
Elmbridge Local Plan Statement of Community Involvement



September 2021



Elmbridge
Borough Council
... bridging the communities ...

Contact details

Email: planningpolicy@elmbridge.gov.uk

Telephone: 01372 474474

Address: Planning Policy Team
Planning Services
Elmbridge Borough Council
Civic Centre, High Street
Esher Surrey KT10 9SD

Website: elmbridge.gov.uk/planning

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1 Introduction

1.1 Why get involved in planning decisions?

1.1.1 Planning affects us all. The homes we live in, the places we work, the open spaces where we relax and the roads we travel on are all a result of planning decisions.

1.1.2 The way that Elmbridge Borough develops in the future will be affected by planning, and it is important that local people and organisations are able to put across their views by participating in planning decisions.

1.1.3 This Statement of Community Involvement (SCI) sets out how Planning Services will involve people in planning decisions. It provides brief guidance to explain how the planning system works and advises on how you can participate in planning decisions, and what you can expect if you choose to get involved.

1.1.4 Web links are featured throughout this document. If any do not work or have changed please notify us using the contact details at page 2.

1.2 How does the planning system work?

1.2.1 There are two key parts to the local planning system - Planning Policy and Development Management.

1. **Planning Policy** is concerned with producing the local planning documents and policies that are used to guide development in the borough of Elmbridge. These documents must conform to relevant Government guidance, and there are specific regulatory procedures which must be followed during their preparation.
2. **Development Management** is responsible for processing and determining planning applications, along with other applications including works to trees, advertisements and listed buildings. The team also provides pre-application planning advice. The Planning Compliance team investigates and takes appropriate action in respect of breaches of planning control.

1.2.2 It is important to note the role of Surrey County council (SCC) in the planning process. Surrey County council is responsible for preparing minerals and waste Local Plans. The County council also processes and determines planning applications for minerals and waste development and for the County council's own development such as such as schools and libraries. The County council is also the lead local highway and transport authority, local education authority and the lead local flooding authority.

1.2.3 Elmbridge Borough Council (EBC) is the Local Planning Authority (LPA) for all other types of development. EBC will also consult with SCC on specific planning applications relating to highways, flooding and archaeology.

2 Planning Policy

2.1 Preparing the Local Plan

2.1.1 Elmbridge Borough Council's Local Plan will set out a vision for the future development of the borough over the next 15 years. It will address needs and opportunities in relation to housing, the economy, community facilities and infrastructure. It is also a basis for safeguarding the environment, adapting to climate change and securing good design.

The Local Plan will;

- make clear what development will take place;
- where and when this development will occur;
- How development will be delivered.

2.1.2 The Local Plan will be consistent with the Government's National Planning Policy Framework (NPPF) and is underpinned by extensive evidence. The Plan is subject to public consultation and independent examination by a Planning Inspector.

2.1.3 To be effective, plans need to be kept up-to-date. The NPPF states that policies in local plans should be reviewed to assess whether they need updating at least once every 5 years, and should then be updated as necessary.

2.1.4 The Local Plan sets out the borough's Spatial Strategy, Development Management policies, site allocations and designations. Other important Local Plan documents include:

- **Supplementary Planning Documents (SPD)** - add further detail to policies in the Local Plan. They provide further guidance for development on specific sites and on particular development issues, such as design. They will be supported by appropriate evidence and accord with national planning policy and the Local Plan.
- **Community Infrastructure Levy (CIL)** - is a statutory charge on new buildings and extensions used to fund infrastructure provision required as a result of new development.
- **A Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)** will need to be undertaken for the Local Plan and some other Local Plan documents. These are procedures required by law to assess the economic, social and environmental impact of the plan.
- **A Local Development Scheme (LDS)** sets out a 3 year work programme for producing Local Plan documents.

2.1.5 The progress and success of these documents is monitored annually through the Authority Monitoring Report (AMR). The current AMR and previous years are available to view on the [council's website](#).

2.1.6 The following diagram explains the process for preparing a Local Plan and Supplementary Planning Documents (SPDs). An SPD is not subject to an independent examination by the Planning Inspectorate.

Figure 1: Stages in preparing a Local Plan and a SPD

Local Plan Process

Stage 1: Evidence Gathering

Collect evidence from various sources, working with a variety of groups and organisations. Consider a range of approaches.

Stage 2: Preparation of Local Plan

Prepare a Local Plan based on evidence and views collected.

Undertake a Sustainability Appraisal, Habitats Regulation Assessment and Equality Impact Assessment screening reports.

Undertake a minimum 6-week consultation and prepare a consultation statement (Regulation 18*).

Stage 3: Submission

Update the Local Plan and Sustainability Appraisal.

Make document available for a 6-week period of representations. Comments limited to soundness and legal compliance (Regulations 19 and 20*).

Submit the Plan, background evidence and consultation statement to the Secretary of State (Regulation 22*)

Stage 4: Examination

The Local Plan will be examined by an independent Planning Inspector. The examiner may call a public hearing.

Stage 5: Adoption

Following the examination, the examiner will provide recommendations on the Plan (Regulation 25*).

If the examiner finds the Local Plan to be sound, the document can proceed to adoption (Regulation 26*).

SPD Process

Stage 1: Evidence Gathering

Gather evidence to draft the SPD.

Screen the draft document to consider whether a full Strategic Environment Assessment, Habitats Regulation Assessment and Equality Impact Assessment are required

Stage 2: Consultation

Consult on the SPD and inform appropriate general consultation bodies for a minimum 4-week consultation period (Regulation 12 and 13*). Consider representations made and update the SPD where necessary.

Stage 3: Adoption

Submit the SPD to full council for consideration and adoption (Regulation 14*).

*The Town and Country Planning (Local Planning) (England) Regulations 2012

3 Consulting on Local Plan Documents

3.1 Key principles

3.1.1 When the council consults people and organisations on Local Plan documents, we will be guided by the following five engagement commitments:

- 1 **Be clear about what we are doing** - From the outset we will ensure that people understand why we are consulting and engaging them, and how their comments will help to inform or influence decisions. Clear timescales will help people understand when and how their input will be used.
- 2 **Be inclusive** - We will provide opportunities for people to engage with us to ensure that our plans and processes reflect the diverse and varied communities that make up our borough. Information on the borough's community can be found in our 'Knowing Our Communities' report and our 'council Plan', which is available to view on the council's [Population and Demographics](#) webpage.
- 3 **Be accessible** - We will ensure that people have opportunities to take part, and are made aware of consultation exercises as early as possible, so they are able to participate at the right time in the process to influence decision-making.
- 4 **Be transparent** - We will make clear how the decision-making process will work and how consultation feedback will be used, thereby giving people the confidence that their input and involvement is actively being used to help shape decisions that affect them. This will mean being clear in stating who makes the decisions and when the decision will be made. At the end of each consultation period, we will undertake an analysis of all responses received. This will be included in a consultation summary report published on the council's website, outlining the actions that we propose to take.
- 5 **Be accountable** - We will let people know how we have reached decisions. This will involve making clear the different types and sources of information that have been considered in reaching a final decision.

