

Hampstead Garden Suburb Trust

Draft Policy on Consultation 10 November 2011

1. Purpose

1.1 The purpose of consultation is to seek the opinions of interested parties on applications for changes in the appearance of buildings and/or the land on which they stand and which the Trust controls either by virtue of its powers under the section 19 Scheme of Management or by the terms of a lease, or by any other means.

1.2 Consultation aims to ensure that the Trust Council has available to it the broadest possible range of information and opinion in making its decisions according to the criteria laid down in the published Design Guidance for the Suburb. The level of consultation must be consistent with the Trust's obligations under the Scheme of Management and as a charity to behave economically and efficiently.

(It should be borne in mind that the local planning authority, Barnet Council, has equally important control of the changes through the Town and Country Planning Acts. Barnet Council has procedures and arrangements for consultation quite separate from those of the Trust and details of them may be sought direct from Barnet Council).

2. Extent of Consultation

2.1 It is open to any resident or owner to comment on any application to the Trust.

However the numbers likely to wish to comment will vary with the significance of the application. There will therefore be differences in the number and identities of those whom the Trust directly approaches for their views. To repeat, this need not inhibit any interested party not so approached from expressing their views. The number of those individually notified is driven by considerations of practicality and cost.

Broadly, the number of individual direct notifications will depend on whether the consultation is routine, as for all applications, or of particular importance:

2.2 Routine consultation will apply to the great majority of applications

2.3 More extensive consultation will apply to applications involving:

- **Significant alterations to buildings or land with a history of public or community use**
- **Significant alterations to buildings or land to be undertaken by the Trust itself**
- **New building on back land or vacant sites (other than undeveloped plots where the original lease allowed for development).**
- **Demolition of buildings identified in the Area Character Appraisal as Locally or Statutorily Listed**

3. Notification

3.1 Notification for routine consultations

The Trust's standard practice is to consider, with reference to a large scale map, local knowledge and where needed a site visit, the properties likely to be directly affected by changes in appearance or change of use of a property that is the subject of an application. This would normally include the immediately adjacent neighbours, those properties that back on to the application site and those from which the proposed

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alteration would be visible. These properties are then notified by individual letter. In a close or site of restricted access all properties in the close might be notified, depending on the nature of the application.

Notification briefly describes the substance of the application, gives the deadline for written comments and explains where and when the application may be examined in detail.

3.2 Notification for more extensive consultations

Notification will briefly describe the substance of the application, will explain where and when the application and any supporting explanations may be examined in detail and say to whom written opinions should be addressed and give a date by which they should be submitted. The numbers of those **directly** notified will depend on the significance of the issue on which opinions are sought but will include relevant organised associations of residents and where appropriate will include all residents who are members and associate members of the Trust. All residents will be further notified in any case by publication on the Trust's website of the documents submitted.

3.3 The Trust itself may also, where it is believed to be appropriate, actively seek the opinions of other interested and professional bodies, organisations and individuals not resident on the Suburb.

4. Timing

4.1 Sufficient time will be allowed for consultation so that the results can be taken into consideration before the decision on an application is made. Consultation will extend over a period sufficient to enable the application to be examined and views to be expressed by all those consulted. The Trust has to balance the period reasonably required for residents and owners to comment against its duty to provide decisions to applicants within a reasonable period of time.

4.2 Routine consultation period

The Trust publishes a set of deadlines for the receipt of applications to be considered by the Property and Plans Committee and the Trust Council. These are set so that for standard consultations there is a **minimum** period of 2 to 3 weeks for neighbours to receive notification, view the drawings and submit comments which are recorded and reported to the Property and Plans Committee. This has long been the practice and works well for "routine" applications.

4.3 More extensive consultation period

For applications where the Trust requires more extensive consultation it is proposed that this period is extended by one committee cycle. An application made at the beginning of January would normally be considered by the Property and Plans Committee and determined by Trust Council in February. For more extensive consultation the application would be considered and determined at the following meetings, in March. This extended period will also remove the possibility of the consultation period falling only within a holiday period.

5. Response to Consultation

5.1 Response to routine consultations

Those who submit comments are informed of the decision on the application once it has been made.

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5.2 Response to more extensive consultations

The responses to consultation will be carefully analysed and a summary published on the Trust website and will be freely available at the Trust Office. The summary will amalgamate, and will not attribute, comments in order to protect individual confidentiality.

Those who submit comments will be informed of the summary of comments and of the decision on the application once it has been made.

6. Cost and resources

6.1 Applicants are charged the Trust's costs for processing the application.

6.2 The costs of extensive consultation will be significant:

Costs of one letter of notification by post to 1,000 households (20% approximately of the Suburb) would be approximately £550 (staff time, stationery and postage)

The costs of analysis of responses would be approximately £200 (estimated staff time and overhead).

Evening viewing of plans on, say, 3 weekday evenings would be approximately £300 (estimated staff time and overhead).

Costs of postal notification of the Trust Council decision would be approximately £165 (assuming a 30% response rate to the notification of 1,000 households).

6.3 This produces an additional cost to be borne by a higher level applicant of £1,215. The Trust would need to be satisfied that this additional cost to the applicant (which may be a local school or community organisation) is reasonable in the circumstances.

If a public meeting was required that would involve the applicant in further costs.

Because there are significant costs involved there is a constraint of reasonableness requiring the Trust to behave proportionately in deciding which applications would be subject to the proposed higher level of consultation.

In some circumstances the Trust would consider meeting part or all of the costs of consultation from its charitable funds.