



Statement of Community Involvement December 2018




Cannock Chase Statement of Community Involvement 2018

The Statement of Community Involvement (SCI) is produced by the Planning Policy Section of Planning Services at Cannock Chase Council. To order further copies or for information:

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1. Introduction

The Planning and Compulsory Purchase Act 2004 (Sec 18), requires the Council to produce a 'Statement of Community Involvement' (SCI) that sets out how the Council intends to achieve continuous community involvement in the preparation of plans and decision making for planning applications. Communities are involved through a process that;

- Is transparent and accessible – where information is readily available in a form that is easily understood and accessible, where the more traditionally hard to reach groups are fully engaged;
- Promotes participation and involvement – with clear opportunities for people to participate and make their views known, with the decision-makers clearly identified.

This document is a revised and updated version of the Council's SCI adopted in 2014. The SCI does not propose new planning policy or identify new development sites, but primarily considers how best to involve different sectors of the community in plan preparation and in determining planning applications. This document reflects the Town and Country Planning (Local Planning) (England) Regulations 2012, the Neighbourhood Planning (General) Regulations 2012 (as amended), the Town & Country Planning (Development Management Procedure)(England) Order 2015, the Localism Act 2011, Section 13(2) of the Neighbourhood Planning Act 2017, the National Planning Policy Framework (NPPF) 2018 (as amended) and the National Planning Policy Guidance (NPPG) (as amended).

2. The Overall Approach to Community Involvement


The SCI sets out how all sections of the community, from individual members of the public through to representative organisations, have a range of better opportunities to participate in planning in the District. It deals with community involvement in the preparation of the Local Plan and Supplementary Planning Documents (SPD) and in the determination of planning applications as well as community involvement in other planning procedures such as the Community Infrastructure Levy (CIL) and Neighbourhood Planning.

The aim of an SCI is to make the planning system accessible to a wide range of people, leading to communities being well informed about how and when they are able to take part in the planning process. This is intended to result in greater participation and a more efficient and inclusive decision making process. Clearly, the scale of community involvement in the planning system has to reflect the resources the Council has available. To ensure the most efficient use of resources the approaches used have sought to make use of existing established networks wherever possible.

For community involvement to be successful, an inclusive approach is required that recognises the varied needs of different sectors of the community and the fact that some groups are better equipped to participate than others. Therefore, the Council seeks to apply the most effective way of enabling people to contribute throughout the process. This statement sets out how all sections of the community have the opportunity to participate in the better planning of the District through an approach which has taken into account its character and communities.

Involving all sectors of the community in plan making and decision making has benefits for the Council through increased awareness of planning issues. It can also help to generate a feeling of inclusion by the community in policy formulation. People living and working in the District can contribute their knowledge and understanding of the locality, its past and its distinctive and valuable features which might otherwise be overlooked. Stakeholders also have a key role to play in providing expertise in specialist areas that the Local Plan team may not have.

It is the role of the SCI to set the framework to allow the community of Cannock Chase to take an active part in planning its future. The Council's vision for the SCI is that:



“Everyone is given the opportunity to influence the future planning of Cannock Chase District and consequently take ownership of the Local Plan through stakeholder and community involvement.”

3. The Local Community

Understanding the characteristics of the District can help to identify any groups of residents who may have particular needs and therefore may be 'hard to reach'. This information will assist the Council when involving local people in the planning process.

The District has a growing population of 98,513 in mid-2016, an increase of 1.1% since the 2011 Census. The trend of an aging population is evident with the proportion of residents aged 65+ standing at 18.6% of the overall District population in 2016 and projected to rise faster than the national average.

The majority of the population (96.5%) at the 2011 Census described themselves as 'White British', a smaller proportion than at the 2001 Census (97.5%). The District is becoming more ethnically diverse with the 2011 Census revealing a larger number of residents (3.5%) identifying with a variety of ethnic groups. In 2016 25.4% of Cannock Chase residents aged 16-64 were estimated to have qualifications equivalent to NVQ4 and above. 25.6% of employee jobs were in the Wholesale and Retail trade (including repair of motor vehicles and motorcycles). Manufacturing, Transportation and Storage and Human Health and Social Work Activities also made up considerable proportions of employee jobs.

Data published by Staffordshire County Council indicates a learning disabilities prevalence of 0.6% among the District population in 2016/17. The 2011 Census indicates that 20.7% of residents experienced a long term limiting illness which was above the England average of 17.6%. The presence of long term limiting illness increased to 60.9% among residents aged 65+, again higher than the England average of 51.5%. Data for May 2017 indicates that around 5% of the District's population were claiming Disability Living Allowance, the highest rate in Staffordshire and above the England average of 3.4%¹. Work undertaken for earlier SCI 's identified the following groups of people as being potentially 'hard to reach':

- the elderly,
- young people,
- people with learning difficulties,
- the blind,
- the deaf,
- ethnic minority groups, which are relatively small,
- the disabled and those who have long term limiting illnesses.

These groups may be found concentrated in certain areas within local communities, particularly in the more deprived areas within the District.

Appropriate and more intensive methods of communication will be required to ensure that 'hard to reach' groups are involved in planning processes.

