
Statement

Of Community Involvement

London Borough
of Redbridge

December 2020





London Borough of Redbridge
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Published December 2020

Foreword

For decades, Redbridge has promised its residents a great quality of life.

We have high performing schools, excellent parks and green spaces, good transport links and strong local communities. From East End working class communities leaving the inner city, to families arriving in the borough from many parts of the world seeking better

prospects, we have always welcomed different people to the borough and the opportunities it offers. Each generation renews our borough's promise to provide a great quality of life.

This Statement of Community Involvement (SCI) aims to start a debate about how we can all work together – as public services, voluntary organisations, communities and individuals – to restate who we are and what we want for the future of Redbridge.

Our challenges are clear. London's post war decline turned around in the 1980s and 1990s, and since then Redbridge's population has grown and changed substantially. The population is projected to rise by around 30,000 over the coming decade as Crossrail brings new residents into Ilford and its surrounding neighbourhoods.

As our population grew over the years, not enough new homes were built to accommodate our new residents. As such, our average household size is now the second largest in the country and the historically low levels of investment in social housing has left Redbridge with the second smallest amount in London.

The ability of our public services to respond to these challenges in traditional ways is increasingly constrained by austerity. As neighbouring boroughs build new homes, infrastructure and retail facilities to meet their demands, and the economy changes, we also need to ensure our communities are brought along with a changing London.

The SCI is part of our joint effort towards making Redbridge a Great Place to Live.



Cllr Sheila Bain

Cabinet Member for Planning and
Planning Enforcement

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Part 1: Key Information

Note Regarding Current Covid-19 Restrictions

At the time of publication, physical events are restricted due to Covid-19. The Council has switched to online planning committee meetings, and resident engagement will primarily take place online, with some postal engagement and other engagement where social distancing can be maintained (e.g. suggestion boxes).

Note Regarding Planning Reform

At the time of publication, the Government's Planning White Paper is proposing significant reform to the planning system, which will affect plan-making and development management. The Council will continue to consult residents, however the procedures may differ from at present.

1 About Planning

1.1 What is the Statement of Community Involvement (SCI)?

1.1.1 Our Statement of Community Involvement (SCI) sets out our approach to how and when we will involve the community when producing Local Plans and other planning policy documents (plan-making), and when planning applications are submitted for development proposals.

1.1.2 Further information is included about neighbourhood planning, planning enforcement, developer contributions;

and our approach to the engagement and consultation that developers do themselves.

1.1.3 The SCI is a statutory document the Council is required to produce, and it focuses on the work the Council does as a Local Planning Authority. Other parts of the Council are also required to consult the public on policy changes (for example, on changes to car parking or education provision), but this document focuses on the consultation process for the planning system, which is mostly about the development or redevelopment of buildings and land.

1.1.4 There will usually be a combination of information, consultation, participation and partnership working depending on the nature of the document or development proposal being proposed.

1.1.5 In the context of this document, the "community" referred to are all Redbridge residents, workers, community groups, businesses, statutory organisations, and anybody else who has an interest in planning in the area.

1.1.6 Redbridge Council adopted its previous SCI in 2006; however, since it was originally published there have been many changes to planning legislation, requiring a new version. Additionally, the Council's priorities have evolved, and technological advances have changed the way public consultation is undertaken.

1.2 What is planning?

- 1.2.1 In a strict sense, planning is the regulatory system for the use of land, which seeks to balance public and private interests and secure the **best use of land**.
- 1.2.2 In a broader sense, it includes the idea of **place leadership** and how the council and other authorities actively manage towns and communities.
- 1.2.3 The planning system includes creating Planning Policy, as well as decisions on new development and changes of use that are guided by planning policy. There are also areas of law and Council activity linked to planning, but which are not usually part of the planning system (**see pages 8 and 9**).
- 1.2.4 Many types of development (such as housing, schools, retail, or offices) will have a benefit for its occupiers and may have some impact upon its immediate neighbours; however most types of development will provide a benefit to the broader area. The planning system seeks to maximise the positive benefits of new development and minimise negative impacts; and the decision making process allows for different benefits and impacts to be compared in advance and a balanced decision to be made; noting that planning is generally concerned with land use in the public interest and not the protection of purely private interests.
- 1.2.5 Another reason to regulate land use is because land is a finite resource, particularly in a city as significant as London; meaning that it is important to ensure that land can be “recycled” through redevelopment to provide for new uses.

1.3 How and when can you be involved in planning?

- 1.3.1 Planning is important and the community should be involved in it, because of how planning shapes our streets, buildings, and places in a way that affects how people live their lives; and it concerns both strategic decisions (such as the broad areas where new development is to be focused), and the details of new developments that can affect its quality (including design and materials).
- 1.3.2 There is also the opportunity to go beyond more passive involvement in planning to active creation with Neighbourhood Planning.
- 1.3.3 You can be involved in planning at various stages - usually it is good to be involved earlier, but remember that there may be less information and detail at the very start of a project than for a final proposal. Community involvement in planning is more effective when it occurs at an earlier stage (such as during plan-making), because it is during these earlier stages that the guidelines for different types of development, and individual areas and allocated sites, will be set.
- 1.3.4 There are various publicity and consultation techniques that the Council will use when consulting on planning policy and/or planning applications.
- 1.3.5 These include exhibitions, workshops, online surveys, drop-in session, and questionnaires. They will be publicised using neighbour notification letters, email, leaflets, newsletters, press releases, and social media.
- 1.3.6 You can get involved during the plan-making process for the Local Plan, as well as during the production of other

Table 1.1 - Diagram showing main areas of

Main planning areas

These are the core areas that the planning system in the United Kingdom covers.

Planning Policy

Planning includes creating plans, which include strategic policies to provide an overall vision for different locations and policy topics (in order to meet housing, economic, social, and environmental requirements), as well as detailed criteria for different types and locations of development. Policies are not laws, but planning law requires that policies are used when planning decisions are made (subject to other factors known as “material considerations”).

New Development

A key part of planning, and that most familiar to the public, is managing new development (i.e. the buildings and structures that are the end result of construction activity). The right to develop land is nationalised, and is then given back to property owners and others through “permitted development” (certain changes to properties that are normally allowed by default), and through granting planning permission.

Land Use

Planning also covers material changes of use of a building or land, even when there are no physical works to the building. What is a “material” change of use will vary, but it normally means that the previous use is no longer the unambiguous main use of a property. Certain changes are however within the same use class (such as between different types of retail shop) and are therefore mostly uncontrolled, or are permitted development.

Other related areas

These are things related to planning that inform our overall strategies and Local Plan, but that are governed / regulated separately so we are not always able to consider them when deciding individual planning applications.

Activity and change

The planning system covers some activity which is inevitable with a certain type of development and has implications on the design or external impact of a development (this can include some aspects of traffic and construction activity, using planning conditions). The planning system doesn't cover the full range of activities that might happen within a certain type of building, because these are primarily personal and business decisions affected by a variety of factors, and are controlled with other legislation.

Additionally, whilst the planning system can manage development, it is inevitable that there will be changes to businesses, other public bodies, and society that alters the need and demand for different types of development. The Council can influence this through its regeneration and economic development work, but many changes that have an impact upon demand for different types of property (such as the rise of online shopping, NHS reform, or the introduction of Universal Benefit) are of a London-wide, national, or even international scale.

Land law

The planning system sits alongside a much older system of land law, an area of civil law which covers issues such as easements (including rights to light), covenants, leases, boundaries, and party walls. Planning permission works independently of these and can be granted without these other factors being resolved; but that does not mean that land law can be ignored by developers. The Council is not generally able to enter into correspondence regarding these matters; you are advised to contact a solicitor or party wall surveyor.

Other Council activities

The Council has powers in relation to many areas, including highways, parking, public services, open spaces, and environmental health; and is also required to consult on policy changes in these other areas. The day-to-day operation of these areas is separate to planning, however the Council will use the planning system (such as policies and site allocations) to support its wider corporate objectives of improving Redbridge as a place, and to create improvements in other services of interest to the community.



planning policy documents.

1.3.7 This will include, as a minimum, being presented with a draft document where you will have the opportunity to comment. For more significant documents, events such as workshops will be organised at an earlier stage, as well as once a draft has been produced.

1.3.8 In the case of the Local Plan, several rounds of consultation will be held as the plan progresses from having very broad objectives with a range of issues and options to be considered, to a final draft of the plan. There will also be an independent Examination in Public of the plan near the end of the plan's production process.

1.3.9 We may on occasion organise consultation for invited groups prior to a public draft being produced. Such groups will be invited based on their expertise and/or representative nature.

1.3.10 Where possible, we will ensure developers consult before they submit a planning application through a "Planning Performance Agreement".

1.3.11 Because the system is plan-led, the Council is not normally able to refuse planning permission for a proposal that generally conforms to planning policies, regardless of how many people dislike a proposal. Therefore, making sure you are involved during the plan-making stage is important, so that you can provide an input into different policy ideas and options.

1.3.12 Consultation methods vary in terms of:

- Material costs (e.g. printing, posting, venue hire)
- Staff time (taken to prepare materials or attend events)
- Their target audience (e.g. the general

public, more specialised groups or stakeholders, or a specific local area or estate)

1.3.13 Because of this, publicity for minor or householder development will be limited to that which is legally required; and some of the more resource intensive techniques will be reserved for large-scale proposals or planning documents that propose more significant levels of change.

1.3.14 Different techniques vary in the level of engagement that is possible, and the audience and demographic that they will attract. Leaflets and posters are primarily about informing the public that a consultation is taking place. Exhibitions and Q&A sessions allow for more direct engagement; while online surveys allow people who cannot make it to a physical event to have their input. We are also encouraging the use of new VR and 3D modelling as part of consultations on strategic proposals.

1.3.15 Some techniques are specified within legislation for planning policy or applications. Other techniques are not mandatory, but help to make consultation more useful and are encouraged for particular types of planning proposal.

1.3.16 We are aware that participation in the planning system varies between different groups. For example, younger people, those from ethnic minority backgrounds, and people renting privately are among under-represented groups when it comes to responding to planning applications or policy proposals. The Council will work to ensure that its communications can effectively reach different groups. People from different age groups may prefer online or offline consultation options; so a range of techniques will be used.

1.3.17 We also consult with community groups and other bodies who represent different groups of people in different parts of the borough, and they are encouraged to share information with their members.

1.3.18 Appendix 2 shows more information about what types of consultation techniques can be used.

1.3.19 Section 1.13 on page 16 shows the Consultation Principles that we seek to adhere to, and that we ask of developers:

1.4 Advice for responding to consultations

1.4.1 With earlier consultations, there is more opportunity to take your feedback on board and look at issues raised that are not necessarily "material considerations", and there may be a greater range of ways to get involved, such as workshops, exhibitions, and online surveys.

1.4.2 With planning applications, the main way to participate will be to write to the Council, speak to a ward Councillor, or ask to speak at a planning committee meeting.

1.4.3 A full table of methods that can be used in different circumstances is shown at Appendix 2 Table 1 on page 63.

1.4.4 In order for us to use your feedback effectively, we ask that you:

- Provide comments in a clear and concise way.
- Provide your comments within the published time period for that consultation activity or event.
- Are aware that all comments will be made publicly available.
- Are respectful of other people's views.
- *(When replying on behalf of a group or organisation:)* State how members of the group have been involved in formulating the response and how the full range of members' views have been represented.

1.4.5 Remember that planning applications must be determined in accordance with policy and "material considerations", and it may not be possible to consider comments on other issues. A table of what does and does not count as a material consideration is on page 67.

1.5 How do Local Plans work?

- 1.5.1 The planning system in England is a “plan-led” process, which means that the Council is required to produce a Local Plan that provides strategic and more detailed policies for development over a 15 year period, however this is updated approximately every five years.
- 1.5.2 The Local Plan goes through several stages of consultation with the community, businesses, and other public bodies as more detail is included, and it must then be examined by Planning Inspectors before being “”.
- 1.5.3 There are other types of planning policy document that complement Local Plans, these will be consulted on in a way proportional to the type of document.
- 1.5.4 The Council will also publish studies on different topics (e.g. housing, transport, community facilities) as part of its “evidence base” to inform the Local Plan. These are technical documents but may be commented on and will sometimes have their own more targeted consultation and engagement.
- 1.5.5 If you are interested in your local area or particular planning topics, it is important to get involved when the Local Plan is being produced, because it is where development sites are allocated and policies that will be used when making planning decisions are written.
- 1.5.6 Section 2 on page 18 gives more details on the plan-making process and different types of planning policy documents.

1.6 How do Planning Applications work?

- 1.6.1 Most new development (that is not “permitted development) requires planning permission from the Council prior to commencement.
- 1.6.2 The Council processes thousands of applications every year. Most of these are for smaller proposals and the decision on whether to approve a development will be made by Council officers, however larger applications are likely to be decided at the Planning Committee which is made of elected Councillors.
- 1.6.3 We expect developers of larger schemes to sign a **planning performance agreement**, including a requirement to consult locally before they submit an application to the Council.
- 1.6.4 All planning applications are published online and depending on the type of application, there may also be a site notice, press notice in a local newspaper, or letter to neighbouring properties.
- 1.6.5 Section 3 on page 28 of this SCI has more information on different types of planning application and the planning appeals process.
- 1.6.6 All planning applications have a minimum 21-day consultation period, although in practice we will accept comments until the application is determined. You may write a letter or email to us with your views on the proposal (see section 1.6); you may also wish to contact the ward Councillors.
- 1.6.7 The Council is required to use the Local Plan when deciding planning applications, as well as the London Plan and any Neighbourhood Plan. There may also be other “material considerations” that influence a decision.

1.7 What is Neighbourhood Planning?

- 1.7.1 Neighbourhood Planning is a system that allows communities and businesses to create more detailed plans for local areas within Redbridge. When a Neighbourhood Plan is formally adopted or “made”, it gets used alongside the Local Plan when making decisions on planning applications in that area. Section 4 on page 44 gives more details on the steps involved in making a neighbourhood plan, and the level of support that the Council will give a Neighbourhood Planning Forum.
- 1.7.2 There are limitations to what a neighbourhood plan can contain, and it must pass an examination and be voted for by the public at a local referendum.

1.8 How is the planning system enforced?

- 1.8.1 The Council can take action in cases where development has taken place without necessary planning permission. The Council will assess the significance of any breach of planning control; as in minor cases it may not always be worthwhile to take action. The Council has other enforcement powers (e.g. licensing and environmental health) which may be more relevant in some cases.
- 1.8.2 If you suspect that something requiring planning permission does not have it, you may report it to the Council. Section 5 on page 54 covers Planning Enforcement.

1.9 How do developers contribute towards infrastructure?

- 1.9.1 There are two main systems used to provide funding and physical

infrastructure to mitigate the impact of new development and provide infrastructure, called Section 106 and Community Infrastructure Levy; collectively this is often known as **planning gain**.

Section 106

- 1.9.2 Planning Obligations, often named **Section 106 Agreements** after that section of the Town and Country Planning Act 1990, are legal agreements between developers and the Council that are used to ensure that a development is acceptable in planning terms. They are usually used to provide infrastructure and affordable housing; and can require developers to provide these things directly either on-site, off-site, or as a financial contribution to the Council who will spend the money on the specified improvement themselves.

Community Infrastructure Levy

- 1.9.3 **Community Infrastructure Levy (CIL)** is a fee charged by the Council (and an additional fee charged by the Mayor of London) on a “per square metre” basis on most new development, which is used to pay towards the cost of infrastructure. The fee is set in a charging schedule and is indexed to inflation. From time to time the fee may be revised, and the Council will consult on the new charging schedule which will be examined before the new rates can be adopted.
- 1.9.4 The majority of CIL is used to pay for strategic infrastructure identified by the Council, however 15% (25% in locations with a “made” Neighbourhood Plan) of CIL is reserved for local neighbourhood expenditure.
- 1.9.5 Section 5 on page 54 covers Planning Gain.

