

Draft Statement of Community Involvement

London Borough of Newham

October 2021



We welcome any comments you might have on this draft Statement of Community Involvement (SCI). Consultation will take place from **18th October 2021 – 17 December 2021**. Full details of how you can comment on this document can be found on the consultation page at www.newhamco-create.co.uk or on the planning policy pages at www.newham.gov.uk/localplan. Comments can also be emailed to localplan@newham.gov.uk.

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](#).

WE ARE NEWHAM.

People at the Heart
of Everything We Do

Contents

| | |
|---|-----------|
| Mayor's Foreword | 4 |
| 1 Introduction | 5 |
| 2 Opportunities for involvement | 6 |
| 3 Plan making | 7 |
| 4 Development Management | 19 |
| 5 Enforcement | 25 |
| 6. Developer contributions and scope to influence spending (Neighbourhood CIL) | 26 |
| 7 Neighbourhood planning | 28 |
| 9 Key points | 29 |
| Appendix 1: Contact Us | 30 |
| Appendix 2: Other sources of planning information | 31 |
| Appendix 3: Plan-making consultees | 32 |

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

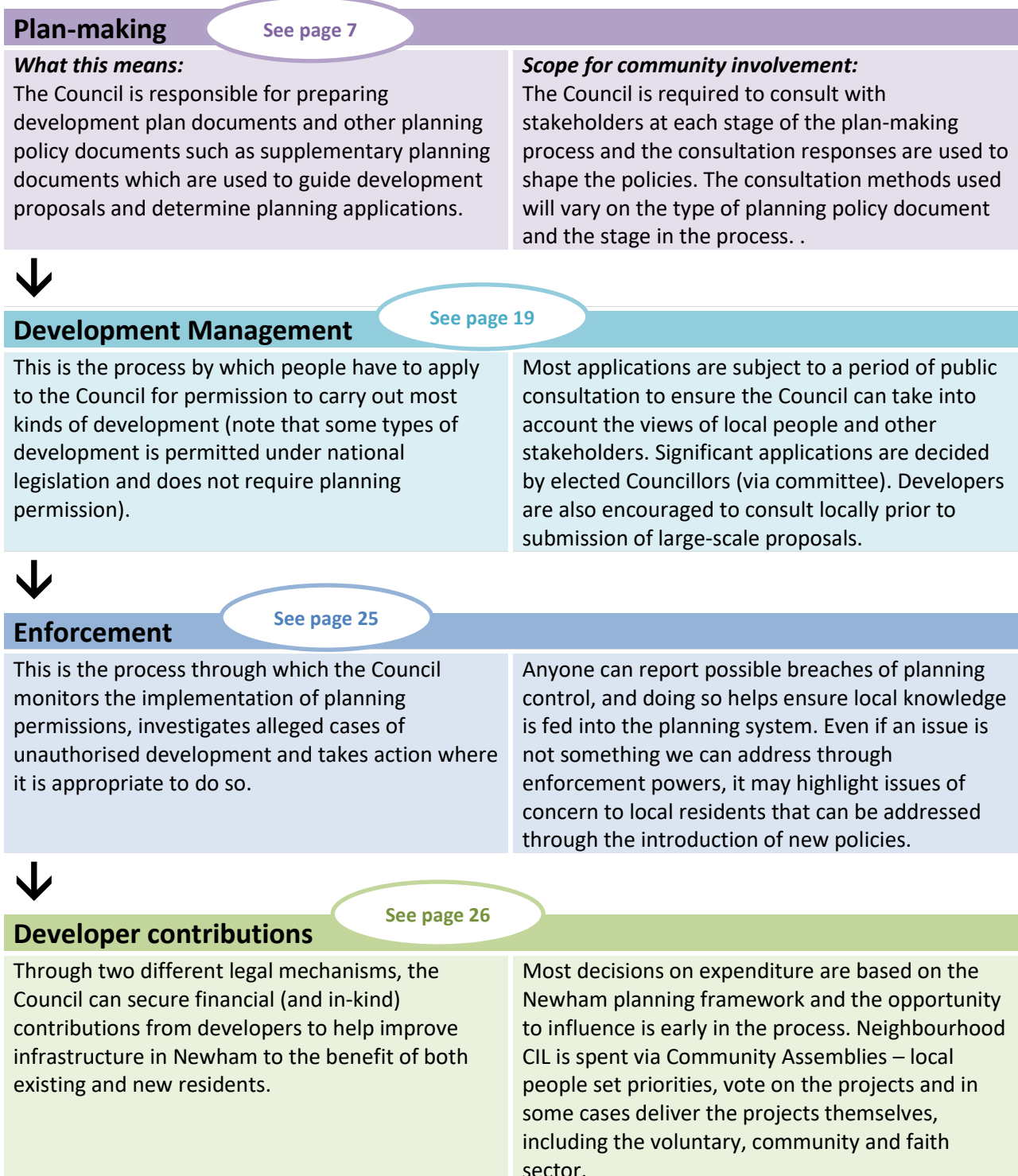
1 Introduction

- 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 who know best 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 A Statement of Community Involvement (SCI) sets out how a Local Planning Authority (LPA) will engage and consult with the local community and other stakeholders on planning matters, bringing transparency and openness to planning processes. The SCI sets out how and when stakeholders can be involved in the preparation of planning policy documents and in the consideration of development proposals. This includes pre-applications, planning applications, planning enforcement and spend of developer contributions. It also sets out the guidance and support that will be provided to local groups in the preparation of their neighbourhood plan. The Council is the LPA for most of Newham, noting that the London Legacy Development Corporation¹ is the LPA for an area including the Olympic Park and parts of Stratford until 2024.
