

East Staffordshire Local Plan

Planning for Change

Statement of Community Involvement



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1. Introduction

- 1.1 The production of an SCI is a statutory 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 (Local Planning) (England) Regulations 2012. The NPPF, (Paragraph 40) states that local authorities should encourage applicants to engage with local communities and, where relevant, with statutory and non-statutory consultees, before submitting planning applications.
- 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.
- 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 regarding new homes, employment opportunities, transport, leisure, and education and where these should be located.
- 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. The SCI identifies what we, as the Local Planning Authority, will do to ensure that all community groups are involved in shaping local needs and have an opportunity to contribute so that we better understand individual needs. This includes how we will work with different groups, how we will produce and demonstrate information, what involvement techniques we will use, how we use research as well as how we monitor processes and procedures.
- 1.8 East Staffordshire Borough is also part of the Local Enterprise Partnership (LEP), which concentrates economic development and opportunities along the A38 corridor. The Burton Town Regeneration Programme is set to regenerate the town centre to create a sense of place and identity for the town.
- 1.12 This SCI also sets out how Community Involvement will take place 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 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 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 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 addressing difficult decisions as soon as possible. This 'front loading' or early involvement in the process means that consultation will be meaningful as comments can be made early enough to be carefully considered and factored into the planning process (Paragraph 40).
- 2.3 This Statement of Community Involvement outlines how the community will be involved in the Local Planning process. It sets out:
- What people will be involved in
 - 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

3. Borough Profile

- 3.1 It is important to understand the dynamics of our local communities in order to recognise the wider needs of the District and the potential for managing the challenges, which can arise during consultation. It is characterised by a mix of urban and rural areas and the principal 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.
- 3.2 The character of East Staffordshire is based as much on its villages and its two main towns as on its unique landscapes. Villages and hamlets have evolved in response to the landscape and terrain. The geology has also influenced the character of settlements, with locally available building materials, creating a consistent and harmonious language of both new and traditional buildings.
- 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.

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 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 areas, setting out policies and proposals that will guide development in their districts, while at the same time supporting the delivery of sustainable development (NPPF, Paragraph 11) and informing Local Neighbourhood Plans.

4.3 The Local Plan must also take account of, other plans and strategies. For example, the Statement of Community Involvement, Neighbourhood Plans, strategic documents, including 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).

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 the Development Plan Document (DPD) and relevant Neighbourhood Plans), complemented by Supplementary Planning Documents. The existing Local Plan covers the period 2012-2031.

4.5 To date, fifteen (15) made Neighbourhood Plans have been produced by East Staffordshire town and parish councils. Neighbourhood Plans must be in accordance with the Local Plan and be subject to an examination as well as undergo a local referendum, (NPPF, Paragraph 184).

