

# **Tamworth Borough Council**

## **Statement of Community Involvement 2018**

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## PART A - INTRODUCTION

The Statement of Community Involvement sets out our vision and strategy for community involvement in planning. The aim is to explain when and how you can get involved in the planning process in Tamworth including in the development plan making process and the decision taking process on individual planning applications.

This document describes our approach to community engagement and involvement in the planning process and is broken down into two main sections: **Local Plans** and **Planning Applications**.

### Our approach to engagement

When we engage with you in either the plan making or decision taking processes we will strive to:

- **Keep things simple**, by using plain English and explaining any planning terms that we need to use.
- **Communicate clearly**, by explaining why we want to involve you and receive your comments.
- **Make it easy for you to get involved**, by explaining when and where you can get involved. We will try to make public planning events as accessible as possible for all groups.
- **Make sure your involvement is effective**, by listening to your views throughout the planning process. We will explain what we can and can't take into account and make sure you have enough time and notice of opportunities to get involved.
- **Be inclusive**, wherever possible by providing information in an accessible format and giving clear advice on how the planning system works when requested. We will also encourage involvement from groups that have traditionally not been involved in the planning process.
- **Share information**, by making it available through the most appropriate channels including on our website and social media as well as at our offices and local libraries when appropriate to do so.
- **Strive to meet targets** wherever possible, whether they are our own targets or those set by Government.

### Who will we look to engage with?

Government planning regulations require us to ensure that certain groups are consulted at key stages in preparing the Local Plan or determining planning applications. This includes, for example, the Environment Agency, Highways England, Historic England and Staffordshire County Council. The full list is updated periodically and is available online on the Government's planning system website.

As well as those groups we are required to consult with, we would like all interested parties to have the chance to be involved in the preparation of the Local Plan documents and the determination of planning applications. To help with this, we maintain a list of individuals, groups and stakeholders who have expressed an interest in staying informed about planning matters in Tamworth, and we use this list to help us engage with a wider audience where appropriate. If you would like to be added to the list, please contact the Planning Policy and Delivery team at [developmentplan@tamworth.gov.uk](mailto:developmentplan@tamworth.gov.uk)

We are committed to doing everything reasonably possible to make our community involvement inclusive. This means that we aim to give everyone in Tamworth an opportunity to be involved in the decisions we take. Our Diversity and Equality Scheme (Making Equality Real in Tamworth) outlines how we will promote equality and diversity in the delivery of our services, and our Community Engagement Framework sets out ways we will engage with relevant groups.

In line with this, we can make documents available in alternative formats on request; this includes Braille, large print and alternative languages.

### **How you can get involved**

We will keep you informed through various ways including by letter or e-mail, through our website ([www.tamworth.gov.uk](http://www.tamworth.gov.uk)) and social media channels, and notices in the local newspaper where appropriate. The methods we use to engage with people will vary depending on the particular document being produced or decision being made and may also include public consultation events. However, when determining the best approach in any situation, we will always seek to ensure that the process is proportionate and cost-effective.

### **The Role of Planning Officers**

The Council's Planning Officers work within the Planning and Regeneration service, which is based at Marmiom House:

- **The Planning Policy and Delivery Team** produces the Local Plan, Supplementary Planning Documents and site development briefs. They carry out the gathering of evidence to support planning policy, organise consultation and engagement events, produce draft planning documents and take planning documents through the statutory process of a Local Plan examination. Local Plan examinations are carried out by the Planning Inspectorate.
- **The Development Management Team** assesses planning applications against the policies of the adopted development plan, the National Planning Policy Framework and any other material considerations. The Development Management team also investigate alleged breaches of planning control..

### **The role of Councillors**

Locally elected Councillors have a key role to play in the planning process:

- The Full Council are responsible for approving and adopting all development plan documents such as the Local Plan, whilst the Council's executive, the Cabinet is responsible for approving and adopting other local development documents such as supplementary planning documents. Our Planning Committee is made up of 13 Councillors who make decisions on major planning applications (as defined in the Council's scheme of delegation).
- There are ten wards in Tamworth and each ward is represented by 3 Councillors. You can be contact them to discuss applications in their wards and neighbouring wards where there may be an impact. Councillors can voice their support or objection to planning applications in writing and ward councillors can speak at Planning Committee on behalf of their constituents.

The role of locally elected Councillors in representing the views and concerns of residents in the planning process is very important. However, your views can only be formally taken into account when you make them in writing to Planning Officers within the specified time for a particular consultation.

## PART B - LOCAL PLANS

The Local Plan sets out a vision and objectives for the future development of Tamworth, and we would like you to get involved in its preparation. During the development of the Local Plan and other related documents there will be opportunities for you to get involved and help shape the future of Tamworth. This section provides details of when and how you can get involved.

