STATEMENT OF COMMUNITY INVOLVEMENT

How to get involved in planning in Newham

Consultation Draft 2019

People at the Heart of Everything We Do
Throughout this consultation document:

**NEW COMMITMENTS** are highlighted in yellow boxes

**FURTHER OPTIONS** are in orange boxes

**QUESTIONS** are presented in blue boxes

We welcome any comments you might have on this draft Statement of Community Involvement (SCI).

Instructions on how to respond to the consultation are available online at: [www.newham.gov.uk/sci](http://www.newham.gov.uk/sci)

Note that completing the equalities monitoring questions on any response is optional but will help us assess the reach of this consultation and improve the commitments of this SCI in future.

**All comments should be received by 4th August 2019**

We have tried to use as little technical language as possible in this document; however the planning system involves many specialist terms. These have been explained where used, and glossaries are available from the Planning Portal or Planning Aid.
Contents

Mayor’s Foreword

1 The importance of community involvement in Planning
2 The role of planning
3 The UK planning system + opportunities for involvement
4 Plan making (the creation of local documents)
5 Applications and Permissions (Development Management)
6 Developer contributions and scope to influence spending (CIL)
7 Reporting and resolving problems (Planning Enforcement)
8 Neighbourhood planning and the alternatives
9 Key points

Appendix 1: Contact Us
Appendix 2: Other sources of planning information
Mayor’s Foreword

We all have a part to play in shaping the borough. How we prepare plans and the decisions which are made on planning applications directly impact the physical environment and the way people live and work in Newham.

My ambition is for Newham to be a blueprint for participatory democracy. When elected, I promised a more open and transparent council and that we would be putting people at the heart of everything we do. You know your neighbourhood best and we want to ensure you are better informed about, and more empowered to get genuinely involved with, the plans we make and decisions we take.

We are a vibrant, dynamic and ambitious borough. We have set out bold ambitions to deliver the genuinely affordable homes that Newham needs. How these homes integrate and benefit our existing neighbourhoods, the locations of jobs, services and open spaces to support this growth are all shaped by planning.

We want to do that in partnership with our communities, by involving you in decisions about your local area. The Citizen Assemblies I established demonstrate a clear commitment to fostering trust and collaborative working. They will shape local community plans and the co-design approach we are pioneering to shape our key regeneration areas.

Newham Council is refreshing the way in which we approach participation and engagement. This Statement of Community Involvement sets out how we will inform, consult and involve the community in planning for Newham’s future development. This document is a first point of reference for people interested in getting more involved in planning for Newham and sets out how we will work with communities to ensure you are integral to the decisions taken in your local area.

Delivering inclusive growth requires bringing people of all backgrounds together as part of the conversation. Only by listening to the rich diversity of local voices living and working in our community will we truly reflect a collective vision and shared priorities for the sustainable development of our borough.

Rokhsana Fiaz OBE
Mayor of Newham
1 The importance of community involvement in Planning

1.1 ‘Planning’ plays a key role in shaping the Borough and community engagement is central to the work of our planning service. When it comes to the development of land and buildings, local communities are the people most impacted by change. They are also the people best placed to understand how an existing area functions, what qualities development should seek to protect or enhance, and what problems or issues it should seek to address.

1.2 In line with the principles of the Council’s Corporate Plan to put people at the heart of everything we do and improve openness and transparency, this document seeks to ensure that planning in Newham encourages, enables and values community engagement. As such, the Council’s role is not just to publicise consultations but to help residents understand the full spectrum of issues involved in successful planning, so that routes to involvement are as accessible as possible.

What is an SCI?

A Statement of Community Involvement (SCI) sets out the Local Planning Authority’s (LPA) commitments as to how it will engage with (consult) the local community on matters related to planning, bringing transparency and openness to planning processes.

The Council is the Local Planning Authority for most of Newham (noting that the LLDC is the LPA for an area including the Olympic Park and parts of Stratford).

The SCI covers the preparation of local documents and the determination of planning applications; it also covers scope for community involvement in investment decisions, planning enforcement, and neighbourhood planning.

1.3 In line with the administration’s agenda of embedding a culture of participatory democracy and really involving residents in decision making (including through capacity-building) the strategy of this SCI seeks to maximise the use of enhanced methods of communication and data sharing (interactive online maps and increased use of social media for example); make effective use of the new and transparent structure of Citizens Assemblies; as well as supplement these core approaches in targeted ways that reach under-represented groups (use of ethnic media for example, or in-person events ensuring that arrangements - including venue choice and catering where relevant - are as accessible as possible to all).

1.4 If you have ideas of how we can undertake more effective outreach and community involvement in relation to planning, we’d be interested in hearing more, not just while this SCI or other local documents are being reviewed but at all times. Suggestions and comments can be emailed to localplan@newham.gov.uk or raised through Citizen’s Assemblies and Councillor Surgeries.

1 https://www.queenelizabetholympicpark.co.uk/planning-authority/planning-area-map
2 The role of planning

2.1 The planning system plays a significant role in shaping the future of Newham, it can control or influence:

- Where things are built, what buildings will be used for, and how they will look;
- how streets and public spaces will look and how they should function;
- what parts of the built environment will be protected (either from certain kinds of development or from development of any kind); and
- how the financial contributions from new development will be spent.

2.2 However, the planning system cannot address issues unrelated to development and its impacts, or protect certain private interests, meaning there are limitations on what planning can control. It cannot, for example:

- Change existing uses if they are lawful;
- address competition between businesses (e.g. specify a particular operator); or
- protect against loss of private land value or views.

2.3 The planning system is designed to ensure that new development responds to known local and (wider) strategic needs, for example new doctors surgeries (local need) or more affordable housing (local and strategic). As such, Plans comprising planning policies exist at the local, regional and national level and must work in tandem with each other.

2.4 In order to ensure that development responds to the full range of ‘needs’, evidence across a range of topics (such as population changes, housing needs projections, profiles of resident population) is used in plan making. Adopted Plans in turn are the basis for development decisions (typically whether an application is approved or refused).
addition to reviewing relevant research and evidence, a key part of ensuring that planning responds to known needs is gathering evidence of local community views. As local people are those best placed to understand an area’s needs, using this ‘engagement evidence’ is an essential part of a successful planning process (more on this is explained in section 4 of this SCI).

2.5 Collectively, this evidence gathering (including local community opinions) is known as the ‘evidence base’, a robust evidence base ensures that plans are relevant, realistic and reflect genuine needs.

2.6 The Council will always try to ensure that development does the most that it can to address local needs and respond to local priorities. Recent examples of this in Newham have included:
   - Establishing ‘cumulative impact’ policies to limit the spread of betting shops and hot food takeaways, and ensure that high streets maintain a mix of shopping and leisure uses;
   - Use of planning enforcement powers to ensure land or property is ‘cleaned up’ where their condition negatively affects an area; and
   - Delivering a new school and community facilities as part of new large scale developments in the Royal Docks.
3 The UK planning system + opportunities for involvement

3.1 This page summarise how the planning system works in the UK and where opportunities for public involvement lie. Whilst the overall system is governed by law, and shaped by the policies of both regional and national governments, the Council, in its role as Local Planning Authority, will do everything it can to ensure that local needs and priorities are addressed.

<table>
<thead>
<tr>
<th>A plan-led system</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>What this means:</strong></td>
</tr>
<tr>
<td><strong>Scope for community involvement:</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Development Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>This is the process by which people have to apply to the Council for permission to carry out most kinds of development (note that some small scale development is already permitted under national legislation).</td>
</tr>
<tr>
<td>Most applications are subject to a period of public consultation to ensure the Council can take into account the views of local people and other stakeholders. Significant applications are decided by elected Councillors (via committee) to further ensure the foregrounding of local needs. Developers are also encouraged to consult locally prior to submission of large-scale proposals.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Contributions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Through two different legal mechanisms, the Council can secure financial (and other) contributions from developers to help improve infrastructure in Newham to the benefit of both existing and new residents.</td>
</tr>
<tr>
<td>The investment possible as a result of planning contributions can be influenced by local people; ‘CIL’ money (more on this later) is now used to fund Community Plans (see page 33) alongside an overarching collaborative budget setting approach that gives local people more say in Council spending decisions.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Enforcement</th>
</tr>
</thead>
<tbody>
<tr>
<td>This is the process under which the Council monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.</td>
</tr>
<tr>
<td>Anyone can report possible breaches of planning control, and doing so helps ensure local knowledge is fed into the planning system. Even if an issue is not something we can address through enforcement powers, it may highlight issues of concern to local residents that can be addressed through the introduction of new policies.</td>
</tr>
</tbody>
</table>
4 Plan making (the creation of local documents)

4.1 Planning policies are used to make decisions on planning applications received by the Council. These policies are set out in Plans that are created at the national level by the Government, the London level by the Mayor of London, borough level by the Council, or for Neighbourhood Areas by designated Forums².

