

East Staffordshire Borough Council
Local Development Framework Document

Statement of Community Involvement

Adopted
September 2007



East Staffordshire Borough Council formally adopted this Statement of Community Involvement at its full Council meeting on the 3rd September 2007. The document is the basis for all consultation for Local Development Documents, Supplementary Planning Documents and Planning Applications

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

Introduction



Local Development Framework Document

Adopted Statement of Community Involvement
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- 1.1 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 what changes are needed with regard to 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.
- 1.2 The government's new planning legislation, introduced in September 2004, aims to make the planning system faster and more flexible but also raises the profile of the consultation process, encouraging greater participation from the general public in developing plans for the future.
- 1.3 The new system highlights the important role that communities and other key partners play in influencing new plans, policies and planning applications in East Staffordshire. It identifies what we, as the Planning Authority, will do to ensure that all communities are involved and have an opportunity to contribute so that we better understand their needs. This includes how we work with different groups, how we produce and demonstrate information, what involvement techniques we will use and how we monitor procedures and use research.
- 1.4 This Statement of Community Involvement is an important document in the new system as it forms part of the Local Development Framework, which is at the centre of the new 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 Development Framework.
- 1.5 This Statement also sets out how Community Involvement will take place on planning applications.

The Statement of Community Involvement (SCI)

- 1.6 The importance of consultation cannot be underestimated and it has always had a role to play in the process of plan making. Greater public consultation - and effective use of participation - can only serve to create a greater sense of ownership. The new system of plan making calls for public consultation earlier in the plan-making process. This 'front loading' or early involvement in the process means that consultation will be meaningful as comments will be made early enough to have a meaningful input into the planning process.

- 1.7 This Statement of Community Involvement states how the community will be involved in the new system. It sets out:
- What people will be involved in;
 - Who we will involve;
 - How we will involve them;
 - When people will be involved; and
 - How the information collected will be used in policy making/decisions

Borough Profile

- 1.8 East Staffordshire is an exceptionally attractive place in which to live and work with a rich natural and historic heritage in its urban and rural areas that covers approximately 39000 hectares. Census of Population 2001 figures suggests that there are 103,770 people living in the borough with Burton upon Trent accounting for approximately 65,000 and Uttoxeter 12,000. The remaining population live in and around the villages that vary in size and character. There are 857 listed buildings, 25 conservation areas and five Village Design Statements designated or adopted within the borough protecting built environment. The Borough is split between the lowland river corridors where development has historically taken place and the more sparsely populated upland areas to the east and north.
- 1.9 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.
- 1.10 **Section 2** of this document gives an overview of the new Development Plan system and **Section 3** sets out clearly how the Council intends to involve communities and stakeholders in each document of the Local Development Framework. **Section 4** sets out how the community will be consulted on planning applications. Finally **Section 5** sets out how the information provided is collated and used to inform the plan making process and our decisions and how the process will be resourced and monitored.

The New Development Plan System



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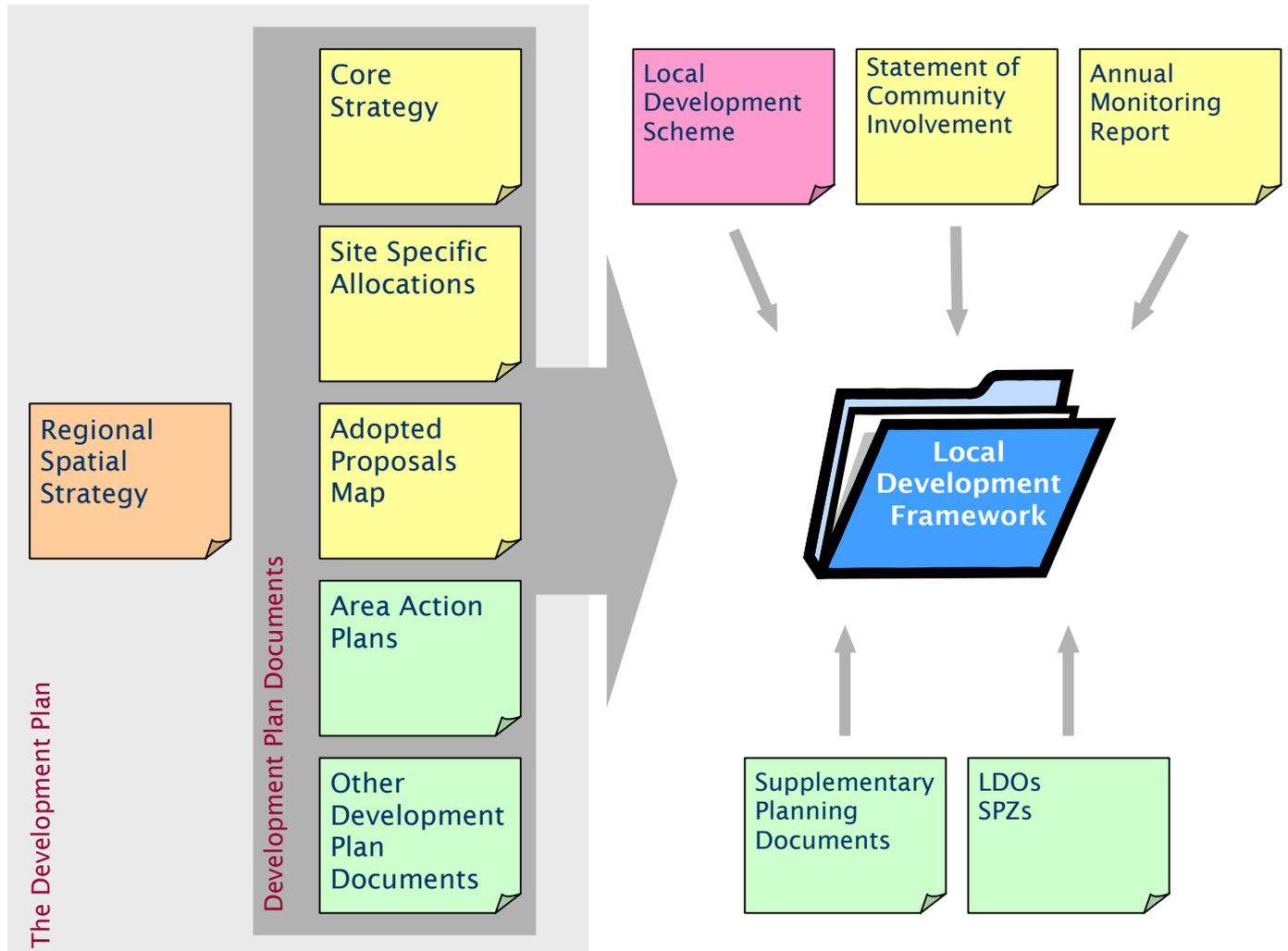
- 2.1 The Planning and Compulsory Purchase Act, introduced in September 2004, established a new planning system, which included enhanced requirements for community involvement in the planning process. The Act requires that planning applications are determined in accordance with the provisions of the Development Plan unless there are good planning reasons to do otherwise. The Development Plan therefore remains the cornerstone of the planning system in the United Kingdom.
- 2.2 However, the new system will replace ‘Local Plans’ and ‘Structure Plans’ prepared by District and County Councils respectively with ‘Local Development Frameworks’, prepared by the District or Borough Council. Regional Planning Guidance has also become a ‘statutory’ part of the Development Plan system. While these new plans are being prepared existing Local and Structure Plans will be used until these policies are replaced.
- 2.3 Development Plans in preparation at the time the new Act was introduced have, in many cases, continued to be prepared and adopted where this has quickly lead to an up-to-date development plan. This has been possible under Transitional Arrangements set out in the Act. East Staffordshire Borough Council decided to complete its Review of its Local Plan and a new Local Plan was adopted on 20th July 2006.
- 2.4 Under the new system the Development Plan covering the Borough will be made up of:

Elements	Prepared by
Regional Spatial Strategy	West Midlands Regional Assembly
Local Development Framework	East Staffordshire BC
Minerals Local Development Framework	Staffordshire CC
Waste Local Development Framework	Staffordshire CC

- 2.5 Local planning authorities (LPAs) therefore have a statutory duty to prepare a Local Development Framework for their area setting out policies and proposals that will guide development in the district while at the same time being in conformity with the Regional Spatial Strategy. The approach of the local planning authority must be ‘spatial’, meaning that the policies and proposals produced by the LPA must be informed by, and take account of, other plans and strategies such as, for example, the Community Strategy.

2.6 The following diagram sets out the documents that make up the LDF and indicates their relationship with the Regional Spatial Strategy.

Figure 1. – The Local Development Framework



KEY

- Required
- Optional
- Project Plan

Source: PPS12

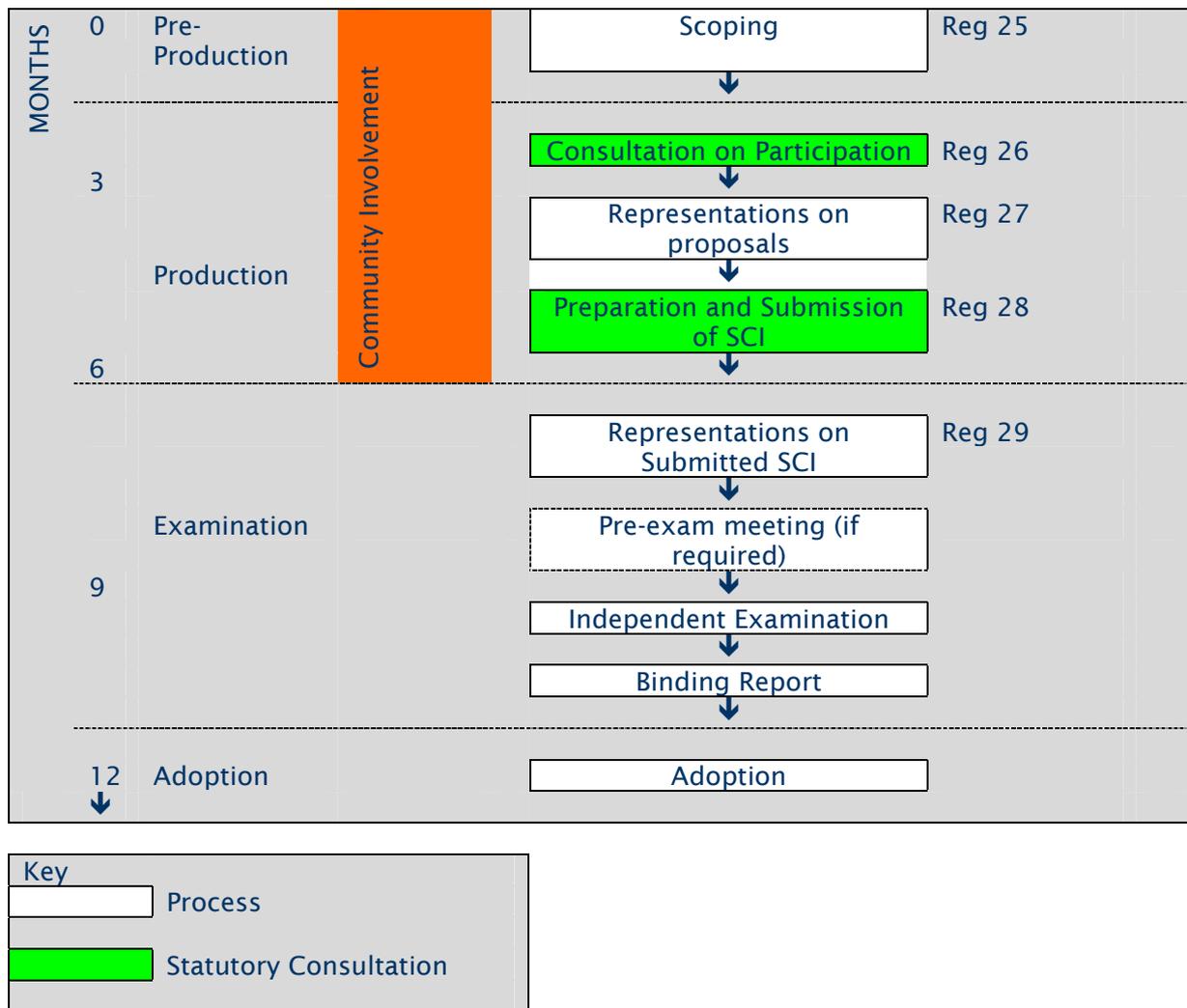
2.7 The Local Development framework will be a folder made up of a number of different Local Development Documents. This new flexibility will increase the opportunity for community involvement on different Local Development Documents, as different LDDs will be prepared at different times.

