

# DEVELOPMENT CONSULTATION CHARTER

DECEMBER 2022



# Introduction

## What is the Development Consultation Charter?

The Development Consultation Charter (DCC) outlines how the Council wants developers to engage with our community when preparing planning applications and applying for planning permission. The DCC forms part of our Statement of Community Involvement (SCI). The SCI is a statutory document that sets out how Southwark Council engages with our community. The SCI outlines the role of the Council in ensuring a meaningful consultation and engagement process. The DCC outlines the role of the developer in ensuring a meaningful consultation and engagement process.

We want to put the community at the heart of shaping the changes that are taking place in their neighbourhoods, and we will ensure that engagement and consultation is carried out in the ways that are required by this Charter. We have defined three key stages of participation for the community to take part in the planning process and an objective for developers at each stage:

| Stage of stakeholder participation | Developer Objective   |
|------------------------------------|---|
| 1. Engage                          | Engage with residents and stakeholders before submitting a planning application. This will ensure residents are included in the design of a scheme. |
| 2. Consult                         | Provide opportunities for residents to feedback on the design and impact of the scheme throughout the planning process.                             |
| 3. Inform                          | Maintain regular contact with residents throughout construction until completion and beyond.  |

This Development Consultation Charter sets out how we will ask the developer to prove their commitment to community engagement and show that they have taken due consideration of:

- Equalities impacts
- Social infrastructure
- Community assets
- Local demography
- Heritage and cultural assets
- Existing transport

## Who is the Development Consultation Charter for?

This document is primarily aimed at developers of major development schemes to outline the engagement required to develop in Southwark. However, this document is also useful for the two other stakeholders in the development process: the Council and the community.

**Developers:** The DCC sets out guidelines for developers on how engagement should happen at each stage of the planning process. This will ensure that a development reflects the needs of the community.

**The Community:** The community includes all those who live, work, study, worship and volunteer in Southwark. The DCC shows the types of engagement the community can expect from developers throughout the planning process.

**The Council:** This charter outlines the requirements for developers for submitting a planning application. The Council will ensure developers of major schemes in the borough meet these requirements.

## Why do we need a Development Consultation Charter?

We recognise planning and growth is not just about changes to the buildings and environment around us. It is also about improving the lives of people in the borough. It is important that everyone has a voice in the planning process and is able to influence change. The DCC is the Council's promise to the community to deliver the objectives of [Southwark Plan Policy SP2 "Southwark Together"](#).

Working together requires the Council to provide the community with:

- Guidelines for how the Council and developers will consult and engage on planning matters.
- An empowering approach to the development process where the community are at the centre.
- Accessible, online information on how engagement and feedback has shaped discussions and proposals.

This will help developers to submit a planning application that has been shaped by working closely with the community. Decision makers can then make informed, transparent decisions on the merits of the development.

## Why should a developer engage with the community?

Engagement can:

- Encourage innovative ideas and design solutions inspired by local knowledge.
- Help gain support from the community as they feel valued and respected.
- Ensure the developer understands local concerns at an early stage. This helps to address issues that may arise during the application process.

## Why should the community engage with the planning process?

Engagement can:

- Allow the community to have a say on how their neighbourhood changes.
- Make sure that development responds to the needs of the community.
- Empower the community and make a difference to how development happens in the borough.

# How will this Charter work?

This Charter introduces a **three-stage process** to ensure meaningful engagement on planning applications: (1) Engage; (2) Consult, and (3) Inform. Below is a table that outlines the requirements and responsibilities for developers, planning officers and the community to ensure its success.