3.2 Who we will consult

3.2.1 The council is required to send details of planning document consultations to 'specific consultation bodies'. These are organisations that the council must consult, as specified in planning regulations¹. Appendix 1 sets out the consultation

¹ The Town and Country Planning (Local Planning) (England) Regulations 2012

groups involved in Local Plan production including Supplementary Planning Documents (SPDs).

3.2.2 There are many other people, groups and organisations that will have an interest and will want to get involved. These could include individual residents, residents' associations, Conservation Area Advisory Committees, employees and employers, housing associations, local businesses, the development industry, disability groups, youth groups, faith groups and other stakeholders.

3.2.3 These people may have a variety of different priorities and interests, and will be able to contribute expertise and knowledge across a range of subject areas.

3.2.4 In addition, the council works closely with neighbouring boroughs and districts and the County council with regards to strategic priorities and areas of common interest. A [Duty to Cooperate Scoping Statement](#) has been prepared and sets out those authorities and prescribed bodies the council will engage with throughout the Local Plan process. This document can be found on our [Evidence and supporting documents](#) webpage.

3.2.5 In order to demonstrate effective and on-going joint working, the council will prepare and maintain one or more Statements of Common Ground, documenting the cross-boundary matters being addressed and progress in cooperating with relevant bodies to address these. In line with the [NPPF](#), these will be made publicly available throughout the plan-making process to provide transparency.

3.2.6 If you would like to be notified of future Local Plan consultation documents, you can register on our [Planning Consultation Portal](#).

3.3 How we will consult

3.3.1 Planning legislation and national guidance set out requirements as to how and when consultation will be undertaken and who must be consulted. Outside of this legal requirement, the council will use the most appropriate ways of consulting with as many people as possible by balancing cost and time constraints with the likely relevance of the Plan to specific communities and/or organisations.

3.3.2 Any consultation on draft documents will be no shorter than 6 weeks for Local Plans and 4 weeks for Supplementary Planning Documents. However, should consultation coincide with a holiday period such as Christmas, the time for responses can be extended to take account of this.

3.3.3 Appendices 2 and 3 set out in more detail how the community will be invited to become involved in the stages of preparation for the Local Plan and Supplementary Planning Documents. By using a range of methods to inform, consult and involve people at the right time, we will enable people to influence the future planning of Elmbridge.

If you would like to be notified of future consultations you can register on our [Planning Consultation portal](#).

3.3.4 In line with the GDPR 2018, the [Planning policy privacy notice](#) explains who planning policy are and what the team does, what personal information is being collected, why we need it, what we do with your information and how it is shared, how long we keep your details and how to contact us.

3.4 What happens to your comments?

3.4.1 Any consultation on draft documents will be no shorter than 6 weeks for Local Plans and 4 weeks for Supplementary Planning Documents. However, should consultation coincide with a holiday period such as Christmas, the time for responses can be extended to take account of this.

3.4.2 All written comments received within the consultation periods will be made available to view. Comments cannot be treated in confidence and we will not accept any confidential or anonymous responses. In order to comply with the [Data Protection Act 2018](#), personal information will not be made publically available.

3.4.3 We will not acknowledge submitted comments unless requested. We will not accept or publish any comments that are considered offensive or prejudiced.

3.4.4 A consultation report summarising comments and a response to the issues raised will be made available on the Local Plan web pages.

3.4.5 All comments received at the submission stage in the preparation of a Local Plan are submitted to an independent inspector² together with the document itself, and all supporting evidence used in its preparation. The inspector will consider whether the document meet the tests of soundness set out in the [National Planning Policy Framework](#).

3.5 Neighbourhood Planning

3.5.1 Neighbourhood Development Plans (NDPs) were introduced by the [Localism Act 2011](#). They allow local community bodies (Parish councils or Neighbourhood Forums) to set out a vision for a neighbourhood area and planning policies for the use and development of the land. They focus on local rather than strategic issues.

3.5.2 As they are not prepared by the council, the Statement of Community Involvement (SCI) does not prescribe what methods of community engagement must be followed. The appropriate level of community engagement and the size and complexity of the plan will be decided on by the Parish council or Neighbourhood Forum preparing the NDP. Nevertheless, NDPs should follow, wherever possible, the general principles set out in the SCI and publish a Consultation Statement

² The Planning Inspectorate deals with planning appeals, national infrastructure planning applications, examinations of local plans and other planning-related and specialist casework in England. It is an executive agency sponsored by the Ministry of Housing, Communities & Local Government.

explaining how the local community was involved in the NDP.

3.5.3 Appendix 4 sets out in more detail how the council will publicise NDPs. As a brief summary, the council is required to consult on the following stages during the preparation of NDPs:

- **Neighbourhood Area Application** - the council will publicise the application for the creation of a neighbourhood area. We will bring the neighbourhood area application to the attention of people who live, work or carry out business in the area.
- **Neighbourhood Forum Application** - the council will publicise the application for the creation of a neighbourhood forum on our website for a minimum 6 week period.
- **Draft NDP** - the council will publicise the draft NDP on our website and invite comments, as well as bringing the consultation to the attention of people who live, work or carry out business in the NDP area. In addition we will notify the bodies referred to in the Neighbourhood Forum or Parish council's consultation statement.

3.5.4 The council will offer support, advice and assistance to the Parish council or Neighbourhood Forum throughout the process of preparing the NDP. The support offered will be tailored to the needs of the group, but may include attendance at meetings, providing information and advice by e-mail and over the phone and directing the group to external sources for advice and assistance.

4 Consulting on Planning Applications

4.1 Making Decisions on Planning Applications

4.1.1 The council is responsible for processing and determining planning applications within the borough. It is at the planning application stage where specific, detailed decisions are made about the use of land or a building. Applications are considered against national and local policies as well as expert advice, provided internally and externally, which guide whether individual planning applications are approved or refused.

4.1.2 The council understands that local residents want to have their say about planning applications that may affect their property or community, and to be assured that their views will be considered in the decision-making process. All stages of the planning application process from registration onwards can be followed on the [council's planning website](#).

4.1.3 Once a planning application has been formally submitted, the council is responsible for carrying out appropriate consultation.

