



# **STATEMENT OF COMMUNITY INVOLVEMENT**

## **LONDON BOROUGH OF TOWER HAMLETS**

**April 2019**



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# I. Introduction

- 1.1. Tower Hamlets is one of the fastest growing areas in the country with high levels of new development coming forward each year. In the year 2016-17, 4,844 new homes were completed in the borough and another 7,799 were given planning permission. Growth on this scale requires a careful approach, in consultation with residents, businesses, community groups, and other stakeholders. The Council makes decisions on planning applications in accordance with national legislation and our own local planning policies, in a way that respects existing local communities, meets our needs for future housing growth, and provides the job opportunities, services, and open spaces that make the borough an attractive place to live and do business.
- 1.2. The Tower Hamlets Statement of Community Involvement sets out how you can get involved in the planning of your local area. This includes preparing the Local Plan and other planning policies, and the process for making decisions on new developments.
- 1.3. All local authorities are required to produce a Statement of Community Involvement and to keep it updated. The previous Tower Hamlets Statement of Community Involvement was adopted in July 2012 and updated in September 2017. The 2017 update made minor changes to bring the Statement in line with changes in legislation related to policy making.
- 1.4. The new Statement of Community Involvement includes a number of additional changes that:
  - Reflect further changes in planning legislation, regulations and policy since the 2017 update.
  - Propose changes to how we notify residents about planning applications in their area.
  - Set out our expectations for how developers should engage with the local community before submitting a planning application.
  - Set out how the Council is exploring the use of digital technology to reach out to residents more effectively.

## The Planning System

- 1.4. The planning system in England is a 'plan-led' process. This means that a local planning authority (usually a council such as Tower Hamlets) develops a plan for the area that sets out how land will be used and developed over a certain period of time, based on national and regional planning legislation and guidance and local evidence. This is the **Plan-Making** element.
- 1.5. Applications for development are submitted to the local planning authority and decisions are mostly made based on the plan for the area (with some exceptions

for permitted development). It is best practice to discuss proposals under a pre-application process, before submitting an application. This is the **Development Management** element.

1.6. The process of developing planning policy and making decisions on applications will be explored in more detail in the relevant sections of this document.

#### The Layout of this Document

1.7. The rest of this document is laid out as follows:

- Part 2 explains Tower Hamlets' commitment to engaging with residents and other groups who may be interested in planning and new development within our area. It sets out the principles of how we will engage.
- Part 3 focuses on the Plan-Making process, explaining how different planning documents will be consulted on, and the techniques that will be used.
- Part 4 looks at consultations on planning applications, including what the Council expects developers to do in terms of pre-application engagement with the local community, and how to comment on a planning application.
- Part 5 explains how the planning service will explore the use of digital technology, including social media, to enhance the local planning process.

#### Reviewing the Statement of Community Involvement

1.8. The SCI will be kept under review and updated when necessary to reflect current practice and changes to consultation methods. Consultation statements prepared after a consultation should identify how effective engagement was, and whether there are particular groups that are not being reached. If particular problems are identified, these should also be addressed by an update of the SCI. If no review has taken place sooner, a review will be undertaken five years after the date of adoption of the SCI.

## 2. Our Principles

2.1. Tower Hamlets Council is committed to engaging with local people, organisations and businesses on all aspects of our work and services. Our commitments to engage are set out in the [Community Engagement Strategy 2018-2021](#), which sets out four priority outcomes:

- Communities lead the way in making Tower Hamlets a great place to live
- Communities have the power to influence issues that affect them
- Activities to involve communities are focused and purposeful
- Tower Hamlets is digitally active

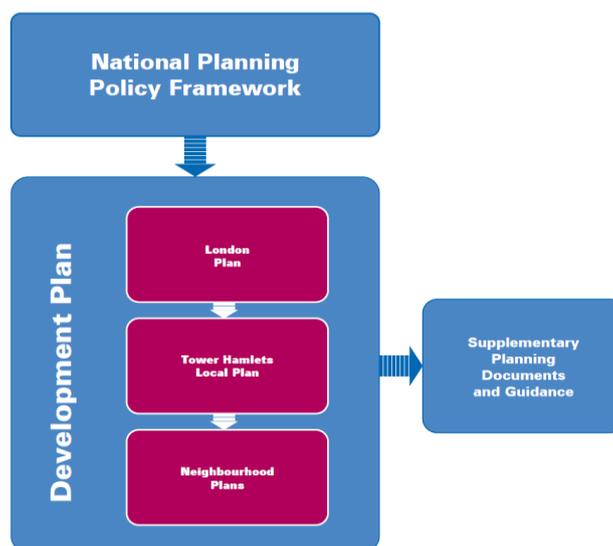
2.2. It is important that these intended outcomes be reflected in the way in which we consult on planning matters. To that end, our consultations will prioritise:

- **Clear and non-technical information.** Information for consultations will be written in plain English as far as possible, and if technical words have to be used, their meaning will be explained. Where possible, translations and large print versions will be made available. We will ensure that consultations have a clear purpose, and that this purpose is explained.
- **Early engagement.** Consultation will take place as early as possible in the development of new proposals to allow the community to help shape planning in Tower Hamlets. Early engagement will also help to avoid delays in the planning process caused by important or unexpected comments being raised at a late stage of the process.
- **Appropriate scale.** The length of our consultations and techniques used will be appropriate to the type of document, the level of planning, and the impact of the proposals.
- **Flexibility.** The Council will aim to arrange consultation events at a range of times and places, to make it convenient for as many people as possible to attend an event.
- **Variety of methods.** We will use a variety of consultation techniques as appropriate, including workshops, drop-in information sessions, press launches, online surveys and social media. This will allow us to reach as many people and groups as possible.
- **Outreach and Accessibility.** When preparing for consultations, we will consider how to engage with 'hard-to-reach' groups that are traditionally underrepresented in planning. This may include younger people, those with no access to the internet, those who do not speak English as a mother tongue, and those with disabilities. When organising consultation events, we will aim to make them accessible to those with disabilities.
- **Coordination.** Through effective internal coordination and greater collaborative working with our partners, we will aim to combine consultation activities and improve information sharing to avoid duplication, deliver better value for money, and avoid the risk of consultation fatigue.