- 2.8 Development Plan Documents to be prepared will include:
- East Staffordshire ‘Core Strategy’
 - Topic based policies
 - General policies to guide development in the Borough
 - Specific sites and allocations allocated for development
 - Area Action Plans
- 2.9 In addition we will prepare a number of Supplementary Planning Documents which will deal with specific planning issues such as the re-use of redundant farm buildings and design guidance for new development. The Council’s Local Development scheme (LDS) sets out in detail what documents will be prepared and when. This can be viewed at the Council’s offices, Libraries within the Borough and on the Council’s website: www.eaststaffsbc.gov.uk.
- 2.10 All documents, with the exception of the Statement of Community Involvement, must have an associated Sustainability Appraisal which will assess, at each stage, how each document deals with the social, economic and environmental considerations. This will be published alongside the document at each stage and will ensure that decisions are made that accord with sustainable development principles.

How the SCI Fits In

- 2.11 The production of an SCI is a statutory requirement under the provisions set out in the Town and Country Planning (Development Plans) (England) Regulations 2004. Further guidance on community involvement in Planning was set out in Community Involvement in Planning: The Government’s Objectives, ODPM, (February 2004) and Planning Policy Statement 12 - Local Development Frameworks.
- 2.12 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.
- 2.13 Figure 2 sets out the stages of the Statement of Community Involvement.

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



2.14 At each stage of the preparation of each development plan document in the LDF, in accordance with the statutory regulations, the Council must publish a report setting out how we have met the requirements of the SCI by showing what methods of consultation were used, who was consulted and how the information provided has been taken in to account.

Links with other Strategies

2.15 The LDF will have links with other key Council strategies and initiatives. Of particular importance is the East Staffordshire Together Local Strategic Partnership (LSP). This partnership brings together at the local level the public and private sector and also voluntary and community sectors with the aim of improving the quality of life for local people by encouraging effective partnership between those people who can directly and indirectly bring about change. The elements of the Community Strategy, prepared by the LSP, which relate to land use issues can be delivered by the planning system. The LDF will therefore give spatial expression to the land-use elements contained within the Community Strategy.

- 2.16 Because the linkages between these two documents are important, the Council will co-ordinate its activity to ensure that the two processes are linked.

ESBC Approach to Community Involvement



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Methods of Involvement

- 3.1 The aim of this section is to set out our policy on community involvement in the planning process. It discusses the principles and techniques that will be used to secure community involvement and begins to identify the key partners involved.
- 3.2 The new development plan system clearly sets out the goal of engaging the community in the plan preparation process and there is an expectation that more than the statutory minimum will be done. As a result this SCI sets out the Council's objective to involve a wide range of people and groups in a range of businesses, voluntary, social and economic as well as hard to reach groups.
- 3.3 The new process emphasises the need to include continuous community involvement from developing ideas at the beginning of the process (called front-loading), considering different options through to getting the plan written and adopted. Equally sometimes difficult decisions have to be made, when consensus cannot be achieved and outcomes will not satisfy everyone. It is important that within this process everyone understands that there are other factors that will inform our decisions.
- 3.4 The new Regulations set out in the Planning and Compulsory Purchase Act 2004 specify that certain specific groups must be consulted where we think that they may be affected by policies and proposals contained in the proposed DPDs and SPDs. These specific consultation bodies are set out in Planning Policy Statement 12 and reflected in Appendix 2
- 3.5 A wide range of general consultation bodies will be consulted if it is appropriate and necessary. These bodies or groups of people fall into several groups:

Group	Hard to Reach?
• Voluntary bodies	No
• Interest groups	No
• Landowners	No
• Religious groups	No
• Disabled people	Yes
• Young people	Yes
• Older people	Yes
• Ethnic Minorities groups	Yes
• Transient groups e.g. Gypsies or Travellers	Yes
• Business groups (including Developers)	No
• The service sector (Police, Health education etc)	No
• General consultation bodies	No

- 3.6 Some of these groups are considered to be hard to reach and the Council will use a variety of methods to reach all sectors of the community. To ensure that these hard to reach groups are involved at the appropriate stages approaches such as the use of the Council's Outreach worker, 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 addition to the methods set out below.
- 3.7 Whilst it is important to reach as many of these groups as possible it is also essential to reach individuals across the Borough. Any group or individual not on the consultation list and showing interest in the LDF process will be added to the Planning Policy database upon request. This will mean that they will be directly contacted at each stage of document preparation.
- 3.8 Different sectors of the community will have different interests. It is therefore important that there is a balanced approach to consultation. To achieve the widest and most diverse community participation a number of techniques will be used. Not all techniques will be used to reach every intended audience as this may not be necessary and not all methods will be used for each LDD. The Council will decide which methods will be appropriate in each case. For example, it may include the following elements:
- 1) Information – Tell people what is planned (requiring low level of involvement).
 - 2) Consultation – Offer a number of options and listen and act on feedback. (Requiring medium-high levels of involvement)
 - 3) Deciding together – Encourage others to provide some additional ideas and options and in deciding the best way forward (requiring 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 strengthening the existing consultation groups both within the Council and beyond will be key to effective consultation and participation.
- 3.10 Regardless of which level is adopted we need to ensure that the outcome is the same, i.e. that it creates opportunities for those taking part to influence plans, policies and application decisions. This requires us to consult using the following principles:
- Target all people/communities, particularly those that have not traditionally had their say in the planning process, that may be affected;
 - Ensure access to information by a variety of means;
 - Make clear what is being asked;
 - Ensure people are involved from the start;
 - Keep people/communities informed throughout the process;
 - The Council will make its best endeavours to meet the requirements of the Race Relations Act 2000 and the Disability Discrimination Act 1995.

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

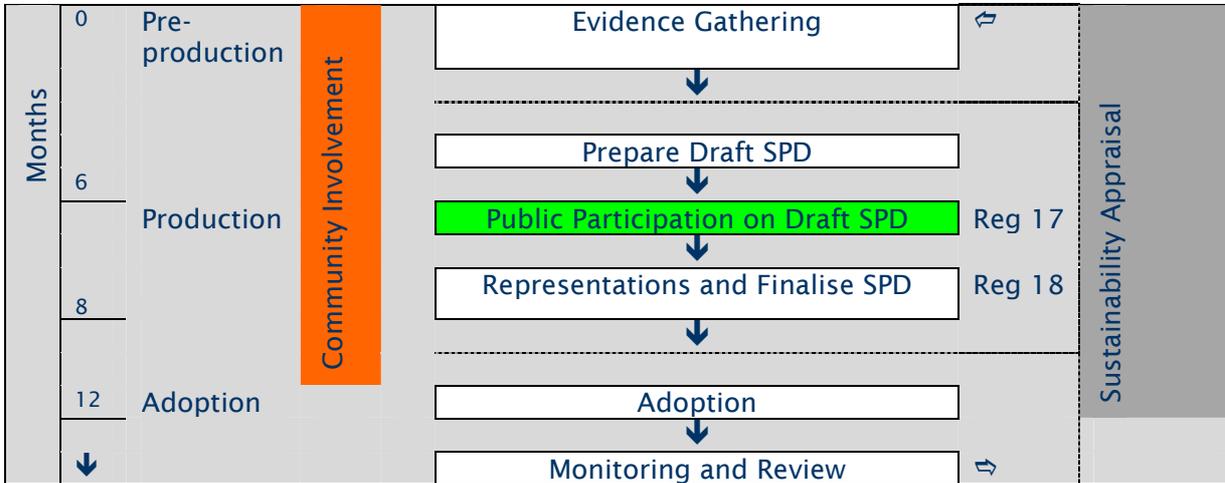
Methods of Community Involvement

Method	Comment/Considerations	Does it Inform	Does it Consult	Is there Interaction
Documents available for inspection at Council Offices 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	Convenient, efficient and effective for organisations but medium does not reach everyone.	Y	Y/N	N
Email	Useful form medium for consulting existing consultees but not all consultees have email or would wish to use it in this way.	Y	Y/N	N
Letter To statutory Consultees/ESBC 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 is key to who sees it.	Y	Y/N	N
Newsletter/Leaflet distribution	Provides information but can be costly. Best tied in with Council's free paper but timescales not always aligned.	Y	N	N
Media/Press Release	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. Can involve depending on resources committed.	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
Questionnaires and Surveys	Effective at providing targeted information but not suitable for complex issues as responses are too polarised. The more complex the issue the lower the return.	Y	Y	N

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
Focus Groups	Useful for area based discussions and presentation of options. Can assist in gaining understanding of public's concerns	Y	Y	Y
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.	Y	Y	Y
Area Forums	Tailor made forums to discuss issues specific to that area. Appropriate for area-based policies.	Y	Y	Y

