

Statement of Community Involvement 2016

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1 Introduction

1.1 The District Council is required to produce a statement of community involvement by the Planning and Compulsory Purchase Act 2004. This document fulfils that obligation and also reflects the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012, the Localism Act 2011 and the National Planning Policy Framework 2012.

1.2 A statement of community involvement (SCI) sets the standards which can be expected by our customers for community involvement in the planning process.

1.3 The SCI covers all aspects of the planning process undertaken by Lichfield District Council. This includes the preparation, alteration and continuing review of all local development plan documents such as the Local Plan Strategy and Local Plan Allocations documents. It also covers other documents such as supplementary planning documents and aspects of the neighbourhood planning process and development management decisions.

1.4 The SCI is applicable to all our customers and includes not just our residents but governmental bodies, other authorities, investors/developers, business community, parish councils, community groups and the general public. The SCI recognises that some of the issues may also affect residents in our neighbouring authority areas and the SCI includes how we will involve them in our planning processes.

1.5 The SCI recognises the valuable contribution of community involvement in the planning process and that by engaging with our customers we can help deliver better quality development which meets their needs and those of future generations. In addition our customers will be better informed and this may reduce the number of enquiries generated.

If you need this in another format, such as large print, please call spatial policy and delivery on 01543 308192 or email developmentplans@lichfielddc.gov.uk

2 Our Customers

Customer Profile

2.1 The SCI is applicable to all who engage with us or are aware of the planning system, however the majority of our customers are residents of our District. In order to establish how best to serve our residents it is necessary to look at the population profile of the district and how this is forecast to change.

Population profile

2.2 Lichfield District had a population of 100,654 people in 2011 (Census 2011), and this is expected to increase by up to 5% by 2022⁽ⁱ⁾. The District is comprised of 2 large settlements, these are Lichfield City and Burntwood and smaller villages surrounded by open countryside. Across the district the population profile of the different settlements varies, however generally the District has an ageing population, with a higher percentage of the working age population being economically active and a lower percentage of under 16's, when compared to national averages.

2.3 Approximately 20% of the District's population is aged over 65 years an increase since 2001 and higher than the England wide average figure which is 16.3%, this figure is expected to continue to rise. In 2012 8.3% of the population was over 75 years, compared to 6.9% in 2001. The number of older people living alone and people with limiting long term illness is statistically greater than England and the West Midlands according to the 2011 Census.

2.4 The proportion of under 16's living in Lichfield District is lower than the national and regional average at 17.5 % and the percentage of working age population is 62.4 %, which is again lower than for the West Midlands and England. The percentage of the working population which are economically active shows that within Lichfield District 78.5% of the working age population are economically active, compared to 74.2% for the West Midlands.

2.5 The ethnic make up of Lichfield District differs significantly from the regional and national compositions, with people of white British origin accounting for 94.6% of the population. Only 5% of the resident population District are from Black or minority ethnic backgrounds including White Irish/other, mixed, Asian or Asian British, Black or Black British and Chinese or other ethnic group. This is a significantly lower percentage than either the West Midlands or England average. The number of households who have English as a main language in Lichfield District is 99.3% according to the 2011 Census.

2.6 Within our District there are those who have a long-term health problem or disability. Currently there are 4.5% of persons claiming Disability Living Allowance in Lichfield District. The majority of claimants are between 60-69 years old (24.4% of all claimants)⁽ⁱⁱ⁾.

2.7 Lichfield District has a high employment rate with 77.2% of residents who are economically active being in employment, this compares to 73.2% in Staffordshire and 70.2% in the West Midlands. Residents within Lichfield District commute the furthest of all residents in Staffordshire, and have the fifth longest commute of all other authorities in the West

i 2012 based Subnational Population Projections for England 29 May 2014

ii ONS Benefit Claimants - Disability Living Allowance - February 2014. Equalities Statement 2015

Midlands, travelling an average 17.5km to work, compared to the rest of the Staffordshire districts' average being between 14.5-16km, and the West Midlands' average being 14.1km⁽ⁱⁱⁱ⁾ The County Council as transport authority calculate that 78% of households within Lichfield District are within 350 metres of a half hourly or better week day public transport service, which provides free bus travel to people of pensionable age, those with a disability (plus their carer) and under 20's travel, anywhere in Staffordshire for just £1.

2.8 Increase in the availability of Broadband and greater use of the internet has increased the accessibility to information. Initiatives such as Superfast Staffordshire will enable 96% of premises in Staffordshire with speeds of upto 24Mbps.^(iv) In Lichfield District 91.83% of premises including both residential property and business property will have Superfast access by the end of 2017. Many of the larger rural villages, Lichfield City and Burntwood have faster speeds already.

2.9 Lichfield District is often considered to be a relatively prosperous area when compared to the West Midlands region and in a national context. However within some of our communities there are pockets of deprivation. These are known to exist in Chasetown and Chadsmead Wards and in several of the rural wards.

Issues arising through the SCI and engagement

2.10 Through our previous consultations we have identified that not all of our customers are residents within Lichfield District. Where these are government bodies and other authorities such as Parish Councils there are often established electronic methods of communication which comply with legislative requirements. Other customers who are non-residents include people who work in or visit the District and those looking to invest in the District. Currently Lichfield District has the highest business start up rate within Staffordshire so it is important we engage with the business community.

2.11 Whilst the ability to use high speed broadband is increasing across the District it is recognised that not everyone has access to the internet or the necessary skills to utilise it. Using the internet usually involves a cost to the user and this may exclude some of our customers. Whilst using the internet is becoming cheaper, with the increased use of mobile (smart) phones, all the libraries within Staffordshire currently have free access to the internet and can offer assistance to those wishing to use it.

2.12 In order to address these issues we will do the following:

What we will do

2.13 In order to meet the needs of our customers we will:

- Place all matters for consultation on our website.
- Make a paper copy of our documents available to view at our principal office - District Council House, Frog Lane, Lichfield.

iii Office of National Statistics. Employment rate April 2014-March 2015
iv megabit per second- a measure of data transfer speed

- Provide for the specialist provision of documents when requested, such as producing a document in a larger print or different language.
- Where possible utilise a sensitive and accessible choice of venue for exhibitions and consultation events, reflecting the needs of our customers.