- **Openness.** We will keep accurate records of responses to consultations, and prepare a Consultation Statement after each consultation ends. The Consultation Statement will summarise the process and results of the consultation, and will explain how the responses received have fed into the Council's decision-making on planning matters. Consultation Statements should also explain how the consultation was made accessible to as many people as possible. This will be made available on the Council's website.
- **Monitoring.** We will monitor and review the effectiveness of all consultation activities, including seeking feedback from participants to help ensure we can consult more effectively in the future.
- **Privacy.** We will treat all data submitted as part of consultation activities in line with the General Data Protection Regulations (GDPR) to ensure your personal information is protected.

### 3. Plan-Making

3.1. Plan-making is how Tower Hamlets Council develops the planning policies against which proposals for most new developments will be assessed. Planning in England is policy-led, and having local planning policies in place is important to ensure that development in Tower Hamlets takes place in way that is agreed with the community. The hierarchy of planning policy can be seen in the diagram below:



3.2. The National Planning Policy Framework (NPPF) is a statement of policy from the UK government which sets out what local planning policies should include or take account of. The London Plan is developed by the Mayor of London and the Greater London Assembly. The other three types of document – the Local Plan, Neighbourhood Plans, and Supplementary Planning Document and Guidance – are produced by the Council or community groups within our area (in the case of Neighbourhood Plans).

3.3. Collectively, the adopted London Plan, Local Plan and Neighbourhood Plans form the Development Plan for Tower Hamlets. Most development applications (with exceptions such as for permitted development) will be assessed against this Development Plan and the National Planning Policy Framework.

3.4. The NPPF and national planning legislation are clear that Local Plans should be created in consultation with the community. The rest of this section will set out how we will engage with the community in the creation of planning policies.

#### Techniques for Consultation

3.5. There are a number of different techniques that can be used to consult with the community, depending on what is appropriate to the scale, importance, and level of development of a particular piece of planning policy.

3.6. These types of consultation vary in terms of:

- Their material costs (for example, the cost of printing materials or postage costs)
- Their use of staff time (for example, through the time taken to produce materials, or the need to attend public events)
- The potential size of their target audience (for example, they may be aimed at the general public as a whole, or at small groups of key stakeholders; and the use of particular technologies such as the internet may restrict or open up access to certain groups)

3.7. Consultation techniques also vary in the level of engagement they allow. Some methods (such as a poster or leaflet) may aim primarily to inform the community that a consultation is taking place, the topic of that consultation, and that their views would be welcome; other techniques (such as public exhibitions or Q&A sessions) may provide opportunities for the community to engage more directly with Council staff, to ask questions and expand their understanding of the proposals before submitting their responses; still other techniques (such as interactive workshops) allow for a high level of direct engagement with proposals. All of these methods can be appropriate in different circumstances, and a combination of them will be used wherever possible.

3.8. The types of consultation available to the Council are set out below. When selecting consultation techniques, Council officers will ask themselves:

- whether they are meeting the statutory requirements for engagement (where they exist);
- how best to use the available material and staff resources;
- how to most effectively reach relevant groups within the community (including traditionally hard-to-reach groups);
- whether the level of engagement is suitable to the scale and content of the planning policies being consulted on.

#### **Consultation Techniques**

- Documents being made available for inspection at Council offices, libraries and Idea Stores
- Placing information on Tower Hamlets' website
- Providing information on social media platforms (including, where appropriate, Twitter, Facebook, Instagram, LinkedIn and YouTube)
- Posters and leaflets
- Public notice advertisements in local newspapers
- Email or postal notifications to our database
- Presentations at meetings
- Public exhibitions, displays, and stalls
- Press releases sent to local newspapers
- One-to-one meetings with relevant stakeholders
- Articles and advertisements in internal publications (aimed at staff and local councillors)
- Sending letters to statutory bodies
- Interactive workshops

## Tower Hamlets Local Plan

3.9. The Local Plan is the key planning policy document produced by Tower Hamlets, which sets out the policies against which planning applications will be assessed. This includes a mix of high level strategic policies that apply to almost all development, more detailed specific development management policies that apply to certain types of developments, and also site allocations that secure certain uses such as schools and open spaces on large sites identified across the Borough. The preparation of a Local Plan is governed by legislation that requires a number of stages and types of evidence to be produced. This also involves multiple stages of consulting, engaging or informing the community.

3.10. At all stages of the process, the Council has a legal requirement to make information available to interested residents and organisations, as well as a legal duty to consult the specific and general consultation bodies (these are listed in Appendix A).

3.11. In line with national requirements, when preparing a new Local Plan we will make consultation materials available at the Town Hall, on our website, and in local libraries. We will advertise the consultations through the local newspaper, and on our website and social media channels. In addition, we will also contact all those who are on our planning policy database with updates about consultations – to be added to this list, please contact us at [ldf@towerhamlets.gov.uk](mailto:ldf@towerhamlets.gov.uk).

3.12. Where appropriate, we will consult using additional tools and methods such as working with established community groups and partnerships, and arranging public exhibitions and interactive workshop sessions. These methods will be more appropriate at the earlier stages of plan-making.