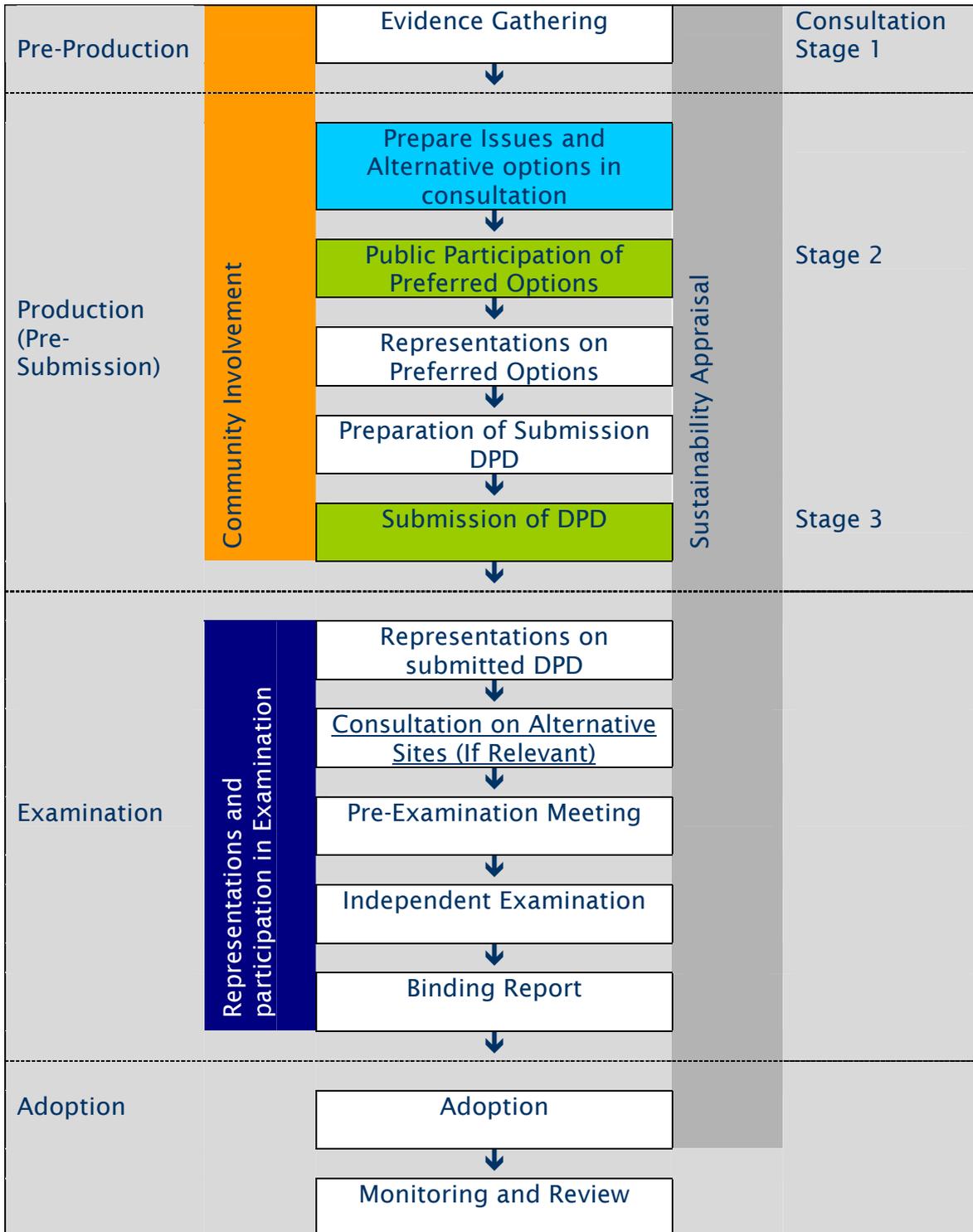
3.12 The Council will ensure that at each consultation stage of each Development Plan Document and Supplementary Planning Document the consultation period will be publicised to allow everyone the opportunity to submit comments. The stages of Supplementary Planning Documents and Development Plan Documents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

Figure 3: Stages in the Preparation of a Supplementary Planning Document



Key	
	Process
	Statutory Consultation

Figure 4: Stages of the Preparation of a Development Plan Document



Key	
	Process
	Ongoing engagement
	Statutory Consultation (6 weeks)

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

Stage	Action	Who will be Consulted
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.	Statutory Consultees; Relevant business, community and interest groups;
Stage 2 – Pre Submission (Preparing the document)	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.	Statutory Consultees; All groups and individuals on the LDF Database;
Stage 3 – Submission and Examination	Following stage 2, the Council must prepare a Submission Document which will build on the previous stages taking into account any comments received. This document will be submitted to the Secretary of State for independent examination. There will be a further six-week consultation period for the community to make formal comments (representations). If the document involves the allocation of sites, a further period of consultation will be required if alternative sites are put forward. These representations are then considered by an independent Planning Inspector and he will decide whether changes are needed to the document as a result of the representations.	Statutory Consultees; All groups and individuals on the LDF Database;
Adoption	The Inspector’s decision is final and, if necessary the Council will make amendments 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 Development Plan Documents 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 on the basis that each method

may offer particular benefits and resources are available. These are indicated in the table below along with the minimum methods of involvement.

