

# East Staffordshire Local Plan

*Planning for Change*

## Statement of Community Involvement

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**September 2013**

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~~Alternative formats of this publication are available on request. Please contact us to discuss an appropriate format.~~

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# East Staffordshire Local Plan

*Planning for Change*

## Statement of Community Involvement

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**Draft April**

**2020**

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1.1. ~~tutory requirement under the provisions set out in the Planning and Compulsory Purchase Act 2004 (as amended), Section 18 and 19(3), and the Town and Country Planning (Development Plans Local Planning) (England) Regulations 2012. The NPPF does not specifically mention SCIs, though paragraph 155, (Paragraph 40) states that “A wide selection of the community local authorities should be proactively engaged” encourage applicants to engage with local communities and, where relevant, with statutory and non-statutory consultees, before submitting planning applications.~~

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~~The SCI sets out the Council’s strategy for involving the local community, stakeholders and statutory bodies, including ‘hard to reach’ groups that have traditionally been under-represented in the planning process.~~

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1.2. ~~The SCI is an important document that forms part of the Local Plan, which is at the centre of the planning system. This Statement of Community Involvement (SCI) replaces the document adopted by the Council in September 2013. The SCI sets out clearly how the Council will engage communities in decision making and in creating and reviewing the plan documents that make up the Local Plan for the area.~~

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1.3. ~~We will engage our communities, businesses, and other interested parties in the planning process when we prepare our planning policies and determine planning applications, including:~~

- ~~• Preparation, alteration, and continuing review of the Local Plan, which is our development plan document.~~
- ~~• Preparation of other planning documents such as supplementary planning documents.~~
- ~~• Any introduction of a Community Infrastructure Levy; and~~
- ~~• Development management decisions. (Key stages in APPENDIX 1).~~

1.4. ~~The planning system is about our future. It is about managing the changes to our environment whilst balancing social, environmental and economic issues. Through the Development Plan system we identify how East Staffordshire will develop over the next twenty years reflecting what changes are needed with regard to regarding new homes, employment opportunities, transport, leisure and education and where these should be. These needs and their locations have to be balanced with the effective protection of our environment. Consultation with the public, landowners, interest groups and public and private organisations and businesses including developers has a vital role to play in this process. located.~~

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of the Planning and Compulsory Purchase Act 2004 (as amended) (Sections 18, 19(3), 26 and 28) and the Planning Act 2008 (Section 180) which aims to raise the profile of the consultation process, encouraging greater participation from the general public in developing plans for the future.

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1.5 Local needs must be balanced with the effective protection of our environment as well as in dealing with matters relating to global warming and Climate Change. Consultation with the public, landowners, interest groups and public, private, and voluntary organisations and businesses, including developers, has a vital role to play in the engagement process.

1.6 The Statement of Community Involvement is a Local Development Document (LDD) and forms part of the Local Development Framework (LDF).

1.7 The Act highlights the important role that communities and other key partners play in influencing new plans, policies, and planning applications in East Staffordshire. It, The SCI identifies what we, as the Local Planning Authority, will do to ensure that all communitiescommunity groups are involved in shaping local needs and have an opportunity to contribute so that we better understand their individual needs. This includes how we will work with different groups, how we will produce and demonstrate information, what involvement techniques we will use and, how we use research as well as how we monitor processes and procedures and use research.

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1.6 The Act has been further amended through the Localism Act 2011 that was given Royal assent on November 2011 and enacted on 6 April 2012. This introduced two major reforms to the planning system including the establishment of Neighbourhood Planning and the Duty to Cooperate. The Act has triggered various other reforms such as the publication of the National Planning Policy Framework (NPPF) in March 2012 followed by the publication of new Local Planning Regulations on April 2012. The NPPF sets out the Government's requirements for the planning system and provides a

<sup>4</sup> 'The Act' refers to the Planning & Compulsory Purchase Act 2004 (as amended)

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framework within which distinctive local and neighbourhood plans can be prepared which reflect the needs and priorities of East Staffordshire's communities.

The Coalition Government have embarked on a number of planning reforms including the abolition of the Regional Planning Body which includes Government Office West Midlands and Advantage West Midlands. This has been replaced by Local Enterprise Partnerships (LEPs) which were established to help strengthen the local economy, encourage economic development, enterprise and improve skills across the region. East Staffordshire Borough is also part of the Greater Birmingham and Solihull LEP. This (GBSLEP), which concentrates economic development and opportunities along the A38 corridor. However the Council may need to have dialogue and co-operate with other neighbouring LEPs such as the Stoke and Staffordshire LEP and Derby, Derbyshire, Nottingham and Nottinghamshire (D2N2) LEP.

This Statement of Community Involvement (SCI) replaces the original document that was adopted by the Council in September 2007. The SCI The Burton Town Regeneration Programme is an important document that forms part of the Local Plan, which is at the set to regenerate the town centre of the planning system. It sets out clearly how the Council will involve communities in order to create a series of plans that will form the Local Plansense of place and identity for the town – at the same time, meeting GBSLEP's place and business pillar, strategic, priorities,

1.9—12 This StatementSCI also sets out how Community Involvement will take place on in progressing and adopting Neighbourhood Plans and in dealing with planning applications, which involve 'made' neighbourhood plans,

## 2. The Statement of Community Involvement (SCI)

2.1 40 The importance of consultation cannot be underestimated, and it has always had a role to play in the process of plan and decision making. The National Planning Policy Framework (NPPF) paragraph 155), Paragraph 25, sets out the requirements for Local Planning Authorities to undertake a proactive and meaningful collaboration with neighbourhoods, local organisations and business where it states that – “A wide selection of the community should be proactively engaged” – they should also engage with their local communities and relevant bodies ... ”

2.2 Public consultation early in the plan-making process is generally best practice and desirable in terms of early engagement and dealing with addressing difficult decisions as soon as possible. This 'front loading' or early involvement in the process means that consultation will be meaningful as comments will can be made early enough to have a

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meaningful input be carefully considered and factored into the planning process. (Paragraph 40).

2.3 4.11 This Statement of Community Involvement states outlines how the community will be involved in the Local Planning system process. It sets out:

- What people will be involved in;
- Who/Whom we will involve;
- How we will involve them;
- When people will be involved;
- How the consultation information collected will be used in policy making/decisions; and
- How the consultation information collected will be used in development management (planning application) decisions

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### 3. Borough Profile

4.12 East Staffordshire Borough Council 3.1 It is located in important to understand the heart dynamics of England. The Borough occupies a strategic position on our local communities in order to recognise the edgewider needs of the West Midlands creating significant social District and economic links with the East Midlands. Its growth and character has been influenced by its rural location, potential for managing the accessibility of the region and the existence of raw materials challenges, which have provided the basis for employment led growth. The Borough can arise during consultation. It is characterised by a mix of urban and rural areas and the principal sub regional town of Burton upon Trent dominates the housing and employment provision, supported by the smaller market town of Uttoxeter. There are also several major industries, economic sectors and employers that have chosen to operate their businesses in East Staffordshire.

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4.13 3.2 The character of East Staffordshire is based as much on its villages and its larger two main towns as on its landscape qualities unique landscapes. Villages and hamlets scattered across the landscape have evolved in response to the landscape and terrain. The geology has also influenced the character of settlements, with locally available building materials worked by local crafts people, creating a consistent and harmonious language of both new and traditional buildings.

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4.14 3.3 The main transportation corridors of the A38 and A50 cross the borough in a broadly north east - south west and east west direction providing good links to East and West Midlands by car, and rail users are served by frequent services on the Birmingham - Derby/Nottingham line as well as services on the Derby Crewe line. Tutbury and Hatton railways stations also offer good links.

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4.15 3.4 Section 2 of this document gives an overview of the Development Plan system and Section 3 sets out clearly the links with the Corporate Plan. Section 4 outlines how the Council intends to involve communities and stakeholders will be engaged in each document of the Local Plan. Section 4 sets out the statutory duties required under the Localism Act 2011 which forms an important part of the recent planning reforms. involvement of Local Enterprise Partnerships. Section 5 sets out community engagement. Section 6 sets out how the community will be consulted on planning applications. Finally, Section 6.7 sets out how the information provided is collated and used to inform the plan making process and our

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~~decisions and how the process will be resourced and monitored. Finally,~~  
Section 8 deals with how the Council will deal with pandemics, natural  
disaster and matters of national security. The Appendices referenced in  
the document can be found in the SCI Appendices.

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## Some Key Challenges

- Accessibility - there are pockets of deprivation within some of our communities. Also, planning documents can be technical and lengthy and difficult to understand.
- Digitalisation - Some groups have difficulty in accessing the internet and struggle to navigate online.
- Engaging under-represented groups - It is important to engage groups of all ages, ethnicities, religions and other interest groups and local representatives.

## 4. The Development Plan System

### 4.1 Section 38(c) How does the SCI fit?

4.2 Development Plan Documents (DPD) are key planning policy documents, which guide development in an area and allocate sites for development. They set out strategic and non-strategic planning policies, within the Local Plan. Section 38(c) of the Town and Country Planning Act 1990 deals with the preparation of Locals Plans for an administrative area. Section 15 of the Planning and Compulsory Purchase Act (as amended), states that Local planning authorities (LPAs) have a statutory duty under the Act to prepare a Local Plan for their ~~area~~ areas, setting out policies and proposals that will guide development in ~~the district~~ their districts, while at the same time supporting the delivery of sustainable development as outlined in National Planning Policy Framework (NPPF) (NPPF, Paragraph 11) and ~~informing~~ informing Local Neighbourhood Plans. ~~The Local Plan must take account of, other plans and strategies such as, for example, the Community Strategy, including various pieces of evidence base which mainly consist of technical documents that support Local Plan policies.~~

4.3 The recent planning reforms have also given Local Planning Authorities greater freedom on how to format their Local Plans, such as whether to produce a whole Local Plan or continue producing a suite must also take account of, other plans and strategies. For example, the Statement of Community Involvement, Neighbourhood Plans, strategic documents, including the Core Strategy, various pieces of the underlying evidence base, which mainly consist of technical documents that support Local Plan policies. Also, local planning authorities should clearly set out their strategic and non-strategic policies and provide details of strategic policies to a qualifying body and to independent examiners (Paragraph 21, NPPF).

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4.4 The National Planning Policy Framework is clear that plans and strategic policies should be prepared over a minimum 15-year period and a local planning authority should be planning for the full plan period. For East Staffordshire Borough Council, the new Local Plan will consist of one main document, a Site Allocations the Development Plan Document (DPD), (subject to the progress of and relevant Neighbourhood Plans), supplemented/complemented by Supplementary Planning Documents. The existing Local Plan period covers the period 2012-2031. Local Development Documents such as this SGI will form part of the Local Plan. The main reform has been the establishment of

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4.5 To date, fifteen (15) made Neighbourhood Plans which are being have been produced by East Staffordshire town and parish councils. These Neighbourhood Plans must be in accordance with the Local Plan, as stipulated in paragraph 184 of the NPPF, and be subject to an examination by a planning professional and go teas well as undergo a local referendum. (NPPF, Paragraph 184).

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2.3 Under the revised system the Development Plan covering the Borough will be made up of:

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| Elements                             | Prepared by           |
|--------------------------------------|-----------------------|
| Local Table One:<br>Development Plan | East Staffordshire BC |
| Minerals Local Plan                  | Staffordshire CC      |
| Waste Local Plan                     | Staffordshire CC      |
| Neighbourhood Plans                  | Town/Parish Councils  |

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| Elements            | Prepared by           |
|---------------------|-----------------------|
| Local Plan          | East Staffordshire BC |
| Minerals Local Plan | Staffordshire CC      |
| Waste Local Plan    | Staffordshire CC      |
| Neighbourhood Plans | Town/Parish Councils  |

4.7 The following diagram in Figure 1, sets out the documents that make up the Local Plan and indicates their relationship with the National Planning Policy Framework.