2.14 The District Council will not entertain representations which are racist/contain offensive language or are threatening and will consider further action where necessary.

2.15 It is against the law to discriminate against anyone because of: age, being or becoming a transsexual person, being married or in a civil partnership, being pregnant or having a child, disability, race including colour, nationality, ethnic or national origin, religion, belief or lack of religion/belief, sex, sexual orientation. These are called 'protected characteristics'. Refugees and asylum seekers are not specifically identified although they may come within the above groupings. By law^(v) we have to be able to show that when developing and delivering services we have taken into account the impact on, and the needs of the whole community. An Equality Impact Assessment helps us make this assessment. To help us work out what impact our documents and the subsequent decisions taken will have on our communities and ensure a fair and equitable approach to all, equality impact assessments will continue to be prepared for each document in accordance with Council policy and legislation.

2.16 The following sections show how we will engage with our customers on specific areas of our work.

v Equalities Act 2005

3 Development Planning

3.1 The District Council adopted the Local Plan Strategy in February 2015. This provides the strategic context, allocates strategic sites for residential development and sets local planning policies for the area. It will be followed in due course by the Local Plan Allocations Document, which will provide more localised detail. Both documents will comprise the Lichfield District Local Plan and will be supported by a range of other documents including Supplementary Planning Documents (SPDs) and where applicable Neighbourhood Plans. The District Council is required to produce a programme for the preparation of each of the documents that it intends to prepare over the next three years and set these out in a Local Development Scheme (LDS). This is a requirement of section 15 of the Planning and Compulsory Purchase Act 2004 and as amended by the Localism Act 2011.

3.2 Lichfield District Council adopted a revised and updated LDS in February 2015 and the majority of consultations relating to development planning will be in association with documents identified in the Local Development Scheme. This SCI sets out how consultation will be undertaken to support those documents and others. The preparation of Development Plan Documents (DPDs) such as the 'Local Plan Allocations document', Supplementary Planning Documents (SPD) and Neighbourhood Plans are subject to specific Regulations and this SCI shows how the Council intends to meet these Regulations and exceed them with 'additional actions' where appropriate to deliver/facilitate better quality development plans.

3.3 It is especially important to engage early in the preparation of a development plan. Regulations^(vi) require engagement with specific consultation bodies, general consultation bodies and the general public. The specific consultation bodies are specified in the Regulations^(vii) and include organisations such as Natural England. The 'general consultation bodies' the Regulations suggest should include voluntary bodies whose activities benefit any part of the District, different racial, ethnic or national groups, different religious groups and bodies who represent the interests of disabled persons or persons carrying on business in the District. The Regulations allow for this to be done electronically and many organisations prefer to be contacted via email. The Regulations require the general public to be made aware through the Council's website, by making the document available at the Council's principal office or the public can make a request to be notified of a consultation event. The Council will therefore maintain a database of our customers who wish to be notified of consultation events and make the appropriate document(s) available in alternative formats such as in a larger print, on request.

3.4 From our experience utilising a range of techniques at the early stages of the Plan enables greater involvement in the plan preparation and ownership of the document by organisations and members of the public. Techniques used previously include press releases, a 'wrap around' newspaper advert, placing paper copies of the documents in libraries, presenting at Parish Forum, encouraging the creation of action groups for collective representations, use of the Lichfield District Council website, exhibitions, master planning exercises for information collection and the use of outside agencies to facilitate workshops. These have had varying degrees of effectiveness. New opportunities such as the use of

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

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

e-bulletins/newsletters from umbrella organisations e.g Support Staffordshire /VAST are currently available and the table at **Appendix A** lists a variety of consultation techniques which have been used or which could be used and considers the cost and time involved for each. This will be used to inform the decision of the Development Executive (Spatial Policy and Delivery) on what is appropriate and how we engage with our customers during the preparation of our documents.

3.5 To ensure we reach a wide audience we will issue a press release, in addition to undertaking the requirements set by the Regulations^(viii) at each stage of preparation, and consider utilising new technologies such as the use of social media and mobile phone applications as they become available corporately.

3.6 Where the use of exhibitions is considered appropriate, in order to be cost effective and to prevent people being inundated with requests to attend multiple consultation events, the Council will establish whether any consultations/events are being run at the same time which can be utilised. Where appropriate the Council will seek to maximise efficiency by making the best use of resources to satisfy multiple requirements.

3.7 The following sections set out the stages of consultation for DPDs, SPDs and SCI. The tables identify the current statutory minimum requirements and what else we will do to engage with our customers, our 'additional actions'.

Development Plan Documents (DPD)

3.8 DPDs are more regulated than SPDs or the SCI and a development plan document has different consultation requirements. The following table sets out the various stages in the preparation of a DPD and what our customers can expect from us at these various stages so they are able to engage in the process of preparing the development plan and assist in the promotion of sustainable development. As there are statutory requirements the columns show 'what we are required to do by the current Regulations' at each stage in the preparation of a development plan and a further column - the 'additional actions' column which identifies how we will exceed these minimum requirements.

Development Plan Documents (DPD)		
Stage	What we are required to do by the Regulations	Additional actions
Preparation	No specific requirements	Informal engagement with relevant consultation bodies to identify the key issues and scope of the document. Issue a press release See table at Appendix A

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

Development Plan Documents (DPD)		
Stage	What we are required to do by the Regulations	Additional actions
Publication of Draft	<p>Seek views on whether the Local Plan and its accompanying suite of documents are legally compliant and sound.</p> <p>Make the documents available for at least 6 weeks via:</p> <p>the Council's website; and</p> <p>at our principal office – District Council House Frog Lane, Lichfield</p> <p>Make the documents available in alternative formats on request</p>	<p>Issue a press release.</p> <p>Consultation with consultation bodies and community involvement using a range of consultation methods as described in the SCI at Appendix A where appropriate and where resources allow e.g email via the consultation database and providing copies of the documents at the libraries.</p>
Submission	<p>Follow the statutory procedures of: providing a copy of the Local Plan, the Sustainability Appraisal/Strategic Environmental Assessment Report, Policies Map, Statement of representations, Copy of the representations, supporting documents and a statement of fact of where the above documents are available for inspection at and when on:</p> <ul style="list-style-type: none"> - the website - Council's principal office - District Council House, Frog Lane, Lichfield - send to each of the general consultation bodies and specific consultation bodies notification of the documents availability - notify those who wish to be notified that the Plan has been submitted 	<p>Issue a press release</p>