4.2 Collectively, these different-tier Plans are known as ‘the Development Plan’. The Development Plan for Newham is illustrated below. For reference, all local documents are available via the Council’s website.

The Development Plan:
(June 2019)

*Note that the Development Plan for Newham would also include Neighbourhood Plans were any to be adopted within the area (more on this in section 8)

Understanding the role of the Development Plan

<table>
<thead>
<tr>
<th>What the law says:</th>
<th>What this means:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applications for planning permission ‘must be determined in accordance with the development plan, unless material considerations indicate otherwise’.</td>
<td>The written policies of the development plan must be used to decide whether an application should be given planning permission. Amongst other things, policies will help determine whether a proposal is suitable in terms of its location, use, size, design, and environmental impact. Sometimes ‘material considerations’ which are factors not specifically written in to the Development Plan may have a bearing on an application decision. However, what constitutes a ‘material consideration’ is difficult to define and often unique to each site / application. (For more information refer to section 5.22)</td>
</tr>
</tbody>
</table>

² See Section 8
4.3 Plan-making is a powerful way for you to get involved with shaping your built environment. And while regional and national plans are important to decision-making and everyone is free to comment on associated consultations, helping to shape the Local Plan is arguably the best way of influencing planning and development outcomes in your area.

4.4 The Government’s National Planning Policy Framework (NPPF) provides the context within which locally-prepared plans can be produced. Beneath that, the London Plan establishes an overall strategic plan for London and again creates a context the Local Plan must follow. Newham’s Local Plan must be in ‘general conformity with’ the London Plan and ‘consistent with’ national policy (even if these two tiers are not fully aligned).

4.5 Despite this higher level context, it is possible to address local issues in proactive and creative ways that respond to the views and needs of local communities **provided we have the necessary evidence**. Local opinions / aspirations / pressures and concerns from residents and businesses all constitute evidence used for successful and effective plan-making.

4.6 Note that the Localism Act of 2011 introduced a fourth tier of plan-making known as Neighbourhood Planning (more on this in section 8).

**Creating a Local Plan**

4.7 The flowchart on the next page sets out the main stages of the plan-making process; although it’s listed as a series of steps, it should be seen as a cycle. As soon as a Plan begins to be implemented, policies will be monitored to see if they are effective in delivering the Plan’s aims. This starts to inform how the plan should next be updated, and the cycle begins again. National guidance indicates that Local Plans should be updated at least every 5 years, though updates are typically more frequent in Newham.

4.8 The evidence supporting a Local Plan needs to be robust and proportionate. Plans are independently ‘examined’ and this evidence can be challenged, for example by landowners or the development industry if they disagree with the Council’s position. Local views are used as engagement **evidence** that can inform the drafting of the Plan. Examples of the range of evidence needed to support Local Plans are listed below. Newham’s existing evidence base is available to view online:

- Demographic profile of the local populations
- Local employment and industries
- Housing
- Transport
- Natural environment and special landscape designations
- Historic Environment
- Town and local centres
- Urban design
- Community infrastructure
While this summary process identifies two ‘formal’ public consultations, every stage is informed by ‘continuous engagement’ work (see section 4.16)

**Preparation**
- Gathering and analysing evidence (‘scoping’) to understand what the Borough’s current and future needs are. Evidence drawn from includes:
  - Feedback from the community, Councillors, other Council departments and partner organisations regarding problems and opportunities.
  - Where needed, technical studies that add to existing knowledge by telling us (eg) types of new homes needed or how much land is required for industry.

**Issues & Options**
- Using this evidence, we put together an initial document (‘Issues and Options’) which sets out the issues identified and logical ways we could address them through the Local Plan.
- A first formal public consultation is wide-reaching to assess whether we have identified all issues and possible approaches.

**Publication**
- Listening to what people tell us, we then produce a full draft Local Plan and ask for feedback through a second stage of formal public consultation.
- While this second stage specifically seeks comments on the ‘soundness’ of the plan (from other public bodies or infrastructure providers for example) we are always interested in resident and local business feedback and will do our best to address any new issues raised.

**Submission / Examination**
- The draft Local Plan (along with its supporting evidence) are submitted to The Planning Inspectorate (a Government body) for ‘Independent Examination’.
- The Examination provides a further opportunity for anyone who has previously commented to present any concerns direct to the examining Inspector either through written submissions or by attending public hearings.

**Adoption**
- To conclude the Examination, the Inspector will recommend any changes needed to make the Plan ‘sound’ and then confirm that it can be ‘adopted’
- Once the Council formally adopts the Local Plan, its policies will be implemented and the process of assessing what updates are needed next begins again...

Plan-making is a cyclical process, so even if there are no current Local Plan consultations, feedback you give the Council may help to influence future updates.
Creating other local planning documents

4.9 In addition to the Local Plan, we may also produce other local documents which have a different status or purpose. These might be Supplementary Planning Documents (SPDs, looking at specific issues), Masterplans (looking at specific sites or areas), or ‘Article 4s’ (documents that remove certain permitted development rights). These documents can add guidance to the implementation of the Local Plan but cannot change it. SPDs can cover a broad range of matters and may include conservation and heritage guidance, site specific briefs and masterplans or additional information on how best to extend a home. One example of this type of document is [Newham’s Altering and Extending Your Home SPD](#).

4.10 As these are documents add guidance to existing policy, they are not examined by the Planning Inspectorate in the same way as the Local Plan, however SPDs still go through public consultation to ensure that community views are incorporated. The diagram below sets out the stages of creating an SPD.

**Preparation**
- The first stage of creating an SPD involves establishing where additional guidance is needed. This may include collecting and analysing additional evidence and seeking views from relevant stakeholders.

**Draft Publication**
- Using the evidence, we then put together a draft SPD.
- Public consultation: We consult widely with the local community and other stakeholders to seek their views on the the draft SPD.

**Adoption**
- Listening to what people tell us, we then produce a final SPD and the Council will formally adopt the document.
- We will also produce a document which details the key issues raised during public consultation and sets out how we have responded to them.
**Who do we involve?**

4.11 As explained in previous sections, local knowledge about the experience of living or working in Newham (from residents, businesses, community groups etc.) is vital to creating a Local Plan (or other local planning documents) that responds robustly to local needs. As such, and in line with Council priorities to put **people at the heart of everything we do**, all engagement and consultation activity seeks the views of local people.

4.12 Additionally, in the interests of best practice and partner working, we also seek the input of other key stakeholders to the development process, including other public bodies; landowners; developers; and neighbouring Boroughs (amongst others). The range of stakeholders we seek to involve (and will always consult with) is set out below.

<table>
<thead>
<tr>
<th>Local Stakeholders</th>
<th>Statutory Consultees</th>
<th>Other stakeholders</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residents</td>
<td>Neighbouring boroughs</td>
<td>Developers (such as house-builders) and their Planning Consultants</td>
</tr>
<tr>
<td>Local businesses</td>
<td>Environment Agency</td>
<td>Network Rail</td>
</tr>
<tr>
<td>Community Groups</td>
<td>Historic England</td>
<td>Thames Water</td>
</tr>
<tr>
<td>Schools</td>
<td>Natural England</td>
<td>Port of London Authority</td>
</tr>
<tr>
<td>Landowners</td>
<td>Civil Aviation Authority (CAA)</td>
<td>Mobile Operators</td>
</tr>
<tr>
<td></td>
<td>NHS / Clinical Commissioning Group</td>
<td>Gas and electricity operators</td>
</tr>
<tr>
<td></td>
<td>Office of Rail Regulation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Highways Agency</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Marine Management Organisation (MMO)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mayor of London (Greater London Authority)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transport for London (TfL)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>London Economic Action Partnership</td>
<td></td>
</tr>
</tbody>
</table>

4.13 If you want to be kept aware of Local Plan or other local planning document consultations, the best thing you can do right now is sign up to our ‘Local Plan Stakeholder Database’. Though note other key actions are listed in section 9 of this SCI.

**Sign up to the Stakeholder Database**

When we run consultations related to local planning documents, we send alerts out to our ‘Stakeholder Database’. Please sign up if you wish to kept informed about the progress of key planning documents for the Borough. You can sign up by emailing localplan@newham.gov.uk or by visiting this page.

4.14 Note that we publish a work programme, known as the **Local Development Scheme** (LDS) which tells you which planning documents we expect to produce or update over the next 1-3 years. This will give you an idea of where in the plan-making cycle we are and when formal consultations are likely to occur.