Recent experience in progressing the Local Plan for the District has indicated that the elderly and young people are potentially less hard to reach than some of the other groups by using methods of engagement such as workshops in schools or appropriate community events. Other groups remained harder to target and Support Staffordshire is a useful organisation for facilitating contact with local groups that are harder to target, including making contacts with resident 'champions' in more deprived areas.

¹ Data sourced from Office for National Statistics and Staffordshire County Council, Cannock Chase Locality Profile (January 2018). For further insight into Cannock chase see Cannock Chase Council District Needs analysis 2018 (forthcoming) and previous versions of the District Needs Analysis available via www.cannockchasedc.gov.uk

4. Involving the Community – General Approach

Community Involvement is about communicating information to people and gaining information from people in a collaborative process. The aim is to enable people of all abilities, colour, race, sex, religion, sexuality or age to access information which allows them to become involved collaboratively in planning the future of the District. The Council will be seeking to facilitate the involvement of the wider community through the approach outlined in this Statement. This is a critical element of the concept of “Localism” which now underpins the planning system.

There are a number of important benefits of achieving community and stakeholder involvement and subsequent buy-in, these include:

- Community commitment to the future development of an area;
- Promoting regeneration and investment, creating certainty and commitment to change;
- Providing a strong basis for successful negotiations on development proposals, including developer contributions; and
- Providing a robust basis for addressing difficult decisions – it is important that in seeking to build consensus addressing controversial issues is not avoided.

By involving the community in its widest sense it is possible to identify more clearly local priorities and needs. In addition, through local knowledge or personal understanding of the issues, solutions can often be identified more easily. Without the close involvement of the community there will be no ownership of the Local Plan and hence delivery will be much more difficult.

Those who may have a role or an interest in shaping the planning of the area, including local people, local organisations, local community groups, landowners and developers, regional organisations, national organisations and Government agencies should actively engage in the processes for plan making and determining planning applications. The level of engagement will vary depending on the nature of the plan or proposal.

The key to successful community involvement is engaging right across the community regardless of age, gender, religious values etc. It is important therefore that a range of different techniques for engagement are developed that will need to take into account the different requirements of the different sectors of the community.

Council Members. Councillors are kept up to date with relevant information and Councillors in turn keep constituents in their wards informed of progress on the Local Plan and on any key planning application issues for their area. Policy development is considered by an informal Member/Officer working group with formal reporting via Cabinet and Council where appropriate. Working groups are established as and when necessary. Planning applications are decided by a Planning Control Committee unless delegated to Council officers.

Parish/Town Councils. As community representatives at the grass roots, Parish and Town Councils both within and adjoining the District will have the opportunity to be frequently involved in all aspects of relevant planning, by being consulted on planning applications and planning policy documents.

4. Involving the Community – General Approach

The Chase Community Partnership. The partnership (the District’s Local Strategic Partnership (LSP) brings together all the key stakeholders in the District and is used to help identify links between the Local Plan and other plans and strategies of partner organisations, providing the opportunity to ensure that these plans are appropriately reflected in the Local Plan.

Local People. The Council wishes to ensure that no one is excluded from the planning process and will therefore seek to make use of the groups/networks that already exist in parts of the District, such as resident or special interest groups. In addition the Council will pass information on relevant issues to the established community groups and attend meetings when requested, wherever practicable.

Neighbouring Authorities and Communities. Development proposals not only affect communities within a local authority’s boundaries, but can directly or indirectly affect neighbouring communities. The Council will ensure that neighbouring local authorities, Parish Councils, and residents within adjoining local authorities areas are given the opportunity where appropriate to be involved in the planning process in Cannock Chase District. Where evidence might need to be considered by neighbouring authorities when producing or updating plans, this will be shared at the earliest opportunity. The importance of cross boundary co-operation has been recognised by the introduction of a “Duty to Co-operate.”

National, Regional and Local Organisations. The Council understands that many local, regional and national organisations have to deal with a significant amount of information being forwarded to them for comment. Existing networks/stakeholder groups will be utilised wherever possible and the Council will maintain its database of organisations to ensure that they are all made fully aware of key stages of consultation.

Agents/Developers. This group includes landowners and those with potential development interests. Many of these are already involved in planning applications, are aware of the Local Plan and are likely to maintain their involvement. Within the area, there is a wealth of knowledge and expertise that will contribute to the delivery of the Local Plan and SPDs.

Business Groups. A number of existing business networks are already established within the District and officers will utilise these groups, working closely with officers in economic development, to generate a two way flow of information. The creation of Local Enterprise Partnerships (LEP’s) has provided an increased opportunity for engagement with the business community.

Hard to Reach groups. The sectors of the local community who may be harder to reach, were identified in section 3 and particular effort will be made to ensure that they are not excluded from planning processes.

