

People in Planning

Considering Consultation Content:
Views from the Development Industry

Penny Norton



People in Planning

Considering Consultation Content: Views from the Development Industry

Commissioned and Edited by Sally Hussey

© 2021 Foreword, Sally Hussey

© 2021 Penny Norton

Bang the Table, Pty Ltd

C.E.Lab 96 Pelham Street, Carlton, Vic 3053 Australia

bangthetable.com

Bang the Table is a digital community engagement company with a strong social mission. Our purpose is to involve citizens around the world in the conversations that affect their lives and advocate public participation as vital for any well-functioning democracy.

Bang the Table Australasian office is based in Carlton, Victoria, on the lands of the Woiwurrung (Wurundjeri) peoples of the Kulin Nation. We pay our respects to elders past, present and emerging across Australia.



Contents

i	Foreword, Sally Hussey
1	Methodology
2	Introduction
5	Contrasting approaches
8	Components of consultation
	Material planning considerations
	Viability considerations
	Technical details
	Policy requirements
	Contentious content
	Design codes and development briefs
	The principle of development
	Content with capacity for change
15	Factors determining consultation content
	Sector
	End user
	Location
17	Question content
19	Clarity through change?
21	Conclusion
22	Further reading
23	Acknowledgements
24	About the Author
25	About the Editor



Foreword

Public interest, understanding and engagement with the planning system is, seemingly, poor. Barriers to community involvement in planning consultations have led to a lack of public trust and confidence in the planning system in the extreme. This despite the widespread notion that public consultation (or engagement) facilitates community's ability to influence the planning system. Indeed, public consultation with community members and residents is expected to benefit proposals, mitigate any challenges the scheme may face when considered by a planning committee and, therefore, increase the likelihood of planning consent. Yet, where community and developer expectations vary this can fuel mistrust.

It can be argued that this lack of trust is underscored by the fact that planning is a characteristically complex and often contentious process. The balance struck between community involvement and the consistency and efficiency of the built environment (secure investment) can, then, be felt in the ability to reach decisions to achieve planning consent. The perceived chasm between community and developers (where residents prefer more consultation and developers less, or where anti-development sentiment is high, for instance) brings into question this fine balance: what should a community's involvement be in a planning consultation?

Consultant specialist and Associate of The Consultation Institute (UK), Penny Norton focuses this essential question through a lens on consultation content. "What is consultation content?" she writes, "probably the most important element of any planning consultation." Norton not only brings into question the very concept but demonstrates its overlooked significance. For, where there has been an overemphasis - if not over organising - around the scope and methodology of planning, consultation content, particularly in pre-planning, is "rarely discussed." Yet, its importance is paramount. In particular, where public engagement is increasingly accepted as a way to modernise the planning system and democratise local decision-making. Norton points to this in the UK government's recent consultation on the New Model Design Code in which "local residents would not only be consulted on elements within the Design Code, *but on its content.*"

In focusing questions around what is the ideal content for a consultation, *People in Planning: Considering Consultation Content* not only outlines what factors determine consultation content, but what should be included. The original research presented includes findings from a series of interviews Norton conducted with industry professionals in the UK. Focussing on the subject of consultation content for non-statutory planning consultations, she brings together a diversity of opinions,



What is consultation content? The subject matter, or topics that are consulted upon – probably the most important element of any planning consultation.

learnings, and recommendations from those in development, planning, engineering, traffic as well as communications consultants.

Penny Norton deftly charts the terrain between two competing approaches that have emerged in planning consultations: structured according to clearly defined subjects, on the one hand, and local residents having “a blank piece of paper on which to comment more broadly,” on the other. She steps through the components of a consultation from material planning considerations to viability, policy requirements and technical aspects. She also discusses the many subjects that fall outside the remit of public consultation as well as those with limited scope for community voice (national and local policy disparity in the area of affordable housing, for instance).

Questions around community involvement in planning are timely. The UK faces substantial changes to its planning system with the forthcoming introduction of a new Planning Bill, witnessing one of its most radical changes since 1948. With this backdrop, Norton highlights that “[t]he potential for effective consultation has never been greater.” Indeed, in her previous publications, she has examined opportunities for communities to shape the built environment, the introduction of Neighbourhood Planning and written a definitive introduction to public consultation for developers and planners and the increased requirement to consult.

Yet, the significance of this ebook is in the question it raises for practitioners developing consultation strategies: ‘What content must the consultation address?’ ‘How might development teams approach consultation content more efficiently?’ And ‘how can community make a positive contribution to planning consultation?’ With the impacts of the coronavirus pandemic in countries like the UK and Australia, infrastructure has become key to government economic restimulation with the acceleration of infrastructure projects. Coupled with the increased mandate for public participation globally, the importance of “consultation content” couldn’t be greater.

Sally Hussey



Methodology

This ebook is based on interviews with 15 UK-based developers, planning, engineering, traffic and communications consultants during April 2021. Each interview lasted approximately an hour and covered the purpose of consultation, the way in which the approaches to consultation content vary, and whether future change to the English planning system is likely to create greater consistency.



Introduction

In 2019, the landowner and developer Grosvenor Group opened its discussion paper, [Rebuilding Trust](#), with a bold summary of its main findings: “The public doesn’t trust the planning system. Nor does it trust private developers.” It explained that planning is legal, highly technical, complex, poorly understood and hard to scrutinise. The approach taken by developers, it stated, is “unsophisticated and often met with suspicion.”

So, as the UK faces substantial changes to its planning system what is, or what should be, people’s involvement in planning? The potential for effective consultation has never been greater. Opportunities for communities to shape the built environment were markedly increased when the introduction of [Neighbourhood Planning](#) in 2011 gave local community groups an opportunity to create a shared vision for their neighbourhood. Channels of communication are evolving rapidly, allowing increasingly effective two-way communication, and the development industry itself is moving towards greater transparency, specifically in relation to social value.