4.15 For any local planning documents other than the Local Plan itself (SPDs, masterplans etc.), note that we will run consultations in a manner proportionate to scale and purpose. I.e. if a document is focussed on one area of the Borough, consultation will focus on that location,
or if a document is concerned with a specific issue or sector of the community (older people for example, or environmental issues) consultation and publicity will again be tailored appropriately. That said, there are basic consultation commitments we will always stick to, these are set out in the following tables.

**Continuous Engagement**

4.16 As referenced, even outside periods of formal consultation, your feedback can help shape local planning documents. The following table summarises the range of ‘continuous engagement’ activity that we undertake or make use of. Though worth noting that anyone can contact the Local Plan team at localplan@newham.gov.uk at any time (full contact details for the planning department are set out in Appendix 1 of this SCI).

4.17 This ‘continuous’ approach to engagement helps us gain a broad range of views, lessens the burden on the community of having to engage during formal consultation periods and helps to minimise costs. An example of how the community directly shaped policy relating to betting shops and hot food takeaways can be found at the end of this section.

<table>
<thead>
<tr>
<th>Activity</th>
<th>How we make use of it</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surveys as part of technical assessments</td>
<td>Useful in evidence base gathering and monitoring studies, used to assess status of town centres and people’s use of green spaces.</td>
</tr>
<tr>
<td>Workshops with technical, statutory and overarching/umbrella stakeholders</td>
<td>Evidence base gathering, issues and options formulation and policy drafting and testing Local Plan visioning, evidence base testing and policy drafting.</td>
</tr>
<tr>
<td>Ad-doc feedback from Officers across the Council</td>
<td>Useful at all stages, practice-based experience of ‘on the ground’ issues also helps inform Local Plan production.</td>
</tr>
<tr>
<td>Indirect engagement via analysis of corporate (and other) surveys</td>
<td>Most useful at evidence and issues &amp; options stage, also in the preparation of impact assessments. Has informed Local Plan, EqIA and IIA production.</td>
</tr>
<tr>
<td>Commissioned supplementary online panel surveys and focus groups</td>
<td>An online panel survey on betting shops informed new cumulative impact policies in 2016.</td>
</tr>
<tr>
<td>Member Enquiries (often after constituents have made direct enquiries</td>
<td>Evidence base gathering and issues &amp; options, this channel was significant to the creation of policies around healthy neighbourhoods and high quality town centres (takeaways and betting shops).</td>
</tr>
<tr>
<td>Articles in the Newham Mag to stimulate correspondence with us</td>
<td>This is useful if we know there’s an issue we need more local evidence on... e.g. photography competition to inform the evidence base concerning what it is people value in Newham.</td>
</tr>
<tr>
<td>Face-to-face discussions and interactive activities at community events</td>
<td>This is incredibly useful where there are any ‘knowledge gaps’ or where local wishes are at odds with the existing policy / development context (i.e. regional and national tiers). The Newham Show has proved invaluable in recent years, helping us gather evidence to inform (for example) Local Plan tall buildings policies and to understand how people use and value green spaces.</td>
</tr>
</tbody>
</table>
Members Working Groups
Co-ordinating a working group of Councillors from across all wards of the Borough has proved useful in the refining (drafting) of Local Plan policies, Members can check the plan is addressing local concerns properly and help us access other sources of local knowledge where needed. Recently this approach proved useful in the updating of our Character Study evidence base, which looks at the strengths and weaknesses of different areas.

Meetings with neighbouring and other authorities on cross-boundary / inter-authority matters (notably transport, waste and other sub-regional Infrastructure)
Joint working on the East London Waste Plan (all stages) and consultations with neighbouring and regional planning authorities.

**Formal Consultation**

4.17 The tables below provide further information on how we consult during formal public consultation on the Local Plan and other local planning documents. These tables detail our minimum commitments (that will always happen) though additional publicity and engagement activity may occur through taking advantage of additional avenues as practices evolve and new opportunities become available.

4.18 All formal consultations will be conducted in a manner mindful of equalities issues and the Equalities Impact Assessment (EqIA) that accompanies this SCI. This includes but is not limited to, ensuring documents are available in accessible formats; ensuring timing of consultations is mindful of public holidays and religious festivals; ensuring venues are equal-access.

**Local Plan consultations:**

<table>
<thead>
<tr>
<th>Legal requirement</th>
<th>How we satisfy requirements / what we do in addition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consult for six weeks.</td>
<td>Consult for a minimum of six weeks – timing, and if necessary extending, consultation to take into account religious festivals, public holidays, and other relevant circumstances where known.</td>
</tr>
<tr>
<td>Publish a copy of each of the proposed submission documents and a ‘statement of the representations procedure’ on the website and at the Council’s principal office.</td>
<td>Make all documents available to view and download on our website, with free internet access available at all Newham libraries.</td>
</tr>
<tr>
<td>The statement must set out: how to comment; when to comment by; where documents are available online; and the places/times in which hard copies of consultation documents can be inspected.</td>
<td>Make hard copies of consultation documents available at the East Ham Customer Service Centre.</td>
</tr>
</tbody>
</table>
Send the ‘statement of the representations procedure’ to the ‘specific and general consultation bodies’ identified in national regulations, as proportionate to the scale of the issues addressed.

Inform by email all identified consultation bodies, all people and groups subscribed to the Local Plan Stakeholder Database, and in addition publicise formal consultations through Community Neighbourhood / Citizen’s Assembly mailing lists, and via notices in the Newham Mag and Newham Recorder.

Follow the consultation principles set out in the adopted Statement of Community Involvement

Herein. In addition, ensure all evidence base documents are available on our website during consultation, allowing for proper scrutiny of the plan-making process.

**SPD (and other local planning document) consultations:**

<table>
<thead>
<tr>
<th>Statutory requirement</th>
<th>How we satisfy the requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consult Natural England, Historic England and the Environment Agency during the Sustainability Appraisal process. Prepare a consultation statement.</td>
<td>Publish on the Council’s website the intention to produce an SPD and ask for comments from interested people or organisations. We may also arrange other events or workshops to discuss the content of the SPD.</td>
</tr>
<tr>
<td>Consult for four weeks. Make draft copies of the SPD and any associated documents available on the Council’s website, and at the principal office and any other locations considered appropriate.</td>
<td>Consult for a minimum of six weeks – timing, and if necessary extending, consultation to take into account religious festivals, public holidays, and other relevant circumstances where known. Make all documents available to view and download on our website, make hard copies of consultation documents available to view at East Ham Customer Service Centre.</td>
</tr>
<tr>
<td>Send the SPD to the specific and general consultation bodies, as proportionate to the scale of the issues addressed.</td>
<td>Inform by email all people and groups subscribed to the Stakeholder Database. Targeted measures for hard to reach groups relevant to the topic of the SPD.</td>
</tr>
<tr>
<td>Prepare an Adoption Statement and Consultation Statement. Make these and the SPD available on the website and at the principal office and any other locations considered appropriate, send a copy of the adoption statement to anyone who asked to be notified of the adoption.</td>
<td>Publish details of the consultation in the Newham Recorder and the Newham Mag. Make all documents available to view and download on our website, with free internet access available at all Newham libraries. Make hard copies of consultation documents available at the East Ham Customer Service Centre.</td>
</tr>
<tr>
<td>Follow the consultation principles set out in the adopted Statement of Community Involvement.</td>
<td>Herein. Whenever possible, publish evidence base documents on our website before the consultation begins, allowing more time for the information to be viewed.</td>
</tr>
</tbody>
</table>
In addition, we propose...

**NEW: Interactive online map(s)**

Interactive online maps will be developed to (a) make it easier to understand the existing policies of the Local Plan, and (b) make it easier to give us your views on location-specific issues.

For example, telling us what you like / dislike about your local area or how you use (or why you don’t use) local parks and community facilities.

This will help us learn how concerns and priorities vary in different parts of the Borough and (potentially) highlight ways the Local Plan can address issues more robustly.

**OPTION 4A - Posters at key locations**

Whilst a great deal of publicity and engagement work is done through online / digital means, not everyone uses these channels equally (i.e. even if access is possible, it is not always common or frequent). To draw planning consultation activities to the attention of more people we could display posters at key locations across the Borough. These could include:

- Outside significant transport hubs
- At libraries and larger GP surgeries / NHS hubs
- On parks noticeboards

**OPTION 4B – Citizen’s Assemblies**

Citizen’s Assemblies have been established in Newham as part of a new approach to enabling participatory democracy, more information can be found via the Council’s website.