3.13. The stages of Local Plan production are set out in the table below.

<b>Stage</b>	<b>Opportunities to get involved</b>	<b>Our commitment</b>
Stage 1 Regulation 18	This is an options testing phase that may be repeated a number of times. Proposed policies will be detailed and based on evidence, but further comment is needed from the community and other stakeholders to identify potential problems and to ensure the plan represents the needs and interests of all stakeholders.	We will consult widely for a minimum of six weeks, and publish a consultation statement afterwards setting out who was involved in the consultation, the main issues raised, and how we have responded to these issues.
Stage 2 Regulation 19	In this stage, a more complete draft of the Local Plan is published for further comment from stakeholders. At this stage, comments should focus on the	We will consult for a minimum of six weeks, and publish a consultation statement after the

	legal compliance and soundness of the proposed plan – with a sound plan defined as one that is positive, justified, effective, and consistent with national policy. When responding to this stage of consultation, you should make it clear if you want to participate in stage 4, the public examination of the plan.	consultation finishes.
Stage 3 Regulation 22 Submission	At this stage, the plan is submitted to the Secretary of State for an independent examination to be organised.	There is no consultation on this stage, but we will notify all those who made comments on stage 2.
Stage 4 Regulation 24 Examination	At this stage, an independent inspector will be appointed by the Secretary of State to examine the Local Plan and make recommendations for any modifications that are needed to make the plan legally compliant and sound. A series of public hearings will be held on the topics included in the plan. If you wish to take part in these hearings, you should make this clear in your response to stage 2. The hearings will be open to the public to watch.	We will advertise the dates, times, and locations of the hearings at least six weeks before they take place.
Stage 5 Regulation 26 Adoption	After the public hearings are complete, the inspector may make a number of recommendations for modifications before the plan can be adopted. If so, these will be consulted on in the same manner as stage 2.	If the modifications are accepted the plan can be adopted, and we will produce an adoption statement and make it and the plan available to view.

## Case Study: Local Plan Consultation

The new Tower Hamlets Local Plan, which was submitted for examination in February 2018, went through two Regulation 18 consultations (stage 1 of the above table) before a more final document was presented for Regulation 19 consultation (stage 2). The first Regulation 18 consultation ran from December 2015 to February 2016, and was based on a document called 'Our Borough, Our Plan', which summarised the main issues facing the borough and provided initial ideas of how they could be addressed. The second Regulation 18 consultation put forward a more detailed draft plan containing a vision, objectives, policies, and potential development sites for the borough, and ran from November 2016 to January 2017.

For the consultations, summary booklets that explained the proposals were produced and placed in Idea Stores and libraries and made available at consultation events. A dedicated webpage for the new Local Plan was set up, and a survey with 25 questions was published to gather feedback on the proposals. Emails and letters were sent to local community groups, businesses, housing providers, and everyone on the plan making database to alert them to the consultation, and Twitter was also used to reach a wider audience. Advertisements were placed in bus stops during the first consultation, and information panels were placed around the borough for the second.

During both consultations, a series of public events were held, with Council officers attending to answer questions, promote discussion and receive comments from members of the public, community organisations and local businesses. More detailed workshops were held with councillors, residents, and neighbourhood planning forums, and focus groups were held with specific groups around issues relating to conservation and design, health and wellbeing, youth, disabled people, developers, and housing providers.

By using a range of engagement techniques, the Council ensured a wide range of responses was received to both consultations, with over 100 responses to both consultations, split between residents, developers, and the specific and general consultees.



## Supplementary Planning Documents (SPDs)

3.14. SPDs provide detailed guidance on how policies or proposals in the Local Plan will be implemented, and provide advice to developers on how development proposals can be made acceptable. They will go through three stages:

<b>Stage</b>	<b>Our commitment</b>
Preparation	At this stage, we will publish on the Council's website the intention to produce an SPD and ask for comments from interested people or organisations. We may also arrange other events or workshops to discuss the content of the SPD. A consultation statement will be prepared, setting out who was involved in this stage, the comments they made, and how these comments were addressed.
Consultation	A completed draft of the SPD will be published for formal consultation. We will make available copies of all consultation material (including the consultation statement) at the Town Hall, on our website, and at local libraries, as well as contacting the specific and (where appropriate) general consultation bodies (as set out in Appendix A). We will consult for at least four weeks, and a further consultation statement will be prepared after the consultation is finished.
Adoption	Upon adopting the SPD, we will prepare an adoption statement and make it, the SPD, and the consultation statement available at the Town Hall, on our website, and at local libraries.

## Neighbourhood Plans

3.15. The neighbourhood planning process allows for local communities to create planning policies for their own areas through Neighbourhood Plans and Neighbourhood Development Orders. These plans and orders are prepared by local groups known as Neighbourhood Planning Forums – the Council has a role in assisting these groups in the production of a plan or order, but much of the responsibility lies with the forums themselves. This process includes three stages:

- Neighbourhood Area – a neighbourhood area must be designated with clear boundaries, and not overlapping with any existing neighbourhood area.
- Neighbourhood Forum – a forum consisting of at least 21 people who live in, work in, do business in, or represent the neighbourhood area must be designated. This organisation will be responsible for developing a neighbourhood plan or development order.
- Neighbourhood Plan or Development Order – at this stage, the neighbourhood forum can create planning policy for the area. This is a

lengthy stage, which includes a number of consultations – including some which are the responsibility of the forum rather than the Council.

3.16. Tower Hamlets Borough Council has prepared detailed guidance explaining all three stages of the process, and these guidance documents set out the legal requirements for consultation on both the forum and the Council, as well as setting out the Council’s further commitments to engaging with neighbourhood forums. This guidance can be found at [https://www.towerhamlets.gov.uk/ignl/planning\\_and\\_building\\_control/planning\\_policy\\_guidance/neighbourhood\\_planning/Setting\\_up\\_a\\_Neighbourhood\\_Forum\\_and\\_Area.aspx](https://www.towerhamlets.gov.uk/ignl/planning_and_building_control/planning_policy_guidance/neighbourhood_planning/Setting_up_a_Neighbourhood_Forum_and_Area.aspx).

