can be resolved, Statements of Common Ground will be concluded between both parties</li> <li>● Where differences between respondents and the Council cannot be resolved, Statements of Case will be produced by the respondent and the Council for the Inspector to consider</li> </ul>	<ul style="list-style-type: none"> <li>● All those who responded in Stage 2</li> </ul>	<ul style="list-style-type: none"> <li>● The Examination is likely to involve public hearings.</li> <li>● Notice for public hearings will be published at least 6 weeks before the public hearings. The Council will provide accommodation for the public hearings</li> <li>● The Inspector may arrange a pre-meeting to explain the process for the public hearing</li> <li>● The Inspector's Programme Officer will contact all those who made representations at Stage 2 to see if they wish to appear at the public hearings.</li> <li>● The Inspector will consider the comments made at Stage</li> </ul>

			<p>2 together with the Statements of Case at the public hearings.</p> <p><b>If the Inspector has no major modifications to the draft plan,</b> they will issue the report and the Council will notify those who responded at Stage 2 of the publication of the Inspector's Report.</p> <p><b>If the Inspector has major modifications to the plan,</b> they may request a consultation to the modifications and a Sustainability Appraisal update. The consultation on the modifications should last a minimum of 6 weeks. The council will:</p> <ul style="list-style-type: none"> <li>• Update the Council website/dedicated page</li> <li>• Place documents at council offices and libraries</li> <li>• Contact consultees on consultation database and those who responded at Stages 1 and 2</li> <li>• Use other methods as appropriate (See Chapter 2 <i>Consultation Techniques</i>).</li> </ul>
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<b>Stage 5: Adoption [Regulation 26]</b>	<b>THIS IS NOT A CONSULTATION STAGE</b> However, any person aggrieved by the Local Plan may make an application to the High Court under section 113 of the Planning and Compulsory Purchase Act 2004 for a Judicial Review within 6 weeks of adoption.
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Town and Country Planning (Local Planning) (England) Regulations 2012 as amended (Statutory Instrument (SI) 767/2012)

## **Supplementary Planning Documents**

**3.7.** Supplementary Planning Documents (SPDs) add detail to, and further explain, the policies and proposals set out in the development plan, without adding new policy. Consultation for these documents normally involves publishing a draft for comment and considering any comments received and, if appropriate, producing a revised final version of the document. It may, on occasion, be appropriate for preliminary consultation to take place, depending on the scope and level of complexity of the SPD being prepared. Where SPDs are area based, for example in town centres, the Council will target the community in those areas, and, where they are topic-based, the Council will target any groups that are particularly affected.

**3.8.** Table 3.3 sets out the consultation stages and requirements for an SPD.

**Table 3.3: Consultation Arrangements for a Supplementary Planning Document**

<b>Stage</b>	<b>Consultation Details</b>	<b>Consultees</b>	<b>Consultation Methods</b>
<p><b>Stage 1: Preliminary Consultation on draft SPD [Regulation 12]</b></p> <p><b>Reason for Stage:</b> To ensure feasibility and deliverability of SPD</p> <p><b>Result:</b> Evidence to support future draft SPD</p>	<ul style="list-style-type: none"> <li>• Dependent on the type of SPD being produced.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>For planning briefs for a specific site:</b> the Council will consult with the major stakeholders. This may be the landowner and relevant consultees on the consultation database.</li> <li>• <b>For policy guidance:</b> this may be the principal stakeholders affected and relevant consultees on the consultation database.</li> </ul>	<ul style="list-style-type: none"> <li>• Various methods as appropriate, if required, including potentially one-to-one meetings and community workshops. See Chapter 2 <i>Consultation Techniques</i>).</li> </ul>
<p><b>Stage 2: Publication of draft SPD [Regulations 12 and 35]</b></p> <p><b>Reason for Stage:</b> To present draft SPD, to refine the document and to identify contentious issues</p> <p><b>Result:</b> Responses give council an insight into local opinion. Council produce a summary of the main issues raised and set how those issues have been addressed on its website within a consultation statement.</p>	<ul style="list-style-type: none"> <li>• Consultation on the draft SPD</li> <li>• Background evidence documents will also be available, where produced</li> <li>• A consultation statement will be made available setting out: <ul style="list-style-type: none"> <li>• the persons the local planning authority consulted when preparing the supplementary document</li> <li>• a summary of the main issues raised of those persons; and</li> <li>• how those issues have been addressed in the supplementary document</li> </ul> </li> <li>• Consultation will be a minimum of four weeks</li> </ul>	<ul style="list-style-type: none"> <li>• <b>For planning briefs for a specific site or area:</b> Consultees on the consultation database who the Council considers may have an interest in the brief. Residents groups, residents and businesses in the vicinity of the site or area.</li> <li>• <b>For policy guidance:</b> Consultees interested in the policy topic.</li> </ul>	<p><u>Council's Minimum Requirements</u></p> <ul style="list-style-type: none"> <li>• Publish the draft SPD document and consultation statement on the Council's website and make available for inspection during normal office hours at the Council office and at other places within the district as appropriate for a minimum of 4 weeks.</li> <li>• Links to the appropriate document pages on the website will be sent to relevant <i>general</i> and <i>specific</i> consultation bodies together with those consulted in the preparation of the supplement document and those on the consultation database the Council considers may have an interest in the matter.</li> </ul>

			Options for additional community engagement See Chapter 2 <i>Consultation Techniques</i> .
<b>Stage 3: Consideration of comments received on the draft SPD [Regulations 12 and 13]</b>	<b>THIS IS NOT A CONSULTATION STAGE</b> <ul style="list-style-type: none"> <li>• Council produces a summary of the main issues raised and set how those issues have been addressed on its website within a consultation statement. (Stage 2 Result)</li> </ul>		
<b>Stage 4: Adoption [Regulation 14 and 35]</b>	<b>THIS IS NOT A CONSULTATION STAGE</b> However, any person aggrieved by a Supplementary Planning Document may make an application to the High Court for a Judicial Review within 3 months of adoption.		