In addition to making use of the Community Plans developed by CA groups (addressed above in the ‘continuous engagement’ section above) we could make further use of this new structure in a few different ways:

- Publicise consultations via CA distribution lists
- Convene a single dedicated Citizen’s Assembly for the whole borough during any formal consultation that pertains to the creation of new policy and effects the whole borough
- Work with the smaller CA ‘working groups’ to ensure local priorities are understood

These approaches will enable us to present information on plan-making to the public as well as transpose local priorities into local planning documents where possible / relevant (noting that not all the concerns outlined through Community Plans are issues the planning system can address).

*Please refer to Section 9 of this SCI for more information on Citizen’s Assemblies.***

**OPTION 4C - Engage through schools**
Given the forward-looking nature of planning and development, it is logical to try and involve young people (and those responsible for them) in the creation of new local planning documents. Without distracting too much from the primary purpose of schools, we could ask Head Teachers to send letters home with pupils, drawing attention to key planning consultations.

**OPTION 4D - Use of new / social / alternative media**

Planning consultations are publicised via email, the Council website, the Newham Mag, and the Newham Recorder, but not everyone will regularly access these different media channels.

We would like to know what forms of alternative media are likely to reach you, and what sort of content is likely to interest you. This might be non-mainstream press (including ethnic media like local radio stations) or enhanced use of the @NewhamLondon Twitter/Facebook/Instagram pages.

**QUESTIONS**

Q3.1 What would be your preferred method of hearing about local planning consultations?

Q3.2 Do you (or any group of people you represent) have any particular needs that are not accounted for / met by the consultation practices set out in this SCI?

Q3.3 Where consultation related events are held, is there anything you can tell us about how these can be run in a manner accessible to you? (This might include requirements re location, venue type, timing e.g.)

Q3.4 Should we specifically engage with young people via schools?
Community feedback can directly shape local planning policies!

Through speaking to your local Councillors, responding to planning consultations, participating in Newham-wide surveys and engaging with Council services in other ways, you told us...

So we listened to your feedback and...

Betting Shops and Takeaways Policy

Mapped the problem to produce new evidence...

Creating a Local Plan policy that controls the number of betting shops / hot food takeaways that can be within 400m (5 min walk) to no more than 3 of each type

This means in areas that already have this amount or more, planning permission is not likely to be supported.

Masterplanning in Local Plan (2018)

Recognised the importance of meaningful resident engagement from the earliest stage of the development process...
and outlined the expectation for early engagement and consultation with the public on draft masterplans for Strategic Sites. This will help to secure wider benefits for local areas, such as increased connectivity, higher quality public realm, and integration of old and new developments. Further details of engagement expectations can be found at Section 5 of the SCI

Public Toilets in Town Centres (2018)

Looked at research that suggested improving the number of publicly accessible toilets has links to increased well-being and mental health...

and introduced a policy requirement for new town centre schemes to include publicly accessible toilets. This new requirement helps to improve the usability of town centres, for the benefit of all members of the community.
5 Applications and Permissions (Development Management)

5.1 In order to carry out development in Newham, permission to do so must be granted by the Council through the planning application process. ‘Development’ has a legal definition, but in summary it means that planning consent is usually required for:

- building new structures;
- changing the use of existing structures or land; and
- making extensions/modifications that aren’t covered by permitted development rights.

Government guidance on what requires planning permission can be found here.

5.2 Newham processes thousands of development applications every year. These vary in type and scale, ranging from large-scale ‘major’ mixed-use development to smaller scale household applications and changes of use. More information on the different types of development consent is available from the Government’s Planning Portal. In general, the process is as follows:

- Pre-application advice (optional)
- Application (and Assessment)
- Decision

5.3 We are committed to ensuring that the community and stakeholders are engaged in the planning application process, whether you are intending on applying for planning permission, want to comment on a proposal, or are interested in developments taking place in your local area.

5.4 The following section provides more information on how planning applications will be publicised, our commitments to consultation, and how we will take your comments into consideration when making decisions.

5.5 We have also highlighted a number of new ways to improve access to information on planning applications. Feedback on any of these proposed measures is welcomed, as well as any suggestions on ways we can encourage increased public participation in the application process.
Early Engagement (Pre-application), Masterplanning & Design

5.6 While the Council is limited in how much it can dictate the type of engagement work an applicant might do prior to application, we do encourage developers to show evidence of early and meaningful engagement with local people, particularly on large or complex proposals. The Local Plan now requires that all Strategic Sites (and other development of a similarly significant scale) are ‘masterplanned’ and clarifies that:

Such masterplanning should be the subject of early engagement with the public and other technical stakeholders, as well as consultation on different iterations as details are established. The Council’s Statement of Community Involvement will be a relevant consideration in formulating a consultation strategy. (Policy S1 para 1.9)

5.7 Applicants are encouraged to engage with the local community, statutory and non-statutory consultees before submitting applications to enable better coordination between public and private resources and improved outcomes for the community.

5.8 The following table outlines engagement approaches that the Council would suggest in relation to different scales of development proposal, though note that these are recommendations only and we cannot require that these recommendations are followed.

<table>
<thead>
<tr>
<th>Recommended engagement activities for developers, according to scale of proposal:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Householder and small business</strong></td>
</tr>
<tr>
<td>Examples:</td>
</tr>
<tr>
<td>• development (that requires planning permission) within the curtilage of a house (some extensions, conservatories, loft conversions, dormer windows etc)</td>
</tr>
<tr>
<td>• business premises up to 300m²</td>
</tr>
<tr>
<td>• Discuss proposal with neighbours and other nearby occupiers / owners of properties and land.</td>
</tr>
<tr>
<td>Use of the Council’s pre-application advice service is encouraged.</td>
</tr>
<tr>
<td><strong>Minor development:</strong></td>
</tr>
<tr>
<td>• New dwelling(s) comprising fewer than 10 homes</td>
</tr>
<tr>
<td>• less than 1000m² of non-residential floorspace (new or change of use)</td>
</tr>
<tr>
<td>The above +</td>
</tr>
<tr>
<td>• Engage with local interest groups (e.g. neighbourhood forums / residents associations) at earliest possible stage in developing the proposal.</td>
</tr>
<tr>
<td>Use of the Council’s pre-application advice service is encouraged.</td>
</tr>
<tr>
<td><strong>‘Small’ Major development:</strong></td>
</tr>
<tr>
<td>• 10 - 24 homes; or,</td>
</tr>
<tr>
<td>• 1,000 – 4,999 m² of non-residential floorspace</td>
</tr>
<tr>
<td>The above +</td>
</tr>
<tr>
<td>• Discuss proposal with relevant statutory bodies, flyers/mail drop to interested parties.</td>
</tr>
<tr>
<td>Use of the Council’s pre-application advice service is strongly encouraged.</td>
</tr>
<tr>
<td><strong>‘Medium’ Major development:</strong></td>
</tr>
<tr>
<td>• 25 - 150 homes; or,</td>
</tr>
<tr>
<td>• 5,000 - 14,999 m² of non-residential floorspace</td>
</tr>
<tr>
<td>The above +</td>
</tr>
<tr>
<td>• Public meeting with interested parties / an exhibition and drop-in session in an accessible local venue.</td>
</tr>
<tr>
<td>• Publicise via website, local press, social media and</td>
</tr>
</tbody>
</table>
flyers.
- Engage with relevant ward councillors

Use of the Council’s pre-application advice service is strongly encouraged.

‘Significant’ Major development:
- 151 or more homes
- 15,000 m² or more of non-residential floorspace or on a site of at least 2 hectare
- Any waste development

The above +
- Two rounds of consultation.
- Workshop/public meeting with statutory bodies, nearby occupiers, businesses, ward councillors and local interest groups (e.g. neighbourhood forums and residents associations).

Use of the Council’s pre-application advice service is strongly encouraged.

5.9 Generally, other than on large scale infrastructure projects, the choice to undertake pre-application (PREAPP) discussions with the Council lies with the applicant and not all development proposals will go through this process. Where they do however, we strongly encourage applicants to undertake continued and meaningful engagement with the public, recognising that consultation is key to shaping a development and ensuring its impacts are acceptable to the community and stakeholders.

How the Council will publicise planning applications

5.10 Table 1 below sets out Newham’s SCI commitment to public consultation on planning applications. These processes of consultation are designed to provide the community with opportunities for meaningful engagement with the planning process, beyond just what we are required to do by law.