3.17. Once an independent examination of a neighbourhood plan has been completed, there is a duty for Tower Hamlets Council to consult with the neighbourhood forum on new development proposals in the relevant neighbourhood area.

Other Planning Policy Documents

3.18. The Plan-Making team produces and consults on a number of other documents, and opportunities to get involved in these are set out in the table below.

<b>Document</b>	<b>Opportunities to get involved</b>
Community Infrastructure Levy (CIL)	<p>CIL is a levy charged on most new development in Tower Hamlets, which contributes some of the funding towards new infrastructure in the borough. The current CIL charging schedule was adopted in April 2015. When adopting a new CIL charging schedule, consultation requirements are similar to those for a Local Plan. We will prepare a preliminary draft and consult on this; then prepare a final draft and consult again. After this, an independent examination of the charging schedule will take place before adoption. As well as consulting with local residents and organisations, we will take care to consult closely with local developers and infrastructure providers in preparing a CIL charging schedule.</p> <p>Note that the CIL regulations are expected to change later in 2019, and this may remove the requirement to undertake two rounds of consultation on CIL charging schedules. If the CIL regulations are changed after the adoption of this SCI, Tower Hamlets will alter their consultation process in line with the new regulations.</p>
Local Infrastructure Fund (LIF)	In Tower Hamlets, 25% of CIL money from each new development will be spent in the same area as the

	development (known as the LIF area). There are four LIF areas in Tower Hamlets, and the LIF will be spent on local infrastructure following consultation with the community. Consultation will be undertaken using the same techniques as those uses in the preparation of the Local Plan.
Survey of Area and Local Development Scheme	The Survey of Area, as mentioned in planning regulations, corresponds with Tower Hamlets' Annual Monitoring Report, which monitors the effectiveness of the Local Plan policies. The Local Development Scheme sets out the timetable for Tower Hamlets to produce Local Plan documents. When these documents are produced, Tower Hamlets will provide for a 4 week period during which people can comment on their content before they are finalised and published.
Other documents	We will consult on other planning documents (including but not limited to Article 4 Directions, Conservation Area Character Appraisals, Masterplans and Development Briefs) according to the scale, detail and nature of the documents.

## 4. Development Management

- 4.1. Development Management is an integral part of the planning process. It puts development plans and policies into action to achieve sustainable development. Development Management includes the process by which planning applications (including applications for planning permission, listed building consent, advertisement consent and prior approval) are decided.
- 4.2. Development Management includes pre-application engagement, which aims to shape development and deal with key planning issues well in advance of an application being submitted. Pre-application consultation is not mandatory, but is strongly encouraged – we believe that early engagement leads to better development proposals, and increases the likelihood of a proposal complying with the Development Plan.
- 4.3. Development Management also includes monitoring compliance with approved plans and enforcement when unauthorised development takes place. The Council has a [Planning Compliance Policy](#) which explains how we carry out those duties.
- 4.4. If an applicant (whether an individual, business, public body or other organisation) submits a planning application, this is assessed against the policies in the Development Plan, national planning policy and legislation, supplementary guidance and other material considerations before a decision is made. It is important that the community who may be affected by development proposals are involved and are able to have their say. The views of local residents, businesses, organisations and community groups can help the Council to seek improvements or amendments to development proposals and ensure any impacts are dealt with.
- 4.5. The flow chart below summarises the stages of consultation and public involvement in the development management process:



**Pre-application Stage** – developers are strongly encouraged to engage in a variety of ways with residents and other local stakeholders. This 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 your local councillor. See paragraphs 4.7 to 4.13 below.



**Application Stage** – a formal consultation is organised by the Council, and residents are invited to make comments on the submitted proposals. 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 paragraphs 4.14 to 4.30 below.



**Decision Making Stage** – if there is substantial public interest in the proposal, the decision will be made at a committee meeting. Residents are able to 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 your local councillor, or to ask to speak on the application at committee. See paragraphs 4.31 to 4.35 below.

4.6. The table below describes the stages a development proposal may go through in more detail (although this is indicative only, and there will be exceptions to this standard pathway):

<b>1. Pre-Application Stage</b>	The Council provides pre-application advice to applicants on a proposed application.
	The applicant undertakes pre-application consultation with the local community. This is strongly encouraged for major and strategic applications (which includes residential applications with 10 or more dwellings or an area of 0.5 hectares or more; for other uses, those with over 1000m <sup>2</sup> of floorspace or an overall area of 1 hectare or more).
	Locally elected members such as, the mayor and councillors may also have the opportunity to comment at this stage.
<b>2. Application Stage</b>	The Council carries out statutory notification with the public and other stakeholders. This will always meet the minimum standards required by planning legislation and in some cases will be supplemented by additional consultation depending on the type of application.
	Council officers assess the application against planning policy, taking into account the results of consultation.
	Council officers make a recommendation on the application.
	A final decision is made. Most applications are determined by senior planning officers. Larger applications and those where there is substantial public interest are decided by a Committee of the Council.
<b>3. Post-Application Stage</b>	If planning permission (or a related consent) is granted, it may be subject to conditions requiring further details to be submitted and approved.
	Sometimes amendments to permissions are requested. This may involve submission of material or non-material amendments. Applications for material amendments and reserved matters (following grant of outline permission) will be subject to consultation similar to the application stage above
	If permission is refused, an appeal to the Planning Inspectorate on behalf of the Secretary of State may follow. The procedures for notifying the local community are set out in national regulations.