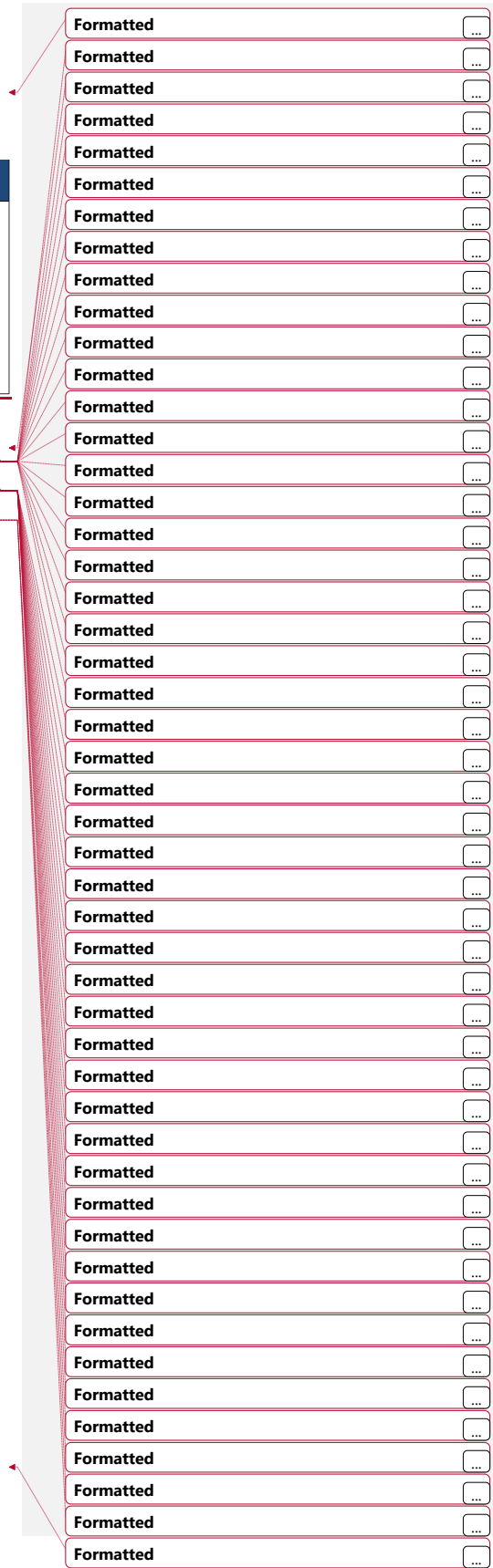


Figure 1 – The Local Plan

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## 5. Supplementary Planning Documents (SPDs)

~~In addition we~~ 5.1 The Council will prepare a number of the necessary supporting Supplementary Planning Documents, which will ~~deal with~~ provide additional details to more specific planning issues, such as the re-use of redundant farm buildings within the local plan. For example, supporting technical and design guidance for new development. ~~These~~ SPDs will also supplement the policies within the Local Plan, ~~giving more technical guidance,~~ though they ~~don't~~ do not form part of the 'development plan'. They set out details of adopted policies, which planning officers will use to determine planning applications.

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~~2.7 The Council's~~ 5.2 In addition, the Council will also prepare a Local Development Scheme (LDS) ~~sets out in detail what~~. This is the timetable for the production of the Local Plan and other Development Plan documents ~~will be prepared and when~~. This.

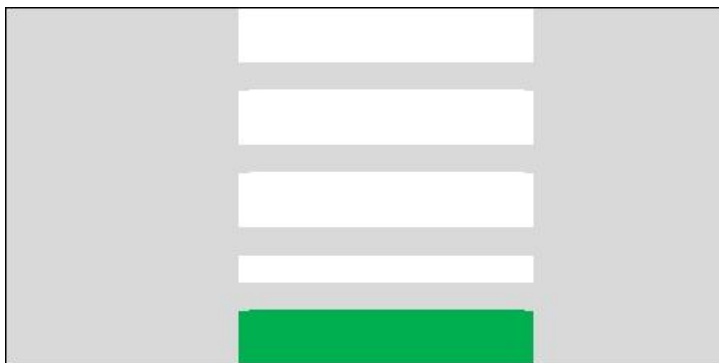
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5.3 A copy of the existing LDS can be viewed at the Council's Customer Services Centres (at Burton upon Trent and Uttoxeter), Libraries within the Borough and on the Council's website: [www.eaststaffsbc.gov.uk](http://www.eaststaffsbc.gov.uk).

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2.8 within the Borough and on the Council's website:  
[www.eaststaffsbc.gov.uk](http://www.eaststaffsbc.gov.uk)

## 6. Sustainability Appraisal (SA) & Strategic Environmental Assessment (SEA)

2.9 All documents, 6.1 In England, the requirements for Sustainability Appraisal and Strategic Environmental Assessment have been integrated into a combined 'Sustainability Appraisal'. The European Directive 2001/42/EC enacted in England under the Environmental Assessment of Plans and Programmes Regulations (2004) requires a Strategic Environmental Assessment (SEA) to be completed on all parts of the LDF, with the exception of Supplementary Planning Documents (SPDs) (in most cases), the the Local Development Scheme (LDS), and Statement of Community Involvement and the Local Development Scheme, must have an associated Sustainability Appraisal which will assess, at each stage, how each document deals with the social, economic and environmental considerations. This (SCI).

6.2 SAs will be published alongside the document relevant local plan documents, at each stage and will ensure that decisions are made that accord with sustainable development principles. Neighbourhoods plans do not require a Sustainability Appraisal but may also be subject to the requirements for Strategic Environmental Assessment Assessments (SEA). The list of statutory agencies that need to be consulted if a SEA is required is listed in Appendix 2.

## 7. Consultation with Members (Councillors)

7.1 Elected Members are the public face representatives of the Council and it is acknowledged that consulting members is vital for the successful development and implementation of the Local Plan and Development Plan Documents. The Planning Policy section briefs the Regulatory Services Portfolio holder on the development of the Local Plan. It is also acknowledged that all members should be involved and informed by the Local Plan, albeit on differing levels. For example, Local Plan and Development Plan documents may need authorisation by Cabinet. The Planning Policy section briefs members at special briefing meetings, party meetings or individually upon request.

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Members

are also encouraged to feedback on Local Plan matters either formally through Cabinet meetings or informally to individual officers. Figure 2 (below) sets out the stages of the preparation of the Statement of Community Involvement;

2.10 Figure 2 sets out the stages of the preparation of the Statement of Community Involvement;

### Figure 2: Stages in the Preparation of the Statement of Community Involvement



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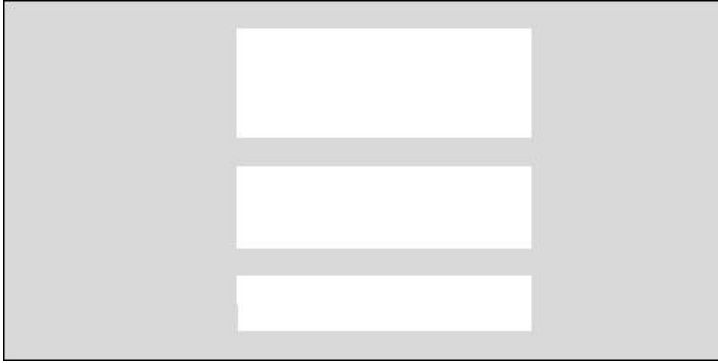
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Member

Consultation

Corporate Management

Team (Report  
representations from  
consultation

Adoption

Amend document in  
response to  
representations

Publication of SCI

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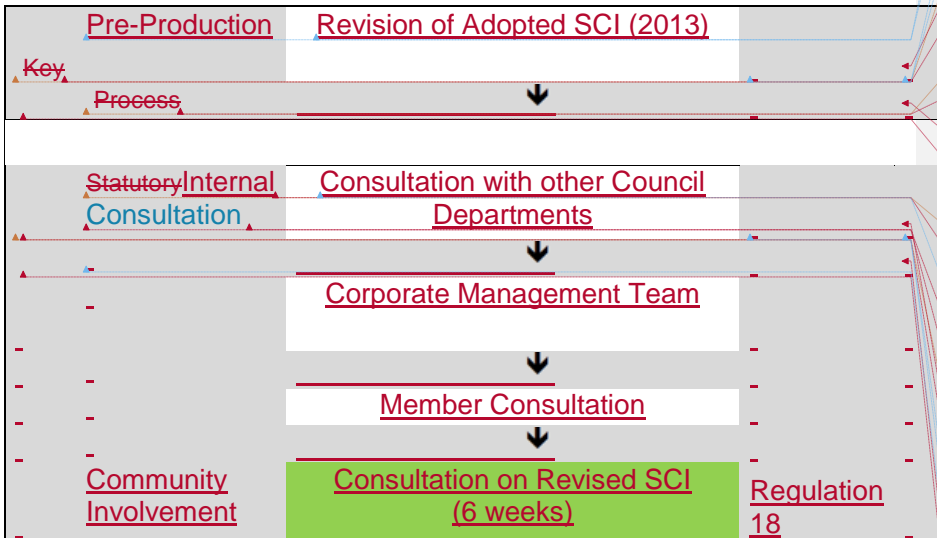
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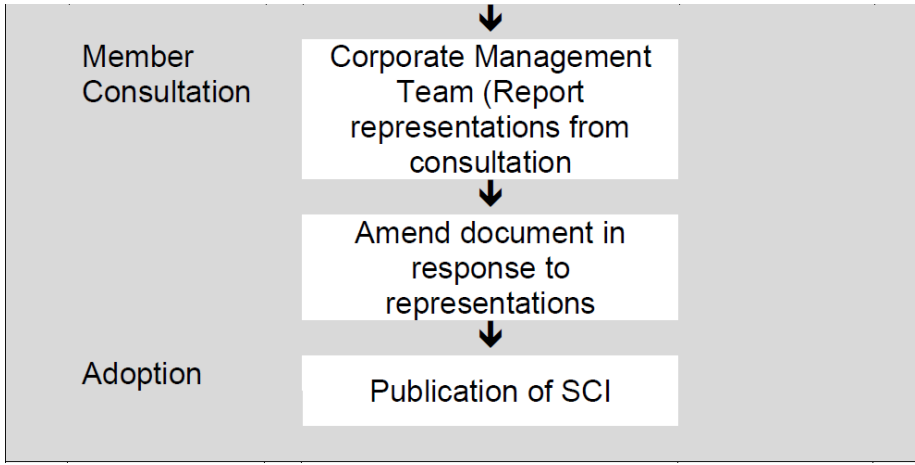
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## 8. Links with Corporate East Staffordshire Borough Council Strategies

~~The Local Strategic Partnership and the Sustainable Community Strategy~~

~~2.11 8.1 The Local Plan will have links with other key Council strategies and initiatives. Of particular importance is the East Staffordshire Local Strategic Partnership (LSP) which is led by the Council's Chief Executive Officer. The partnership aims include that of improving the quality of life for local people by encouraging effective partnership between working with local communities as well as with those people who can directly and indirectly help to bring about positive change. The elements of the Sustainable Community Strategy (2008-2020), prepared by the LSP, that includes East Staffordshire Borough Council may contain material that could be delivered by the planning system. The Local Plan will therefore give spatial expression to the land-use elements contained within the Sustainable Community Strategy (SCS).~~

~~2.12 The SCS is a useful document in aiding who we should consult and where. The SCS specifically mentions the Local Plan roadshows which usually consist of exhibitions at various locations throughout the borough. The SCS~~

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~~also introduced~~The SCI also promotes the concept of Neighbourhood Working and giving local communities more of a role in local plan preparation and decision making which dovetails with the ~~emerging number of made~~ Neighbourhood Plans within the Borough.

## 9. The Corporate Plan

~~2.15~~ 9.1 The Corporate Plan is a plan prepared by the Council and contains ~~information about~~ strategic aims and objectives and sets targets for how the Council is expected to perform across the different departments ~~with several aims and objectives~~. The plan ~~contains also~~ promotes community specific objective objectives. For example, "Protecting and strengthening our communities"."

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9.2.16 The As a key objective, the Corporate Plan highlights also supports the delivery of the Local Plan through to adoption as a key objective. However other Strategic objectives are also linked with planning policy and the delivery of new development such as the Council's role with the Greater Birmingham and Solihull LEP and regeneration within Burton upon Trent (ie Bargates) and Uttoxeter. The SCI will therefore be an important document in the progress of the Local Plan to adoption.

## The Marketing and Communications Strategy 2012-15

2.17 The Marketing and Communications Strategy 2012-15 supports the Council's Corporate Plan in how it communicates with various stakeholders including local residents. The Plan's objective is "ensuring all communications are honest and open" therefore making sure that the Council is transparent in its communications with stakeholders. The strategy is concerned with the quality of the information that is provided by the Council rather more than the quantity. The strategy breaks down the Council's communication to stakeholders into three strands, (a) promotional material, (b) electronic and (c) traditional (such as hard copies of ESBC News). The Council has a general recognition that it should embrace electronic methods including social media such as Facebook, Twitter and YouTube. These methods are often cheaper than the more traditional means of communication and instant which is useful for promotional purposes.

2.18 The Marketing and Communications Strategy informs the SCI in terms of the quality and clarity of information that is given to various stakeholders. The Strategy describes the different types of media that is available to the Council and new social media through new technology. The SCI should therefore promote such media as part of Local Plan preparation.

