



East Sussex County Council Draft Statement of Community Involvement

September 2017

Statement of Community Involvement Review 2017

Statement of Community Involvement Review 2017

East Sussex County Council, as a local planning authority is required by section 18 of the Planning and Compulsory Purchase Act 2004 to prepare a Statement of Community Involvement (SCI). This draft Statement of Community Involvement sets out the Council's policy in relation to public engagement in the preparation and review of planning documents and determination of planning applications. The first SCI was adopted in 2006, followed by a revised version in 2013. This document is the draft of the third version which has been updated to incorporate updated legislation and reflect changes in national planning policy.

At this time, views are being sought on the content of the draft document.

How to comment

Comments may be made online, by email or post using the addresses below:

- **Online** - <http://consult.eastsussex.gov.uk>
- **Email** - wasteandmineralsdf@eastsussex.gov.uk
- **Post** - SCI Review 2017, Planning Policy and Development Management - Communities, Economy and Transport, East Sussex County Council, County Hall, St Anne's Crescent, Lewes, BN7 1UE.

The deadline for comments is **?? ??????? 2017**.

Introduction

Introduction

1.1 East Sussex County Council, as a local planning authority, is required by section 18 of the Planning and Compulsory Purchase Act 2004 to prepare a Statement of Community Involvement (SCI). This Statement of Community Involvement sets out the Council's policy in relation to public engagement in the preparation and review of planning documents and determination of planning applications.

1.2 This, the third version of the East Sussex SCI, has been updated to incorporate updated legislation and reflect changes in national planning policy. It builds on the Council's commitment to promoting equality, both in the provision of its services and the methods used to deliver them, with specific consideration has being given as-to how to include those who have may have difficulty engaging with planning, sometimes referred to as 'hard to reach' groups. Through the implementation of this SCI the Council seeks to undertake early and meaningful engagement with the local communities of East Sussex, so that plans, as far as possible, reflect a collective vision and a set of agreed priorities; and planning application are effectively publicised and determined in consultation with local communities.

1.3 We hope you find this SCI useful but please contact us if you have any queries. You can contact us on the details below:

Email - wasteandmineralsdf@eastsussex.gov.uk

Phone - 01273 481846

If you wish to be notified about Waste and Minerals Local Plan Consultations you can register your details at our on-line consultation portal: <http://consult.eastsussex.gov.uk>. By doing this you will automatically be informed when consultations take place.

Promoting Equality

Promoting Equality

2.1 The County Council is committed to promoting equality, both in the provision of its services and the methods used to deliver them. The Council will seek to ensure that there is equal opportunity for all to become involved in planning at all stages of plan production and throughout the lifetime of a planning application. Where there are barriers to access, the Council seeks to overcome them. The Council also seeks to specifically include those who may have difficulty engaging with planning, sometimes referred to as 'hard to reach' groups. This may include specific groups such as:

- children and young people;
- older people;
- black and minority ethnic people (BME);
- people with disabilities, or those with special needs;
- people who are unemployed or on low incomes;
- young single parents;
- refugees and asylum seekers;
- people who are homeless;
- lesbians, gay men and other people discriminated against because of their sexuality; and
- the Gypsy and Traveller community.

2.2 It may also include those who have specific difficulties such as:

- illiteracy;
- learning difficulties;
- language difficulties;
- mobility difficulties;
- hearing and visual impairments;
- remoteness from public transport; and
- remoteness from Council Offices and libraries.

2.3 Officers will consider the potential interest and involvement of hard to reach groups or individuals during the production of Local Plans and during the determination of planning applications and the best methods to involve them.

2.4 Additionally, Equalities Impact Assessments are carried out on each of the documents forming part of the Waste and Minerals Local Plan as they are prepared. These help to identify if a group or groups are particularly affected by the Local Plan. Further information on the Equalities Act 2010 and the Council's duty can be found on the [County Council's Equalities webpage](#).