1.10 Legislation

In 2006, the Council adopted its current SCI. The Council has produced this newly revised edition in 2019 to take account of various changes in planning regulations, including the following:

Policy updates this document covers:

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Neighbourhood Plans
- Duty to Co-operate
- Community Infrastructure Levy (CIL)
- Equalities Impact Assessment (EqIA)
- General Permitted Development Order (GPDO)
- Assets of Community Value (ACV)

Legislation (as amended) this document has been prepared under:

- The Planning and Compulsory Purchase Act 2004
- The Community Infrastructure Regulations 2010
- Equality Act 2010
- The Localism Act 2011
- The Town and Country Planning (Local Planning) (England) Regulations 2012
- The Town and Country Planning (Development Management) (Procedure) (England) Order 2015

1.10.1 Further information on the above is available at <https://www.planningportal.co.uk/>

1.10.2 The Government have a Plain English guide to the planning system, which provides an explanation of how the planning system works in England.

Please visit <https://www.gov.uk/government/publications/plain-english-guide-to-the-planning-system>

1.11 Monitoring the SCI

1.11.1 The SCI will be reviewed as part of the Authority Monitoring Report (AMR), an annual report of planning performance in Redbridge that is approved by the Council's Cabinet. The AMR will review engagement to ensure that the SCI is still appropriate and relevant to the needs of the community and the Council.

1.11.2 The Council is required to review the SCI every five years - this will involve reviewing how consultation has worked over the lifespan of the SCI, as well as making updates to take account to changes in planning legislation and best practice.

1.12 Redbridge Compact

1.12.1 The Redbridge Compact¹ is a framework for partnership working between the Council, the wider public sector, and the voluntary sector within the borough. It includes a commitment from the Council to consider the social impact that policies and programmes being developed may have and their possible effects on local efforts to inspire and encourage social action and empower communities.

1.12.2 Where the Council is unable to be compliant with the Compact, it is required to provide an explanation as to why and to find an alternative route forward.

1.12.3 The Compact includes expectations that the Council and other public bodies will:

- Involve citizens at the earliest stage and work with local voluntary groups
- Consult local groups on issues affecting them
- Run Public Consultations for at least 12 weeks wherever possible
- Increase opportunities for groups to influence policies and strategies to improve and transform services
- Share visions and plans as early as possible
- Create opportunities for the voluntary and community sector to use their knowledge and expertise to influence decisions
- Engage voluntary sector groups on issues of interest to them using mechanisms that support and enable as many responses as possible
- Invite relevant groups to work with them from the start of planning consultations

and give early notice of forthcoming consultations

- Present consultation choices clearly and realistically, including where there is a preferred option. Alternatives should be invited, whilst making clear what can and cannot be changed as a result of consultation and engagement
- Give feedback to respondents on what has been heard and what will be happening.
- Publish consultation results and provide feedback on any decisions taken or next steps

1.12.4 The Compact expects its Voluntary Sector partners to:

- Be accountable
- Uphold their independence and explain to public bodies what it means to them and what it can achieve in practice
- Respond positively and actively to opportunities to engage in co-production with public bodies
- Work to ensure their comments reflect the wishes and needs of their members and service users – and be clear about who they are representing
- Seek to lead change
- Identify new solutions to local problems
- Be flexible and responsive to the changing environment
- Actively seek opportunities to develop shared visions and seek to enhance each other's capabilities
- Promote and respond to public sector consultations where appropriate, supporting their members and service users to have timely and meaningful input
- Say who they are representing, and in what capacity
- Ensure they can demonstrate how they have consulted with any individuals

¹ The Redbridge Compact: <https://www.redbridge.gov.uk/about-the-council/redbridge-compact/>

or groups on whose behalf they are responding

- Make constructive suggestions about how consultations are run
- Support their members and service users to have meaningful input to consultation opportunities
- Focus on evidence-based solutions, with clear proposals for positive outcomes, where possible, when putting forward ideas

1.13 Consultation Principles

1.13.1 These are the principles that the Council will seek to follow when consulting on plans and developments, and that the Council expects of developers and infrastructure providers when conducting their own consultations.

1. Clear and non-technical information

Information for consultations will be written in plain English as far as possible, and any technical words will be explained and a glossary provided or linked to. We will ensure the purpose of the consultation is clear and explained.

Where a document is long or very technical in nature, an executive summary, non-technical summary or similar will be provided as part of the document or alongside it.

2. Strategic and early engagement

Consultation will be early and strategic, so that it asks the right questions and allows people to think about the “bigger picture” and have their say at a stage where changes can still be incorporated. This will ensure that the Council has the right policies in place with a clear vision for each area of the borough, and that development proposals and programmes are consulted upon early.

Early engagement will also help avoid delays in the planning process caused by important or unexpected issues being raised at a late stage in the process.

3. Appropriate Scale and Flexibility

The length of the consultation, techniques used, and scale of publicity will be in proportion to the type of document, the level of planning, and the impact of the proposals. The Council will aim to consult for the maximum periods possible within reason (up to 12 weeks for individual documents, which will often be part of a longer process of engagement), although applications will have a shorter consultation period, and this may not always be possible considering planning regulations for particular areas of development plan consultation periods.

The Council will be flexible around the times and locations of consultations, in order to improve accessibility of different groups.

4. Variety of Methods

A range of consultation and publicity techniques will be used, across both online and physical spaces, including workshops, drop-in sessions, press launches, online surveys, and social media.

The Council will use new digital methods such as 3D digital modelling and Citizen Space, alongside more traditional and conventional methods for public consultation to improve inclusivity and to ensure a more representative feedback/response.

5. Accessibility

When preparing consultations, groups traditionally under-represented in planning will be considered. This may include younger people, people from an ethnic minority background, people living in the private rented sector or social housing, those without internet access or computer literacy, and those who speak English as a second or additional language. Consultation events

will be in venues accessible to those with disabilities; and will seek to include the views of children and young people as part of our commitment to becoming a UNICEF Child Friendly Borough.

6. Coordination

Coordination within the Council and with our partners will ensure that departmental separation or “silos” are avoided and that joint working is practiced between the council’s planning department and other bodies, to avoid the risk of “consultation fatigue”.

7. Openness

Accurate records will be kept of responses to consultations, and a Consultation Statement (either as a separate document or within a Cabinet or Planning Committee report) will be published after each consultation ends. The Consultation Statement will summarise the consultation process and results; and explain how the responses were considered by the Council in its decision making. Consultation Statements will be published on the Council’s planning website post consultation.

8. Monitoring

We will monitor the effectiveness of our consultation activities, including seeking feedback from consultees to ensure our activities are more effective in the future.

9. Privacy

We will treat all data submitted in line with the General Data Protection Regulations (GDPR 2018), to ensure personal data is protected (see Section 4.16).

10. Skills and Capacity

The Council will encourage capacity-building and the improvement and retention of the skills, knowledge and tools needed, both within its own organisation and other organisations to ensure better communications, provide a focus on early engagement and vision setting, and avoid

misconceptions about the role of the planning process.

The Council is also required to adhere to the *Gunning Principles* when undertaking policy consultations (including those not related to town planning), namely that:

- (i) consultation must take place when the proposals are still at a formative stage;
- (ii) sufficient information on the proposal is given, to allow for intelligent consideration and response;
- (iii) there is adequate time given for consideration and response; and
- (iv) the consultation responses have conscientiously been taken into account when making a decision.



Part 2: For Residents

2 Plan Making

2.1 Local Plan

2.1.1 The Local Plan is the key planning policy document produced by Redbridge, and together with the London Plan and any Neighbourhood Plans, forms the **Development Plan** for the area. The policies within the development plan are used to make decisions on planning applications received by the Council, and contain a mix of high level strategic policies, and more specific development management policies that apply to certain types of development.

2.1.2 The Local Plan needs to be consistent with national policy and the London Plan, but getting involved in the Local Plan process is the most effective way of shaping the local environment. The current Local Plan and accompanying documents can be accessed via <https://www.redbridge.gov.uk/localplan>

Figure 2.1 - Diagram showing the relationship of the Local Plan, SCI, and other planning documents



2.2 Preparing a Local Plan

- 2.2.1 Plan making occurs in a cycle. Local Plans set out a 15-year vision, however they are typically updated every five years. It can take as long as five years to prepare a new local plan, meaning that preparing a Local Plan happens on a recurring basis.
- 2.2.2 Local Plans need to be supported by robust and proportionate evidence on key issues such as demographics, employment, design, transport, housing, heritage, and the environment – a lack of evidence means that parts of a plan are likely to be challenged (e.g. by landowners or developers) when the plan is examined.
- 2.2.3 Figure 2.1 gives an overview of how the Local Plan relates to other planning documents.

2.3 Issues and Options

- 2.3.1 The first stage of Local Plan consultation is the **Regulation 18 Consultation**². This stage is an options testing phase that may be repeated a number of times and may be known under different names including “Direction of Travel”, “Issues and Options”, “Preferred Options”, and “Draft Local Plan”.
- 2.3.2 Because this stage may be repeated, the amount of detail will vary, however, the Regulation 18 consultation will include the Council’s proposed overall strategies, as well as options or proposals for some more detailed policy areas (such as housing and transport); along with supporting documents which may also be commented on. There will be a **key diagram** showing the main infrastructure items and areas for growth.
- 2.3.3 There will be extensive publicity of the proposed Local Plan at this stage; and the Council will operate an online portal which will be the preferred method of receiving comments.

2.4 Submission Draft

- 2.4.1 After the Regulation 18 consultations, the Council will produce what a the “Regulation 19” **Submission Draft Local Plan**. This is a “final draft” of the Local Plan prior to the examination process. Therefore, the intended vision, strategy and policy approach of the plan will have been decided at this point (although consultees may suggest modifications to improve these); and the focus of the consultation is on whether the Council has followed the correct procedures, and whether the policies are worded correctly so that they are clear enough to use when making planning decisions.
- 2.4.2 The Council will ask representors whether the draft Plan is “legally compliant” and “sound”; and if it complies with the “duty to co-operate”, as well as for comments on policies and supporting text and diagrams within the plan. Table 2.1 explains what these questions mean:

2 In reference to Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012

Table 2.1 - Guide to questions in a "Regulation 19" consultation

| Aspect of the draft Local Plan you agree or disagree with: | Relevant question: |
|---|--|
| Council has/has not followed relevant legislation when preparing the Local Plan | Is the Local Plan Legally Compliant? |
| Strategy or Policy is/is not suitable and appropriate, and conforms with the London Plan and NPPF | Is the Local Plan sound? |
| Council has/has not adequately co-operated with neighbouring councils | Is the Local Plan compliant with the Duty to co-operate? |

2.4.3 When responding at this stage, you should make it clear if you wish to participate in hearing sessions during the Examination of the plan.

2.5 Submission and Examination

2.5.1 The Council will submit the plan to the Secretary of State, along with supporting evidence, for an independent **Examination in Public (EiP)** to be organised.

2.5.2 The draft Local Plan will be examined by an appointed Planning Inspector, who will produce an Examination guidance note with more detailed procedural information. A series of public hearings will be held on the topics included in the plan. The date, time, and locations of the hearing sessions will be advertised six weeks in advance.

2.5.3 The Planning Inspectorate produces a Procedure Guide for Local Plan Examinations which provides a step by step guide to how examinations are held.³ Additionally, guidance exists regarding the venue for a Examinations and Planning Inquiries, including the facilities required, disabled access requirements, etc⁴.

2.5.4 Following the hearings, the Council may be asked to make further changes to the plan, known as **Main Modifications**. These changes will be published and consulted on for a further period of six weeks, in line with guidance from the Planning Inspectorate.

2.5.5 The Inspector will then produce a report which will state whether they recommend adoption of the Plan (including any further Main Modifications which are necessary). Officers will produce a version of the Local Plan for publication which will then be adopted by a vote at a full Council meeting.

2.6 Waste and Minerals

Waste

2.6.1 Redbridge is part of the East London Waste Authority (ELWA) along with Barking & Dagenham, Newham, and Havering. Therefore, it must jointly prepare Waste Plans with these neighbouring boroughs to allocate sites for the processing and disposal of waste.

2.6.2 Any update to the 2012 Joint Waste Development Plan is also subject to a similar process of examination and consultation to the Local Plan. The timetable and arrangements to

³ Available at <https://www.gov.uk/government/publications/examining-local-plans-procedural-practice>

⁴ Available at <https://www.gov.uk/government/publications/setting-up-a-venue-for-a-public-inquiry-hearing-or-examination>

produce a new plan will be agreed between Redbridge and the other partner boroughs.

Minerals

2.6.3 Redbridge is a Minerals Planning Authority and is one of four London Boroughs with a target for the extraction of aggregates. Any update to the 2012 Minerals Plan will be subject to a similar process of examination and consultation to the Local Plan.

2.7 Area Action Plans and other Development Plan Documents

AAPs

2.7.1 **Area Action Plans (AAPs)** are area-specific visions, planning policies, and masterplans used for defined areas of the borough such as town centres and redevelopment areas. They are part of the Development Plan, and allow for more detailed policies in areas which require more focussed intervention, or where there are significant redevelopment opportunities.

2.7.2 AAPs are optional as the Council may instead include similar content in the Local Plan, SPDs, or other non-planning documents such as regeneration strategies or town centre prospectuses. Following the adoption of its present Local Plan in 2018, Redbridge does not presently have any AAPs.

2.7.3 AAPs are subject to a process of production, consultation, and examination, similar to that of the Local Plan. However, the evidence and consultation will be smaller in scale and more locally specific to the area covered.

Other Development Plan Documents

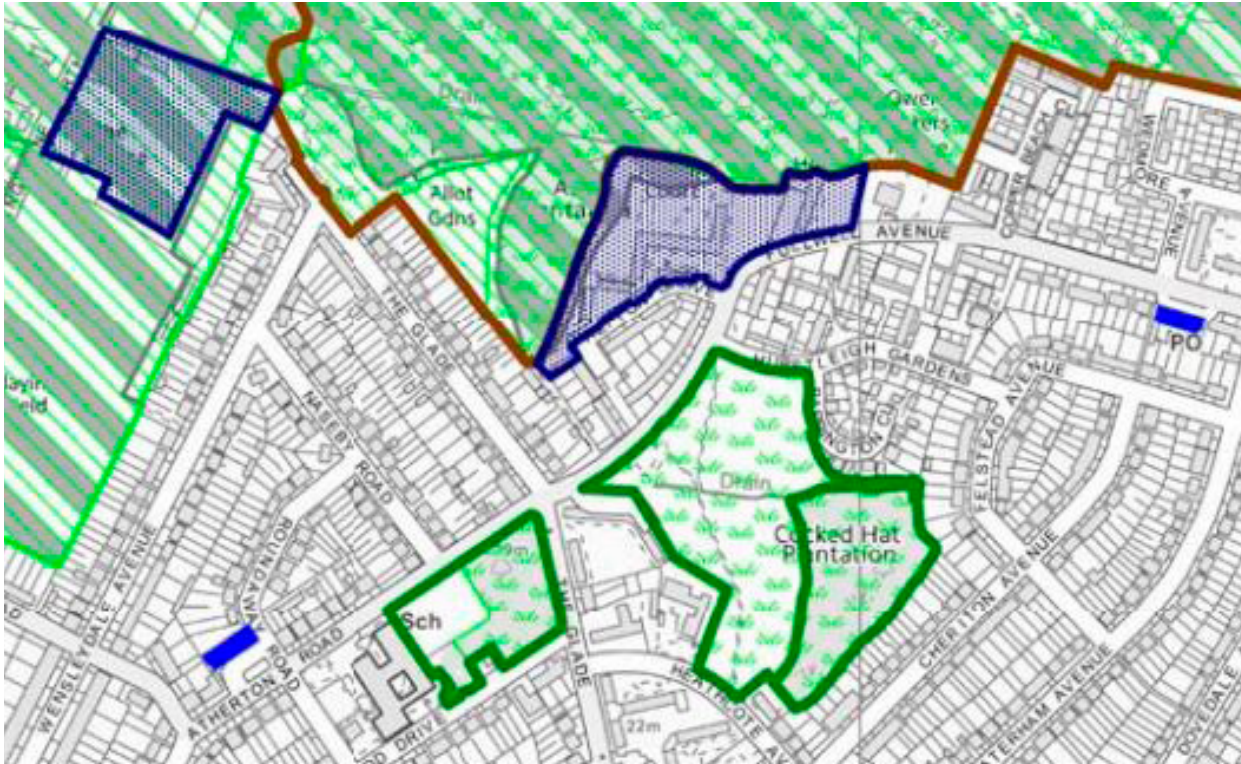
2.7.4 The Council may decide to produce development plan documents for specific purposes in addition to, or to replace parts of, the Local Plan. An example of these include Site Allocations Documents. These will be consulted and examined in a similar way to the Local Plan, although this may be more targeted in nature, or in combination with other documents.