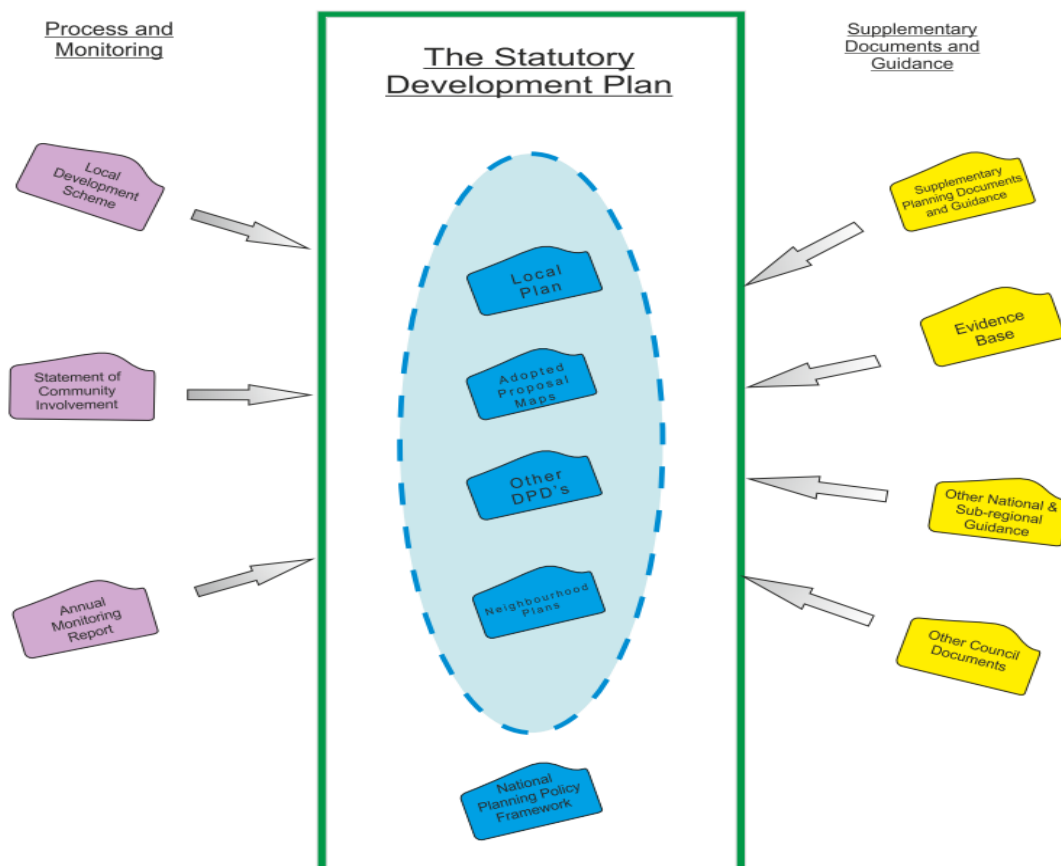
4.6 Under the revised system the Development Plan covering the Borough will be made up of:

Table One: Development Plan

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



5. Supplementary Planning Documents (SPDs)

- 5.1 The Council will prepare the necessary supporting Supplementary Planning Documents, which will provide additional details to more specific planning issues within the local plan. For example, supporting technical and design guidance for new development. SPDs will also supplement the policies within the Local Plan, though they do not form part of the 'development plan'. They set out details of adopted policies, which planning officers will use to determine planning applications.
- 5.2 In addition, the Council will also prepare a Local Development Scheme (LDS). This is the timetable for the production of the Local Plan and other Development Plan documents.
- 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.

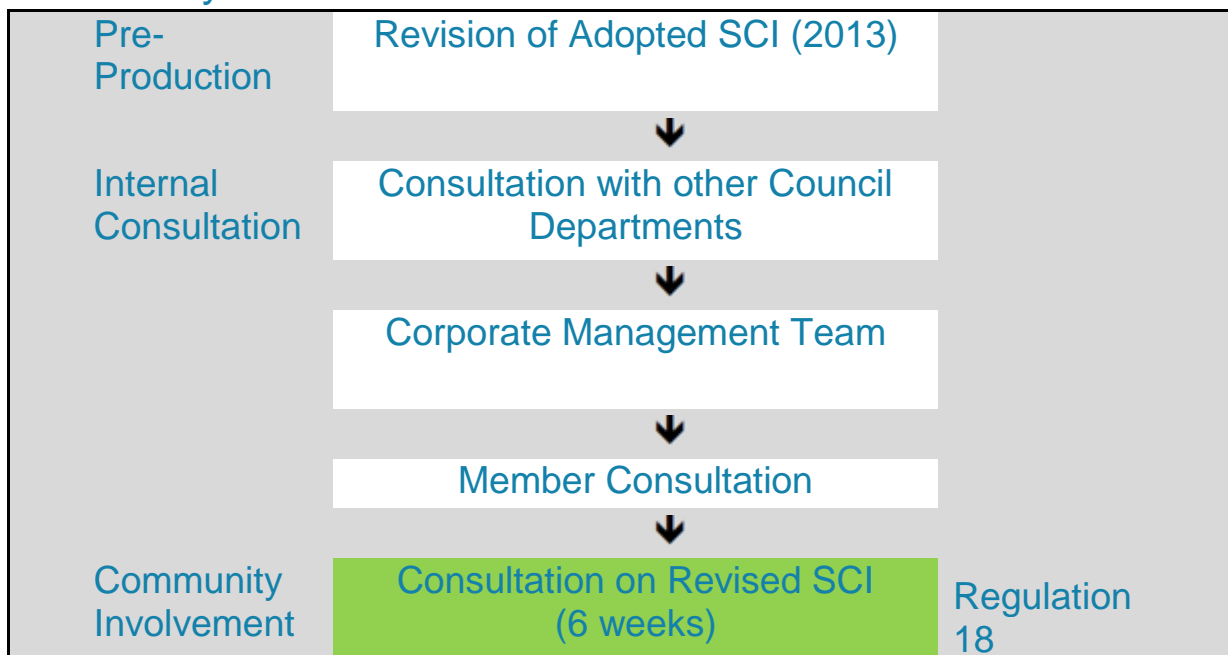
6. Sustainability Appraisal (SA) & Strategic Environmental Assessment (SEA)