Method	Development Plan Documents (e.g. Core Strategy & Action Area Plans)			Supplementary Planning Documents	
	1	2	3	1	2
Documents available for inspection at Council Offices and Libraries	-	✓	✓	-	✓
Information on Council Website/ emailshot	✓	✓	✓	✓	✓
Letter to all on LDF Database (if relevant)	✓	✓	✓	✓	✓
Exhibitions/Displays	-	M	-	-	M
Public Meetings	-	✓	M	-	M
Newsletter/Leaflet distribution made widely available	✓	M	M	✓	-
Media/ Press Release	✓	M	✓	✓	M
Public Notice	-	✓	✓	-	✓
Citizen's Panel	M	-	-	-	-
Questionnaires and Surveys	✓	-	-	M	-
Focus Group with specific representatives of particular issues	M	-	-	M	-
Workshops	-	M	-	M	-
Area Forums	-	M	-	M	-

✓= Will undertake this type of consultation

M = May be used if method deemed beneficial and timescale and resources allow

Planning Applications & Development Proposals



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Planning Applications and Planning Control

- 4.1 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.
- 4.2 The process by which the local planning authority considers planning applications is known as the development control system. All planning applications are determined in line with the Development Plan unless it can be proved that there are very good reasons not to do so.
- 4.3 Development control – or planning control, 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.
- 4.4 An explanation as to the process of applying for planning permission can be found on the Council's website at – www.eaststaffsbc.gov.uk

Community Involvement for Planning Applications

- 4.5 This Statement of Community Involvement 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 pre-application discussion and community involvement will allow issues to be discussed and solutions to be found at the earliest possible time – helping to reduce conflict and possible delays once such an application has been formally submitted.
- 4.6 East Staffordshire Borough Council's Planning Control Section encourages pre-application discussion 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.

- 4.7 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.
- 4.8 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 Control Division during pre-application discussion. 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.

Who We Will Involve

- 4.9 Community involvement in the planning control process requires general engagement with the wider community and also more targeted involvement where it is considered that an individual, or set of individuals neighbouring the application site, could be directly affected by a development proposal.
- 4.10 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 consulted, the Council must take into account the nature and location of the proposal. These statutory bodies normally have 21 days in which to respond. There are also a significant number of non-statutory bodies including local interest 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.
- 4.11 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.

How We Will Involve the Community

- 4.12 The Government sets statutory publicity requirements for planning applications. East Staffordshire Borough Council's Planning Control Division 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.

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 East Staffordshire's Adopted Local Plan or Local Development Framework	
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 planning office at Midland Grain Warehouse, Borough Road, Burton upon Trent. 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).

4.13 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

- 4.14 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 Control Team. 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.
- 4.15 For further information on what requires planning permission it is advisable to speak to a Planning Officer before you undertake any work. See the contact details at the back of this document.

Reporting Back, Resources and Review



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Reporting Back

- 5.1 The purpose of involving the community is to ensure that the documents prepared take into account 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 regulations, stating the type of community involvement that was used, a summary of the comments received and how this informed the decisions the Council has taken. This will be known as a Statement of Compliance and will take place for each document prepared as part of the Local Development Framework prior to submission of each document to the Secretary of State.
- 5.2 At each consultation stage the Council will ensure that any comments received as a result of community involvement on Development Plan Documents receive appropriate feedback. Summary documents will be prepared and posted on the Council's website and be made available at the Town Hall and Midland Grain Warehouse, Burton upon Trent and at public libraries in Burton, Uttoxeter and Barton under Needwood. 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. Where specific events are organised, those involved will be directly informed of decisions or outcomes.

Resources

- 5.3 The Planning Policy Team's resources were set out in the Council's Revised Local Development Scheme. This stated that the Team comprised four Planning Policy Officers (Planning Policy Manager, Principal, and two Senior Officers) plus two Technicians and admin support under the Development and Regeneration Manager. In addition, the Team will call upon the expertise of other Officers in other Departments and may call upon the skills in the Corporate Affairs Directorate.
- 5.4 The 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 Community Strategy and Local Transport Plan, will be particularly valuable.

Review of the Statement of Community Involvement

- 5.5 The Annual Monitoring Report will be the main mechanism for reviewing the relevance of the Statement Of Community Involvement and identifying any changes necessary. For example, we will evaluate the success or otherwise of the various methods of consultation and involvement, in terms of the number and range of those participating in the process of document preparation, and the extent to which community involvement has influenced the format and content of plan documents.

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.

Planning Policy Team

Midland Grain Warehouse
Derby Street
Burton upon Trent
DE14 2JJ

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

Philip Somerfield
Planning Policy Manager

Tel: 01283 508622
Email:
philip.somerfield@eaststaffsbc.gov.uk

Glenn Jones
Principal Planning Policy Officer

Tel: 01283 508645
Email:
glenn.jones@eaststaffsbc.gov.uk

James Norton-
Senior Planning Policy Officer

Tel: 01283 508618
Email:
james.norton@eaststaffsbc.gov.uk

Planning Control

Tel: 01283 508628
Email:
planning.control@eaststaffsbc.gov.uk

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

GOWM

www.go-wm.gov.uk

The Government Department responsible for Planning. These pages give useful advice on all planning policy and also community involvement.

WMRA

Regional Partnership Centre
Albert House
Quay Place
92 - 93 Edward Street
Birmingham
B1 2RA

Tel: 0121 245 0200
www.wmra.gov.uk

Responsible for the preparation and review of the Regional Spatial Strategy (the regional tier of the Development Plan) for the West Midlands.

Email: info@wmra.gov.uk

Planning Aid

Unit 319, The Custard Factory, Gibb Street, Birmingham, B9 4AA
Tel: 0121 766 8044
E-mail: 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.