2.8 Supporting Documents

Proposals Map

2.8.1 The Council is legally required to keep an up to date **Proposals Map** (sometimes known as a Policies Map), showing the policies of the Local Plan including site allocations, and other parts of the Development Plan on a map.

Figure 2.2 - Policies Map excerpt, showing different policy designations that apply to particular sites.



2.8.2 Proposed revisions to the Proposals Map will accompany consultations on the Local Plan.

Survey of Area

2.8.3 The earliest stage of plan making is formally known as the **survey of area**, which includes information on various topics affecting the area, as well as information on neighbouring areas outside the borough.

2.8.4 This includes a combination of information from official sources, such as the Office of National Statistics (ONS) population estimates, and studies by and on behalf of the Council. The Council will consult with and seek information from agencies, community groups, and service providers to provide added value to its information.

2.8.5 The goal is to have a clear understanding on the current situation of the borough, such as its housing stock and its community assets, that can then inform further evidence gathering and policy proposals.

2.8.6 The borough may carry out Needs Assessments for housing and different types of social infrastructure and will carry out targeted consultation for the type of infrastructure in question – e.g. it will consult with children and young people through its schools when assessing provision for play and open space facilities.

Local Development Scheme

2.8.7 The **Local Development Scheme** is a project plan that outlines what Local Plan documents will be produced, as well as a timetable, typically covering a three-year period. This is not consulted on specifically, although it provides a broad overview of where in the plan-making cycle the Council is, and when future consultations are likely to occur.

Integrated Impact Assessment

- 2.8.8 The following three documents form part of the **Integrated Impact Assessment (IIA)** although they may also be published separately or with additional documents. The IIA process is used to monitor the potential environmental, economic and social impacts (be they neutral, positive, or negative) of different policy options. The Council must use it to assess the chosen options against “reasonable alternatives”. It is updated at each stage of plan making and brings together several different studies.
- 2.8.9 The IIA documents are produced or updated at each stage of Local Plan consultation, and are also consulted on.

Equalities Impact Assessment (EqIA)

- 2.8.10 The Council is required to carry out an **Equalities Impact Assessment (EqIA)** for its Local Plan. This is to ensure that policies within the plan do not have any adverse impact on people on the basis of “protected characteristics⁵”, and that any potential impact can be identified and avoided.
- 2.8.11 Other planning documents such as SPDs will undergo an EqIA “screening” exercise to assess if there is the potential for any negative impacts. If the screening exercise identifies potential negative impacts, a full EqIA will be undertaken.

Sustainability Appraisal

- 2.8.12 The **Sustainability Appraisal (SA)** and **Strategic Environmental Assessment (SEA)** are integral to the Local Plan process and is conducted at each of the various stages of developing the plan. It promotes sustainable development by making sure that the growth vision and policy options within the plan, when judged against “reasonable alternatives”, will help to achieve environmental, economic, and social objectives. The Sustainability Appraisal will do this by assessing different options, both for the plan as a whole (the plan vision), and for the individual policies.

Habitats Regulations Assessment (HRA)

- 2.8.13 A **Habitats Regulations Assessment (HRA)** is required to identify if a Local Plan would be likely to cause a significant impact upon European level conservation sites⁶, and to identify appropriate measures to avoid or mitigate any harmful effects. In Redbridge this relates to the portions of Epping Forest that are designated as a Special Area of Conservation (SAC).

5 The Protected Characteristics within the Equality Act 2010 are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

6 Statutory Instrument 2019/579 means that the European designations continue to apply post-Brexit..

Figure 2.3 - a view of Epping Forest, most of which is subject to HRA as part of the Local Plan.



Characterisation Studies

2.8.14 **Characterisation Studies** and similar documents (Area Assessments, Urban Capacity Studies) are used to define the characteristics of different areas of the borough and develop an understanding of their built form and socioeconomic characteristics.

2.8.15 They may also identify the capacity of areas for growth or new development, and the sites and/or types of development that would be appropriate.

2.8.16 These are consulted on in advance of / alongside the early stages of the Local Plan.

Other Evidence Base Documents

2.8.17 Other **evidence base** documents will be consulted on, this can include topics such as particular types of housing, transport, and the environment. Typically there will be more targeted stakeholder engagement prior to a public consultation ahead of, or alongside, Local Plan consultations.

Local Plan Panel

2.8.18 The Council has a **Local Plan Panel** of elected Councillors that reviews progress on the Local Plan and other planning policy documents, and acts as an advisory committee to the Cabinet.

Call for Sites and Site Allocations

2.8.19 The Council will periodically undertake a **Call for Sites**. This is a consultation that allows landowners, developers, and other people to submit details of land which they believe could be developed for housing, commercial floorspace, community facilities and/or other

uses. The Council will publish criteria for inclusion (e.g. minimum site area) where a Call for Sites is carried out.

2.8.20 Most developments (close to 99% of the total) in London are on previously developed land. Some of these sites and buildings are in existing use, and therefore the Council will require information (e.g. lease expiry dates) about when land is likely to become available for development.

2.8.21 Sites that are submitted will then be assessed against constraints (e.g. flood risk, green belt) and planning policies, and if considered suitable for redevelopment, may be included within the Brownfield Land Register, and/or included as a potential site allocation when the Local Plan is next reviewed, and consulted on as part of that review.

2.8.22 Appropriate sites identified through the Call for Sites and other analysis will be proposed as Site Allocations. The draft London Plan states that boroughs should optimise the capacity of sites through a consultative design-led approach; and the Council may undertake more focussed consultation on specific sites as part of the Local Plan process.

Consultation Periods

2.8.23 The legal minimum for consultations (at each stage) on the Local Plan and other Development Plan Documents is 6 weeks, however the Council will seek to consult for 12 weeks in line with the Redbridge Compact. This extended period may not be possible when:

- The plan is in conjunction with other boroughs (e.g. Joint Waste Plan) and it has not been possible to agree an extended timescale
- Regulations already exist containing specific local authority response periods, such as in the case of Neighbourhood Plans, or where the consultation has a more limited scope (e.g. Main Modifications consultation during local plan examination)
- There is another significant reason to expedite the consultation (e.g. if the Local Plan needs to be submitted for examination before a certain date)

Article 4 (1) Directions

2.8.24 **Article 4 (1) Directions** are used to remove specified "Permitted Development Rights", so that planning permission is required for certain forms of development that would ordinarily not require planning permission. This can be applied to individual properties, a defined area within the borough (e.g. a Conservation Area, a town centre, or individual streets), or the entire borough.

2.8.25 This can be used to, for example, control physical alterations that could erode the character of a Conservation Area, or to restrict changes of use of properties where the Council wishes to protect certain uses in town centres.

2.8.26 The Council can issue an immediate Article 4 (1) Direction without prior consultation. This is used where there is an immediate need to prevent certain developments (e.g. the demolition of locally listed buildings). However, this immediate Article 4 Direction is only temporary in nature (lasting for six months). The Council is required to consult within the six month period before the immediate Article 4 (1) Direction can be confirmed and made permanent.

2.8.27 More commonly the Council will issue a non-immediate Article 4 (1) Direction. This

involves the Council giving twelve months' notice of its intention to issue an Article 4 (1) Direction; the Council will consult at the beginning of this twelve month notice period.

Tree Preservation Orders

2.8.28 The Council can issue **Tree Preservation Orders (TPOs)** to protect individual trees, groups of trees or woodlands in the interests of amenity, if they meet certain criteria. Trees of over a certain size in Conservation Areas are also protected by a requirement to notify the Council in advance of proposed works, which allows the Council time to issue a TPO if they deem it necessary. An application for "Consent under Tree Preservation Orders" or "Notification of proposed works to trees in conservation areas" is required for works to protected trees.

2.8.29 The Council can initiate this TPO process themselves, or in response to a request by a third party (e.g. a local society).

2.8.30 TPOs come into immediate effect for a provisional six month basis once "made" by the Council, allowing it to provide immediate protection if deemed necessary. When the Order is made, the Council must serve notice on the landowners, and is also required to consult for at least 28 days. After the landowner and other people have had this chance to respond, Council will then decide whether to confirm the order on a permanent basis (with or without modifications) or not.

Conservation Areas

2.8.31 Local Planning Authorities are obliged to designate as **Conservation Areas** any parts of their own area that are of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance⁷. This means that appropriate new development proposals may still take place, but will need to be justified within the context of the Conservation Area.

Figure 2.4 - Aldersbrook and Lake House is one of the borough's 16 Conservation Areas. It was recently extended to include the Lake House estate.



7 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2.8.32 When intending to designate, alter the boundary of, or de-designate a Conservation Area, the Council will undertake a Conservation Area Appraisal and consult locally, as well as with Historic England and other relevant heritage organisations.

2.8.33 Conservation Areas carry some limited additional planning restrictions. Further restrictions can be introduced through the use of Article 4 directions to remove permitted development rights, should the Council consider this to be necessary to protect the character of the Conservation Area. The Council is required to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area when determining planning applications.

2.8.34 The Council is required to publish guidance for the “preservation and enhancement” of Conservation Areas in the form of **Conservation Area Character Appraisals and Management Plans**, and may also publish **Design Guides** for specific Conservation Areas. These are specialist SPDs and will be consulted on in the same way as other SPDs, but with a focus on the relevant geographic area and heritage organisations, and the Council will comply with the specific legal requirement to hold a public meeting in the relevant Conservation Area⁸.

SPDs

2.8.35 **Supplementary Planning Documents (SPDs)** are documents used that provide further detail on particular aspects of planning or types of development.

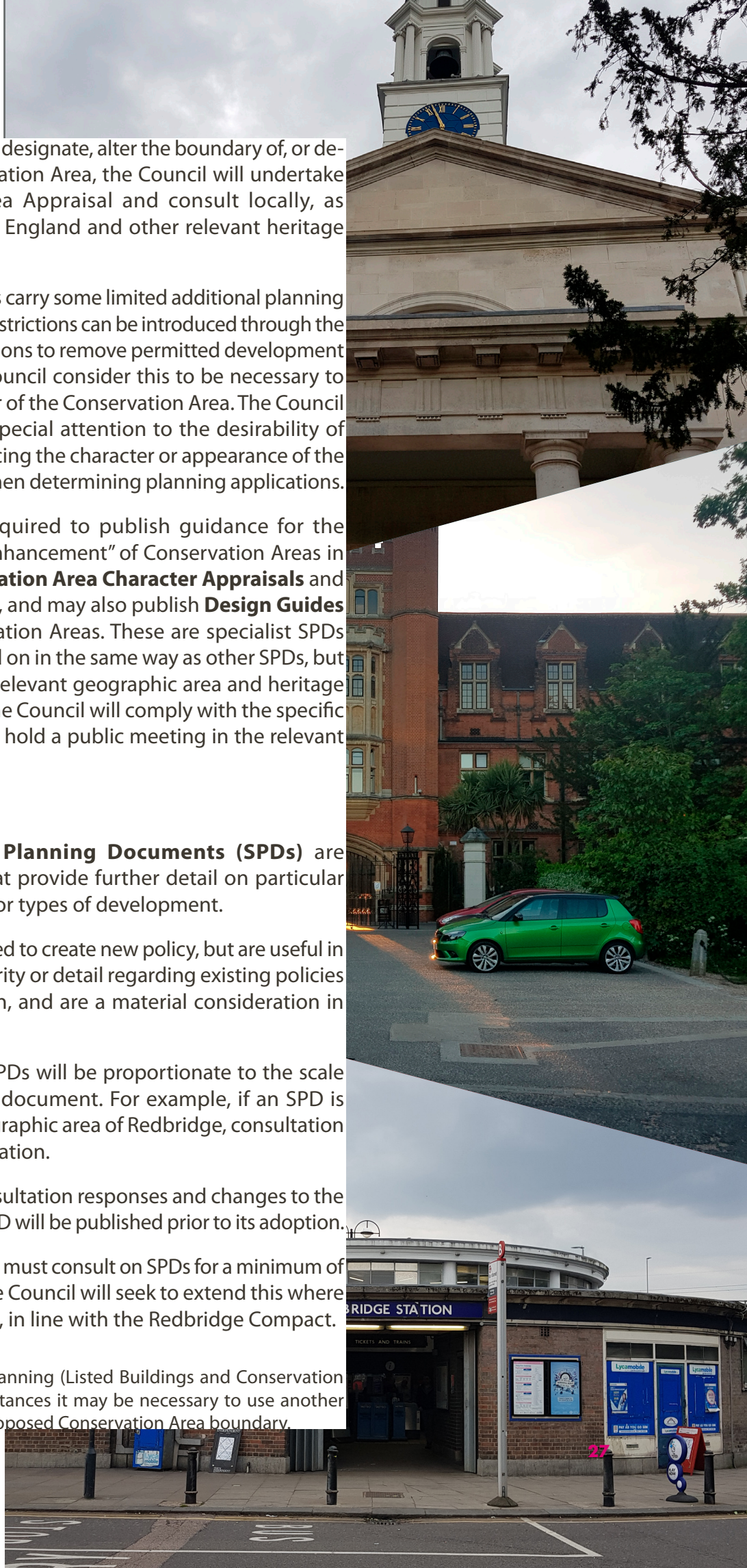
2.8.36 SPDs cannot be used to create new policy, but are useful in providing further clarity or detail regarding existing policies within the Local Plan, and are a material consideration in decision making.

2.8.37 Consultation on SPDs will be proportionate to the scale and purpose of the document. For example, if an SPD is focused on one geographic area of Redbridge, consultation will focus on that location.

2.8.38 A summary of consultation responses and changes to the final version of the SPD will be published prior to its adoption.

2.8.39 Legally, the Council must consult on SPDs for a minimum of 4 weeks, however the Council will seek to extend this where possible to 12 weeks, in line with the Redbridge Compact.

⁸ Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990. In some instances it may be necessary to use another local venue outside of the proposed Conservation Area boundary.



3 Development Management

3.1 What is development management?

- 3.1.1 Development management is a crucial part of the planning process. It puts plans and policies into effect to achieve the sustainable development of Redbridge. Development Management includes assessing and deciding planning applications, including listed building consent, advertising consent, and prior approval.
- 3.1.2 All planning applications involve an element of public consultation, and this can draw attention to policy issues and other practical matters in relation to the proposals.

3.2 Stages of Development

- 3.2.1 Table 3.1 outlines the stages of development, and how you can be involved at each stage:

Table 3.1 - Stages of Development Management

Plan-making / master-planning stage

Before the Development Management stage, many sites will be proposed for development through site allocations in the Local Plan (or a Neighbourhood Plan), and/or may have a masterplan, planning brief, or other document associated with it. Consultations on these documents are the best stage to get involved at, as it will set the parameters and expectations of what proposals will be acceptable on those sites.

Some sites (including most smaller sites) will not be allocated because they are “windfall” sites not known about in advance, however they will be subject to design policy and guidance which is also subject to consultation. This is covered elsewhere in the SCI.