| Timeline of Processes            | 1: Engage   |   |   | 2: Consult  |   | 3: Inform  |
|----------------------------------|---|---|---|---|---|--|
|                                  | At pre-application meeting  | Before submission of planning application                                     | At submission of planning application   | Consultation  | Determination of Planning Application   | During Construction  |
| Documents submitted by Applicant | Early Engagement Strategy (EES)   |   | Engagement Summary (ES)<br>Equalities Impact Assessment (EQIA)  | Updated Engagement Summary (ES) (where further engagement has been undertaken)  |   | Construction Management Plan secured by condition or S.106                                     |
| Role of Developer                | Arrange a pre-application meeting with the council (Not compulsory, but recommended). Prepare EES and send to Planning Officer to review. | Undertake engagement activities with the community and relevant stakeholders. | Prepare and submit required documents with planning application .   | If further engagement is undertaken post-submission, submit an updated version of the ES with evidence of further engagement. |   | Respond to local stakeholder concerns and feedback in a timely manner throughout construction. |
| Role of Planning Officer         | Assess and provide feedback on the submitted EES.<br><br>Confirm the required DCC processes.  |   | Review submitted documents to ensure sufficient engagement has been undertaken.<br><br>If insufficient engagement, request developer undertakes further engagement. | Comply with legal requirements for consultation.  | Give a summary of engagement undertaken in officer report.<br><br>Assess whether the developer has given due regard to the needs of those with protected characteristics. |  |
| Opportunities for Residents      |   | Engage and participate in engagement meetings.                                |   | Provide comments to developers and planning officers.   | Attend or speak at Planning Committee   | Contact developer to report issues.  |

## Who should developers engage with?

This Charter aims to encourage meaningful conversations between the community and the developer. We expect developers to reach out to people in the local area who may be affected by a scheme. These people should reflect the diversity of the area where the application site is located.

Developers should research and contact the following organisations in the area of their site, including:

- Local community and faith groups
- Local heritage and amenity societies
- Tenants & Residents Associations (TRAs)
- Neighbourhood forums
- Local schools and colleges
- Multi-ward forums
- Ward Councillors
- Local businesses and Business Improvement Districts (BIDs)
- Voluntary organisations. Examples include Community Southwark and the Forum for Equalities and Human Rights in Southwark (FEHRS)
- Civic societies and amenity associations

## What type of applications must consult and engage?

Public consultation and engagement should be proportionate to the scale of the development. Developers of a major application must engage the community and provide evidence of having done so. Any major application must also undertake a public meeting where people can have their say on the application.

|  |  |
|--|--|
| <b>Council Schemes</b>                                 | All council schemes, including housing schemes that propose one or more new homes. |
| <b>Small Scale Major Applications</b>                  | 10 - 49 homes.<br>1,000 sqm - 3,499 sqm commercial floorspace.                     |
| <b>Large Scale Major Applications<br/>Lower Range</b>  | 50 - 99 homes.<br>3,500 - 10,000 sqm commercial floorspace.                        |
| <b>Large Scale Major Applications<br/>Higher Range</b> | 100 + homes.<br>over 10,000 sqm commercial floorspace.                             |

\*With the exception of council-owned Hidden Homes schemes, as these are conversions in existing developments. The impacts of this type of development on equalities issues will still be taken into consideration in the planning application process.

# How should developers demonstrate a commitment to engagement?

This section outlines how we would like developers to evidence the engagement and consultation undertaken throughout the development process. We have also provided templates on our [website](#) to outline the requirements of each of the documents below.

## 1. Early Engagement Strategy

An Early Engagement Strategy (EES) is a requirement for pre-application discussions. The purpose of this document is to ensure that developers engage with residents and local stakeholders from the start of the development process. Early engagement is essential to ensure that residents and local stakeholders have a say in the development. It can also help to identify elements in the design of the scheme that may have a detrimental impact on certain individuals or groups.

### Facts-Based Audit

The EES should begin with a Facts-Based Audit (FBA) of the proposed development site. We recognise that schemes come to pre-application meetings at a variety of stages in the design process. If the scheme is at the early stages of the design process, you should outline how you intend to undertake the FBA before finalising the design. However, if the design is at a more advanced stage, the Council expects a full Facts-Based Audit outlined below.

A Facts-Based Audit should include:

1. **Stakeholder analysis** - who are the owners, occupiers and users of the existing buildings and surrounding the site? What are the demographics of the existing occupiers and users of the site? This must include assessment of those with protected characteristics.
2. **Heritage and site layout** - give a description of the existing buildings and space surrounding the site. Is the site situated within a conservation area? Is the building listed? Is the site, or any buildings within the curtilage of the site, of wider community interest?
3. **Accessibility and movement** - how is the site currently accessed by its current users? What are the important routes and why?
4. **Climate change and sustainability** - what climate change mitigation and adaptation considerations are relevant for the site? What sustainability considerations are there?