Town and Country Planning (Local Planning) (England) Regulations 2012 as amended (Statutory Instrument (SI) 767/2012)



## **Community Infrastructure Levy**

**3.9.** The Community infrastructure Levy (CIL) is a statutory charge on development used to fund infrastructure provision for the benefit of the community (under the Planning Act 2008, the Localism Act 2011 and the Community Infrastructure Levy Regulations 2010 as amended). Broadly, the preparation or modification of a CIL Charging Schedule involves the following stages:

- 1) Publication and consultation on a Draft Charging Schedule
- 2) Examination
- 3) Adoption

**3.10.** The Council adopted its CIL in 2014 and subsequently reviewed the CIL rates charged in 2018. The Council will continue to use the adopted CIL Charging Schedule and to may review it again at a later date.

**3.11.** Should the Council decide to revise its CIL following the next/future review, it will follow the statutory requirements, set out in:

- The Planning Act, 2008 <http://www.legislation.gov.uk/ukpga/2008/29/contents>
- The Community Infrastructure Levy, England & Wales Regulations 2010 (Statutory Instrument (SI) 948/2010) <http://www.legislation.gov.uk/uksi/2010/948/contents/made>
- The Community Infrastructure Levy (Amendment) Regulations 2011 (SI 987/2011) <http://www.legislation.gov.uk/uksi/2011/987/contents/made>
- The Community Infrastructure Levy (Amendment) Regulations 2012 (SI 2975/2012) <http://www.legislation.gov.uk/uksi/2012/2975/contents/made>
- The Community Infrastructure Levy (Amendment) Regulations 2013 (SI 982/2013) <http://www.legislation.gov.uk/uksi/2013/982/contents/made>
- The Community Infrastructure Levy (Amendment) Regulations 2014 (SI 385/2014) <http://www.legislation.gov.uk/uksi/2014/385/contents/made>
- The Community Infrastructure Levy (Amendment) (No.2) Regulations 2019 (SI1103/2019) <http://www.legislation.gov.uk/ukdsi/2019/9780111187449/contents>
- And/or any subsequent amending legislation

## **Local Development Orders**

**3.12.** A Local Development Order (LDO) grants planning permission for the type of development specified in the Order and, by doing so, removes the need for a planning application to be made. Local planning authorities have powers to make them.

**3.13.** LDOs are very flexible in that they can:

- Apply to a specific site, sites or a wider geographical area;
  - Grant planning permission for a certain type or types of development; and
  - Grant planning permission outright or subject to conditions.
- They do not remove the need to obtain consent under any other relevant regimes.

**3.14.** Broadly speaking, the preparation of an LDO involves:

- 1) Prepare draft LDO and Statement of Reasons
- 2) Consult for 4 weeks on the draft LDO according to Part 8, Article 38 (3), (4), (5), (6), (7) and (8) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 as amended (Statutory Instrument 595/2015)

- 3) Consider representations and make any modifications
- 4) Adoption
- 5) Notify the Secretary of State for Housing, Communities and Local Government as soon as practicable after adoption.

**3.15.** Should the Council decide to put an LDO in place, it will follow the statutory requirements, set out in:

- The Town and Country Planning Act 1990  
<http://www.legislation.gov.uk/ukpga/1990/8/contents>
- The Town and Country Planning (Development Management Procedure) (England) Order <http://www.legislation.gov.uk/uksi/2015/595/made>
- And/or any subsequent amending legislation

#### **Article 4 Directions**

**3.16.** An Article 4 Direction allows authorities to withdraw permitted development rights that would otherwise be granted by virtue of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). An Article 4 Direction does not prevent the development to which it applies, but instead requires that planning permission is first obtained from the local planning authority for that development.

**3.17.** Broadly speaking, the preparation of an Article 4 Direction involves the following stages:

- 1) Prepare a draft Article 4 Direction
- 2) Consult for 6 weeks on the draft Article 4 Direction
- 3) Subject to consultation, confirm the Article 4 Direction
- 4) Notify residents and the Secretary of State for Housing, Communities and Local Government of confirmation
- 5) Subject to the Secretary of State, the Article 4 Direction comes into force

**3.18.** The Council currently has a number of Article 4 Directions in force and should the Council decide to put another Article 4 Direction in place, it will follow the statutory requirements, set out in:

- The Town and Country Planning (General Permitted Development) (England) Order 2015 (SI 596/2015) <http://www.legislation.gov.uk/uksi/2015/596/contents/made>
- And/or any subsequent amending legislation or guidance

#### **Local Development Scheme**

**3.19.** The Council publishes a Local Development Scheme that sets out the planning policy documents that it intends to produce, their scope and the timetable for their preparation, including when consultation is expected to take place. Mole Valley's current Local Development Scheme is in the process of being revised. The documents included in an LDS arise from the need to update existing documents or the need to address a particular piece of policy. The need for revised or new documents may be brought to the attention of the Council by internal or external stakeholders.

**3.20.** Progress of the work programme identified in the Local Development Scheme is reviewed in the Authority Monitoring Report which is also available on the council's website: <https://www.molevalley.gov.uk/home/building-planning/local-plans/monitoring>

## Survey of Area

**3.21.** The Council is required to keep under review the matters that may be expected to affect the development of their area or the planning of its development. The Council will take informal soundings from stakeholders on development matters in the area.

### *Evidence Base:*

**3.22.** The Council prepared a comprehensive local evidence base for the Local Plan on the key social, economic and environmental characteristics of the district, which is available on the Council's website: [www.molevalley.gov.uk/home/building-planning/local-plans/local-plan-evidence-and-background-information](http://www.molevalley.gov.uk/home/building-planning/local-plans/local-plan-evidence-and-background-information) and the dedicated Future Mole Valley website at <https://futuremolevalley.org/evidence-documents/>

**3.23.** New studies will be added to the evidence base periodically and will be made available on the Council's website and on the dedicated Future Mole Valley website.

