

Tamworth Borough Council

Statement of Community Involvement 2014

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 expect to be involved in the development plan making process and the decision making process on planning applications.

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

Tamworth's approach to Community Involvement

When we involve you in preparing the new Local Plan or consult with you on planning applications or other forms of consent we will strive to:

- **Keep things simple**, by writing in plain English and explaining 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 provide your views. We will 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 cannot take into account and make sure you have sufficient 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 and encourage involvement from groups that have traditionally not been involved in the planning process.
- **Share information**, by making it available on the Council's website, libraries and Council offices when appropriate to do so.
- **Strive to meet targets** which we will set for the preparation of the Local Plan and targets set by Government for the determination of planning applications – 8 weeks for minor applications and 13 weeks for major applications, wherever possible.

Who will we involve?

We would like everyone to have a chance to be involved in the preparation of the Local Plan documents and on planning applications.

We have developed a database of individuals, groups and stakeholders who we contact regularly on matters for the Local Plan.

Government Planning Regulations require us to ensure that certain groups are consulted at key stages in preparing the Local Plan or determining planning applications, for example; Environment Agency, Highways Agency,

English Heritage and Staffordshire County Council, the full list can be found later in this document.

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 decisions we take. The Council's Diversity and Equality Scheme explains our approach to inclusions and the Community Engagement Framework sets out ways we involvement all relevant groups.

We can make documents available in alternative formats on request, this includes Braille and alternative languages.

How will we involve you?

We will keep you informed through various ways including: letters and e-mails, the Council's website www.tamworth.gov.uk and notices through the local newspaper.

The ways in which you can have your say on the planning process will vary depending on the issue, and different techniques may be used at different stages in the production of a planning document or assessment of a planning application. For example, submitting written representations by e-mail, or taking part in a questionnaire at an event. We will produce press notices, organise public consultation events and provide information to keep you informed wherever this is appropriate and helpful to the planning process.

The Role of Planning Officers

The Council's Planning Officers work in two teams within the Planning and Regeneration Service, which is based at Marmion House:

- **The Development Plan Team** produces the planning documents that make up the Local Plan. 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 Plan Team can be contacted for advice on planning policy.
- **The Development Management Team** assesses planning applications in accordance with the adopted development plan, the National Planning Policy Framework and any other material considerations. They can be contacted for advice on pre-application enquiries and planning applications. The Development Management team also investigate alleged breaches of planning control. For further information please see our website, or call 01827 709281 for advice.

The role of Councillors

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

- The Council's executive, the Cabinet, is made up of Councillors, who make decisions on Council planning policy, whilst the Full Council is responsible for approving and adopting all statutory planning policy – such as the Local Plan.
- The Council's Planning Committee is made up of 10 Councillors who make decisions on major¹ and controversial planning applications.
- Councillors represent each of their respective wards and are there to listen to residents' concerns on planning issues
- 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 in account when you make them in writing to Planning Officers within the specified time for a particular consultation. There are existing protocols for the way that Councillors and Council Officers conduct their activities, which ensure that any potential conflicts of interest are resolved in a transparent way.

¹ major applications include developments of 10 or more houses, or commercial developments exceeding 100 square metres floor area

PART B - LOCAL PLANS

The Planning System

The Government wants to give local people a greater role in shaping their neighbourhoods, and the changes to the planning system set out in the Localism Act 2011 and the National Planning Policy Framework 2012 (NPPF) give local communities the opportunity to become more involved in the preparation of planning documents for where they live.

The Council want to involve you in the preparation of the Tamworth Local Plan.

Tamworth Local Plan

The development plan for Tamworth will be made up of:

The Local Plan - this will be the new development plan for Tamworth. It will set out the spatial policies, guidance, land use designations and site allocations which all planning applications and development proposals in the Borough will be assessed against.

It will provide the formal statutory framework for sustainable development and lay the foundations for regeneration and economic growth, whilst protecting the most valuable built and natural environmental assets.

Community Infrastructure Levy (CIL) – a tariff based charging schedule which may require planning contributions from development towards funding the provision and maintenance of necessary strategic and local infrastructure projects.

Supplementary Planning Documents (SPDs) – will be prepared to provide further detailed supporting guidance for example on design issues. They can be used to assist in determining planning applications.

In preparing our new Local Plan we will also publish on our website:

Local Development Scheme (LDS) – sets out what documents will be produced and the current timetable of production.

Monitoring Report – sets out the progress made in preparing the Local Plan and other documents and the Council's performance in implementing planning policy from these documents.

Neighbourhood Plans

Local communities now have the option to prepare plans for their local areas themselves. Any such plans would form part of the statutory development plan for that area of the Borough, but they must pass through an independent examination and a local community referendum.