4.2 Pre-application consultation

4.2.1 To ensure early public involvement on major development proposals or locally sensitive schemes, developers are encouraged to undertake public consultation before making a planning application. This should provide all relevant groups an opportunity to participate in the evolution of development proposals. Applicants should also liaise early with infrastructure providers for new developments at the pre-application stage. This is a local validation requirement and the types of application and criteria for this is set out online in the [validation requirements](#).

4.2.2 At present pre-application consultation with the community is dependent on applicants. The council can only encourage and not require developers to involve the local community and planning applications cannot be refused if a developer refuses to involve the local community. Engagement prior to an application will give local people a chance to comment when there is still genuine scope to make changes to proposals.

4.2.3 The suggested methods for applicants to consult during the pre-application stage for significant applications are set out on the next page.

4.2.4 The cost and time involved in pre-application consultations are the responsibility of the applicant. However the applicant is likely to benefit from early community involvement as it may reduce delays. For example, the applicant will

have the opportunity to incorporate the suggestions of the community into proposals, or explain why comments were not taken into account.

4.2.5 As the size of developments increase the potential impacts, e.g. traffic, also increase. Therefore, the level of consultation will be dependent on the type or size of development being proposed.

4.2.6 Applicants will need to provide the council with reasonable access to all information relating to community involvement undertaken to ensure that procedures followed are in accordance with the SCI. When applicants have undertaken community consultation the council would prefer that a full statement of community involvement is submitted with the planning application.

4.2.7 council officers and councillors will expect to be invited to attend pre-application consultation events; however it is essential that impartiality is maintained. council officers will be supportive of the principle that developers hold a pre-application consultation but not influential at pre-application consultation events. councillors will not give an opinion at community involvement events as this may prejudice them from taking part at the planning committee but may comment on processes.

It is recommended that the developer undertake the following measures prior to submitting a planning application

Development type: Minor development

Definition*: These involve residential development of between one and nine dwellings or with site areas of less than 0.5ha and other forms of development of less than 1,000m² or on sites of 1ha or less.

Suggested method for pre-application consultation:

- Letter to and/or discussion with neighbours about plans

Development type: Small scale major development

Definition*: These involve 10 - 199 dwellings or residential development on sites of between 0.5ha and 4ha. For all other uses a major development is one where the floor space to be built or obtained by change of use is between 1,000m² and 9,999m², or where the site is between 1ha and 2ha.

Suggested method for pre-application consultation:

- Letter to and/or discussion with neighbours about plans, and
- Surgery/drop in/ exhibition event to discuss proposals with interested neighbours, community groups and consultation bodies (where appropriate)

Development type: Large scale major developments

Definition*: This includes applications for 200 or more dwellings or where a site area for dwellings is more than 4ha, and applications for all other uses where the floor space to be built or obtained by change of use is 10,000m² or more or the site

area is greater than 2ha.

Suggested method for pre-application consultation:

- Letter to and/or discussion with neighbours about plans, and
- Surgery/drop in/ exhibition event to discuss proposals with interested neighbours, community groups and consultation bodies (where appropriate), and
- Public Meeting combined with enquiry by design exercise/Planning for Real® exercise. Should include media advertisement to publicise the event and development.

*Definitions have been classified in accordance with the Government’s Planning Statistics Returns – UK National Statistics Glossary.

Pre-application Advice

4.2.8 The council encourages developers/applicants to discuss development proposals with Planning Officers prior to submission. This is the only method of getting guidance on drawings or site specific advice from the planning department. For more information on the pre application service please see the [pre-application advice webpage](#).

Planning Performance Agreements (PPAs)

4.2.9 A PPA is a project management tool that the applicant and the council can use to agree timescales, actions and resources for handling particular applications. It covers the pre-application stage as well as the application and post application stages. PPAs are useful for setting out an efficient and transparent process or determining large and/or complex planning applications. They encourage joint working between the applicant and the council and can help to bring together other parties such as statutory consultees. For more information on the set up and payment of PPAs please see the Planning Performance Agreement webpage

4.3 Application consultation

4.3.1 When a planning application is submitted to the council, it will be considered against a validation checklist to ensure the correct documents have been submitted. The checklist is available on our website on the [Make a planning application](#) webpage. When validation is successful, a planning application will be registered and allocated to a Planning Officer.

4.3.2 It is at this stage, that the council will consult on the application. We must undertake a formal period of public consultation prior to deciding the planning application³. Appendix 5 sets out in detail the statutory requirements for application

³ The statutory requirements for consulting on planning applications are set out in the Town and

consultation and what the council will do in addition to these depending on the type and location of development. To summarise, these include:

- Publishing details of planning applications online. You can view details of planning applications on the council's website on the Comment on a planning application webpage. This can be used to see which planning applications have been registered and to access plans and supporting information relating to both current applications and historic planning decisions. Applications can be searched by address or by an individual planning reference.
- A weekly list of registered planning applications is published on our website. This is also circulated to local councillors.
- Letters to statutory organisations and interest groups.
- Letters to residents/businesses/properties next to the application site (Please see appendix 5 for circumstances).
- Site notices (Please see appendix 5 for circumstances).
- Newspaper adverts (Please see appendix 5 for circumstances).
- The weekly list is sent to the local press for publication every week, however, this is published at the newspaper's discretion.

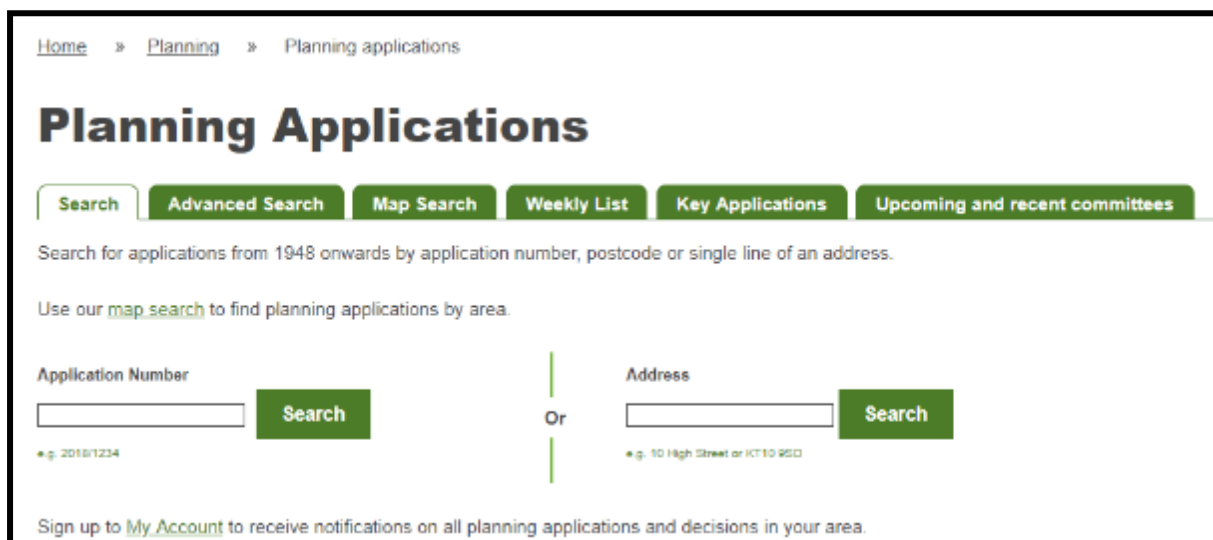


Figure 2: Weekly List Tab - You can view the weekly list from the planning webpage elmbridge.gov.uk/planning under “Search for a planning application”.