## Authorities Monitoring Report

**3.24.** The Council also prepares an Authority Monitoring Report (AMR), which includes data on population and key characteristics of the district and on the implementation of Local Plan policies. The AMR is informed by locally collected data and information from public bodies, such as the Office for National Statistics, Environment Agency, Natural England and the Department for the Environment, Food and Rural Affairs. The AMR is also available on the council's website: <https://www.molevalley.gov.uk/home/building-planning/local-plans/monitoring>

## Duty to Cooperate

**3.25.** The Duty to Cooperate was created in the Localism Act 2011 and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.

**3.26.** The Duty to Cooperate is not a duty to agree but local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.

**3.27.** Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination.

**3.28.** The types of matters that the council is expected to cooperate on include those set out in Paragraph 20 of the National Planning Policy Framework, namely to make sufficient provision for:

- Housing (including affordable housing), employment, retail, leisure and other commercial development;
- Infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal management and the provision of minerals and energy (including heat);
- Community facilities (such as health, educational and cultural infrastructure); and,
- Conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.

**Table 3.4: The Council's Duty to Cooperate Bodies**

- Surrey County Council
- Crawley Borough Council
- Elmbridge Borough Council
- Epsom and Ewell Borough Council
- Guildford
- Horsham District Council
- Royal Borough of Kingston
- Reigate and Banstead Borough Council
- Waverley Borough Council
- West Sussex County Council
- The Mayor of London
  
- The Environment Agency
- Historic England
- Natural England
- The Civil Aviation Authority
- Homes England
- Surrey Downs Health and Care
- Office of Rail and Road
- Highways England
- Coast-to-Coast Local Enterprise Partnership
- Surrey Nature Partnership

**3.29.** The Council will continue to work with its Duty to Cooperate bodies on strategic matters and will produce statements of common ground, when necessary, to demonstrate cooperation on cross-boundary matters as set out in the National Planning Policy Framework and national Planning Practice Guidance, which can be found at: <https://www.gov.uk/guidance/plan-making> and/or any other subsequent guidance.

## 4. Neighbourhood Planning and Community Action Consultations

### Neighbourhood Plans

- 4.1. The Localism Act 2011 introduced new rights and powers to allow local communities to shape new development by coming together to prepare neighbourhood plans.
- 4.2. In the Mole Valley, neighbourhood plans can be taken forward by parish councils or neighbourhood forums. Neighbourhood forums are community groups that are designated by the Council following a local consultation. The criteria for establishing neighbourhood forums have been kept as simple as possible to encourage new and existing residents' organisations, businesses, voluntary and community groups to put themselves forward. A forum's aim must be to improve the social, economic and environmental well-being of the area. It must have open membership and comprise a minimum of 21 individuals who either live in the neighbourhood area, work there; and/or are elected members for a local authority that includes all or part of the neighbourhood area.
- 4.3. Neighbourhood forums can prepare a neighbourhood plan that sets out planning policies for the development and use of land in a neighbourhood. The Mole Valley Local Plan sets the strategic context within which neighbourhood plans sit.
- 4.4. Neighbourhood plans have to meet a number of conditions before they can come into force to ensure plans are legally compliant and take account of wider policy considerations. These conditions are:
  - 1) They must have regard to national planning policy and advice contained in guidance issue by the Secretary of State;
  - 2) They must contribute to the achievement of sustainable development;
  - 3) They must be in general conformity with strategic policies in the development plan for the local area;
  - 4) They must be compatible with EU obligations and human rights requirements;
  - 5) They must not breach the requirements of the Habitats and Species Regulations 2017
- 4.5. An independent qualified person checks that a neighbourhood plan meets the conditions at an independent examination before it can be voted on in a local referendum. This is to make sure that referendums only take place when proposals are workable and in conformity with relevant legislation and the development plan.
- 4.6. Proposed neighbourhood plans need to gain the approval of a majority of voters of the neighbourhood to come into force. If proposals pass the referendum, the local planning authority is under a legal duty to bring them into force.
- 4.7. As of September 2021, the Council had designated 5 neighbourhood areas and fora:
  - Ashtead
  - Bookham
  - Capel
  - Ockley
  - Westcott.

However, some of these fora have now lapsed.

- 4.8.** Table 4.1 shows how the Council will consult when it is involved in the neighbourhood plan process as the neighbourhood forum undertakes some of the consultation responsibilities. Table 4.2 sets out how the Council will provide support and advice.

**Table 4.1: Consultation Arrangements for a Neighbourhood Plan**

<b>Stage</b>	<b>Consultation Details</b>	<b>Consultees</b>	<b>Consultation Methods</b>
<p><b>Stage 1a: Designation of Neighbourhood Area (the whole area of a Parish Council)</b> [Regulations 5 and 7]</p> <p><b>Reason for Stage:</b> To ensure the area is suitable to be designated.</p> <p><b>Result:</b> The Council designates the area.</p>	<p>The Parish Council must submit an application to the Council with:</p> <ul style="list-style-type: none"> <li>● A map of the area</li> <li>● A statement explaining why this area is considered appropriate to be designated as a neighbourhood and a statement that the Parish Council is a relevant body.</li> </ul> <p>Where the application for the designation of a neighbourhood area applies to the whole of the area of a Parish Council's area. The local planning authority must exercise their powers to designate the specified area as a neighbourhood area.</p>	<p><b>NOT APPLICABLE.</b></p>	<ul style="list-style-type: none"> <li>● <b>THIS IS NOT A FORMAL CONSULTATION STAGE</b></li> </ul>
<p><b>Stage 1b: Designation of Neighbourhood Area and Forum</b> [Regulations 5-10]</p>	<ul style="list-style-type: none"> <li>● Council consults for 6 weeks on prospective forum's application to be a Neighbourhood Forum. (Regs 8 - 10)</li> <li>● Prospective forum identifies the area and produces Statement of Case. Council consults on the area application for the same 6 weeks. (Regs 5 - 6)</li> </ul>	<p>The community who lives, works or carries on a business within the area.</p>	<p><u>Statutory Requirements</u> <i>Designating a forum:</i> Publication of the forum application details and details of how to make a representation on the Council website and "in such other manner as the Council considers likely to bring the application to the attention of the people who live, work or carry out business in the area to which the application relates."</p>