Community Engagement in Planning Policy

Community Engagement in Planning Policy

3.1 East Sussex County Council, as a waste and minerals planning authority, is responsible for the preparation of the Waste and Minerals Local Plan for East Sussex. The Council may also prepare Supplementary Planning Documents which provide area or topic specific guidance. Each of these have different consultation requirements.

Local Plans

3.2 Local Plans must be prepared in line with the Planning and Compulsory Purchase Act 2004, the Localism Act 2011, the Town and Country Planning (Local Planning)(England) Regulations 2012 (as amended) and the National Planning Policy Framework. The National Planning Policy Guidance provides further guidance.

3.3 The County Council is required to consult with:

- Specific Consultation Bodies that the local planning authority consider may have an interest in the subject of the proposed local plan;
- General Consultation bodies that the local planning authority consider appropriate; and
- residents or other persons carrying on business in the local planning authority's area from which the authority considers it appropriate to invite representations.

3.4 The first stage of consultation, known as Regulation 18 consultation, invites representations to be made on the content of the proposed plan. This may take the form of one or several consultations depending on the form and content of the document being produced. A pre-submission plan is then produced and representations are invited on the 'soundness' of the plan; this is known as a Regulation 19 consultation. The Council will then submit the draft Plan to Government which triggers a Public Examination of the Plan. This is where an Independent Planning Inspector determines if the Plan is 'sound' and legally compliant. During the Examination, should the Council decide that changes to plans are needed, further consultations may occur. At the end of the Examination, should the Inspector find the Plan 'sound' and legally compliant, the Council may then adopt the Plan and use it in the determination of planning applications.

3.5 During all consultations on Local Plans, the County Council will:

Table 1 Publicity, Consultation and Comments

Methods used	Comments
Run consultations for a minimum of six weeks. ⁽¹⁾	This may be extended to allow for holiday periods.

¹ Minimum period of consultation as outlined by The Town and Country Planning (Local Planning)(England)Regulations 2012.

Community Engagement in Planning Policy

Methods used	Comments
Maintain a database of General, Specific and other consultees to be consulted during each stage.	The database will also be used to provide updates outside of consultation periods and to advise in advance of forthcoming consultations and topics.
Make relevant documents and material available for inspection at County Council offices and other suitable places for a minimum six weeks consultation period.	This will be extended to district and borough offices, parish councils and libraries when appropriate.
Make relevant documents and material available for inspection on the County Council website for a minimum six weeks consultation period.	Relevant documents and material will be available for the whole consultation period, and will be archived for future reference when the consultation period is over.
Establish a consultation portal on the internet.	Allows documents to be viewed and comments to be made in one place online.

3.6 During all consultations on Local Plans, the Council may use some or all of the following methods below to consult and engage with communities:

Table 2 Methods of Community Involvement

Methods used	Comments
Hold public exhibitions and roadshows at selected venues, usually staffed to enable on hand explanation, discussion and feedback.	Unstaffed small displays may also be suitable in libraries or other offices for general publicity or information.
Hold public workshops to discuss and debate issues and/or particular proposals for an area.	These may take place at weekends and outside normal working hours.
Undertake face to face meetings with organisations to discuss specific or detailed issues.	Meetings could be arranged with individuals in certain circumstances.
Attend open meetings subject to staff resources.	N/A
Undertake Action Planning exercises to engage with specific communities, particularly those considered 'Hard to Reach'.	This could be extended for other activities, such as generating

Community Engagement in Planning Policy

Methods used	Comments
	ideas to explore the type and location of waste facilities.
Invite comments on proposals through the County Council magazine "Your County" or equivalent publications.	N/A
Produce leaflets and brochures to provide non-technical issues for a wider audience.	These may be delivered directly to individuals and stakeholders
Place advertisements in local newspapers and issue other media releases.	N/A
Use of Social Media such as Facebook and Twitter to raise awareness of issues and invite comment.	N/A
Use the County Council's website to raise awareness and invite comment.	N/A

3.7 The County Council may use all or some of the above methods of consultation. This will depend on the subject of the proposals, the most affected communities, the planning issues raised, the extent to which it may be considered controversial and the resource costs of each method.