- 1.3 The SCI establishes an engagement framework to ensure planning in Newham encourages, enables and values community engagement. This is in line with the Council's principles of Community Wealth Building and People at the Heart of Everything We Do, and aims to improve openness and transparency and enable collaboration and co-production. This will be done by:
- placing the lived experiences of residents at the centre of consultation and engagement;
 - ensuring consultation is fair, fun and easy;
 - bringing consultation into places and spaces that lived in by the community; and
 - giving local residents the skills and confidence for a better understanding of the planning system.
- 1.4 The Council will maximise the use of enhanced methods of communication, data sharing and methods that reach under-represented and digitally excluded groups. It will also ensure consultation and engagement on planning matters is as accessible as possible and provides opportunities to empower younger members of the community. This approach is consistent with the Council's priority of embedding a culture of participatory democracy and involving residents in decision-making, including through capacity-building. A Resident Participation Framework is currently being developed by the Council. The framework will set the principles of how the Council supports engagement, co-production and participation and once developed, will supplement the principles and methods set out in this SCI. The Council will also remain responsive to the opportunities presented by new systems, data and technologies to better engage with communities, deliver public benefits and improve transparency at both plan-making and planning application stage.

¹ <https://www.queenelizabetholympicpark.co.uk/planning-authority/planning-area-map>

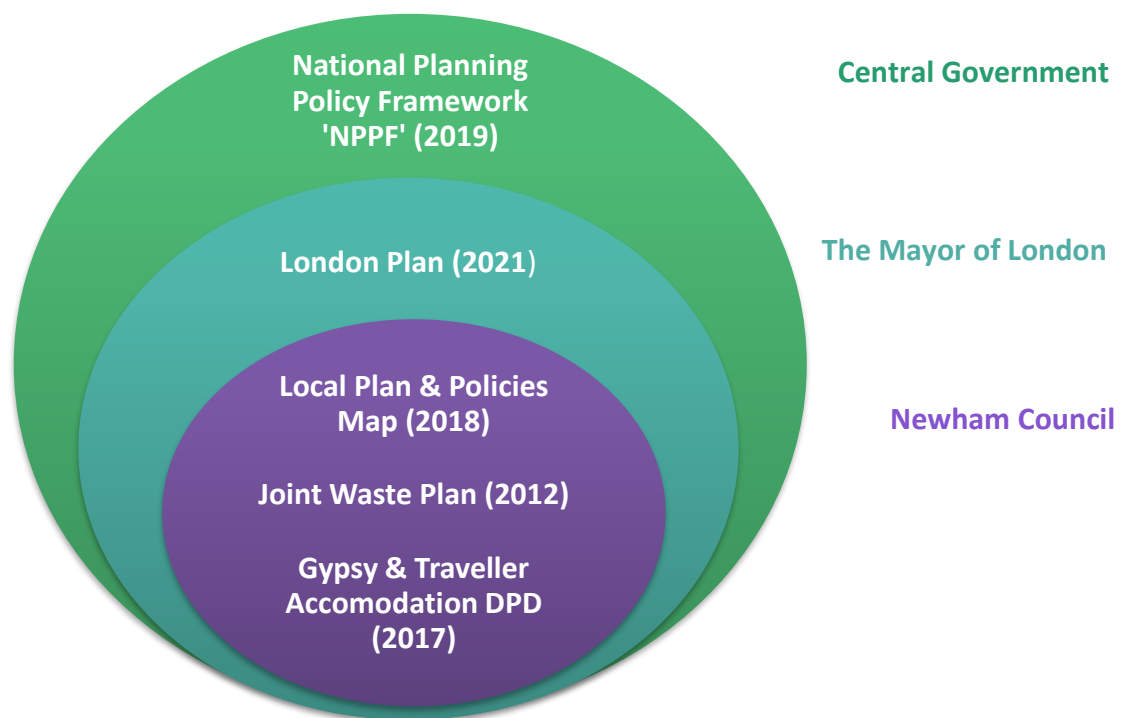
2 Opportunities for involvement

- 2.1. Engagement with residents and other stakeholders is a key part of the planning system, giving stakeholders the opportunity to shape the place they have a stake in. These opportunities exist at the plan-making stage, during the consideration of planning applications, the enforcement of planning decisions and the scope of developer contributions for local infrastructure. The tables below set out the scope for involvement at each stage.