			<p>See Chapter 2 <i>Consultation Techniques</i>.</p> <p><i>Designating an area (where it is not for the designation of the whole of the area of a parish council):</i>  Publication of the area application details and details of how to make a representation on the Council website and “in such other manner as the Council considers likely to bring the application to the attention of the people who live, work or carry out business in the area to which the application relates.”  See Chapter 2 <i>Consultation Techniques</i>.</p>
<b>Stage 2: Preparation of draft Neighbourhood Plan or modification of Neighbourhood Plan</b>	<b>THIS IS NOT A FORMAL CONSULTATION STAGE</b> However, the parish council or neighbourhood forum may undertake informal consultations. This is a matter for the Parish Council or Neighbourhood Forum, so the Council’s Statement of Community Involvement will not proscribe this stage.		
<b>Stage 3: Pre-submission Publicity and Consultation [Regulation 14]</b>	<b>THIS CONSULTATION STAGE IS HOSTED BY THE NEIGHBOURHOOD FORUM</b> The statutory requirements are set out in Reg 14 of Neighbourhood Planning (General) Regulations 2012 as amended. The Council will not proscribe any consultation methods for this stage. However, it will assist the neighbourhood forum from an organisational point of view in any way it can.		
<b>Stage 4: Submission of draft Neighbourhood Plan or modifications to Council [Regulation 15, 16 and 17]</b>  <b>Reason for Stage:</b> To ensure Plan has community support	<ul style="list-style-type: none"> <li>Submission of proposed neighbourhood plan and required accompanying documents by Parish Council/Neighbourhood Forum to MVDC.</li> </ul>	The community who lives, works or carries on a business within the area	<u>Statutory Requirements</u> Publication of the draft neighbourhood plan (plan proposal) and details of how to make a representation on the Council’s website and “in such other manner as the Council



<p><b>Result:</b> Draft Neighbourhood Plan, the required accompanying documents and representations will be sent to the Independent Examiner for his consideration.</p>	<ul style="list-style-type: none"> <li>• Council publicise the draft Neighbourhood Plan.</li> <li>• Consultation will be a minimum of 6 weeks</li> </ul>		<p>considers likely to bring the application to the attention of the people who live, work or carry out business in the area to which the application relates.” See Chapter 2 <i>Consultation Techniques</i>.</p>
<p><b>Stage 5: Independent Examination [Regulation 18 and 18A]</b></p> <p><b>Reason for Stage:</b> To publicise Examiner’s report and Council’s decision</p> <p><b>Result:</b> No representations are expected at this stage as this is for notification only</p>	<ul style="list-style-type: none"> <li>• Examiner’s Report</li> <li>• Council’s Decision Statement including what action to take in response to the recommendations of the examiner and any modifications to make to the draft plan.</li> </ul>	<p>The community who lives, works or carries on a business within the area</p>	<p><u>Statutory Requirements</u> Publication of the decision statement and examiner’s report on the Council website and “in such other manner as the Council considers likely to bring the application to the attention of the people who live, work or carry out business in the area to which the application relates.” See Chapter 2 <i>Consultation Techniques</i>.</p>
<p><b>Stage 6: Referendum</b> [Neighbourhood Planning (Referendum) Regulations 2012 as amended SI 2031/2012]</p>	<p><b>THE REFERENDUM IS A MATTER FOR THE COUNCIL’S DEMOCRATIC SERVICES</b> The Planning Service will not proscribe the requirements of this stage</p>		
<p><b>Stage 7: Making a Neighbourhood Plan [Reg 19 and 20]</b></p> <p><b>Reason for Stage:</b> To publicise the Council’s decision</p> <p><b>Result:</b> No representations are expected at this stage as this is for notification only</p>	<ul style="list-style-type: none"> <li>• Neighbourhood Plan</li> <li>• Background documents (if required)</li> </ul>	<p>The community who lives, works or carries on a business within the area and specifically the parish council/forum and any person who asked to be notified</p>	<p><b>Decision to make a neighbourhood development plan</b></p> <ul style="list-style-type: none"> <li>• Publication of the decision statement on the Council website and “in such other manner as the Council considers likely to bring the application to the attention of the people who live, work or carry</li> </ul>

			<p>out business in the area to which the application relates.”  See Chapter 2 <i>Consultation Techniques</i></p> <ul style="list-style-type: none"> <li>• Send copy of the decision statement to the parish council or neighbourhood forum and to any person who asked to be notified of the decision.</li> </ul> <p><b>Publicising a neighbourhood development plan</b></p> <ul style="list-style-type: none"> <li>• Publication of the neighbourhood development plan on the Council website and “in such other manner as the Council considers likely to bring the application to the attention of the people who live, work or carry out business in the area to which the application relates.”  See Chapter 2 <i>Consultation Techniques</i></li> <li>• Notification to any person who asked to be notified of the making of the neighbourhood development plan that is has been made and where it can be inspected.</li> </ul>
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Neighbourhood Planning (General) Regulations 2012 as amended (Statutory Instrument (SI) 637/2012))