#### Pre-Application Advice and Consultation

4.7. Tower Hamlets believes in the principle of early engagement. This means working with developers, residents, and other stakeholders at the earliest possible stage in the process to shape development proposals and identify and

overcome potential obstacles. This requires respect for each other's interests, reasoned and open communication, and early consultation. If done well, this process makes applications more likely to be recommended for approval. The Council strongly encourages those who hope to bring forward applications for development on complicated or sensitive sites to consult with the Council and the local community at the pre-application stage. This is the stage at which local residents and other stakeholders are most able to influence the development of proposals – if they are only consulted at a later stage, after a formal planning application is submitted, their level of influence over and ownership of the process is reduced, and engagement may be perceived as tokenistic.

- 4.8. Tower Hamlets offers a pre-application advice service to applicants, providing professional planning advice before an application is submitted. For most types of applications there is a charge for this service, but for some developments – such as householder applications affecting only a single house – applicants can instead call or visit the Duty Planner service free of charge. Details of charges for pre-application advice can be found at [https://www.towerhamlets.gov.uk/Documents/Planning-and-building-control/Development-control/Application-processing/Pre application advice guidance note.pdf](https://www.towerhamlets.gov.uk/Documents/Planning-and-building-control/Development-control/Application-processing/Pre%20application%20advice%20guidance%20note.pdf).
- 4.9. As part of the pre-application advice service, the Council strongly encourages meaningful engagement with local residents, businesses, community groups, and other stakeholders before submitting a planning application. This stage of consultation is optional, and there is no statutory requirement for applicants to consult before submitting an application. However, as part of the principle of front-loading, we believe it can be very useful in identifying issues, responding to concerns and ensuring the views of those affected can help to improve the design of new development or influence the outcomes that will benefit their area.
- 4.10. The Council can advise developers on good practice for engagement, including the length and extent of any consultation, contact details for potentially interested stakeholders in the local area, engagement methods, and when the consultation should be held.
- 4.11. For consultation to be meaningful, it should be held towards the beginning of the pre-application process, while there is still a realistic opportunity for the local community to help shape proposals before they are submitted as a formal application. If consultation is held just before submitting the application, the designs are likely to be more fixed and there are fewer opportunities for community engagement to influence the proposals.
- 4.12. Engagement methods that can be used include:
  - Conservation and Design Advisory Panel (CADAP) – organised by the Council, this involves a presentation of a proposal to a panel of independent built environment practitioners, who provide written feedback on any proposal.

- Exhibitions, Community Forums and workshops – organised by the applicant to provide information about their proposals and an opportunity for feedback.
- Letters, leaflets and questionnaires – organised by the applicant, this involves sending a summary of the proposals and how to respond to properties which may be affected. This will focus on informing and getting the views of the properties most affected – this could be just a few streets, or whole neighbourhoods.
- Creating a dedicated website – organised by the applicant, and could show the evolution of proposals and provide a facility for feedback to be recorded.
- A presentation of the scheme to elected members – organised by the Council and including presentations to the Mayor, cabinet members, local ward members and members of the Council’s Development Committees.

4.13. Consultations on very large schemes have included community forums, which, facilitated by Council officers, has enabled local residents to express their concerns over large scale development and lack of associated infrastructure. This has directly contributed to developers amending their proposals to include schools and health centres in applications.

4.14. Developers should clearly explain how comments received during a pre-application consultation process have been taken into account and influenced the submitted application. This can be done in a number of ways, but is often included in the Design & Access Statement, Consultation Report, or Planning Statement.

**Case Study: Pre-Application Consultation**

Millharbour Village is a proposed development across a collection of linked sites in the northern part of the Isle of Dogs. This is an area experiencing high levels of residential growth with several major developments under construction or at the planning stage.

In 2014, pre-application discussions commenced with two main landowners about their aspirations to develop their sites at 2 Millharbour and 3 Millharbour. Both developers were looking to bring forward proposals for residential-led, mixed use development.

The Council encouraged the land-owners to work together to produce an urban design framework so that their individual proposals would be part of a comprehensive development to create new high quality and sustainable place. All parties recognised the importance of early engagement with the local community.

Pre-application engagement with the local community took place over several months, in advance of both planning applications being submitted. The consultation principles included front-loading community involvement, actively seeking and encouraging participation, being transparent and keeping the community up to date.

Both development teams used a range of techniques including stakeholder meetings, public exhibitions, media publicity and a project website. Around 5,000 residents within a 400 metre radius were contacted and invited to attend initial exhibitions and events.

In addition to local residents, key stakeholders were identified and invited to exhibitions and interactive workshops. These included local councillors, members of the youth forum, community groups and businesses.

The engagement process identified key issues relating to the amount and type of open space to be provided and how the development could accommodate a range of uses that would help to define it as a destination and heart of a new community, rather than just another high density residential development.

Workshops encouraged stakeholders to think about what the “ingredients” of Millharbour Village could be and included interactive sessions where participants could put forward their ideas. In one workshop children and young people illustrated their ideas by making pizzas – each ingredient representing something that they would like to see in the new developments.

Both developers took on board the feedback they received and this led to a refinement of the development proposals to include two substantial public open spaces, one to provide active play spaces for children and young people and a space for quieter relaxation. The pre-application feedback helped the developers finalise their proposals to provide space for the Lanterns theatre and performing arts school, space for a future primary school, nursery space, a mixture of commercial and retail uses.

Following the submission of the applications, statutory public consultation and consideration by the Strategic Development Committee, planning permission was granted in September 2015 for the development at 2 Millharbour and September 2016 for the development at 3 Millharbour.