3 Plan making

- 3.1. Planning policies are used to make decisions on planning applications received by the Council. These policies are set out at a national level (in the National Planning Policy Framework), at a regional level (in the London Plan, produced by the Mayor of London) and at a local level (in Development Plan Documents produced by the Council and in any made neighbourhood plans produced by local groups designated as neighbourhood forums).
- 3.2. In Newham, the Development Plan currently consists of the London Plan 2021, the Newham Local Plan 2018, the Joint Waste Plan 2012 and the Gypsy and Traveller Accommodation Development Plan Document DPD. Newham's Development Plan must be consistent with national policy and in general conformity with the London Plan.
- 3.3. For reference, all local documents are available via the Council's [website](#). A review of the Newham Local Plan is currently underway and the timetable for the review is set out in the [Local Development Scheme](#).



Preparing a Local Plan

- 3.4. The flowchart below sets out the main stages of the plan-making process. Planning legislation requires two formal rounds of consultation although the Council may choose to undertake an additional round of consultation at the start of the process, often known as the Issues and Options stage. The views collected during consultation and engagement with stakeholders form part of the evidence base to support the Local Plan and sit alongside the other evidence produced to support and justify policies. Newham's existing evidence base is available to view [online](#).
- 3.5. During the implementation of a Plan, policies will be monitored to see if they are effective in delivering the Plan's aims and this monitoring forms part of the evidence to inform future

reviews Local Plans should be reviewed to assess whether they need to be updated at least once every five years, taking account of changing circumstances in an area or changes to national policy, and should be updated as necessary.

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 new trends and priorities, issues and opportunities.
- Monitoring of adopted planning policies
- Where needed, technical studies that add to existing knowledge by telling us, for example, types of new homes needed or how much land is required for industry.

Issues & Options

- Using this evidence, we may 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.
- Public consultation is wide-reaching to assess whether we have identified all issues and possible approaches.

Draft Local Plan

- Listening to what people and the evidence tells us, we produce a full draft Local Plan and ask for feedback on the policies through a round of formal public consultation.

Publication

- Consultation responses inform the final draft of the Local Plan. This is the version the Council considers meets all of the legal and policy requirements and the version it intends to submit for examination.
- The final draft is published for a formal round of consultation and specifically seeks comments on the 'soundness' of the plan and whether the legal requirements have been met.
- We are always interested in resident and local business feedback and will do our best to address any new issues raised.