### Approach to Engagement

We want to know how you will engage with the key stakeholders that been identified, what engagement activities you intend to undertake and why you have chosen these activities in particular.

Engagement activities must enable stakeholders to participate and provide their views on what they want to see from the development. You must go into engagement activities without any assumptions of what stakeholders will want or need. Examples of engagement activities can include stakeholder meetings, workshops and feedback seminars.

You should also detail how you intend to incorporate feedback received from engagement

activities. We want to see evidence that stakeholders have had a meaningful impact on the design of a scheme. You must detail how you will achieve this.

## 2. Engagement Summary (ES)

You should submit an Engagement Summary (ES) with your planning application. This is a validation requirement in Southwark. The ES should provide an overview of the engagement that has taken place with local stakeholders prior to submitting the application. The Planning Officer will assess the Engagement Summary and this should include:

- A summary of the Facts-Based Audit undertaken in the Early Engagement Strategy. Please include any changes that have occurred since the EES was submitted. If you have not attended a pre-application meeting with an EES, you should provide a full Facts-Based Audit.
- A summary of stakeholder views and their vision for the future use of the site. What elements of the scheme did stakeholders like? What did they dislike? What would they like to see as part of this development?
- Outline any changes that were made to the scheme because of feedback from engagement with stakeholders in a 'You Said, We Did' format. If you were not able to make changes to the design of the scheme, provide a detailed justification.
- A Social Value Statement that describes the economic, social and environmental impacts of the development, how the development will contribute to the long-term wellbeing and resilience of existing and future residents and businesses.

If you decide to undertake further engagement after submitting your application, please provide an updated engagement summary with evidence of the further engagement undertaken.

## 3. Equalities Impact Assessment

We all have one or more protected characteristics with similar and different needs. Some groups with protected characteristics experience differential and sometimes negative impacts as a result of a development proposal or plan. Consultation and engagement can help find out about different needs and experiences of local communities to minimise these impacts. We require developers to undertake an Equalities Impact Assessment for their development to identify potential impacts from an early stage.

As set out in the Statement of Community Involvement (SCI), the Public Sector Equalities Duty (PSED) does not apply to developers. However, to be compliant with the SCI and this Charter, we require developers to support the Council in meeting and discharging this important duty. For you, this means producing a proportionate Equalities Impact Assessment of the impacts of the development. It must illustrate how the proposal will remove or minimise disadvantages suffered by people due to their protected characteristics, and what steps have been taken to meet the needs of people from protected groups where these are different from the needs of other people. It should also detail positive equalities impacts.

An Equalities Impact Assessment should include:

- A brief description of the development proposal.
- An overview of the users of the site and the stakeholders within the decision-making process.
- An equality impact and needs analysis that considers the potential impact to groups with protected characteristics, and provides evidence upon which this assumption is made and details of any mitigating actions to be taken as a result.



# Requirements for Developers

The following table provides an overview of the activities we expect developers to undertake through the three stages of stakeholder participation to ensure meaningful engagement. We expect applicants to undertake each stage in turn.

| Stage 1 - Engage<br>Best practice that a developer should undertake <u>before</u> submitting a planning application  |   | Minor Council-own applications* | Small scale major applications | Large scale major applications - lower range | Large scale major applications - higher range |
|--|---|---------------------------------|--------------------------------|--|---|
| Normal circumstances   | Alternatives in exceptional circumstances   |                                 |                                |  |   |
| Prepare an <a href="#">Early Engagement Strategy</a> that includes a facts-based audit of the site   | Prepare an <a href="#">Early Engagement Strategy</a> that includes a facts-based audit of the site  | √                               | √                              | √  | √   |
| Display a notice / board at the application site, which includes images of the proposed scheme and contact details of the developer  | Display a notice / board at the application site, which includes images of the proposed scheme and contact details of the developer   | √                               | √                              | √  | √   |
| A leaflet drop with a follow-up door-knock to those within close proximity to the site (including images of the proposed scheme, contact details of the developer and how to make comments on the proposal to the developer) | Developer to send Neighbourhood Letters to those within close proximity to the site (including images of the proposed scheme, contact details of the developer and how to make comments on the proposal to the developer) | √                               | √                              | √  | √   |
| Computer Generated Images/ 3D modelling  | Computer Generated Images/ 3D modelling   |                                 |                                |  |   |
| A video presentation of the site and the proposed scheme should be available on the developer's website where possible   | A video presentation of the site and the proposed scheme should be available on the developer's website where possible  |                                 | √                              | √  | √   |