General Standards of Public Consultation

The following general standards will be adhered to at all stages of plan making where consultation is undertaken. These will be applied to Local Plans, SPD and CIL charging schedules (see section 8)

- Place relevant documents on the Council website together with any supporting information needed to enable people to understand what they are being asked to comment on and state where and when documentation can be inspected;
- Make available all relevant material for inspection at the Council Civic Centre in Cannock for the period during which comments are being sought. Additionally libraries and other public venues within the District will be used where appropriate;
- Contact specific, general and other consultees who may have an interest in the document and invite to make representations, advising where and when the relevant material can be inspected, how copies can be obtained, the closing date for representations and where to send any representations;
- Issue adverts and/or press releases to local newspapers circulating in the area, as appropriate, advising where and when the relevant material can be inspected, how copies can be obtained, the closing date for representations and where to send any representations, and use the Council's website, Chase Matters magazine and social media channels to raise awareness of consultation events.
- Make available Plain English summary documents and/or leaflets as appropriate;
- Provide appropriate advice and information to the public as requested;
- Produce a report summarising consultation methods, representations made and Council responses (whether requiring a change to the plan or not) and make available on the Council's website before proceeding with a subsequent version of the plan and/or further consultation.

5. Involving the Community – Plan Making

The Local Plan and Area Action Plans (AAP's)

The Local Plan provides the key local statutory planning policy framework for the District. Effective community and stakeholder involvement in its preparation is therefore very important.

In applying the general standards of consultation set out earlier in this document, the Council will ensure consultation and engagement is in accordance with statutory provisions and in line with the relevant Regulations. This will include consultation with specified statutory bodies and other parties at the necessary stages of the plan making process.

The Council will publish on its website (www.cannockchasedc.gov.uk/planningpolicy) all completed evidence used for developing the Local Plan (including Plain English Summary documents where appropriate). It will also provide a record of what evidence has been commissioned and the expected date for completion and publication of this.

The most up to date Local Development Scheme (the project timetable for Local Plan documents) will be published on the Council's website at the above link. The Local Development Scheme requires the approval of full Council before it can be published.

Evidence documents will be available to comment upon as part of Local Plan consultations.

For each specific stage of Local Plan making the following additional standards will apply:

Regulation 18: preparation of a Local Plan

This statutory stage requires the Council to consult on the subject of the Local Plan (for example is it district wide or a more targeted action plan) and what that plan ought to contain. Usually, this will be done in the form of an issues, or issues and options paper.

For this stage we will:

- Discuss the scope of the plan, and issues needing to be addressed (and options for dealing with these where applicable) with partners and in existing forums/groups, as appropriate.
- Arrange events and/or workshops to discuss issues and proposals, as appropriate. Place emphasis on understanding community views at early stage of plan making and explore and resolve conflicts as far as possible.
- Organise 'face-to-face' discussions if requested and appropriate.

Preparation of Draft Local Plan

This is a non statutory stage and will not apply for all Local Plans. Where a draft Local Plan (which may sometimes be called 'preferred options' or similar) is produced we will:

- Seek consensus in emerging planning policy position via discussion with partners and in existing forums/groups and in events and/or workshops.
- Arrange events and/or workshops to discuss issues and proposals, as appropriate.
- Organise 'face-to-face' discussions if requested and appropriate.

Regulation 19 Stage: Publication of Local Plan

- Send a statement of the representations procedure and a statement of the fact that the proposed submission documents are available for inspection and the times at which they can be inspected to all of the consultees that were invited to comment in earlier plan making stages.
- Publish for a minimum six weeks consultation period.
- Seek views on whether the document is legally compliant and sound.
- Discuss outstanding issues with partners and existing forums/groups.
- Organise 'face-to-face' discussions if requested and appropriate.

Submission of Local Plan

- Submit the document and relevant supporting information to the Secretary of State for independent examination.
- Notify specific and general consultation bodies that the documents are available for inspection at the above locations.
- Notify others who have requested to be informed when the document is submitted.

Examination of Local Plan

An Inspector, appointed by the Secretary of State, will examine the document. The Inspector will consider whether the preparation of the plan has been legally compliant.

- Publish details of the time and place at which the Independent Examination is to be held and the name of the Inspector.
- Notify those who made representations at the Publication stage (and have not withdrawn their representations) of relevant matters the Inspector will discuss at the Examination Hearings. If the Plan is legally compliant the inspector will then consider whether the document is 'sound'. (It will be considered sound if it is positively prepared, justified, effective and consistent with national policy).
- Publish documents relevant to the Independent Examination on the Council's website.

Publishing the Inspector's report

- Publish the Inspectors recommendations and reasons for those recommendations at the Council's Civic Centre in Cannock and libraries within the District and on Council's website. The Inspector who carried out the Independent Examination will produce and publish an Inspector's Report. Notify those who have requested to be notified of the recommendations, that the recommendations are available. The Inspector will recommend that the document is: Adopted; Adopted with recommended modifications (if the Council asks the Inspector to suggest modifications to make the document sound); or Not adopted.

Adopting the Local Plan Document

- Publish the Local Plan Document, Adoption Statement, Sustainability Appraisal and details of where and when the document can be viewed

If the document is recommended for adoption (with or without recommended modifications) the Council will consider the Inspector's report and whether it wishes to adopt the document as recommended by the Inspector.

- Send a copy of the adoption statement to the Secretary of State.
- Send copy of the Adoption Statement to anyone who has asked to be notified of the adoption of the document.