Pre-application stage

Particularly for larger applications, developers are strongly encouraged to engage in a variety of ways with residents and other local stakeholders using the methods outlined in Appendix 2. If you missed the opportunity to comment on site allocations, this is the best time to get involved as it is the stage where residents can have the greatest influence on proposals. The best way to get involved at this stage is to attend pre-application events when they are held or engage with developers on social media or through surveys when they make these options available, and to discuss any concerns with a ward councillor. See Section 3.3 below.

Planning Application stage

A formal consultation is organised by the council, and residents and other bodies are invited to make comments on the submitted proposals. This is open for a minimum period of 21 days, but in practice will be longer for major developments (see paragraph 3.5.10). At this stage, comments are influencing whether a development is approved or not. The best way to get involved at this stage is to read the proposal documents, and submit detailed, specific comments on why they should or should not be approved. See Section 3.5 below.

Decision making stage

Where an application is strategic in nature and/or there is substantial public interest in the proposal, the decision will be made at a Planning Committee meeting. Residents can speak at these meetings to express local views on the proposal. The best way to get involved at this stage is to discuss your concerns with a ward councillor, or to ask to speak on the application at committee. See Section 3.6 below.

3.3 Pre-Application Consultation

- 3.3.1 Although not a legal requirement in England, developers are strongly encouraged to arrange engagement with residents, local stakeholders and relevant statutory bodies during the pre-application stage, particularly for major development, and for complex or sensitive sites. The National Planning Practice Guidance⁹ encourages early engagement on the design of schemes, and the use of design workshops.
- 3.3.2 The draft London Plan's Good Growth policies emphasise the importance of early and inclusive engagement with local communities and other stakeholders. During this stage, various consultation methods can be used depending on the size of the scheme. It may be more appropriate to appoint specialist consultants to manage more extensive consultations.
- 3.3.3 The pre-application process can help produce better proposals and ensure that concerns can be resolved early on. In particular, community involvement can help expedite the planning application once submitted because local concerns can be resolved earlier on.

Figure 3.1 - Pre-application webinar for a strategic development

WELCOME

REDBRIDGE LIVING

Welcome to our second public consultation event for the proposed development at the Seven Kings car and lorry park. The proposals shown today have been developed following feedback from the previous consultation, representations and discussions with the Local Authority. We are asking for your feedback ahead of submitting the planning application.

Redbridge Living Ltd, the Council's wholly owned development company, is seeking to provide a mixed-use scheme which will:

- bring new activity to and help rejuvenate the High Road
- re-establish a local centre for Seven Kings and the surrounding area
- provide much needed high quality homes to the borough (including 35% affordable)
- include a new landscaped public square
- support local innovation in a Business & Enterprise Hub
- create a new Community & Health Hub including community-run spaces, council services, health services and a library.

Aerial view of the Seven Kings proposals

redbridgeliving.co.uk/7kings

Pollard Thomas Edwards

REDBRIDGE LMNG

London Borough of Redbridge

9 NPPG "Design: process and tools" available at: <https://www.gov.uk/guidance/design#effective-community-engagement-on-design>

3.3.4 Local community consultation should generally occur at the **concept design stage** (Stage 2 of the RIBA (Royal Institute of British Architects) Plan of work¹⁰), so that there is a clearly defined proposal to comment on, whilst being at a stage that allows for comments to be taken on board. For some very large proposals it is best to consult at an earlier stage than this (such as project definition or master planning), and then re-present proposals at a later stage.

What we expect of developers

3.3.5 Further information on developer led consultation and engagement is within Section 3 on page 57.

3.3.6 Developers should have regard to the National Planning Practice Guidance for effective Community engagement on design¹¹.

3.3.7 Planning applications classed as “major development” are generally required to be submitted with a Statement of Community Involvement or Consultation Statement. This should include or be accompanied by documentary evidence of community engagement during the pre-application stage. In smaller developments, information about engagement with neighbours may be included within the Planning Statement or Design and Access statement.

3.3.8 We also expect developers to engage with infrastructure providers as part of the pre-application process. Many offer their own pre-application services which are detailed at Appendix 3.

3.3.9 This should include suitable record keeping and a summary of comments received during the pre-application consultation, as well as details of resulting changes made to the proposal (or a reason why changes were not made) as applicable.

Council Developments and Estate Redevelopment

3.3.10 Redbridge has a very small stock of social housing compared with most other London boroughs, and a waiting time of over 10 years for those on its housing register in need of a 3 or 4 bedroom home. Therefore the Council is increasingly looking at how it can deliver its own housing projects on land that it owns.

3.3.11 Where the Council, or its wholly owned company Redbridge Living, is proposing its own development such as new housing, schools, and social care facilities, it will consult both within the local area and with affected service users, with an emphasis on early engagement during pre-application stage and throughout the development process.

3.3.12 This will also extend to instances where the Council is part of a Joint Venture with a developer, and appropriate methods from “Developer Led Pre-application consultation” within Appendix 2 will be used.

3.3.13 The Council also has statutory requirements under Section 105 of the Housing Act 1985 to consult its secure tenants regarding programmes or policies (including estate redevelopment projects) involving “the management, maintenance, improvement or demolition of dwelling-houses let by the authority under secure tenancies”.

10 RIBA Plan of Work 2013. Accessible at <https://www.architecture.com/-/media/gathercontent/riba-plan-of-work/additional-documents/ribaplanofwork2013overviewfinalpdf.pdf>

11 <https://www.gov.uk/guidance/design#effective-community-engagement-on-design>

3.3.14 To receive funding from the Greater London Authority (GLA), the Mayor of London requires estate redevelopment projects involving the demolition of any social housing (either Council or Housing Association) to be supported by residents in a ballot. This will be operated by an independent body in accordance with GLA guidance. The Mayor's Good Practice Guide to Estate Regeneration contains detailed information on the required approach to consultation on estate regeneration.¹²

Pre-Application Advice and Planning Performance Agreements

3.3.15 The Council encourages developers to discuss their development proposals with planning officers during the pre-application stage. There is a graduated scale of charges for this advice on the Council's website. Fees are set according to the size and type of development.

3.3.16 Where a Planning Performance Agreement exists, this will include specific requirements for consultation before a planning application is submitted; for larger schemes this will include engagement sessions with ward Councillors.

3.3.17 The Council encourages the use of Planning Performance Agreements for major development. This is a mechanism that allows an individual timescale to be agreed that includes both the pre-application and application stages of a development, and is of particular importance on larger applications where multiple pre-application meetings are required and/or it is anticipated that the design will be revised on multiple occasions.

3.4 Design Review Panel and Community Review Panel

3.4.1 The council has a Design Review Panel which consists of a panel of experts within built environment disciplines such as architecture, urban design, landscaping, project delivery, engineering and sustainability to provide objective advice on development proposals across Redbridge.

3.4.2 The panel is organised by an independent consultancy, and its fees are paid for by the applicant. The panel's advice will be most effective if a scheme receives pre-application advice, allowing for a earlier panel meeting which can inform the final design.

3.4.3 Schemes are referred to the panel by planning officers to identify and consider the key design elements of the scheme through the planning process. It provides advice to scheme promoters and to the planning authority as a 'critical friend' to support delivery of high quality development.

3.4.4 For Council led schemes, there is also a Community Review Panel organised through the same independent consultancy, this Panel helps to steer schemes so that they provide high quality places and housing that reflect the priorities of local people. The panel is formed of Council tenants, leaseholders, and those on the housing waiting list, ensuring that the Council delivers schemes that reflect the needs of the borough's residents.

3.5 Planning Applications

3.5.1 When planning applications are received, the Council will *validate* them to ensure that the required plans and documents for that type of application have been submitted. Validating

12 The Mayor's Good Practice Guide to Estate Regeneration. Available at: <https://www.london.gov.uk/sites/default/files/better-homes-for-local-people-the-mayors-good-practice-guide-to-estate-regeneration.pdf>

a planning application does not necessarily mean that it complies with policies or will be approved, only that the correct documents have been submitted and the appropriate fee has been paid.

3.5.2 Anybody can submit a planning application for any piece of land, subject to providing notice to the relevant landowners.

3.5.3 Subsequently the Council organises a formal notification where people can make comments on the submitted planning application.

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3.5.5 Anybody can submit a planning application for any piece of land, subject to providing notice to the relevant landowners.

3.5.6 Subsequently the Council organises a formal notification where people can make comments on the submitted planning application.

Publicity on Planning Applications

3.5.7 Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 provides details of the minimum legal requirements for consulting on planning applications, including the circumstances where we are required to post a site notice, send neighbour notification letters, and publish press notices in newspapers.

3.5.8 The Council will however publicise applications more broadly than this in accordance with the SCI and in proportion to the type and scale of the proposed development. Appendix 2 on page 63 includes a table of our notification procedures. For “Major Development” in particular, we will expect developers to engage in pre-application consultations.

Figure 3.2 - A site notice will be placed adjacent to the proposed location of certain types of planning application



How to comment on Planning Applications

- 3.5.9 We welcome comments on development proposals in Redbridge, and comments do not need to be in a particular format to be considered; however, they must be made in writing. Anybody can submit comments on any application, and this will be looked at as long as it is within the consultation period. It is not necessary to use a solicitor or planning professional.
- 3.5.10 When responding to consultations, take some time to look at the application first. It is useful to link your comments to planning policies and other material considerations.
- 3.5.11 The Council is launching a new online “Citizen Portal” that allows users to easily submit comments and view previous comments, and will allow users to receive notifications about types of applications of interest to themselves.
- 3.5.12 Currently, comments may be submitted online or posted to: Planning Consultations, 5th Floor Front, Lynton House, 255-259 High Road, Ilford, Essex, IG1 1NY

How long is the Consultation period?

- 3.5.13 The Council is required to consult for a minimum of 21 days on planning applications. The Council is not required to take into account comments received after this 21 day period, but in practice will do so, particularly in the case of major applications. The Council expects statutory consultees to inform the Council during the 21 day period if it will take longer for comments to be submitted.
- 3.5.14 The period is extended to 30 days for applications required to be accompanied by an Environmental Statement; and is also extended when it includes bank or public holidays.
- 3.5.15 Sometimes amendments to a planning application will be submitted while the application is yet to be determined; the Council will in all instances publish these on its website, and will re-consult on major amendments (but there are no statutory requirements for it to do so) and extend the consultation period accordingly.

Material Considerations

When making a planning decision, the Council can only take matters relevant to planning (as opposed to other issues) into account. These are called “material considerations”.

Table 3.2 - About Material Considerations

| What the law says: | What this means: |
|---|--|
| Applications for planning permission 'must be determined in accordance with the development plan, unless material considerations indicate otherwise'. | <p>The policies of the development plan (i.e. London Plan, Local Plan, and any Neighbourhood Plan) must be used to decide whether an application should be given planning permission. The policies will help determine whether a proposal is suitable for its given location.</p> <p>A "material consideration" is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision.</p> <p>The National Planning Policy Framework, Supplementary Planning Documents, and other government or Council policies and guidance are important material considerations. Draft or "emerging" policies may also be material considerations.</p> <p>Some matters are not material considerations because they relate to things controlled using different legislation outside of the planning system.</p> |

3.5.16 The government's Planning Practice Guidance states that "the scope of what can constitute a material consideration is very wide and so the courts often do not indicate what cannot be a material consideration. However, in general they have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations."¹³

3.5.17 Matters relating to civil law, building regulations, or licensing are usually not material considerations. However, planning permission does not remove the need to gain other types of permission or licences that may be required, either from the Council, a regulatory body, or a third party (such as landlord's consent for leasehold property).

3.5.18 Certain other factors or possible outcomes, such as the loss of a private view or potential reduction in the value of a property, are not material considerations – but the *reasons these might happen could be material considerations themselves*. The list of Material and Non-Material Considerations on page 67 is a non-exhaustive list of what are or are not material considerations.

3.5.19 Planning Aid for London is a registered charity that provides a free advice and information service to those people who are affected by planning proposals or decisions and who do not have resources to pay for planning advice. It is staffed by qualified planning professionals on a voluntary basis. They can be contacted at <http://www.planningaidforlondon.org.uk/>

13 <https://www.gov.uk/guidance/determining-a-planning-application>

3.6 Decision making stage and Planning Committee

Figure 3.3 - The Council Chamber at Redbridge Town Hall, where Planning Committee meetings are usually held.



3.6.1 After the consultation on a planning application is concluded, a Council officer will produce a report setting out their recommended decision. A final decision will then be taken by a senior officer or committee of the Council. In Redbridge, as at most other councils, the majority of planning decisions are decided by staff under “delegated authority” from the Council.

3.6.2 Typically it is only larger or more controversial applications that are decided by the Planning Committee of elected councillors. These include some applications that have three or more outstanding objections, or cases that have been “called in” by a Councillor. *The Chair of the Planning Committee will review cases with more than three objections to determine if they are significant enough to be heard at the Committee. Councillors need to cite policies or material considerations to call in a planning application.*

3.6.3 The case officer’s report will outline the proposal and assess it against relevant policies. Officers will not generally respond to individual letters and objections, but the key issues raised will be addressed. The reports are published on the Council’s website one week before the Committee meeting.

3.6.4 The report will identify the positive and negative aspects of a development, and its recommendation will reflect, whether *on balance* the development meets the policies of the development plan (taking into account material considerations).

3.6.5 You may speak at the Planning Committee in support of, or to oppose, a planning application.

To do so, you will need to inform the Committee Support Officer on 020 8708 2205 no later than 5pm on the working day before the day of the meeting you wish to speak at. You will then need to report to the Committee Officer at the entrance to the public seating area in the Council Chamber between 6.45pm and 7.10pm on the evening of the meeting. Please be ready to advise them of the site address of the planning application concerned and the application number.¹⁴

3.6.6 Speakers are advised that there is a **strict two minute time limit** and that they should stick to relevant material considerations. *It is advisable to rehearse beforehand to ensure you can make your points within the time permitted.*

3.6.7 Councillors are bound by certain rules with regards to planning decisions, in particular, they cannot say that they will vote in a particular way on a given application, before the committee meeting. They are however, allowed to express their opinions on different types of development in general terms.

3.6.8 Because the Planning Committee is exercising “regulatory” functions of the Council, it is not allowed to be “whipped” and therefore it is normal and expected that Councillors in the same political party may vote in different ways for a particular application.

3.6.9 Councillors are also not allowed to vote on an application where they have a conflict of interest (e.g. they are the landowner, or acting on behalf of the developer). The Planning Advisory Service publication *Probity in Planning*¹⁵ gives further information on this.

3.6.10 If they wish to approve the application, the Planning Committee will usually “resolve to grant” planning permission. This means that a decision notice formally granting permission will be issued only after any legal agreements (such as a Section 106 agreement) have been signed.

3.6.11 When the Council has refused planning permission, a decision notice will list reasons for refusal, which will cite policies and material considerations.

3.6.12 All planning applications and decision notices will be published on the Council’s website.

3.7 Environmental Impact Assessment (EIA) Screening and Scoping

3.7.1 Certain types of planning application, including larger urban development projects (typically those above 150 dwellings or 1 hectare in area) will be subject to an Environmental Impact Assessment (EIA) Screening Exercise. This is to determine if it is necessary to submit an EIA with the application. If an EIA is deemed necessary, an EIA Scoping Exercise (to determine the topics/extent of the EIA that will need to be submitted with the application) will be conducted by the applicant and submitted to the Council.

3.7.2 The EIA Scoping is publicly accessible, so developers should be aware that even though design proposals will not be submitted, such a scoping application may be the first time a proposal is freely available in the public domain and should undertake their initial engagement and consultation first.