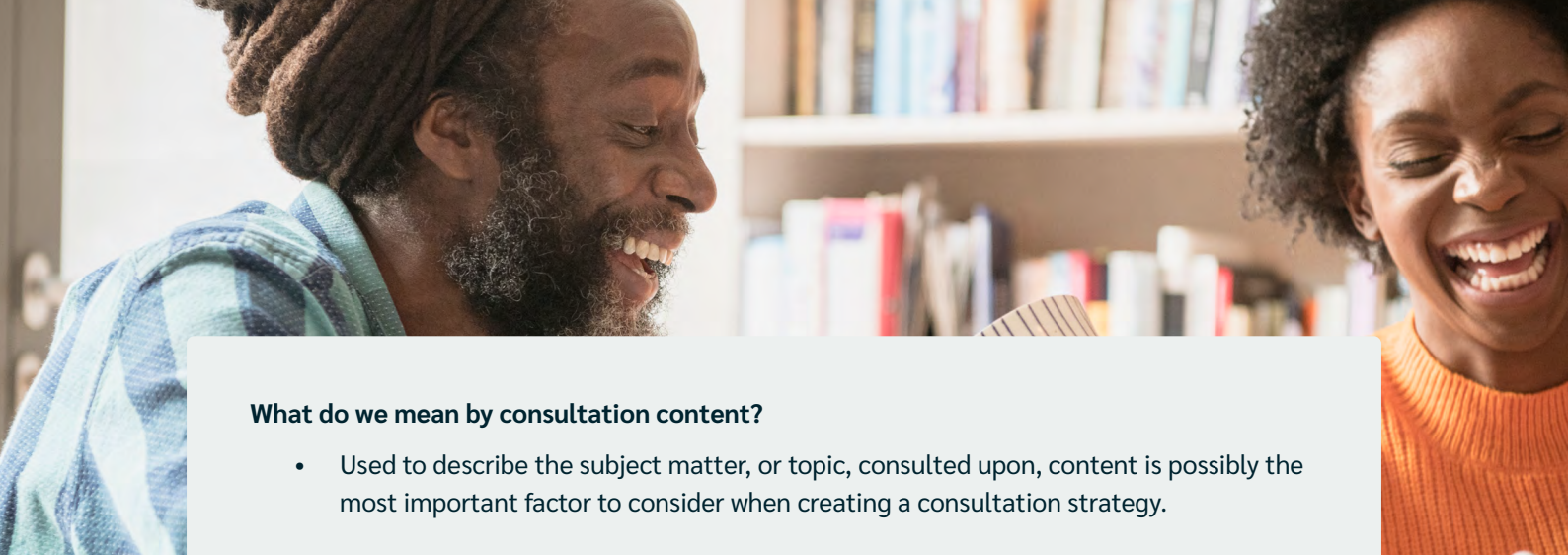
It is within this challenging and changeable environment that development teams work with local residents and community groups to refine and enrich proposals, to gain support and, ultimately, achieve planning consent.

Possibly the most important question for practitioners devising consultation strategies is what content, or topics, the consultation must address.

And yet, there is a distinct absence of guidance to assist development teams in determining the content of a planning consultation. Advice and best practice, where it does exist, tends to focus on methodologies, research and analysis. Although developers and planning consultants routinely meet

“Local people are the best consultants you never have to pay.”

Planning consultant



What do we mean by consultation content?

- Used to describe the subject matter, or topic, consulted upon, content is possibly the most important factor to consider when creating a consultation strategy.

The consideration of consultation content in this ebook concerns:

- The basic information that a planning consultation should cover
- How this is determined
- Whether consultees should be given freedom to comment on a proposal generally – or whether content should be limited
- The information required to assist consultees in making an informed response
- Whether, reflecting the desired content, the style of questioning should be limited to specific options, or be more wide-ranging.

Examples from across the industry are used to demonstrate:

- The range of topics consulted upon
- Ways in which consultation content varies in different circumstances
- The relative merits of different approaches.

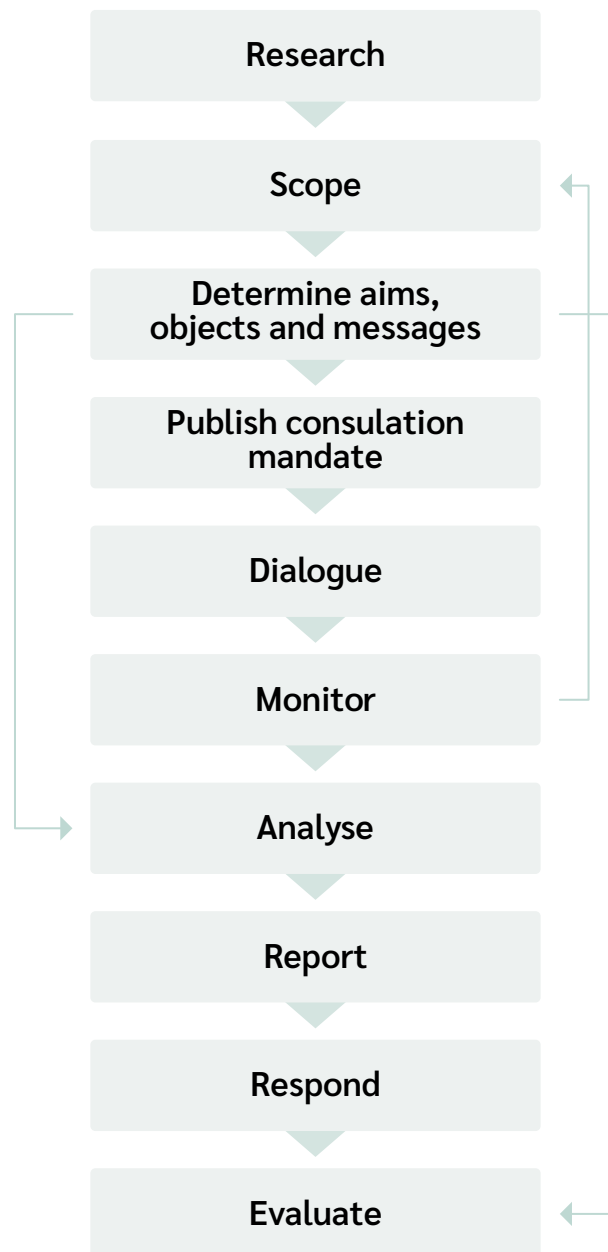
Interviewees also discussed whether greater guidance was required in determining consultation content, and specifically whether the proposals within Government's White Paper [Planning for the Future](#) address the current deficiencies.

local authority planning officers in 'pre-app' meetings to discuss the process of a planning application, consultation content is rarely discussed. Consequently, this ebook focuses on the subject of consultation content for non-statutory planning consultations. It finds that an understanding of the requirements, planning consultants' and developers' expectations of consultation, and therefore, practice, varies considerably; that this results in ambiguity – and further fuels mistrust.