4.3.3 You may wish to receive planning alerts via the 'My Account' service. You can create an account and receive notifications of new applications and decisions near you⁴ by visiting the Comment on a planning application webpage. The Planning Alerts system has recently been expanded to include wider notification options, notification of amendments, when an application is going to Committee and when it

Country Planning (Development Management Procedure) (England) Order 2015.

⁴ You can choose the search area to receive planning applications and decision notifications. The search areas offered are 100m, 200m or 500m from your property.

is possible to register for public speaking.

4.3.4 Depending on the type and location of development proposed, the council will also consult with the following organisations:

- Statutory bodies including the Environment Agency, Natural England and Historic England to establish any specialist concerns arising from the application;
- Neighbouring Local Planning Authorities where the application site boundary adjoins a neighbouring LPA or is likely to impact on a neighbouring LPA.
- Utility bodies (electricity, water, sewage or gas companies);
- Other experts including the Historic Environment Officer and Surrey County council Highways Officer;
- Claygate Parish council for all planning applications submitted in the Claygate ward

4.3.5 National Planning Guidance lists where there is a statutory requirement to consult particular bodies or persons on planning applications for certain types of development. This can be found on the [Consultation and pre-decision matters](#) webpage, which includes links to the relevant legislation.

4.4 Commenting on a planning application

4.4.1 Anyone can comment on a planning application. The timeframe for responding is 21 days from the date of notification, which is extended to take account of bank holidays.

4.4.2 We encourage you to use the [Comment on a planning application](#) webpage as you can comment on a planning application at a click of a button. We will still accept letters and e-mails and these will be uploaded onto the website. For more detailed advice on how to comment on a planning application, please see the guidance detailed at the [Comment on a planning application](#) webpage.

4.4.3 The comments received and additional information including the Officer Report (which includes a summary of comments received and the decision notice) is added to the website so that anyone can view the information upon which a decision is made.

4.4.4 The comments we receive in response to planning applications are a matter of public record. This means that we cannot treat comments as confidential, and they will be made available to view on the council's website alongside the name and address of the person making the comment.

4.4.5 We will not publish any telephone numbers, private e-mail addresses or signatures. We reserve the right not to publish any comments or parts of comments that are not considered suitable for public view, including comments that are offensive, personal or defamatory.

Contributions must not:

- Contain any personal names (other than the author's name, which should be provided). Please use words such as applicant, neighbour etc
- Contain any personal information such as you are living on your own, you are on holiday next week etc.
- Contain any information relating to medical data for yourself or others; this is unlawful for us to process.
- Contain any material which is defamatory of any person.
- Contain any material which is obscene, offensive, hateful or inflammatory.
- Promote sexually explicit material.
- Promote violence.
- Promote discrimination based on race, sex, religion, nationality, disability, sexual orientation, or age.
- Infringe any copyright, database right or trade mark of any other person.
- Be likely to deceive any person.
- Be made in breach of any legal duty owed to a third party, such as a contractual duty or a duty of confidence.
- Promote any illegal activity.
- Be threatening, abusive or invade another's privacy, or cause annoyance, inconvenience or needless anxiety.
- Be likely to harass, upset, embarrass or alarm any other person.
- Be used to impersonate any person, or to misrepresent your identity or affiliation with any person.
- Give the impression that they emanate from the council, if this is not the case; or
- Advocate, promote or assist any unlawful act such as (by way of example only) copyright infringement or computer misuse.

4.4.6 In line with the General Data Protection Regulation (GDPR) 2018, the [Development Management privacy notice](#) sets out how your information will be used.

4.5 What can I comment on?

4.5.1 If you comment on a planning application, it is important that your comments relate to planning matters as it is only these matters that can be taken into account by the council when making a decision. Some of the issues that are considered to be planning matters include:

- external appearance
- impact on the street scene or character of the local area
- issues of noise, privacy, disturbance and amenity
- loss of trees or impact on conservation issues
- drainage
- highway safety, traffic and parking issues
- loss of light or overshadowing
- impact on infrastructure
- compliance with Core Strategy and Development Management Plan policies

This list is not exhaustive. There may be other relevant issues that you wish to comment on.

4.5.2 Some issues are not regarded as planning matters and are not taken account of when reaching a planning decision. These include:

- loss of a private view
- property value
- other private property matters such as boundary and ownership disputes, or private rights of way
- moral issues or motives of the applicant
- possible future uses outside the scope of the application
- matters covered by other legislation, such as building regulations, licensing or restrictive covenants
- personal matters relating to the identity of the applicant

4.6 Making a decision

4.6.1 There are two main ways in which the council will reach a decision on a planning application. Most planning applications are assessed against our planning policies and decided by managers in the Development Management team under delegated powers, but some larger or contentious applications are decided by an Area Planning Sub-Committee or Planning Committee.

Delegated decisions

4.6.2 Once the consultation period has been completed, the planning case officer will take into account all material considerations, including any representations, relevant local planning policies, national policy and planning guidance. The

reasoning behind the case officers' recommendation will be set out in a short report (referred to as the officer report). A decision will then be made by designated planning managers on behalf of the Strategic Director.

Area Planning Sub-Committee

4.6.3 In some cases, a decision cannot be made under delegated powers and must instead be decided by councillors at Sub-Committee. The Sub-Committee is open to the public and will decide the following planning applications:

- All applications (except major) 'referred' to a Sub-Committee by a ward member for the ward within the application is situated shall be done on a conditional basis giving a planning reason. Referrals shall be submitted within 28 days of registration (or the date shown on the council website as "Consultation starts on").
- Minor applications (1-9 dwellings or non-residential development less than 1000sqm) which are recommended for approval by officers and there are objections from 15 or more households or from Claygate Parish council. If a petition, or an objection letter is received from an organisation such as a residents association, political party or conservation area advisory committee each shall be treated in the same way as an objection from 1 household.
- Applications for Permission in Principle which are recommended for approval by officers and there are objections from 15 or more households.
- All applications submitted by or on behalf of members, the council or officers of the council.