**Table 4.2: Advice and Support for Neighbourhood Planning**

<b>Stage</b>	<b>Advice and support provided</b>
<b>Initial queries</b>	<ul style="list-style-type: none"> <li>• Signpost sources of information and advice for neighbourhood planning</li> <li>• Meet with prospective neighbourhood forums to discuss scope of a potential plan / order and relationship with council planning policies and guidance</li> </ul>
<b>Stage 1: Designation of a neighbourhood area and forum</b>	<ul style="list-style-type: none"> <li>• Signpost sources of information and advice</li> <li>• Provide advice on boundaries prior to submission of an application for designation of a neighbourhood area</li> <li>• Provide advice on suitability of group prior to submission of an application for designation of a neighbourhood forum</li> <li>• Assistance with map for formal application</li> <li>• Discuss/liaise with neighbourhood forum on the process for reapplying for neighbourhood forum status, which expire after five years</li> </ul>
<b>Stage 2: Preparation of draft neighbourhood plan (or modification to an existing neighbourhood plan) or order</b>	<ul style="list-style-type: none"> <li>• Signpost sources of information and support</li> <li>• Maintain Local Plan evidence base and authority monitoring reports on council website</li> <li>• Provide advice on scope of plan/order proposals</li> <li>• Provide advice on structure of document</li> <li>• Provide advice on the Local Plan and any emerging council policy and guidance in terms of general conformity</li> <li>• Provide advice on need for additional evidence</li> <li>• Provide comments on draft plan or order</li> </ul>
<b>Stage 3: Pre-submission publicity and consultation</b>	<ul style="list-style-type: none"> <li>• Provide advice on statutory consultation process and statutory consultees</li> <li>• Provide comments on a draft basic conditions statement</li> <li>• Provide advice on Strategic Environment Assessment and Habitat Regulation Assessment screening</li> </ul>
<b>Stage 4: Submission of draft neighbourhood plan or order</b>	<ul style="list-style-type: none"> <li>• Provide advice on updated Strategic Environment Assessment and Habitat Regulation Assessment screening</li> </ul>
<b>Stage 5: Independent examination</b>	<ul style="list-style-type: none"> <li>• Work together of the appointment of the independent examiner</li> </ul>
<b>Stage 6: Referendum</b>	<ul style="list-style-type: none"> <li>• Keep neighbourhood forum informed of progress</li> </ul>
<b>Stage 7: Making a neighbourhood plan, or bringing the order into force</b>	<ul style="list-style-type: none"> <li>• Keep neighbourhood forum informed of progress</li> </ul>

## Neighbourhood Development Orders

- 4.9.** Neighbourhood Development Orders (NDOs) have a similar power to Local Development Orders, except NDOs are prepared by local groups and LDOs are prepared by a local authority. They also have similar preparation stages to Neighbourhood Plans (see Table 4.1 above).
- 4.10.** An NDO can grant planning permission for specified developments in a neighbourhood area. Once established, there would be no need for anyone to apply to the Council for planning permission if it is for the type of development covered by the NDO. This should make it easier and quicker for such development to go ahead in the future. An NDO must still be in line with national planning policy, with the strategic vision for the wider area set by the local planning authority and any other legal requirements.
- 4.11.** A designated neighbourhood forum is the body that can prepare a NDO in their area.
- 4.12.** Broadly speaking, the stages for preparing an NDO are as follows:
- 1) Designate an Area and Forum
  - 2) Prepare the NDO
  - 3) Pre-submission publicity and consultation
  - 4) Council consults on the NDO
  - 5) Independent Examination (non-binding on the Council)
  - 6) Referendum
  - 7) Making of an NDO
- 4.13.** Should a proposal for an NDO come forward, the Council will follow the requirements set out in:
- The Neighbourhood Planning (General) Regulations 2012 (SI 637/2012) <http://www.legislation.gov.uk/ukSI/2012/637/part/6/made>
  - The Neighbourhood Planning (Referendums) Regulations 2012 (SI 2031/2012) <http://www.legislation.gov.uk/ukSI/2012/2031/contents/made>
  - The Neighbourhood Planning (Referendums) (Amendments) Regulations 2013 (SI 798/2013) <http://www.legislation.gov.uk/ukSI/2013/798/contents/made>
  - And/or any other subsequent amending legislation Table 4.2 sets out how the council will provide support and advice.
- 4.14.** The Council will not offer support with regard to undertaking survey work, drafting policies, commissioning studies, direct financial support, neighbourhood forum consultation exercises.

## Community Right to Build Orders

- 4.15.** The Localism Act 2011 introduced Community Right to Build Orders. Community Right to Build Orders enable communities to take forward small-scale, site-specific developments without the need to go through the normal planning application process.
- 4.16.** Unlike Neighbourhood Plans and Neighbourhood Development Orders, a Community Right to Build Order is taken through by a community organisation. A community organisation differs from a neighbourhood forum in that it can be smaller and does not need formal Council designation for it to be formed. However, its constitution must state it will carry out its activities for the benefits of the community of a particular area.

- 4.17.** It is for the community to decide what type of development it wants to progress. Development could be affordable housing for local people or a new meeting hall or community facility.
- 4.18.** Broadly speaking, the stages for preparing a Community Right to Build Order are as follows:
- 1) Establish a Community Organisation
  - 2) Prepare the plans for a Community Right to Build order
  - 3) Pre-submission publicity and consultation
  - 4) Council consults on order
  - 5) Independent Examination (binding on the council)
  - 6) Referendum
  - 7) Making of Community Right to Build Order
- 4.19.** Should a proposal for a Community Right to Build Order come forward, the Council will follow the requirements set out in
- The Neighbourhood Planning (General) Regulations 2012 (SI 637/2012) <http://www.legislation.gov.uk/uksi/2012/637/part/6/made>
  - The Neighbourhood Planning (Referendums) Regulations 2012 (SI 2031/2012) <http://www.legislation.gov.uk/uksi/2012/2031/contents/made>
  - The Neighbourhood Planning (Referendums) (Amendments) Regulations 2013 (SI 798/2013) <http://www.legislation.gov.uk/uksi/2013/798/contents/made>
  - And/or any other subsequent amending legislation