The research in this ebook throws some light on the extent to which such disparity exists and why this is the case, and examines some examples. Potentially, greater clarity will enable development teams to approach consultation more efficiently, communicate the role and remit of consultation more effectively, and gain an increased understanding of a community's likely responses.

Agreement of a consultation strategy with the planning authority, is strongly recommended ([Figure 1](#)). This enables the development team to establish aims, objectives and messages and devise an approach which responds directly to these priorities. To ensure that consultees understand the purpose of the consultation, it is advised that the aims and objectives are clarified publicly through a consultation mandate. Furthermore, aims and objectives provide the basis upon which to analyse the consultation feedback and evaluate its success.

Figure 1. Strategy process



Contrasting approaches

Figure 2 summarises the five general subjects that are consulted upon in planning: need; location; approach; impact; and, mitigating impacts, the broadest subject narrowing to more specific and limited subjects. It is important to note that the need and location of potential development has usually been defined (and consulted upon) through the [Local Plan process](#). Similarly, mitigating construction impacts is rarely a subject for the pre-application consultation but for community relations activity post-consent. Subjects 3 and 4, therefore, constitute the purpose of most developer-led consultations. Ironically, these subjects tend to raise the least interest, as respondents frequently focus on need and location (1 and 2) and those that oppose change often fear the disruptive impact of construction (5).

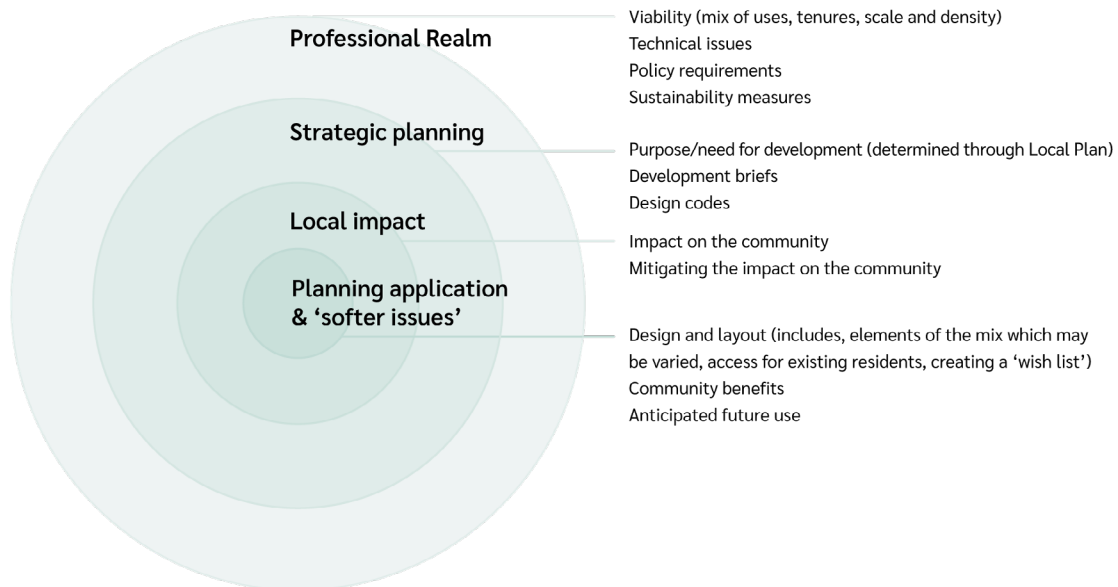
Figure 2. Subjects for consultation



This prompts the essential question: should a consultation be structured according to clearly defined subjects, or should local residents have a blank piece of paper on which to comment more broadly?

Figure 3 shows the broad range of content that – rightly or wrongly – tends to feature in consultations.

Figure 3. Consultation content



While some consultations seek to address all issues relating to the planning application, others will focus solely on the softer issues and local impact, which are generally seen as the subjects on which local residents are best placed to comment.

So two distinct approaches emerge: consultation with limited scope for content, which provides information relating only to clearly defined topics, and a broader discussion which requires more information to be made available.

There are benefits and drawbacks to both. Identifying a specific set of issues creates clarity and purpose. An emphasis on specific subjects such as changes to the public realm, provision of community facilities

and elements of design, focuses consultees' minds on pertinent topics, and draws out information which can be analysed efficiently and can directly influence the planning application. It acknowledges that local knowledge and insight – whether an understanding of local history of experience of past, current and future use – invariably benefits a planning application but that many subjects fall outside the remit of a public consultation.

A broader consultation is initiated on the basis that 'nothing is off the table': a consultation should welcome as many wide-ranging thoughts and experiences as possible, and the broader the consultation, the greater the benefits.

Figure 4. Contrasting approaches

	Limited consultation	Broad consultation
Stage of engagement	Immediately prior to submitting planning application	From the early stages of the scheme's design and throughout the process
Content discussed	Minimum, defined by consultor • Material planning considerations only	Broad, defined by consultees • Any issues considered relevant by local people
Information provided to support discussion	Minimal – limited to: • Maps and plans • Written content to describe the potential scheme	Extensive – including: • Draft maps and plans (which may be adapted) • Written content to describe the aims of the potential scheme and potential limitations (encouraging comment) • Technical reports and analysis • Access to development team • Publication of questions addressed to the development team
Questions	Specific topics • Mostly quantitative (sometimes preferred options)	Open comment • Qualitative



Components of consultation

Material planning considerations

The planning application will address all [material planning considerations](#) in relation to the proposed development, and accordingly, many will be covered by the consultation. But invariably the community's interest in the scheme will be considerably broader: local residents might be interested in which specific retailers have expressed an interest in a shopping centre scheme or aspects of the construction process, and they might raise concerns about the loss of a view or the impact on their property value. These issues fall outside the remit of the planning application, but are they outside the remit of the consultation?