If the Council decides to adopt the document, this will be by the Full Council, with any main modifications as required

- Use local media/press to advertise the adoption of the Local Plan Document.
- Where applicable, incorporate Main Modifications suggested by the Inspector to ensure the plan is sound and potentially additional modifications (any additional modifications must not materially affect the policies).

It should also be noted that there is now a requirement (introduced on April 6th 2018) to review Local Plans five years from adoption to see if any policies need to be updated. If they do not, the Council must publish its reasons for this decision. If policies do need reviewing, then the processes for consulting on a Local Plan will be followed as set out above and in line with statutory procedures.

5. Involving the Community – Plan Making

Supplementary Planning Documents (SPDs)

SPDs are produced to support and elaborate the policies contained in the Local Plan. They provide additional information and policy guidance to support the implementation of a policy. The procedures for SPD preparation are slightly more straightforward than for the Local Plan, as set out below:

Early Community Involvement

- Nature of community involvement will depend on the nature of the document being produced.
- If a site specific SPD is being produced for a major development site, early community involvement will focus on those who live and work in the vicinity of the site. The Council's approach will focus on events involving local residents, businesses etc. from the local area, and will wherever possible be held within that community.
- If SPD is of a more technical nature the Council's approach will focus more on engaging specialist stakeholders
- Main purpose of this stage is to gather information gathering to consider issues and options.

Formal Consultation

- Consult for no less than 4 weeks and no more than 6 weeks - in most cases the Council will seek to undertake formal consultation for 6 weeks.
- For site specific documents, continue emphasis on engaging those directly affected by the proposal. Notification of the details of the SPD sent to those adjoining the site together with arrangements for consultation.
- Where necessary, hold further public events and advertise locally.

Adoption

- Post detailed response to representations on website.
- Post details of the adoption of the final SPD, and information on how to obtain copies of the SPD and the appropriate Cabinet report on website

Sustainability Appraisal and other Evidence Base documents

A Sustainability Appraisal of the economic, environmental and social effects of a Plan is carried out from the outset of the Local Plan preparation process to ensure decisions are made which accord with sustainable development. Regulation 4 of the Environmental Assessment of Plans and Programmes Regulations 2004 defines certain organisations with environmental responsibilities as consultation bodies – in England, Historic England, Natural England and the Environment Agency. The Sustainability Appraisal will be published for consultation comments alongside the appropriate stages of the Local Plan for a minimum of six weeks.

Other Evidence Base documents may involve targeted specific consultations as part of their production, dependant upon their nature, as and when appropriate. All Evidence Base documents that are finalised and published will be available for comment as part of Local Plan consultations.

6. Involving the Community – More Recent Planning Procedures

The Duty to Co-operate

The Localism Act and the National Planning Policy Framework (NPPF) place a duty on local planning authorities and other bodies to cooperate with each other to address strategic issues relevant to their areas. The 'Duty to Co-operate' came into effect in November 2011 and requires continuing constructive and active engagement on the preparation of DPDs and activities relating to the sustainable development and use of land, in particular in connection with strategic infrastructure. Paragraphs 24-27 of the NPPF 2018 set out advice on maintaining effective so-operation on strategic matters that cross administrative boundaries. The Council will engage in Duty to Co-operate as required by the most recent and up to date provisions of the legislation.

The bodies that are bound by the Duty are:

- Local Planning Authorities
- County Councils
- Local Enterprise Partnerships
- Environment Agency
- Historic England
- Natural England
- Civil Aviation Authority
- Homes England
- Clinical Commissioning Groups
- Office of Rail and Road
- Local Integrated Transport Authority
- Highways Authorities
- Local Nature Partnerships

Duty to Co-operate Statement of Compliance

- The Council will produce a Statement of Compliance with the 'Duty to Co-operate' at the Local Plan Publication stage which will set out how the District Council has cooperated with other bodies in the production of the plan. This will include a listing of the organisations involved, a record of meetings and other consultation, a summary of the issues and details of the outcome achieved. In addition, the Council will include consultation with other bodies, beyond the prescribed list, where this is of relevance.
- Where the Duty to Co-operate gives rise to any significant changes to the content of the Local Plan, these will be subject to consultation in accordance with the procedures set out in this SCI.

The Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a recently introduced planning charge, the legislation for which came into force in April 2010. The levy allows local authorities in England and Wales to raise contributions from developers to help pay for infrastructure that is needed as a result of development. Local authorities who wish to charge the levy must produce a Draft Charging Schedule setting out CIL rates for their areas – which are to be expressed as pounds per square metre (£/ sq m), as CIL will be levied on the gross internal floor space of the net additional liable development. Before it is adopted by the Council, the Draft Charging Schedule has to be approved by an independent examiner.

The requirements which a CIL Charging Schedule has to meet are set out in:

- The Planning Act 2008
- The CIL Regulations 2010, as amended (which also set out consultation requirements)
- The National Planning Practice Guidance (section on CIL).

Consultation is an important requirement in preparing a CIL because of the need for it to fit local circumstances and to have a positive impact on development. The Guidance states that:

The levy is expected to have a positive economic effect on development across a Local Plan area. When deciding the levy rates, an appropriate balance must be struck between additional investment to support development and the potential effect on the viability of developments.