#### Consultation on Planning Applications

- 4.15. There are many different types of planning applications, and the exact type is based on the nature of the proposed development. For each of these different types of application, there are different requirements for the Council to notify residents and to consult stakeholders.
- 4.16. The Tower Hamlets website is the key resource for finding out information about and commenting on planning applications. Planning applications can be searched at <https://development.towerhamlets.gov.uk/online-applications/>, and users can register with the site to receive updates on saved applications and notifications when applications are submitted within a defined area. By clicking

on the 'weekly/monthly lists' tab, lists of recently submitted applications can be found, as well as lists of recent decisions on planning applications. An interactive map of planning applications can also be found at [https://www.towerhamlets.gov.uk/ignl/planning\\_and\\_building\\_control/planning\\_applications/search\\_and\\_comment\\_planning\\_applications.aspx](https://www.towerhamlets.gov.uk/ignl/planning_and_building_control/planning_applications/search_and_comment_planning_applications.aspx).

- 4.17. In most cases, we will notify you through one or more of the following ways:
- A letter from Tower Hamlets if you live in a building close to the application site
  - A site notice near the application site – these will usually be attached to a lamppost or similar object. Notices will be displayed for a minimum of 21 days.
  - A notice in a local newspaper
- 4.18. The site notice, press notice or neighbour letter will explain where the planning application can be viewed, which will usually be on the Tower Hamlets website at [www.towerhamlets.gov.uk/planning](http://www.towerhamlets.gov.uk/planning) and how to make comments. Site notices and neighbour letters will also contain a Quick Response code (QR code), that can be scanned with a smartphone and will take you to the relevant page on the Council's website.

#### Changes to how we use neighbour letters and site notices

- 4.19. National legislation in the Town and Country Planning (General Development Management) Order 2015 sets out situations where site and press notices must be used and situations where there is discretion to use either site notices or letters to notify people occupying nearby properties that an application has been received. This legislation says that letters must be sent to the occupiers of "adjoining land or properties", but there is no definition of what this means. The SCI provides an opportunity to define how we will interpret this minimum requirement in a way that works well in Tower Hamlets.
- 4.20. Research shows that the Council sends out large volumes of neighbour letters on planning applications and yet the response rate is disproportionately low. Sometimes the number of responses received is less than 10% of the number of letters sent. However the costs of printing and posting neighbour letters are substantial. We need to reduce the number of letters sent – but this should not affect how people have their say on planning applications. There are many ways to find out about and track the progress of applications in your area using the Council's website and you do not need to have received a letter to make a comment.
- 4.21. The previous Statement of Community Involvement used boundaries of 20 metres for consultation on all major development applications and 10 metres for non-major development. After consultation on potential changes, this SCI sets out some changes to those boundaries – these changes are designed to be

proportionate to the scale of development being proposed, the magnitude of the impacts that could arise from the development and the likely level of public interest.

4.22. The 20 metre boundary will continue to be used as the starting point for the most significant major development proposals. These would include **applications for strategic development** that has to be referred to the Mayor of London (e.g. more 150 or more new homes, or buildings more than 30 metres tall), **local plan site allocations**, developments that require an **Environmental Impact Assessment**, and **major infrastructure projects**. A site notice (or notices) will also be displayed and the application will be advertised in the local press.

4.23. For other major development proposals, the consultation boundary will be 10 metres. A major development is defined as one where 10 or more dwellings will be constructed; where a residential site is more than 0.5 hectares in area; or where a non-residential use will be more than 1 hectare in area (1 hectare is around the size of Trafalgar Square). A site notice will be displayed and the application will be advertised in the local press

4.24. The consultation boundary for non-major development has been reduced to 5 metres, which would effectively be the properties directly adjoining the application site.

4.25. The notification boundaries are minimum requirements. Where there is likely to be an impact on a building or group of buildings just outside this boundary, we will ensure that occupiers of these properties are notified. Properties that face towards an application site, but are on the opposite side of a road or street will be notified, even if they fall outside of the notification boundary.

4.26. In cases where no new floor-space would be created, for example applications for new shop-fronts or internal changes of use, a site notice will be displayed and only residents of properties within the same building who may be affected will be notified.

4.27. The table below shows the minimum consultation methods for all types of application.

Type of development	Website	Site notice	Press notice	Neighbour consultation letters – minimum standards
<b>1. Major and strategic development*</b> •10 or more residential units •1000 square metres of floor space	Yes	Yes	Yes	<b>Strategic Development*</b> Occupiers of land or properties which are adjacent to and/or have a common boundary with the application site and

<ul style="list-style-type: none"> <li>•Sites of more than 1 hectare</li> <li>•Development where the application is accompanied by an Environmental Statement</li> <li>•Includes changes of use where the above apply.</li> </ul>				<p>addresses that are within 20 metres of the boundary of the application site and properties directly facing the application site across a road or street.</p> <p><b>Other major development</b> Occupiers of land or properties which are adjacent to and/or have a common boundary with the application site and addresses that are within 10 metres of the boundary of the application site and properties directly facing the application site across a road or street</p>
<p><b>2. Non-major development</b></p> <ul style="list-style-type: none"> <li>•Less than 10 residential units</li> <li>•Less than 1000 square metres of new floor space</li> <li>•Sites of less than 1 hectare</li> <li>•Householder development</li> <li>•Includes changes of use where the above apply</li> <li>•Telecommunications apparatus that is not permitted development</li> </ul>	Yes	No	No	Occupiers of land or properties which are adjacent to and/or have a common boundary with the application site, are directly opposite across a road or street or any of the property would be within 5 metres of the application site.
<p><b>3. Non-major development where no additional floor space is created</b></p> <ul style="list-style-type: none"> <li>•Except telecommunications apparatus and changes of use.</li> <li>•For example, new shop-fronts</li> </ul>	Yes	Yes	No	Occupiers of properties within the same building.