## 10. The Single Equality Scheme (2012)

10.1 The Single Equality Scheme 2.19 The Single Equality Scheme (February 2012) document deals with how the Borough Council delivers services in a fair manner to the community. The document recognises the Council's responsibilities as (2018) is the Council's recognition and response to the public sector duties set out in the Equalities Equality Act 2010. It contains the authority's equality objectives, details how the Council aims to deliver quality services to the community in a fair manner, and includes information on the Borough's profile, where further information can be found via the following link:

<http://www.eaststaffsbc.gov.uk/statistics/2011-census>  
<http://www.eaststaffsbc.gov.uk/services/pages/2011census.aspx>

10.2 The document discusses outlines the composition diverse nature of our local communities within the Borough. The Scheme and places importance on the conduct of staff in promoting equality as part of the Council's

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~~service delivery provision, as well as on giving residents the community an opportunity to inform decision making and to feedback on how the Council delivers its way services. are delivered.~~

~~10.3 For example, it gives communities the opportunity to feedback encouraging active participation through sharing views on a consultation event that may be carried out as part of a Local Plan consultation.~~

~~2.20-10.4 The Single Equality Scheme therefore informs the SCl in terms of the Council's duties under the Equality Act 2010 and giving greater awareness of communicating with our diverse population within the Borough through appropriate equality information and data collection. as well as through inclusive consultation practices.~~

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## 2.21 Consultation/Community Engagement Strategy & Toolkit

The Consultation/Community Engagement Strategy & Toolkit contains useful good practice and advice on how departments within East Staffordshire Borough Council should conduct consultations and liaise with the community. The Council has a Corporate Officer, who coordinates and monitors consultation processes and avoids risks, aids consistency and problems such as consultation fatigue. The strategy covers the different community consultation methods including Citizen's Panel, Focus Groups and Neighbourhood Forums. The strategy also covers 'hard to reach groups' and the different methods of consultation which tend to work best for each group. It stresses that many individuals and groups do not necessarily see themselves as 'hard to reach' but it is mindful of what methods may work best.

## 2.22

The SCI should reference the Consultation/Community Engagement Strategy & Toolkit in terms of using consultation best practice and the importance of liaising with the Corporate Officer whenever we consult any Local Plan documents.

## Community Cohesion/Social Inclusion Strategy 2012-2015

2.23 The Community Cohesion/Social Inclusion Strategy's main objective is to prevent conflict and aid cohesion/inclusion within communities within the Borough. The document forms an important part of the implementation of the Equalities Act 2010 and the work of the Borough's East Staffs Rights and Equality Council. The document explains the role of the Council's Neighbourhood Co-ordinator in consulting with 'difficult to reach' groups. It is also based on the Experien Mosaic database provided by Staffordshire County Council which gives specific information on the communities within the borough and what methods of consultation work well and what doesn't work as well specifically for that community. The strategy also places importance on local decision making and making people feel as though they influence decisions. The strategy raises an important spatial planning issue of reducing crime and anti-social behaviour which is something that the Local Plan is dealing with in terms of designing out crime and contributing to safe communities.

2.24 The SCI should use the Community Cohesion Strategy in order to determine how to consult with 'hard to reach' groups, using the assistance and knowledge of the Council's Neighbourhood Co-ordinator. The Local Plan may contain sensitive issues regarding land allocations and the strategy is a useful resource in how to approach and deal with potentially controversial issues.

## 11. The Greater Birmingham and Solihull Local Enterprise Partnership (LEP) Planning Charter

2.25—11.1 The Greater Birmingham, Solihull LEP takes over the strategic role of former Regional Spatial Strategies to a degree, where the main remit is to deliver growth (particularly that of employment) through sustainable development.

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~~growth (particularly that of employment) through sustainable development. One of the planning charter's key aims is to provide: "Greater engagement between local authorities, local communities and the business community will ensure that the benefits of development are fully articulated and understood" as well as "Development decisions will be transparent, inclusive and delivered on time". It is therefore clear that the LEP's main aim to reform the role of planning as enabling economic growth through greater cooperation with other Local Planning Authorities, which in turn supports the requirements under Duty to Cooperate, but also with businesses as part of the wider private sector.~~

~~2.26 The Borough Council should also take into account the neighbouring LEPs, including the Stoke on Trent and Staffordshire LEP and the D2N2 (Derby, Derbyshire, Nottingham and Nottinghamshire) LEP, where some cooperation with those bodies may be considered appropriate as and when required.~~

- 3 11.2 Although the Borough Council is currently only a member of GBSLEP, it is important for the Council to co-operate with the Stoke-on-Trent and Staffordshire LEP (SSLEP) on a regular basis for two reasons. Firstly, the upper tier authority for the area, Staffordshire County Council is a member of SSLEP and so geographically, the East Staffordshire is in both LEP areas.
- 3.4
- 3.2 11.3 Secondly, in July 2018 the Government launched the 'Strengthened Local Enterprise Partnerships' policy document which outlined a requirement for Local Authorities and areas in overlapping areas, such as East Staffordshire Borough Council, to resolve those boundaries and formally align with a singular LEP. As such, the outcome of this could result in the Borough Council being more closely aligned with SSLEP in the future. As of May 2020, this has not been resolved and the Borough Council still functions in an overlapping area. With this in mind, the Council continues to work closely with both LEPs on the development of strategies and policies that affect planning, regeneration, and economic development
- 3.3

## 12. Methods of Engagement and Involvement

- 3.4 12.1 The aim of this section is to set out our policy on community involvement within engaging communities in the local planning plan process. It discusses the principles and techniques that will be used to secure community involvement and begins to identify the key partners involved.

## 13. Community Engagement and Involvement

- 13.1 The new development plan system clearly sets out the goal of engaging the community in the plan preparation and the decision-making process and there is an expectation that more than the statutory minimum will be done. As a result, this SCI sets out the promotes inclusion and transparency in the Council's objective objectives to involve a wide range of people communities and groups in a range of businesses representing the business, voluntary, social and economic as well as hard to reach groups, and other sectors.
- 13.2 Planning legislation emphasises the need to include continuous community involvement from by developing ideas at the beginning of the process (called front-loading), considering different options through to getting the stakeholder engagement in plan written preparation and adopted decision making. Equally,

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Table Two: Consultation Groups

|   |                         |   |           |
|---|-------------------------|---|-----------|
| <u>Group</u>                            | <u>Underepresented?</u> | <u>Uncils Interest groups and Local Amenit y Organizations Lan do wners and Re gistere d Social Lan dlor ds Rel igio us/ Fait h &amp; Belief groups Bu sin ess groups</u> | <u>No</u> |
| <u>Voluntary bodies</u>                 | <u>No</u>               |   | <u>No</u> |
| <u>Statutory Bodies</u>                 | <u>No</u>               |   |           |
| <u>The Local Enterprise Partnership</u> | <u>No</u>               |   |           |
| <u>Parish and Town Co</u>               | <u>No</u>               |   | <u>No</u> |

|   |            |
|---|------------|
| <u>People with disabilities</u>                           | <u>Yes</u> |
| <u>Children &amp; Young people (Schools and Colleges)</u> | <u>Yes</u> |
| <u>Older people</u>                                       | <u>Yes</u> |
| <u>Gender groups</u>                                      | <u>Yes</u> |
| <u>Black and Minority Ethnic groups</u>                   | <u>Yes</u> |
| <u>Noma</u>   | <u>Yes</u> |

|   |  |   |    |
|---|--|---|----|
| dic<br>Co<br>mm<br>unit<br>ies/<br>Tra<br>nsi<br>ent<br>gro<br>ups<br>e.g.<br>Gy<br>psi<br>es<br>or<br>Tra<br>vell<br>ers<br>Ne<br>wly<br>est<br>abli<br>she<br>d<br>co<br>mm<br>unit<br>ies<br>Bu<br>sin<br>ess<br>gro<br>ups<br>(inc<br>ludi<br>ng<br>De<br>vel<br>ope<br>rs<br>and<br>Pla<br>nni<br>ng |  | Ag<br>ent<br>s)   |    |
|   |  | Th<br>e<br>ser<br>vic<br>e<br>sec<br>tor<br>(Po<br>lice   | No |
|   | Ye<br>s  | Ed<br>uca<br>tion<br>He<br>alth<br>etc)                   |    |
|   | Ye<br>s  | Me<br>dia<br>gro<br>ups                                   | No |
|   |  | Ge<br>ner<br>al<br>con<br>sult<br>atio<br>n<br>bod<br>ies | No |
|   | No   |   |    |
|   | 14. Landowners and Registered Social Landlords Religious/Faith & Belief groups |   |    |
|   | Business groups  |   |    |
|   | People with disabilities   |   |    |
|   | Children & Young people (Schools and Colleges)                                 |   |    |
| Older people  |  |   |    |
| Gender groups   |  |   |    |

Hard to  
Reach/Hear ?

- No
- No
- No
- No
- No
- No
- No
- Yes
- Yes
- Yes
- Yes

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Hard to Reach/Hear groups as defined in The Consultation/Community Engagement Strategy & Toolkit

|   |   |     |
|---|---|-----|
| - | Black and Minority Ethnic groups                                | Yes |
| - | Nomadic Communities/Transient groups e.g. Gypsies or Travellers | Yes |
| - | Newly established communities                                   | Yes |
| - | Business groups (including Developers and Planning Agents)      | No  |
| - | The service sector (Police, Education Health etc)               | No  |
| - | Media groups  | No  |
| - | General consultation bodies                                     | No  |
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3.6 2 Some of these groups may be considered to be harder to reach and hear than others or underrepresented as they may lack easy access to technology, or services. For example, minorities and the groups with disabilities. The Council will use a variety of different methods to reach all sectors of the community. To as well as to ensure that these hard to reach all groups and communities are involved at the appropriate stages approaches such as the use of the Neighbourhood Coordinator Officer and Wardens, the possible use of an interactive website and the targeting of these groups for issue-based consultation as well as ensuring that any public events are accessible to all will be used in represented.

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3.7 14.3 In addition to the methods set out below. The Council's Consultation/Community Engagement Strategy and Toolkit contains useful information and guidance on what methods work best for each "hard to reach/hear" group.

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Whilst it is important to reach as many of these groups as possible it is also essential to reach individuals across the Borough. Any, any group or individual not on the consultation list and showing interest in the Local Plan process will be added to the Planning Policy consultee database upon request. This will mean that they These individuals will be directly contacted at each stage of document the plan preparation and consultation process.

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~~3.8~~ 14.4 Different sectors of the community will have different interests and issues, ~~for~~. For example, some residents who live in Uttoxeter may have little interest on land being developed at Burton upon Trent. It is therefore important that there is a balanced approach to consultation. To achieve the widest and most diverse community participation a ~~number~~ wide range of engagement techniques will be used. ~~Not to reach those not on email, part-time workers and those who do not work in a single location. However, not all techniques will be used to reach every intended audience (as this may not always be necessary. The Council will decide which methods will be appropriate in each case. For example, it may include the following elements:).~~

1) ~~Presentation~~ 14.5 The Council will decide which methods will be appropriate in each case. For example, it may employ the following elements:

2)

- 3)
  - ~~Online presentation of Information – Tell people what (which is planned (requiring low level of involvement), made easily accessible).~~
  - ~~Postal and electronic information aimed at groups which are directly affected or impacted by planning decisions~~
  - ~~Customer Surveys (online and postal) aimed at targeting diverse groups~~
  - ~~News releases where appropriate~~
  - ~~Consultation – Offer a number of options and listen and act (listening and acting on feedback. (Requiring medium-high levels of involvement) through the consultation process.~~

~~Deciding together – Encourage Encouraging others to provide some additional and to share ideas and options and in deciding the best way forward (requiring through high levels of involvement/interaction).~~

- ~~3.9 Every level of community involvement requires using different techniques and approaches and requires different amounts of input and support from both officers and the community. Efficient use of resources is essential and engagement.~~

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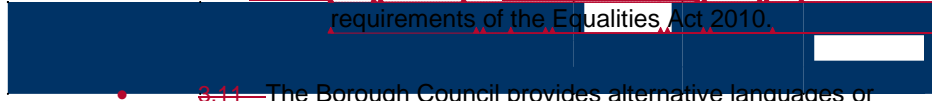
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strengthening the existing consultation groups both within the Council and beyond will be key to effective consultation and participation.

3.10-14.6 Regardless of which level is adopted we need to ensure that the outcome is ~~the same~~ being optimised, i.e. that it creates opportunities for those taking part to influence plans, policies and ~~application decisions~~ decision making. This ~~also~~ requires ~~us to consult using~~ the following key principles:

- Target all people/communities, particularly those who may have not traditionally had their say in the planning process, that may be affected. ~~Ensure access and availability to information by a variety of means. Being transparent and make clear what is being asked.~~
- ~~Ensure access and availability to information by a variety of means~~
- ~~Being transparent and make clear what is being asked~~
- Ensure people are involved from the outset.
- Keep people/communities informed throughout the process.
- The Council ~~will also has a duty to~~ meet the requirements of the Equalities Act 2010.