14 Further guidance is available on the Council website at <https://www.redbridge.gov.uk/about-the-council/public-meetings/>

15 <https://www.local.gov.uk/probity-planning-advice-councillors-and-officers-making-planning-decisions>

3.8 Listed Building Consent

- 3.8.1 **Listed building consent** is required for all works of demolition, alteration or extension to a listed building that affect its character as a building of special architectural or historic interest. This includes internal and external works, as well as works within the curtilage (i.e. grounds) of the property.
- 3.8.2 A listed building consent application will often accompany a planning application for the same development. Sometimes listed building consent only is required; this will be consulted on in the same way as a full planning application but comments should focus on whether the proposal has a heritage impact.

3.9 Permitted Development

- 3.9.1 Many minor changes to a property can be undertaken through **permitted development** and do not require planning permission. This includes small house extensions, some outbuildings, and certain changes of use. They may still require other forms of approval such as landlord's consent or building consent. Most internal changes to non-listed buildings are not usually defined as "development" and also do not require planning permission.
- 3.9.2 The Planning Portal has a guide to Permitted Development: https://www.planningportal.co.uk/info/200187/your_responsibilities/37/planning_permission/2
- 3.9.3 Some properties may have had certain permitted development rights removed through planning conditions or an Article 4 (1) direction, in which case planning permission will be necessary.
- 3.9.4 Note also that most permitted development rights applicable to houses *do not apply to flats* (including houses converted to flats), and full planning permission will be necessary.

3.10 Prior Approvals

- 3.10.1 **Prior approval** is a particular type of permitted development where planning permission for certain types of development (including certain changes of use and demolition) is effectively granted in advance by central Government, subject to the prior approval of certain matters. If approval is given, this can be subject to conditions.
- 3.10.2 Applications for prior approval are consulted on as with other planning applications, however the prior approvals process only allows a limited range of matters/issues to be considered by the Council. These vary depending on the type of prior approval sought, but do not include affordable housing or minimum space standards.
- 3.10.3 The [gov.uk](https://www.gov.uk) website has further information: <https://www.gov.uk/guidance/when-is-permission-required#permitted-development>

3.11 Reserved Matters, Discharge of Conditions and Amendments

- 3.11.1 There are several types of planning application that are used in relation to projects that have already been approved, where certain details need to be provided or changed, those include:

| | |
|---|--|
| <ul style="list-style-type: none"> • approval of reserved matters • discharge of conditions | <ul style="list-style-type: none"> • non-material amendments and • Section 73 (removal or variation of conditions) |
|---|--|

Commenting on Reserved Matters, Discharge of Conditions and Amendments

3.11.2 All these application types will be notified on the website, and consulted on as appropriate to the type of application.

3.11.3 Note that in all the above cases the development will already have been approved (and in some cases, may have started construction), and therefore objections to the principle of development will not be considered; comments should instead focus on the reserved matter (e.g. access), or the condition being modified (e.g. any design changes that are being made) or discharged.

Approval of Reserved Matters

3.11.4 When outline planning permission is applied for, details of certain aspects of that proposed development may be **reserved matters** for later determination. These include the access, appearance, landscaping, layout, and scale of the proposed development. Reserved matters applications are then submitted for one or more of these details.

Technical Details Consent

3.11.5 Where Permission in Principle (PiP) has been granted, full planning permission is then granted through **Technical Details Consent**. The principle of development (e.g. number of homes) will already have been established, however matters such as site layout, design, and access, may be commented on.

Discharge of Conditions

3.11.6 **Discharge of Conditions** applications are where details or reports need to be submitted and approved, or physical actions undertaken before a certain stage of the development. For example, there may be **pre-commencement** conditions which must be discharged before construction work starts, and there may also be **prior to occupation** conditions which must be discharged before the development is occupied by the end users.

3.11.7 The Council has 8 weeks (16 weeks in the case of EIA applications) to determine Discharge of Conditions applications.

Non-Material Amendments

3.11.8 Non-Material Amendment applications (also known as **Section 96A applications**) are used for small changes to an existing planning permission. There is no statutory definition of “non-material”, however it would apply to minor amendments which would not change the description of the development.

Section 73 Amendments

3.11.9 **Section 73 Amendments** are used where an applicant wishes to remove or vary planning conditions on an existing planning permission. This can be in relation to any condition (e.g. opening hours); however, a common usage is to revise the design of the proposal by substituting the approved plans for new versions. They are typically used for

more significant changes than “non-material amendments”.

Amending Planning Obligations

3.11.10 Planning Obligations (often known as **Section 106 agreements**) can be renegotiated at any point with the mutual consent of the Council, developer, and any other signatories (e.g. a bank or other lender). However, where a planning obligation is over 5 years old, an application may be made to the Council to change the obligation where it “no longer serves a useful purpose” or would continue to serve a useful purpose in a modified way.

3.12 Other Applications

3.12.1 Some types of planning application are not formally consulted on; however, they will be published on the Council’s website for information purposes:

| | |
|---|--|
| <ul style="list-style-type: none">• Certificate of lawfulness of proposed use or development• Certificate of lawfulness of existing use or development• Certificate of lawfulness of proposed works to a listed building• Details pursuant to conditions | <ul style="list-style-type: none">• Non-material minor amendment applications• Tree applications• Advertisements |
|---|--|

3.12.2 Whilst consultees and members of the public may comment on these, the Council may not be able to consider those comments in its decision - this is because these types of application are assessed against legal tests within planning legislation, whereas other planning applications such as full planning applications, householder applications, and listed building consent, are assessed against policy and other material considerations.

3.13 Planning Appeals and Call-ins

Planning Appeals

3.13.1 If planning permission is refused, or is approved with conditions the applicant does not agree with, or a decision is not made by the Council within the statutory period, or an enforcement notice is served, an applicant may **appeal** to the Planning Inspectorate. A Planning Inspector will decide whether to allow (approve) or dismiss (refuse) the appeal.

3.13.2 Most appeals are decided using the fast-track or written representations route. More significant schemes may have a hearing, and some (usually very large-scale) schemes may have a planning inquiry. The Planning Inspectorate provide guidance on the inquiry process¹⁶. On rare occasions, the appeal will be a **recovered appeal**, where the Planning Inspector’s report makes a recommendation, and the Secretary of State gives the final decision, which may be different to that of the Inspector.

3.13.3 The Council provides all comments received on the application to the Planning Inspectorate, and also notifies neighbours who were originally notified, as well as people/ organisations who commented on the planning application, about the appeal and of the opportunity to submit further comments to the Planning Inspectorate and/or to appear at any public inquiry.

16 Available at: <https://www.gov.uk/government/publications/planning-appeals-dealt-with-by-an-inquiry-taking-part>

3.13.4 However, for **Fast Track** appeals, which include householder development, advertisement consent, and minor commercial development (e.g. shopfronts), whilst all parties will be notified, only the original comments are considered and there will not be an opportunity to make new comments at the appeal.

Call-ins

3.13.5 The Secretary of State may, very rarely where the application is nationally significant, **call in** a planning application rather than letting the Council decide. If a planning application is called in, a Planning Inspector will carry out an inquiry into the proposal at which representors may be invited to speak (in a similar way to an appeal inquiry). The Secretary of State must have regard to the Inspector's recommendations when making a decision.

3.13.6 The Mayor of London has similar call-in powers for referable applications¹⁷ and may direct a borough to refuse planning permission, or direct that the Mayor is to be the local planning authority (which results in the Mayor taking over the process of deciding the planning application).

3.14 GDPR and redaction of documents

3.14.1 The Council must ensure that it keeps a **register** of every planning permission, within its boundary, along with accompanying plans, drawings, and supporting documentation. There is a legal duty upon the Council to publicise certain applications and to consult the public on them, operating in an open and accountable way. However, it is also required to follow the **General Data Protection Regulation (GDPR)** and the Data Protection Act 2018 when processing planning applications and consultee responses and publishing them online.

3.14.2 The work of the Council as a Local Planning Authority, including the processing of planning applications and consultee responses, is a public task under GDPR. The processing of personal data contained within any planning applications and consultee responses is therefore necessary to comply with the Council's legal obligations and fulfil its planning functions as a public body.

Applications

3.14.3 Every planning application contains personal data. The name and address of the applicant and agent will be published as this is a matter of public record. Applicants may decide to list their address as being "c/o agent" with the expectation that the agent is able to forward information to their client.

3.14.4 The following information will however be redacted:

- Personal contact details for the applicant - e.g. telephone numbers, email addresses
- Signatures
- "Special Category Data" – this is more sensitive personal data, e.g. supporting statements that include information about health conditions etc. Where this is provided, it should be provided in a separate document but its existence should be made clear in a covering letter.

¹⁷ Certain types of large-scale planning application are referable, defined within the Town and Country Planning (Mayor of London) Order 2008.

- Information agreed to be confidential – e.g. due to security arrangements. This should be made clear to the Council prior to submission.

3.14.5 The Council will, however, publish viability evidence submitted with a planning application, along with an accessible summary, except in limited circumstances.

Comments

3.14.6 Comments made in relation to a planning application are public comments and will be the responsibility of those posting the comment. The Council will not moderate the comment field of the online Citizen Portal in advance for personal details, but may remove these subsequently, and this will be made clear within the submission form. Comments about the applicant or a third party may be “flagged” by users for review and will be removed if they could be considered potentially libellous, racist, or otherwise offensive.

3.14.7 The name and address of the person / organisation responding will be published, however, the text fields for their email address, and phone number will be removed. Where comments have been sent by post, the letter will be scanned and the signature, email address and phone number removed.

3.14.8 The council is required to retain its Statutory Register of planning decisions forever, but certain other data will no longer be published after several years.

Third Parties

3.14.9 Comments made in relation to a planning application will be published online and visible to the applicant and other third parties, may be included (or summarised) within officer reports and Consultation Statements or similar documents, and may also be forwarded to third parties including the Mayor of London and / or the Planning Inspectorate in the event of the application being referable, called in, or an appeal being made against the Council’s decision.

3.14.10A similar approach to the above section is taken for comments made in relation to a planning policy consultation. The Council will retain all representations regarding any stage in the production of the Local Plan until at least six weeks after the adoption of the Local Plan (to account for any potential legal challenge).

3.15 Case Study: Chepstow, 49 Leicester Road, Wanstead

3.15.1 The proposal (planning reference 2740/10) was for 24 homes (6 x 4 bedroom houses, and 13 x 3 bedroom and 5 x 2 bedroom flats) on a cleared site.

3.15.2 Chepstow, 49 Leicester Road, Wanstead, was a prime redevelopment site within the Wanstead Grove Conservation Area, where after a long and protracted process, a fourth planning application for the redevelopment of the site was approved with the support of the Wanstead Society and Counties Resident’s Association.¹⁸

18 Web link: <https://wansteadsociety.org.uk/chepstow-developers-community-work-together/>

Figure 3.4 - Chepstow, Leicester Road, Wanstead, prior to demolition and redevelopment.



- 3.15.3 Following the demolition of a detached dwelling on a large site (which required prior approval, but not planning permission), an initial planning application was met with significant local disapproval and a 400 signature petition.
- 3.15.4 A planning appeal against the refusal of this application was refused as Conservation Area status had subsequently been applied to the area, which the proposal would not have been in keeping with. Two subsequent planning applications were refused and the planning appeals dismissed following planning inquiries.
- 3.15.5 Subsequent to this, Telford Homes liaised with the local societies, who agreed to support a modified scheme; that was of a traditional design, where features of the original house fascia and adjoining dwellings were incorporated in the design of the new flats and houses where the building lines and styles were continued. This was in keeping with the varied residential character of the Conservation Area. Additionally, well established trees along the street frontage protected by a TPO were retained, helping to blend the new development in with the existing suburban environment.
- 3.15.6 This modified proposal was largely supported by local residents and subsequently approved by the Council, and the development was completed in September 2012.



4 Neighbourhood Planning

4.1 What is Neighbourhood Planning?

- 4.1.1 Neighbourhood Planning is a process that gives communities greater control over the development of their areas through plans and policies. Neighbourhood Plans, once passed by a local referendum and “made” (approved) by the Council, sit alongside the London Plan and Local Plan as part of the development plan for Redbridge. This means that you (as a resident, community group or local businessperson) can help create a plan with policies that the Council will use when planning applications are received.
- 4.1.2 The Localism Act 2011 introduced legislation that enables communities to create a Neighbourhood Plan for their area. This was then implemented through the Neighbourhood Planning (General) Regulations 2012.
- 4.1.3 Neighbourhood Planning is truly a community led process, driven by local communities and businesses, which offers the opportunity to address local requirements and issues in greater detail than is possible with a borough wide Local Plan.
- 4.1.4 However, there are certain caveats with this – Neighbourhood Plans need to be in “general conformity” (i.e. broadly consistent) with, and plan positively to support, the strategic policies of the London Plan and the Local Plan, and should be about the development and use of land and buildings. Table 4.1 - What a Neighbourhood Plan can and cannot do sets out what a Neighbourhood Plan can and cannot do.
- 4.1.5 Additionally, the process of Neighbourhood Planning can be lengthy and costly, with 4 years being a typical time from early stages of forum and area designation to the referendum in London.

Figure 4.1 - Flytipping is an issue that many local residents wish to tackle, however in the context of Neighbourhood Planning, measures to tackle it would need to be a supporting action rather than a land use policy.



Management strategies

4.1.6 Many communities have a variety of concerns and aspirations regarding their areas, however government legislation means neighbourhood plans must address the development and use of land. Other issues, such as on street parking, fly-tipping, and antisocial behaviour hot-spots should be addressed through a management strategy that is an appendix to the neighbourhood plan itself.

4.1.7 The management strategy can also identify projects on which Local CIL funding could be spent.

Table 4.1 - What a Neighbourhood Plan can and cannot do

| What can a Neighbourhood Plan do? | |
|--|---|
| <p>It Can:</p> <ul style="list-style-type: none"> Promote an overall vision for a Neighbourhood Area and visions for smaller areas and estates within Provide new or refined detailed policies to better meet local needs and aspirations (e.g. protecting local green spaces or setting local design standards) Allocate additional sites for development (including housing, employment, or community uses) | <p>It Cannot:</p> <ul style="list-style-type: none"> Be about issues that are not relevant to planning (e.g. fly tipping, antisocial behaviour hotspots) - although these may be included within a strategy published alongside the plan Make changes to adopted policies within the Local Plan or London Plan Seek to reduce the Local Plan's housing targets Prohibit certain types of development (e.g. takeaways, HMOs) altogether Impose financial burdens that would make development undeliverable |
| <p>It Must:</p> <ul style="list-style-type: none"> Meet the "basic conditions" and be examined before a referendum can take place Have been consulted on adequately amongst statutory bodies and the local community Be in conformity with the NPPF; and in "general conformity" with the strategic policies of the Local Plan and London Plan Be in accordance with any relevant EU directives (and any domestic legislation that incorporates them into UK law after Brexit) Contribute to achieving sustainable development Protect designated historic and natural assets within or neighbouring the plan area (including listed buildings, conservation areas, Sites of Importance for Nature Conservation, and Special Areas of Conservation) | <p>You could do these in addition or instead:</p> <ul style="list-style-type: none"> Engage in Local Plan preparation Engage in planning policy consultation and consultations by other Council service areas (e.g. housing, regeneration) Engage in planning application consultations Apply for Neighbourhood CIL funding |

Forum and Area Re-Designation

4.1.8 Under Neighbourhood Planning legislation, every five years the neighbourhood forum will need to apply to the council for re-designation. This is done to ensure that designated forums continue to be active and meet the legal requirements for their operation.

4.1.9 Neighbourhood areas are also required to be re-designated every five years, and may also be altered as part of a re-designation. It may be the case that recent development means that a different boundary may be more appropriate; or that a larger or smaller designated area would work better for future plan-making in that area. Note that changes to the neighbourhood area do not affect the boundaries of existing neighbourhood plans.

4.1.10 This re-designation process applies to the area and the forum, but not the neighbourhood plan. The neighbourhood plan will, however, need to be periodically revised.