Table 1: Publicising Planning Applications

<table>
<thead>
<tr>
<th>Application type</th>
<th>Legal requirements for consultation</th>
<th>SCI commitments to consultation</th>
</tr>
</thead>
</table>
| Application accompanied by an EIA (Environmental Impact Assessment) | • Site Notice  
• Newspaper Publication  
• Website | • Site Notice  
• Letter to adjoining properties¹  
• Newspaper Publication  
• Website: Public Access |
| Departure from the development plan | | |
| Proposal affecting a public right of way | | |
| Major Development (see: | • Site Notice OR Letter to adjoining property  
• Newspaper Publication  
• Website | • Site Notice  
• Letter to adjoining properties (minimum 50m buffer applied)  
• Newspaper Publication  
• Website: Public Access |
| Minor development: | | |
| Householder Development | • Site Notice OR Letter to adjoining property  
• Newspaper Publication | • Site Notice  
• Letter to adjoining properties¹  
• Newspaper Publication ONLY where affecting the |
| Change of Use | | |
| Variation or removal of | | |

¹ Where affecting the character or
<table>
<thead>
<tr>
<th>condition(s) attached to a previous approval</th>
<th>character or appearance of a Conservation Area or Listed Building</th>
<th>appearance of a Conservation Area or Listed Building</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Site Notice</td>
<td>• Letter to adjoining properties¹</td>
</tr>
<tr>
<td></td>
<td>• Newspaper Publication</td>
<td>• Newspaper Publication</td>
</tr>
<tr>
<td></td>
<td>• Website</td>
<td>• Website: Public Access</td>
</tr>
<tr>
<td>Listed Building Consent</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Site Notice</td>
<td>• Letter to adjoining property¹</td>
</tr>
<tr>
<td></td>
<td>• Newspaper Publication</td>
<td>• Newspaper Publication</td>
</tr>
<tr>
<td></td>
<td>• Website</td>
<td>• Website: Public Access</td>
</tr>
<tr>
<td>Advertisement Consent</td>
<td>Nil</td>
<td></td>
</tr>
<tr>
<td>Approval of Details</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-material amendments</td>
<td>Nil</td>
<td></td>
</tr>
<tr>
<td>Certificate of Lawful Use or Development (existing and proposed)</td>
<td>Nil</td>
<td></td>
</tr>
<tr>
<td>Householder Prior Approval applications</td>
<td>• Letter to adjoining property</td>
<td>• Letter to adjoining property¹</td>
</tr>
<tr>
<td></td>
<td>• Website</td>
<td>• Website: Public Access</td>
</tr>
<tr>
<td>Other Prior Approval Applications</td>
<td>• Site Notice OR Letter to adjoining property</td>
<td>• Site Notice</td>
</tr>
<tr>
<td></td>
<td>• Letter to adjoining properties¹</td>
<td>• Letter to adjoining properties¹</td>
</tr>
<tr>
<td></td>
<td>• Website</td>
<td>• Website: Public Access</td>
</tr>
<tr>
<td>Works to Protected Trees</td>
<td>• Site Notice</td>
<td>• Site Notice</td>
</tr>
<tr>
<td></td>
<td>• Letter to adjoining properties¹</td>
<td>• Letter to adjoining properties¹</td>
</tr>
<tr>
<td></td>
<td>• Website</td>
<td>• Website: Public Access</td>
</tr>
</tbody>
</table>

¹ Scale of letter coverage defined appropriate to the scale and nature of the proposal.

**NEW: Interactive Planning Applications Map**

As part of our SCI review we are introducing a new GIS mapping service, showing all live planning applications on an interactive map of the Borough. This will allow residents to see pending planning applications in their local area, providing web links to view and comment on selected applications through the Public Access Website.

There may be future potential for our new interactive mapping service to include planning policy designations and development constraints. This could include details of land use allocations, Tree Protection Order locations and flood risk zones, for example.

This option will be explored further following an initial trial of a Planning Applications only map, see screenshot below and click the link above to explore the new tool.
OPTION 5A: Publicising large-scale applications better

The @NewhamLondon Twitter handle has around 15k followers, and the Newham Mag is circulated to all households in the Borough. As such they provide additional opportunities to publicise the most significant developments happening in Newham. In addition to creating a dedicated ‘major schemes’ section of the website, we could....

- Tweet details via @NewhamLondon, providing an image of the proposal, location, and tagging Ward Councillors / other bodies where known and relevant.
- Summarise the very largest applications in the Newham Mag.

Questions:

Q4.1 Do you have any comments on the commitments to planning application publicity set out in Table 1?

Q4.2 Do you have any comments on the interactive map available here? Is there anything which would limit your use of a tool like this?

Q4.3 If we were to do more to publicise the most significant planning applications in Newham (i.e. very large-scale schemes) where would you most like to see this information?

- By visiting a dedicated page of the Newham website yourself
- By seeing a Newham Council Facebook post or Tweet
- Via the Newham Mag
- Other (option to describe)

Q4.4 Are there any other ways that you think the Council could do more to help you find, understand, and comment on planning applications?
How to find out about planning applications

5.11 You can search for live Planning Applications using Newham’s Public Access Website. You can also use the Public Access site to search for past application decisions, appeals and enforcement history.

5.12 In addition to searching for specific proposals, you can create your own account on the Public Access website and sign up for alerts of applications taking place in your local ward.

5.13 If you have any difficulty accessing documentation from the Public Access Website, it is recommended you contact the Duty Planning Officer (see Appendix 1) or Planning Case Officer for further assistance. Their details are listed on consultation letters sent by the Council or on any displayed application site notice. The allocated Case Officer’s name will also be listed on the Public Access Website, under ‘Further Information’ in the Details tab of the application selected.

5.14 When searching for application documents, please be mindful that all documentation submitted alongside Planning Applications will be protected in accordance with General Data Protection Regulations (GDPR) to ensure the protection of sensitive information.

Ways to comment

5.15 We welcome comments from the community and stakeholders on all applications received by the Council.

5.16 Please note, application comments will be made publically available on the application file, unless deemed offensive or contrary to the Council’s statutory duties under the Equalities Act. Addresses of individuals making representations will be published, however, we will not display your telephone number, email address or signature (if applicable) to the public. Please ensure, when submitting comments that you do not include any details you would not want to be made publically available. If you are submitting comments on behalf of another person or organisation, this should be made clear.

5.17 The best ways to comment on Planning Applications are as follows:

- **Using the Council’s Public Access Website**: Comments on applications can be submitted online using the Council’s Public Access Website, and will be automatically published online with sensitive information redacted. To comment on an application, search for the one you want using the site address or planning reference number, then choose ‘Make a comment’.

- **By Emailing the Case Officer**: Comments can be emailed directly to the Case Officer by email or using a pdf attachment.

- **In writing**: Comments can be sent in writing to the Case Officer using the following address: FAO [INSERT CASE OFFICER NAME], Development Control, 1st Floor, West Wing, 1000 Dockside Road, London, E16 2QU
How we make decisions

5.18 Once an application has been through public consultation, a Planning Officer will review all comments received as part of reaching a decision. The decision will then be set out in an Officer’s report which outlines the key planning considerations and explains the decision made. A summary of all comments will also be included in the Officer’s final report, which will then be made available through the Council’s website.

5.19 Whilst all comments received during the consultation process will be recorded by Officers, not all matters are ‘material considerations’ to planning. Where something is not material it cannot be taken into consideration as part of the decision. More information on what is material to planning can be found on the planning portal website.

5.20 Where applications are larger, complex, or controversial, a recommendation report will be prepared by the Planning Officer but the ultimate decision will be made (by a panel of elected Members) at the Council’s Local or Strategic Development Committees. This ensures transparency in the decision making process and provides another stage at which representors can make their views known and those interested can observe the decision making process. Further information on which applications will be decided by Committee is set out within the Council’s Constitution.

5.21 Development Committees are meetings held in public which take place at multiple occasions during the year. A Calendar of upcoming meetings is published and regularly updated on the Council’s website. Anyone who has made a comment on an application for Committee will be notified in advance of the date and time of the meeting. The public can apply to speak at the meeting to explain their views on an application.

5.22 In the case of applications of London-wide significance, the Mayor of London also has the right to ‘call in’ applications for their final decision. These applications will usually have progressed through the Council’s Committee, and more details of this process are provided on the London Assembly Website.

Appeals

5.23 If planning permission is refused, or applications are not determined within the legal timeframe, an applicant may choose to appeal to the Planning Inspectorate (PINS). Applicants may also appeal if permission is granted, but they disagree with any conditions placed on the permission.

5.24 Dependent upon the type of the application there may be opportunity for members of the public who were consulted on the original application to provide further comment during the appeal. Upon being notified of an appeal by PINS, the Local Planning Authority will notify all interested parties of the proceedings and provide details of how to make comments.

5.25 Further guidance on providing comments on appeals is provided by the Planning Inspectorate.
Developer contributions and scope to influence spending (CIL)

Developer ‘contributions’ are the benefits and monies new development brings to an area when planning permission is granted and takes place. Primarily these are secured either through:

- ‘Section 106 obligations’ - a legal agreement by which a developer will deliver a certain ‘thing’ that makes a development acceptable in planning terms (contain a certain amount of affordable housing for example, or pay for a road needed to access a new building); or
- the Community Infrastructure Levy (CIL) – a payment of money to account for a share of all the other infrastructure needed to support the growth and development of the Borough.