Full Planning Committee

4.6.4 The Planning Committee will decide the following planning applications:

- Major applications 'referred' to the Planning Committee by a ward member for the ward within which the application is situated giving a planning reason. Referrals shall be submitted within 28 days of registration (or the date shown on the council website as "Consultation starts on").
- Any two members of the Planning Committee have referred an application from an Area Planning Sub-Committee to the Planning Committee. Provided they have been present for the complete consideration of that application at the Area Planning Sub-Committee meeting.
- Major applications (10+ dwellings or 1000sqm + non-residential floorspace) which are recommended for approval by officers where there are objections from 15 or more households or from Claygate Parish council. If a petition, or an objection letter is received from an organisation such as a residents association, political party or conservation area advisory committee each shall be treated in the same way as an objection from 1 household.
- All departures from the Development Plan required to be referred to the Secretary of State.

Public Speaking at Committee

4.6.5 Any planning application on the sub-committee or planning committee agenda will be eligible for public speaking. The onus is on the applicant or interested parties to check when an application is going to committee and to register to speak.

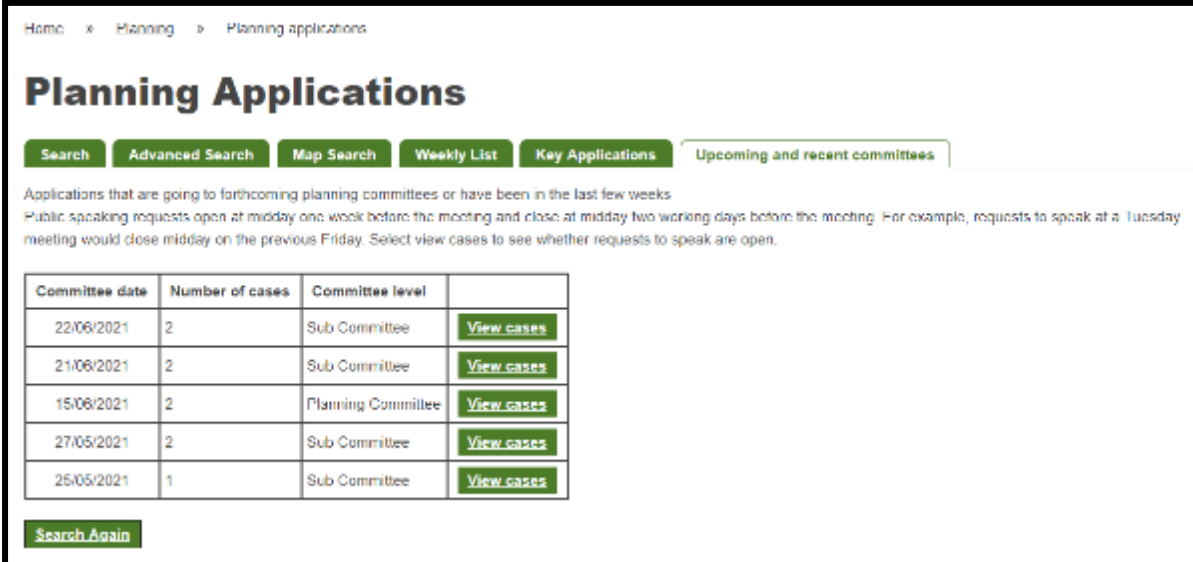
4.6.6 This Committee process, including an explanation of the areas and public speaking, is explained on the [Committee/subcommittee meetings and decisions](#) webpage.

4.6.7 Members of the public will need to register their interest to speak on a planning application by phone, no later than midday on the previous Thursday for a Sub Committee meeting or the previous Friday for a Planning Committee meeting. They should call 01372 474474 to register, lines open midday on Monday one week before the meeting for Sub Committees or midday on Tuesday for Planning Committee.

4.6.8 Once public speaking on an application has taken place there will be no further opportunities to speak. If the application is deferred to another meeting of the same committee public speaking will not be repeated. If an application is referred from an area sub-committee to the full planning committee public speaking will take place at the new committee.

4.6.9 Applications which are eligible for public speaking are listed on the [“Upcoming and recent Committees”](#) webpage (See figure 3).

Figure 3: Upcoming Committees



The screenshot shows a webpage titled 'Planning Applications' with a navigation menu including 'Search', 'Advanced Search', 'Map Search', 'Weekly List', 'Key Applications', and 'Upcoming and recent committees'. Below the menu, there is a text block explaining that public speaking requests open at midday one week before the meeting and close at midday two working days before the meeting. A table lists upcoming committees with columns for 'Committee date', 'Number of cases', and 'Committee level'. Each row includes a 'View cases' button. A 'Search Again' button is located at the bottom left of the table area.

Committee date	Number of cases	Committee level	
22/06/2021	2	Sub Committee	View cases
21/06/2021	2	Sub Committee	View cases
15/06/2021	2	Planning Committee	View cases
27/05/2021	2	Sub Committee	View cases
25/05/2021	1	Sub Committee	View cases

4.7 How can I find out more about planning decisions?

4.7.1 Once a decision has been made, a decision notice is sent to the applicant or

agent to inform them of the decision. The decision will also be uploaded to the application details webpage under 'Plans & Documents' tab and will be sent to those using planning alerts. Weekly lists of applications decided in the last 6 weeks are also uploaded on the Planning Applications webpage (see figure 2).

Appeals

4.7.2 An applicant can appeal against a planning decision if:

- The application has been refused planning permission.
- The decision includes a condition that the applicant is not satisfied with.
- The application has not been determined within the statutory time period.

4.7.3 The appeal will be determined by an independent Planning Inspector from the Planning Inspectorate. Members of the public who commented on the application will be notified in writing by the council that the appeal has been lodged. Any previous written comments will be forwarded to the inspectorate. The Planning Inspectorate will inform the council of the outcome. A monthly list of appeals lodged and appeals decided is available on the [Planning Applications](#) webpage (See figure 4 below).

4.7.4 Once planning permission has been granted, there is no statutory third party right of appeal to challenge the approval. The only mechanism for interested parties to challenge the granting of planning permission is through a judicial review upon a point of law.

Figure 4: Planning Applications List including Applications Validated, Applications Decided, Appeals Lodged and Appeals Decided.

Planning Applications

[Applications Validated](#)

[Applications Decided](#)

[Appeals Lodged](#)

[Appeals Decided](#)

List of Appeals Lodged in the last 6 months

Month / Year	No of Apps	
June 2021	0	
May 2021	6	View Details
April 2021	5	View Details
March 2021	12	View Details
February 2021	13	View Details
January 2021	15	View Details

[Search Again](#)

5 Planning Compliance

5.1 What is Planning Compliance?

5.1.1 The planning compliance team investigate breaches of planning control. This can include:

- Untidy land where it affects the amenity of the area.
- Carrying out works (internal and external) to a Listed Building without Listed Building Consent.
- Unauthorised development.
- Breaches of the conditions attached to planning permissions.
- Unauthorised felling of, or carrying out works to, a tree protected by a Tree Preservation Order or in a Conservation Area.
- Unauthorised engineering operations, such as the raising of ground levels.