A planning consultant described a consultation for a small housing site. The specific questions posed had resulted in numerous objections, but a chance conversation identified that local residents' main concern was that the new homes did not have allocated spaces for recycling bins. A minor change was made, the planning application was submitted and was approved.

The consultation had presented an opportunity for the development team to listen, to understand and to respond to concerns. Where such subjects are not material planning considerations, they may not impact on the planning application, but they can increase its likelihood of success.

Interestingly, when the breadth of consultation content is limited, the community's expectation that the developer should adhere to feedback is high. Conversely, where consultation is broadened beyond material planning considerations, responses tend to be seen as advisory and the obligation on the developer to address them in the [Design and Access Statement](#) (let alone comply with the strength of feeling) is less. This is best demonstrated in comparing a referendum (for example on a Neighbourhood Plan), with a [Planning for Real](#) exercise used to develop ideas for a new scheme: with the former, local views are binding; with the latter, they are an exercise intended to inspire the professional's masterplanning.



Viability considerations

Inevitably, there are issues upon which many local residents would be hard-pressed to offer constructive comment.

One is viability. In a mixed use scheme, the delivery of benefits including open spaces and community facilities is dependent upon specific densities being achieved. Typically, 40 homes and a public park will be preferable to 400 homes and limited open spaces, but such a scheme is rarely viable.

We need to approach each scheme on a commercially appropriate basis, so we can't consult on size and scale. However, the façade treatment is open for change and we are pleased to have our ideas tested by the local community. - *Hotel developer*

Viability is a particularly thorny issue because it is associated with profitability, which, as Grosvenor's research identified, is the basis for distrust of developers. Discussing issues of viability is often best considered in context of the specific scheme and its impact on broader economic regeneration.

Technical details

Development teams offered differing views on whether highly technical issues, such as road layouts, drainage schemes and the selection of appropriate technologies to address climate, were suitable for consultation.

Those preferring to avoid such subjects fear that provision of technical information risks information overload, that the level of education required is too great, and that a lack of understanding increases fear, resulting in distrust.

We consulted on a scheme on the south of the River Thames which runs north to south and reduces in height as it moves away from the river. The overwhelming feeling was that if it reduced towards the river, more people could enjoy a river view. The problem was that this would have had a detrimental impact on overshadowing. It was a technical issue that couldn't be changed despite the very logical sentiment.

- *Communications consultant*

We are consulting on a transport scheme that is unpopular with local residents because of an access issue. The scheme was designed together with the transport authority and we, and they, are reluctant to change it. But client wants to avoid going to a public enquiry at all costs, so we will probably change the scheme even though it will function less well.

- *Transport consultant*

Conversely, others believe that all information that makes up a planning application should be available as a matter of courtesy, giving everyone an opportunity to provide a view; also, that local residents will be aware of information being withheld as this could result in distrust. One purpose of consultation is



The problems stem from poor consultation at a national level.

to gain advance warning of issues that councillors may identify in the process of determining consent. As such, enabling comment on a wide range of issues reduces the likelihood of refusal. Proponents argue that even in complex technical situations, such as a road layout, local views based on decades of experience have the potential to create a scheme better suited to the location.

We do a lot of initial work at a technical level and we share this because it's the best way to establish trust with stakeholders. It's about convincing them that ours are the best solutions within the scope that we have. Then we shape and mould it based on their opinion.

- Transport consultant

Opinion is also divided on how local planning authorities view the issue. Many believe that when an application is considered, officers (and by extension, members) will defer to professional advice. Others feel that while officers may follow this principle, planning committee members' political role may ally them to local residents' concerns, even those that extend beyond the remit of the consultation.

On technical issues in particular, while it's fine to offer information for comment, it's important not to make the assumption that local views are always right. The professionals should always make the call – that's why they are involved.

- Residential developer

There are shining examples of an understanding of technical information resulting in positive feedback. In reality, however, this occurs when the developer has a long-term relationship with the community, such as in a Planning for Real exercise. It requires a significant investment of both time and resources and achieving a comprehensive understanding is rarely achievable within the constraints of a simple consultation on a planning application.

Policy requirements

A similar situation exists regarding policy requirements, such as the need to provide a specific level of affordable housing as set out by the local authority. Although there is sometimes a balance to be struck between affordable housing quotas, community benefits and infrastructure provision, a specific percentage of affordable housing is usually required and will be defined in pre-application discussions. This leaves little scope for local discussion, regardless of local strength of feeling.

Car parking is similarly contentious, with a similarly limited role in public consultation. Frequently, local residents request ample parking spaces to avoid street parking and associated disruption. Planning policy



Fears that raising the profile of an issue will fuel activism are well-founded, but so too is the detrimental impact on community relations of not addressing these issues: the danger that unchecked rumours have a tendency grow, and that the absence of such topics will not escape local residents' notice.

has taken an alternate view: that with limited parking, more people will choose sustainable transport. This presents a precarious position for the developer, who is obliged to follow policy irrespectively.

One respondent highlighted that housing allocation and parking policy is initially set out nationally (albeit the distribution is defined by the local authority) and that on this and other subjects, the problems stem from poor consultation at a national level.

Clearly local input has considerable potential to benefit a scheme even on seemingly complex issues, but it would be rash to imply that local communities are right or that local opinion can undermine a professional perspective. Development teams should use a publicly accessible consultation mandate to clarify which aspects of a planning application can be amended, reinforcing the message that the information received will be considered advisory, rather than definitive.

Technical information should always be presented clearly (bearing in mind an average reading age of just nine¹), using relatable facts and figures, infographics and images as appropriate, and the Design and Access Statement should present the feedback in the context of data from the many technical reports.