Submission / Examination

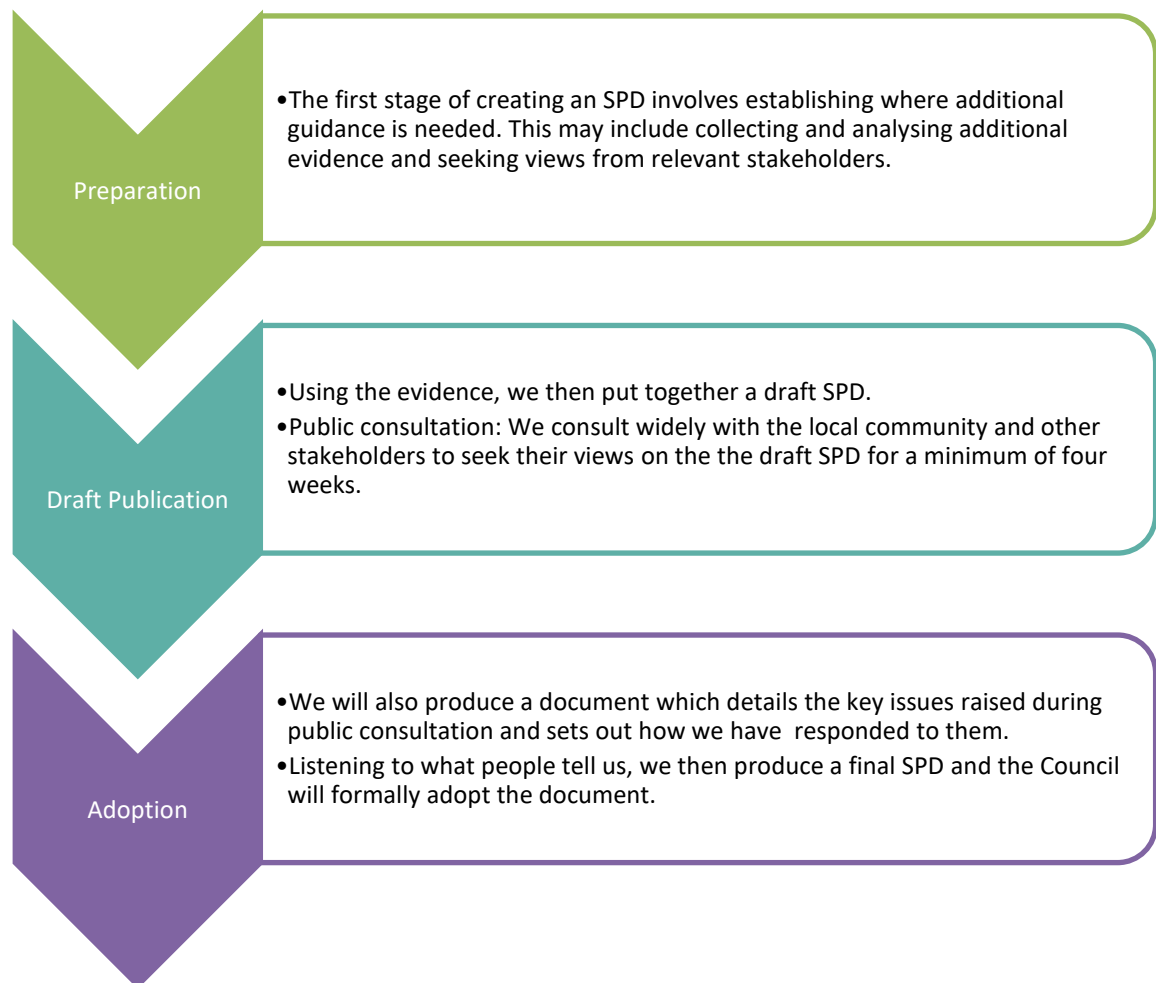
- The draft Local Plan (along with its supporting evidence) are submitted to The Planning Inspectorate (a Government body) for 'Independent Examination'.
- The Examination provides a further opportunity for anyone who has previously commented to present any concerns direct to the examining Inspector 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'. These recommended changes will undergo consultation.
- Once the Council formally adopts the Local Plan, its policies will be implemented and monitored.

Creating other local planning documents

- 3.6. 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) which provide additional detail to Local Plan policies and generally look at specific issues such as conservation and design guidance or Masterplans which look at specific sites or areas. SPDs are not examined by the Planning Inspectorate in the same way as the Local Plan, but still go through public consultation to ensure that stakeholders' are incorporated. Engagement may also take place on other documents such as conservation area appraisals or design briefs. The diagram below sets out the stages of creating an SPD.



Who do we involve?

- 3.7. Local knowledge about the experience of living or working in Newham (from residents, businesses, community groups) is vital to create planning policy documents that respond 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, including residents, local organisations, businesses, developers and landowners. We are also required to seek the input of other stakeholders, such as other public bodies (such as Transport for London, Historic England, Natural England and the Environment Agency) and neighbouring boroughs. The list of statutory, general and Duty to Cooperate bodies for plan-making is set out in Appendix 3.
- 3.8. The Council also recognises that there are particular groups that it has been less successful in reaching when engaging and consulting with stakeholders on planning issues and that there are groups that are digitally excluded. Particular effort will therefore be made to reach these groups when selecting consultation and engagement methods and to mitigate any potential equalities and accessibility issues where they arise.

How do we involve stakeholders?

- 3.9. The Council has available a range of consultation and engagement methods to reach a broad range of stakeholders. In addition to any statutory requirements the Council will use the method or methods appropriate to the policy document in question, having regard to issues such as digital exclusion, equalities considerations and accessibility.
- 3.10. Outside of formal consultation periods the Council seeks to undertake 'continuous engagement' activity that we undertake or make use of at different stages of the plan-making process. 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. The methods that may be used are set out in Table 3.

Formal Consultation

- 3.11. The tables below provide further information on how we consult during formal public consultation on the Local Plan and other local planning documents. Table 1 details our minimum commitments (that will always happen) and Table 3 provides further detail on these minimum commitments and other methods we may use as forms of consultation and engagement. Additional publicity and engagement activity may occur through taking advantage of additional avenues as practices evolve and new opportunities become available.
- 3.12. 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.

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 be 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](#).