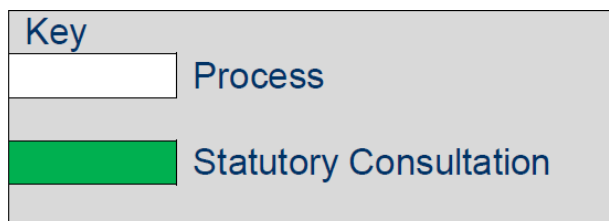
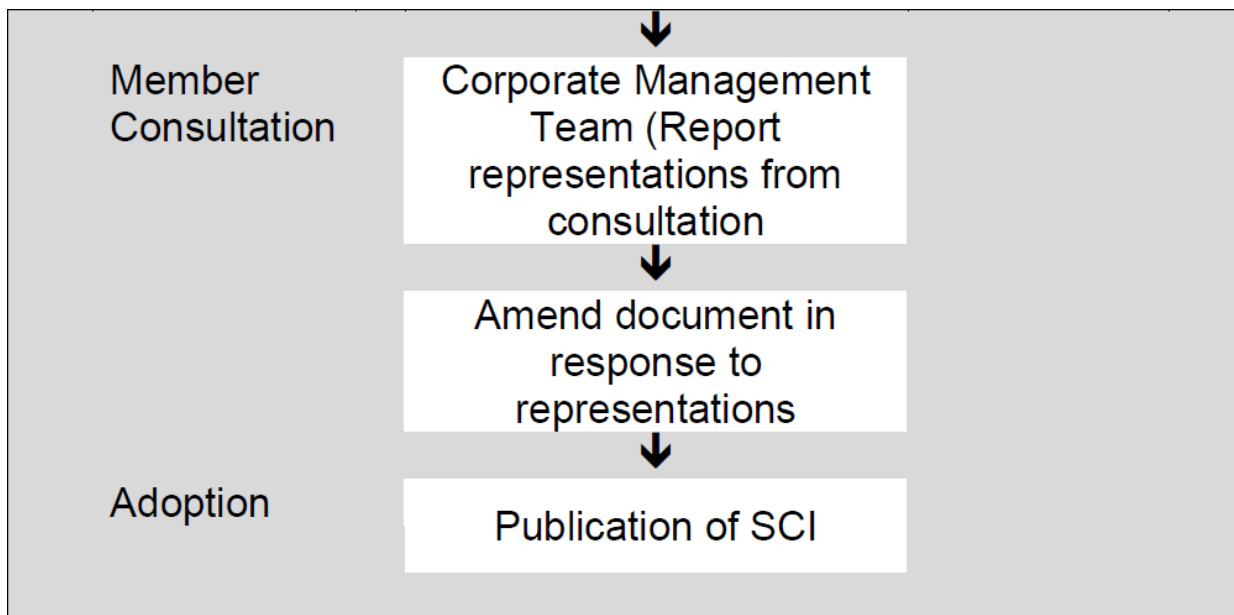
- 6.1 In England, the requirements for Sustainability Appraisal and Strategic Environmental Assessment have been integrated into a combined 'Sustainability Appraisal'. The European Directive 2001/42/EC enacted in England under the Environmental Assessment of Plans and Programmes Regulations (2004) requires a Strategic Environmental Assessment (SEA) to be completed on all parts of the LDF with the exception of the Local Development Scheme (LDS), and Statement of Community Involvement (SCI).
- 6.2 SAs will be published alongside the relevant local plan documents at each stage and will ensure that decisions accord with sustainable development principles. Neighbourhoods plans do not require a Sustainability Appraisal but may also be subject to the requirements for Strategic Environmental 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 public representatives of the Council and consulting members is vital for the successful development and implementation of the Local Plan and Development Plan Documents. The Planning Policy section briefs the 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.
- 7.2 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:

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





8. Links with Corporate East Staffordshire Borough Council Strategies

8.1 The Local Plan will have links with other key Council strategies and initiatives. The partnership aims include improving the quality of life for local people by encouraging effective partnership working with local communities as well as with those people who can directly and indirectly help to bring about positive change. 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 number of made Neighbourhood Plans within the Borough.

9. The Corporate Plan

9.1 The Corporate Plan is prepared by the Council and contains strategic aims and objectives and sets targets for how the Council is expected to perform across the different departments. The plan also promotes community specific objectives. For example, “Protecting and strengthening our communities”.

9.2 As a key objective, the Corporate Plan also supports the delivery of the Local Plan through to adoption. Strategic objectives are also linked with planning policy and the delivery of new development.

10. The Single Equality Scheme

10.1 The Single Equality Scheme (2018) is the Council's recognition and response to the public sector duties set out in the 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>

10.2 The document outlines the diverse nature of our local communities and places importance on the conduct of staff in promoting equality as part of the Council's service provision as well as on giving residents the opportunity to inform decision making and to feedback on the way services are delivered.

10.3 For example, encouraging active participation through sharing views on a consultation event that may be carried out as part of a Local Plan consultation.

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

11. The Local Enterprise Partnerships (LEPs) Planning Charter

11.1 Local Enterprise Partnerships (LEP) have taken over the strategic role of the former Regional Spatial Strategies to a degree, where the main remit is to deliver growth (particularly that of employment) through sustainable development.

11.2 The Borough Council works in cooperation with all of the Local Enterprise Partnerships in the area. The upper tier authority for the area, Staffordshire County Council is also a member of the LEPs.

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 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 the LEPs on the development of strategies and policies that affect planning, regeneration, and economic development.

12. Methods of Engagement and Involvement (SCI Appendices)

12.1 The aim of this section is to set out our policy on engaging communities in the decision and local plan making process. Appendix 1 through 3 provide additional detail on the statutory requirements and principles and techniques that will be used to secure community involvement and to identify the key partners.

13. Community Engagement and Involvement

13.1 The new development plan system clearly sets out the goal of engaging the community in plan preparation and the decision-making process. As a result, this SCI promotes inclusion and transparency in the Council’s objectives to involve a wide range of communities and groups representing the business, voluntary, social, and other sectors.

13.2 Planning legislation emphasises the need to include continuous community involvement by developing ideas at the beginning of the process (called front-loading), considering different options through stakeholder engagement in plan preparation and decision making. Equally, sometimes difficult decisions will need to be balanced when consensus cannot be achieved and where some outcomes may not satisfy everyone.

13.3 The Regulations set out in the Planning and Compulsory Purchase Act 2004 (as amended) specify that specific groups must be consulted in order to foster greater inclusion in formulating the policies and proposals contained in the proposed Local Plan and SPDs. These specific consultation groups and bodies are set out in and reflected in **Appendix 2**.