### Tamworth Local Plan

The development plan for Tamworth is made up of:

**The Local Plan** (adopted 2016) - This is the key document of the development plan because it sets out the vision and objectives for the future development of Tamworth as well as allocating land within the borough for particular uses and setting out the policies against which planning applications are assessed.

**Supplementary Planning Documents (SPDs)** – These documents sit alongside the Local Plan and provide more detailed advice or guidance on the policies contained within it, such as in relation to design issues and planning obligations.

**Community Infrastructure Levy (CIL)** – CIL is a tool to help us to deliver infrastructure to support the development of Tamworth by charging a tariff on certain types of development to contribute towards the cost of infrastructure projects. Our current CIL Charging Schedule and the list of infrastructure projects we intend to help fund through CIL can be found on our website.

Other development plan related documents include:

**Local Development Scheme (LDS)** – The LDS sets out a programme for the preparation of the Local Plan and related documents over a three year period. The three year programme helps to keep you informed about upcoming opportunities to get involved in the plan making process..

**Monitoring Report** – These documents help keep you informed on the progress being made in preparing Local Plan and related documents as well as our performance in implementing the policies contained within the Local Plan.

### Neighbourhood Plans

Neighbourhood Plans are a relatively new way for the community to influence planning in their area. Once a Neighbourhood Plan has gone through the whole process and has been 'made' (adopted) they have the same weight in planning decision making as the Local Plan.

In Tamworth, as there are no Parish Councils, Neighbourhood Plans are written by groups of people or businesses that come together in a particular area to make a Neighbourhood Forum. A Neighbourhood Forum should consist of at least 21 people living and/or working in the area and must have the express purpose of promoting its social, economic and environmental wellbeing.

Once a Forum has been set up and an agreed Neighbourhood Area in which it will be working has been established then a Neighbourhood Plan can be prepared. Although we do not prepare Neighbourhood Plans, we do have a duty to provide advice and assistance to forums wishing to produce one. The type and amount of support will vary from case to case but could include:

- Access to the existing evidence base we already hold and advice on what existing policies in the Local Plan are considered strategic and must be adhered to
- Help with mapping and technical advice
- Arranging meetings and help with consultation where appropriate
- Providing advice on legal requirements for Neighbourhood Planning
- Screening emerging plans for environmental and habitats impacts

We also have a duty to take plans through the legal publication, examination, referendum and adoption processes as set out in the Neighbourhood Planning Regulations (2012) (as amended). Please contact the Tamworth Borough Council Planning Policy Team for more information on 01827 709709.

More information on Neighbourhood Planning can be found in the Neighbourhood Planning Road Map Guide produced by Locality: [https://neighbourhoodplanning.org/wp-content/uploads/NP\\_Roadmap\\_online\\_full.pdf](https://neighbourhoodplanning.org/wp-content/uploads/NP_Roadmap_online_full.pdf)

## **Preparing new planning documents**

### **When you can get involved**

There are a number of key stages involved in the preparation of a Local Plan. These stages are required by Government planning legislation and regulation and are designed to ensure that the process is as open and transparent as possible.

Figures 1, 2 and 3 show the key stages in producing a Local Plan, a SPD and the CIL. Stages marked with an asterisk show where we will actively seek to involve you in the plan making process. Certain planning documents, including any new or revised Local Plan, will be subject to an independent examination by the Planning Inspectorate. As part of any examination the appointed Planning Inspector will hold hearing sessions and, if you have made a formal representation at the publication consultation stage, you may have the opportunity to speak at the sessions.

### **Figure 1 – Stages in preparing a LOCAL PLAN**

- **Publication of draft Local Plan documents for public consultation\***
- **Publication of a Local Plan for a pre-submission public consultation\***
- **Submission of a Local Plan to the Secretary of State and Planning Inspectorate**
- **Independent public Examination of a Local Plan\***
- **Adoption of a Local Plan by Full Council**

### **Figure 2 – Stages in preparing a SUPPLEMENTARY PLANNING DOCUMENT**

- **Publication of draft SPD for public consultation\***
- **Cabinet approves adoption of SPD**

### **Figure 3 – Stages in revising a Community Infrastructure Levy**

- **Publication of preliminary draft Charging Schedule for public consultation\***
- **Publication of a draft Charging Schedule for public consultation\***
- **Submission of draft Charging Schedule to Secretary of State**
- **Independent public Examination of Charging Schedule\***
- **Adoption of revised Charging Schedule by Full Council**

### **Sustainability Appraisal**

When preparing the Local Plan we will assess the social, environmental and economic impacts that it may have. The Sustainability Appraisal (SA) is there to identify and enhance positive effects of policy and to identify and minimise and potential adverse impacts of policy.