In recognition of the crucial role that Section 106 obligations and the CIL plays in supporting the development of the Borough, in March 2019 the Council adopted a ‘Developer Contributions Governance and Funding Allocation Strategy’ setting out for the first time in a published document how these processes are managed by the Council. This section of the SCI builds upon the work the Council has already started to make this process more transparent and inclusive.

How do we help to create successful places?

6.1 All new development makes some kind of contribution to the Borough. We see new homes built, new facilities and amenities coming to high streets, and jobs created in new business uses for example. Part of the planning system’s role is to ensure that as much public benefit as possible is harnessed from new development, and that it benefits people and the area fairly, and in relation to identified needs.

6.2 Some developments may have a big impact on a smallish area or a limited number of people (if a pub is converted into flats for example). Other developments may have a big impact on many more people or a much larger area (if a large number of new homes, employment uses and a school are delivered in an area of land which has been disused for many years for example).

6.3 As covered in section 4 of this document, the Local Plan looks at all of the needs across the Borough and develops a strategy and policies to help satisfy these needs. It gives an indication of the numbers of homes and jobs we need but also considers everything else needed to live active, healthy, sustainable lives. This includes the way our transport network connects us; the green open spaces we enjoy; and the services we rely on like education, community, and healthcare facilities. These types of supporting facilities and built-environment elements are known collectively as ‘infrastructure’.
Types of infrastructure:

- Utilities (power supply, phone lines, broadband, water supply, sewers).
- Transport (roads, stations, buses, airports, cycle lanes).
- Health (doctors, dentists, pharmacies, hospitals).
- Education (nurseries, schools, universities).
- Faith (mosques, churches, temples).
- Sports (parks, pitches, pools, gyms).
- Culture (cinemas, libraries, museums).
- Leisure (restaurants, pubs, allotments).
- Specialist and affordable housing.

(Note that the above constitutes a broad explanation of what infrastructure is and not everything listed is eligible for CIL funding as per national regulations)

6.4 To help ensure that there is enough of the right kinds of infrastructure to support the success of the Borough and deliver on the objectives of the Local Plan, we produce an Infrastructure Delivery Plan (IDP) which helps demonstrate where investment is needed. While never an exhaustive account of all infrastructure needs, the IDP pulls together best-available information regarding infrastructure needs expected over the next 15 years and calls on a range of sources including TfL, the NHS, other external bodies and other Council departments (education, highways etc).

6.5 While the IDP is updated annually in liaison with infrastructure providers such as those listed above, the best way for the community to tell us what is needed to make the Borough a great place to live or work is to help inform and shape the Local Plan. Whilst the Local Plan and other planning documents are only the subject of formal public consultation every so often (i.e. when a document is mid-review), all information the Council receives and understands about local needs is recorded in an ongoing way that helps inform updates to local planning documents. So even when a Local Plan review does not appear to be underway, the insight of local people is useful to help us continue to understand local needs and correctly apply the policies of the Local Plan. Please refer to the plan-making section (4) for more information about ‘continuous engagement’.
How do Developers contribute to successful places?

6.6 Not all of the infrastructure we need can be funded by the public sector. Given the profits to be made from development, the contribution mechanisms covered in this section ensure that some of those profits are driven back into the local area. As such, where there is a requirement to deliver a new school, a larger doctor’s surgery, or more frequent bus services because of an individual development (for example), our planning policy confirms that the Developer must deliver this within their development, or identify where else this can be delivered in the borough.

6.7 As previously outlined, when the Council receives an application for development consent we consult local people and other stakeholders too (often infrastructure providers such as TfL, Thames Water etc.). By asking the opinions of people who live in the area and those who provide services we are able to assess if the proposed development can be supported by the existing services or if it places an unacceptable burden. Wherever possible we work with communities, developers and infrastructure providers to enhance, improve or establish infrastructure in the Borough to support proposed development. This can delivered by the Developer, or by the developer making a financial contribution to help the Council or an infrastructure provider to deliver it.

6.8 We encourage communities to get involved with infrastructure providers when they are undertaking surveys about their services as this is a way to influence these stakeholders on their investments. It also means that they will provide better feedback on your behalf when an application for development consent is being considered by the Council.

6.9 As part of our ongoing engagement with infrastructure providers we rely upon their active discussions with the community aligning with the conversations that the Council has with residents. We want to continue to ensure that new facilities and services are open and accessible to everyone in the Borough.

6.10 Developments contribute by:
   a. Providing housing and genuinely affordable housing;
   b. Sharing economic benefits by employing local people and using local companies during construction and, as applicable, employing local people when the development is occupied, ensuring an inclusive economy in the borough;
   c. Providing infrastructure within the development, for example a school or doctor’s surgery;
   d. Making payments to the Council or other infrastructure providers to fund infrastructure which is necessary to support the development;

How we make sure that Developers make their contribution?

6.11 The Council place the appropriate controls on development to ensure design integrity and reduce or remove negative impacts, primarily through the use of planning conditions.

6.12 There are two main ways that Developers make financial contributions or provide infrastructure, this is through legal agreements (sometimes known as ‘Section 106
Agreements’ but more formally as ‘Deeds of Planning Obligations’) and by payment of the Community Infrastructure Levy which the Council uses to fund infrastructure.

6.13 The examples in the list above (6.10) are in general negotiated by the Council based on adopted planning policies but can also respond to the consultation responses the community provide on individual applications. All of this is summarised in a report with recommendations to the decision makers, which is usually by one of the planning committees made up of elected councillors. We ensure that Developers deliver on these promises by putting them into a legal agreement.

6.14 Such legal agreements are public documents and can be found via Newham’s Public Access site.

6.15 We review all of the feedback we get from the community and other stakeholders during the consideration of a planning application. We balance any requests to ensure they relate to the Development Plan, are relevant to the proposal in question, and are reasonable. Note that given principles of ‘viability’ enshrined in the National Planning Policy Framework, planning decisions must take into consideration both the social impact on communities and the financial impact on Developers. The Development Plan must ensure development is ‘deliverable’, i.e. if the financial burden is too great development will not happen, and no contributions will be achieved. As such the contributions required must be reasonable based on the scale of the proposal.

The Community Infrastructure Levy (CIL)

6.16 Since January 2014 the Council has been collecting money to fund infrastructure across the Borough by applying the Community Infrastructure Levy (CIL) to all new developments which meet the criteria of:
   a. Comprising a dwelling of any size (by new build or change of use); or
   b. being new build floorspace of any other use of 100sqm or more.

6.17 The amount of CIL which is payable by developers is based on rates set out in our CIL Charging Schedule. The process for setting these rates is set out by legislation and requires us to undertake two rounds of consultation on draft rates before they can be submitted to the Planning Inspectorate for review. The Government has recently consulted on amendments to the legislation which would reduce the requirement for two rounds of consultation to a minimum of one round. If this draft legislation becomes law we will have a choice as to how many times we consult on a Charging Schedule update before submitting to the Planning Inspectorate.

---

3 Part 3 of the Community Infrastructure Levy Regulations 2010 (as amended) deals with charging schedules
OPTION 6A - CIL Charging Schedule consultation

If the draft legislation becomes law we could:
1. Maintain the existing approach of two rounds of consultation on our proposed CIL rates set out in a draft Charging Schedule and confirm our commitment to this through this SCI; or
2. follow the law and undertake just one round of consultation on proposed CIL rates set out in a draft Charging Schedule.

6.18 The expenditure of the money collected from CIL has to-date been in accordance with our Infrastructure List and the priorities of the Council.

NEW: Allocating CIL money in consultation with the community

In March 2019, the Council committed to spending 15% of CIL monies collected in 2019/20 in consultation with the community. More detail of what this means in practice is set out below.

6.19 CIL monies collected in 2019/20 will be divided as follows:

![Application of CIL](chart.png)

6.20 The first £250,000 of CIL monies to be spent in consultation with the community will be allocated towards the Community Plans co-designed by each Citizens’ Assembly (incorporating an associated facilitation cost of £50,000 per year).

6.21 Each Community Neighbourhood will be consulted on the expenditure of an equal amount of CIL monies collected in a given financial year which they may directly influence the expenditure on.