Table 1: Local Plan consultations:

| Plan-making stage | Legal requirement | How we satisfy this requirement |
|--------------------|--|---------------------------------|
| Issues and Options | While there is no requirement to do so, the Council may undertake an additional round of consultation known as Issues and Options, which generally sets out the issues for a Local Plan and potentially options for addressing them. | n/a |

| | | |
|--|--|--|
| <p>Preparation of a Local Plan (Regulation 18)</p> | <p>Notify specific consultee bodies, general consultation bodies, residents and those carrying out business in the borough on the subject of the proposed Local Plan and invite representations on what the Local Plan should contain.</p> | <p>Make all documents available to view and download on our website, with free internet access available at all Newham libraries.</p> <p>Consult for a <i>minimum</i> of six weeks – timing, and if necessary extending, consultation to take into account religious festivals, public holidays, and other relevant circumstances where known.</p> <p>Notify stakeholders via the Local Plan stakeholder database.</p> <p>Other consultation and engagement methods may be used depending on the scope of the development plan document.</p> |
|--|--|--|

| | | |
|--|---|--|
| <p>Publication of a Local Plan (Regulation 19)</p> | <p>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 and at such other places the local planning authority consider appropriate during normal office hours .</p> <p>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.</p> <p>Notify general consultation bodies and specific consultation bodies that the statement of the representations procedure and a statement of the fact that the proposed submission documents are available for inspection and the places and times in which they can be inspected.</p> | <p>Make all documents available to view and download on our website, with free internet access available at all Newham libraries.</p> <p>Consult for a <i>minimum</i> of six weeks – timing, and if necessary extending, consultation to take into account religious festivals, public holidays, and other relevant circumstances where known.</p> <p>Make hard copies of consultation documents available at the East Ham Customer Service Centre. Where it is not possible to make hard copies available documents will be available on the council's website.</p> <p>Notify stakeholders via the Local Plan stakeholder database.</p> <p>Other consultation and engagement methods may be used depending on the scope of the development plan document.</p> |
|--|---|--|

Table 2: SPD consultations:

| Legal requirement | How we satisfy the requirement |
|--|--|
| <p>Consult for four weeks.</p> <p>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.</p> <p>Before adoption of the SPD, prepare a statement setting out the persons consulted when preparing the supplementary document, a summary of the main issues raised and how those issues have been addressed in the SPD.</p> | <p>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. Only one round of consultation will be undertaken unless significant alterations are required.</p> <p>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. Where it is not possible to make hard copies available documents will be available on the council's website.</p> <p>Notify stakeholders via the Local Plan stakeholder database.</p> <p>Other consultation and engagement methods may be used depending on the scope of the SPD.</p> |

Table 3: Potential consultation and engagement methods

| Consultation and engagement method | Further detail |
|------------------------------------|---|
| Website | <p>The council website includes pages dedicated to planning policy and current planning policy documents.</p> <p>All planning policy consultations will be published on the planning policy webpages and on the council's dedicated consultation pages.</p> |
| Digital consultation platforms | <p>Planning policy consultations may be published on digital consultation platforms. The platforms have a range of functionalities, such as allowing stakeholders to review and comment on documents and maps and can be tailored to each planning policy consultation².</p> |

² New and innovative methods are marked as *

| | |
|---------------------------------|--|
| Email | Email will be used to notify stakeholders of planning policy consultations. Details of how to sign up to the stakeholder database are set out in paragraph 3.12. Stakeholders may also be notified through Council-wide mailing lists and networks. |
| Social media | Planning policy consultations will be publicised through the Council's social media platforms and short videos may also be produced to explain and promote consultations. Social media may be used as a form of collecting consultation responses, such as through the use of video*. |
| Libraries and community centres | <p>Hard copies of planning policy documents will be made available at East Ham customer service centre. They may also be made available at libraries and community centres. The documents will be available to view during normal opening hours.</p> <p>Where it is not possible to make hard copies available documents will be available on the council's website.</p> |
| Local paper and public notices | Public notices, adverts and articles may be used to publicise planning policy consultations in local papers and the Newham Mag. |
| Posters | Posters may be used to publicise consultations in key locations such as libraries and community centres. These may also be displayed on digital display boards in locations in the borough. |