Development Plan Documents (DPD)		
Stage	What we are required to do by the Regulations	Additional actions
Examination with oral Hearings (if necessary)	<p>6 weeks prior to the opening of a Hearing.</p> <p>Notify- any person who has made a representation and not withdrawn it, of the date, time and place at which the Hearing is to be held and the name of the person appointed to carry out the independent Examination.</p> <p>In addition put the notification on the Council's website</p> <p>-advertise it at the Council's principal offices (District Council House, Frog Lane, Lichfield during normal office hours.</p> <p>Undertake other notifications that the Inspector and their Programme Officer request (as they are responsible for how the Examination is run.)</p>	<p>Undertake further notifications/consultation should it be considered appropriate in the local authority area.</p> <p>Publish documents relevant to the Independent Examination on the Council's website.</p> <p>Issue a press release</p>
Modifications (if necessary)	<p>Representations are considered by the Inspector (not the Local Planning Authority)</p> <p>Undertake further consultation as required by the Inspector (including where necessary on the SEA/SA and other supporting documents)</p> <p>Make the document available via the Council's website; and</p> <p>at our principal office – District Council House Frog Lane, Lichfield</p>	<p>If consultation is required by the Inspector the Council will make the documents available.</p> <p>Issue a press release</p>

Development Plan Documents (DPD)		
Stage	What we are required to do by the Regulations	Additional actions
Publication of the Inspectors Report	<p>Make the document available for at least 6 weeks via:</p> <p>the Council’s website; and</p> <p>at our principal office – District Council House Frog Lane, Lichfield</p> <p>Make the document available in alternative formats on request</p>	Issue a press release
Adoption and Publication	<p>Once adopted make the Local Plan, adoption statement and environmental report available for 6 weeks and the Local Plan available thereafter (until it is withdrawn) via:</p> <p>the Council’s website; and</p> <p>at our principal office – District Council House Frog Lane, Lichfield</p> <p>Make the document available in alternative formats on request</p> <p>Notify any person or body that made a representation or who asked to be notified of the adoption.</p> <p>Notify the Secretary of State.</p>	Issue a press release

Table 3.1 Development Plan Document Consultation Table

3.9 The adoption statement produced to accompany the Local Plan will be in accordance with the appropriate Regulations, currently this includes provision to apply for a judicial review of the decision to adopt the Local Plan in the High Court. Any application to the High Court has to be made within 6 weeks of the date of adoption.

Supplementary Planning Documents (SPD) and Statement of Community Involvement (SCI)

3.10 The LDS states that SPDs will be prepared to accompany the development plan. There are statutory procedures which guide consultation on these documents and they are listed in the table below along with additional options which could be utilised. The details are also applicable to the preparation and review of this SCI.

Statement of Community Involvement, Supplementary Planning Documents		
Stage	What we are required to do	Additional options
Preparation	No specific requirements	<p>Informal engagement with relevant consultation bodies to identify the key issues and scope of the document.</p> <p>Issue a press release</p> <p>(See table at Appendix A)</p>
Publication of Draft	<p>Make the document available for at least 4 weeks but no more than 6 weeks via:</p> <p>the Council's website; and</p> <p>at our principal office – District Council House Frog Lane, Lichfield</p> <p>Make the document available in alternative formats on request</p>	<p>Consultation with consultation bodies and community involvement using a range of consultation methods as described in the SCI at Appendix A where appropriate and where resources allow e.g email via the consultation database</p> <p>Issue a press release</p> <p>Consultation with neighbours if the SPD is site specific</p>

Statement of Community Involvement, Supplementary Planning Documents		
Stage	What we are required to do	Additional options
Adoption and Publication	<p>Consider the representations received through the consultation and make amendments/modifications necessary before adopting.</p> <p>Once adopted, produce an adoption statement, a consultation statement and make the document available for 3 months and thereafter (until the document is withdrawn) via:</p> <p>the Council's website; and</p> <p>at our principal office – District Council House Frog Lane, Lichfield</p> <p>Make the document available in alternative formats on request</p> <p>Notify any person or body that made a representation or who asked to be notified of the adoption.</p>	Issue a press release

Table 3.2 Statement of Community Involvement, Supplementary Planning Documents Consultation table

3.11 Following consultation on either an SPD or SCI we will produce a consultation statement. This will state who has been consulted, summarise the issues they raised and include how their issues have been addressed in the SPD. The adoption statement produced to accompany the SPD will be in accordance with the appropriate Regulations, currently this includes provision to apply for a judicial review of the decision to adopt the SPD in the High Court. Any application to the High Court has to be made within 3 months of the date of adoption.

4 Neighbourhood Planning

4.1 The Localism Act 2011 introduced new rights for communities to enable them to draw up a neighbourhood plan and grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders.

Neighbourhood Plans

4.2 A neighbourhood plan is an optional further tier of the statutory development plan which can be led by Parish Councils, which are also referred to as the 'qualifying body' in Parished areas, such as Lichfield District. As it is a 'development plan' there are statutory procedures regarding its preparation and these are set out in the Neighbourhood Planning (General) Regulations 2012^(ix). Where a Parish Council exists a neighbourhood plan is prepared by or on behalf of that Parish Council, which includes Lichfield City Council and Burntwood Town Council. As neighbourhood plans are prepared by the community they set out local planning policies in relation to that area, but they still have to be in line with national and local planning policy. Consultation and community involvement are important parts of neighbourhood planning and consultation has to include those consultation bodies which are specified in the Regulations and includes organisations such as Natural England. In addition those preparing a neighbourhood plan should also engage with other public bodies, landowners, the development industry, any voluntary bodies and various other persons with interests in the neighbourhood area who represent the relevant interests identified in the Regulations and whose interests it considers may be affected by the draft neighbourhood plan. A neighbourhood plan is subject to independent examination and if found to be acceptable is then voted upon in a local referendum. If the local community choose to agree the Neighbourhood Plan it can then be 'made' (brought into legal force) by the District Council and become part of the 'development plan' for the area and the policies it contains have to be considered when determining planning applications, unless material circumstances indicate otherwise.