5 Our ‘Regulation 123 list’ is available here: [www.newham.gov.uk/cil](http://www.newham.gov.uk/cil)
6.22 If the borough were to collect, for example, £5m in CIL in 2019/20 it would be allocated to be spent as follows:

<table>
<thead>
<tr>
<th>Monies</th>
<th>Monies</th>
</tr>
</thead>
<tbody>
<tr>
<td>In consultation with the Community (up to 15%)</td>
<td>£750,000</td>
</tr>
<tr>
<td>Administration (up to 5%)</td>
<td>£250,000</td>
</tr>
<tr>
<td>Strategic Infrastructure (up to 85% - if admin portion not spent)</td>
<td>£4,000,000</td>
</tr>
<tr>
<td>TOTAL CIL ALLOCATED</td>
<td>£5,000,000</td>
</tr>
</tbody>
</table>

For each Community Neighbourhood this would mean:

6.23 The Council will support community involvement by publishing forecasts of monies to be collected in the rest of the financial year to help inform the project selection that will occur if more than £250,000 of ‘community’ monies are indeed collected.

6.24 Where it is forecast that there will be additional monies the community can guide the spending of, Citizens’ Assemblies will be used as the forum for voting on preferred local projects. The Council’s Corporate Plan has identified the priorities for Newham for 2019/20 and projects will be proposed by the Council in line with those priorities and identified needs as identified in the Infrastructure List and the Infrastructure Delivery Plan.

Increasing the visibility on Developer Contributions

6.25 In addition to the published reports on individual planning applications and the legal agreements which can be viewed on Newham’s Public Access, we also produce an annual summary about Developer Contributions. This annual report summarises the types of monies we have agreed with developers in a year, the monies that have been paid to us and the projects which have been funded; we also include a summary of the CIL monies that we have collected and what we have spent that on too. This annual report is currently presented to the Strategic Development Committee each autumn and is published online.
6.26 The Council recognised that there was a need to be more transparent and produced a detailed report on the process for what we intend to spend our developer contributions on and how those decisions are made. The ‘Developer Contributions Governance and Funding Allocation Strategy’ has lots of detail about the legal agreements and the CIL.

6.27 We are looking for ways to be more transparent and to make the information we share to be meaningful to our local communities. We recognise that there has been lots of private sector investment in some areas of the Borough and we want to demonstrate where the benefit has been – whether that’s on the doorstep of the development or more widely across the Borough and beyond.

**OPTION 6B:**

The ways in which people can add local knowledge and insight to our understanding of infrastructure needs and thus help shape the Council’s (and in turn Developers’) response to these needs are summarised above and covered in more detail in the Plan-making and Development Management sections of this SCI. While the routes to giving views on infrastructure needs are established (and the subject of other options within relevant sections) something the Council could do is work to enhance local people’s understanding of how infrastructure monies are spent (and how much) in order to be more transparent and raise awareness around competing infrastructure issues.

To this end, possible options the Council could pursue are:
- Publishing quarterly (as opposed to annual) reports on the monies we have received and allocated to projects – this could be shared via the Citizens’ Assemblies or published on our website; and/or
- developing an interactive online map that (1) shows what financial and non-financial contributions individual developments have made, and/or (2) shows where monies from developments have been spent

**Questions:**

Q5.1 Information about the amount of development contributions (Section 106 and CIL) collected and spent is currently published via an annual report (examples [here](#)). Is this an area of planning you are interested in?

Q5.2 If yes, do the annual reports provide the information you want to see?

Q5.3 Would an interactive map showing where money was collected and spent be something you would use?

Q5.4 Can you think of another way you would prefer to see this information summarised and communicated?
7 Reporting and resolving problems (Planning Enforcement)

A breach of planning control occurs when:

- development is carried out without the required planning permission; or
- there is a failure to comply with a condition or limitation attached to an approved planning permission.

7.1 The Council can use its Planning Enforcement powers to resolve breaches of planning control but to do so it must firstly know about these instances, and secondly understand the level of harm caused. As such, local people play an essential role in this aspect of the planning system.

7.2 This section provides information on how to report planning breaches and how the commencement and prioritisation of enforcement action is determined by the guiding principle that the response to a breach of planning control should be proportionate to the harm it causes.

7.3 Information on how the Council undertakes its Planning Enforcement function can be found in our published Planning Enforcement Policy.

Making contact

7.4 If you think that development may have been undertaken without planning consent it can be reported to the Council’s Planning Enforcement Team for investigation. Up-to-date details of how to report can be found online.

7.5 During enforcement proceedings, information provided by the public can be invaluable and provide evidence the Council cannot establish in other ways. We rely on this information to better understand what types of unauthorised development are happening and why, where they are, and the impact these potential breaches of planning control are having on local residents and businesses. If you are concerned about any aspect of development that has occurred in your area we want to know.

7.6 Our published Planning Enforcement Policy sets out how investigations are prioritised and responded to based on the level of harm caused. The Council will continue to direct resources to ensure this principle is applied consistently throughout the Borough. We encourage residents to contact us with any information related to unauthorised development and its impacts so that we can keep responding to local concerns.

7.7 Any questions regarding the progress of an enforcement investigation can be sent to planning.enforcement@newham.gov.uk.
Enforcement and the Local Plan

7.8 Where it is found that a breach of planning control has occurred, Case Officers will consider the development in light of relevant policies within the Development Plan (as with any application for planning permission). If it is determined that the development does not accord with the Development Plan then formal action can be considered. In this way, Newham’s Local Plan is integral to shaping decision making in Planning Enforcement. As such, engagement with local communities that feeds into and shapes the Local Plan is the best way to influence what will or wont be ‘enforced against’ (see section 4 for more on how to be involved in shaping the Local Plan).

Enforcement Project Work – Past Examples

Community involvement through reporting issues can help shape enforcement priorities. The Council is committed to resolving problem development in the Borough, particularly where harm caused is highlighted by residents.

In recent years the Planning Enforcement Team have run projects to address the harm caused by commonly reported planning breaches. These have included:

- Requiring land to be ‘cleaned up’ if its condition negatively affects the amenity of an area.
- Investigating and taking action against criminal landlords who profit from creating poor-quality housing (i.e. through unlawful subdivision, multiple occupancy, use of outbuildings).
- Stopping the use of residential properties as brothels.
- Closing shisha lounges that are having a negative impact on resident’s homes.

Initiatives such as these are developed in line with the Council’s over-arching priorities. As such, communicating with your local Ward Councillors and the Citizens’ Assemblies can help identify prevalent resident concerns.

Questions:

Q6.1 Does anything explained in this section need further clarification?
Q6.2 Are there any specific ways the Council could do more to explain the role / purpose / function of Planning Enforcement powers?
Q6.3 Are there any ‘ways to report’ currently unavailable to you that would make it easier to report problems associated with possible unauthorised development?
8 Neighbourhood planning and the alternatives

8.1 Neighbourhood Planning was introduced by the 2011 Localism Act to give local communities an additional way of shaping their area, through the ability to create planning policies. Neighbourhood planning is community-led, however the Council will provide advice and feedback as part of supporting the process.

8.2 The diagram below sets out the main stages of Neighbourhood Planning:

8.3 Those interested in Neighbourhood Planning can find further information via:
- The Government’s Planning Practice Guidance
- Relevant support organisations (Locality, Planning Aid England)
Limitations and the alternatives

8.4 When considering whether to pursue a Neighbourhood Plan (NP) or Neighbourhood Development Order (NDO), community groups should first consider whether their objectives could be met in other ways. The Neighbourhood Planning process is time consuming and can be costly, on average taking 4 years to produce a plan (in the London context) and generally requiring Government grant.

8.5 An alternative to consider is Newham’s newly-established Citizen’s Assemblies (CA) given the assemblies now produce Community Plans that identify priority projects that will be funded by CIL contributions (see section 6 for more on this). The advantage of CA led Community Plans over the group-led Neighbourhood Plan process is that CIL monies collected by Newham will be spent equally across all areas of the Borough. Whilst Neighbourhood Plans can garner a portion of CIL monies, that only relates to contributions collected within the area in question; meaning in areas where there is little development there will be little funding available. As per the Council’s recent commitment to the spending of CIL monies, the CA led Community Plan approach is seen as fairer.

8.6 NPs and NDOs must be in line with the strategic policies of the Local Plan, and require evidence to justify them. The graphic below outlines what a NP or NDO can and cannot address, the main requirements, and alternative options for community groups.

### A Neighbourhood Plan or Neighbourhood Development Order

**Can:**
- Refine local development policies in order to better address local needs and aspirations (e.g. set local design codes or protect local green spaces).
- Allocate sites for development.

**Must (basic conditions):**
- Be in conformity with the NPPF.
- Be in general conformity with the Local Plan strategic policies (a box at the end of each Local Plan policy outlines these).
- Be in accordance with any relevant EU directives.
- Contribute to achieving sustainable development.
- Protect designated historic and natural assets within the plan area or in the vicinity (e.g. listed buildings, conservation areas, Sites of Importance for Nature Conservation).