| | |
|--|--|
| Workshops, drop-in sessions and focus groups | In the spirit of co-production and collaboration, workshops, drop-in sessions and focus groups may be held with stakeholders to actively seek their views and comments on policy topic papers. They may also take place during the preparation of evidence base documents. In some situations it may be appropriate to work in collaboration with local organisations or stakeholders in the design of sessions to ensure the content and format of the workshops is tailored to meet the needs of specific stakeholders*. This may also involve engaging with existing council networks, services and local schools. In some circumstances it may be more appropriate to hold exhibitions virtually, using platforms such as Zoom or Teams. |
| Surveys and questionnaires | Surveys and questionnaires may be used as a method of collecting stakeholders' feedback. They may also take place during the preparation of evidence base documents. The planning policy team will also make use of the results of other council surveys, such as resident surveys, during the preparation of the Local Plan to understand residents' views on particular issues. |
| Local councillors | Locally elected councillors play a key role in shaping planning policy document and notifying residents and businesses about local planning consultation, identifying local issues and identifying groups and stakeholders in their areas that the council has previously not been successful in consulting and engaging on planning issues. Member enquiries may also be used as a means of understanding particular issues. |
| Citizen Assemblies | The recommendations of particular Citizen Assembly topics may be relevant to planning and used to inform the development of planning policy documents*. |
| Community Assemblies | Community Assemblies may be used to identify neighbourhood specific priorities and issues. |

| | |
|--|---|
| Neighbouring authorities and other public bodies | Engagement and joint-working with neighbouring authorities and other public bodies will take place throughout the preparation of the Local Plan, including on evidence-base documents, to address cross-border and strategic planning issues. |
| Ethnographies | In-depth conversation with stakeholders may be used, particular where there are gaps in representation of stakeholders in a consultation or engagement exercise*. |

General Data Protection Regulations

- 3.13. All personal data collected during consultation and engagement exercises will be managed in accordance with GDPR and the Data Protection Act 2018 and as set out in the Council's [privacy notice](#).

4 Development Management

- 4.1. Development Management consider development proposals that are submitted to the Council. Newham processes thousands of development applications every year. These vary in type and scale, ranging from large-scale 'major' mixed-use development to listed building consent 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](#).
- 4.2. Some types of development are covered by permitted development rights which set out in national legislation and allow certain types of development to take place without full planning permission. Government guidance on what requires planning permission can be found [here](#).
- 4.3. In general, the process is as follows:



- 4.4. 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.
- 4.5. National legislation sets out the minimum standards for consultation on planning applications. 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.
- 4.6. To assist residents and other local stakeholder in accessing planning applications, major applications are required to be submitted with a summary sheet which gives an overview of the scheme and explains what each of submitted document does.

Early Engagement (Pre-application), Masterplanning & Design

- 4.7. National policy encourages applicants to hold informal discussions with the local planning authority prior to formally submitting a planning application. The Council encourages applicants to engage with the Council's pre-application process and to show evidence of early and meaningful engagement with local people, particularly on large or complex proposals.
- 4.8. The Council recognises that generally, other than on large scale infrastructure projects, the choice to undertake pre-application 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 local community and other stakeholders, recognising that consultation is key to shaping a development, ensuring its impact are acceptable to the community and stakeholders, enable better coordination between public and private resources and improved outcomes for the community.

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

Table 4: Recommended engagement activities for developers, according to scale of proposal:

| | |
|--|---|
| <p>Householder and small business Examples:</p> <ul style="list-style-type: none"> development (that requires planning permission) within the curtilage of a house (some extensions, conservatories, loft conversions, dormer windows etc) business premises up to 300m² | <ul style="list-style-type: none"> Discuss proposal with neighbours and other nearby occupiers / owners of properties and land. <p>Use of the Council’s pre-application advice service is encouraged.</p> |
| <p>Minor development:</p> <ul style="list-style-type: none"> New dwelling(s) comprising fewer than 10 homes less than 1000m² of non-residential floorspace (new or change of use) | <p><i>The above +</i></p> <ul style="list-style-type: none"> Engage with local interest groups (e.g. neighbourhood forums / residents associations) at earliest possible stage in developing the proposal. <p>Use of the Council’s pre-application advice service is encouraged.</p> |
| <p>‘Small’ Major development:</p> <ul style="list-style-type: none"> 10 - 24 homes; or, 1,000 – 4,999 m² of non-residential floorspace | <p><i>The above +</i></p> <ul style="list-style-type: none"> Discuss proposal with relevant statutory bodies, flyers/mail drop to interested parties. <p>Use of the Council’s pre-application advice service is <u>strongly</u> encouraged.</p> |
| <p>‘Medium’ Major development:</p> <ul style="list-style-type: none"> 25 - 150 homes: or, 5,000 - 14,999 m² of non-residential floorspace | <p><i>The above +</i></p> <ul style="list-style-type: none"> Public meeting with interested parties / an exhibition and drop-in session in an accessible local venue. Publicise via website, local press, social media and flyers. Engage with relevant ward councillors |

| | |
|--|--|
| | Use of the Council's pre-application advice service is <u>strongly</u> encouraged. |
| 'Significant' Major development: <ul style="list-style-type: none"> • 151 or more homes • 15,000 m² or more of non-residential floorspace or on a site of at least 2 hectare • Any waste facility development | <i>The above +</i> <ul style="list-style-type: none"> • 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 <u>strongly</u> encouraged. |

4.10. Details of the Council's pre-application process can be found on the [council's website](#).

How the Council will publicise planning applications

4.11. Table 5 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.

4.12. Consultation on planning applications is primarily via our online planning register, Public Access. See more details at paragraphs 4.13 – 4.16.