3.11 The Borough Council provides alternative languages or formats by request (as stated at the rear of this document) and the Council's website is enabled to translate into different languages.

3.12 The following is a list of possible methods of community involvement with comment indicating potential use and constraints.

**Methods of Community Involvement**

| Method | Comment/Considerations | Does it Inform | Does it Consult | Is there Interactio<br>n |
|--------|------------------------|----------------|-----------------|--------------------------|
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| Documents available for inspection at Council Customer Service Centres and Libraries | This is a minimum requirement. Documents should be available during consultation periods but also at any time.   | Y | Y/N | N |
| Council Website, including online consultation portal (Objective)                    | Convenient, efficient and effective for organisations but medium does not reach everyone (for those who do not access to the internet).<br>Poor broadband. | Y | Y/N | Y |
| Twitter/<br>Facebook   | Social networking medium does not reach everyone (for those who do not access to the internet or those particular social network).<br>Poor broadband.      | Y | Y/N | Y |
| Email  | Useful, quick and efficient form medium for consulting existing  |   |     |   |

|   |  |   |     |   |
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|   | consultees but not all consultees have access to the internet therefore may not be able to access email or would wish to use it in this way.                                       | Y | Y/N | N |
| Letter to statutory Consultees/ESB C-database | A survey on consultation techniques found this to be the favoured option with 73% of respondents choosing this. Simple and effective but cannot guarantee a response.              | Y | Y/N | N |
| Exhibitions/ Displays                         | Useful tool in informing the community and, if done properly can stimulate debate in those who attend. However, location and timing is key to who sees it.                         | Y | Y/N | Y |
| Newsletter (ESBC News)/Leaflet distribution   | Provides information but can be costly, especially in terms of printing costs. Best tied in with Council's free paper but timescales not always aligned.                           | Y | N   | N |
| Media/Press Releases                          | Articles/interviews at key times can raise profile but can often have negative feedback. Well-written statements can be effective if printed but no guarantees.                    | Y | N   | N |
| Public Notice                                 | Guaranteed to be published but costly and limited message. Will reach a large audience.  | Y | N   | N |
| Citizen's Panel                               | ESBC Citizen's Panel achieves high response rate and covers all geographic areas but may not be truly representative.  | Y | Y   | N |
| Neighbourhood Forums                          | Involves local communities and may lead on the delivery of Neighbourhood Plans.  | Y | Y   | Y |
| Face-to-face                                  | This may involve 1:1 contact at exhibitions or individual visits by the Neighbourhood Co-ordinator Officer or a Warden. This method is very effective but very resource intensive. | Y | Y   | Y |

|                            |  |   |   |   |
|----------------------------|--|---|---|---|
| Questionnaires and Surveys | Effective at providing targeted information but not suitable for complex issues as responses are | Y | Y | N |
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14 too polarised. The more complex the issue the lower the return.

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Figure 3: Extract from The Council's Twitter page.

Format of .7 Community Involvement

| Method          | Comment/Considerations   | Does it Inform | Does it Consult | Is there Interaction |
|-----------------|--|----------------|-----------------|----------------------|
| Public Meetings | Effective for certain groups such as parish council's/interest groups but can suffer from poor attendance. | Y              | Y               | Y                    |

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|  |   |   |   |   |
|--|---|---|---|---|
| Focus Groups                                 | Useful for area based discussions and presentation of options. Can assist in gaining understanding of public's concerns                                     | ✓ | ✓ | ✓ |
| Workshops (E.g. Planning for Real exercises) | Means of engaging local communities and developing ownership of proposals. Need to ensure the right people are involved and sufficient preparation is done. | ✓ | ✓ | ✓ |

|   |  |  |  |
|---|--|--|--|
| Community Involvement<br>Sustainability, Annual |  |  |  |
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**Parish Forums**

Tailor-made forums to discuss issues specific to that area. Appropriate for area-based policies.

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3.12 The Council will ensure that at each consultation stage of the Local Plan and Supplementary Planning Document the consultation period will be publicised to allow everyone the opportunity to submit comments. The stages of the Local Plan and Supplementary Planning Documents are set out below:

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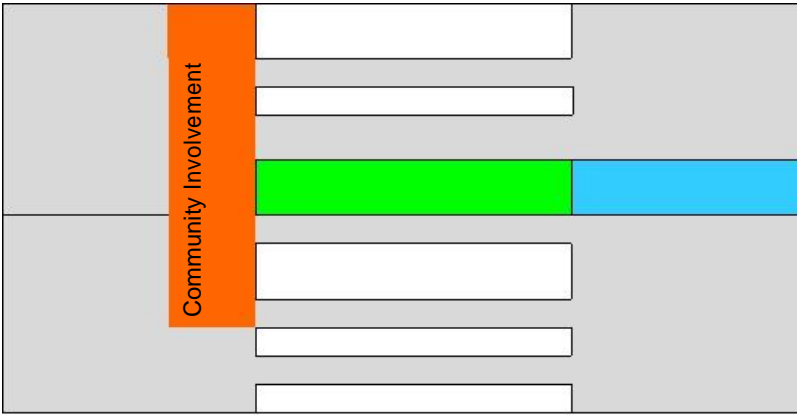
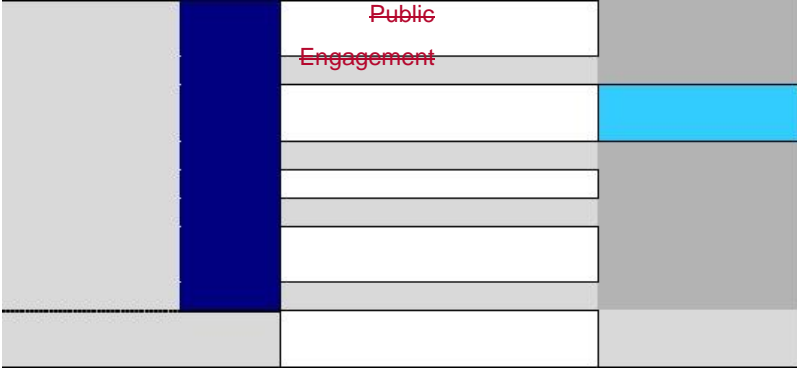
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**Figure 4: Stages of the Preparation of Development Plan Documents**



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|             |                                      |  |
|-------------|--------------------------------------|--|
| Examination | Independent Examination              |  |
|             | —                                    |  |
| Adoption    | Post-examination Minor Modifications |  |
|             | —                                    |  |
|             | Inspector's Report                   |  |
|             | —                                    |  |
|             | Adoption – Full Council              |  |
| —           |                                      |  |
|             | Monitoring and Review                |  |

**Key**

Process

Ongoing Engagement

Statutory Consultation (6 weeks)

**Figure 5: Stages in the Preparation of a Supplementary Planning Document**





Finalise SPD



Public Engagement

Members



Monitoring and  
Review

Ongoing Engagement

Statutory Consultation (6 weeks)

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3.13 Consultation will be an ongoing feature of documents prepared as part of the Local Plan. However, there are key stages in the preparation of the each document. These can be summarised as follows:

Stage 5-

| Stage  | Submission and Examination | Action   |
|--|----------------------------|--|
| Stage 1 - Pre Production (Research and evidence gathering) |                            | Evidence gathering to inform the production of issues and options for issues such as housing, employment and retail to identify specific needs. At this time we may involve the community through specific types of involvement. |
| Stage 2 - Issues and Options                               |                            | Building on the evidence base and initial consultation exercises the council must prepare a document setting out all of the strategic options for issues such as housing, employment and retail.                                 |
| Stage 3 Preferred Option                                   |                            | The options are narrowed down to a Preferred Option based on representations received and the information contained within the evidence base.  |
| Stage 4 - Pre Submission (Preparing the document)          |                            |  |

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Building on the evidence base and initial consultation exercises the council must prepare a document setting out the various options with the Council's preferred option indicated. Comments will be sought during a six-week consultation period on these options and considered along with those already received at Stage 1.

**Who will be Consulted**

Statutory  
Consultees;

Relevant business,  
community and  
interest groups;

Statutory  
Consultees;  
Relevant business,  
community and  
interest groups;

Statutory  
Consultees;  
Relevant business,  
community and  
interest groups;

Statutory  
Consultees;  
All groups and  
individuals on the  
Local Plan  
Database;

Statutory  
Consultees;  
All groups and  
individuals on the  
Local Plan  
Database;

Following stage 4 the Council must prepare a Submission Document which will build on the previous stages taking into

account any comments received. Once the plan has been examined, the Planning Inspector may request major and minor modifications to be made to the

Adoption plan. Any modifications to the Plan would be subject to six weeks consultation prior to adoption.

The Inspector's decision is final (subject to Legal Challenge) and, if necessary the Council will make amendments and minor modifications to the document as recommended by the Inspector.

3.14 Following the discussion of the types of involvement the approach that the Council will use to involve the community in the production of both the Local Plan and Supplementary Planning Documents is set out below indicating at what stages they will be used. Not all methods will be used for each stage and, as stated above, the Council will use its judgement as to when to use which method should be used on the basis that each method may offer particular unique benefits and will also be based on available resources. Some of these methods are available. These are also indicated in the table below along with the minimum methods of involvement tables in Appendix 1.

3.15 14.8 Regulation 35 of the Town and Country Planning (Local Planning) (England) Regulations, 2012 states how Local Planning Authorities should provide documents, where they are available and their format. Documents should be made available in a variety of formats both in hard copy and electronically depending on the need of the customer. Customer needs should be taken into account considered in terms making the documents legible, where documents should be made available in large print format and in audio.

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| Method   | Development Plan Document, ie the Local Plan |   |   |   |   | Supplementary Planning Documents |   |
|--|--|---|---|---|---|----------------------------------|---|
|  | 1  | 2 | 3 | 4 | 5 | 1                                | 2 |
| Documents available for inspection at Customer Service Centres and Libraries | -  | - | - | - | - | -                                | - |
| Information on Council Website/ email shot                                   | -  | - | - | - | - | -                                | - |
| Letter to all on Local Plan Database (if relevant)                           | -  | - | - | - | - | -                                | - |
| Exhibitions/Displays   | -  | M | - | - | M | -                                | M |
| Public Meetings  | -  | - | M | M | M | -                                | M |
| Newsletter (ESBC News)/Leaflet distribution made widely available            | -  | M | M | M | M | -                                | - |
| Media/ Press Release   | -  | - | - | - | - | -                                | M |
| Public Notice  | -  | - | - | - | - | -                                | - |
| Citizen's Panel  | M  | - | - | M | M | -                                | - |
| Questionnaires and Surveys   | -  | - | - | - | - | M                                | - |
| Focus Group with specific representatives of particular issues               | M  | - | - | - | - | M                                | - |
| Workshops  | -  | M | - | M | - | M                                | - |
| Area Forums  | -  | M | - | M | - | M                                | - |

- = Will undertake this type of consultation

~~M – May be used if method deemed beneficial and timescale and resources allow~~  
~~3.16 – The Council's Consultation/Community Engagement Strategy and Toolkit~~

~~provides useful advice and best practice on the different consultation methods as demonstrated in the above table.~~



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**Figure 6: Extract from ESBC News (August 2012)**

**What consultation methods work well?**

Exhibitions at Burton upon Trent College captured a younger audience.

The increase in electronic methods which enables information to be sent out quickly and social media can aid ongoing discussions

Exhibitions that are held at convenient times for people who work full time, such as evenings and Saturday mornings

**What consultation methods don't work as well?**

Some exhibitions that were held in weekday afternoons thus not a convenient time for some working people.



Q uey responses. If questionnaires and surveys are issued at an exhibition, then it is better to get people to respond there and then rather than taking them away to fill in as they tend to get discarded or forgotten about.

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## 4 The Localism Act 2011

### Duty to Cooperate

#### 4.1

Local Planning Authorities (district and county councils) are now required under Section 110 of the Localism Act 2011 to proactively engage with other local planning authorities, statutory agencies and other public bodies on an 'ongoing basis' as part of the provision of 'sustainable development' (a full list of bodies can be found in Appendix 2). This requirement is further covered in the NPPF, paragraphs 54 and 178-181 in terms of defining strategic priorities and joint working on areas where there is a 'common interest'. This replaces to an extent the role of strategic planning provided by the former Regional Spatial Strategy (RSS) in the coordinated delivery of plan making and the coverage of cross boundary issues which may include major infrastructure provision.

#### 4.2

The Council is therefore engaging proactively with these bodies in the production of the Local Plan as well as the evidence base that underpins it. It is not proposed for the Council to cover every single planning issue with the relevant bodies but concentrate on the strategic priorities as stipulated in the NPPF. The Council has produced a Duty to Cooperate Statement as part of the last consultation stage on the Local Plan (Preferred Option) which can be accessed on the Council's website: <http://www.eaststaffsbc.gov.uk/Planning/PlanningPolicy/Documents/LocalPlan/NewLocalPlan/LocalPlanDutytoCooperateStatement.pdf>. The Council will produce further Duty to Cooperate Statements as the Local Plan progresses.