**Cannot:**
- Address issues that are not relevant to planning (e.g. fly tipping, antisocial behaviour hotspots).
- Make changes to adopted policies or allocations of the Local Plan.
- Seek to bring forward less housing than the Local Plan.
- Stop development of a certain type (e.g. takeaways) from coming forwards altogether.
- Make development undeliverable through additional burdens.

**Alternatives:**
- Engage in Local Plan preparation.
- Engage in planning application consultations.
- Engage in community planning through the Citizens Assemblies.
The Role of the Council in Neighbourhood Planning

8.7 The Council will support groups that wish to pursue Neighbourhood Planning but needs to do this in a manner that is suitable in light of available resources. As such, the nature of the support the Council can offer is set out in protocols available via our Neighbourhood Planning webpage: [www.newham.gov.uk/neighbourhoodplanning](http://www.newham.gov.uk/neighbourhoodplanning). The protocols set out how information should be provided to the Council and how decisions (on Neighbourhood Area and Forum applications) will be made.

<table>
<thead>
<tr>
<th>Public Consultations on Neighbourhood Planning</th>
<th>What we must do by law:</th>
<th>What we will do:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Consult for at least six weeks.</td>
<td>• Consult for a minimum of six weeks – extending consultation to allow for public holidays and other circumstances.</td>
</tr>
<tr>
<td></td>
<td>• Publish the documents submitted to the Council in relation to the specific stage (i.e. NA designation, Forum designation, or NP/NDO submission), and details of how to make representations and by when, on the website and in such other manner as they consider is likely to bring the area application to the attention of people who live, work or carry on business in the area to which the area application relates.</td>
<td>• Make all documents available to view and download on our website.</td>
</tr>
<tr>
<td></td>
<td>• Publish the Local Authority’s Decision Statement on a NA or Forum designation application within 13 weeks (or within 20 weeks if the area also affects a neighbouring Local Authority) from the day after beginning of the consultation.</td>
<td>• Make hard copies of consultation documents available at Newham Dockside and at the Library/Neighbourhood Hub closest to the NA*.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Inform by email all people and groups subscribed to the Stakeholder Database that have a stake in the NA*.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Publish details of the consultation in the Newham Recorder and the Newham Mag.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Publish the Local Authority’s Decision Statement on a NA or Forum designation application as soon as possible.</td>
</tr>
</tbody>
</table>

*boundary as proposed if not yet designated.

Citizens Assemblies and ‘Community Plans’

8.8 Each Community Neighbourhood now operates a Citizens’ Assembly. The assemblies are recurring, large, open meetings where residents come together to decide how to improve their local area by:

• Setting the priorities for the Community Plan.
• Discussing and working together with others to find solutions to local problems.
• Connecting with other local people and sharing knowledge.
• Setting up local projects.
• Giving directions on how funding available to the area is spent.
Since September 2018, each Assembly has been supplemented by a steering/working group to help write and implement the first series of Community Plans. The steering/working groups consist of local people who live, work or learn in the area, alongside Councillors and Council Officers.

The Community Plans, supported through funding from the Community Infrastructure Levy, identify key local priorities and projects. Whilst they do not form part of the Development Plan and so cannot be used for making decisions on planning applications, they complement the Local Plan by addressing non-development matters such as community cohesion and safety, fly-tipping, street lighting, the management of local open spaces etc. These plans have the potential to improve and better manage what’s already in existence, whilst the Local Plan guides further (re)development.

The priorities identified through the Community Plans also serve as feedback to what local residents are looking to improve in their area and, wherever possible, will inform Local Plan policies. It is also likely that the next iteration of the Local Plan will require developer to have regard to the Community Plans when developing schemes, in a similar way to how policy currently requires regard towards infrastructure requirements set out in the Infrastructure Delivery Plan.

Furthermore, the role of Citizens Assemblies in shaping development in the borough is likely to grow, for example through engagement on masterplans for strategic sites (more on this in Section 5).

Further information on Citizens Assemblies, how they function, and where and when you could get involved, please see the Council’s dedicated Citizens’ Assemblies webpage.

**QUESTIONS:**

Q7.1 Is this section clear regarding the nature and role of Neighbourhood Plans (which are prepared by designated Neighbourhood Forums) vs the new Community Plans (which are prepared by Newham’s Citizens’ Assemblies)?

Q7.2 Are this SCI plus the protocols available via our website clear about how the Council will help communities bring forward a Neighbourhood Plan?
9  Key points

Things you can do now to be kept informed about planning and development in Newham:

1) Sign up to our Local Plan Stakeholder Database [here](#)
2) Create a [Public Access](#) account and sign up for ward area notifications
3) Follow the Council’s [Twitter](#), [Facebook](#), and [Instagram](#) accounts
4) Find out what your local [Citizens’ Assembly](#) is up to and whether you can join in future rounds of Community Plan creation.
5) Sign up to your [Community Neighbourhood](#) newsletter

Things to bear in mind:

- Any feedback you give to the Council (i.e. through surveys, comments to elected representatives, or interaction with other departments) feeds in to overall Council strategy / priorities and will help shape future versions of the Local Plan.

- Comments on planning application consultations can only relate to ‘material planning considerations’, i.e. they cannot be given any weight if they relate to private or civil matters like loss of value.

- We always want your views, both on the commitments set out in this SCI, and on how planning in general is handled in Newham. Please continue to communicate ideas and concerns with us, via the contact details in Appendix 2 (next page).

Our commitments:

- We will publish all consultation documents online and make hard copies available at the East Ham Customer Services Centre.

- We will make any engagement events as accessible as possible.

- We will listen to what you tell us, take your comments into account and report back on what has changed as a result.

- If you give us your contact details, we will keep you informed about future planning policy consultations.
Appendix 1: Contact Us

The planning system can be difficult to follow and you may have queries that aren’t answered online. If so, please get in touch with us using the detailed below.

<table>
<thead>
<tr>
<th>If your query relates to Plan Making or Neighbourhood Planning...</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Email the Planning Policy Team at <a href="mailto:localplan@newham.gov.uk">localplan@newham.gov.uk</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>If your query relates to Development Management (Applications and Permissions)...</th>
</tr>
</thead>
<tbody>
<tr>
<td>• For general queries about planning permission email the Planning Duty Officer at <a href="mailto:dutyofficer@newham.gov.uk">dutyofficer@newham.gov.uk</a> or call weekday mornings between 9am and noon on 020 3373 8300</td>
</tr>
<tr>
<td>• If your query relates to a particular proposal contact the application Case Officer. Their details will be provided on any neighbour notification letter or site notice for the application. Alternatively, if you don't have their details you can call or email the Planning Duty service and they can direct you query to right place</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>If your query relates to Development Contributions (CIL and 'Section 106')...</th>
</tr>
</thead>
<tbody>
<tr>
<td>• If you have questions about Newham's CIL email <a href="mailto:CIL@newham.gov.uk">CIL@newham.gov.uk</a></td>
</tr>
<tr>
<td>• If you have a question about Section 106 Agreements email <a href="mailto:planningobligations@newham.gov.uk">planningobligations@newham.gov.uk</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>If your query relates to Planning Enforcement...</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Report Planning Breaches online using the LBN Planning Enforcement Webpage</td>
</tr>
<tr>
<td>• Send an email to the Planning Enforcement Team at <a href="mailto:planning.enforcement@newham.gov.uk">planning.enforcement@newham.gov.uk</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>If you are unsure which team to contact...</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Please call the Council's main switchboard on 020 8430 2000 or visit the East Ham Community Neighbourhood Centre</td>
</tr>
</tbody>
</table>
Appendix 2: Other sources of planning information

National Planning Policy Framework

- The revised National Planning Policy Framework sets out government’s planning policies for England and how these are expected to be applied

The London Plan

- The London Plan is the strategic plan for London, setting out an economic, environmental, transport and social framework for development

Newham Website: Planning

- The Newham website provides guidance on Planning Applications, the Borough’s Local Plan, the Public Access Website and Planning Enforcement process

Planning practice guidance:

- The Planning Practice Guidance (PPG) is a web-based resource which contains planning guidance on various topics

Planning Portal

- The Planning Portal is the national home of planning and building regulations information and the national planning application service

Royal Town Planning Institute (RTPI)

- The RTPI is the principal body representing planning professionals in the United Kingdom and Ireland. The website contains information on key planning topics along with an online directory of Planning Consultants

Locality

- The Locality website is the national membership network for community organisations. The website contains specialist advice, support and resources

Planning Advisory Service

- The Planning Advisory Service (PAS) provides consultancy and peer support, learning events and online resources to help local authorities understand and respond to planning reform

Designing Buildings Wiki

- The Designing Buildings Wiki website is a UK construction industry knowledge base, providing articles about products, services, processes and best practice