Appendix 1

Glossary

Adopted Local Plan Annual monitoring report (AMR):	East Staffordshire Local Plan formally adopted in July 2006 Part of the <i>Local Development Framework</i> , the annual monitoring report will assess the implementation of the Local Development Scheme and the extent to which policies in <i>Local Development Documents</i> are being successfully implemented.
Area action plan (AAP):	Used to provide a planning framework for areas of change and areas of conservation. Area Action Plans will have the status of <i>Development Plan Documents</i> .
Community strategy or Sustainable Community Strategy (SCS):	Local authorities are required by the Local Government Act 2000 to prepare these, with aim of improving the social, environmental and economic well being of their areas. Through the Community Strategy, authorities are expected to co-ordinate the actions of local public, private, voluntary and community sectors. Responsibility for producing Community Strategies may be passed to <i>Local Strategic Partnerships</i> , which include local authority representatives.
Core strategy (CS):	Set out the long-term spatial vision for the local planning authority area, the spatial objectives and strategic policies to deliver that vision. The Core Strategy will have the status of a <i>Development Plan Document</i> .
Development plan (DP):	As set out in Section 38(6) of the Act, an authority's development plan consists of the relevant <i>Regional Spatial Strategy</i> (or the Spatial Development Strategy in London) and the <i>Development Plan Documents</i> contained within its <i>Local Development Framework</i> .
Development plan documents (DPDs):	Spatial planning documents that are subject to independent examination, and together with the relevant Regional Spatial Strategy, will form the <i>development plan</i> for a local authority area for the purposes of the Act. They can include a <i>Core Strategy</i> , <i>Site Specific Allocations of land</i> , and <i>Area Action Plans</i> (where needed). Other Development Plan Documents, including generic Development Control Policies, can be produced. They will all be shown geographically on an <i>adopted proposals map</i> . Individual Development Plan Documents or parts of a document can be reviewed independently from other Development Plan Documents. Each authority must set out the programme for preparing its <i>Development Plan Documents</i> in the <i>Local Development Scheme</i> .

Generic development control policies:	These will be a suite of criteria-based policies which are required to ensure that all development within the areas meets the spatial vision and spatial objectives set out in the <i>Core Strategy</i> . They may be included in any <i>Development Plan Document</i> or may form a standalone document.
Issues and Options:	Produced during the early production stage of the preparation of <i>Development Plan Documents</i> and may be issued for consultation to meet the requirements of Regulation 25.
Key diagram:	Authorities may wish to use a key diagram to illustrate broad locations of future development.
Local development document (LDD):	The collective term in the <i>Act</i> for <i>Development Plan Documents</i> , <i>Supplementary Planning Documents</i> and the <i>Statement of Community Involvement</i> .
Local Development Order (LDO):	Allows local planning authorities to introduce local permitted development rights.
Local development framework (LDF):	The name for the portfolio of <i>Local Development Documents</i> . It consists of <i>Development Plan Documents</i> , <i>Supplementary Planning Documents</i> , a <i>Statement of Community Involvement</i> , the <i>Local Development Scheme</i> and <i>Annual Monitoring Reports</i> . Together these documents will provide the framework for delivering the spatial planning strategy for a local authority area and may also include local development orders and simplified planning zones.
Local development scheme (LDS):	Sets out the programme for preparing <i>Local Development Documents</i> . All authorities must submit a Scheme to the Secretary of State for approval within six months of commencement of <i>the Act</i> .
Local strategic partnership (LSP):	Partnerships of stakeholders who develop ways of involving local people in shaping the future of their neighbourhood in how services are provided. They are often single non-statutory, multi-agency bodies which aim to bring together locally the public, private, community and voluntary sectors.
Local transport plan (LTP):	5-year strategy prepared by each local authority for the development of local, integrated transport, supported by a programme of transport improvements. It is used to bid to Government for funding transport improvements.
Minerals and waste development framework:	In two-tier areas, counties will be responsible for producing Minerals and Waste Development Frameworks and Schemes. The latter will be the equivalent of the Local Development Scheme. In unitary authorities and National

Parks, minerals and waste policies should be included in their local development frameworks.

Preferred options document: Produced as part of the preparation of *Development Plan Documents*, and is issued for formal public participation as required by Regulation 26.

Proposals map: The adopted proposals map illustrates on a base map (reproduced from, or based upon a map base to a registered scale) all the policies contained in *Development Plan Documents*, together with any saved policies. It must be revised as each new *Development Plan Document* is adopted, and it should always reflect the up-to-date planning strategy for the area. Proposals for changes to the adopted proposals map accompany submitted *development plan documents* in the form of a submission proposals map.

Regional planning body (RPB): One of the nine regional bodies in England (including the Greater London Authority) responsible for preparing *Regional Spatial Strategies (in London the Spatial Development Strategy)*.

Regional spatial strategy: Sets out the region's policies in relation to the development and use of land and forms part of the *development plan* for local planning authorities. Planning Policy Statement 11 'Regional Spatial Strategies' provides detailed guidance on the function and preparation of Regional Spatial Strategies.

The Regulations: Town and Country Planning (Local Development) (England) Regulations 2004, and the Town and Country Planning (Transitional Arrangements) Regulations 2004.

Saved policies or plans: Existing adopted development plans are saved for three years from the date of commencement of *the Act*. Any policies in old style development plans adopted after commencement of the Act will become saved policies for three years from their adoption or approval. The *Local Development Scheme* should explain the authority's approach to saved policies.