3.8 The amount and mix of consultation methods used for any given document will be at a level which can be reasonably expected for the status of the local plan.

3.9 Any person may make a request for a copy of the relevant documents in order to make a representation. The County Council will provide a copy as soon as is reasonably practicable to do so, but may have to make a reasonable charge for the document.

3.10 Staff will usually be available by telephone during standard office hours to answer questions and provide relevant information during the consultation.

3.11 Plain English will be used in all documents to ensure everyone who wishes to engage with the planning process can do so without confusion and misunderstanding. Sometimes it is inevitable, however, that in some cases specific terminology will be used in planning literature. When this happens, every effort will be made to ensure that an easy to understand explanation is available somewhere in the document or on the website. In most cases this should be in the text or a footnote, but definitions or a glossary may also be provided. A planning officer will usually be available for further questions relating to any documents produced by the service.

Community Engagement in Planning Policy

3.12 Where decisions have to be taken on a document or other material by a County Council committee as part of the Local Plan process, a report will be considered and a decision made by the Lead Member for Transport and Environment, the Cabinet, or the full Council as appropriate. This is in accordance with legal requirements and the County Council's constitution. They will be advised by the Planning Committee where appropriate. Local Plans could be scrutinised by the Economy, Transport and Environment Scrutiny Committee and decisions by the Lead Member for Transport and Environment could be referred to full Council by the Scrutiny Committee.

Supplementary Planning Documents

3.13 The Council may also produce Supplementary Planning Documents (SPDs) when required. SPDs expand on policies or provide greater detail than can be included in a Local Plan. Whilst they must undergo public consultation, they do not pass through all the stages listed above for Local Plans.

3.14 Prior to adopting an SPD, the County Council must:

- Make relevant documents and material available for inspection at County Council offices and other locations that the local planning authority consider appropriate for a minimum four weeks consultation period; and
- Make relevant documents and material available for inspection on the County Council website for a minimum four weeks consultation period.

3.15 The County Council will exceed these minimum requirements when it is appropriate to do so. The consultation period may be longer than four weeks, for example, where it overlaps with a public holiday or involves a particularly sensitive or controversial issue. The initial consultation on the form of the SPD will be undertaken using appropriate methods from those listed above in Table 2.

3.16 The SPD would then be adopted by the County Council following any necessary changes identified during the consultation period. SPDs are not subject to independent examination.

Partnership working

3.17 East Sussex County Council works in partnership with Brighton & Hove City Council and the South Downs National Park Authority on the preparation of Waste and Minerals Planning Policy documents for East Sussex and Brighton & Hove, including the area within the South Downs National Park. Under the existing arrangements each authority has to approve each plan document. There are no arrangements for a joint approval committee.

Community Engagement in Planning Policy

Duty to Co-operate

3.18 The Localism Act 2011 introduced a 'duty to co-operate' between specific bodies, of which the County Council is one. The duty exists to ensure that the authorities involved in land use planning cooperate with each other in the preparation of their respective plans. This particularly applies to strategic matters such as housing provision, waste management and minerals provisions. In the preparation of the Waste and Minerals Local Plan the Council will work with the other prescribed bodies in the spirit of the duty to cooperate. The exact methods used will depend on the topic and bodies involved, but may involve meetings or statements of common ground.

Neighbourhood Plans

3.19 The Localism Act 2011 also makes it possible for parish councils and neighbourhood forums to prepare neighbourhood plans for their areas. These plans allow local communities to prepare plans indicating where future development should be located in their area. Once these plans are 'made' they are considered to be part of the Local Plan for the area and are used in the determination of planning applications. Whilst neighbourhood plans may not contain policies about 'strategic matters' such as the topics of minerals and waste development, the Council will sometimes comment and engage with the Parish / Town Council or Neighbourhood Forum where waste management or minerals infrastructure exists and may affect their Plan.