#### 4.3 Neighbourhood Planning

Neighbourhood Planning is covered under the Localism Act 2011 (Sections 116-121) which gives local communities the opportunity to develop a Neighbourhood Plan which can form part of the statutory development plan. There are separate statutory regulations for Neighbourhood Planning, given under the Planning (General) Regulations 2012. The regulations state that it is the Local Planning Authorities' (East Staffordshire Borough Council's) responsibility of making sure that the parish is in accordance with these regulations. Neighbourhood Plans must also be in accordance with the Local Plan. This statute is supported by the National Planning Policy Framework (paragraphs 183-185) and other relating CLG Guidance.

4.4 Like a normal Local Plan, a Neighbourhood Plan is subject to independent examination. If that is approved, then it is subject to a Referendum process, where a poll is held within the community to either approve or reject the

Neighbourhood Plan. Further detail of the Neighbourhood Plan process is given in Figure 6 below:

**Figure 7: Stages in the Preparation of a Neighbourhood Plan**

|  |   |               |
|--|---|---------------|
| Pre-Production                                     | Liase with Parish Council/Neighbourhood Forum                   | Consultation  |
|  | Provision of Evidence Base                                      |               |
| Designation of the Neighbourhood Plan-area         | Application of Neighbourhood Plan Area                          | Regulation 5  |
|  | Designate the Neighbourhood Plan-area                           | Regulation 6  |
| Neighbourhood Forum                                | Public Participation of the designation of a Neighbourhood Area | Regulation 7  |
|  | Application for designation of Neighbourhood Forum              | Regulation 8  |
| Publicising a designation of a Neighbourhood Forum | Publicising a Neighbourhood Forum Application                   | Regulation 9  |
|  | Regulation 10   |               |
| Plan Proposal                                      | Plan Proposals  | Regulation 15 |

|             |  |               |
|-------------|--|---------------|
| -           | Publicising a Plan                           | Regulation 16 |
|             | Proposal                                     |               |
|             |  |               |
| Examination | Independent Examination                      | Regulation?   |
| -           |  |               |
|             | Inspector's Report                           | Regulation 18 |
| -           |  |               |
|             | Decision on Plan                             | Regulation 19 |
|             | Proposal                                     |               |
| -           |  |               |
| Adoption    | Publicising a Neighbourhood Development Plan | Regulation 20 |

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|    |                       |  |
|----|-----------------------|--|
| -+ | Referendum            |  |
| -+ | Monitoring and Review |  |

|            |                             |
|------------|-----------------------------|
| <b>Key</b> |                             |
| -          | Process                     |
| -          | Statutory Consultation      |
| -          | Borough Council Involvement |

4.5 The Neighbourhood Planning system is very much in its infancy and is emerging, so there is a great impetus on effective communication between Parish Councils/Neighbourhood Forums and the Borough Council, especially in the giving of advice. However, there are other resources that are available to Parish Councils/Neighbourhood Forums, much of which is online such as [www.ourneighbourhoodplanning.org.uk/home](http://www.ourneighbourhoodplanning.org.uk/home) and [www.locality.org.uk](http://www.locality.org.uk).

4.6 The Neighbourhood Plans Roadmap Guide which can be found on the Locality website ([www.locality.org.uk](http://www.locality.org.uk)) clearly sets out the Neighbourhood Plan in three main stages. These are:

#### **Stage 1 – Getting Established**

The first step for parish/town councils or prospective neighbourhood forums wishing to prepare a Neighbourhood Plan is to submit their proposed neighbourhood area to the local planning authority for designation. Prospective neighbourhood forums will also need to be designated by the local planning authority.

#### **Stage 2 – Preparing the Plan**

Preparing to write a Neighbourhood Plan includes publicity, development of local partnerships, community consultation and engagement and the building of an evidence base. This will inform the development of a vision and/or aims for the plan. These in turn will inform the formulation of policy, proposals and

sit be necessary at all stages of the plan-making process.  
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### **Stage 3 - Bringing the Plan into Force**

The proposed Neighbourhood Plan will be submitted to the local planning authority, which will check that proper procedures have been followed in its preparation and that any necessary assessments accompany the plan. Following a period of publicity, the local planning authority will arrange for an independent examination and organise the public referendum.

## The Plain English Guide to the Localism Act

4.7 In November 2011, the Department for Communities and Local Government published a plain English Guide on the Localism Act 2011 and the main points regarding what it is about in terms of new powers, including the planning reforms. The planning reforms it mentions include Duty to Cooperate, Neighbourhood Planning and the Community Right to Build. The document discusses how local planning authorities should consult on the development of their Local Plans and keeping local communities involved and limiting the discretion of planning inspectors to include amendments to Local Plans once they are examined. The Localism Act also announced reforms to the Development Management system, including giving developers a greater duty to consult with local communities as part of the pre-application stage as well as giving greater support to Local Planning Authorities where there are breaches in development management through effective enforcement procedures. A copy of the Plain English Guide can be found via the following link: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/5959/1896534.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5959/1896534.pdf)



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5 15. Planning Applications and Development Management Proposals (Planning Delivery) Proposals

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5 15.1 Planning permission is required from the Council for many new buildings, alterations or extensions to existing buildings, and changes of use of land or buildings. To apply for planning permission a planning application must be submitted to the local planning authority.

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5.2 15.2 The process by which the local planning authority considers planning applications is known as the development management (control) system. All planning applications are determined in line with the Development Plan unless there are material consideration(s) which indicate otherwise.

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5.3 15.3 Development Management – or planning (known as development control at East Staffordshire Borough Council) – is the aspect of the planning system most people will have previously encountered. For example, you may have received a letter inviting you to comment on a neighbour's proposed house extension or the proposed change of use of a nearby building. This work is undertaken within the Planning Delivery Team of the Council.

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5.4 15.4 An explanation as to the process of applying for planning permission can be found on the Council's website at – <http://www.eaststaffsbc.gov.uk/planning>

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15.5 The table below illustrates our approach to planning application publicity; it shows what we are required to do to meet the statutory requirements and what actions we will take over and above these statutory requirements. The requirements for publicity are set out in Regulation 5 and 5A of the Listed Buildings and Conservation Area Regulations 1990 (as amended).

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Table Three: Approach to Planning Application Publicity

| <u>Use</u>   | <u>Development Type</u>   | <u>Consultation Type</u>  | <u>Methodology</u>   |
|--------------|---|---|--|
| <u>Major</u> | For dwellings: where 10 or more are to be constructed (or if no number given, the area is more than 0.5 hectare).<br>For all other uses: where the floorspace will be 1000sq.m or more (or site is 1 hectare or more).  | <ul style="list-style-type: none"> <li>• <u>Write to all adjoining owners or occupiers or post a site notice</u></li> <li>• <u>Press Notice.</u></li> <li>• <u>Details published on the Council's website</u></li> <li>• <u>Full details available at the <a href="http://www.eaststaffsbc.gov.uk/planning/applications-and-decisions/weekly-list">http://www.eaststaffsbc.gov.uk/planning/applications-and-decisions/weekly-list</a></u></li> <li>• <u>Notify the appropriate Town or Parish Council of the Application</u></li> <li>• <u>Consult with statutory consultees online.</u></li> </ul>   | <ul style="list-style-type: none"> <li>• <u>Advise applicants to consider public meetings</u></li> <li>• <u>exhibitions as appropriate.</u></li> <li>• <u>Advise applicants of and encourage engagement with the pre-application advice service available including the Development Team approach. See Councils website</u></li> <li>• <u>Consult adjoining local authorities where appropriate.</u></li> <li>• <u>For larger housing schemes applicants will be encouraged to prepare and consult the community on a master plan for the development.</u></li> <li>• <u>Consult with non-statutory consultees.</u></li> </ul> |
| <u>Minor</u> | Minor development is Development which does not meet the criteria for Major Development or the definitions of change of use or householder developments.  | <ul style="list-style-type: none"> <li>• <u>Write to all adjoining owners or occupiers or post a site notice.</u></li> <li>• <u>If affecting the setting of a conservation area also do a press notice.</u></li> <li>• <u>Notify the appropriate Town or Parish Council of the application.</u></li> <li>• <u>Consult with statutory consultees online.</u></li> </ul>  | <ul style="list-style-type: none"> <li>• <u>Advise applicants of and encourage engagement with the pre-application advice service available including the Development Team approach. See Council website</u></li> <li>• <u>Consult with non-statutory consultees.</u></li> </ul>   |
| <u>Other</u> | This includes the following categories: Change of Use: Applications that do not concern major Development or where no building or engineering work is involved.<br>Householder Development: Defied as works within the curtilage of residential property which require an application for planning permission and are not: a change of use. | <ul style="list-style-type: none"> <li>• <u>Write to all adjoining owners or occupiers or post a site notice.</u></li> <li>• <u>Applications with a conservation area that affect its character or affect the setting of a Listed Building are subject to a site notice and press noted.</u></li> <li>• <u>Details published on the Couriers website</u></li> <li>• <u>Full details available at the Council's Office-East Staffordshire Borough Council, P.O. Box 8045, Burton upon Trent, Staffordshire, DE14 9JG.</u></li> <li>• <u>Notify the appropriate Town or Parish Council of the application.</u></li> <li>• <u>Consult with statutory consultees online.</u></li> </ul> | <ul style="list-style-type: none"> <li>• <u>Advise applicants of the pre-application advice which is available and encouraged with written advice provided. See Councils website</u></li> <li>• <u>Consult with non-statutory consultees.</u></li> </ul>   |

## 16. Community Involvement for Planning Applications

5.5

16.1 This Statement of Community Involvement also aims to set out East Staffordshire Borough Council's approach to community involvement on all planning applications. Where significant development is being proposed, government guidance encourages developers to seek discussions with the local planning authority in advance of submitting a planning application. Similarly, this guidance encourages developers proposing significant development schemes to engage in early-stage community involvement. ~~This~~ These pre-application ~~discussion~~ discussions and community involvement will allow ~~issues to be discussed and solutions to be found at the earliest possible time – aiding to reduce potential conflict, resolve any potential principle issues and overall delay to the application process (once such an application has been formally submitted-).~~

5.6

16.2 East Staffordshire Borough Council's Planning Delivery Team encourages pre-application discussion on all applications ~~and already takes part in pre-application discussions with developers in a good number of those instances, where significant development proposals are being put forward. The Council will seek to build upon this approach and will actively encourage such developers to involve the community at the earliest practicable opportunity, especially for major applications.~~

5.7

16.3 It should be accepted that there will inevitably be occasions where community involvement at the pre-application stage will not be appropriate due to reasons of commercial confidentiality. However, the Council anticipates there to be many instances where a planning application is likely

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5-8 to be submitted whereby the developer would firstly welcome the views of the community on development options for the site.

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16.4 Where developers or potential applicants intend to engage in community involvement, the level and type of community involvement will first be agreed with East Staffordshire Borough Council's ~~Planning Delivery~~ Development Management Team during pre-application discussion.

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5-9 16.5 This would ensure that development proposals are realistic in terms of planning policy and guidance before potential schemes are consulted upon with local communities and stakeholders. This approach will help to avoid causing concern or raising community expectations unnecessarily.

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## 17. ~~Who We Will~~ Whom we will Involve?

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17.1 Community involvement in the planning application process requires general engagement with the wider community and also more targeted involvement where it is considered that an individual, or ~~set of~~ those individuals neighbouring the application site, could be directly affected by a development proposal. The detailed consultation process for involving the community in the planning applications process is outlined in Appendix 3.

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5.10—17.2 Community involvement on planning applications does not just involve the public. The Council must also consult the appropriate statutory bodies. Statutory bodies are those bodies which have particular powers in the policy making process. In deciding which statutory body is to be consulted, the Council must ~~take into account~~ consider the nature and location of the proposal. ~~These statutory~~ Statutory bodies normally have 21 days in which to respond. There are also a significant number of non-statutory bodies, including local interest and amenity groups, which the Council will consult in appropriate circumstances. The results of any such consultation will be reported to and taken into account in decisions made by, and on behalf of, the Council where it is a relevant planning matter or a material consideration.

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5.11—17.3 In publicising planning applications, it is necessary for the Council to strike a balance between consideration of cost, speed of decision making and providing a reasonable opportunity for public comment.

## 18. How we will involve the Community

5.12—18.1 The Government sets statutory publicity requirements for planning applications. (Article 13, Town and Country Planning (Development Management Procedure) (England) Order 2015). East Staffordshire Borough Council's Planning Delivery section will, as a minimum, satisfy these requirements when considering planning applications. The following table identifies how the required publicity varies according to which category the planning application falls into.