This balance is at the centre of the charge-setting process. In meeting the regulatory requirements (see Regulation 14(1), as amended by the 2014 Regulations), charging authorities should be able to show and explain how their proposed levy rate (or rates) will contribute towards the implementation of their relevant plan and support development across their area.

The Council's CIL Charging Schedule was approved by the Inspector on 10th February 2015 following submission for Examination on 31st October 2014 after a six week consultation period. The Council at its meeting on 15th April 2015 agreed to commence introduction of charging on 1st June 2015. The Council has produced a 'CIL Guidance for Landowners and Developers' document which sets out in detail how CIL will operate in the District. The CIL charge will apply to new floor space resulting from most types of residential development, including in some cases change of use to residential, and some major retail developments. It will not apply to other forms of built development. The CIL charging rate is arrived at using evidence of infrastructure needs, funding gaps and development viability. Accompanying the Schedule is a list of projects (a Regulation 123 List) taken from the Infrastructure Delivery Plan which will be partly or wholly funded from CIL.

CIL Charging Schedule

In Cannock Chase District, the general consultation measures set out in section 5 will apply to each consultation step required for producing a CIL charging schedule or review. The CIL Regulations 2010 (as amended) governing these consultation stages will be adhered to. The Government is currently consulting on changes to CIL, including the consultation requirements for adoption of a CIL Charging Schedule. The Council will therefore consult in line with the latest requirements and will issue updates to summarise these on the website.

The relevant consultation stages are:

Preliminary draft charging schedule

- Publish preliminary draft charging schedule and relevant evidence e.g. viability assessments, draft infrastructure list
- Consult with prescribed 'consultation bodies' including neighbouring local planning authorities, Staffordshire County Council and Parish Councils. Consult with local residents and those carrying out business in the District.
- Collaborate on infrastructure priorities with Staffordshire County Council and other relevant agencies/bodies such as Highways England, the Environment Agency and AONB Unit
- Engage with local developers and others in the property industry
- Engage with other local interest groups, and voluntary organisations, as appropriate
- Consult for at least six weeks

Draft charging schedule

- Publish draft schedule and relevant evidence (including 'Statement of the Representations Procedure')
- Consult with prescribed 'consultation bodies' including neighbouring local planning authorities, Staffordshire County Council, Parish Councils and other parties, as appropriate
- Consult for at least six weeks
- Accept valid requests to be heard before the examiner at the CIL examination
- Produce and publish statement of modifications (if necessary) for further four week consultation beginning with the day the draft charging schedule is submitted to the examiner.
- Inform those persons previously invited to make representations that the statement has been published.
- Accept valid requests to be heard before the examiner at the CIL examination on modifications

Examination

- Notice given to those who have requested to be notified of the submission for examination
- Notify relevant parties of examination hearings sessions at least four weeks in advance, or two weeks where a statement of modifications has been published and one or more requests to be heard made.
- Examiner encouraged to share draft programme for the hearings at an early stage and inform those who wish to attend (and similar for pre hearing meeting if considered necessary)
- Examiners recommendations – notice given to those who have requested to be notified of the examiner's report.

Adoption

- Charging schedule formally adopted by resolution of full Council (if approval recommended by examiner). Commencement date to be inserted into charging schedule – notice given to those who have requested to be notified of adoption.
- Six month period for 'correctable errors' to be made known to the Council. If required Council to republish charging schedule with 'correction notice'.

6. Involving the Community – More Recent Planning Procedures

Neighbourhood Planning

There are three main mechanisms for Neighbourhood Planning – Neighbourhood Plans, Neighbourhood Development Orders and Community Right to Build. Each enables a community to achieve different things.

A Neighbourhood Plan is a way of helping local communities to influence the planning of the area in which they live and work. It can be used to:

- Develop a shared vision for a neighbourhood.
- Choose where homes, shops, offices and other development may be built.
- Identify and protect important local green spaces.
- Influence what new buildings should look like.

A Neighbourhood Development Order can help to implement a shared vision by granting planning permission to certain types of development in certain locations, without the need to submit a planning application to the local planning authority. A Neighbourhood Development Order can apply to all of a Neighbourhood Plan area, or a particular site within the neighbourhood.

The Community Right to Build (CRTB) allows local communities to undertake small-scale, site-specific, community-led developments. It is a particular type of Neighbourhood Development Order which allows community organisations in some cases to bring forward small scale development on specific sites without following the usual planning permission process. However, a CRTB need to be in conformity with the Local Plan and, if applicable, the Neighbourhood Plan for any given area. A CRTB needs to relate to an approved Neighbourhood Area. As with Neighbourhood Plans and Development Orders, a CRTB is subject to an independent examination and a referendum and the Local Authority needs to be involved in these stages in the same way.

The process for preparing a Neighbourhood Plan and a Neighbourhood Development Order is similar. Unlike Local Plans, Neighbourhood Plans and Neighbourhood Development Orders are not prepared by the local planning authority. There are two types of ‘qualifying body’ that can prepare a Neighbourhood Plan or a Neighbourhood Development Order:

- **Parish and Town Councils:** In areas where a parish or town council exists, these are the organisations which will usually be responsible for a Neighbourhood Plan, but other parts of the community may prepare a plan if they are established as a neighbourhood area. A Neighbourhood Plan can, but does not have to, cover the whole area of the parish or town.
- **Neighbourhood Forums:** Where a parish or town council does not exist, community members, including those with business interests in the area, can come together to create a neighbourhood forum. Only one neighbourhood forum is allowed to exist for each neighbourhood to be covered by a Neighbourhood Plan.