Community Engagement in Development Management

Community Engagement in Development Management

4.1 The County Council is responsible for the determination of two types of planning application:

- Minerals and Waste development; and
- County Council development, for example, schools, roads, libraries and social services buildings.

4.2 There are currently no joint working arrangements with other planning authorities.

Pre-application consultation

4.3 For certain types of development, specifically onshore windfarm developments, the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) requires applicants to undertake a public consultation prior to submitting a planning application. Likewise, National and Local Policy, for example NPPF paragraph 66 and Policy WMP20 of the Waste and Minerals Plan typically encourage applicants for larger developments to undertake public engagement prior to submitting an application for determination. These consultations are normally developer-led and generally do not involve the planning authority.

4.4 There is no requirement on the County Council as a Planning Authority to hold a public consultation when responding to pre-application proposals. However, the Council may seek specialist advice as it sees fit.

Publicity of a planning application & consultation arrangements

4.5 The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out the statutory requirements for publicity and advertisement for planning applications. The table below summarises the minimum requirements for publicising planning applications.

Table 3 Minimum requirements for publicising planning applications

Type of application	Minimum publicity requirements
Minerals and waste applications and other "major development" applications	Advertised in a local newspaper; and Site notice or neighbour notification letter

Community Engagement in Development Management

Type of application	Minimum publicity requirements
Other applications that: <ul style="list-style-type: none"> are accompanied by an Environmental Statement; depart from the development plan; or affect a right of way 	Advertised in a local newspaper; and site notice
Other applications that: <ul style="list-style-type: none"> affect the setting of a listed building; and/or the character or appearance of a conservation area 	Advertised in a local newspaper; and site notice
Non-Material Amendment Applications	Consultation is discretionary
All other applications	Site notice or neighbour notification letter

4.6 In each case, the Local Planning Authority must also publish information about each planning application received on its website. This information must include:

- the address or location of the development;
- a description of the development;
- the date by which representations should be received;
- where and when the application can be inspected; and
- how representations can be made.

4.7 Current planning applications are available to view at County Hall and at the relevant District and Borough Council offices as set out on the councils' websites. For historic planning applications please check with the Council first as these may have to be retrieved from archives and may not be immediately available.

4.8 The period given to respond to a consultation is 21 days, except for applications requiring an Environmental Statement which is 42 days.⁽²⁾

4.9 Representations on planning applications must be made in writing to the County Council online, by email or by post.

4.10 The County Council will meet and, as appropriate, exceed the statutory requirements for publicity for planning applications.

4.11 Electronic communication is considered the most appropriate and cost effective way of disseminating information on planning applications to the widest possible number of people and organisations. Whilst it is acknowledged that

² "Days" refers to calendar days, rather than working days.

Community Engagement in Development Management

e-communications may not be the most appropriate method for every consultee, the Council wishes to encourage a shift to this form of communication. Therefore, whilst hard copies of planning applications and supporting information may still be requested, the County Council reserves the right to make a reasonable charge for this information.

4.12 A variety of additional communication methods can be utilised to ensure appropriate communities are engaged during the determination of major planning applications. These will be chosen from the table below:

Table 4 Additional methods for publicising planning applications

Methods	Description
Public exhibitions and meetings	The Council will, when appropriate: <ul style="list-style-type: none"> encourage applicants to hold exhibitions, public fora and/or community meetings at an early stage to explain, discuss and seek public feedback on their proposals
Focus and discussion groups and meetings	In certain circumstances, the Council will: <ul style="list-style-type: none"> encourage discussion with groups of local organisations where there is a particular issue or set of issues raised by a proposal or applications, or the level of interest makes it appropriate arrange meetings with organisations representing hard to reach groups, or with hard to reach groups themselves, where it is an appropriate way of seeking their views
Liaison groups	The County Council will: <ul style="list-style-type: none"> encourage and, where appropriate, facilitate the establishment of liaison groups to monitor and disseminate information locally on the progress of any subsequent major development to provide a link between the community and local authorities, applicants and developers
Public surgeries	When appropriate, the Council will: <ul style="list-style-type: none"> use local premises as a drop in point for information and/or discussion for some major or controversial applications
Planning Aid	The County Council will: <ul style="list-style-type: none"> recommend and publicise the use of the Planning Aid organisation as additional and independent help for people who want to be involved in the consideration of proposals and/or applications, with the particular aim of facilitating the involvement of hard to reach groups