### **Community Right to Bid (Assets of Community Value)**

- 4.20.** The Localism Act 2011 also introduced the Community Right to Bid, which gives defined community groups the opportunity to nominate an asset or assets (building or land) they believe to be important to their community wellbeing, to be listed by the Council as an Asset of Community Value.
- 4.21.** When a listed asset comes up for sale, the Community Right to Bid process provides a delay in the sales process. The moratorium allows local community groups to prepare and make a bid for the asset on the open market.
- 4.22.** The aims of the Community Right to Bid are to ensure that buildings and amenities can be kept in public use and remain an integral part of community life, where possible, and so reduce the trend in recent years of communities losing local amenities and buildings of importance to them.
- 4.23.** An area of land or a building can be nominated as an Asset of Community Value if their current or recent use has community value. Long-term derelict land and occasionally used land (eg for fetes) are excluded. Examples of Assets of Community Value include parks and open spaces, sports and leisure centres, libraries, theatres, museums and heritage sites, cinemas, swimming pools, community centres, youth centres, public toilets and pubs.
- 4.24.** Community groups may be unincorporated groups of at least 21 individual members who appear on the Council's electoral roll, neighbourhood forums, charities, community interest companies, non-profit companies and non-profit societies. All groups have to demonstrate a local connection.

**4.25.** Broadly speaking, the process for Community Right to Bid is as follows:

- 1) Community group sends to the council evidence of its group (eg its Articles of Association) and information of the asset being nominated (eg Land Registry information and map)
- 2) The Council decides whether to list the asset within 8 weeks
- 3) Option for landowner to ask for a review or appeal the listing
- 4) Once listed, the owner has to notify the Council when they wish to dispose of the listed asset
- 5) On notification of a proposed sale from the owner, the Council notifies the nominator who has 6 weeks to request that it is treated as a potential bidder.
- 6) If the nominator wishes to be a potential bidder, the owner cannot dispose of the asset for 6 months from the date the owner wrote to the Council unless it is to the community group.

**4.26.** There are certain caveats and other important aspects to the process, including:

- 1) The owner does not have to sell to the community group. The sale of listed assets takes place under normal market conditions. If the nominator decides not to submit a bid, the asset owner is free to sell on the open market.
- 2) Certain buildings are exempt from the 6-month moratorium. Examples include land attached to residential property, land used by public utilities, businesses sold as going concerns and non-commercial disposals (such as through the will of a deceased owner).
- 3) If no bid is received in the 6-month period and there is no sale in the following 12 months, the whole process begins again.
- 4) Private owners may claim compensation from the council for the loss and expense incurred through the asset being listed.

**4.27.** Should the Council receive a Community Right to Bid nomination, it will follow the statutory requirements set out in:

- The Assets of Community Value (England) Regulations 2012 (SI 2421/2012) <http://www.legislation.gov.uk/ukxi/2012/2421/contents/made>
- And/or any other subsequent amending legislation

## 5. Development Management Consultations

- 5.1. The Council is keen to ensure that adjoining owners/occupiers, local residents and other interested parties, who may be affected by a proposed development, are adequately informed of proposals and have sufficient time to make representations that can be taken into account prior to the determination of a planning application.
- 5.2. The Council will undertake publicity on all planning and other applications in accordance with the *Town and Country Planning (Development Management Procedure) (England) Order 2015 (SI 595/2015 as amended)* and the requirements relevant at the time.
- 5.3. The current legislation requires that neighbours are notified of planning applications by either the displaying of a site notice on or near the site or that notice is served by means of individual letters to all owners or occupiers that adjoin the site. Neighbour notification letters have been found to be an effective means of communication. Wherever practicable, individual letters will be sent to adjoining owners/occupiers, informing them of planning proposals. In some cases, it will be necessary to use a combination of letters and a site notice.
- 5.4. Appendix 1 to this document outlines the statutory requirements for each application type. MVDC always meets the statutory requirements, but common practice is to carry out consultations which are sometimes in addition to the statutory requirements. These can also be found in Appendix 1.
- 5.5. The tables in Appendix 1 set out the statutory requirement for notification and the extent of the neighbour notification that will be carried out by the MVDC for different types of application, including the display of site notices and press notices. The intention is to notify the owners/occupiers of those properties about the proposal. Appendix 1 is a live document that can be regularly updated.
- 5.6. There will always be applications that do not fit easily into one of the listed categories or specific circumstances that require coverage of a wider area.
- 5.7. However, in general, providing the requirements set out in the tables (Appendix 1) are complied with, only, in exceptional circumstances, would determination of the application be delayed for further notification.

### Neighbour Notifications

- 5.8. Neighbour notification letters are sent out as soon as possible following validation of the application. 21 days are allowed from the date of the letter for the receipt of written comments. The application documents can be viewed on the Council's website. Applications can also be accessed on computers in the reception of the Council offices (subject to opening times). Special arrangements can be made for those people with disabilities who may be unable to visit Council offices or who may require additional assistance. In most cases, letters are delivered by second class post.
- 5.9. No consultation is carried out for Certificates of Lawfulness for a proposed use or development. Assessment of a Certificate of Lawfulness is a matter of fact taking into account the relevant regulations. The outcome of such applications cannot be influenced by other factors such as local planning policies or impact on neighbouring amenity.
- 5.10. The majority of planning applications are determined by the officers under the Council's scheme of delegation. Councillors are able to request that a planning

application within their ward be referred to the Planning Committee for decision. The request to de-delegate the planning application must be made within 28 days of the application being made valid and must give a valid planning reason why the application should not be determined under delegated authority.