Consultation and community involvement are important elements in the Neighbourhood Planning process. At the issues and draft plan stages, this will be the responsibility of the plan making body, but the District Council has a significant role at the other stages identified below, including, the proposed Neighbourhood Plan Area, the proposed creation of a Neighbourhood Plan Forum, the Independent Examination and the Local Referendum.

6. Involving the Community – More Recent Planning Procedures

The requirements for consultation are set out in the 2012 Town And Country Planning, England - The Neighbourhood Planning (General) Regulations 2012 (as amended), In each case, the regulations refer to the need for the District Council to; - *“publicise..... on their website and in such other manner as they consider is likely to bring the area application to the attention of people who live, work or carry on business in the area to which the area application relates”*

The NPPG explains the Neighbourhood Plan system including the key stages and considerations required and the Neighbourhood Planning Act 2017 updates the legislative requirements.

The Council’s role in Neighbourhood Planning

The Planning Policy pages on the Council’s website will be used to provide further information and keep stakeholders up to date, including a dedicated web page; the Council will ensure that the Qualifying Body preparing a Neighbourhood Plan, Neighbourhood Development Order or CRTB is informed by email a) as to where the Evidence Base is located and when it has been updated and b) as to where the Local Development Scheme (the project timetable for Local Plan documents) is located and when it has been updated. The District Council will make available Neighbourhood Planning guidance to Parish and Town Councils and Neighbourhood Forums.

The Council will not produce a Neighbourhood Plan, Neighbourhood Development Order or CRTB on behalf of a local community but will give assistance and advice to Qualifying Bodies in the plan preparation process to facilitate proposals, including advice on consultation.

The Council, as the local planning authority, will, if requested, administer the formal designation of Neighbourhood Area(s) to be covered by Neighbourhood Plan(s).

Where relevant the Council will formally approve a Neighbourhood Forum.

The Council will check a draft Neighbourhood Plan, Neighbourhood Development Order or CRTB to ensure that it meets all the relevant legislation and regulations and that it generally conforms to the strategic elements of the Local Plan.

Subject to the above, the Council will arrange for an independent examination of a Neighbourhood Plan, Neighbourhood Development Order or CRTB.

If the plan passes an examination, the Council, as local planning authority, will arrange a local referendum.

If the referendum supports the document, the Council will adopt it as part of the overall development plan (which includes the Local Plan). Should post-adoption modifications become necessary, the Council will offer guidance and support on the process.

Other means of stimulating community involvement, as outlined in this SCI, will be used according to local circumstances. Parish and town councils and Neighbourhood Forums will be encouraged to apply the principles set out in the SCI to their own consultation and community engagement programmes.

6. Involving the Community – More Recent Planning Procedures

Permission in Principle

The Permission in Principle consent route is an alternative way of obtaining planning permission which separates the consideration of matters of principle for proposed residential-led development ('Permission in Principle') from the technical detail of the development ('Technical Details Consent').

The procedures and consultation/publicity/notification requirements that the Council will adhere to are set out in:

- Town & Country Planning (Brownfield Land Register) Regulations 2017
- Town & Country Planning (Permission in Principle) Order 2017,

Key requirements include the need for site notices; website-based notices; directly consulting key persons, bodies or authorities (where necessary). The time periods for consultations are also specified e.g. publicity must be undertaken for at least 21 days. Guidance on key points is contained in the National Planning Policy Guidance 2017. Additional arrangements for applications which may affect the setting of Listed Buildings are set out in Regulation 5A of the Town and Country Planning (Listed Buildings and Conservation Areas) Regulations 1990.

Permission in Principle is triggered when suitable sites are entered in Part 2 of the Council's Brownfield Land Register (subject to undertaking necessary publicity, notification and consultation). Once the necessary secondary legislation has been introduced it will also be possible to obtain Permission in Principle through the Local Plan/Neighbourhood Plan Site Allocation process or via an application process for non-major development.

Technical Details Consent can be obtained via an application process in accordance with the Permission in Principle from 1st June 2018.

7. Involving the Community – Planning Applications

This section sets out how people have the opportunity to become involved in the decisions being taken on individual planning applications.

The Government sets out minimum standards for consultation on planning applications in the Town and Country Planning (Development Management Procedure) (England) Order 2015. There are three categories of application, which require differing levels of publicity:

Categories of Planning Application

1. All applications subject to an environmental assessment, all applications which are a departure from the Development Plan, and all applications affecting public rights of way are required to be publicised by the display of a notice on the site, and by the placing of an advertisement in a local newspaper.