Community Engagement in Development Management

4.13 The case officer will consider the appropriate consultation methods that should be used for each application received, taking into account the nature of the proposal, which communities are likely to be affected, planning issues likely to be raised, the extent to which the application is likely to be controversial and the resource costs of each method.

4.14 The majority of planning applications do not come before the Planning Committee, but are dealt with under powers delegated to the Head of Planning and Environment Service (known as Delegated Powers). In these cases, where no more than one objection is raised during the public consultation and the scheme is not considered to be major or controversial, a planning officer will produce a report and recommendation which will be approved under delegated powers by the Head of Planning and Environment. The decision notice is then issued.

4.15 The circumstances where an application will be determined under delegated powers or by the Planning Committee are outlined in the Council's formal [Scheme of Delegation](#). The Scheme of delegation helps to streamline the system and ensure that Planning Committee time is utilised to maximum effect scrutinising the most appropriate applications. However, applications for major and/or controversial proposals will also likely go before the Committee regardless of whether objections have been received.

Planning Committee

4.16 If an application is not dealt with under delegated powers it will go before the Planning Committee for determination. As with the delegated decisions, a planning officer will produce a report and recommendation which will then be debated at a meeting of the Planning Committee. The decision notice is then issued.

4.17 Members of the public can speak at the Planning Committee provided the interested person has made written representations to the relevant case officer in the Council's Planning Policy and Development Management Team on the relevant application at least 7 days in advance of the meeting.

4.18 If this requirement has been met, those who wish to speak should contact the Democratic Services Officer on 01273 481935 no later than 12 noon on the Friday before the meeting. The agenda for each Committee will be published at least five working days before the meeting. It is not possible to alert each respondent on whether an item is going before the Planning Committee meeting because some applications can attract a large volume of responses.

4.19 Planning Committee meetings are generally held on a Wednesday, once a month, starting at 10.30am in the Council Chamber at County Hall, Lewes. Speakers should arrive at least 15 minutes before the start of the meeting. The Committee's schedule is published on the Council's website.

4.20 There are three categories of people who can speak. They are:

Community Engagement in Development Management

- up to three individuals or group representatives, including any parish or town council representative, who are opposing the planning application;
- up to three individuals or group representatives, including any parish or town council representative, and including the applicant who are supporting the planning application; and
- local County Councillors.

4.21 Details on procedures of the Planning Committee and what will happen on the day and full details regarding public speaking arrangements are available from the [County Council's website](#).

4.22 Agendas and minutes of previous meetings are available on the County Council website. Planning Committee meetings are also webcast live and available for viewing for the following six months.

Development Management - Feedback

4.23 On matters related to proposals and applications, the County Council will provide feedback to individuals, organisations and the community generally in the following ways. These are in addition to, or an expansion of, the methods set out elsewhere in this SCI:

- progress on an application, including responses and representations by consultees and the public, reports to Committee, and decisions, will be available through the County Council website.
- comments received on applications will normally be acknowledged.
- all applications reported to the Planning Committee (or other committee) will be the subject of a report by the Director of Communities, Economy and Transport (DCET) or the Head of Planning and Environment. This will include a summary of the consultation responses and representations received and how they have been taken into account, an analysis of the issues raised by the application, and a recommendation to the committee by the officer. All comments and representations received will be considered and appraised on the basis of the merits of the planning arguments put forward, regardless of whether a point is made by one or more individuals, groups, or organisations, or whether it is the result of a statutory or voluntary response. The Planning Committee Agenda is published at least five working days prior to the committee meeting. The associated reports are normally published with the agenda, but there may be exceptional circumstances when this does not occur.
- applications determined by the DCET or the Head of Planning and Environment under the County Council's scheme of delegation ("delegated decisions") will also be the subject of a report by the DCET or the Head of Planning and Environment. These reports will be made available on the County Council's website, together with the other documents related to an application;