14. Consultation Bodies

14.1 Table Two illustrates that a wide range of general consultation bodies will be consulted as appropriate and necessary. These bodies or groups of people fall into several categories or groups:

Table Two: Consultation Groups

Group	Underrepresented?
Voluntary bodies	No
Statutory Bodies	No
The Local Enterprise Partnership	No
Parish and Town Councils	No
Interest groups and Local Amenity Organisations	No
Landowners and Registered Social Landlords	No
Religious/Faith & Belief groups	No
Business groups	No
People with disabilities	Yes
Children & Young people (Schools and Colleges)	Yes
Older people	Yes
Gender groups	Yes
Black and Minority Ethnic groups	Yes
Nomadic Communities/Transient groups e.g.	Yes
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

- 14.2 Some of these groups may be harder to reach or underrepresented as they may lack easy access to technology, or services. For example, minorities and groups with disabilities. The Council will use a variety of methods to reach all sectors of the community as well as to ensure that all groups and communities are involved and represented.
- 14.3 In addition, 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. These individuals will be directly contacted at each stage of the plan preparation and consultation process.
- 14.4 Different sectors of the community will have different interests and issues. 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 wide range of engagement techniques will be used 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).
- 14.5 The Council will decide which methods will be appropriate in each case. For example, it may employ the following elements:
- Online presentation of Information (which is 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 – listening and acting on feedback through the consultation process.
 - Encouraging others to provide and to share ideas and options and in deciding the best way forward through high levels of involvement and engagement.
- 14.6 Regardless of which level is adopted we need to ensure that the outcome is being optimised, i.e. that it creates opportunities for those taking part to influence plans, policies and decision making. This also requires 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 people are involved from the outset
- Keep people/communities informed throughout the process
- The Council also has a duty to meet the requirements of the Equalities Act 2010.
- 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.

14.7 The Council will use its judgement as to which method should be used on the basis that each method may offer unique benefits and will also be based on available resources. Some of these methods are also indicated in the tables in Appendix 1.

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 considered in terms making the documents legible, where documents should be made available in large print format and in audio.

15. Planning Applications and Development Management Proposals

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.

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.

15.3 Development Management – (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.

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>

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).

Table Three: Approach to Planning Application Publicity

Use	Development Type	Consultation Type	Methodology
Major	<p>For dwellings: where 10 or more are to be constructed (or if no number given, the area is more than 0.5 hectare). For all other uses: where the floorspace will be 1000sq.m or more (or site is 1 hectare or more).</p>	<ul style="list-style-type: none"> • Write to all adjoining owners or occupiers or post a site notice • Press Notice. • Details published on the Council's website • Full details available at the http://www.eaststaffsbc.gov.uk/planning/applications-and-decisions/weekly-list • Notify the appropriate Town or Parish Council of the Application • Consult with statutory consultees online. 	<ul style="list-style-type: none"> • Advise applicants to consider public meetings • exhibitions as appropriate. • Advise applicants of and encourage engagement with the pre-application advice service available including the Development Team approach. See Councils website • Consult adjoining local authorities where appropriate. • For larger housing schemes applicants will be encouraged to prepare and consult the community on a master plan for the development. • Consult with non-statutory consultees.

Use	Development Type	Consultation Type	Methodology
Minor	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"> • Write to all adjoining owners or occupiers or post a site notice. • If affecting the setting of a conservation area also do a press notice. • Notify the appropriate Town or Parish Council of the application. • Consult with statutory consultees online. 	<ul style="list-style-type: none"> • Advise applicants of and encourage engagement with the pre-application advice service available including the Development Team approach. See Council website • Consult with non-statutory consultees.
Other	This includes the following categories: Change of Use: Applications that do not concern major Development or where no building or engineering work is involved. Other Householder Development: Defined 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"> • Write to all adjoining owners or occupiers or post a site notice. • Applications with a conservation area that affect its character or afreet the setting of a Listed Building are subject to a site notice and press noted. • Details published on the Couriers website • Full details available at the Council's Office-East Staffordshire Borough Council, P.O. Box 8045, Burton upon Trent, Staffordshire, DE14 9JG. • Notify the appropriate Town or Parish Council of the application. • Consult with statutory consultees online. 	<ul style="list-style-type: none"> • Advise applicants of the pre-application advice which is available and encouraged with written advice provided. See Councils website • Consult with non-statutory consultees.