5.1.2 Planning compliance **does not** investigate:

- Ownership - party walls, boundary disputes, land ownership, deeds and covenants (you can seek legal advice for these issues).
- Disruption - noise, smell, anti-social behaviour, overgrown trees and bushes and vehicles (Our [Environmental Services department](#) can help with issues relating to noise, smells and lights)
- Site operations - health and safety, hours of work, security, graffiti, dangerous structures and poor quality work.
- Highway matters - parking, obstruction and objects on footpaths (contact [Surrey County council Highways](#)).
- Drainage - sewers and soakaways.
- Building Control matters such as fire safety.

5.1.3 Further information can be found on the 'Planning breaches' webpage and the most up to date enforcement plan.

5.2 Communicating with Informants

5.2.1 If you have concerns about a possible breach of planning regulations, you can report it to the council through our [Report a breach of planning control](#) webpage. The planning compliance team will then go through the following process:

1. Within 2 working days of the receipt of an investigation request a letter of acknowledgement will be sent to the informant advising them of:
 - The investigation case number,
 - The investigating officers' name,
 - Details of how to make contact the investigating officer directly.
2. The informant will be contacted in writing when an investigation has been resolved explaining what has been done to resolve the matter.
3. If an investigation has not been resolved within 6 weeks of the date of registration, the informant will be advised as to the progress made and course of action to be undertaken to resolve the matter.
4. Where the council consider it is expedient to close an investigation that is not resolved, it will:
 - i. Write to the properties immediately adjoining the site where the breach has occurred advising the owners of these properties of the nature of the breach and why the investigation is to be closed without resolution of the breach.
 - ii. Take into account any valid planning reasons raised during this consultation.
 - iii. Consult with local ward councillors regarding the matter.
 - iv. Review the decision to be made.
 - v. Explain its findings and actions to the informants before closing the investigation or move to formal action.
5. Compliance with points 1 and 2 will be monitored regularly to ensure a high standard of communication is maintained.

6 Further information and advice

6.1 Independent advice on planning is available from Planning Aid England, operated by the Royal Town Planning Institute. This service provides free, independent and professional planning advice to communities and individuals who cannot afford to pay professional fees. Planning Aid England can assist people with their own planning applications and can help them to comment on planning applications and planning policy consultation documents.

6.2 More information can be found at planningaid.rtpi.org.uk or alternatively, they can be contacted by phone on 0330 123 9244 or by e-mail on advice@planningaid.rtpi.org.uk

Planning Portal

6.3 The Planning Portal offers guidance on the planning system. More information can be found at planningportal.co.uk

Neighbourhood Planning

6.4 Advice on Neighbourhood Planning and the process of preparing a Neighbourhood Development Plan is available from Locality, which is a national membership network for community organisations where you can obtain specialist advice and support.

6.5 More information can be found at locality.org.uk/projects/building-community

7 Appendices

Appendix 1: Consultation groups involved in Local Plan production

Specific consultation bodies

7.1 The council must involve the following statutory organisation in the Local Plan process. These along with the government departments listed below form the specific consultation bodies as defined in the Town and Country Planning (Local Planning) (England) Regulation 2012⁵. These are:

- Environment Agency
- Natural England
- Historic England
- Network Rail
- Secretary of State for Transport
- Transport for London
- Mayor of London - Greater London Authority (GLA)
- National Highways
- Surrey County council - Strategy, Transport and Planning and Minerals and Waste Planning
- Adjacent Local Authorities
- NHS Surrey
- Surrey Police
- Police and Crime Commissioner
- Relevant telecommunication companies
- Relevant electricity and gas companies
- Relevant water and sewerage undertakers
- Homes England
- Parish councils
- A neighbourhood forum any part of whose area is in, or adjoins, the local planning authority's area

General consultation bodies

- Voluntary bodies some or all of whose activities benefit any part of Elmbridge Borough Council's area.
- Bodies that represent the interests of different racial, ethnic or national groups in Elmbridge Borough Council's area.
- Bodies that represent the interests of different religious groups in Elmbridge

⁵ These are set out in Part 1, section 2 titled Interpretation.

Borough Council's area.

- Bodies which represent the interests of disabled persons in Elmbridge Borough Council's area.
- Bodies which represent the interests of persons carrying on business in Elmbridge Borough Council's area.

Other consultees

7.2 There are many other bodies and individuals registered on the planning consultation database. These have been grouped and include:

- Members of Parliament.
- Environment and nature, historic groups, Conservation Area Advisory Committees.
- Landowners, Estate agents (residential and commercial).
- Local businesses, business associations, chamber of commerce, commercial companies.
- Individual residents, residents associations, local strategic partnership, parish councils, community groups, societies and political parties.
- councillors - Local and County.
- Planning Officers in other local authorities, developers, agents, planning consultants, architects, surveyors, landscape architects, housing associations.
- Disabled groups, public agencies, charity organisations, voluntary organisations, ethic groups, care providers, health providers, leisure groups, minority groups, religious groups, sports bodies, young people, allotments, police, older people, faith groups, equalities, community support.
- Infrastructure providers, schools and education institutes, transport groups.
- Government departments.

Appendix 2: Public Involvement in Local Plans

Stage 1: Preparation/Early Engagement

Key stages	Involvement Level	Public/Stakeholder involvement arrangements
<p>1. Evidence gathering The information needed for the plan is prepared and potential issues identified.</p>	<ul style="list-style-type: none"> - Asking what you think? - Deciding together. 	<ul style="list-style-type: none"> • Early involvement of relevant stakeholders. • Hold focus group sessions where necessary to help decide issues to be included in the plan. • Writing to statutory environment bodies to initiate Sustainability Appraisal screening.
<p>2. Preparing a draft Local Plan The information gathered at the first stage is taken into account in the drafting of detailed policies and allocations. Depending of the level of complexity, the draft Local Plan stage may involve more than one period of consultation.</p>	<ul style="list-style-type: none"> - Asking what you think? 	<p>Publish draft documents for consultation for a minimum of six weeks, and, at the start of the consultation period:</p> <ul style="list-style-type: none"> • publish the Sustainability Scoping Report or Appraisal as appropriate; • inform specific consultation bodies; • inform relevant consultation bodies, other interested bodies and individuals on the consultation database; • publish electronic copies of consultation documents on the council's website; • make hard copies of consultation documents available for inspection at the Civic Centre and borough libraries; • issue press release in local paper; • issue public notice in local newspaper; • add consultation information on council's social media sites; and • arrange public meetings, exhibitions and focus groups as appropriate.