Table 5: Publicising Planning Applications

| Application type | Legal requirements for consultation | SCI commitments to consultation |
|--|--|---|
| Application accompanied by an EIA (Environmental Impact Assessment) | <ul style="list-style-type: none"> • Site Notice • Newspaper Publication • Website | <ul style="list-style-type: none"> • 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 | <ul style="list-style-type: none"> • Site Notice OR Letter to adjoining property • Newspaper Publication • Website | <ul style="list-style-type: none"> • Site Notice • Letter to adjoining properties (minimum 50m buffer applied) • Newspaper Publication • Website: Public Access |
| Minor development: | <ul style="list-style-type: none"> • Site Notice OR Letter to adjoining property • Newspaper Publication ONLY where affecting the character or appearance of a Conservation Area or Listed Building • Website | <ul style="list-style-type: none"> • Site Notice • Letter to adjoining properties¹ • Newspaper Publication ONLY where affecting the character or appearance of a Conservation Area or Listed Building • Website: Public Access |
| Change of Use | | |
| Variation or removal of condition(s) attached to a previous approval | | |

| | | |
|--|--|---|
| Householder Development | <ul style="list-style-type: none"> • Site Notice OR Letter to adjoining property • Newspaper Publication ONLY where affecting the character or appearance of a Conservation Area or Listed Building • Website | <ul style="list-style-type: none"> • Site Notice ONLY where affecting a Listed Building or is in a Conservation Area • Letter to adjoining properties¹ • Newspaper Publication ONLY where affecting the character or appearance of a Conservation Area or Listed Building • Website: Public Access |
| Listed Building Consent | <ul style="list-style-type: none"> • Site Notice • Newspaper Publication • Website | <ul style="list-style-type: none"> • Site Notice • Letter to adjoining properties¹ • Newspaper Publication • Website: Public Access |
| Advertisement Consent | Nil | <ul style="list-style-type: none"> • Website: Public Access |
| Approval of Details | | |
| Non-material amendments | | |
| Certificate of Lawful Use or Development (existing and proposed) | | |
| Householder Prior Approval applications | <ul style="list-style-type: none"> • Letter to adjoining property | <ul style="list-style-type: none"> • Letter to adjoining property¹ • Website: Public Access |
| Other Prior Approval Applications | <ul style="list-style-type: none"> • Site Notice OR Letter to adjoining property depending on legislative requirements | <ul style="list-style-type: none"> • Site Notice OR Letter to adjoining properties depending on legislative requirements¹ • Website: Public Access |
| Works to Protected Trees | <ul style="list-style-type: none"> • Site Notice | <ul style="list-style-type: none"> • Site Notice • Letter to adjoining properties¹ • Website: Public Access |

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

- 4.13. The Council will continue to explore methods of making planning applications more accessible. This includes the use of interactive maps tools to show planning applications in the borough, which would help residents see applications in their neighbourhood and advertising major applications on social media.

How to find out about planning applications

- 4.14. 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.
- 4.15. 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.
- 4.16. If you have any difficulty accessing documentation from the Public Access Website, you can contact the Duty Planning Officer (see Appendix 1) or the Planning Case Officer of a current application 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.
- 4.17. When searching for application documents, please be mindful that all documentation submitted alongside Planning Applications will be protected in accordance with UK General Data Protection Regulations (UK GDPR) to ensure the protection of sensitive information.

Ways to comment

- 4.18. We welcome comments from the community and stakeholders on all applications received by the Council.
- 4.19. 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.
- 4.20. The preferred way to comment on Planning Applications is to use 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. To comment on an application, search for the one you want using the site address or planning reference number, then choose 'Make a comment'.
- 4.21. If stakeholders are unable to access or use this service they can email the Planning Case Officer directly, attaching their comments as a PDF if possible. If the above two options are not accessible, comments can be sent in writing to the Case Officer using the following address: **FAO [INSERT PLANNING CASE OFFICER NAME]**, Development Management, 1st Floor, West Wing, 1000 Dockside Road, London, E16 2QU

How we make decisions

- 4.22. Once an application has been through public consultation, a Planning Case 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.
- 4.23. While 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](#).
- 4.24. Where applications are larger, complex, or controversial, a recommendation report will be prepared by the Planning Case 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](#).
- 4.25. 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.
- 4.26. 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 [GLA's website](#).

Appeals

- 4.27. 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.
- 4.28. 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.
- 4.29. Further guidance on providing comments on appeals is provided by the [Planning Inspectorate](#).