4.3 It is not compulsory to prepare a Neighbourhood Plan and some areas may choose not to prepare one, the District Council can offer advice on this and there is also advice available via the [Council's website](#) and the national websites [planning portal](#) and [locality](#).

4.4 The District Council's role in the preparation of Neighbourhood Plans is to support those who are preparing a Neighbourhood Plan through offering advice and guidance and by fulfilling our statutory duties in certain areas of the process, such as making available our evidence base and offering advice on how the neighbourhood plan meets the basic conditions^(x). We will not however produce/write a Neighbourhood Plan. These processes are also the same for Neighbourhood Development Orders and Community Right to Build Orders and are outlined in paragraph 4.7 below.

ix Neighbourhood Planning (General) Regulations 2012 as amended
 x the basic conditions are set out in para 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to the neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004

Neighbourhood Development Order (NDO) and Community Right to Build Orders (CRBO)(Orders)

4.5 A Neighbourhood Development Order can grant planning permission for specific types for development in a specific neighbourhood area. There is guidance over what types of development it can give permission for, but these include being used to:

- permit building operations e.g structural alterations, construction, demolition or other works carried out by a builder;
- material changes of use of land and buildings; and/or
- engineering operations.

4.6 It can:

- apply to a specific site, sites or all of the Neighbourhood Plan area,
- grant planning permission for a certain type or types of development
- grant planning permission outright or subject to conditions

4.7 A Community Right to Build Order (CRBO) can be used for small scale development such as building of homes, shops, affordable housing for rent or sale, community facilities or playgrounds. This enables the community to develop the land. Any resulting asset can only then be disposed of, improved or developed in a manner which the community organisation considers benefits the local community or a section of it. A CRBO may only be prepared by a Parish Council or Town Council and community organisations which meet certain legal requirements.

4.8 A CRBO and a NDO need to be in conformity with the Local Plan and if applicable the neighbourhood plan. As with neighbourhood plans, a NDO and CRBO is subject to an independent examination and a referendum and the local authority needs to be included in these stages.

Consultation

4.9 Consultation and community involvement are important elements in the neighbourhood planning process. Those preparing the Neighbourhood Plan/NDO/CRBO are responsible for consultation in the early stages and preparation of the Draft plan/Order. The District Council does however play a significant role in consulting on neighbourhood plans and Orders (NDO/CRBO). The Regulations specify that the Council when required to undertake consultation for neighbourhood planning purposes must publicise the plan or Order, as applicable, on their website and in such a manner as they consider is likely to bring the proposal or Order to the attention of people who live, work or carry on business in the neighbourhood area. The District Council will therefore publicise the neighbourhood plan/Order on our website and prepare and send out a press release as a minimum.

The District Council's role

4.10 The District Council has a statutory role in the preparation of a neighbourhood plan/Order as well as elements of consultation and is responsible for much of the process following the 'submission'^(xi) of the Draft plan/Order. The Council's statutory role is outlined below, along with how we will exceed these requirements:

- We will make available our evidence base
- We will publicise the applications for the designation of the neighbourhood area for no less than 6 weeks on the Council's website, along with details of how to make representations, the date by which representations should be received and a statement that if the designation is made then no other neighbourhood areas will be designated in that area. We will also issue a press release.
- We will publicise the designation of a neighbourhood area on the Council's website, including a map of the area designated, the name of the neighbourhood area and the name of the relevant body who applied for the designation. We will also issue a press release.
- We will check a draft neighbourhood plan/Order if the qualifying body want us to and advise if it meets all the relevant legislation/ regulations and that it generally conforms to the Local Plan.
- For a neighbourhood plan submission we will publicise details of the plan including where and when the neighbourhood plan can be inspected on the Council's website. We will include how representations to the plan can be made or requests to be notified of the decision on the plan and the date by which those representations should be received, this not being less than 6 weeks from the date the plan is first publicised, this is part of the requirements of Regulation 16 of the legislation on neighbourhood planning. We will also issue a press release.
- For an Order (NDO or CRBO) we will publicise details of the Order and where and when the Order can be inspected on the Council's website. We will include how representations to the Order can be made or requests to be notified of the decision on the Order and the date by which those representations should be received, this not being less than 6 weeks from the date the Order is first publicised, this is part of the requirements of Regulation 23 of the legislation on neighbourhood planning. We will publish on our website any accompanying Environmental Statement which may be required in accordance with the Regulations governing Environmental Impact Assessment. We will also issue a press release.
- We will undertake to notify any consultation body referred to in the consultation statement of the neighbourhood plan/Order as required by the Regulations.
- We will arrange for an examination of the neighbourhood plan or Order and appoint an independent examiner in consultation with the Qualifying Body.
- The Examiner's Report will be published on the LDC website and provided to the Qualifying Body. Following the publication of the Examiner's Report we will prepare

xi receipt of a neighbourhood plan /Order in accordance with Regulation 16 where this relates to a Neighbourhood Plan or Regulation 23 for an Order of the Neighbourhood Planning(General) Regulations 2012 (as amended)

and publish the decision statement and send a copy to the relevant Parish Council and any person who asked to be notified of the decision. We will also issue a press release.

- Subject to the findings of the decision statement we will arrange a local referendum on the neighbourhood plan/Order. If over 50% vote in favour then as long as the neighbourhood plan/Order is in compliance with the various legal obligations we will publish on our website the neighbourhood development plan/Order stating where and when it may be inspected and notify any person who asked to be notified of the making of the neighbourhood development plan/Order. We will also issue a press release.