<p>3. Publication of the proposed submission</p> <p>The Local Plan is finalised and published for a last stage of consultation. Comments at this stage will only be sought on soundness and legal compliance of the plan.</p>	<p>- Asking whether you support the draft Local Plan.</p>	<p>Publish the Local Plan and relevant documents for consultation for a minimum of six weeks, and, at the start of the consultation period:</p> <ul style="list-style-type: none"> • publish a statement of representations procedure; • publish the Sustainability Appraisal report for consultation; • publish a Consultation Statement summarising all comments received from the previous stages and how the comments have been considered and taken into account; • publish relevant supporting documents; • inform specific consultation bodies; • inform relevant consultation bodies, other interested bodies and individuals on the consultation database; • make hard copies of consultation documents available for inspection at the Civic Centre and borough libraries; • issue public notice in local newspaper; • issue press release in local paper; • add consultation information on council's social media sites; and • arrange exhibition or presentation to interest groups if necessary.
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<p>4. Examination The Local Plan will be examined by an independent Planning Inspector. The examiner may call a public hearing.</p>	<p>- Anyone is able to observe the Examination however, only those invited to by the Planning Inspector can participate at the hearing sessions.</p>	<p>The draft Local Plan, all supporting documents and the comments received from public consultation are submitted to the Secretary of State, who appoints an independent Planning Inspector. The draft Local Plan can be inspected at the Civic Centre on request.</p> <p>The Local Plan and the comments received are examined by the Planning Inspector, followed by the Inspector's report.</p>
<p>5. Adoption The Local Plan is adopted following the consideration of the recommendations in the Inspector's report.</p>	<p>- Keeping you informed.</p>	<ul style="list-style-type: none"> • Make the Inspector's report available for inspection on the council's website and at the Civic Centre. • Inform consultees who previously made representations about the availability of the Inspector's report. <p>Following adoption of the Local Plan, we will:</p> <ul style="list-style-type: none"> • Publish the Local Plan, make electronic copies available on the council's website and a hard copy will be available for inspection at the Civic Centre. • Publish the Adoption Statement in local newspaper. • Send Adoption Statement to specific and general consultees and those who made representations at previous stages or those who have asked to be notified of the adoption. • Make the Sustainability Appraisal and other supporting documents available for inspection at the Civic Centre for six weeks after adoption. • Provide information about the adoption of the Local Plan on council's social media sites.

Appendix 3: Public Involvement in Supplementary Planning Documents

Key Stages	Involvement Level	Public/stakeholder involvement arrangements
<p>1. Pre-production/evidence gathering The information needed for the document to be prepared and potential issues need to be identified.</p>	<ul style="list-style-type: none"> - Asking you what you think. - Deciding together. 	<ul style="list-style-type: none"> • Engaging relevant stakeholders in deciding the level of detail to be included in the document and to identify key issues that need to be addressed. • Where necessary, preliminary consultations will be carried out prior to the publication of draft SPDs.
<p>2. Draft SPDs A draft SPD is prepared following the initial evidence gathering stage.</p>	<ul style="list-style-type: none"> - Asking you what you think. 	<p>Publish the Draft SPD for consultation for a minimum of four weeks, and, at the start of the consultation period:</p> <ul style="list-style-type: none"> • make electronic copies of the document and supporting documents available on the council's website; • make a hard copy of the plan available for inspection at the Civic Centre; • inform relevant specific and general consultees and those on the consultation database (this will be done by email where possible: postal mailing will be used where there is no email address on the database); • issue a press release if appropriate; • provide consultation information on council's social media sites; • Arrange exhibitions or presentations to interest groups if appropriate.

<p>3. Adoption The council will consider the representations received through the consultations and make any amendments necessary before adopting the SPD.</p>	<p>- Keeping you informed.</p>	<ul style="list-style-type: none"> • Publish the SPD – make electronic copies and any supporting documents available on the council’s website and a hard copy available for inspection at the Civic Centre. • Publish a consultation statement summarising all comments received from the previous stages and how the comments were considered and taken into account. • Send an Adoption Statement to those who have made representations during the previous consultations and those who have asked to be notified of the adoption of the SPD. • Provide information on council’s social media sites.
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Appendix 4: Publicising Neighbourhood Plans

Key stages	Involvement Level	Public/Stakeholder Involvement Arrangements
<p>1. Neighbourhood Area Application A Neighbourhood Forum or other prospective neighbourhood planning body applies to the council to designate a Neighbourhood Area for which they propose to prepare a Neighbourhood Plan. The council publicises the application and invites representations over a minimum 6 week period.</p>	<ul style="list-style-type: none"> - Asking you what you think. - Keeping you informed. - Supporting independent community initiatives. 	<p>Publish the Neighbourhood Area Proposal and invite representations for a minimum of six weeks, and, at the start of the period, make electronic copies of the proposal documentation available on the council's website:</p> <ul style="list-style-type: none"> • make a hard copy of the proposal documentation available at the Civic Centre for inspection; • inform relevant specific and general consultees and those on the consultation database who may have an interest in the proposal (this will be done by email where possible: postal mailing will be used where there is no email address on the database); • issue a press release relating to the proposal if appropriate; • add information about how to respond to the proposal on the council's social media

Key stages	Involvement Level	Public/Stakeholder Involvement Arrangements
<p>2. Submission of a Neighbourhood Plan The Neighbourhood Forum submits the Neighbourhood Plan to the council. The council invites representations on the submitted plan over a minimum 6-week period.</p>	<ul style="list-style-type: none"> - Asking you what you think. - Supporting independent community initiatives. 	<p>Publish the submitted Plan and invite representations for a minimum of 6 weeks, and, at the start of the period, make electronic copies of the submitted Plan available on the council’s website;</p> <ul style="list-style-type: none"> • make a hard copy of the submitted Plan available at the Civic Centre for inspection; • inform relevant specific and general consultees and those on the consultation database, as above; • issue a press release relating to the Neighbourhood Plan if appropriate; • provide information about how to respond to the Plan on the council’s social media sites.
<p>3. Publication of examiners report The council publishes the report of the examination into the submitted Neighbourhood Plan and the decision of the council as to whether or not it accepts the examiner's recommendations.</p>	<ul style="list-style-type: none"> - Keeping you informed. 	<ul style="list-style-type: none"> • make electronic copies of the examiner’s report and decision statement available on the council’s website; • make hard copies of the examiner’s report and decision statement available at the Civic Centre and borough libraries for inspection; • inform relevant specific and general consultees and those on the consultation database, as