- 5.11.** A list of new applications can be found online using the weekly Running List, which can be found on the Council's website. In addition, people can register to set up tailored notifications on planning applications, for example to receive notifications by address or ward using 'MyAlerts'.
- 5.12.** Any household in Mole Valley can sign up to 'MyAlerts'.
- a. Visit [www.molevalley.gov.uk](http://www.molevalley.gov.uk)
  - b. Input your postcode to the 'My Mole Valley' section on the right of the homepage & Click on the 'Find' button. This will take you to the 'My Mole Valley' section of the site.
  - c. Click on the tab labelled 'My Alerts'. At the bottom of the page click on 'Register'.
  - d. Follow the procedure to 'register' and click on 'create Account'.
  - e. Check that the address is correct and under 'local area alerts' set the buffer zone distance around this address, e.g. 50M to 1000Meters.
  - f. Click on the check box next to the subjects you would like to receive alerts for. To receive information on planning applications you need to ensure that the 'Planning' option is ticked.
  - g. Click save changes on the right hand side of the screen.
  - h. Once the registration process is complete, you will receive an email confirming you have successfully registered to MyAlerts.
- 5.13.** MyAlerts will send an email notifying you of relevant information on planning applications within your set buffer zone area. A maximum of one email alert will be sent within a 24 hour period. You will only receive an alert when a change has been detected in your set buffer zone area, i.e. a new planning application has been registered. It is therefore unlikely that you will receive an email alert every day.
- 5.14.** Applications that are to be determined by committee will be reported to the Planning Committee, according to the application type or special circumstances.
- 5.15.** For planning applications where there are 20 or more letters of objection or a petition of at least 50 signatures objecting to an application (in both cases from different households) MVDC allows a representative to speak at the committee meeting. This will apply to applications where the officers' recommendation is either for approval or refusal. If you wish to speak, you should make your request to the Planning department by no later than 4pm on the second working day preceding the meeting. Speakers should arrive at the Council Chamber by 6.45pm. A maximum of three minutes is allocated to all objectors and all applicants/agents to speak on any one application.
- 5.16.** The role of the committee is to determine applications reported to it by the officers in accordance with the scheme of delegation. Committee members are required to assess every planning application on the basis of all material planning matters put to



them and in accordance with the development plan for the district at the time of determination (namely the Local Plan and any relevant adopted neighbourhood plan).

- 5.17.** Decisions on planning applications will be published on the Council's website as soon as practicable. Residents interested in the decision to a planning application are advised to consult the planning register: <https://www.molevalley.gov.uk/swiftlg/apas/run/wphappcriteria.display>. If an application is refused, or approved conditionally, the applicant has the right to appeal against either the refusal or the imposition of planning conditions. If this happens, everyone who was originally consulted or commented will be advised of the appeal.

## Appendix 1

Categories of applications and Prior Approvals are created by Government legislation, if any new categories are created, the council will follow the statutory requirements for notification and publicity.

**Table 5.1: Applications:**

**(i) accompanied by an Environmental Impact Assessment OR**

**(ii) not according with the Development Plan OR**

**(iii) affecting a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies**

**Statutory Requirements**

Statutory Requirements	Council's Notification Policy
<ul style="list-style-type: none"> <li>● Local Newspaper Notice</li> <li>● Site Notice</li> <li>● Website</li> </ul> [Article 15 (1A, 2, 3 and 75)]	<ul style="list-style-type: none"> <li>● Additional neighbour notification according to use proposed</li> <li>● Local Newspaper Notice</li> <li>● Site Notice</li> <li>● Website</li> </ul>

**Table 5.2: Applications for Major or Significant Development**

Statutory Requirements	Council's Notification Policy
<ul style="list-style-type: none"> <li>● Local Newspaper Notice</li> <li>● Site Notice OR letter to adjoining owner/occupiers</li> <li>● Website</li> </ul> [Article 15 (4 and 75)]	<ul style="list-style-type: none"> <li>● Owners/occupiers adjoining/opposite new access or junctions</li> <li>● Owners/occupiers including all properties on both sides of the site and the equivalent properties on the opposite side of the road</li> <li>● Where a new access is via a different road, include frontage and equivalent properties on the opposite side of the road</li> <li>● Site Notice</li> <li>● Local Newspaper Notice</li> <li>● Website</li> </ul>

**Table 5.3: Applications for Minor Development**

Type	Statutory Requirements	Council's Notification Policy
New Build and extensions for other minor applications	<ul style="list-style-type: none"> <li>● Site Notice OR letter to adjoining owner/occupiers</li> <li>● Website</li> </ul> [Article 15 (5 and 7)5]	<ul style="list-style-type: none"> <li>● Owners/occupiers including all properties on both sides of the site and the equivalent properties on the opposite side of the road</li> <li>● Website</li> </ul>

**Table 5.4: Householder Applications**

Statutory Requirements	Council's Notification Policy
<ul style="list-style-type: none"> <li>● Site Notice OR letter to adjoining owner/occupiers</li> <li>● Website</li> </ul> [Article 15 (5 and 7)5]	<ul style="list-style-type: none"> <li>● Letter to all adjoining owner/occupiers</li> <li>● Website</li> </ul>

**Table 5.5: Applications for Change of Use**

<b>Use Class</b>	<b>Statutory Requirements</b>	<b>Council's Notification Policy</b>
B2: General Industrial	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers</li> <li>• Website</li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties</li> <li>• Site Notice</li> <li>• Website</li> </ul>
B8: Storage and Distribution	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers</li> <li>• Website</li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties</li> <li>• Site Notice</li> <li>• Website</li> </ul>
C1: Hotels	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers</li> <li>• Website</li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties</li> <li>• Site Notice</li> <li>• Website</li> </ul>
C2: Residential Institutions	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers</li> <li>• Website</li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties</li> <li>• Site Notice</li> <li>• Website</li> </ul>
C2A: Secure Residential Institutions	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers</li> <li>• Website</li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties</li> <li>• Site Notice</li> <li>• Website</li> </ul>
C3: Houses and Flats	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers</li> <li>• Website</li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties</li> <li>• Site Notice</li> <li>• Website</li> </ul>
C4: HMOs (between 3 & 6 residents)	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers</li> <li>• Website</li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties</li> <li>• Site Notice</li> <li>• Website</li> </ul>
E: Commercial, Business and Service	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers</li> <li>• Website</li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties</li> <li>• Site Notice</li> <li>• Website</li> </ul>
F1: Learning and non-residential institutions	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers</li> <li>• Website</li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties</li> <li>• Site Notice</li> <li>• Website</li> </ul>
F2: Local community uses	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers</li> <li>• Website</li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties</li> <li>• Site Notice</li> <li>• Website</li> </ul>
Sui Generis	<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers</li> <li>• Website</li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties</li> <li>• Site Notice</li> <li>• Website</li> </ul>