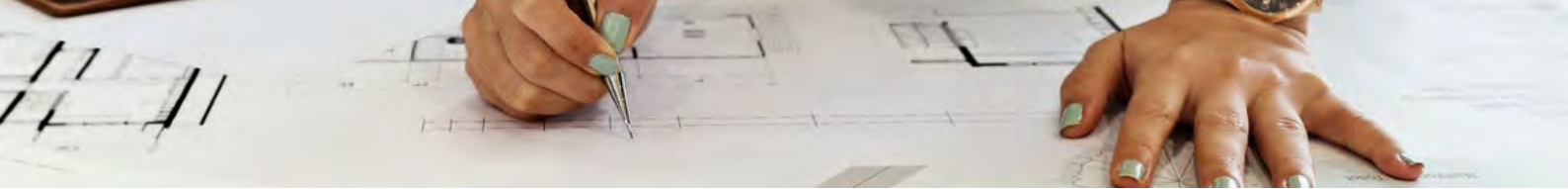
Contentious content

In addition to being very technical, the subject of transport consultations is also notoriously contentious.

People perceive traffic as a bad thing and traffic schemes as bringing about more traffic, so these consultations always tend to receive quite negative responses. And after transport, it's drainage, air quality and noise. The way in which people perceive noise individually varies incredibly and people struggle to objectify that. These are also very technical engineering issues and a lack of understanding can lead to antagonism.

- *Planning consultant*

1 Office for National Statistics, [How we read on the web](#), 1 January 2017.



A transport consultant described a discussion with a planning officer of a London borough on whether a consultation should be held over a new controlled parking zone (CPZ). The officer had stated that although the local authority had consulted previously on CPZs, local residents had been strongly opposed, making it impossible to implement new parking controls. Meanwhile, congestion and parking worsened and residents complained to Transport for London, resulting in the Mayor's office insisting that a CPZ was implemented. Because consultation had been seen to fail, it had been discarded.

Should developers, taking this council's lead, avoid consulting on those subjects of greatest concern to the local community? Fears that raising the profile of an issue will fuel activism are well-founded, but so too is the detrimental impact on community relations of not addressing these issues: the danger that unchecked rumours have a tendency grow, and that the absence of such topics will not escape local residents' notice.

The developer should be ready to provide access to all information contained within the planning application and prepare to address contentious subjects – while making it very clear that comments arising will be advisory and considered in the context of technical and policy limitations.

Design codes and development briefs

Until recently, development briefs and design codes were supplementary local planning guidance and as such they were consulted upon by a local authority. Recently, developers and masterplanners have been required to consult on both.

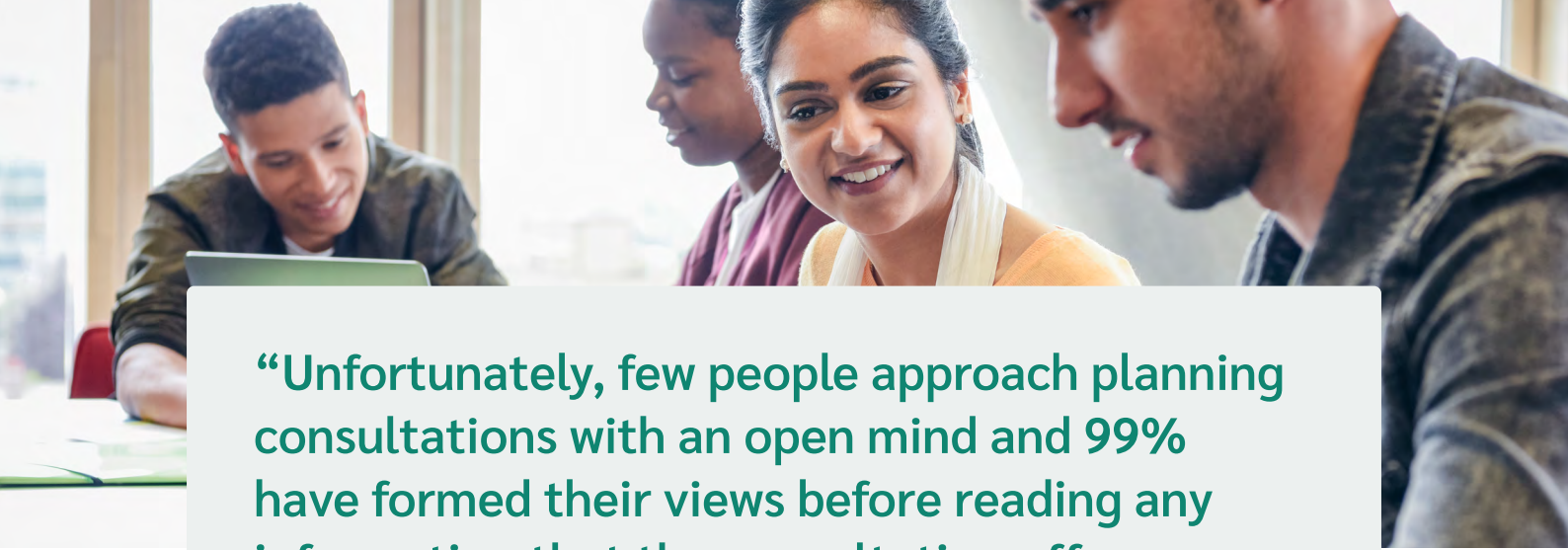
In January 2021, the Government consulted on a [New Model Design Code](#), stating, “The scoping stage should include the development of a consultation strategy for the code based on ... an initial consultation exercise that will ... discuss with the groups who wish to be involved, what the code should cover.” This final point is significant: under the proposals local residents would not only be consulted on elements within the Design Code, but on its content.

The Government consultation gained wide-ranging responses. The majority were in favour of the principle, but some questioned the public's ability to contribute due to lack of place-making skills and experience.

Engaging the public on the detail of a guide or code is likely to be challenging. By their very nature, design codes tend to be technical and multi-faceted tomes of detail and illustrations, making them tricky to digest for those who are not familiar with the intricacies of place-making.

- Planning consultant

In contrast to design codes, development briefs have existed for decades, although historically they have been put in place by local authorities. More recently, probably due to financial constraints, local authorities have requested that developers create, and consult upon, a development brief prior to creating a masterplan for a large scheme. As with design codes, this presents the precarious situation whereby the private sector drafts the content for a document which will form part of public policy.