Community Engagement in Development Management

- the County Council will notify by letter or email the decision on an application to all those people, community organisations and other bodies which submitted comments;
- copies of the decision notice for an application will be sent to the relevant Borough/District Council and will be made available for inspection at County Hall, Lewes and on the Council's website. This will include any legal agreement associated with a permission.

Future reviews of the SCI

Future reviews of the SCI

5.1 The County Council will monitor the implementation of the SCI and will include this as part of its Annual Monitoring Report. It will use feedback from stakeholders, community groups and others as well as evidence from consultations and involvement on Local Development Documents and planning applications. The results will be published and will be used to update and review the methods of community involvement and other procedures.

Future reviews of the SCI

Appendices

1. Consultees for Local Development Documents
2. Typical deposit points for Local Development Documents
3. Publicity and advertisement requirements for planning applications

Consultees for Local Development Documents 1

Appendix 1: Consultees for Local Development Documents

The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for consultation on Local Development Documents at the Regulation 18 and 19 stages.

Under Regulation 18, when preparing Minerals and Waste Development Documents the County Council must:

- (a) notify specific consultation bodies, general consultation bodies, and such residents or other persons carrying on business in the local planning authority's area from which the local planning authority consider it appropriate to invite representations, of the subject of a local plan which the local planning authority propose to prepare, and
- (b) invite each of them to make representations to the local planning authority about what a local plan with that subject ought to contain.

Under Regulation 19, when preparing Minerals and Waste Development Documents the County Council must:

- (a) make a copy of each of the proposed submission documents and a statement of the representations procedure available in accordance with regulation 35, and
- (b) ensure that a statement of the representations procedure and a statement of the fact that the proposed submission documents are available for inspection and of the places and times at which they can be inspected, is sent to each of the general consultation bodies and each of the specific consultation bodies invited to make representations under regulation 18(1).

Set out below are the lists of these consultation bodies which the County Council must use in meeting the consultation requirements at different stages in the production of Local Development Documents. A more detailed list of named organisations will be maintained and updated by the County Council, together with other groups and individuals who have expressed a desire to be kept informed regarding the progress of Local Development Documents. These lists will provide the basis for consultation at the different stages of Local Development Documents.

Specific Consultation Bodies

- The Coal Authority
- The Environment Agency
- The Historic Buildings and Monuments Commission for England, (known as Historic England)
- The Marine Management Organisation
- Natural England

1 Consultees for Local Development Documents

- Network Rail
- Highways England
- The Secretary of State for Transport, (where they are the Highways Authority for any highway in East Sussex)
- Homes and Communities Agency
- Borough, District, Town and Parish Councils within East Sussex,
- County, Borough, District, Town and Parish Councils adjoining East Sussex
- Surrey and Sussex Healthcare NHS Trust
- Any person to whom the electronic communications code applies by virtue of a direction given under Section 106 (3) (a) of the Communications Act 2003, and who owns or controls electronic communication apparatus situated in East Sussex
- Any person to whom a licence has been granted under section 6 (1) (b) or (c) of the Electricity Act 1989 and who exercises functions in East Sussex
- Any person to whom a licence has been granted under section 7 (2) of the Gas Act 1986 and who exercises functions in East Sussex
- Sewerage undertakers who exercise functions in East Sussex
- Water undertakers who exercise functions in East Sussex

General Consultation Bodies

- Voluntary bodies, some or all of whose activities benefit any part of East Sussex
- Bodies which represent the interests of different racial, ethnic or national groups in East Sussex
- Bodies which represent the interests of different religious groups in East Sussex
- Bodies which represent the interests of different disabled persons in East Sussex
- Bodies which represent the interests of persons carrying on business in East Sussex⁽³⁾

3 For the purposes of County Council planning, this refers to those people or businesses carrying out Waste and Minerals activities

Typical deposit points for Local Development Documents 2

Appendix 2: Typical deposit points for Local Development Documents

There are occasions when Local Plans and other documents must be put on deposit. Below is a list of typical deposit points. The exact list of deposit points for any consultation may vary and will normally be listed on the consultation notice.