We will consult you on the Sustainability Appraisal at the same time that we consult on the Local Plan.

### **Publications**

At the consultation stages of preparing the Local Plan or related documents we will make copies of the consultation documents and other relevant documents available for reference at Marmion House. These documents will also be available for download from our website. Charges will apply for black and white copies of all our planning documents. Please see <http://www.tamworth.gov.uk/planning.aspx> for further information on fees and charges.

### **Ways you can get involved**

- **Letters and emails** – where appropriate, we may write out directly to interested parties to seek their views. This will usually involve

contacting individuals whose details are included on the list of interested parties referred to in Part A above;

- **Press and social media** – we may use press releases and/or our social media channels to put out information about progress on preparing planning documents and to notify you of opportunities to get involved;
- **Statutory notices** – where required to do so by relevant legislation, we will publish notices in a local newspaper to notify you of certain key events and milestones;
- **Website** – our website is the main point of access for all planning information. We will use it to keep you informed about the plan making process and to provide opportunities for you to review information and provide comments;
- **Public exhibitions and workshops** – where appropriate, we will put on public exhibitions and workshops to give you the chance to look at plans and proposals and to speak to planning officers and other members of the community in an informal setting. Workshops can be helpful in getting communities to agree on issues and in engaging with people who find it difficult to get involved in the planning process.



## PART C - Planning Applications

The Development Management team is responsible for assessing all applications for planning permission and related consents including for such things as works to listed buildings and display of advertisements. They are responsible for determining certain types of applications in line with the Council's Constitution as well as providing advice where applications are determined by the Planning Committee. Applications will be considered in accordance with the delegation agreement which requires only a number of applications to be reported to Planning Committee mainly Major applications, applications raising issues of considerable public interest or when any Ward members has requested planning issues and concerns in respect of the application.

The Development Management team is also responsible for providing pre-application advice on development proposals as well as monitoring compliance with conditions attached to planning permissions and dealing with unauthorised developments and other enforcement issues.

All decisions taken on planning applications will be made in accordance with the adopted development plan unless material considerations, including national planning policies and guidance or site specific matters, indicate otherwise.

### Getting involved in Planning Applications

You can view the details of planning applications, including supporting documents and corresponding plans and drawings, on our website at <http://www.tamworth.gov.uk/planning.aspx> or at the Council offices in Marmion House during normal opening hours (Monday to Friday 9am – 5pm). Planning Officers are available by prior appointment at Marmion House to give advice on current or proposed applications.

We will publicise new applications in accordance with the requirements set out in Government legislation and guidance for the different types of application. For ease of reference, those requirements are set out in the table below.

Consultation method	Type of application			
	EIA	Major	Minor	Other
Neighbour notification	×	(✓) <sup>1</sup>	✓	✓
Website	✓	✓	✓	✓
Weekly list of planning applications	✓	✓	✓	✓

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<sup>1</sup> For major applications the legislation requires that either neighbour notifications or site notices are used. For most major applications, neighbour notifications will be used; however in some circumstances this may not be appropriate and a site notice will be used instead.

Site notice	✓	(✓) <sup>2</sup>	(✓)*	(✓)*
Press notice	✓	✓	(✓)*	(✓)*
Planning applications available for inspection at the Council offices	✓	✓	✓	✓

Comments on planning applications must be made in writing within 23 days from the date of our notification letter or within 23 days from the date of a press notice or site notice being posted, whichever is the later. The 23 day period is longer than the minimum required by Government legislation in order to ensure that any public holidays that may fall within the publicity period are taken into account. Please note that if you submit comments after the 23 day publicity period has expired, we may not be able to take them into consideration.

Where significant additional or amended information is received in respect of an application, we may carry out a further period of publicity to ensure that the full extent of the proposal is known. The extent of the re-consultation is dependent upon the scale of any amendments and their significance. It is at the discretion of the Local Planning Authority as to the need and length of the re-consultation. Any additional or amended information will be made available on our website and any interested parties are advised to check the website periodically in case any new information has been added.

All planning application documents are available online and only information exempt under the Freedom of Information Act 200 and the Data Protection Act 1998 is withheld from public view. Comments received on planning applications will be summarised in the officer's report and will be published in their entirety on our website with the exception of telephone numbers, email addresses and signatures, which will be redacted.

Any comments 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 Borough Council and national planning guidance) in the assessment of the development before reaching a recommendation. This delegated report will be published following the determination of the application.