“Unfortunately, few people approach planning consultations with an open mind and 99% have formed their views before reading any information that the consultation offers – so it’s optimistic to think they will consider the application’s merits.”

Planning consultant

Again, the development industry has questioned whether local residents are qualified to comment:

I’ve been involved in a consultation on a development brief where local residents were asked to determine whether the developer’s vision was compliant with a specific policy within the Local Plan. Although we did our best to make the information accessible, I know from the website analytics that very few people read the development brief or even the bite-sized extracts that we offered them. They simply told us what they thought of the proposals in very general terms, and much of what they said was outside the remit of the specific consultation.

- *Communications consultant*

The principle of development

The difficult balance of public policy and developer priorities is particularly acute when the principle for development is discussed.

Technically the position is clear: the local authority consults on appropriate locations as part of the Local Plan process and sites are allocated accordingly; the developer then consults on how the specific scheme meets that need (see [Figure 2](#)).

But all too often the situation is far from clear to those being consulted. Because consultation on strategic planning is notoriously difficult (and limited by a lack of resources) levels of engagement are low. When a developer consults on a detailed planning application, a masterplan or even a development brief, the principle of development is already determined: the consultation will decide whether that specific proposal goes ahead and in what form; if it fails, the developer, or another developer, may submit a different planning application for the same site. And yet, the majority of consultations are overwhelmed with comment on the single issue of whether change should take place on the specific site. Not only is consultation feedback dominated by this debate at the expense of those subjects on which



local views are actively being sought, but objections to the principle of development tend to give rise to activism, NIMBYism and overwhelmingly negative responses.

Unfortunately, few people approach planning consultations with an open mind and 99% have formed their views before reading any information that the consultation offers – so it's optimistic to think they will consider the application's merits.

- Planning consultant

Again, clarity in communication is the best way of addressing this problem: the consultation mandate should state that the site is allocated for development in the Local Plan and that the consultation is to discuss not whether but how the proposed should go ahead.

Content with capacity for change

As these examples show, the inclusion of strategic planning, and also subjects relating to viability, policy and technical decisions, have the potential to obfuscate a consultation, often resulting in negative responses. Many respondents felt that allowing such subjects to be discussed is not only inefficient, but also counter-productive.

On the other hand, consultation provides an opportunity for local residents' concerns to be brought to the attention of the developer. Where such concerns fall outside the remit of the consultation it is nonetheless important the developer is aware of, and can respond to, these concerns. So, should developers provide a forum for those topics which relate to the planning application but cannot be influenced by the consultation?

We presented the two options to the community, but rather than support one of these options, the local action group identified a third option. Clearly there were engineers within the group who had access to traffic modelling and the option was realistic one. In fact, it had been considered previously but discounted as too expensive. We will probably now go with that option because the additional expense, when balanced against the cost of resubmission, is not too great after all.

- Transport consultant

Ultimately, the approach taken should relate to the aims and objectives of the consultation: if the consultation is intended to explore wide-ranging issues in the context of the planning application, a diversity of responses should be sought. If, on the other hand, the consultation exists to inform specific elements of the planning application (such as preferred options), its remit and parameters must be clearly defined and communicated to avoid confusion.



Factors determining consultation content

Should consultation content be determined by circumstances such as sector, location and demographic? It is interesting to explore whether certain situations, warrant consultation on more, less, or simply different subject matter.

Sector

Is consultation on a transport scheme more limited than consultation on a new shopping centre? It follows that the broader the development proposals, the broader the consultation. That said, those consulting on transport schemes point out that impacts on daily journeys, environmental mitigation and design are considerable. And it is important to bear in mind that the potential for controversy should never factor in limiting consultation: a suitable level of information should always be made available.

End user

A shopping centre is likely to generate substantial interest, primarily because, as future users, local residents will be keen to engage on its various components. This is in stark contrast to housing schemes, on which it is notoriously difficult to consult with the end user because the majority will not be local. This issue has concerned the industry for years and consequently some developers are exploring the potential for market research to supplement consultation. Some have suggested that the housing crisis requires a national conversation and that planning applications for large-scale mixed use schemes should be submitted as part of the Nationally Significant Infrastructure Projects ([NSIP](#)) process, which places much of the consultation content at a national level, requiring developers to consult locally on limited content such as design, impact and community benefits.



The NSIP process does have commendable features – it is clear and straightforward and reduces local involvement while still placing a high priority on social value, which is a way of conveying the benefits in a softer way. I think we will increasingly see new settlements such as the [Oxford Cambridge Arc](#) pushed through the NSIP process simply because community opposition is so strong.

- *Planning consultant*

Others, in contrast, point out that elevating decision-making does not necessarily negate opposition:

Using the NSIP process for district level housing provision would lead to a democratic deficit because you're handing over the decision to the Planning Inspectorate. Planning committees may be ignorant, gullible, self-interested but they do have a democratic responsibility.

- *Planning consultant*

Location

Location partly determines the subject for consultation, not only on urban/rural grounds but on the basis of a range of variables.

A hotel developer interviewed as part of the research for this ebook explained that public consultation on hotel development was rare, and that specifically design would rarely be consulted upon, the exception being in the Lake District, where conversations with local residents had led to significant changes to the design of a building and ensured its approval.

A planning consultant commented that location was an issue because local authorities' attitudes towards consultation varied so substantially. He also described how, in locations higher on the deprivation index, "politicians tend to be more militant and residents less organised but also more reasonable."

Another planning consultant cited the local demographic – specifically in relation to education levels – explaining how in Cambridge even the most technical of questions would result in 10-page responses, often drawing on technical expertise within the community.

There are locations ill-suited to extensive consultation because of the number of consultations that have gone before and the risk of '[consultation fatigue](#)'. A planning consultant described a pre-app meeting in which an officer advised against consultation because, "There were lots of new, similar developments in area, and we know how local people will respond." Even in the case of identical schemes, in the same location, the content required of the consultation can vary significantly.

The opposite is also true, with local residents requiring more information and presenting more detailed responses where anti-development sentiment is high – perhaps because of the large number of opposition groups which exist within the community.



Question content

The direction of the consultation as outlined in [Figure 4](#) will invariably influence not only the subject matter but the structuring of questions.