5 Enforcement

- 5.1. 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.
- 5.2. 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](#).
- 5.3. 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.

6. Developer contributions and scope to influence spending (Neighbourhood CIL)

- 6.1. 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 which requires a developer to provide money or in-kind delivery which is required to make a development acceptable in planning terms (for example, 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.
- 6.2. 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 will be kept under review. This section of the SCI builds upon the work the Council has already started to make this process more transparent and inclusive.

The Community Infrastructure Levy (CIL)

- 6.3. 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.
- 6.4. 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 legislation³ and requires us to consult on draft rates before they can be submitted to the Planning Inspectorate for review.
- 6.5. The expenditure of the money collected from CIL has to-date been in accordance with our Infrastructure List⁴, the priorities of the Council and the Infrastructure Delivery Plan.
- 6.6. 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 (for example, education, highways etc).

³ Part 3 of the Community Infrastructure Levy Regulations 2010 (as amended) deals with charging schedules

⁴ Our current ‘Infrastructure List is available here: www.newham.gov.uk/cil

- 6.7. While the IDP is updated annually in liaison with infrastructure providers 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. The IDP sets out the need for infrastructure and, where it is known, the funding and organisations to deliver this investment. The Council's Capital Strategy is updated with reference to the IDP and sets out the Council's investment priorities.
- 6.8. The Council uses neighbourhood CIL money as the funding for participatory budget setting. From April 2021 Community Assemblies in the eight community neighbourhood areas have been given the same amount of money to engage with resident groups and the voluntary, community and faith sector to establish projects based on the priorities established by local people. During 2019/20 – 2020/21 15% of Newham's CIL was attributed to the Neighbourhood CIL; from 2021/22 onwards this will increase to 20% of Newham's CIL.

Increasing the visibility on Developer Contributions

- 6.9. 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](#). The format of the report has changed to respond to the statutory requirement to standardise the information published by all Councils – this first became effective from the 2019/20 year-end report.
- 6.10. 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.

7 Neighbourhood planning

- 7.1. 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 a neighbourhood plan (planning policies) for their area. Neighbourhood planning is community-led, however the Council has a duty to provide advice and assistance as part of the neighbourhood planning process.
- 7.2. Community groups, subject to certain criteria, can apply to the Council for designation as neighbourhood forums and for the designation of neighbourhood areas. Neighbourhood forums are responsible for preparing Neighbourhood Development Plans, Community Right to Build Orders or Neighbourhood Development Orders.
- 7.3. The Council is committed to providing support to emerging and established neighbourhood forums. The Council has prepared [detailed guidance](#) which sets out our policies for providing advice and assistance in relation to neighbourhood planning. The guidance can be found at www.newham.gov.uk/neighbourhoodplanning.

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 we can take into consideration when making a decision 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.

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.

If your query relates to Plan Making or Neighbourhood Planning...

- Email the Planning Policy Team at **localplan@newham.gov.uk**

If your query relates to Development Management (Applications and Permissions)...

- For general queries about planning permission email the Planning Duty Officer at **dutyofficer@newham.gov.uk**
- 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

If your query relates to Development Contributions (CIL and 'Section 106')...

- If you have questions about Newham's CIL email **CIL@newham.gov.uk**
- If you have a question about Section 106 Agreements email **planningobligations@newham.gov.uk**

If your query relates to Planning Enforcement...

- Report Planning Breaches online using the **LBN Planning Enforcement Webpage**
- Send an email to the Planning Enforcement Team at **planning.enforcement@newham.gov.uk**

If you are unsure which team to contact...

- Please call the Council's main switchboard on **020 8430 2000** or visit the East Ham Community Neighbourhood Centre

Appendix 2: Other sources of planning information

National Planning Policy Framework

- The [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

Appendix 3: Plan-making consultees

Specific consultation bodies:

- Coal Authority
- Environment Agency
- Historic England
- the Marine Management Organisation
- Natural England
- Network Rail
- Highways Agency
- Neighbouring authorities
- Homes and Communities Agency
- Mayor of London
- NHS
- Utilities providers

General consultation bodies:

- Voluntary groups and those who represent the interests of different racial, ethnic, national groups; disabled persons; different religious groups; and persons carrying on businesses in Newham.

Duty to Cooperate bodies:

- Neighbouring authorities
- Environment Agency
- Historic England
- Natural England
- Mayor of London
- Civil Aviation Authority
- Homes and Communities Agency
- Clinical Commissioning Groups
- Office of Rail Regulation
- Transport for London
- Integrated Transport Authorities
- Highways Authorities
- Marine Management Organisation
- Local Enterprise Partnerships
- Local Nature Partnerships