<b>4. Applications for development or demolition that would affect the character or appearance of a Conservation Area or the setting of a scheduled ancient monument.</b>	Yes	Yes	Yes	Apply standards in 1, 2 or 3 above as appropriate.
<b>5. Departures from the Development Plan</b>	Yes	Yes	Yes	Apply standards in 1, 2 or 3 above as appropriate.
<b>6. Any application affecting a public right of way or footpath/way</b> •Excluding pavement crossovers, new/revised vehicular or pedestrian accesses	Yes	Yes	Yes	Apply standards in 1, 2 or 3 above as appropriate.
<b>7. Applications for Listed Building Consent</b>	Yes	Yes	Yes	Only if works would affect the external parts of the building and are accompanied by a planning application. Apply standards in 1, 2 or 3 above as appropriate.
<b>8. Advertisement Consent</b> a) Signage on shop fronts or business premises  b) Free-standing advertisements  c) Large scale advert hoardings.	Yes	Yes	No	a) Site notice only.  b) Apply standards for non-major development.  c) Apply standards for major development.
<b>9. Prior Approval – telecommunications</b>	Yes	Yes	Yes	Apply standards in part 2 above.
<b>10. Prior Approval – larger household extensions</b>	Yes	No	No	Occupiers of neighbouring properties that adjoin and/or directly opposite the site
<b>11. Applications for permission in principle</b>	Yes	Yes	No	Apply standards in part 2 above.

<b>12. Applications for reserved matters after the granting of outline permission</b>	The starting point will be the consultation that would now apply under the revised SCI for the original application.
<b>13. Applications for variation or removal of planning conditions</b>	The starting point will be the consultation that would now apply under the revised SCI for the original application.
<b>14. Applications for minor material amendments</b>	The starting point will be the consultation requirements that would now apply under the revised SCI for the original application. A reduced neighbour notification area may be used, depending on the nature of the amendments Anyone who commented on the original application will be included as a minimum.
<b>15. Applications for non-material amendments (e.g. technical amendments)</b>	By definition no consultation would be necessary.
<b>16. Lawful development certificates</b>	Legal determinations and by definition no consultation would be necessary.

\* Strategic Development refers to applications that must be referred to the Mayor of London before a decision can be made. The full definition of applications of Potential Strategic Importance (PSI) is set out in the Mayor of London Order 2008 (as amended). In Tower Hamlets, this is development of 150 or more new homes, 15,000 square metres or more of floor space, or buildings exceeding 30 metres in height. Major development refers to residential applications for 10 or more units or a site area of more than 0.5 hectares; or non-residential applications for more than 1000 square metres of floorspace or a site area of more than 1 hectare.

#### How long is the consultation period?

- 4.28. National legislation requires that Council's allow a minimum of 21 days for any comments to be made on planning applications, with a few exceptions:
- The period is extended to 30 days for applications accompanied by an Environmental Statement made under the 2017 EIA Regulations
  - The period must be extended when it includes bank or public holidays – by the equivalent amount – e.g. notifications over the Easter holiday would be extended by two days.
- 4.29. Notification periods have to strike a balance between allowing enough time for comments to be made and ensuring decisions are made in a timely manner. Whatever the period, it is always helpful to receive comments as soon as possible.

4.30. Taking account of the national legislation, the scale and complexity of some major developments in Tower Hamlets and the need to maintain timely decision making, the SCI proposes extending the notification period to 30 days for all major development. The table below provides a summary.

<b>Type of development</b>	<b>National requirement for letters and notices</b>	<b>Tower Hamlets notification period</b>
All major development (including strategic applications)	21 days	30 days
EIA development	30 days	30 days
Non-major development	21 days	21 days
Amendments to applications where consultation has already taken place	Not required	14 days

#### How to Comment on a Planning Application

4.31. We welcome all comments on development proposals in the area, and comments do not have to be written in a particular style or format to be considered. However, comments must be made in writing. Any member of the community can submit comments on any planning application, as long as it is within the consultation period. There should be no need to hire a solicitor or other professional.

4.32. We ask that people take the time to look at an application before commenting on it. Information on planning applications can be searched for on the Tower Hamlets website at: [https://www.towerhamlets.gov.uk/lgnl/planning\\_and\\_building\\_control/planning\\_applications/search\\_and\\_comment\\_planning\\_applications.aspx](https://www.towerhamlets.gov.uk/lgnl/planning_and_building_control/planning_applications/search_and_comment_planning_applications.aspx), or by contacting the Planning and Building Hotline on 020 7364 5009.

4.33. When making a decision, we can only take account of certain issues that are legally allowed to influence planning applications – these are known as material considerations. You are welcome to make comments on other aspects of an application, but to influence the planning process you should try to consider and refer to these material considerations. Material considerations include:

- Planning policies, including the National Planning Policy Framework, the London Plan, and the Tower Hamlets Local Plan and Supplementary Planning Documents. This can also include emerging plans that have been through at least one round of public consultation.
- Previous planning decisions, including appeal decisions
- Loss of light or overshadowing
- Loss of privacy or overlooking

- Design, appearance and materials of a development
  - Layout and density of buildings
  - Traffic, highway safety and parking
  - Noise, smells and other disturbances resulting from the use of a new development
  - Loss of trees or other nature conservation effects
  - Effect on listed buildings or conservation areas
  - Capacity of physical infrastructure such as public drainage or water systems
  - Deficiencies in social facilities such as school places
  - Contaminated land
- 4.34. We cannot ordinarily consider issues such as a potential reduction in the value of a property or loss of a private view – but the reason why these things might happen could potentially be material considerations.
- 4.35. All comments received on planning applications must be made open to public inspection – please only include information that you are comfortable being made publicly available.