These can range from very specific questions (perhaps limited to a yes/no answer) to a comments sheet on which respondents are encouraged to write, or even depict, their thoughts.

Those favouring specific questions felt that this approach was best suited to getting a large volume of responses, that analysis was simpler and was therefore more reliable.

You try and frame things so that you get the responses which will assist. Open ended questions are just an opportunity for people to be rude.

- Planning consultant

Others believe, conversely, that it is difficult to avoid questions becoming 'leading' and that contentious but relevant questions can be all too easily avoided. Some have described a limited set of questions as 'Hobson's choice': the option of what is available, or no choice.

However, it is worth taking into account that direct questions do not necessarily result in a narrowing of responses: quite the opposite, as this approach can prompt consultees to consider aspects of the scheme that weren't at the forefront of their minds.

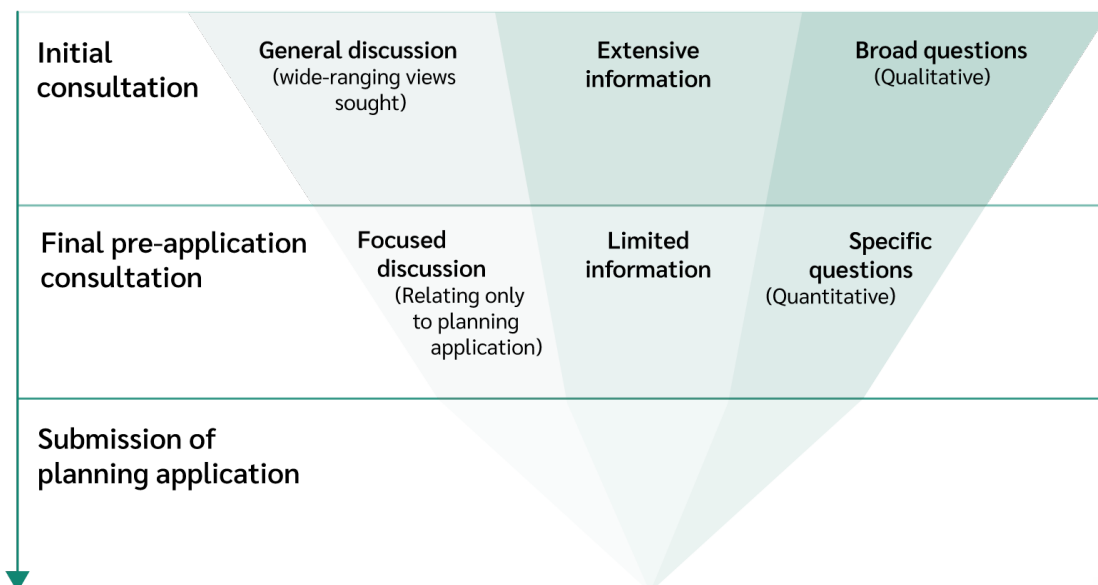
Open questions, many believe, provide an opportunity to gain insight which can genuinely benefit the planning application or mitigate risk later. The downside to this approach is the difficulty in analysing and acting upon those consultation responses which go beyond the remit of the consultation. Some respondents stated that they included such comments in a Design and Access Statement; others did not – again, demonstrating a lack of consistency.

Ideally, consultation content and the nature of questioning would be defined through pre-app meetings, thus removing the risk of developers being criticised for consulting inadequately, but in reality this conversation is all too often missing from early discussions. As [Figure 5](#) shows, the nature of questioning should suit the stage of the consultation. For an initial consultation, open questions are constructive because they enable the development team to identify important issues, respond to questions and

allow local residents the opportunity to generate ideas which can genuinely benefit a scheme. At a later stage, more specific questions are preferred because responses can be processed and directly more appropriately. But while the logical extension of this is a referendum, this comes with a warning: a referendum is a vote, not consultation. And in the UK, we are all too well aware of the problems that referendums can create.

Again, the approach taken should relate to the consultation's aims and objectives and to the stage of development. Early in a consultation, a wide range of views may benefit a scheme; but at a later stage when options are limited, more specific questions are most appropriate. As depicted in Figure 5, this could be described this as a funnel process, whereby responses sought are reduced as the planning application is progressed: a model which works well for a large scheme with multiple opportunities for engagement. With smaller schemes and single opportunities to consult however, a decision must be taken between open and direct questions and in most cases developers will use a combination of the two.

Figure 5. Funnelling content over a development's timeline





Clarity through change?

Interviewees were asked about potential change and whether, on balance, they felt that extent of consultation in planning should be increased, decreased, or remain unchanged.

One developer preferred less consultation (limited to an online questionnaire), because ultimately the local authority consults on the same scheme. But the majority of interviewees disagreed, seeing consultation as an opportunity to iron out issues that might result in refusal, resubmission or appeal.

In contrast, there was a feeling that the process of consultation (or engagement) should be continual, lasting beyond the timeframe of the planning application, bridging the gap to, and including, communication during construction.

There was a sense that a variety of factors had led to more positive communication between developers and communities. As one developer said, “The days of popping up a site notice and waiting for the objections to come are over. Consultation is so much more effective now – communicating the details of the proposal, explaining the positive and negatives and increasing understanding. This is leading to more constructive responses.”

With a new Planning Bill looming large on the horizon, the merits of the Planning White Paper [Planning for the Future](#), published in August 2020, and its implications for consultation content were discussed.

With an emphasis on front-loading through ‘zoning’ the non-statutory consultation on a planning application would be ‘streamlined’ (reduced). There is a strong precedent for zoning, in the US, Canada, China and elsewhere in Europe. Within this model, consultation takes place to varying degrees.

The uncertainty over UK planning applications is very complex compared to most countries. Chinese investors are always very surprised by our planning system as they are accustomed to knowing what the parameters are. In the UK, it’s so much more subjective. With more clarity through strategic planning, you could address many of the issues raised at an earlier stage.