You can make comments:

- **Online** – <http://www.tamworth.gov.uk/planning.aspx>
- **E-mail** – [planningadmin@tamworth.gov.uk](mailto:planningadmin@tamworth.gov.uk)
- **Post** – Tamworth Borough Council  
Marmion House  
Lichfield Street

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<sup>2</sup> See footnote 1 above.

\* The legislation requires that site and press notices are used for for listed buildings, conservation areas, departures from the development plan and applications affecting a public right of way.

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## **Public meetings and exhibitions**

Applicants are encouraged to engage with neighbouring land owners and the community in advance of submitting any application for planning permission or other forms of consent. This engagement should be proportionate to the scale of the proposed development and for larger scale developments, these consultations should be carried out at an early stage in the design process, to enable community views to be incorporated into the submitted proposal. Our local list of validation requirements sets out the types of application which should be accompanied by a statement of community involvement.

The form of consultation will need to be tailored to suit the particular circumstances of the site, proposal and locality and could include, for example, a public meeting, exhibition, or other forms of community involvement. For probity reasons (ensuring that decisions are taken in a fair and open manner), the council's Planning Officers would not normally participate in these public meetings or exhibitions other than to provide background information.

Where an applicant submits a statement of community involvement as part of a planning application, as a minimum it should include:

- the houses, businesses and local community groups consulted;
- methods and timing of consultation; and
- feedback and information on how this was addressed in the development proposal.

## **Decision Making and Planning Committee**

Most planning applications are determined under delegated powers as set out in the Council's Constitution and Scheme of Delegation. The Planning Committee makes decisions on major applications, and in certain other circumstances as detailed in the Council's Constitution. In some circumstances, where the applicant agrees, Major pre-applications can be reported to Planning Committee allowing the opportunity for members to consider the implications of a development in the area. These are beneficial and allow for early consideration prior to a formal application being submitted.

For those applications considered for determination by the Planning Committee, the council allows public speaking at the Committee meeting to give those people who have made comments on a planning application the opportunity to reinforce the points made in their written submissions. Guidance on how members of the public can speak at Planning Committee is provided on our website. If you have submitted comments on a planning application and indicated that you would like to speak at the Committee meeting, we will notify you of the date of the meeting if you have provided us with an email address.

As a public meeting, anyone can attend Committee, however a member of the public, or their representative, will be allowed to address the Planning Committee only if he/she has made a written representation setting out substantive planning reasons and indicated in advance that they wish to speak at Committee. The Assistant Director Growth and Regeneration has the discretion to refuse a request to address the Planning Committee but in doing so would set out, in writing, the reason for taking this course of action.

A maximum of two objectors to a planning application are allowed to speak and are allowed a maximum of 3 minutes each.

A maximum of two supporters (one slot reserved for the agent / applicant) of a proposal, will also be allowed to speak for a maximum of 3 minutes each.

Ward Councillors in the wards principally affected by the proposal will, subject to giving prior notification to the Assistant Director Growth and Regeneration, be allowed to speak either in favour or against planning applications for a total of 3 minutes each.

There may be cases where there are more people who wish to speak than slots available. In such circumstances we will encourage you to liaise with each other and nominate a spokesperson. There may be exceptional cases, for example where there is an exceptional degree of public interest in a particular application, the time allocated for public speaking may be extended at the discretion of the Committee Chair. In such circumstances all three slots will be extended by the same amount of time so that objectors, supporters and the Local Councillor will be given equal periods of time to address the Committee.

If an application is deferred and substantial changes are made to the planning application then a further opportunity may be given to those who have previously spoken. If there are any free slots then new speakers will be allowed. If no changes to the application have been made then no further public speaking will be allowed.

Planning Committee Agendas are published on our website, prior to Committee Meetings (usually five days before), followed by the publication of the minutes of the meeting – see <http://www.tamworth.gov.uk/planning.aspx>

As part of the council's commitment to an open and transparent planning process, there is a protocol contained within the Council's constitution.

### **Notification after Planning Committee**

We will not write out to those people who have submitted representations to inform them of a decision; however, decisions on all planning applications, including those made by the Planning Committee, are published on our website as soon as possible following the decision.

## **Planning Appeals**

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. Letters are sent direct to those people who were notified on the original application (as well as any other people who submitted comments on the application) giving notice of an appeal being lodged against the council's decision, and providing them with the opportunity to make representations to the Planning Inspectorate (with the exception of appeals submitted under the householder appeal service). Under the householder appeal service there is no opportunity to make representations to the Planning Inspectorate, however representations submitted in relation to the planning application are forwarded to the Planning Inspectorate by the Council. A site notice will only be posted in the case of a public inquiry.

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