| <b>Stage 1 - Engage</b><br>Best practice that a developer should undertake <u>before</u> submitting a planning application  |  | Minor Council-own applications* | Small scale major applications | Large scale major applications - lower range | Large scale major applications- higher range |
|---|--|---------------------------------|--------------------------------|--|--|
| Normal circumstances  | Alternatives in exceptional circumstances  |                                 |                                |  |  |
| Planning officers may advise developers who will need to be consulted.  | Planning officers may advise developers who will need to be consulted.   | √                               | √                              | √  | √  |
| Present the proposed scheme to the Design Review Panel (if required)  | Present the proposed scheme to the Design Review Panel (if required)   |                                 | √                              | √  | √  |
| Public engagement activities as agreed in Early Engagement Strategy. Examples include workshops, interviews and meetings.   | Use online surveys and digital tools to find out the views of the community. For those who do not have access to the internet and cannot complete an online survey, the developer should complete the survey over the phone with the resident. Contact details for the developer should be provided on Neighbourhood Letters/Leaflets. |                                 | √                              | √  | √  |
| Meetings with local residents, any relevant groups including community / resident groups, businesses and other stakeholders | Meetings with relevant groups including community / resident groups, businesses, and other stakeholders via video-conference software (e.g. Zoom, Microsoft Teams)   |                                 |                                | √  | √  |
| Developers set up website providing details and images of the proposal  | Developers set up website providing details and images of the proposal   |                                 |                                | √  | √  |

| <b>Stage 1 - Engage</b><br>Best practice that a developer should undertake <u>before</u> submitting a planning application |   | Minor Council-own applications* | Small scale major applications | Large scale major applications - lower range | Large scale major applications- higher range |
|--|---|---------------------------------|--------------------------------|--|--|
| Normal circumstances   | Alternatives in exceptional circumstances   |                                 |                                |  |  |
| Submit an <a href="#">Engagement Summary</a>   | Submit an <a href="#">Engagement Summary</a>  | √                               | √                              | √  | √  |
| Construction boards (hoardings) displayed  | Construction boards (hoardings) displayed where relevant  | √                               | √                              | √  | √  |
| Leaflet drop (and/or at pre-app stage)   | Neighbourhood Letters to those within close proximity of the site. This should include the contact details of the developer   | √                               | √                              | √  | √  |
| Computer Generated Images/ 3D modelling  | Computer Generated Images/ 3D modelling<br><br>A video presentation of the site and the proposed scheme should be available on the developer's website where possible | √                               | √                              | √  | √  |
| Consider the council's Climate Change Strategy and Movement Plan   | Consider the council's Climate Change Strategy and Movement Plan  | √                               | √                              | √  | √  |
| Present the submitted scheme to the Design Review Panel (if required)  | Present the submitted scheme to the Design Review Panel via video-conference software (if required)   | √                               | √                              | √  | √  |

| <b>Stage 1 - Engage</b><br>Best practice that a developer should undertake <u>before</u> submitting a planning application   |   | Minor Council-own applications* | Small scale major applications | Large scale major applications - lower range | Large scale major applications - higher range |
|--|---|---------------------------------|--------------------------------|--|---|
| Normal circumstances   | Alternatives in exceptional circumstances   |                                 |                                |  |   |
| Public consultation workshops and<br><br>A public community meeting<br><br>Attend a <b>Multi-ward Forum</b> if requested by the council (For Strategic Applications only)                      | Use online surveys and digital tools to find out the views of the community.<br><br>For those who do not have access to the internet and cannot complete an online survey, the developer should complete the survey over the phone with the resident. Contact details for the developer should be provided on Neighbourhood Letters/Leaflets. |                                 | √                              | √  | √   |
| Feedback to people on how they have shaped development from: <ul style="list-style-type: none"> <li>Multiple public consultation workshops; and</li> <li>A public community meeting</li> </ul> | Provide detailed feedback on how they have shaped the development: <ul style="list-style-type: none"> <li>Update the website</li> <li>Where possible, use visuals and images that demonstrate changes to the development</li> </ul>   |                                 | √                              | √  | √   |
| Equalities Impact Assessment   | Equalities Impact Assessment  | √                               | √                              | √  | √   |
| Submit a 3D model file for use in VU.CITY (FBX file, 1:1 scale and details of program modelled in)   | Submit a 3D model file for use in VU.CITY (FBX file, 1:1 scale and details of program modelled in)  |                                 | √                              | √  | √   |