16. Community Involvement for Planning Applications

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. These pre- application discussions and community involvement will allow 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).

- 16.2 East Staffordshire Borough Council's Planning Delivery Team encourages pre-application discussion on all applications 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.
- 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 to be submitted whereby the developer would firstly welcome the views of the community on development options for the site.
- 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 Development Management Team during pre-application discussion.
- 16.5 This will 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 also help to avoid causing concern or raising community expectations unnecessarily.

17. Whom we will Involve?

- 17.1 Community involvement in the planning application process requires general engagement with the wider community and more targeted involvement where it is considered that an individual, or 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.
- 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 powers in the policy making process. In deciding which statutory body is to be consulted, the Council must consider the nature and location of the proposal. 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.

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

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.

19. Permitted Development

19.1 It is important to note that certain proposals are recognised as 'permitted development' and do not require planning 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.

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 or complete an enquiry form on the Council's website <http://www.eaststaffsbc.gov.uk/planning/planning-permission>

19.3 For all other planning enquires email the Council's Planning Support Team at dcsupport@eaststaffsbc.gov.uk

20. Monitoring and Reviewing

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 engaging the community is to ensure that planning decisions and policy documents consider as many views and comments from the community to help shape the decisions. 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 Council decisions.

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 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, 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> in order to assist with rural accessibility and doctor's and dentist surgeries where it is deemed appropriate.

20.5 Members will also be informed on any responses made so that they are aware what their constituents and other relevant 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

21. Resources

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.

22. Communicating and Engaging on Natural Hazards and Security Issues

22.1 The Council's planning 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.*

SCI APPENDICES

23. Appendix 1

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

- Public Participation
- Formal Representations

<i>Evidence gathering</i>		Early engagement with interested parties through scheduled meetings and information gathering.
<i>Draft Plan Regulation 18</i>	●	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.
<i>Proposed Submission Regulations 19 and 22</i>	● ●	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.
<i>Submission Regulation 22</i>		The submission plan is submitted to the Secretary of State and an Independent Planning Inspector is appointed.
<i>Examination Regulations 23-25</i>	●	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 whether it is justified, effective and consistent with national policy. Any interested parties will be invited to speak at the examination, or to prepare written statements, setting out their


	<p>concerns. Anyone can observe the examination hearings but only those invited by the Planning Inspector can participate.</p> <p>At the end of the hearings the Planning Inspector will issue a report to the Council containing recommendations relating to the plan.</p>
<p><i>Adoption</i> Regulation 26</p>	<p>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.</p>

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

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

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

<p><i>Designation</i> ●</p>	<p>Neighbourhood Area Application is submitted to the Council.</p> <p>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.</p>
<p><i>Draft plan preparation</i> ●</p>	<p>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.</p> <p>Draft Neighbourhood Plan or Order is prepared.</p>

<p>Pre- Submission Regulations 14</p> 	<p>Public consultation on the Pre-Submission plan.</p> <p>A period of 6-8 weeks consultation.</p> <p>Consultation coordinated by the Neighbourhood Planning Group or Forum.</p>
<p>Submission to Local Planning Authority</p> <p>Regulations 15, 16, 22 and 23</p>	<p>The Plan or Order is submitted to the Local Planning Authority.</p> <p>Public consultation on the Plan or Order.</p> <p>Minimum 6-week period.</p> <p>Consultation coordinated by Teignbridge District Council.</p>
<p>Submission of plan to examination</p> <p>Regulations 17 and 24</p>	<p>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.</p>
<p>Independent Examination</p> <p>Regulations 18 and 25</p>	<p>The Plan or Order and representations are considered by the independent examiner.</p> <p>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.</p>
<p>Referendum</p> <p>Regulations 18 and 25</p>	<p>The examiner has 3 options:</p> <ul style="list-style-type: none"> a) That the plan/order proceeds to referendum as submitted. b) The plan/order is modified by the LPA to meet basic conditions and then the modified version proceeds to referendum. c) That the plan/order does not proceed to referendum. <p>If the Plan or Order proceeds to referendum and more than half the votes agree (50% plus one vote), it can proceed to adoption.</p>
<p>Adoption</p> <p>Regulations 18 and 25</p>	<p>The Plan or Order is “made” (adopted) by the Council.</p>