Key stages	Involvement Level	Public/Stakeholder Involvement Arrangements
		above; <ul style="list-style-type: none"> • provide information about the examiner’s report and decision on the council’s social media sites.
<p>4. Referendum information statement The council publishes the Referendum Information Statement and specified documents, setting out the date and procedure for the Neighbourhood Plan referendum. A minimum of 28 working days’ notice will be given.</p>	<ul style="list-style-type: none"> - Keeping you informed. 	<ul style="list-style-type: none"> • make electronic copies of the referendum information statement and documentation available on the council’s website; • make hard copies of the referendum information statement and documentation available at the Civic Centre for inspection; • inform relevant specific and general consultees and those on the consultation database, as above; • provide information about the referendum on the council’s social media sites.
<p>5. “Making” of the neighbourhood plan The council confirms that The Neighbourhood Plan has come into effect (has been "made").⁶</p>	<ul style="list-style-type: none"> - Keeping you informed. - Supporting independent community initiatives. 	<ul style="list-style-type: none"> • Publish the Neighbourhood Plan – make electronic copies and any supporting documents available on the council’s website and hard copies available for inspection at the Civic Centre.

⁶ Under planning legislation, neighbourhood development plans prepared by the community are referred to as being “made” when they take legal effect. This is distinct from local plans prepared by a council or other local planning authority, which are “adopted”.

Key stages	Involvement Level	Public/Stakeholder Involvement Arrangements
		<ul style="list-style-type: none"> • Notify those who have asked to be informed about the making of the Neighbourhood plan. • Provide information about the 'made' Neighbourhood Plan on council's social media sites.

Appendix 5: Publicity on Planning Applications

7.3 The table below sets out the statutory requirements for publicity on different types of planning applications. The statutory minimum requirement will always be met by the council.

Type of development	Statutory requirement	Additional notification or response to statutory requirements
<p>Major Development: Residential developments involving 10 or more homes, or the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development comprises 10 or more homes. Other development: 1000m² floor space or 1.0 hectares.</p>	<ul style="list-style-type: none"> - Press advert - Site notice or neighbour notification letter 	<p>Planning alerts</p> <p>The council will always notify neighbours who could be affected by the proposal and post a site notice.</p>
<p>Applications subject to Environmental Impact Assessment which are accompanied by an Environmental Statement.</p>	<ul style="list-style-type: none"> - Press advert - Site notice 	<p>Planning alerts</p> <p>Neighbour notification letters will be sent out if applicable and depending on the location of the development.</p>
<p>Application that is a departure from the Local Plan.</p>	<ul style="list-style-type: none"> - Press advert - Site notice 	<p>Planning alerts</p> <p>Neighbour notification letters will be sent out if applicable and depending on the development.</p>
<p>Application which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies.</p>	<ul style="list-style-type: none"> - Press advert - Site notice 	<p>Planning alerts</p> <p>Neighbour notification letters will be sent out if applicable and depending on the location of the development.</p>

Type of development	Statutory requirement	Additional notification or response to statutory requirements
<p>Minor Development: Residential development: involving less than 10 homes. Other development: floor space is less than 1000m². Change of use applications.</p>	<ul style="list-style-type: none"> - Neighbour notification letters 	<p>Planning alerts</p> <p>A site notice will be posted if any adjoining land / property cannot be identified.</p>
<p>Householder developments</p>	<ul style="list-style-type: none"> - Neighbour notification letters 	<p>Planning alerts</p> <p>A site notice will be posted if any adjoining land / property cannot be identified.</p>
<p>Development affecting the setting of a Listed Building.</p>	<ul style="list-style-type: none"> - Press advert - Site notice 	<p>Planning alerts</p> <p>Neighbour notification letters.</p>
<p>Listed Building consent for works affecting the exterior of the building.</p>	<ul style="list-style-type: none"> - Press advert - Site notice 	<p>Planning alerts</p> <p>Neighbour notification letters.</p>
<p>Development affecting the character of a Conservation Area.</p>	<ul style="list-style-type: none"> - Press advert - Site notice 	<p>Planning alerts</p> <p>Neighbour notification letters.</p>
<p>Applications to vary or discharge conditions attached to a Listed Building Consent or Conservation Area Consent, or involving exterior works to a Listed Building.</p>	<ul style="list-style-type: none"> - Press advert - Site notice 	<p>Planning alerts</p> <p>Neighbour notification letters.</p>
<p>Applications for telecommunications development.</p>	<ul style="list-style-type: none"> - Press advert - Site notice 	<p>Planning alerts</p> <p>Depending on the location of the equipment, the council will notify</p>

Type of development	Statutory requirement	Additional notification or response to statutory requirements
		neighbours who could be affected by the development.
Prior Notification of Larger Homes Householder Extensions ⁷	- Neighbour notification*	*The council will notify adjoining properties only. Planning alerts
Prior Notification of Changes of use ⁸	- Site notice*	*Site notice only- no neighbour notifications. Planning alerts
Prior Approval - Agriculture, Forestry, Telecoms, demolition of a building ⁹	- None	A site notice will be posted. Neighbour notifications where considered relevant by officers. Planning alerts
Advertisement applications	- None	The council will post a site notice only for advertisement applications Planning alerts

⁷ Applicable between 30 May 2013 to 30 May 2019. Schedule 2, Part 1 (Class A) of the Town and Country Planning (General Permitted Development (England) Order 2015 (as amended).

⁸ Schedule 2, Part 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015].

⁹ Schedule 2, Part 6, 11 and 16 of The Town and Country Planning (General Permitted Development) (England) Order 2015].

Type of development	Statutory requirement	Additional notification or response to statutory requirements
Applications for works to Trees Protected by a Tree Preservation Order.	- None	Notification will be sent to the owner of the tree(s) if they are not the applicant. Planning alerts
Notice of works to trees in Conservation Areas.	- None	Planning alerts
Certificates of Lawfulness for Existing Use and Development	- None	The council will notify neighbours who could be affected by the proposal. A site notice will be posted if any adjoining land/property cannot be identified. Planning alerts
Certificate of Lawfulness for Proposed Use and Development	- None	Planning alerts

Notes

Amended plans

7.4 Where amended plans are received on a current application those bodies who have expressed an opinion may be notified of the revisions and given a further 14 days to assess and comment upon the amendments. Where a statutory consultee is notified of the revisions, they shall be given a further 21 days to assess and comment upon the amendments. Where a substantially different scheme is submitted with significant changes to the original application, full re-notification may be necessary depending on the circumstances of the case. Where full re-notification is considered necessary a further period for comment of up to 21 days will be given.

Applicants are encouraged to provide a written summary of changes that have been made in amended plans so that they can be published on the council's website.