2. Other applications defined as “major” applications by the Town and Country Planning (Development Management Procedure) (England) Order 2015 are required to be publicised by the display of a site notice or letters written to adjoining owners/occupiers of land, and by placing an advertisement in a local newspaper. (Major applications are those comprising a residential development of more than 10 dwellings, or residential development in outline form on a site of 0.5 hectares or more, or the erection of other buildings creating 1,000 square metres of floor space, or outline applications on sites of 1 hectare or more.)

3. All other applications are publicised by the display of a site notice.

For the following application types, newspaper advertisements may be required in addition to site notices and/or neighbour notification:

- Applications for Listed Building Consent,
- Applications affecting the setting of a Listed Building
- Applications affecting the character or appearance of a Conservation Area

The Council’s policy on publicity for planning applications was adopted in June 2003 following a “Best Value” review of the Planning Service. It exceeds the statutory requirements and guidance set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015. The categories of applications to which the Publicity Policy applies are:

- Applications for full planning permission
- Applications for outline planning permission
- Applications for approval of reserved matters where these include one or more element involving siting, design, means of access and landscaping
- Advertisement applications
- Applications for Listed Building Consent

- Applications for prior notification of telecommunications, agricultural and forestry development
- Applications for Certificates of Lawfulness of Existing Development.

7. Involving the Community – Planning Applications

Applications for Permissions in Principle (PiP's) for minor residential development of land may be submitted from 1st June 2018 (see also Section 6 above). A consequent application for Technical Details Consent (TDC) has then to be determined in accordance with the Permission in Principle; the result would be the grant of full planning permission. Community involvement procedures will follow the requirements set out in the relevant regulations and order.

Significant amended or additional details relating to any of the above categories of application received whilst an application is being processed are also publicised.

A considerable amount of negotiation takes place on a large number of applications, particularly the major ones. This is a very important and crucial part of the development control process, steering development towards a more acceptable form and therefore acting in a positive manner. This dialogue between planning officers and developers and their professional advisors is something which the Government and this Council actively encourages.

Section 122 of the Localism Act 2011 makes it a requirement for applicants for a development of a description specified within a development order to carry out our pre-application consultation on the proposed application and to demonstrate how they have taken account of the responses resulting from that consultation.

Forms of Notification of Planning Applications

1. Newspaper advertisement

The following categories of application are publicised by way of newspaper advertisement:-

- Applications including an Environmental Statement.
- Departures from the Development Plan.
- Applications affecting public rights of way.
- Major applications (see above).
- Applications for Listed Building consent.
- Applications for development affecting the setting of a Listed Building or a Conservation Area.

2. Site notices

Brightly coloured site notices are displayed in connection with all application categories with the exception of Prior Notifications, Non-Material Minor Amendments and Lawful Development Certificates.

3. Notification by letter

Occupiers of properties, whether residential or business or community services (e.g. schools, churches, community halls) are notified by letter of all application categories with the exception of Non-Material Minor Amendments and Lawful Development Certificates. Notification by letter involves those neighbouring properties directly adjoining the application site boundary.

Content of notification letters, site notices and newspaper advertisements

All the published material contains a description of the application, where it can be viewed, the timescale for responses and the offer of an appointment with the case officer to discuss the matter. Information is also given about the Council's Consultations Charter relating to planning applications, a copy of which is enclosed with the notification letters. Finally, reference is also made to the Local Code of Conduct for the Planning Process which explains the decision-making procedures, copies of which are available at Council offices and also on the Council's website.

Policies and procedures for publicising planning applications can change over time in response to changes in national legislation, policy and guidance. Therefore applications will be publicised in accordance with current legislation, policy and practice at the time the application is being processed.

The most up to date arrangements for publicising planning applications can be found on the Council's website.

Other ways in which information can be obtained on applications being considered by the council are:

- **Weekly List of Planning Applications.** This is made available on the Council's website and contains basic information about the location of the proposed development and a description of it.

7. Involving the Community – Planning Applications

- **Availability of copies of applications.** Applications relating to Rugeley and Brereton have copies on deposit at the area office in Rugeley. To conform with the Government's targets for electronic communication, the Council provides all information on 'live' planning applications and those determined after 2010 on the Council's website.
- **Parish and Town Councils.** Parish and Town Councils are notified as part of the consultation process and invited to inspect applications on the Council's website.
- **Exhibitions and presentations.** For applications which would involve major new development affecting a substantial area of the district, e.g. large new housing estates, employment sites or town centre redevelopment, plans are displayed in an appropriate location close to where the development is taking place.
- **Home visits.** People notified of applications, but who are unable to visit Council Offices or libraries to view plans because of mobility problems can arrange for a home visit by the Case Officer.
- **Office meetings.** Case officers are available, by appointment, at the Civic Centre to meet people wishing to discuss applications in which they have an interest.

Responding to Publicity about Applications

All comments which people wish to be taken into account in the decision making process need to be made in writing either by letter, email or by completing a comments form available at Council offices.

Timescale for responses

21 days is allowed for responses to initial notification of applications and a minimum of 10 days for re-notification on amendments.