**Table 5.6: Applications for Advertisements**

<b>Statutory Requirements</b>	<b>Council's Notification Policy</b>
<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties</li> <li>• Website</li> </ul>

**Table 5.7: Listed Building Consent**

<b>Statutory Requirements</b>	<b>Council's Notification Policy</b>
<ul style="list-style-type: none"> <li>• Local Newspaper Notice</li> <li>• Site Notice</li> <li>• Website</li> </ul> [Planning (Listed Buildings and Conservation Areas) Regulations 1990 (SI 1519/1990) as amended, Regulation5(1)]	<ul style="list-style-type: none"> <li>• Local Newspaper Notice</li> <li>• Site Notice</li> <li>• Website</li> </ul>

**Table 5.8: Applications for Electronic Communications Apparatus**

<b>Statutory Requirements</b>	<b>Council's Notification Policy</b>
<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers</li> <li>• Website</li> </ul> [Article 15 (5 and 7)5]	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties</li> <li>• Website</li> </ul>

**Table 5.9: Applications relating to Trees**

<b>Type of Application</b>	<b>Statutory Requirements</b>	<b>Council's Notification Policy</b>
Works to a tree protected by a Tree Preservation Order	None	• Website
Works to a tree in a Conservation Area	None	• Website

**Table 5.10: Prior Approvals\***

<b>Type of Request</b>	<b>Statutory Requirements</b>	<b>Council's Notification Policy</b>
Larger House Extensions	• Letter to adjoining owner/ occupiers	• Letters to all adjoining properties
Changes of use	• Site Notice OR letter to adjoining owner/occupiers	• Letters to all adjoining properties
Development by/for electronic communications code operators	• Site Notice OR letter to adjoining owner/occupiers	• Letters to all properties Adjoin properties

\* all other Prior Approval types, and any new types, where notifications are required, will be carried out in accordance with the statutory minimum requirements.

**Table 5.11: Amendments to a Current Planning Application**

<b>Statutory Requirements</b>	<b>Council's Notification Policy</b>
None	Consultation will be limited to previous correspondents unless the revised application would materially affect other properties. Consultation will be undertaken at the Council's discretion (with a minimum of 10 days from the date of the letter for receipt of written comments) but only where: <ul style="list-style-type: none"> <li>• the amendment would materially increase the size of the proposed development</li> <li>• new issues are raised</li> </ul>

**Table 5.12: Approval of Reserved Matters following Granting of Outline Planning Permission**

<b>Statutory Requirements</b>	<b>Council's Notification Policy</b>
None	<p>Consultation will be limited to previous correspondents unless the revised application would materially affect other properties.</p> <p>Consultation will be undertaken as per the original application (with a minimum of 10 days from the date of the letter for receipt of written comments) but only where:</p> <ul style="list-style-type: none"> <li>• the amendment would materially increase the size of the proposed development</li> <li>• new issues are raised</li> </ul>

**Table 5.13: Removal or Variation of a Condition (Section 73 Application)**

<b>Statutory Requirements</b>	<b>Council's Notification Policy</b>
Council's discretion	<ul style="list-style-type: none"> <li>• Depends on the condition</li> </ul>

**Table 5.14: Relevant demolition within a Conservation Area**

<b>Statutory Requirements</b>	<b>Council's Notification Policy</b>
<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers</li> <li>• Local Newspaper Notice</li> <li>• Website</li> </ul>	<ul style="list-style-type: none"> <li>• Letters to all adjoining properties</li> <li>• Site Notice</li> <li>• Local newspaper notice</li> <li>• Website</li> </ul>

**Table 5.15 Demolition of a pub or other drinking establishment within the A4 'drinking establishments' use class**

<b>Statutory Requirements</b>	<b>Council's Notification Policy</b>
<ul style="list-style-type: none"> <li>• Site Notice OR letter to adjoining owner/occupiers</li> <li>• Website</li> </ul>	<ul style="list-style-type: none"> <li>• Site Notice</li> <li>• Letter to adjoining owner/occupiers</li> <li>• Website</li> </ul>

**Table 5.16: Applications for planning permission which fall within a Conservation Area or would affect the setting of a listed building**

<b>Statutory Requirements</b>	<b>Council's Notification Policy</b>
<ul style="list-style-type: none"> <li>• Site Notice</li> <li>• Local Newspaper Notice</li> <li>• Website</li> </ul> <p><b>[Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended), Regulation 5A(2)]</b></p>	<ul style="list-style-type: none"> <li>• Letters as per application type</li> <li>• Site Notice</li> <li>• Local newspaper notice</li> <li>• Website</li> </ul>

**Table 5.17: Applications for Permission in Principle and Technical Consent**

<b>Type</b>	<b>Statutory Requirements</b>	<b>Council's Notification Policy</b>
Permission in Principle	<ul style="list-style-type: none"> <li>● Site Notice</li> <li>● Website</li> </ul> <p><b><i>[Article 5G(1) Town and Country Planning (Permission in Principle) Order 2017 (as amended)]</i></b></p>	<ul style="list-style-type: none"> <li>● Site Notice</li> <li>● Website</li> </ul>
Technical Consent	<ul style="list-style-type: none"> <li>● Site Notice</li> <li>● Website</li> </ul> <p><b><i>[Article 15 (4A and 75)]</i></b></p>	<ul style="list-style-type: none"> <li>● Site Notices</li> <li>● Website</li> </ul>