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## Community Involvement in Planning Applications

| Type of Planning Application  | Required Publicity   |
|---|--|
| Development where the application is accompanied by an Environmental Statement  | Notice in a local newspaper, stating a 14 day period from the publication date during which representations to the proposal can be made; and a site notice to be displayed in at least one location at or near the application site stating a 21 day period from the date of the notice for representations (**)                                 |
| Where the proposed development does not comply with the Development Plan and the East Staffordshire Local Plan.         |  |
| Where the development affects a public right of way   |  |
| Where major development is being proposed (*)   | Notice in a local newspaper and either a site notice or neighbour notification (the latter requiring 21 days notice from the date of the letter) (**)  |
| Other development   | Site notice and/or neighbour notification  |
| Development affecting the setting of a listed building, or affecting the character or appearance of a Conservation Area | Notice in a local newspaper, and a site notice   |
| All planning applications   | All applications will be added to the Council's Planning Register. This can be accessed through the Council's website or customer service centres at Burton upon Trent and Uttoxeter.<br><br>The applicant must give notice to the landowner or tenant of the land to which the application relates (unless said person is the applicant anyway) |

(\*) Major developments are defined as:

Minerals or waste proposals;

Residential proposals of 10 dwellings or more;

Residential proposals where the number of dwellings is not known and the application site is 0.5 hectare or more in size;

Where the building or buildings being proposed creates 1000 square metres or more of floor space;  
Development where the application site area is 1 hectare or above.

(\*\*) Planning applications which may affect statutory nature conservation sites e.g. SSSIs will require 28 days notice in accordance with the Wildlife and Countryside Act 1981 (as amended).

~~5.13—The Council already has adopted consultation standards over and above the minimum statutory requirements set out above and these are attached as Appendix 3.~~



## Permitted Development

5.14—19.1 It is important to note that certain proposals are recognised as 'permitted development' by government legislation. As such, East Staffordshire Borough Council cannot influence these proposals since they do not require a planning application and are thus not to be considered by the Council's Planning Delivery Team permission. There are many instances of permitted development, examples being certain extensions or alterations to a dwelling, the erection of a boundary fence, gate or wall within given height restrictions, or the painting of a building's exterior.

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5.15—19.2 For further information on a residential proposal and where planning permission is required please refer to the **Planning Portal** website at [https://www.planningportal.co.uk/info/200125/do you need permission](https://www.planningportal.co.uk/info/200125/do-you-need-permission) <http://www.planningportal.gov.uk/permission/>, or complete an enquiry form on the Council's website <http://www.eaststaffsbc.gov.uk/planning/planning-permission>.

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5.16—19.3 For all other planning enquires email the Council's Planning Customer Service Support Team at [dcsupport@eaststaffsbc.gov.uk](mailto:dcsupport@eaststaffsbc.gov.uk) [planning.customerservices@eaststaffsbc.gov.uk](mailto:planning.customerservices@eaststaffsbc.gov.uk).

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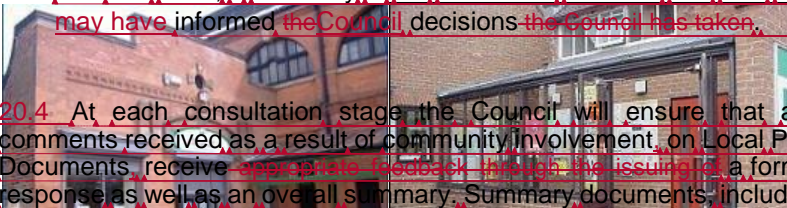
6 19. Reporting Back, Resources Monitoring and Review

6.4

20.1 The Council will monitor the success of community involvement through its Authority Monitoring Report (AMR) and online consultation portal. The Annual Monitoring report will document the level of engagement with members of the public and other stakeholders.

20.2 Also, the Council will maintain a complaints and compliments register to help improve our services to our customers.

20.3 The purpose of involving engaging the community is to ensure that the planning decisions and policy documents prepared take into account consider as many views and comments from the community to help shape the decisions the Council must take to plan for the future. The information that we collect will therefore be recorded and set out in a report, in accordance with the relevant Freedom of Information and General Data Protection Regulation (GDPR) regulations, stating the type of community involvement that was used, a summary of the comments received and how this may have informed the Council decisions the Council has taken.



6.2 20.4 At each consultation stage the Council will ensure that any comments received as a result of community involvement on Local Plan Documents receive appropriate feedback through the issuing of a formal response as well as an overall summary. Summary documents, including a schedule of representations will be prepared and posted on the Council's website and will be made available at the Customer Services Centres which are based at Market Place, Burton upon Trent and in the library at Uttoxeter, and at libraries at Burton upon Trent, Uttoxeter and Barton under Needwood. Documents will also be made available on Staffordshire County Council's mobile library (see website: <https://www.staffordshire.gov.uk/Libraries/mobilelibraries/Home.aspx>

[www.staffordshire.gov.uk/leisure/librariesnew/branchlibraries/mobilelibraries/home.aspx](https://www.staffordshire.gov.uk/leisure/librariesnew/branchlibraries/mobilelibraries/home.aspx)) in order to assist with rural accessibility and doctor's and dentist surgeries where it is deemed appropriate.

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Burton upon Trent Customer Service Centre

Uttoxeter Customer Service Centre

6.3—20.5 Members will also be informed on any responses made so that they are aware what their constituents have said as well as and other relevant stakeholders. This is likely to be the most effective way of keeping people informed. The Council will therefore maintain an up to date summary of the progress made in preparing each Document stakeholder concerns and comments. Where specific events are organised, those involved will be directly informed of decisions or outcomes. Much of this information will also be published on the Council's website:  
[www.eaststaffsbc.gov.uk](http://www.eaststaffsbc.gov.uk)

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## Resources

6.4—21.1 Every level of community involvement requires employing different techniques and approaches as well as different amounts of input and support from both officers and the community. Efficient use of resources is essential and strengthening the existing consultation groups, both within the Council and beyond, will be key to fostering effective consultation and participation.

21.2 The Planning Policy team will work closely with colleagues and partners and adopt a positive approach to involving external groups and individuals. By ensuring that community involvement is targeted and realistic the council will seek to make best use of the resources available to it, recognising that existing networks linked to other plans and programmes, for example the Sustainable Community Strategy and the Local Transport Plan, will be particularly valuable.

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## CONTACT DETAILS

For more information about the new system of plan making or about how to make a planning application, some useful contact details are listed below.

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### Planning Policy Team

The Maltsters  
Wetmore Road  
Burton upon Trent  
DE14 1LS

Provide advice on general planning policy, the Local Plan and this Statement of Community Involvement.

Email:  
[planningpolicy@eaststaffsbc.gov.uk](mailto:planningpolicy@eaststaffsbc.gov.uk)

### Author of the Statement of Community Involvement

Ben Williscroft  
Planning Policy Officer

Tel: 01283 508238  
Email:

[Benjamin.Williscroft@eaststaffsbc.gov.uk](mailto:Benjamin.Williscroft@eaststaffsbc.gov.uk)

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### Neighbourhood Planning Officer

Corinne O'Hare

Tel: 01283 508611  
Email:

[Corinne.O'Hare@eaststaffsbc.gov.uk](mailto:Corinne.O'Hare@eaststaffsbc.gov.uk)

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### **Planning Delivery**

Tel: 01283 508606

Email:

[planning.customerservices@eaststaffsbc.gov.uk](mailto:planning.customerservices@eaststaffsbc.gov.uk)

For information about making a planning application or planning decisions within East Staffordshire contact Planning Delivery at the same address

### **Planning Aid**

Unit 319, The Custard Factory, Gibb Street,  
Birmingham, B9 4AA

Tel: 0121 766 8044

E-mail: [wmcw@planningaid.rtpi.org.uk](mailto:wmcw@planningaid.rtpi.org.uk)

**Available:** Monday - Friday

Planning Aid provides free, independent and professional town planning advice and support to communities and individuals who cannot afford to pay for planning consultant's fees. It complements the work of local planning authorities but is wholly independent of them.

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## Communicating and Engaging on Natural Hazards and Security Issues

### 22.1 The Council's planning [Appendix 4](#)

#### Glossary

~~**Adopted Local Plan:** A local plan that has been through all of the stages of preparation, including Local Plan Examination, and has been formally adopted by the Local Planning Authority.~~

~~**Development:** Defined in section 55 of the Town and Country Planning Act 1990 as 'The carrying out of a building, engineering, mining or other operations in, on, over or under land; or the making of any material change in the use of any building or land.'~~

~~**Development Plan:** A development plan sets out the policies and proposals for the development, conservation and use of land and buildings in a particular local planning authority area. The development plan is the most important consideration for local planning authorities when they decide on a planning application. The development plan generally includes Development Plan Documents (DPDs) that are part of a local planning authority's Local Plan. This includes waste and minerals documents prepared by county councils. The Localism Act 2011 made two key changes to the development plan. Neighbourhood Plans that have been prepared covering any part of the local planning authority area will become part of the development plan when they have been adopted.~~

~~**Evidence Base:** The information gathered by a planning authority to support the preparation of development documents. It includes quantitative (numerical values) and qualitative (feelings and opinions) data.~~

~~**Examination in Public:** The method of considering public views on a draft Local Plan or proposed changes to it.~~

~~**Government Planning Policy:** National planning policies that local planning authorities should take into account when drawing up development plans and other documents and making decisions on planning applications. These policies are mostly included in the National Planning Policy Framework (NPPF), with some also included in Minerals Planning Policy Statements and Guidance notes.~~

~~**Local Enterprise Partnership:** A body, designated by the Secretary of State for Communities and Local Government, established for the purpose of creating or improving the conditions for economic growth in an area.~~

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**Local Plan:** A portfolio or folder of documents setting out the planning strategy for a local planning authority area. Since the Planning and Compulsory Purchase Act 2004 and until recently, this type of plan was known as a Local Development Framework. The Government now uses the simpler description 'Local Plan'. The Planning and Compulsory Purchase Act 2004 replaced old style local plans, structure plans and unitary development plans. The key difference between the pre and post 2004 systems is that new style local plans are really a 'folder' of Development Plan Documents (DPDs) and Supplementary Planning Documents

(SPDs) each addressing different issues. This is in contrast to the old style plans which consisted of one Development Plan Document, supported by supplementary guidance.

The Local Plan identifies where future development should take place to meet local needs for homes, businesses, shops and other services, plus the infrastructure to support them. It also decides which areas should be protected from development because they are important to local people or have environmental or heritage qualities that should be conserved.

**Local Strategic Partnership:** Local Strategic Partnerships are bodies with representatives of the community, public, private sector and other agencies that work to encourage greater public participation in local governance by drawing together local community plans and producing an overall community strategy for each local authority area. Local Plans must have regard to, and should be the spatial expression of, the community strategy.

**Localism Act 2011:** A major piece of new legislation, which includes wide ranging changes to local government, housing and planning. Significantly, the Act abolishes regional planning, and introduces the possibility of Neighbourhood Plans as part of the development plan.

**Neighbourhood Plan:** Neighbourhood Plans, or Neighbourhood Development Plans, were introduced by the Localism Act 2011. The term may also be used by some to refer to Neighbourhood Development Orders, which were also introduced by the Localism Act 2011 and are a second tool to enable neighbourhood planning. Communities will be able to prepare neighbourhood planning documents, outlining how they envisage their area developing in the future.

**Planning permission:** Needed before carrying out most types of development. To obtain planning permission it is necessary to make a planning application to the local planning authority.

**Proposals map:** A map illustrating each of the detailed site specific policies and proposals in the written statement, defining sites for particular developments or land uses, or for protection. The Proposals Maps also includes more detailed Inset Maps.

**Secretary of State:** The secretary of state is the most senior Government minister responsible for the work of his or her department. The Government department responsible for planning is the Department for Communities and Local Government (DCLG).

**Spatial Strategy:** The spatial strategy identifies what and how much development is needed to meet local needs, and broadly where it should be concentrated.

**Statutory Agencies:** Government agencies that are established by statute, or law. There are four environmental statutory agencies: English Heritage, the Environment Agency, the Countryside Agency and English Nature.

**Supplementary Planning Documents (SPD):** Non-statutory supporting information and advice which amplifies the policies and proposals of the Local Plan. SPDs will be taken into account as a material consideration in deciding planning applications or appeals if it is consistent with the Development Plan and has been subject to consultation.

**Sustainability appraisal:** A systematic review of the Borough Council's Local Plan policies, in order to evaluate their impacts on achieving sustainable development. The appraisal is an integral part of the plan making and review process, which allows for the valuation of alternatives and is based on a quantifiable baseline of environmental, social and economic aspects of achieving sustainable development.