24. Appendix 2

25. 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)

- Natural England
- English Heritage
- Environment Agency

Other Consultees

Local Planning Authorities should consider the need to consult where appropriate the following agencies and organisations (in addition to those given above as stated in the Parts 1 & 2 of the Town & Country Planning (Local Planning) (England) Regulations 2012)) in the preparation of the Local Plan:

- Age Concern
- Ancient Monuments Society
- Airport operators
- British Chemical Distributors and Traders Association
- British Geological Survey
- British Waterways, canal owners and navigation authorities
- Centre for Ecology and Hydrology
- Chambers of Commerce, Local CBI and local branches of Institute of Directors
- Religious Commissioners
- Civil Aviation Authority
- Coal Authority
- Design Council.
- Commission for New Towns and English Partnerships
- Commission for Racial Equality
- Council for British Archaeology
- Crown Estate Office
- Diocesan Board of Finance
- Disability Rights Commission
- Disabled Persons Transport Advisory Committee
- Electricity, Gas, and Telecommunications Undertakers, and the National Grid Company
- English Heritage
- Environmental groups at national, regional and local level, including:
 - i. Council for the Protection of Rural England
 - ii. Friends of the Earth
 - iii. Royal Society for the Protection of Birds and
 - iv. Wildlife Trusts

- Equal Opportunities Commission
- Fire and Rescue Services
- Forestry Commission
- Freight Transport Association
- Gypsy Council
- Health and Safety Executive
- Help the Aged
- Highways Agency
- Housing Corporation
- Learning and Skills Councils
- Local Strategic Partnership including:
- 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
- The House Builders Federation
- The National Forest Company
- The Society for the Protection of Ancient Buildings
- The Theatres Trust
- The Twentieth Century Society
- The Victorian Society
- Transport for London
- Traveller Law Reform Coalition
- Water Companies and

- Women's National Commission.

Consultees as stated under Duty to Cooperate

The Duty-to-Cooperate gives Local Planning Authorities a statutory undertaking in cooperating with key bodies, including adjacent local planning authorities and some statutory consultees and agencies on key issues which affect the Local Plan and its delivery:

- a) Environment Agency
- b) Historic Buildings and Monuments Commission for England (English Heritage)
- c) Civil Aviation Authority
- d) Homes England
- e) Clinical Commissioning Groups (CCG)
- f) Office of Rail Regulation
- g) Transport Authorities (Staffordshire County Council & Highways Agency)
- h) Local Enterprise Partnerships

Local Planning Authorities (Including adjacent authorities)

- South Derbyshire District Council
- Cannock Chase District Council
- Lichfield District Council
- Stafford Borough Council
- Staffordshire Moorlands District Council
- Derbyshire Dales District Council

26. Appendix 3

27. PUBLICITY AND CONSULTATION ON PLANNING APPLICATIONS

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:

- 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 To be advertised in a local newspaper, and either a site notice displayed, or neighbours notified:

Major developments, which include:

- the erection of 10 or more houses or where the site exceeds 0.5 hectares
- the erection of buildings where 1,000 square metres of floor space is created, or the site exceeds 1.0 hectares
- mineral workings (Staffordshire County Council Matter)
- all waste developments, i.e. any development designed to be used wholly or mainly for the purposes of treating, storing, processing or disposing of refuse or waste materials (County Matter).

2.4 All other planning applications constitute minor development and are required to be publicised by means of either a site notice or neighbour notification.