| <b>Stage 2 and 3 - Consult and Inform</b><br>Best practice that a developer must undertake <u>during</u> the planning application process and <u>after</u> a planning application has been approved |   | Minor Council-own applications* | Small scale major applications | Large scale major applications - lower range | Large scale major applications - higher range |
|---|---|---------------------------------|--------------------------------|--|---|
| Normal circumstances  | Alternatives in exceptional circumstances   |                                 |                                |  |   |
| Provide updated engagement summary if further engagement is undertaken  | Provide updated engagement summary if further engagement is undertaken  | √                               | √                              | √  | √   |
| Construction boards (hoardings) displayed on site with updates on progress and contact details for the site manager   | Construction boards (hoardings) displayed on site with updates on progress and contact details for the site manager<br>Information is also to be updated on the website | √                               | √                              | √  | √   |
| Developers keep development website up-to-date  | Developers keep development website up-to-date  |                                 |                                | √  | √   |
| Website with the progress updates by developer  | Website with progress updates by developer  |                                 |                                | √  | √   |
| Where applicable, comply with any Construction Environment Management Plan that is secured through by condition on the decision notice or a S106 obligation   | Where applicable, comply any with Construction Environment Management Plan that is secured through by condition on the decision notice or a S106 obligation             |                                 | √                              | √  | √   |

\* With the exception of Council-owned Hidden Homes schemes, as these are conversions in existing developments, and are exempt from this level of consultation. Hidden Homes could include new homes created from unused or underused space within existing estates.

## Consulting in Exceptional Circumstances

We recognise that in exceptional circumstances consultation may need to take place in different ways or use different methods so that we can continue to deliver new homes and projects within our borough.

The tables on pages 10-14 of this Charter set out best practice examples of how we expect developers to carry out consultation in Southwark, as well as alternatives to face-to-face meetings and workshops in exceptional circumstances. These alternatives should only be used when face-to-face engagement is not possible, and help us to continue working with our communities so that people can have their say and help shape their neighbourhoods.

### Old Kent Road Community Review Panel

A [Community Review Panel](#) has been set up in the Old Kent Road Opportunity Area. This panel provides independent advice on planning in the area. It discusses issues including housing, transport, public and green spaces and the environment. This will help to ensure all new developments are of the highest possible quality and meet the needs of people living and working in the area.

The panel is made up of around 12 members from all backgrounds, aged 18 or over. The panel meets once a month to discuss proposals. These discussions are turned into a formal report that feeds into decisions made by the council. All of the panel's recommendations are taken seriously and are a formal part of the planning process. Experience or knowledge in planning or architecture is not required to be on the panel, and Southwark councillors and employees are not eligible to apply.

An independent company, Frame Projects, is responsible for recruiting and managing the panel. Frame Projects will ensure the panel is independent; properly briefed and able to effectively communicate its views to the council. This type of consultation is separate to this Charter. However, applicants are encouraged to consult this panel when preparing an application in the Old Kent Road, and this is something that can be mentioned in the Early Engagement Strategy.

## Monitoring the Development Consultation Charter

- A completed Engagement Summary must be completed by the developer and submitted with their planning application. This is a validation requirement and the planning application will remain invalid until it has been submitted. The Engagement Summary will be made public on our Planning Register website alongside the planning application.
- All Engagement Summary documents will be placed on the Planning Register with the planning application.
- We will monitor the number of Early Engagement Strategies and Engagement Summaries that we receive.
- The submission of an Early Engagement Strategy, Engagement Summary and Equalities Assessment will be monitored at validation stage.
- We will review the development consultation process including best practice guidance.