Stages of Plan Making and Council Assistance

4.1.11 Whilst the Neighbourhood Plan is community driven, some parts of the Neighbourhood Planning process are the legal responsibility of the Council. Additionally, the Council will offer advice to Neighbourhood Forums regarding policy matters and support (prospective) Neighbourhood Forums in a manner that makes good use of available resources

4.1.12 The Council has produced a Neighbourhood Planning Protocol, outlining how Forum and Area applications are determined, and the level of support that is offered. Table 4.2 outlines the process of making a neighbourhood plan:

Table 4.2 - Neighbourhood Plan Process

| Stage | Detail |
|---|---|
| Pre-designation | |
| Stage 1: Developing a Neighbourhood Area Application | A group needs to consult locally on a proposed Neighbourhood Area designation prior to an application being submitted. It is also strongly recommended that they submit a draft application to the Council so that potential issues can be resolved. |
| Stage 2: Applying to be designated as a Neighbourhood Area | Consultees will have the opportunity to comment on the designation of the Area and whether the boundary of the Neighbourhood Area should be modified. |
| Stage 3: Developing a Neighbourhood Forum Application | A group needs to meet certain minimum criteria to be designated as Neighbourhood Forum. It is also strongly recommended that they submit a draft application to the Council so that potential issues can be resolved. |
| Stage 4: Applying to be designated as a Neighbourhood Forum | Consultees will have the opportunity to comment on the designation of the Forum and whether the proposed Neighbourhood Forum meets the criteria to be a qualifying body. |
| Post-designation | |
| Stage 1: Initiating Plan-Making | The Council will provide an overview of the current policy and legislative context with regard to the Local Plan and Neighbourhood Planning, and any expected updates or changes. The Forum will provide a named point of contact and an overview of aims and objectives; and will start to identify the policies and objectives of the Plan and develop an evidence base. |

| Stage | Detail |
|--|--|
| Stage 2: Preparing a draft Neighbourhood Plan | <p>A Forum will need to start to publicise their aspirations for a Neighbourhood Plan, consider what they want their Plan to cover, project plan the development of the Plan, and update the Council on progress to date. It is at this stage that they will begin the process of writing draft policies and supporting text (which is likely to be an iterative process).</p> <p>The Council will provide evidence and reports undertaken for the Local Plan to the Neighbourhood Forum; and will provide written comments and SA / HRA / EqIA screening on the final pre-consultation draft.</p> |
| Stage 3: Pre-submission publicity and consultation | <p>A Forum will consult on the draft Neighbourhood Plan (which must meet minimum requirements) and make any necessary changes.</p> <p>The Council will provide feedback on the Forum's proposed consultation plans; provided this is done with sufficient notice ahead of any proposed consultation date. The Council will also provide a formal response to the draft Neighbourhood Plan and any significant changes made subsequently.</p> |
| Stage 4: Submission of a neighbourhood plan | <p>The Forum will submit the Neighbourhood Plan and supporting documentation to the Council, who will then consult on the submitted plan, provide their own formal response, and appoint an independent examiner.</p> |
| Stage 5: Examination | <p>An independent examiner will review the Neighbourhood Plan, and will test it against legal requirements. The Examiner will issue a report to the Council and Forum recommending whether the Plan should be taken to referendum.</p> |
| Stage 6: Post Examination | <p>The Council will consider the report of the Examiner and make a decision on whether to proceed to a referendum.</p> |
| Stage 7: Referendum and bringing the Neighbourhood Plan into force | <p>The Council will organise a referendum on the Neighbourhood Plan. If there is a majority "yes" vote, the Council must then "make" the Plan within 8 weeks.</p> |
| Stage 8: Post Referendum | <p>The Council will "make" the Plan. From that point, the Neighbourhood Plan will be formally used in decision making.</p> <p>Neighbourhood Plans will set out the time period that they are valid for (typically 15 years), however it may be desirable or necessary to modify a Neighbourhood Plan sooner, in order to update it.</p> |

4.2 Neighbourhood Planning Stages

4.2.1 This provides a summary of the Neighbourhood Planning stages. Full information, including the amount of council officer time we are able to dedicate at each stage, and timescales for arranging meetings and providing information etc., is available within the Neighbourhood Planning Service Protocol¹⁹.

¹⁹ The Neighbourhood Planning Service Protocol is being prepared at the time of writing, but may be found online on the Council's website.

4.2.2 A Neighbourhood Plan is not part of the Development Plan until it is made, however it carries some importance (or "weight") after each stage of consultation and the Examination, and the Council is legally required to have regard to a draft Neighbourhood Plan after the examination stage.

4.2.3 It is, however, a matter for the decision maker (and not the Forum) to determine how much weight to give a Neighbourhood Plan when determining planning applications.

Pre-designation

Stage 1: Developing a Neighbourhood Area Application

4.2.4 Neighbourhood areas are the designated areas which the Neighbourhood Plans will eventually cover. The proposed area should be based around an identifiable area (e.g. a town, district, neighbourhood, or estate) with a distinct identity and logical boundaries; the group proposing the neighbourhood area will be expected to show that they have consulted adequately on the proposed boundary. This will need to include documentary evidence of consultation with individuals living in the area, residents' associations, community groups, and businesses; through meetings, letter drops, surveys, press releases, websites, social media, etc. Officers will aim to facilitate discussion between stakeholders if there is disagreement regarding what neighbourhood a particular area (such as an individual street or estate) belongs to.

4.2.5 The Local Government Association has further information on the designation of Neighbourhood Areas and Forums, including case studies²⁰.

4.2.6 Neighbourhood areas can cross borough boundaries (in which case officers will contact the other boroughs to discuss how to handle the application, and each council will be responsible for designating its own respective portion of the proposed neighbourhood area), but cannot overlap other neighbourhood areas.

Stage 2: Applying to be designated as a Neighbourhood Area

4.2.7 A group must apply to the Council to designate a Neighbourhood Area; the Council must determine the application within a period of 13 weeks (20 weeks where it covers land in two or more local authorities). The Council will consult for a minimum of six weeks on the proposed area, and will take into account representations before a final decision is made on the boundary.

4.2.8 Where an area wholly or predominantly consists of businesses as opposed to residential uses, the Council will consider designating the area as a Business Area for neighbourhood planning. The main difference between ordinary Neighbourhood Plans and Business Areas is that the referendum process is different for Business Areas.

Stage 3: Developing a Neighbourhood Forum Application

4.2.9 In Redbridge, the absence of Parish or Community Councils means that Neighbourhood Forums are the membership organisations that are responsible for developing Neighbourhood Plans.

20 "Briefing Note on Neighbourhood Area and Neighbourhood Forum Designations". Available at <https://www.local.gov.uk/sites/default/files/documents/area-and-forum-designatio-814.pdf>

- 4.2.10 The Council encourages all applicants to discuss their proposed Forum designation with officers prior to a formal submission, so that potential issues with the designation can be rectified before the formal consultation.
- 4.2.11 The Forum application needs to demonstrate the consultation and publicity for the proposed Neighbourhood Forum, which should record in presentable formats all exercises and events undertaken and public feedback.

Stage 4: Applying to be designated as a Neighbourhood Forum

- 4.2.12 A group must apply to the Council for designation as a Neighbourhood Forum; and the Council must determine the application within a period of 13 weeks, including a consultation period of six weeks on the application. There are certain legal requirements regarding the Forum's operation and membership, and the Council will expect a prospective Forum to show that it is, as far as practicable, reflective of the demographics of the proposed Neighbourhood Area.
- 4.2.13 These two designations (Area and Forum) are separate, but they can be submitted at the same time in which case the Council will run combined consultations.

Post-designation

Stage 1: Initiating Plan-Making

- 4.2.14 The Forum will at this point set up a steering group, and will identify the aims and objectives of the plan, begin community engagement and develop an evidence base.
- 4.2.15 The Council will provide an overview of the process and procedures, and advise the Forum on current and future planning policy considerations, legal procedures, consultation and engagement, and the requirements of other legislation.
- 4.2.16 The Council will provide a post Forum and Area designation meeting lasting no longer than 2 hours, this can be arranged within 4 weeks of a request.
- 4.2.17 In order for the Council to provide effective support, the Forum will need to provide a single named point of contact, an overview of aims and objectives, prepare a project plan and work programme / timetable including the proposed methods of consultation and engagement, and provide regular progress updates.

Stage 2: Developing the Draft Neighbourhood Plan

- 4.2.18 The Neighbourhood Forum will at this point prepare a draft Neighbourhood Plan and undertake a Strategic Environmental Assessment if required.
- 4.2.19 The Forum will need to consider publicising their aspiration to produce a Plan, what they want their Plan to cover, a project plan, the evidence they may need to support their Plan, and how they will consult with residents and other relevant parties (e.g. service providers, developers, landowners) as they identify and assess options.
- 4.2.20 The Neighbourhood Forum can choose what policy areas it wishes the Plan to focus on (subject to the content being in general conformity), although the plan will need to distinguish between policies to be used in land use planning, and other management options for the local area.

4.2.21 This is usually the longest stage of preparing a Neighbourhood Plan, and some external technical / policy support is likely to be needed to assist with key topics; funding and technical support packages are available (information is listed under “Further Resources” at the end of this section).

4.2.22 The Council will be able to provide formal comments on a final-submission draft Plan, and can provide advise at earlier stages regarding document structure, and conformity with other levels of policy.

Stage 3: Pre-submission publicity and consultation

4.2.23 Neighbourhood Forums are required to publicise the proposed Neighbourhood Plan or Neighbourhood Order (as appropriate) and to undertake their own public consultation lasting at least six weeks, before it may be submitted to the Local Authority.²¹

4.2.24 The Forum should prepare a clear consultation strategy, the Council will provide advice regarding this strategy, and the Forum's statutory duties, in advance of the proposed consultation period.

4.2.25 The Neighbourhood Forum will at this stage need to publicise the draft plan or Order and will invite representations, and will consult the consultation bodies (see Section 8) as appropriate; as well as sending a copy of the draft plan or Order to the Council who will provide a response. Additional publicity and consultation requirements exist where Habitats Regulation Assessment regulations apply.²² The Council will provide a coordinated response, with input from different service areas, to the Forum during this consultation period.

4.2.26 After the consultation, the Neighbourhood Forum will consider the consultation responses and amend the plan or Order if appropriate, and prepare a consultation statement and other proposal documents (such as a policies map, or management strategy).

Stage 4: Submission of a neighbourhood plan

4.2.27 The Neighbourhood Forum will submit the proposed plan to the Council with the required supporting documents, who will check that it meets relevant legislation. If the plan meets the legal requirements, it will publicise the proposal for a minimum of six weeks and invite representations. The Council will also notify consultation bodies.

Stage 5: Examination

4.2.28 The Examination is undertaken by an independent Examiner, appointed by the Council in agreement with the Neighbourhood Forum. In most instances neighbourhood plan examinations will be held by “written representations”, without public hearings. The Examiner will issue questions about the Neighbourhood Plan, and the Forum, the Council, and other interested parties will provide their responses. However, the Examiner may call a public hearing for particular topics / issues if deemed necessary, or alternatively may hold a meeting for information or clarification purposes. The Council must make the necessary arrangements for the Examination.

21 Requirement of Regulations 14 and 21 of the Neighbourhood Planning (General) Regulations 2012.

22 In Redbridge this applies to Neighbourhood Plans containing, or with the potential to impact upon, those parts of Epping Forest land designated as a Special Area of Conservation.

4.2.29 The Council will send the Neighbourhood Plan, along with representations and the supporting documents and evidence to the Examiner, who will test whether the plan meets the “basic conditions” and other legal requirements relating to the Neighbourhood Plan. The Examiner will then issue a report to the Council and Neighbourhood Forum, which will be published. The Council will consider the report and take the decision on whether to send the plan to referendum.

Stage 6: Post-examination

4.2.30 The Examiner will provide their report regarding the proposed Plan to the Council; the Examiner's report will either recommended that the draft Plan is taken to a referendum (with or without modifications), or that the draft Plan is refused.

4.2.31 Depending on the extent of any modifications, the decision on whether to hold a referendum will be made by either the Cabinet Member or the Council's Cabinet. However, if the decision is different to the recommendation of the Examiner, the Council must notify those identified on the Consultation Statement and invite representations. The Council must then publicise the examiner's report and the Council's decision in respect of the report.

Stage 7: Referendum and bringing the Neighbourhood Plan into force

4.2.32 The Council's Electoral Services team will be responsible for organising a referendum. An information statement will be published by the Council with information on the Neighbourhood Plan and voting arrangements. In some instances, the Examiner will recommend that voting takes place in an area larger than the area of the Plan. Eligibility for voting is the same as for local Council elections.

4.2.33 In the case of Business Areas, parallel referendums take place for residents and for non-domestic ratepayers. The Council will clarify in advance of the referendum what will happen if only one of the referendums results in a majority in favour of the referendum.

Stage 8: Post Referendum

4.2.34 The referendum results will be declared, and if more than half of valid votes are in favour of the neighbourhood plan, the Council is then responsible²³ for “making” the Neighbourhood Plan within 8 weeks of the referendum. This will take place by means of a vote at Full Council; and the Neighbourhood Plan will come into effect from that date. Officers will then publicise the decision regarding the making of the Plan and where the Plan may be viewed; and send a copy of the decision to the Forum and other persons who have asked to be notified of it.

4.2.35 There are no statutory duties for the Forum at this stage, however if the Plan included any spatial policy designations or site allocations and the Forum produced GIS map layers, the Forum is requested to provide these to the Council so that it may update its Policy Map and planning software.

4.2.36 The Council (and other decision making bodies such as the Mayor of London, Planning Inspectorate, and Secretary of State) must use the Neighbourhood Plan policies alongside

²³ There are very limited circumstances where the local planning authority is not required to make the neighbourhood plan. These are where it considers that the making of the Neighbourhood Plan or Order would breach, or otherwise be incompatible with, any EU or human rights obligations (see section 61E(8) of the Town and Country Planning Act 1990 as amended). However, because the “basic conditions” must be met in order to proceed to Referendum stage, this scenario is very unlikely to arise.

those of the Local Plan, London Plan, and NPPF when making decisions on planning applications.

4.2.37 Neighbourhood Plans must set out the time period for which they are to have effect, and will remain valid/ effective until the end of that period. Typically, this will be a fifteen year period from when the plan was prepared.

4.2.38 However, it may be desirable to update the Neighbourhood Plan before that date, because the circumstances of the area may change as sites are developed and social and economic situations change; and the London Plan and Local Plan may include new policies that contradict parts of the Neighbourhood Plan, in which case the more recent planning policy would take precedence. Table 4.3 shows the three levels of modifications that can be made to a Neighbourhood Plan or Order:

Table 4.3 - Modifications to a Neighbourhood Plan or Order

| Type of Modification | Modification undertaken by | Example of Modification | Consultation, Referendum or Examination? |
|---|--|--|--|
| Minor Modification | Neighbourhood Forum or Council (with consent of Forum) | Minor changes such as general error corrections and factual updates regarding the planning status of a site, that would not materially affect the policies of the Neighbourhood Plan | Not required |
| Material modifications that do not change the nature of the plan or order | Neighbourhood Forum | Allocating a minor site for development or making small changes to policy criteria | Consultation and examination, no referendum |
| Material modifications requiring a referendum | Neighbourhood Forum | Allocating significant new sites for development or updating a number of policies | Consultation, examination, and referendum required |

Neighbourhood Development Orders

4.2.39 A **Neighbourhood Development Order (NDO)** will grant planning permission for a particular type of development in a particular area. For example, they can be used on a particular site to in effect grant outline planning permission for redevelopment, or can be used in a town centre or other defined area to grant planning permission for particular changes of use. This can be subject to the discharge of relevant conditions.

