

## Wiltshire Council

### Cabinet

15 March 2016

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#### Question from Cllr Chris Caswill

#### **To Cllr Toby Sturgis, Cabinet member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste**

The current large-scale planning applications for 700 and 1500 houses in the Avon valley beside Chippenham provide examples of a seriously flawed process of public consultation and engagement. Take the example of the Rawlings Green application 15/12351/OUT. This has been a case study in how **not** to engage the public with an important planning application. The application material was presented on the Wiltshire Council web site in a confused and bewildering set of over **170** separate documents not organised in any logical order, divided between two sections, one marked '*Appendix*' and another '*Statements/Surveys*'. Several of those documents themselves run to 50 or more pages and take a long time to download. It is not surprising that interested members of the public found this mass of incoherent material hard to access and even harder to understand and use. In the early part of the consultation period, access was made even more frustrating when these website pages crashed from time to time.

It is also extremely unfortunate that there are still important documents missing from this mass of material – examples in this case are Appendices to the Air Quality Report.

Then there was the problem of access for those who do not anyway use computers. The Council refused to provide any paper copies of the application in its Monkton Park office or in the Library - not even of a reduced set of the key documents. This is in clear contravention of the commitment made in Appendix 1, page 43 of the Council's Statement of Community Involvement, approved in July 2015. I believe it is also in breach of the Council's Public Sector Equality Duty. Chippenham Town Council was provided with a hard copy set, but initially flatly refused public access to it. They then changed their mind and decided to allow it, but there is no public information to that effect, and no process by which access can be requested. At least one Parish Council was provided with an incomplete set.

Many residents contacted me to say that they had tried to read and comment on the application but had given up. In these circumstances, it is remarkable how many people have commented - an indication of the strength of local feeling. Unfortunately many have not been able to access key documents and those representations will inevitably be limited to impressionistic comments, subject to challenge on the lines of "S/he obviously hasn't read paragraph xx of document abc".

Additionally, the applicant has not conducted an effective consultation process. The residents of Rawlings Farm Cottage, which is surrounded by the site, were not

consulted. Nor have the residents in the five houses in Peckingell been consulted, even though they are only 200 metres from the site boundary.

These shortcomings also apply to the Chippenham Riverside application 15/12363. I understand they also applied – and continue to apply – to the application for the Range (where they had 2000 pages to access in less than three weeks over the Christmas period).

**My questions are:**

1. When, and by whom, was the decision taken not to provide paper copies of planning applications in the Council offices and libraries, in contravention of the July 2015 Statement of Community Involvement?

**Response:**

*There has always been availability within the three hubs for public access to planning applications. As technology developed the accessibility at the hubs shifted from a paper to electronic copies. When we became one Council, the hubs may have changed but there was always the accessibility in to the planning application details in each hub maintained by the Council.*

*The Statement of Community Involvement specifies in Appendix 1 'Methods of consulting on **planning applications**' how we approach this across Wiltshire. You make reference to Appendix 1, page 43 but this specifically relates to 'Methods of involvement in the **Local Plan**'.*

2. Does the disadvantage to those who do not use computers, who are for the most part elderly, not constitute a breach of the Council's Public Sector Equality Duty, and if not why not?

**Response:**

Within Development Management in each hub, there is a team of customer facing people who regularly sit with customers who are not confident using a computer, or talk through this process over the telephone. We publicise the Planning Officers direct telephone number and encourage people to get in touch if they have any questions relating to applications. With this in mind we do not consider that there has been a breach of the Councils Public Sector Equality Duty.

3. When a developer presents application material in this kind of incoherent and inaccessible format, does the Council not have at least a civic obligation to review and organise it in such a way as to make it accessible for public consultation and engagement – especially in a Council 'where everybody matters'?

**Response:**

We do make attempts to make information provided on the website easy to read for public viewing. We do accept in this case, given the large amount of documents and information provided, improvements could have been made.

In future, we will ensure that this is improved and that information is presented in a coherent way.

4. Can lessons now be learnt from the lack of public access to these large scale planning applications, and will you now instigate an urgent review of the presentation of applications on the web site, and for those who do not use computers, with a view to allowing the publicly to properly engage with the planning process?

**Response:**

We do not consider that there has been a lack of public access to the documents. Having the documents available on the website enables the community to access these documents at any time of the day, from anywhere. In addition, as previously highlighted, computers are provided in the Council hubs and in libraries and all have staff within the hubs that are willing to help members of the public if they require assistance. We publicise the Planning Officers direct telephone number and encourage people to get in touch if they have any questions relating to applications.

We understand that the format and displaying of documents on the website could be improved and we are taking steps to improve this.

**To Cllr Toby Sturgis**

The Planning section of the Council web site continues to display as 'Retained Policies', policies from the former North Wiltshire District Council, which is seriously misleading to the public. Conversely there is no easy way of access the Core Strategy Policies on the site. That requires ploughing through the hundreds of pages of the Core Strategy document. This reflects badly on the Council and its attitude to the public. I have drawn this to the attention of officers but nothing has been changed. This is presumably within your responsibility. Why has this been allowed to happen? And when is something going to be done about it?

**Response:**

The North Wiltshire Local Plan section of the website was amended on the 25th February 2016 and now provides an extract from the Wiltshire Core Strategy which explains the current status of saved policies in the North Wiltshire Local Plan.

Policies are 'saved' and are made available on the website as they remain part of the development plan. The background to how policies were originally saved is also retained on the website to provide context.