Simplified Planning Zones: Grant planning permission for the types of development it specified subject to any conditions or limitations attached.

Site specific allocations: Allocations of sites for specific or mixed uses or development to be contained in *Development Plan Documents*. Policies will identify any specific requirements for individual proposals.

Statement of community Sets out the standards which authorities will achieve with regard to involving local communities in the preparation of

involvement:	<i>local development documents</i> and development control decisions. The statement of community Involvement is not a <i>development plan document</i> but is subject to independent examination.
Strategic environmental assessment:	A generic term used to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal 'environmental assessment of certain plans and programmes, including those in the field of planning and land use'.
Supplementary planning documents:	Provide supplementary information in respect of the policies in <i>Development Plan Documents</i> . They do not form part of the Development Plan and are not subject to independent examination.
Sustainability appraisal:	Tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and required in the Act to be undertaken for all local development documents.

Appendix 2

Statutory and Suggested Consultation

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

‘STATUTORY’ CONSULTATION BODIES (Based on Annex E of PPS12)

- (a) Regional Planning Body (West Midlands Regional Assembly)
- (b) Parish and Town Councils both within and adjoining the Borough
- (c) The Environment Agency
- (d) Highways Agency
- (e) The Historic Buildings and Monuments Commission for England
- (f) Natural England (*Formerly English Nature and Countryside Agency*)
- (g) Network Rail
- (h) Advantage West Midlands
- (i) Any person to whom the electronic communications code applies by virtue of a direction given under Section 106 (3) (a) of the Communications Act 2003
- (j) Any person who owns or controls electronic or communications apparatus situated in any part of the Borough.
- (k) Any of the bodies from the following list who are exercising functions in any part of the area of the Borough:
 - (i) Strategic Health Authority
 - (ii) Person whom a licence has been granted under Section 7 of the Gas Act 1986 (Relevant Gas and Electricity companies)
 - (iii) Sewage undertaker (e.g. Severn Trent)
 - (iv) Water undertaker (e.g. South Staffordshire Water)

PPS12 also states that other consultees should be consulted. These include:

Government Office for the West Midlands - through which the following can be consulted:

- Home Office
- 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

Other Government Departments over and above the Regional office

- Department of Constitutional Affairs
- Ministry of Defence
- Department of Work and Pensions
- Office of Government Commerce (Property Advisors to the Civil Estate)

General Consultation Bodies

- Voluntary bodies some or all of whose activities benefit any part of the Authority's area
- Bodies which represent the interests of different racial, ethnic or national groups in the authority's area.
- Bodies which represent the interests of different religious groups in the authority's area.
- Bodies which represent the interests of different disabled persons in the authority's area.
- Bodies which represent the interests of persons carrying on business in the authority's area.

Other Consultees

Local Planning Authorities should consider the need to consult where appropriate the following agencies and organisations in the preparation of the Local Development Framework

- 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;
- Church Commissioners;
- Civil Aviation Authority;
- Coal Authority;
- Commission for Architecture and the Built Environment;
- 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;

- Housing Corporation;
- Learning and Skills Councils;
- Local Agenda 21 including:
 - i. Civic Societies;
 - ii. Community Groups;
 - iii. Local Transport Authorities;
 - iv. Local Transport Operators; and
 - v. Local Race Equality Councils and other local equality groups;
- 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 Development Agencies;
- Regional Housing Boards;
- Regional Sports Boards;
- Road Haulage Association
- Sport England;
- 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.

Appendix 3



PLANNING CONTROL SECTION DEVELOPMENT 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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INVESTOR IN PEOPLE

JANUARY 2003

PRACTICE NOTE: 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 Control 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 Control 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, 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 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:-
 - 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 (County 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

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. Such consultations before the planning application is determined are set out in Article 10 of the Town and Country Planning (General Development Procedure) Order 1995.

4.0 NON-STATUTORY CONSULTATION

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

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.

Note: Newspaper advertisements required for applications in the following parishes, Okeover, Mayfield, Ramshorn, Ellastone, Wootton, Stanton, Rocester, Denstone, Leigh, Croxden, Uttoxeter Rural, Kingstone, Marchington, Draycott and within the area covered by Uttoxeter Town Council will be advertised in the Uttoxeter Advertiser and applications in the remainder of the Borough will be advertised in the Burton Mail.

6.2 Site Notices:-

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.

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 obtain copies of the weekly

list from the Council's Central Services Department upon payment of an appropriate fee.

8.0 WARD MEMBERS

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

9.0 COUNTY MATTERS

The Borough Council is itself only a consultee on such applications as waste and minerals and there is no requirement on the Council to undertake additional consultations.

10.0 ADVERTISEMENT APPLICATIONS

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. 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 time-scale and restricted grounds for comment the Council is generally unable to undertake the same publicity as set out above.

11.2 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.

SUMMARY

	Adverts	Site Notices	P.C.	Letter	Weekly List
EIA	*	*	*	*	*
Departures	*	*	*	*	*
PRW	*	*	*	*	*
LB	*	*	*	*	*
CA	*	*	*	*	*
Major developments	*	*	*	*	*
Minor developments		*	*	*	*
Advertisements		*	*	*	*
Telecommunications Equipment		*	*	*	*
Agricultural PN			*	*	*
Demolition			*	*	*
Hedgerow removals			*	*	*
Works to TPO trees		*	*	*	*
Tree works in Conservation Areas			*	*	*
Certificate of Lawfulness			*		*
County Matters					*