- Planning consultant

But while the proposed approach might create more certainty for developers, it would bring about the detriment of a loss of consultation at a planning application level: although the Planning White Paper

aspires to more effective consultation through zoning, there is much scepticism about whether this can be achieved. In an [open letter to the Government](#), no fewer than 14 London planning authorities slated the document as ‘unworkable’ and ‘a threat to local democracy’. Focussing consultation on strategic planning, the authorities said, would offer a ‘fast-tracked route’ to planning consent at a cost to local communities. Instead, it says, ‘We should be putting communities at the heart of placemaking, increasing the resources of our planning system and strengthening local democracy’.

Most developers and planning consultants interviewed felt that the proposals within Planning White Paper wouldn’t – or shouldn’t – materialise. They felt that strategic planning is too remote to compel local residents to take part, and that already-stretched local authorities lacked the resources to run effective consultations.

Interviewees were also concerned about the risk of not consulting, with one commenting that local residents would lack important information about masterplans which would lead to considerable community relations problems.





Conclusion

Proposed schemes, local authorities, local communities, sectors, demographics – and also developers, planning consultants and consultation consultants – vary considerably: there are no identical planning applications, and there should be no identical consultations.

This ebook has sought to create some sense and structure around the wide-ranging approaches to consultation content, but there remains a need for greater clarity. Without clarity, communities' distrust of developers will continue, and likewise, developers' distrust of consultation. As the [Grosvenor research](#) shows so clearly, trust is at the centre of the developer/community relationship and is the pivotal issue upon which success in consultation is balanced.

On an individual basis, trust and clarity can be achieved through a consultation strategy which is clearly communicated to all involved. On a national level, further clarity on the role and purpose and content of a consultation may be achieved through a future Planning Bill, although research carried out for this ebook is, on balance, opposed to the proposals within Planning White Paper. Alternatives include better sharing of best practice, reinforced guidance, an audit or kite mark or possibly a great requirement of consultation through legislation – options which need much further investigation.



Further reading

Cullingworth, B. A. (2006), *Town and Country Planning in the UK*, Routledge.

Curtin, T. (2004), *Managing Green Issues*, Palgrave MacMillan.

Department for Communities and Local Government (2011), *A plain English guide to the Localism Act*.

Department for Communities and Local Government (2014), *The National Planning Policy Framework*.

Doak, G. and Parker, G. (2012), *Key Concepts in Planning*, Sage.

Jones, R. and Gammell, E. (2009), *The Art of Consultation*, Biteback Publishing.

Jones, R. and Gammell, E. (2018), *The Politics of Consultation*, The Consultation Institute.

Malone, Lesley, *A Guide to Community Participation in Designing Places* (2018) RIBA Publishing.

Norton, P. and Hughes, M. (2018), *Public Consultation and Community Involvement in Planning*, Oxon: Routledge.

Rydin, Y. (2011), *The Purpose of Planning*, Policy Press.

Wates, N. (2014), *The Community Planning Handbook*, Routledge.



Acknowledgements

The author would like to thank the following for sharing their knowledge and insight: Neal Allcock, James Anderson, Nick Belsten, Louise Brooke-Smith, Colin Brown, Sarah Chapman, James Croucher, Ron Henry, Martin Hughes, Mark Hyde, Rhion Jones, Annabel Le Lohé, Richard Lemon, Gemma Lloyd and Sarah Scarborough.



About the Author

Penny Norton, MA FCIPR Dip CIPR Found. Chart. PR, is a consultation specialist with wide-ranging experience of public relations and public affairs within property, construction and regeneration.

As Director of [PNPR](#), Penny has worked with many leading developers including property companies, consultancies, commercial developers and both private and social housing clients – including British Land, Broadgate Estates, Carter Jonas, Capital Shopping Centres, CBRE, Chestertons, Essential Living, Mace, Next, More London, O&H Properties and Sainsbury's. She has also worked extensively with architects, interior designers, planning consultancies and local authorities.

Penny's work makes pioneering use of social media and web-based communications. Her online consultations ([ConsultOnline](#)) and community relations programmes ([CommunitiesOnline](#)) have met with substantial approval from local authorities and local communities alike and have resulted in planning consents being granted for contentious schemes.

Penny has written extensively on the subject of consultation for property publications. Her first book, [Public Consultation and Community Involvement in Planning: a twenty-first century guide](#) was published by Routledge in 2017. Two edited compilations, [Promoting Property: insight, experience and best practice](#) and [Communicating Construction: insight, experience and best practice](#) were published in 2020 and 2021.

An Associate of The Consultation Institute (tCI), Penny is an active member of tCI's Planning Working Group and [Environment Working Group](#). She has responded to Government consultations, written e-learning courses and spoken at property industry events. She is also an active member of the Town and Country Planning Association and was recently consulted on the TCPA's [People, Planning and Power Guide](#).

Penny has a masters qualification in administration and a postgraduate diploma in PR. She is a Fellow of the Chartered Institute of Public Relations and founded the CIPR's Construction and Property Special Interest Group.



About the Editor

Sally Hussey is a researcher and writer who [interrogates global challenges](#) in public engagement. As Principal Writer and Editorial Director at Bang the Table, she commissions original, evidence-based research by global experts to inform the wider community, on-the-ground practitioners and engagement professionals on cutting-edge insights and issues in public engagement.

Sally has an extensive background in the publishing, academic and cultural sectors and is recognised by the *Who's Who of Australian Women*.

Selected ebooks

Hussey, Sally, 2019, [Public Engagement 2019: Climate Chaos, Cannabis, Housing Scarcity and Deliberation](#)

Hussey, Sally, 2020, [Community Engagement 101](#).

Brail, Shauna & Sally Hussey (ed), 2020 [Climate Crisis, Equitable Engagement, Inclusive Cities: Rethinking Urban Mobility](#)

Brail, Shauna & Sally Hussey (ed), 2020 [Coronavirus and Engaging Cities: Towards Community Recovery](#).

Gilbert, David & Sally Hussey (ed), 2020, [The Patient Leadership Triangle: A Practical Engagement Model for Transforming Healthcare](#).

Brail, Shauna & Sally Hussey (ed), 2018, [Citizen Engagement with the Changing City](#).

Van Zoonen, Lisbet, et al, & Sally Hussey (ed) 2017, [Public Engagement with the Smart City](#).