The decision making process

The Council's published Code of Conduct for the Planning Process explains how decisions are made on planning applications. It sets out which decisions are delegated to officers and how comments made as a result of publicity on applications are considered, in most cases, by the Planning Control Committee before making a decision. The provision for people to address the Planning Control Committee when it is meeting to determine applications is also explained. Finally, the local Consultations Charter which is sent out to people notified of planning applications includes a list of relevant planning considerations at a general level and what are not, in order to assist people in making comments which can be taken into account in the decision making process. Information received from Statutory Consultees as a result of consultations will be taken into account when drafting any necessary conditions and S.106 agreements.

Process following a decision

A letter is sent to everyone who has submitted written comments (whether by post or e-mail), advising them of the decision on the planning application (whether or not it was determined by officers under delegated powers or at Committee). Copies of planning decisions are provided as a matter of procedure. The decision, if taken at Committee, is also publicised in the Committee minutes on the Council's website

Appealing a decision

If an applicant has an application refused or disagrees with conditions attached to the granting of permission they have a right of appeal. This right of appeal does not extend to a person notified of an application – known as a third party.

If and when an appeal is received, anyone who wrote in on the application is notified in writing of the appeal, and information is provided on how to make their views known (either in writing in a written representations appeal, or in person at an informal hearing or public inquiry). There is no need to re-submit previous information sent in on the planning application as all this information will be copied and sent to the Inspectorate. Councillors are also notified.

Where an informal hearing or Public Inquiry is to be held to consider an appeal a site notice is erected and the appeal is publicised in the press, including the date, time and the location of the hearing/Inquiry. Third parties are able to attend both informal hearings and Inquires and speak subject to the discretion of the Inspector, who may limit the number of individuals wishing to make very similar points.

Consultation on Planning Applications and other applications submitted under the Town and Country Planning Acts

This part of the process includes both the statutory requirements for consultation prior to decision being made on applications, most of which are included in the Town and Country Planning (Development Management Procedure) (England) Order 2015, and non-statutory consultation with organisations with expertise to contribute to the process.

7. Involving the Community – Planning Applications

Pre-Application Advice. Planning officers are available to offer pre-application advice by telephone, meeting or in writing. Meetings will be based on a 'Duty Officer' system from 1st April 2018. At this date also fees were introduced for pre-application advice on 'major developments' (defined as proposals for 10+ dwellings, a site area of over 0.5 hectares or floorspace of over 1000 square metres); otherwise there remains no charge. Other professional advice can be made available at this stage, both 'in-house' and externally, for example from Landscape Architects, Arboriculturalists, and the Council's Ecologist. Partner organisations, most commonly the Environment Agency, Natural England and Highways England will provide pre-application advice co-ordinated by Planning Officers. Staffordshire County Council Transportation will provide pre-application advice directly on payment of a fee. Staffordshire County Council Historic Environment Team will provide a charged-for pre-application advice service for developers and a charged-for curatorial service for archaeological contractors from 1st May 2018. Article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 relates to the duty to respond to consultations within 21 days, which is an appropriate target in relation to the provision of pre-application advice.

External consultees, such as the Canal and River Trust and Historic England, welcome consultation at an informal level where issues may benefit from their early involvement.

Application Consultations – Statutory. Consultees are notified as part of the consultation process and invited to inspect applications on the Council's website. The Highway Authority also provides advice via visits to the District Council by Highway Engineers, when required.

Application Consultation – Non-Statutory. This includes both internal (other Council departments) and external bodies with expertise relevant to particular types of application. Consultees are notified as part of the consultation process and invited to inspect applications on the Council's website.

8. Management and Monitoring

The Council's Planning Teams seek to adopt a positive approach to involving external groups and individuals in planning processes. By ensuring that community involvement is targeted and realistic the Council aims to make the best use of the resources available to it, recognising that existing networks linked to other plans and programmes will be particularly valuable. The costs of community involvement will be met from dedicated budgets. Where possible, joint community consultation and engagement will be undertaken. Community involvement in the Development Management process, following procedures in Section 7, is an integral part of the processing of planning applications.

The management of resources and their availability for community involvement will be dependent on the progress made on the preparation of relevant documents. Monitoring progress in plan making and an assessment of the success of various community involvement exercises will inform the Council on the need to review, and where necessary, amend the SCI.

The SCI will be reviewed as appropriate in the light of changes in national legislation and policy, joint working experiences and consultation with stakeholders. This might include changes to reflect best practice in community/stakeholder involvement, managing expectations more effectively or addressing specific problems or concerns in relation to joint working. We are legally required to review the SCI at least every five years.

It is the Governments' intention to move towards the reporting of key Local Plan information and monitoring (including developer contributions) in an Open Data format. This has recently been tested via the Brownfield Registers. Open Data standards effectively seek to ensure that each Local Authority is reporting key information in the same way (using compatible software) so that the data can be readily gathered, combined and analysed by the Government. This is likely to require some additional resources in order to be compliant with the required Open Data standards (as learnt from experience with the Brownfield Register).

9. Data Protection

For many aspects of the Planning Process we will need to gather personal data. Our reasons for this, and the type of data required will vary depending upon the particular procedure and stage in the process.

When we collect such data we will ensure that we do so in a clear and legally compliant manner to fulfil the requirements of the General Data Protection Regulation which came into force on 25th May 2018. The relevant Fair Processing Notices can be found on the data protection pages of the Councils website and can also be found on all forms which we use for consultation purposes.