#### Making Decisions on Planning Applications

- 4.36. After the consultation on a planning application is finished, a planning officer will write a report setting out their recommendation. A final decision will then be taken by either a senior planning officer or a Committee of the Council. In Tower Hamlets, like in most planning authorities, the majority of applications are decided by senior planning officers, using powers delegated by the Council.
- 4.37. Generally, only larger and/or controversial applications, with outstanding policy conflicts or objections, will be considered by a Committee. Tower Hamlets has two planning committees – Development Committee and Strategic Development Committee.
- 4.38. The Development Committee determines applications for development involving 35 or more new homes, over 10,000 square metres of floorspace, or over 5,000 square metres of retail floorspace.
- 4.39. The Strategic Development Committee determines applications involving 500 or more new homes, 15,000 square metres or more of floorspace, or where any part of the development would be more than 30 metres tall (approximately 10 storeys), or more than 25 metres tall on sites adjacent to the River Thames. The full terms of reference for both committees are available on the Council's website at <http://democracy.towerhamlets.gov.uk/uuCoverPage.aspx?bcr=1>.
- 4.40. Applications must also be decided by the committees if the Council receives 20 or more objections and is recommending that permission should be granted, or 20 or more representations in support and is recommending that permission

should be refused. Online comments, emails, letters and petitions are all counted. Only signatures from people whose names are on the Tower Hamlets electoral roll will be counted for this purpose.

- 4.41. Planning officers will make recommendations on an application based on planning policy documents, responses from the consultation, and any other relevant guidance at national and local level. Officers will not generally respond to individual letters or objections, but will address the key issues and comments in their report. While officers will take into account all comments, they will use their judgement to reach a final decision which may not reflect your own comments on the application. A report will be prepared which sets out how the application was assessed and how comments received following consultation were taken into account.
- 4.42. If the application is to be considered by a Committee, all those who made comments on it will be notified by email of the date and time of the Committee meeting. All meetings are held in public and anyone can attend. The Council allows members of the public and applicants to address the committee, although the number of speakers and the time they are given to speak is limited. You can find out more about how to register to speak and our procedures [on our website](#). Public speaking is not allowed for items deferred from previous meetings where representations have already been made.
- 4.43. If you have commented on a planning application, you will be notified by email (if provided) of the decision – we will aim to do this within five working days of the decision being made.
- 4.44. The applicant may choose to appeal against the Council's decision. In these circumstances, the application is decided by the Planning Inspectorate, and your comments will be forwarded to the Inspectorate, who may choose to publish them on their own website.

## 5. Exploring New Ways to Consult

- 5.1. Tower Hamlets Council is committed to improving the way it consults with our local community. The Council's Community Engagement Strategy 2018-2021 includes a commitment to being open and digitally connected so that residents can communicate with us across multiple platforms. We are developing new digital tools to allow this to happen and it is anticipated that the Council will begin to roll these improvements out in 2019 and 2020.
- 5.2. The planning service is also considering some specific interventions that can be made in relation to planning consultations. Some of these interventions will require more extensive consideration, due to resource concerns – but all of them are currently being explored by the Council.
- 5.3. All site notices will include Quick Response codes (more commonly known as QR codes). These consist of black and white square designs, similar to a barcode, which can be read by smartphone cameras. Anyone who sees a site notice will be able to use the QR code to be directed to the relevant planning application on the Council's website.
- 5.4. It is our intention to provide links to live planning consultations on Facebook and Twitter, and possibly LinkedIn. We will also consider the use of geo-targeted (i.e. seen only by people located within the borough or a specific locality) online advertisements for particularly important consultations, where it is considered an effective use of limited budgets. In advance of this, careful consideration will need to be given to what information will be broadcast in these ways, to avoid information fatigue among our followers and to make the best use of the Council's digital channels.
- 5.5. The planning service will consider the creation of a regular planning newsletter or digest, which will provide summarised information about major planning applications and decisions, appeal hearings, pre-application consultations, and planning policy consultations. Careful consideration will need to be given to how this is implemented, to avoid consultation fatigue among recipients.
- 5.6. We will consider the possibility of webcasting planning committee meetings and possibly local plan examination hearings.
- 5.7. We are currently exploring the use of 3D imaging in planning applications to demonstrate height, scale, and massing of applications in context, and will consider how best to use this technology when engaging with the public.
- 5.8. These changes will make a positive difference to the way we advertise our consultations and should increase the number of responses received and how we engage. There will be further opportunities to harness the power of new technologies more fully and to implement innovative new ways to consult on

planning policy and planning applications, and the Council is considering these new ideas as they arise.

## Appendix A – Specific and General Consultation Bodies

### Specific Consultation Bodies

- Mayor of London (Greater London Authority)
- London Boroughs of Greenwich, Hackney, Lewisham, Newham, Southwark, Waltham Forest, the City of London, and the London Legacy Development Corporation
- Lee Valley Regional Park Authority
- Coal Authority
- Environment Agency
- Natural England
- Secretary of State for Transport
- The Historic Buildings and Monuments Commission for England
- Transport for London
- NHS London
- Thames Water
- Phone, broadband, gas, and electricity companies operating within the borough

### General Consultation Bodies

- The Mayor and ward councillors
- The Residents' Panel
- Registered housing providers
- Neighbourhood planning forums
- The Young Mayor and Deputy Young Mayors
- Equalities forums
- The Metropolitan Police
- The Canal and River Trust
- Marine Management Organisation
- Port of London Authority
- Health trusts and emergency services
- Other borough-wide groups and developers
- Other voluntary bodies, some or all of whose activities benefit any part of the borough
- Bodies which represent the interests of different groups in the borough, e.g., amenity societies, residents' associations, equalities groups, other community groups that express interest
- All people who have advised the Council that they are interested in being informed about a particular plan being prepared

To be added to the Planning Policy database to be informed about the progress of planning policy documents, provide your contact details by:

- Email: [planmaking@towerhamlets.gov.uk](mailto:planmaking@towerhamlets.gov.uk)
- Phone: 020 7364 5009

- Post: FREEPOST, London Borough of Tower Hamlets, PO Box 55739, London E14 1BY