5 Sustainability Appraisal

5.1 A Strategic Environmental Assessment (SEA) and a Sustainability Appraisal (SA) can be separate reports as they arise from different pieces of legislation however they can be combined into a single report where appropriate. A SEA provides a high level of protection of the environment and should contribute to the integration of environmental considerations into the preparation and adoption of the plans with a view to promoting sustainable development. A sustainability appraisal has to appraise the environmental, economic and social effects of the Plan and its policies from the outset of the preparation of the process, so that decisions can be made that accord with the objectives of sustainable development. The requirement to undertake SEA/SA is from European Directive 2001/42/EC and currently the Environmental Assessment of Plans and Programmes Regulations 2004.

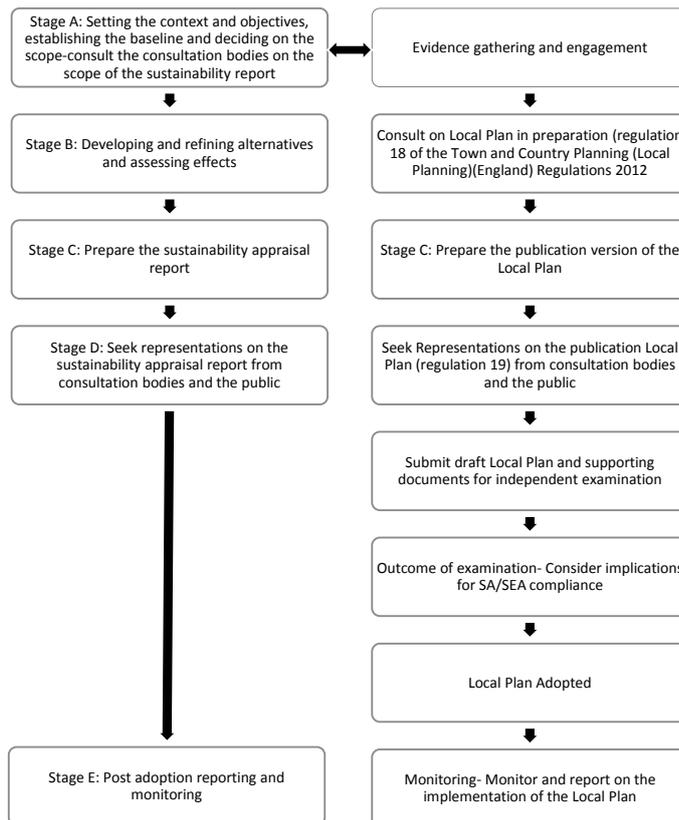
Development Plan Documents

5.2 The undertaking of Strategic Environmental Assessment (SEA) and a Sustainability Appraisal (SA) are mandatory for a development plan documents, such as a Local Plan, as a requirement of European Directive^(xii). Guidance on the content of the SA/SEA reports which need to accompany each stage of the preparation of the Development Plan Document and the requirements to consult are incorporated in the SEA Regulations.^(xiii) The advice given in these Regulations will be followed by the Council in the preparation of its Development Plan Documents and where appropriate the SA/SEA will be made available alongside the development plan being consulted upon.

5.3 Below is a useful diagram identifying the stages of the sustainability appraisal process, consultation on the documents produced and how these relate to the preparation of a Local Plan.

xii European Directive 2001/42/EC

xiii Currently Environmental Assessment of Plans and Programmes Regulations 2004



Picture 5.1 Sustainability appraisal process

Neighbourhood Planning

5.4 There is no legal requirement for a neighbourhood plan to undertake a sustainability appraisal (SA). However if a neighbourhood plan allocates sites for development it is likely an environmental assessment (SEA) will be required. It is good practice to assess neighbourhood plan proposals or an Order (CRBO or NDO) to determine whether or not the plan or proposal is likely to have significant environmental effects (SEA) and this will provide evidence for the Examiner to assess if the Plan /Order meets the 'basic conditions'. The Council can assist with this process by providing a screening assessment.

5.5 The qualifying body must make sure their plan/Order complies with any specific publicity and consultation requirements for SEA and the spatial policy and delivery section can provide advice on this if requested. When the qualifying body are ready to submit their draft plan for consultation as required by Regulation 16, or in the case of an Order (NDO/CRBO) Regulation 23, the District Council is willing to prepare a screening assessment of the draft plan/Order. As part of the preparation of the screening assessment the Council will undertake consultation with the 'statutory environmental bodies' as required by the SA/SEA guidance and incorporate their responses into the screening assessment of the plan/Order. It is worth noting that the statutory environmental bodies are currently entitled to take 21 days to prepare their responses. The Council will send the screening assessment when it is completed to the qualifying body.

5.6 If the screening assessment finds that there are significant effects likely then it will be necessary for the the next stages of SEA Regulations to be followed, as shown in Stages A to E in Diagram 5.1 above. In the case of a NDO or CRBO the proposal may require an environmental assessment by virtue of the type of development proposed and guidance on this can be found in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended). For a neighbourhood plan it may be possible to modify the neighbourhood plan to remove the requirements for SEA, this can be done by the qualifying body, prior to submission of the draft plan and could also be undertaken by the Examiner who considers the neighbourhood plan. The qualifying body's statement on how it meets the basic conditions should incorporate the screening assessment and should also include how the plan/Order complies with European Regulations. It is important that the neighbourhood plan/Order complies with the EU Regulations as if the plan/Order is not considered as compatible with these EU obligations it will fail in meeting the basic conditions test and not be able to proceed to referendum.

6 Development Management

6.1 Development Management consider the detailed proposals that are submitted to the District Council for consideration and any breaches of planning control. The proposals are submitted to the District Council in a wide variety of applications and are considered against current legislation, national guidance, the Development Plan (currently the Lichfield Local Plan Strategy and the Staffordshire County Council Minerals and Waste Local Plans where appropriate) and relevant SPDs. The involvement of our customers is important and enables them to be better informed which assists us in the delivery of sustainable development.

6.2 The District Council during the last 3 years has received on average around 900 planning applications per year. This includes applications for listed building consent, advertisement consent, applications for prior notification, certificates of lawfulness. In addition the District Council receives on average 300 planning enforcement enquiries per year.