4.2.40 There are certain restrictions as follows, as the NDO:

- needs to meet some minimum standards, and must have been consulted on with the community before it can be submitted to the Council
- must be passed to the Council who will check that it has been properly consulted on, and that the development does not need an Environmental Impact Assessment
- will be assessed by an independent examiner, who will check that it conforms to national and local planning policies and does not damage heritage assets

- will be subject to a local referendum, if the examiner approves the order

4.2.41 The procedure for creating or modifying a neighbourhood development order is similar to that for creating a neighbourhood plan, and the amount of evidence necessary to accompany a proposed Neighbourhood Development Order will usually be less. **Community Right to Build Orders** operate in a similar way.

Further Resources

4.2.42 Further information on Neighbourhood Planning is available from the following sources:

<http://www.NeighbourhoodPlanners.London> is a London-wide voluntary network that provides peer to peer support for groups at all stages of the Neighbourhood Planning process, and aims to develop greater shared understanding and knowledge of neighbourhood planning in the London context.

<https://www.gov.uk/guidance/neighbourhood-planning--2> - Planning Practice Guidance on Neighbourhood Planning

<https://www.gov.uk/government/collections/notes-on-neighbourhood-planning> - Bulletins from the MHCLG Neighbourhood Planning Team

<https://locality.org.uk/> - Locality is the national network of community organisations that distributes funding for Neighbourhood Planning on behalf of the Government.

<https://neighbourhoodplanning.org/> - Website run by Locality providing additional resources and guidance for Neighbourhood Forums on developing and consulting on their neighbourhood plans.

<https://mycommunity.org.uk/> - website providing support to communities through the government for technical support and grant funding.



5 Planning Gain

5.1 Introduction

5.1.1 Whilst development can bring a great deal of benefit of various kinds, from the provision of new housing to the economic significance of the construction sector, the increased intensity of use can create local issues around infrastructure.

5.1.2 The planning system acknowledges the requirement to provide new infrastructure, and a system of “developer contributions” exists, so that house-builders and others who benefit financially from new development undertake works and manage their properties in a way that reduces their impacts on the wider locality, and also pay their share towards the cost of new facilities.

5.1.3 There are two main ways that this is provided, Section 106 Agreements and Community Infrastructure Levy. These are summarised below:

| Type of planning gain: | Section 106 Agreement | Community Infrastructure Levy |
|------------------------|--|--|
| Way it works: | <p>Legal agreement between the Council, the developer, and any third parties with an interest in the land (e.g. banks who are mortgagees) to undertake works, provide facilities or land, and/or pay a financial contribution.</p> <p>Some Section 106 agreements are “Unilateral Undertakings” and are effectively “self-binding” agreements rather than those agreed with the Council.</p> | Flat rate charge per square metre of development. The charge may vary between areas or uses. |
| Applies to: | Can be used for most developments, but typically only for major development of over 10 dwellings or 1000 square metres. | Net additional floorspace where over 100 square metres is proposed and/or new dwellings created. |
| Can be used for: | Various provisions including infrastructure, affordable housing, management provisions, sustainability, employment and skills. | Infrastructure provision as outlined in an Infrastructure Funding Statement. |

5.1.4 The Council's Planning Obligations SPD provides further information on Section 106 and CIL, including technical guidance on how they will be applied to different types of schemes.

5.2 Section 106

5.2.1 For major development, developers are required by planning policies to provide new facilities and mitigate the impact of their developments. This can include the developer signing a legal agreement to provide facilities or services as part of their development, or pay for the Council to undertake works elsewhere. These are provided through Planning Obligations, often referred to as “Section 106 Agreements” after Section 106 of the Town and Country Planning Act 1990

5.2.2 Section 106 Agreements can be used to pay for or provide most types of facility, as long as they are:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and related in scale and kind to the development.

5.2.3 The types of facility to be included will vary depending on the type and size of development, but may include transport improvements, community halls, health and education facilities, upgrades to town centre CCTV networks, and children's playgrounds.

5.2.4 Affordable housing is also provided through these agreements as part of residential developments with over 10 additional homes, excluding changes of use to residential approved through the "prior approval" route.

5.2.5 The Council's Planning Obligations SPD provides full technical details of the types of contribution that may be required, and in what circumstances.

5.2.6 This can be provided either as part of the main development, on another site, or financial contributions can be made to the Council to pay for off-site provision. This will largely depend on the scale of the proposed development and the facility to be funded, as some facilities will involve adding funds from multiple developments.

5.3 CIL

5.3.1 The Community Infrastructure Levy (CIL) is a charge on most new development in Redbridge, which provides some of the funding for new infrastructure in the borough. It is charged on a flat rate per square metre of new build floor space within most types of new developments over 100m², and on all new dwellings. Existing floorspace that is retained or demolished may in some instances be applied as credit against CIL.

5.3.2 The legal basis for the Council charging CIL, as well as the consultation requirements for a CIL charging schedule, are set out under the CIL Regulations 2010 (as amended).

5.3.3 Redbridge was the first Local Authority in England to adopt a CIL Charging Schedule (in January 2012); and in common with the rest of London, is also subject to the Mayoral CIL 2, used to pay for strategic transport infrastructure including Crossrail and Crossrail 2.

5.4 CIL Charging Schedule Process

5.4.1 Councils can decide whether to have a CIL Charging Schedule or not; and can charge different amounts in different locations or for different uses, providing they are able to provide evidence to justify the rates they propose to charge.

5.4.2 The charging schedule can also be updated to reflect changing economic circumstances, this is subject to a similar examination process to the Local Plan.

5.4.3 The Government has recently revised²⁴ the legislation for CIL Reviews to allow for a more flexible and proportionate approach to consultations, meaning that is longer mandatory to have two rounds of consultation on new or updated CIL Charging Schedules before

24 The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019

Examination. The amount of consultation can be proportional to the significance/ magnitude of the change(s) (e.g. slight boundary changes to the charging zones or a revised rate for a certain type of development would require less consultation than a comprehensive review of CIL rates). When the CIL examination takes place, the examiner is required to consider whether the Council has undertaken appropriate levels of consultation.

5.4.4 CIL Review consultations are more specialised in nature than for other planning documents, therefore the Council will typically consult for six weeks.

5.5 Neighbourhood CIL Spending

5.5.1 The CIL money collected is used towards the funding of infrastructure to support growth in the borough.

5.5.2 The majority of funding (around 80%) is used to provide capital funding for strategic infrastructure within the borough, such as schools, highways, and other public works. Up to 5% may be retained for administration costs; and the remaining 15% (capped at £100 per dwelling) is spent on neighbourhood CIL for local projects.

Bidding for Money

5.5.3 The Council runs an annual engagement exercise where it encourages residents, councillors, and others to submit proposals for Neighbourhood CIL Spending. This is publicised online and through Neighbourhood Officers.

5.5.4 The CIL regulations require 15% of CIL money to be reserved for Neighbourhood CIL, and the Council allows community groups to bid for Neighbourhood CIL for funding towards local neighbourhood schemes, such as community and environmental projects, with proposals assessed against identified priorities.

5.5.5 In areas where a “made” Neighbourhood Plan exists, the proportion of Borough CIL from developments within that area reserved as Neighbourhood CIL is increased to 25% (without a cap per dwelling), providing extra funding for local projects identified within a Neighbourhood Plan.

Part 3: For Developers

6 Background Information

6.1 Summary

6.1.1 This section is primarily to give an overview of the borough, and an overview of what you, as a developer or voluntary organisation, should be able to expect from us, and vice-versa.

6.2 Redbridge's People

6.2.1 Redbridge is a varied and diverse borough with good access to green space, good schools, good road and rail links, and a mostly residential character with strong transport links to the City of London and Canary Wharf, that will further be transformed with the opening of Crossrail.

6.2.2 Redbridge is the fourth most ethnically diverse local authority in the UK, as well as one of the fastest growing. Over the past ten years, the population of Redbridge has grown from 265,452 (mid 2008 estimate) to 303,858 (mid 2018 estimate); and by 2030 there will be just under 340,000 people living in Redbridge.

6.2.3 Redbridge is made up of many diverse ethnic groups. By 2021, the largest groups of people are predicted to be White British (23.8%), Indian (18.9%), Pakistani (14.3%), Other White (8.8%), Other Asian (8.2%), and Bangladeshi (8.0%).²⁵ There are also substantial numbers of Black and mixed-race residents within the borough. There is a clear geographic divide, with white residents primarily in the north and west of the borough, and Asian residents in the south and east of the borough.

6.2.4 The average household size is the second largest in the country (after the neighbouring borough of Newham), reflecting societal preferences and cost pressures that lead towards extended families living together, and the shortage of new housing stock that makes it difficult for younger residents living with their parents or in shared accommodation to form their own households.

6.2.5 Redbridge has many different religious communities. The largest proportion of borough residents are Christian (35.2%), Muslim (29.4%), Hindu (14.0%), of no religion (13.0%), Jewish (3.4%), and Sikh (3.1%).

6.2.6 The needs of Redbridge's diverse population are reflected in the shifting demand for community facilities such as places of worship, specialised businesses, shops, and restaurants.

6.2.7 As of 2016, the majority of people in Redbridge live in housing that their household owns, either outright (23.0%) or with a mortgage (36.5%) (both higher than average for London). 31.1% of people in Redbridge rent from a private landlord (higher than average for London), and 9.4% rent from the Council or a Housing Association (lower than average for London, and reflective of our small social housing stock).²⁶

6.2.8 The Council recognises that certain groups of people may face greater challenges when

25 Housing-led Ethnic Group Projections, GLA (2016)

26 Housing Tenure by Borough (2016) <https://data.london.gov.uk/dataset/housing-tenure-borough>

engaging with the planning system than others, for example due to language and technological barriers. To combat this, the Council will explore ways of using modern consultation tools, selecting a range of accessible venues, and providing documents in accessible formats on request, as well as pro-actively contacting and engaging with established groups that represent, and have contacts within different groups in society. This will ensure that the Council meets its aims in making consultations more inclusive.

6.3 Engagement by Developers

6.3.1 In addition to what we say in regard to planning applications, developers should have regard to the following when considering their consultation strategy:

Table 6.1 - Developer Consultation Strategies

| About the Scheme | Further Advice |
|---|---|
| How significant is the scheme and what is the perceived level of community interest? This will help you determine the scale of consultation necessary. | This will depend on the scale of the development relative to the location, the nature of the development proposal, and any specific sensitivities (e.g. an existing community use or heritage) relating to the site. |
| When is the right time to consult? For very large schemes it may be beneficial to hold multiple phases of engagement such as an earlier round of consultation on the overall principle of development and artist's impressions, followed later by a pre-application consultation with more developed proposals. | This will depend on the nature of the proposal, but this approach is recommended for strategic applications, as well as those with particular implications for existing residents. |
| What is the community make-up and how can I engage with the whole community? An understanding of local demographics, including its socioeconomic characteristics and the proportion of those with English as an additional language, will help to identify the most appropriate way of engaging with the whole community. | <p>Redbridge is one of the most ethnically diverse local authorities in the country, and although the socioeconomic profile varies across the borough, the borough as a whole is very mixed.</p> <p>2011 Census Data shows the main languages other than English are (in descending order) Urdu, Panjabi, Tamil, Bengali, Gujarati, Lithuanian, Polish, Hindi, and Romanian.</p> <p>The Story of Redbridge provides more detailed demographic information:</p> <p>https://www.redbridge.gov.uk/about-the-council/the-story-of-redbridge/</p> |

| About the Scheme | Further Advice |
|--|---|
| Who do I need to consult? Consider how to engage local statutory bodies, voluntary groups, and individuals | A list of statutory and non-statutory consultees is found at Section 8. With the community sector, developers should focus on those groups closest to their proposed developments (including local schools, places of worship, and amenity societies as appropriate), as well as relevant borough-wide groups. Council officers will be able to advise on local contacts where necessary. |
| What tools and techniques can be utilised to gain more value through the consultation process? Methods can range from additional awareness raising activities, to digital tools, to public events. | Appendix 2 provides a range of tools and techniques. |
| How will comments be recorded, reported and considered? It is good practice to develop a system to respond to comments and establish how they will be recorded. This will feed into the Pre-Application Consultation Report. | Where developers have undertaken pre-application consultation, a Statement of Community Involvement or Pre-Application Consultation Report should be submitted as part of the subsequent planning application. |

Further Guidance

6.3.2 The RTPI (Royal Town Planning Institute) has published guidance on what it expects from its members in regard to effective pre-application engagement, which can be accessed via the following link: <https://www.rtpi.org.uk/media/844002/10%20commitments%20for%20effective%20pre-application%20engagement.pdf>

6.3.3 Developers may wish to engage the use of specialist consultants to help them organise and run consultation events.

7 Planning Enforcement

7.3.1 The Council can use its Planning Enforcement powers to resolve breaches of planning control, and uses information such as Council Tax records, property addressing, and building control records to help determine whether such breaches have occurred. However, the majority of breaches are brought to our attention by other Council departments, elected Councillors, or the public. Planning Enforcement officers must then assess the level of harm caused. As such, local people play an important role in this aspect of the planning system, as Planning Enforcement relies on the public and internal departments to inform us of potential breaches in planning control.

Figure 7.1 - An existing outbuilding or garage, such as the one depicted, may lawfully be used for ancillary uses, such as a home office, storage or hobby use; but using it as separate residential accommodation without planning permission is likely to result in enforcement action.



7.3.2 Breaches of planning control include operational development (building works and alterations), and material changes of use (where the use of a property changes between planning use classes), which do not have planning permission or benefit from permitted development; as well as failures to comply with conditions attached to an approved planning permission.

7.3.3 Additionally, untidy land and buildings may also be the subject of planning enforcement action through a Section 215 notice.

7.3.4 The Council will investigate alleged breaches of planning control in line with the published [Planning Enforcement and Direct Action Policy](#)²⁷ that provides further information about the Council's approach to Planning Enforcement, including how cases are managed and prioritised, and the information we require to investigate complaints.

27 Available at https://www.redbridge.gov.uk/media/3715/pe_policy-june-update.pdf

- 7.3.5 The Council is unable to investigate matters relating to party wall/boundary disputes, or legal covenants, as these are matters of civil law outside of the Council's jurisdiction. Planning enforcement action is also subject to a time limit²⁸ (except for works requiring listed building consent).
- 7.3.6 In some instances, other teams within the Council such as Housing, Licensing, Building Control and Environmental Health may be better placed to take action.
- 7.3.7 The Council will update the complainant about what actions are being taken, including if the case is closed or formal action is taken.
- 7.3.8 The Council will generally seek to negotiate with the landowner/other parties to resolve a breach. This may involve ceasing or changing an unauthorised use, or modifying or removing unauthorised building works. In some instances (where there is no harm, or a very low level of harm caused), the development would likely have been given planning permission and the landowner/occupier will be asked to apply for retrospective planning permission.
- 7.3.9 Where it is established that harm is caused and it is expedient (i.e. proportionate and worthwhile) and in the public interest to do so, enforcement action may be taken. This may include an enforcement notice, a stop notice, a temporary stop notice, a breach of condition notice, or in the most serious cases, the Council may seek a county court or high court injunction.
- 7.3.10 The occupier or landowner can appeal against certain types of enforcement action on several grounds, in a similar way to appealing against the Council refusing planning permission.



28 This time limit is four years after substantial completion for operational development (i.e. construction work) and changes of use to a single dwelling house (including self-contained flats); and is ten years for other changes of use or breaches of planning conditions.