3.0 STATUTORY CONSULTATION

3.1 Certain statutory consultees such as the Environment Agency, Highway Authority, English Nature will be consulted directly on certain applications where they may have an interest, as set out in Article 10 of the Town and Country Planning (General Development Procedure) Order 1995 (as amended and relevant planning charters). Where consultation is not required standing advice produced by statutory consultees will be used in the decision-making process.

4.0 NON-STATUTORY CONSULTATION

4.1 East Staffordshire Borough Council will consult non-statutory consultees such as Staffordshire Wildlife Trust, local Civic Societies etc. where their expertise would clearly be helpful in judging the merits of a particular planning application.

5.0 PARISH COUNCIL CONSULTATION

5.1 All Parish and Town Councils in the Borough are notified of planning applications in their areas, in accordance with Article 13 of the Town and Country Planning (General Development Procedure) Order 1995.

6.0 AGREED PUBLICITY PROCEDURES OF EAST STAFFORDSHIRE BOROUGH COUNCIL

6.1 Newspaper advertisements:

The Borough Council will fully comply with the statutory minimum requirement to publish newspaper advertisements as set out above.

6.2 Site Notices:

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:

- Occupiers of all buildings whose curtilage adjoins the application site, but only if the curtilage is within 90 metres of the development proposed
- the occupiers of all buildings on land that is within 4 metres of the application site and is within 90 metres of the development proposed
- any other persons that the case officer considers shall be notified, with particular regard being given to occupiers of properties on the opposite side of the road to the proposed development where the interface distance is less than 20 metres wide. We will not notify additional neighbours where it is clear to the case officer that the proposed development cannot have an effect which might reasonably give rise to valid representations on planning grounds.

6.3.2 In all cases, 21 days is given for responding to a press notice, a site notice or a neighbour consultation letter. In most cases, the dates may differ, and 21 days shall be taken from the latest date appearing on an advertisement, a notice or letter. Planning applications will not be determined before the expiration of that period. In view of the Christmas holiday period, for all applications validated between 3rd December and 24th December, the notification procedure shall allow 28 days for comment.

7.0 WEEKLY LIST

A weekly list of all planning applications and prior notifications received is produced by the Borough Council and despatched free of charge to various organisations. The list also appears on the Council's web site (www.eaststaffsbc.gov.uk). Individuals may also download copies of the weekly list from the Council's website:

<http://www.eaststaffsbc.gov.uk/Planning/Pages/ViewPlanningWeeklyList.aspx>

8.0 WARD MEMBERS

Ward Members (elected Councillors) will receive a copy of the weekly list of all new planning applications and prior notifications (as well as planning decisions) so that they may be kept informed of proposals within their areas.

9.0 COUNTY MATTERS

9.1 The Borough Council is only a consultee on such applications as Waste, Minerals, and Highways. There is no requirement on the Council to undertake additional consultations.

10.0 ADVERTISEMENT APPLICATIONS

10.1 These will be treated in the same way as a planning application, i.e. site notices in all cases, newspaper advertisement and neighbour notification where required.

11.0 PRIOR NOTIFICATION PROPOSALS

11.1 Certain types of development such as some agricultural buildings, demolition of buildings, hedgerow removal, tree works in a conservation area and telecommunications equipment under 15 metres in height are permitted development and therefore do not require planning permission. However, before development can commence, developers first have to notify the Local Planning Authority of their proposal.

11.2 The Council has currently 28 days to deal with Prior Notifications of agricultural or forestry development, and of demolition of buildings, 42 days in respect of hedgerow removal and works to trees in Conservation Areas, or 56 days in the case of Prior Notification to erect telecommunications equipment. The Council cannot control the principle of the development proposed and must have good reason if it wants to refuse or seek an amendment to the particular siting or appearance. Because of the tight timescale and restricted grounds for comment the Council is generally unable to undertake the same publicity as set out above.

11.3 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 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.

13.0 WORKS TO TREES COVERED BY A TREE PRESERVATION ORDER

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.

14.0 AMENDED PLANS

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 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.