6.3 Of the type of application received the vast majority of planning applications, (over 65%) are for 'minor' development with approximately 3% being for 'major' development. Other application types are:

- Listed Building Consent – works affecting a listed building or associated buildings within its curtilage.
- Advertisement Consent – display of certain adverts.
- Applications for Prior notification – confirmation that works comply with the requirements of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) in relation to works involving the erection of agricultural buildings; telecommunications equipment; demolition of buildings; change of use of offices or shops to dwellings and free schools, and agricultural buildings to dwellings, restaurants, offices, hotels, leisure uses, shops, storage uses or solar panels.
- Certificates of Lawful Use of Development – confirmation that an existing or proposed development or land use is lawful.

6.4 The Government has set out minimum standards for consultation on planning applications in the National Planning Practice Guidance and Article 15 of the Town and Country Planning (Development Management Procedure) Order 2015 (DMPO). There are three categories of application, which require differing levels of publicity:

1. All applications subject to an environmental assessment, all applications which are a departure from the Development Plan and all applications affecting public rights of way are required to be publicised by the display of a notice on the site for a minimum of 21 days, and by the placing of an advertisement in a local newspaper. In addition to any of the requirements pertinent to the scale of the development set out in the table at para 6.6.
2. Applications defined as “major” applications by the DMPO are required to be publicised by the display of a site notice or letters written to adjoining owners/occupiers of land, and by placing an advertisement in a local newspaper. Major applications are those comprising a residential development of more than 10 dwellings, or residential development in outline form on a site of 0.5 hectares or more, or the erection of other

buildings creating 1,000 square metres or more of floor space, or outline applications on sites of 1 hectare or more.

3. If an application does not fall in the above categories, then it is required to be publicised by the display of a site notice or by letter to adjoining occupiers/owners.

6.5 Applications for Listed Building Consent, applications affecting the setting of a listed building, or the character or appearance of a conservation area require publicity by way of a site notice and a newspaper advertisement. The requirements for publicity are set out in Regulation 5 and 5A of the Listed Buildings and Conservation Area Regulations 1990 (as amended)

6.6 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.

	Type of development	What we are required to do	Additional actions
Major	<p>For dwellings: where 10 or more are to be constructed (or if no number given, the area is more than 0.5 ha)</p> <p>For all other uses: where the floorspace will be 1000sq.m or more (or site is 1ha or more).</p>	<p>Write to all adjoining owners or occupiers or post a site notice.</p> <p>Press Notice.</p> <p>Details published on the Council's website.</p> <p>Full details available at the Council's principal office-District Council House, Frog Lane, Lichfield.</p> <p>Notify the appropriate Town or Parish Council of the application.</p> <p>Consult with statutory consultees online.</p>	<p>Advise applicants to consider public meetings exhibitions as appropriate.</p> <p>Advise applicants of and encourage engagement with the pre- application advice service available including the Development Team approach. See Council's website</p> <p>Consult adjoining local authorities where appropriate.</p> <p>For larger housing schemes applicants will be encouraged to prepare and consult the community on a master plan for the development.</p> <p>Consult with non-statutory consultees.</p>

	Type of development	What we are required to do	Additional actions
Minor	<p>Minor development is development which does not meet the criteria for</p> <p>Major Development or the definitions of change of use or householder developments.</p>	<p>Write to all adjoining owners or occupiers or post a site notice.</p> <p>If affecting the setting of a conservation area also do a press notice.</p> <p>Details published on the Council's website.</p> <p>Full details available at the Council's principal office-District Council House, Frog Lane, Lichfield.</p> <p>Notify the appropriate Town or Parish Council of the application.</p> <p>Consult with statutory consultees online.</p>	<p>Advise applicants of and encourage engagement with the pre-application advice service available including the Development Team approach. See Council's website</p> <p>Consult with non-statutory consultees.</p>
Other	<p>This includes the following categories:</p> <p>Change of Use: Applications that do not concern major development or where no building or engineering work is involved.</p>	<p>Write to all adjoining owners or occupiers or post a site notice.</p> <p>Applications within a conservation area that affect its character or affect the setting of a Listed Building are subject to a site notice and press notice.</p>	<p>Advise applicants of the pre-application advice which is available and encouraged with written advice provided. See Council's website</p>

	Type of development	What we are required to do	Additional actions
	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.	<p>Details published on the Council's website</p> <p>Full details available at the Council's principal office-District Council House, Frog Lane, Lichfield.</p> <p>Notify the appropriate Town or Parish Council of the application.</p> <p>Consult with statutory consultees online.</p>	Consult with non-statutory consultees.

Table 6.1 Approach to planning application publicity

6.7 All consultees and neighbours are given a minimum of 21 days to comment/respond. Where necessary consultees will be given longer to reflect statutory timescales where specified by legislation. Anyone can respond to a consultation. In addition to individuals who might be directly affected, community groups and specific interest groups (national as well as local in some cases) may wish to provide representations.

6.8 If any significant amendments are received in relation to any of the above categories, we undertake to carry out a further round of consultation. The extent of this re-consultation is dependent upon the scale of the amendments – writing to those (directly) affected and the local Parish/Town Council, if necessary. It is at the discretion of the Local Planning Authority as to the need and length of re-consultation however we normally allow a minimum 10 days from the date of the re-consultation letter to respond. However, we are prepared to carry out a full re-consultation process as appropriate, or where it is an EIA application.

Other Consultations

6.9 In addition to the above applications, we also carry out consultation on the following categories:

Advertisements - We will write to neighbouring occupiers/owners.

Certificates of Lawfulness for Existing Development - We will write to neighbouring occupiers and the Parish Council to seek their specific comments.

Applications involving erection or replacement of telecommunication masts - We will write to all occupiers within 100 metres of the site and the relevant Parish Council to seek specific comment.

Wind Turbines – We will write to all occupiers within 500m of the site and the Parish Council to seek their specific comments.