Part 4: Appendices

Appendix 1 – Specific and General Consultation Bodies

| Statutory Consultation Bodies and Specific Consultation Bodies | General Consultation Bodies |
|---|---|
| <p>Statutory Consultation Bodies must be consulted on planning applications in certain circumstances. Specific Consultation Bodies (which are mostly the same organisations) must be consulted on planning policy documents.</p> | <p>General Consultation Bodies are defined in the Town and Country Planning (Local Planning) (England) Regulations 2012. Locally specific examples are listed:</p> |
| <ul style="list-style-type: none"> • Mayor of London (Greater London Authority) • Neighbouring authorities, namely the London Boroughs of Barking and Dagenham, Havering, Newham, and Waltham Forest; Epping Forest District Council, and Essex County Council • Environment Agency • Natural England • Marine Management Organisation • Secretary of State for Transport • Historic England (The Historic Buildings and Monuments Commission for England) • Transport for London • Theatres Trust • Highways England • Network Rail • NHS London (and any Clinical Commissioning Group) • Thames Water • Any designated Neighbourhood Forum • Phone, broadband, gas, and electricity companies operating within the borough (“statutory undertakers”) | <ul style="list-style-type: none"> • Ward councillors • Leaseholder Forum • Registered Providers (i.e. Housing Associations) • Redbridge Tenants Forum • Redbridge Landlord Forum • Resident’s Associations • Amenity societies • Redbridge Youth Council • Equalities forums • Metropolitan Police Service (including Designing Out Crime Officers, Counter Terrorism Security Advisors) • London Fire Brigade • London Wildlife Sites Board • Business Improvement Districts • Redbridge Chamber of Commerce • Redbridge Forum • Redbridge CVS • Redbridge Cycling Campaign • City of London Corporation (as Conservators of Epping Forest) • The Canal and River Trust • Disability groups • Health trusts and emergency services • Other borough-wide groups • Developers, landowners, and agents • Other voluntary bodies, some or all of whose activities benefit any part of the borough • Bodies which represent the interests of different groups within the borough • All people who have advised the Council that they are interested in being informed about a particular plan being prepared |
| <p>To be added to the Planning Policy database and be informed about the progress of planning policy documents, provide your contact details by:</p> <p>Email: dpd@redbridge.gov.uk</p> <p>Post: Planning Policy, 5th Floor Front, Lynton House, London Borough of Redbridge, 255-259 High Road, Ilford, Essex, IG1 1NY</p> | |

Appendix 2 – Consultation Methods and Processes

Appendix 2 Table 1 - Consultation Methods

| Method | Context of consultation | Notes |
|--|---|---|
| Plan Making | | |
| Email | All Planning Policy documents | Used to notify consultees of when consultations are launched. |
| Social media | Planning Policy Documents or Development proposals with associated events | The Council will use social media to advertise planning policy documents and consultation events and provide links to online consultations and further information, but is unable to formally consider feedback made on social media platforms. |
| Online Surveys | All Planning Policy documents | The Council will use a Consultation Hub to receive online comments on planning policy documents. |
| Council planning policy webpages | All planning policy documents and masterplans | Will provide online copies of documents and details of consultation process.. |
| Online community consultation platform (e.g. Citizen Space, Commonplace) | Area based plans (e.g. AAPs, masterplans, conservation areas), regeneration projects | These platforms provide robust analytics and allow for both “comment maps” (e.g. in relation to different places in a town centre) as well as comments on different aspects of a development proposal. |
| 3D contextual digital models (e.g. VU.City) | Most useful for town centre masterplans / tall building strategies. | Shows the proposal as a 3D model in relation to its surroundings. May be used in different formats including virtual reality and augmented reality headsets. Can help stakeholders gain a better impression of the scale of the development, cumulative changes with other proposals, and issues such as sunlight / daylight. |
| Press Notices | Designation, variation, or cancellation of Conservation Area | Only required for certain types of plan-making (see How to comment on Planning Applications) |
| Redbridge Life quarterly newsletter | Local Plan consultations, Supplementary Planning Documents, Conservation Area Appraisal consultations, Neighbourhood CIL (Community Infrastructure Levy) consultations, Neighbourhood Plan consultation | This is a quarterly publication and therefore used to advertise planning policy consultations and events which can be planned in advance. |

| Method | Context of consultation | Notes |
|--------------------------------|--|--|
| Local Forums | Local Plans, some SPDs, masterplans, some strategic applications, Neighbourhood CIL funding | Local Forums are held in groups of four three to four times per year, rotated between the four designated neighbourhoods of the borough. |
| Public Consultation Events | Local Plans, some SPDs, all strategic applications, most major applications, Conservation Area Appraisals and Management Plans | These will typically be held by the Council (for planning documents) or developer (for proposed developments) in a venue close to the application site. |
| Design Charrettes | Masterplans | Short meeting where groups sketch design options to explore a range of outline design ideas. |
| Enquiry by Design | Masterplans, regeneration projects | Intensive series of collaborative workshops based on a process developed by The Prince's Foundation. |
| Group Meetings | Neighbourhood plans, Local Plans and SPDs | Invitational or panel / focus group meetings for local stakeholders. |
| Drop-in sessions | Neighbourhood CIL (Community Infrastructure Levy) funding | Used to provide feedback and guidance on the application process and eligibility of projects. Several will be held in libraries or other venues in different parts of the borough. |
| Development Management | | |
| Neighbour notification letters | Adjoining properties only – most planning applications Adjoining properties and those opposite the site – planning applications involving new buildings | See How to comment on Planning Applications for more detail |
| Site notices | Applications for major development (10+ homes or 1000m ² floorspace) Applications which would affect a public right of way Listed building applications affecting the exterior Applications that would affect the setting of a listed building, or the character and appearance of a Conservation Area | Site notices typically not provided for internal only changes to Grade II properties. |
| Email | Planning Policy documents; Planning applications | The Council will soon be using a revised "Citizen Portal" which will be the preferred way to receive comments on planning applications. |

| Method | Context of consultation | Notes |
|--|---|---|
| Social media | Planning Policy Documents or Development proposals with associated events | The Council will use social media to advertise planning policy documents and consultation events and provide links to online consultations and further information, but is unable to formally consider feedback made on social media platforms. |
| Planning application search function on council website | All applications | All planning decisions since 1948 are recorded, along with documents from c.2006. |
| Weekly list | All applications | List of all planning applications validated or amended in the past week. This is published in local newspapers and is also available on request, but the Citizen Portal will allow for custom weekly lists to be produced for specific wards, conservation areas, or other designated locations |
| Developer Led Pre-Application consultation | | |
| Leaflets / letter drops | Nearby properties – radius will depend on location and scale of proposal | Should be used in advance of any exhibition or public consultation |
| Social media | Planning Policy Documents or Development proposals with associated events | The Council will use social media to advertise planning policy documents and consultation events and provide links to online consultations and further information, but is unable to formally consider feedback made on social media platforms |
| Online community consultation platform (e.g. Citizen Space, Commonplace) | Major developments, masterplans, regeneration projects | These platforms provide robust analytics and allow for both “comment maps” (e.g. in relation to different places in a town centre) as well as comments on different aspects of a development proposal. |
| Public Consultation Events | Masterplans, strategic applications, most major applications | These will typically be held by the Council (for planning documents) or developer (for proposed developments) in a venue close to the application site |
| Architectural Models | Masterplans, Strategic applications, larger major applications | Rapid prototyping can be used to create models at low cost for massing purposes |

| Method | Context of consultation | Notes |
|--|--|---|
| 3D contextual digital models (e.g. VU.City) | Masterplans, strategic applications, tall buildings (c. 30 metres), some other major applications | Shows the proposal as a 3D model in relation to its surroundings. May be used in different formats including virtual reality and augmented reality headsets. Can help stakeholders gain a better impression of the scale of the development, cumulative changes with other proposals, and issues such as sunlight / daylight. |
| Dedicated website | Dedicated website organised by developer to show proposals, advertise exhibitions, and provide feedback mechanism. | Most suitable for strategic developments; pages can be set up on developer's main website for smaller proposals. |
| Design Charrettes | Masterplans, Strategic applications, larger major applications. | Short meeting where groups sketch design options to explore a range of outline design ideas. |
| Member development sessions | Presentation of the scheme by developers organised by the Council to elected Councillors. | Allows members to become familiar with proposals that local residents may ask them about. |
| Group Meetings | If required, typically for major/ strategic applications. | Invitational or panel / focus group meetings for local stakeholders. |
| Community Led Consultation | | |
| The above methods may be used, in addition to: | | |
| Urban Room | Used as an information/engagement hub; useful for Neighbourhood Planning or in areas with significant redevelopment. | Community-led space (with potential Council or non-profit involvement) that exists as an exhibition and meeting space. |

Appendix 2 Table 2 - Material and Non-Material Considerations

| Material Considerations | Non-Material Considerations |
|---|--|
| <p>These may be considered when deciding planning applications:</p> | <p>These cannot usually be considered when deciding planning applications:</p> |
| <ul style="list-style-type: none"> • The Development Plan (London Plan, Local Plan, any Neighbourhood Plans) • National Planning Policy Framework • National Planning Practice Guidance • Emerging planning policy and SPDs • Previous planning decisions and appeal decisions including “fall-back” positions not requiring further planning permission • Design, appearance, materials, landscaping • Transport, including highway, pedestrian, cycling, and public transport impacts e.g. capacity, safety, and parking • Infrastructure capacity (e.g. school places, public sewers, etc.) • Environmental impact (including green space, drainage, trees, habitats) • Viability and affordable housing provision • Amenity - including daylight, sunlight, privacy, or outlook within existing buildings or amenity areas • Noise, smell, vibrations, or other disturbance (from use of new development once built) • Effect on heritage assets e.g. listed buildings and conservation areas • Local economic and employment generation • Crime and fear of crime | <ul style="list-style-type: none"> • Identity or personal characteristics (race, religion, income, political views, etc.) of landowner, developer, the applicant, agent or potential occupiers; including the fact that this may change in the future • Personal circumstances of the applicant (except in limited circumstances such as where the applicant seeks a personal permission) • Reasons/motivations behind applications (including profit) • Moral objections (e.g. to gambling or alcohol) • Nuisance or annoyance previously caused by the applicant (except that directly caused by existing uses where retrospective permission is being sought) • Commercial competition • Work has already been carried out (in case of retrospective applications) • Effect or perceived effect on the value of neighbouring properties • Boundary disputes, land covenants, easements (including right to light) land ownership, right of access, leases, party walls, or other areas of property law • Development would block an existing view from a building or private land |

Appendix 2 Table 3 - Redbridge's notification standards for different application types

| Type of application | Publicity normally undertaken for each type of application | | | |
|---|--|---|--|---|
| | Website | Site Notice | Press Notice | Neighbour Notification Letters |
| Key: | | | | |
| This type of publicity always / mostly takes place (green) | | | | |
| This type of publicity sometimes takes place (amber) | | | | |
| This type of publicity does not take place (red) | | | | |
| Major Planning Applications including Strategic Development | Yes | Yes | Yes | Yes - adjoining neighbours only (for new buildings those directly opposite as well) |
| Other Applications including Minor, Household, outline permissions, PiP, Telecommunications, relevant demolition within Conservation Area | Yes | Yes – for conservation areas and listed buildings Discretionary - site notices for land adjacent | Yes - for conservation areas and listed buildings No – all other applications | Yes - adjoining neighbours only (for new buildings those directly opposite as well) |
| Listed Building Consent | Yes | Yes – except interior only alterations to Grade II properties | Yes | Yes |
| Advertisement Consent | Yes | No | No | No |
| Certificates of Lawfulness for Proposed / Existing Use or Development or Listed building certificate of lawfulness | Yes | No | No | No |
| Discharge of Conditions attached to a planning permission | Yes | No | No | No |
| Prior approval Application (telecommunications) | Yes | Yes | No | Yes – for Larger proposals (adjoining neighbours) |
| Prior Approval Application (larger household extensions) | Yes | No | No | Yes – Occupiers of neighbouring properties that adjoin the site |

| Type of application | Publicity normally undertaken for each type of application | | | |
|--|--|---------------------------|-------------------------------|--|
| | Website | Site Notice | Press Notice | Neighbour Notification Letters |
| Prior Approval Application (Demolition) | Yes | Yes | No | Yes |
| Application with an Environmental Statement | Yes | Yes | Yes | Yes |
| Proposals departing from the Development Plan | Yes | Yes | Yes | Yes - adjoining neighbours and those directly opposite |
| Proposals affecting Public Rights of Way | Yes | Yes | Yes | Yes - adjoining neighbours and those directly opposite |
| Prior Approval change of use | Yes | Yes | No | No |
| Section 96a Non-material amendment | Yes | No | No | No |
| Section 73 | Yes | Copies parent application | Copies parent application | Copies parent application |
| Works to Tree Protection Order / Conservation Area trees | Yes | Yes | Yes (conservation area trees) | No |
| Environmental Impact Assessment scoping/ screening | Yes | No | No | No |

Appendix 3 – Contacts

Table Appendix 3

| Service | Phone | Email / Web |
|--|---|---|
| Planning and Building Control | | |
| General Enquiries, Trees | | planning.enquiry@redbridge.gov.uk |
| Planning Applications | | planning.admin@redbridge.gov.uk |
| Local Plans, Planning Policy, Neighbourhood Planning | | dpd@redbridge.gov.uk |
| Planning Obligations - CIL and Section 106 | | planning.obligations@redbridge.gov.uk |
| Enforcement | | planning.enforcement@redbridge.gov.uk |
| Trees | | planning.enquiry@redbridge.gov.uk |
| Historic Conservation | | historic.conservation@redbridge.gov.uk |
| Building Control | 020 8708 2529 020 8708 5897 (out of hours) | buildingcontrol@redbridge.gov.uk |
| Other Council Services | | |
| Customer Contact Centre | 020 8554 5000 | |
| Property Licensing | | prslicensing@redbridge.gov.uk |
| Civic Enforcement (fly-tipping, noise, antisocial behaviour) | 020 8478 4679 | civic.pride@redbridge.gov.uk |
| Environmental Health | | https://eforms.redbridge.gov.uk/report-it-environmental-health/ |
| Redbridge Housing Office | 020 8518 2400 | |
| Other pre-application services | | |
| These services are provided by statutory bodies, developers are advised to consult these groups as appropriate, in addition to other local stakeholders. | | |
| Historic England | 020 7973 3700 | londonseast@HistoricEngland.org.uk |
| Transport for London | | spatialplanning@tfl.gov.uk |
| Thames Water | | www.thameswater.co.uk/preplanning |
| | | |

Appendix 4 – Glossary

A more detailed glossary is available on the Planning Portal Website at <https://www.planningportal.co.uk/directory/4/glossary/category/7>

Table Appendix 4

| | |
|-----------------------|---|
| AAP | Area Action Plan (a type of DPD covering a town centre or broader area within the borough) |
| CIL | Community Infrastructure Levy |
| Development Plan | The combination of the Local Plan, other DPDs, London Plan, and any Neighbourhood Plans that apply within an area. |
| DPD | Development Plan Document – This is a type of document that includes the Local Plan other parts of the “Development Plan” produced by the Council. |
| EIA | Environmental Impact Assessment – a report that may be required for certain strategic developments |
| GDPR | General Data Protection Regulation – regulations regarding the processing of personal data |
| GLA | Greater London Authority – the strategic governance body led by the Mayor of London |
| GPDO | General Permitted Development Order – a set of regulations listing what development is “permitted development” and does not require planning permission |
| Major development | Refers to certain types of planning application, including applications for 10 or more dwellings, and/or 1000 square metres floor area or more. Defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 |
| MHCLG | Ministry of Housing, Communities, and Local Government |
| SAC | Special Area of Conservation – defined in the European Union’s Habitats Directive as a site of European interest. Includes parts of Epping Forest. |
| Section 106 | A Section 106 Agreement is a legal agreement between the Council and a developer that is used to secure infrastructure and affordable housing. |
| SPD | Supplementary Planning Document – provides additional criteria and guidance for particular policy areas or types of development. |
| Strategic Development | This term generally refers to developments of over 150 homes and/or over 15,000 square metres floor area. |
| Permitted Development | Refers to specified types of development that do not require planning permission (within certain restrictions), usually because they are listed in the GDPO. |
| PiP | Permission in Principle – a type of permission for the principle of development that requires further Technical Details Consent for a designed scheme |
| TPO | Tree Preservation Order – an order made by the Council requiring permission to be sought to fell or undertake works to a tree(s). |