**Sustainable Community Strategy:** Sustainable Community Strategies are prepared for every local authority area. These provide a strategy for promoting or improving the economic, social and environmental well-being of their area and contributing to the achievement of sustainable development. They set out the issues which are important to local people, and how they might be tackled, to move towards a 'vision' of how the place should be in the future.

**Sustainable development:** The Bruntland Report provides the accepted definition of sustainable development as 'Development that meets the needs of the present without compromising the ability of future generations to meet their own needs' (WCED, 1987). The principle of sustainable development may be broadly described as encompassing social, environmental and economic issues, and also entailing concern with intra-generational and inter-generational themes.





policies and decisions will aim to promote public safety and consider wider security (NPPF Para 95) and defence requirements by:

- anticipating and addressing possible pandemics, malicious threats, and natural hazards, especially in locations where large numbers of people are expected to congregate. Policies for relevant areas (such as town centre and regeneration frameworks), and the layout and design of developments, will be informed by the most up-to-date consultations and information available from the police and other agencies about the nature of potential threats and their implications. This includes taking appropriate and proportionate steps to reduce vulnerability, increase resilience and ensure public safety and security; and
- recognising and supporting development required for operational defence and security purposes and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.

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## SCI APENDICES

### 20. Appendix 1

Table 1: Key Stages in the Preparation of a Development Plan Document (DPD)

- Public Participation
- Formal Representations

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| <u>Evidence gathering</u>                        |     | <u>Early engagement with interested parties through scheduled meetings and information gathering.</u>   |
| <u>Draft Plan Regulation 18</u>                  | ●   | <u>Public consultation on the scope of the plan, draft policies, and draft proposals. This stage may include more than one round of consultation depending on the nature of the plan being prepared. A period of 6-8 weeks consultation. Comments received during the consultation are used to inform the next stage of plan preparation.</u> |
| <u>Proposed Submission Regulations 19 and 22</u> | ● ● | <u>Public consultation on the Proposed Submission version of the plan. A period of 6-8 weeks consultation. Representations received during the consultation are considered prior to the plan being submitted to the Secretary of State.</u>   |
| <u>Submission Regulation 22</u>                  |     | <u>The submission plan is submitted to the Secretary of State and an Independent Planning Inspector is appointed.</u>   |
| <u>Examination Regulations 23-25</u>             | ●   | <u>The plan and representations are considered by the Independent Planning Inspector at a Public Examination. The purpose of the examination is to consider if the plan meets relevant legal requirements as well as if it is 'sound'. Soundness is tested by considering</u>   |



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|   | <p><u>whether it is justified, effective and consistent with national policy.</u></p> <p><u>Any interested parties will be invited to speak at the examination, or to prepare written statements, setting out their concerns. Anyone can observe the examination hearings but only those invited by the Planning Inspector can participate.</u></p> <p><u>At the end of the hearings the Planning Inspector will issue a report to the Council containing recommendations relating to the plan.</u></p> |
| <u>Adoption</u><br><u>Regulation 26</u> | <p><u>The Council will consider the recommendations from the Planning Inspector and decide whether to adopt the plan. All consultees will be notified of any decision to adopt.</u></p>   |

**Table 2: Key Stages in the Preparation of a Supplementary Planning Document (SPD)**

|  |   |   |
|--|---|---|
| <u>Evidence gathering</u>                                  |   | <u>Early engagement with interested parties through scheduled meetings and information gathering.</u>   |
| <u>Draft SPD</u><br><u>Regulations</u><br><u>12 and 13</u> |  | <p><b>Public consultation</b> on a draft version of the SPD.</p> <p><b>Minimum 4-week period.</b></p> <p><u>Representations received during the consultation are considered and used to inform the final version of the plan.</u></p> |
| <u>Adoption</u><br><u>Regulation 14</u>                    |   | <u>A final version of the SPD is prepared and adopted by the Council.</u>   |

**Table 3: Key Stages in the Preparation of a Neighbourhood Development Plan or Order**

|   |  |
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| <u>Designation</u>             | <p><u>Neighbourhood Area Application is submitted to the Council.</u></p> <p><u>No statutory consultation is required if the area proposed is a single parish. If this area is not the same as the Parish or Town Council boundary, we will consult on the application for a minimum of 6 weeks.</u></p> |
| <u>Draft plan preparation</u>  | <p><u>The qualifying body will engage with and involve their residents in the plan preparation process and must report what they have done in their Consultation Statement.</u></p>  |

|   |   |
|---|---|
|   | <u>Draft Neighbourhood Plan or Order is prepared.</u>   |
| <b><u>Pre- Submission</u></b><br><u>Regulations 14</u><br> | <b><u>Public consultation</u></b> on the Pre-Submission plan.<br><br><b><u>A period of 6-8 weeks consultation.</u></b><br><br><u>Consultation coordinated by the Neighbourhood Planning Group or Forum.</u>   |
| <b><u>Submission to Local Planning Authority</u></b><br><br><u>Regulations 15, 16, 22 and 23</u>  | <u>The Plan or Order is submitted to the Local Planning Authority.</u><br><br><b><u>Public consultation</u></b> on the Plan or Order.<br><br><b><u>Minimum 6-week period.</u></b><br><br><u>Consultation coordinated by Teignbridge District Council.</u>   |
| <b><u>Submission of plan to examination</u></b><br><br><u>Regulations 17 and 24</u>   | <u>The Council, in liaison with the Neighbourhood Planning Group/Parish or Town Council/Neighbourhood Forum, will appoint an independent examiner, who is sent all representations, and who will assess the draft Plan or Order against required criteria.</u>  |
| <b><u>Independent Examination</u></b><br><br><u>Regulations 18 and 25</u>   | <u>The Plan or Order and representations are considered by the independent examiner.</u><br><br><u>Most examinations are undertaken through written representations rather than public hearings. The examiner is required to ask stakeholders whether they would like to have a meeting during the examination process.</u>   |
| <b><u>Referendum</u></b><br><br><u>Regulations 18 and 25</u>  | <u>The examiner has 3 options:</u><br><br><u>a) That the plan/order proceeds to referendum as submitted.</u><br><br><u>b) The plan/order is modified by the LPA to meet basic conditions and then the modified version proceeds to referendum.</u><br><br><u>c) That the plan/order does not proceed to referendum.</u><br><br><u>If the Plan or Order proceeds to referendum and more than half the votes agree (50% plus one vote), it can proceed to adoption.</u> |
| <b><u>Adoption</u></b><br><br><u>Regulations 18 and 25</u>  | <u>The Plan or Order is “made” (adopted) by the Council.</u>  |

## 21. Appendix 2

### Statutory and Suggested Consultation

Please note, this list is not exhaustive and also relates to successor bodies where re-organisation occurs.

#### ~~‘STATUTORY’ & PUBLIC CONSULTATION BODIES (Based on Parts 1 & 2 of the Town & Country Planning (Local Planning) (England) Regulations 2012)~~

##### Part 1—General

##### Citation, commencement and application

~~1.-(1) These Regulations may be cited as the Town and Country Planning (Local Planning) (England) Regulations 2012 and come into force on 6th April 2012.~~

~~(2) These Regulations apply in relation to England only.~~

##### Interpretation

~~2.-(1) In these Regulations—~~

~~“the Act” means the Planning and Compulsory Purchase Act 2004;~~

~~“address” in relation to electronic communications means any number or address used for the purposes of such communications;~~

~~“adopted policies map” means a document of the description referred to in regulation 9;~~

~~“electronic communication” has the same meaning as in section 15(1) of the Electronic Communications Act 2000(b);~~

~~“electronic communications apparatus” has the same meaning as in paragraph 1(1) of the electronic communications code;~~

~~“electronic communications code” has the same meaning as in section 106(1) of the Communications Act 2003(c);~~

~~“general consultation bodies” means the following—~~

~~(a) voluntary bodies some or all of whose activities benefit any part of the local planning authority’s area;~~

~~(b) bodies which represent the interests of different racial, ethnic or national groups in the local planning authority’s area;~~

~~(c) bodies which represent the interests of different religious groups in the local planning authority’s area;~~

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~~(d) bodies which represent the interests of disabled persons in the local planning authority's area;~~

~~(e) bodies which represent the interests of persons carrying on business in the local planning authority's area;~~

~~(a) 2004 c.5. Section 17(7) was amended by section 180(3)(d) of the Planning Act 2008 (c.29). Section 33A was inserted by section 110 of the Localism Act 2011 (c.20). See section 122(1) for the definition of "prescribed".~~

~~"inspection" means inspection by the public;~~

~~"local plan" means any document of the description referred to in regulation 5(1)(a)(i), (ii) or (iv) or 5(2)(a) or (b), and for the purposes of section 17(7)(a) of the Act these documents are prescribed as development plan documents;~~

~~"local policing body" means~~

~~(a) a police and crime commissioner (in relation to a police area listed in Schedule~~

~~1 to the Police Act 1996(a));~~

~~(b) the Mayor's Office for Policing and Crime (in relation to the metropolitan police district);~~

~~(c) the Common Council (in relation to the City of London police area); “  
Ordnance Survey map” means an Ordnance Map or a map on a similar base  
at a registered scale;~~

~~“relevant authority” means=~~

~~(a) a local planning authority;~~

~~(b) a county council referred to in section 16(1) of the Act;~~

~~(c) a parish council;~~

~~(d) a local policing body;~~

~~“site allocation policy” means a policy which allocates a site for a  
particular use or development;~~

~~“specific consultation bodies” means the following=~~

~~(a) the Coal Authority;~~

~~(b) the Environment Agency;~~

~~(c) Historic Buildings and Monuments Commission for England (known as  
English Heritage);~~

~~(d) the Marine Management Organisation (e);~~

~~(e) Natural England (f);~~

~~(f) Network Rail Infrastructure Limited (company number 2904587);~~

~~(g) the Highways Agency;~~

~~(h) a relevant authority any part of whose area is in or adjoins the local planning  
authority's area;~~

~~(i) any person=~~

~~(i) to whom the electronic communications code applies by virtue of a  
direction given under section 106(3)(a) of the Communications Act 2003,  
and~~

~~(ii) who owns or controls electronic communications apparatus situated  
in any part of the local planning authority's area;~~

~~(j) if it exercises functions in any part of the local planning authority's area=~~

~~(i) a Primary Care Trust established under section 18 of the National Health  
Service Act 2006(g) or continued in existence by virtue of that section;~~

~~(ii) a person to whom a licence has been granted under section  
6(1)(b) or (c) of the Electricity Act 1989(h);~~

~~(iii) a person to whom a licence has been granted under section 7(2)  
of the Gas Act 1986(a);~~

~~(iv) a sewerage undertaker; and~~

~~(v) a water undertaker;~~

~~(k) the Homes and Communities Agency(b); and~~

~~(l) where the local planning authority are a London borough council, the Mayor of London; “submission policies map” means a map which accompanies a local plan submitted to the Secretary of State under section 20(1) of the Act and which shows how the adopted policies map would be amended by the accompanying local plan, if it were adopted; “supplementary planning document” means any document of a description referred to in regulation 5 (except an adopted policies map or a statement of community involvement) which is not a local plan; and “sustainability appraisal report” means the report prepared pursuant to section 19(5)(b) of the Act.~~

~~(2) These Regulations have effect in relation to the revision of a local plan or a~~



~~supplementary planning document as they apply to the preparation of a local plan of a supplementary planning document.~~

~~(3) These Regulations have effect in relation to a minerals and waste development scheme as they have effect in relation to a local development scheme and for that purpose=~~

~~(a) references to a local development scheme include references to a minerals and waste development scheme, and~~

~~(b) references to a local planning authority include references to a county council within the meaning of section 16(1) of the Act.~~

### **Electronic communications**

~~3.-(1) Where within these Regulations=~~

~~(a) a person is required to=~~

~~(i) send a document, a copy of a document or any notice to another person,~~

~~(ii) notify another person of any matter; and~~

~~(b) that other person has an address for the purposes of electronic communications;~~

~~the document, copy, notice or notification may be sent or made by way of electronic communications.~~

~~(2) Where within these Regulations a person may make representations on any matter or document, these representations may be made=~~

~~(a) in writing, or~~

~~(b) by way of electronic communications.~~

~~(3) Where=~~

~~(a) an electronic communication is used as mentioned in paragraphs (1) and (2), and~~

~~(b) the communication is received by the recipient outside the recipient's office hours, it is to be taken to have been received on the next working day, and in this regulation "working day" means a day which is not a Saturday, Sunday, bank holiday under the Banking and Financial Dealings Act 1971(c) or other public holiday in England.~~

~~(a) 1986 c.44. There are amendments to these provisions which are not relevant to these Regulations.~~

~~(b) See section 2 of the Housing and Regeneration Act 2008 (c.17).~~

~~(c) 1971 c.80. Duty to co-operate~~

~~4.-(1) The bodies prescribed for the purposes of section 33A(1)(c) of the Act are=~~