Openness and Transparency

6.10 We aim to make the planning application process as open and transparent as possible. All planning application documents are available online and only information exempt under the Freedom of Information Act 2000 and the Data Protection Act 1998 is withheld from public view. We also publish a range of advice leaflets intended to guide users of the service through the system – copies of these are available on the Council's [website](#).

6.11 Applicants are encouraged to discuss proposals in advance and a Duty Officer system is in place during morning office hours to ensure that professional advice is available. Officers are prepared to visit individual occupiers to explain planning applications, if the need arises.

Pre-application Discussions

6.12 All potential applicants are encouraged to hold informal discussions with Council Officers prior to formally submitting an application. This allows for concerns and issues to be raised and where possible resolved at an early stage in the process. Where appropriate, the views of other professionals (e.g. highway officers) will be sought. As of 2014 the Council started charging for pre-application discussions. Full details of the fees and minimum level of information required are available on the Council's website <http://www.lichfielddc.gov.uk/Council/Planning/Pre-application-guidance/About-pre-application-guidance.aspx>

6.13 In the case of strategic and/or major applications prospective applicants are encouraged to present at a Development Team meeting. This includes relevant officers from the Council and statutory consultees. Local Councillors are also encouraged to be involved where necessary. Pre-application discussions are in confidence (subject to the relevant provisions of the Data Protection Act and Freedom of Information Act) although applicants are advised on how to involve Parish/ Town Councils, neighbours and/or the wider community (e.g. Civic Society) at an appropriate point.

6.14 The Council will encourage applicants/developers to undertake appropriate consultation with the local community prior to applications being submitted. Officers will provide further pre-application advice in writing. The Council's Protocol for Pre-application Discussions on Planning Applications sets out the detailed commitment / requirements to this procedure. This can be found on the Council's website <http://www.lichfielddc.gov.uk/Council/Planning/Planning-guidance/Pre-application-protocol.aspx>

6.15 Developers will be encouraged on appropriate major housing development to prepare a master plan. The master plan should include the phasing of development and associated infrastructure, community and recreational facilities, safe routes for cyclists and pedestrians etc. Applicants will be encouraged to consult widely on the master plan with the community, neighbours and residents associations at public meetings and/or exhibitions and to indicate any changes to the plan resulting from the consultation. The Council will only undertake consultation on formal planning applications submitted.

How do we involve our customers during the processing of an application?

6.16 Any comments, also referred to as representations, which are received on an application are considered by a planning officer, who will weigh these with other related issues (such as the planning policies of the District Council and national planning guidance) in the assessment of the development proposal before reaching a recommendation.

How do we involve our customers when the application goes to Committee?

6.17 All planning application decisions contain a report on the proposal and this report contains a summary of all representations received from local residents, the Parish Council and other relevant consultees etc. All comments are considered in reaching a decision on the application. All reports written by Planning Officers are available on request. The more significant or controversial applications are presented to the Council's Planning Committee for their consideration whilst others are delegated by the District Council to senior officers to determine as they fall within the Council's approved 'Scheme of Delegation'.

6.18 The Planning Committee meets every third Monday evening in the Council Chamber and is open to members of the public. A report is prepared by the Planning Officer making certain recommendations to the Committee to either approve or refuse the proposal. It is for the Committee to decide to either accept or reject these recommendations, as long as they have good planning reasons to do so. As part of the deliberations of the Committee, members of the public, non-Committee ward members, applicants or agents can make verbal submissions directly to the Committee. Detailed advice on the operations of this process and copies of all reports to the Council's Planning Committee are published on the Council's website:

<https://www.lichfielddc.gov.uk/Council/Planning-guidance/The-planning-committee.aspx>

How do we involve our customers after a decision is taken on a planning application?

6.19 Once a planning application is determined, the decision is publicised on the Council's website. <http://www.lichfielddc.gov.uk>

6.20 Often there are conditions attached to any grant of consent and if there are concerns from local residents or others that the development is not being carried out in accordance with those conditions, then by contacting the District Council, investigations can be carried out to ensure that the development is implemented in the correct manner. Decision notices contain detailed reasons for approval or refusal and for all conditions imposed upon any permission. Where developer contributions are available the Council will be open and transparent about the intended use of those monies. Details on how applicants can appeal are contained within all decision notices issued by the Council. There is no third party right of appeal.

How do we involve our customers if an appeal is received on a planning application?

6.21 If a planning application is refused or conditions are imposed on a permission that an applicant is unhappy with, the applicant has the right of appeal against the Council's decision to the independent Planning Inspectorate. Applicants can choose whether to have their appeal decided through an exchange of correspondence (known as written representations), at an informal hearing or at a more formal Public Inquiry. All domestic Householder appeals and some small scale commercial appeals are exclusively dealt with through a fast track appeal system, in which no further comments at the appeal stage are accepted by the Planning Inspectorate and only comments received by the time the application is determined are taken into consideration by the Planning Inspector. Whichever option is chosen, those who originally commented, and any interested parties, on the planning application are invited to make further representations directly to the Planning Inspectorate. An independent Inspector is then appointed to review the case. If the matter is to be heard by an Inspector at either an informal hearing or a Public Inquiry then the interested parties including local residents and amenity groups will be invited to make verbal submissions directly to the Inspector. The applicant and District Council also appear at the hearing or Inquiry. Whilst the appeal process is an independent process operated by the Planning Inspectorate, some of the administration (notifying people of relevant dates etc.) is undertaken by the District Council.

How else do we involve our customers?

- We attend the Parish Forum on a regular basis;
- We will visit individual's homes, upon request, if residents are disabled or housebound to explain development proposals;
- We provide planning advice and guidance on the Council [website](#);
- We display all planning application details on the Council [website](#); and
- We accept comments on planning applications via the Councils [website](#), email or through letter.

7 Monitoring and Review

7.1 The District Council will monitor the success of community involvement through its Annual Monitoring Report (AMR).

7.2 The AMR monitors the number of users of the District Council's on line consultation portal and the levels of engagement from members of the public and other stakeholders to public engagement opportunities, such as consultation at the various stages of the Local Plan production. The AMR also tracks the number of visits to our web pages.