Battle - Rother District Council Help and Advice Centre, 6 Market Square, Battle

Bexhill-on-Sea - Rother District Council, Town Hall, Bexhill-on-Sea

Crowborough - Crowborough Library, Pine Grove, Crowborough, East Sussex TN6 1DH

Eastbourne - Eastbourne Borough Council, Economy, Tourism and Environment Department, 1 Grove Road, Eastbourne

Hailsham - Wealden District Council, Vicarage Lane, Hailsham

Hastings - Community Contact Centre, Hastings Town Hall, Queens Road, Hastings, TN34 1QR

Lewes - East Sussex County Council, Communities, Economy and Transport, County Hall, St. Anne's Crescent, Lewes

Lewes - Lewes District Council Planning and Environmental Services Department, Southover House, Southover Road, Lewes

Newhaven - Newhaven Area Office (Lewes District Council), Saxon House, Meeching Road, Newhaven, BN9 9QX

Rye - Rye Library and Information point, 30 High Street

Seaford - Seaford Town Council Offices (Lewes District Council), 37 Church St, Seaford BN25 1HG

3 Publicity and advertisement requirements for planning applications

Appendix 3: Publicity and advertisement requirements for planning applications

The Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended) defines the way in which different types of planning applications shall be publicised by the County Council.

All planning applications must be publicised by the local planning authority, either by a site notice or by notification to neighbours. In addition, an advertisement in a local newspaper is required in some cases.⁽⁴⁾

There are three categories of application for the purposes of publicity and advertisement.

For applications for “major development”, i.e. the winning and working of minerals or the use of land for mineral-working deposits; waste development (meaning any operational development designed to be used wholly or mainly for the purpose of, or a material change of use to, treating, storing, processing or disposing of refuse or waste materials); the provision of dwellinghouses where (i) the number of dwellinghouses to be provided is 10 or more or, if this is not known, (ii) the development is to be carried out on a site having an area of 0.5 hectare or more; the provision of a building or buildings where the floor space to be created by the development is 1000 square metres or more; development carried out on a site having an area of 1 hectare or more;

The County Council is required:

(a) to mount a site display on or near the land for at least 21 days prior to determining the application, or to serve the notice on any adjoining owner or occupier; and

(b) to publish a local advertisement.

For an application that: is accompanied by an environmental statement; or is a departure from the development plan; or is development affecting a public right of way;

The County Council is required to:

(a) mount a site display on or near the land for at least 21 days prior to determining the application; and;

(b) publish a local advertisement;

For all other applications the County Council is required to either:

4 The Town and Country Planning (Development Management Procedure) (England) Order 2015, Part 2, Subsection 15


Publicity and advertisement requirements for planning applications 3

(a) mount a site display on or near the land for at least 21 days prior to determining the application, or

(b) serve the notice on any adjoining owner or occupier.

In all cases the local planning authority must publish the following on its website:

- the address or location of the proposed development;
- a description of the proposed development;
- the date by which any representations about the application must be made, which shall not be before the last day of the period of 14 days beginning with the date on which the information is published;
- where and when the application may be inspected;
- how representations may be made about the application; and
- that, in the case of a householder application, in the event of an appeal that proceeds by way of the expedited procedure, any representations made about the application will be passed to the Secretary of State and there will be no opportunity to make further representations.



East Sussex County Council
County Hall
St Anne's Crescent
Lewes BN7 1UE
Phone: 0345 60 80 190
Website: eastsussex.gov.uk

September 2017