~~(a) the Environment Agency~~

~~(b) the Historic Buildings and Monuments Commission for England (known as English Heritage);~~

~~(c) Natural England;~~

~~(d) the Mayor of London;~~

~~(e) the Civil Aviation Authority(a);~~

~~(f) the Homes and Communities Agency;~~

~~(g) each Primary Care Trust established under section 18 of the National Health Service Act 2006(b) or continued in existence by virtue of that section;~~

~~(h) the Office of Rail Regulation(c);~~

~~(i) Transport for London(d);~~

~~(j) each Integrated Transport Authority(e);~~

~~(k) each highway authority within the meaning of section 1 of the Highways~~

~~Act 1980(f) (including the Secretary of State, where the Secretary of State is the highways authority); and~~

~~(1) the Marine Management Organisation;~~

~~(2) The bodies prescribed for the purposes of section 33A(9) of the Act are each local enterprise partnership;~~

~~(3) In this regulation “local enterprise partnership” means a body, designated by the Secretary of State, which is established for the purpose of creating or improving the conditions for economic growth in an area.~~

### **Government Departments**

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## 22. CONSULTATION WITH GOVERNMENT DEPARTMENTS

- [Home Office](#)
- [Department for Communities and Local Government](#)
- [Department of Culture, Media and Sport](#)
- [Department for Transport](#)
- [Department for Education and Skills](#)
- [Department for Health](#)
- [Department for Trade and Industry](#)
- [Department for Environment Food and Rural Affairs](#)
- [Department of Constitutional Affairs](#)
- [Ministry of Defence](#)
- [Department of Work and Pensions](#)
- [Office of Government Commerce \(Property Advisors to the Civil Estate\)](#)

### [Statutory Agencies \(Strategic Environment Assessment\)](#)

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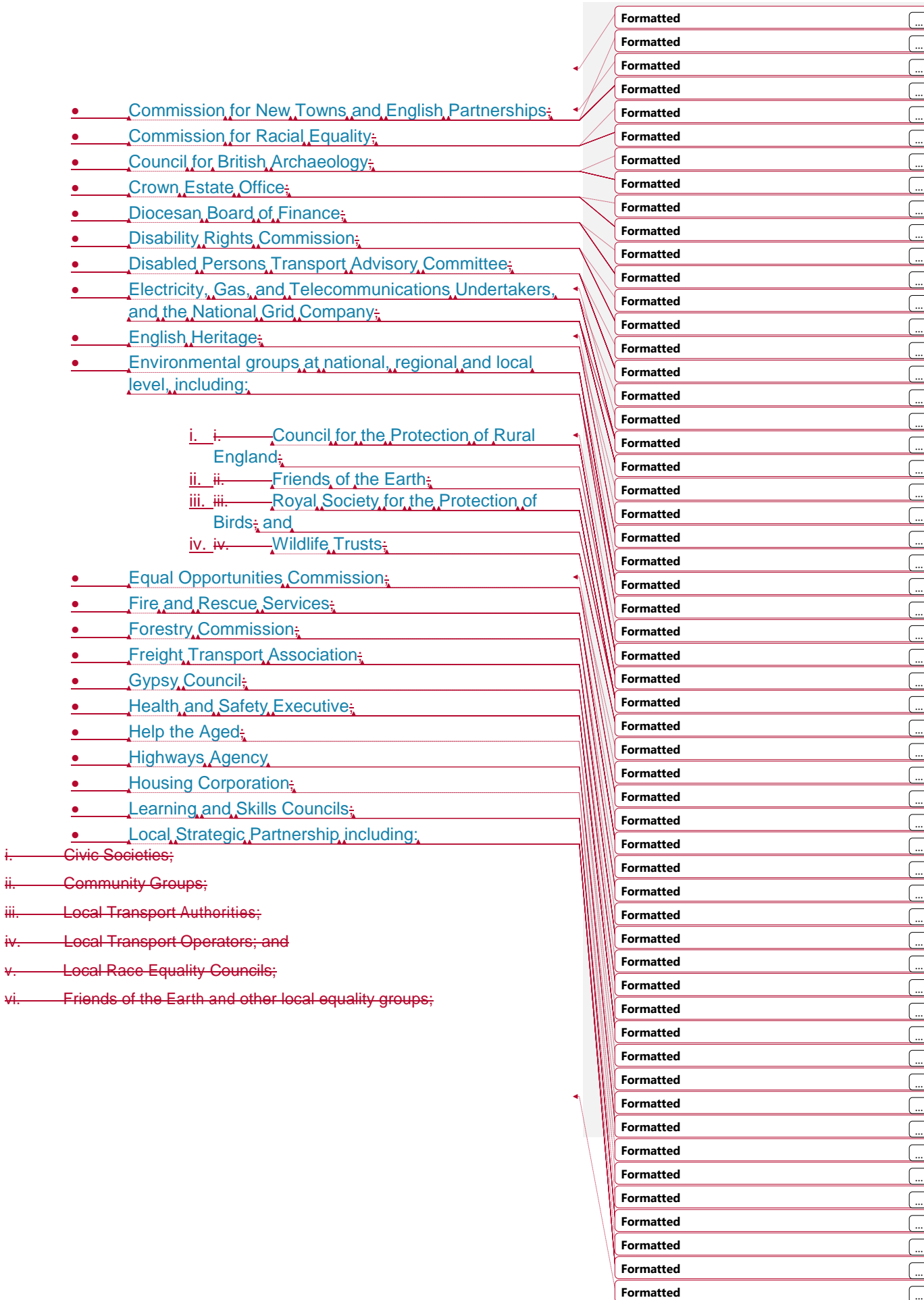
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- [National Playing Fields Association](#);
- [Network Rail](#);
- [Passenger Transport Authorities](#);
- [Passenger Transport Executives](#);
- [Police Architectural Liaison Officers/Crime Prevention Design Advisors](#);
- [Port Operators](#);
- [Post Office Property Holdings](#);
- [Rail Companies and the Rail Freight Group](#);
- [Regional Housing Boards](#);
- [Regional Sports Boards](#);
- [Road Haulage Association](#);
- [Staffordshire County Council](#);
- [Sport England](#);
- [Sport National Governing Bodies](#);
- [The Georgian Group](#);
- [The Garden History Society](#)

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**PLANNING DELIVERY SECTION  
REGULATORY SERVICES**

**PRACTICE NOTE**

**PUBLICITY AND CONSULTATION**

**This Practice Note gives details of the Council's adopted  
publicity procedures for planning applications**

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**PRACTICE NOTE:-PUBLICITY AND CONSULTATION ON PLANNING APPLICATIONS**

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## 1.0 INTRODUCTION

1.1 Planning serves the public interest and decisions made by the Council affect everyone. For the Planning Delivery Service to work effectively, people must be encouraged and enabled to participate in the planning process.

1.2 East Staffordshire Borough Council is committed to encouraging public participation in the process of determining planning applications. In order for this process to be effective, it is important that the public are aware of applications in their area and that they are able to have their say to influence the decision reached by the Local Planning Authority.

1.3 The Government places a number of statutory minimum requirements upon the Council for publicity. It is the Council's policy to provide a service which exceeds statutory requirements, and the provisions for notification and consultations which the Council has adopted is set out below.

1.4 The Planning Delivery Section seeks to be consultative, open and transparent in dealing with planning applications, and the aim of this Practice Note is to both publicise our approach, and to ensure consistency of action.

## 2.0 STATUTORY PUBLICITY FOR APPLICATIONS

2.1 Through the Town and Country Planning (General Development Procedure Order), 1995 (as amended), Local Planning Authorities have a duty to publicise certain applications.

2.2 The following types of application are required to be advertised in a local newspaper, and a site notice displayed:-

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- Applications accompanied by an Environmental Impact Statement.
- Applications which are Departures from the Development Plan.
- Applications which affect a public right of way.
- Applications affecting the setting, character or appearance of a Listed Building.
- Applications affecting the setting, character or appearance of a Conservation Area.

2.3 The following types of application are required to be advertised in a local newspaper, and either a site notice displayed, or neighbours notified:-

Major developments, which include:-

- i) • the erection of 10 or more houses or where the site exceeds 0.5 hectares;
- ii) • the erection of buildings where 1,000 square metres of floor space is created, or the site exceeds 1.0 hectares;

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## 6.2 Site Notices

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6.2.1 All planning applications will be publicised by means of a site notice to be posted in a position where it will be clearly visible and legible to passers-by without the need for them to enter the site. It is not the responsibility of the Local Planning Authority to safeguard the site notice or to replace damaged or lost notices.

6.2.2 Site notices for applications that are accompanied by an Environmental Impact Statement, Departures from the Local Plan, those that affect a Public Right of Way or affect the setting, character or appearance of a Listed Building or Conservation Area will be laminated and printed on coloured paper to give them added durability and visibility.

### 6.3 Neighbour Consultation

6.3.1 As a minimum the following will be notified of all types of application:-

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3. The Council will, in the case of most of these types of development, notify neighbours as set out in paragraph 6.3.1, allowing 14 days for a response. Parish Councils will similarly be notified. Due to the wider interest generated by prior notification of telecommunications equipment, neighbours will be notified as set out in Paragraph 6.3.1, allowing 21 days for a response, and advertised by a site notice.

## 12.0 CERTIFICATES OF LAWFULNESS

12.1 These applications are determined under the Council's delegated procedures in consultation with the Council's Head of Legal Services and decisions are based solely on matters of fact. Consultations will only be carried out if the

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13.0 case officer considers that they may be able to assist on establishing the facts of the case. In view of the extensive local knowledge Parish Councils will be notified.

13.4

### 13.0 WORKS TO TREES COVERED BY A TREE PRESERVATION ORDER

14.0

14.1 13.1 Any application for consent to carry out work to or felling of a tree covered by a Tree Preservation Order will be publicised in the same manner as a planning application. Whilst not required to publicise such applications, the Council will undertake to carry out the same publicity, consultation and notification procedures as applies to Planning Applications, set out in Section 6, in respect of a site notice and neighbour notification.

14.2

### 14.0 AMENDED PLANS

14.1 14.1 Where amended plans are received on a current application those individuals or bodies who have expressed an opinion may be notified of the revisions and given a further limited period (usually 14 days) to assess and comment upon the amendments. This will be extended for amendments received between 10th December and 24th December, where 21 days will be allowed.

14.2 14.2 Where a substantially different scheme is submitted with significant changes to the original application, full re-notification will take place duplicating the original consultation arrangements and taking account of all other correspondence received on the application. Alternatively, the application may be withdrawn and submitted afresh.

## SUMMARY

|                                  | Adverts | Site Notices | P.C. | Letter | Weekly List |
|----------------------------------|---------|--------------|------|--------|-------------|
| Environmental Impact Assessments | *       | *            | *    | *      | *           |
| Departures                       | *       | *            | *    | *      | *           |
| PRW                              | *       | *            | *    | *      | *           |
| Listed Buildings                 | *       | *            | *    | *      | *           |

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|-------------------------------------|---|---|---|---|---|
| <b>Conservation Areas</b>           | * | * | * | * | * |
| <b>Major developments</b>           | * | * | * | * | * |
| <b>Minor developments</b>           |   | * | * | * | * |
| <b>Advertisements</b>               |   | * | * | * | * |
| <b>Telecommunications Equipment</b> |   | * | * | * | * |
| <b>Agricultural PN</b>              |   |   | * | * | * |
| <b>Demolition</b>                   |   |   | * | * | * |
| <b>Hedgerow removals</b>            |   |   | * | * | * |
| <b>Works to TPO trees</b>           |   | * | * | * | * |

|   |  |  |   |   |   |
|---|--|--|---|---|---|
| <b>Tree works in Conservation Areas</b> |  |  | * | * | * |
| <b>Certificate of Lawfulness</b>        |  |  | * |   | * |
| <b>County Matters</b>                   |  |  |   |   | * |

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# Appendix 4

## Relevant Statutory Legislation

### Acts of Parliament

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~~Planning and Compulsory Purchase Act 2004 (as amended)~~

~~Planning Act 2008~~

~~Growth and Infrastructure Act 2013~~

~~Data Protection Act 1998~~

~~Freedom of information Act 2004~~

~~Local Government and Public Involvement in Health Act 2007~~

~~Localism Act 2011~~

~~Equalities Act 2010~~

### **Regulations**

~~The Town and Country Planning (Local Planning) (England) Regulations 2012~~

~~The Town and Country Planning (Local Planning) (England)~~

~~(Amendment) Regulations 2012~~

~~The Neighbourhood Planning (General) Regulations 2012~~

~~The Town and Country Planning (Development Management Procedure) Order 2010.~~

~~Town and Country Planning (General Development Procedure Order) 1995 (as amended)~~

~~Environmental Information Regulations 2004~~

~~Re-use of Public Sector Information Regulations 2005~~

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