7.3 The AMR is produced annually and a review of the SCI will be considered where there has been a particularly low level of community participation or issues have emerged in terms of its implementation.

7.4 The Council also has a complaints and compliments procedure to help us improve our services to our customers and this involves an annual report to the Standards Committee.

8 Appendix A - Table showing appraisal of options for consultation

Type of consultation	Advantages	Disadvantages	Material cost	Staff time
Website	<p>Statutory requirement</p> <p>Easy to update</p> <p>Lots of information</p> <p>Accessible 24 hours a day so is accessible to those who are short of time</p>	<p>Not targeted</p> <p>Not everyone has access to the internet</p>	Low	Low
Documents at Principal office (District Council House, Frog Lane, Lichfield)	<p>Statutory requirement</p> <p>Location is accessible to the public</p> <p>Access to officers/expertise can be arranged</p>	Restricted opening hours	Low	Low
Libraries and key community offices where appropriate	<p>Established form of consultation utilising existing and established resources</p> <p>Provides a paper copy close to residents</p> <p>Supported access to computers</p> <p>Reaches residents on cross boundary issues</p>	Restricted opening hours	Low	Low/Medium

Type of consultation	Advantages	Disadvantages	Material cost	Staff time
E mail via Local Plan consultation database	<p>Enables persons to register an interest and be kept informed of all consultation events</p> <p>Allows persons to manage their involvement over the duration of the preparation of the Plan</p>		Low after initial purchase	Medium
Utilise existing networks such as Support Staffordshire, Economic Partnerships etc	<p>Established method for passing of information so it reaches the correct person in an organisation.</p> <p>Up to date.</p>	Relies on others to circulate the information and keep the database up to date	Low	Low
Mobile Phone 'App'	Especially good for engaging with young people and those who are short of time	<p>Limited accessibility to some members of society</p> <p>Not available corporately yet</p> <p>Needs to link to other databases and the website to keep officer time and cost low</p>	Low if done corporately	Low if done corporately
Corporate Social Media Twitter etc	<p>Existing corporate account with followers</p> <p>Lots of businesses use it</p>	Difficulty in the management of comments and their inclusion within the process	Low	Low if done corporately

Type of consultation	Advantages	Disadvantages	Material cost	Staff time
	Moderated corporately	Limited information can be posted		
Council Tax Letter/ Council newsletter-'Intouch'	Reaches all households within the District.	Limited to a certain time of the year Information is limited and will be generic rather than specific	Low	Low
Business Tax Letter	Reaches lots of businesses	Limited to a certain time of the year Information is limited and will be generic rather than specific	Low	Low
Exhibitions and attendance at other parallel events where possible	Can be unmanned but can direct access to expertise/officers Can be in more accessible locations and combined with other events Meets public expectation	Mixed levels of attendance Attendance may not be representative of the wider community Subject to staff availability and resources	Medium	High
Press Release	Can be sent to lots of publications Can reach lots of properties	Relies on the distribution area of the newspaper so may not cover all District or all properties	Low	Low

Type of consultation	Advantages	Disadvantages	Material cost	Staff time
		Any subsequent article may not be unbiased		
Advert/ Press Notice/ Questionnaire/ Insert or wrap around on the newspaper	Accurate Concise information May be required by certain Regulations	Relies on the distribution area of the newspaper so may not cover all District or all properties Response often low, needs freepost return address	High	Medium/High
Notice Boards/ Posters/ Partners Newsletters	Reaches local communities Allows for a targeted approach	Limited information Relies on others to put up/remove notices Limited to certain times for circulation Unknown distribution	Medium	Medium
Focus Groups/ Planning for Real Exercises/ Masterplanning Exercises	Useful for detailed evidence gathering on complex issues Can be targeted to represent particular groups so can address areas where under representation is required		High	High

Type of consultation	Advantages	Disadvantages	Material cost	Staff time
Parish Forum	Builds on links to Neighbourhood Plans/Parish Plans etc.	Frequency of meetings and attendance may not always be appropriate	Low	Low
Neighbourhood/ Locality Meetings/Public Meetings/Schools/ Organisations e.g local interest groups	Can be very detailed	Duplicates exhibitions Sometimes not representative and can be difficult to hear all views Subject to staff availability and resources	Medium	High

Table 8.1 Appendix A Community Involvement Techniques

9 Glossary

Term	Abbreviation	Meaning
Annual Monitoring Report	AMR	A report prepared annually assessing the progress and effectiveness of the policies in the Local Plan.
Community Right to Build Order	CRBO	An Order prepared by a Parish or Town Council which enables the community to provide small scale developments on a specific site or sites in their neighbourhood area.
Development Planning Document	DPD	A document such as the Lichfield District Local Plan Strategy or the Lichfield Local Plan Allocations document prepared by the local planning authority, Lichfield District Council, and produced under the Planning and Compulsory Purchase Act 2004 (as amended).
Local Development Scheme	LDS	A project plan which sets out the timetable for the preparation of the documents that will form part of the Lichfield District Local Plan.
Local Plan		A document such as the Lichfield District Local Plan Strategy or the Lichfield Local Plan Allocations document. It is a development plan document prepared by the local planning authority, Lichfield District Council, in accordance with the Planning and Compulsory Purchase Act 2004 (as amended).
Neighbourhood Development Order	NDO	An Order which can grant planning permission for specific types of development in a specific neighbourhood area.
Neighbourhood Plan		Is a plan which addresses the use of land and is prepared by a Parish or Town Council. It can be adopted by the Local Planning Authority, Lichfield District Council, and form part of the development plan for the area.
Parish Forum		A constituted body which is a partnership between parish councils and the district council which meets upto 5-6 times a year

Term	Abbreviation	Meaning
Statement of Community Involvement	SCI	It is prepared by the local planning authority and sets the standards and processes to be followed when preparing development plans, supplementary planning documents and the varying types of planning applications
Strategic Environmental Assessment/Sustainability Appraisal	SEA/SA	A process which assesses how plans and proposals effect social, environmental and economic issues with a view to promoting sustainable development.
Supplementary Planning Documents	SPD	Provide further guidance on the policies contained in the Local Plan.

Glossary