Tamworth Borough Council does not prepare Neighbourhood Plans, but has a duty to provide advice and some technical assistance to communities, particularly in the initial designation of the Neighbourhood Forum, Neighbourhood Plan area, the examination and referendum.

Preparing new planning documents

When will we involve you?

There are a number of key stages involved in the preparation of the Local Plan, these stages are required by Government planning legislation and regulation. They 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, an SPD and the CIL. Stages marked with a star show when you can get involved in the plan making process. The Local Plan and CIL will be subject to an independent examination by the Planning Inspectorate. As part of each examination the appointed planning inspector will hold hearing sessions, 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 a 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 documents for public consultation***
- **Publication of draft SPD for public consultation***
- **Adoption of SPD by Full Council**

Figure 3 – Stages in preparing a Community Infrastructure Levy

- **Publication of preliminary CIL draft for public consultation***
- **Publication of revised CIL draft for public consultation***
- **Submission of draft CIL to Secretary of State**
- **Independent public Examination of CIL ***
- **Adoption of CIL 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 planning policy and to identify and minimise and potential adverse impacts of planning 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 CIL 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.

How will we involve you?

E-mails and letters

The Development Plan team has been compiling a database of individuals, groups and organisations for several years that have shown an interest in the Local Plan process. At each consultation stage, these people will be preferably contacted via e-mail or by sending a letter through the post.

If you would like to be added onto our consultation database please let us know.

Press notices and statutory notices

Notices will be placed in the local press to help ensure we communicate as widely as possible, this also fulfils legal requirements.

Our Website

Electronic communication is rapidly growing more popular and the Council's website is the main point of access for all planning information. We have specific planning pages on the Council's website. We will ensure that these pages are regularly updated with all the latest information and where possible will provide opportunities for online consultation. <http://www.tamworth.gov.uk/planning.aspx>

Discussions and meetings

One to one meetings and discussions with groups can be arranged with Planning Officers where it is appropriate to do so in advance.

Public exhibitions and workshops.

Public exhibitions give people the chance to look at plans and proposals and to speak to Planning Officers in an informal setting. Workshops can be used to help communities to agree on issues. They can be used to engage with people who find it difficult to get involved in the planning process. We will notify the public and interested parties of any events through our adverts, press releases and directly to those on our consultation database by e-mail or letter.

How will we respond to you?

- If you attend a form of public consultation event we will ensure that a Planning Officer is available to answer your questions.
- If you request a planning document we will let you know where it is available.
- We will prepare reports after each stage of consultation for the Local Plan.

Statutory Consultees

The list below outlines the organisations and other bodies we are legally required to consult and involve in the preparation of planning documents, in accordance with the Town and Country Planning (Local Planning (England) Regulations 2012 and the Localism Act (2012).

Specific and Duty to Co-operate consultation bodies include:

- Neighbouring Local Planning Authorities, including:
 - Lichfield District Council
 - North Warwickshire Borough Council
- Staffordshire County Council
- Civil Aviation Authority
- Coal Authority
- English Heritage
- Environment Agency
- Highways Agency
- Homes and Communities Agency
- Natural England
- Network Rail Infrastructure Ltd
- NHS
- Greater Birmingham and Solihull Local Economic Partnership (LEP)
- Staffordshire Police
- Office of Rail Regulation
- Plus other relevant gas, electricity and electronic communications network infrastructure providers.

General consultations bodies include the following:

- Voluntary bodies some or all of whose activities benefit any part of the Borough
- Bodies that represent the interests of different racial, ethnic or national groups in the Borough
- Bodies that represent the interests of different religious groups in the Borough
- Bodies that represent the interests of disabled persons in the Borough
- Bodies that represent the interests of business in the borough.

PART C - Planning Applications

The Development Management team is responsible for assessing all planning applications for development, advising the Council's Planning Committee on planning applications, determining certain type of planning applications, providing advice on development proposals and dealing with any unauthorised development in the Borough.

All decisions taken on planning applications must be made in accordance with the adopted development plan, unless any other material considerations indicate otherwise, including national planning guidance or site specific matters relevant to a particular case.

Getting involved in Planning Applications

The publicity procedures to be followed on planning applications are laid down by Government legislation and regulations, the Council meets all of these minimum statutory requirements. In some cases we also publicise on a wider basis than the statutory requirements,, for example telecommunications developments and wind turbines to ensure that we maximise opportunities for community involvement.

Consultation method	Type of application		
	Major	Minor	Other
Neighbour notification	✓	✓	✓
Website	✓	✓	✓
Weekly list of planning applications	✓	✓	✓
Site notice	✓	(✓)*	(✓)*
Press notice	✓	(✓)*	(✓)*
Planning applications available for inspection at the Council offices	✓	✓	✓
Consultation with statutory and non-statutory consultees	✓	✓	✓

Planning applications, including supporting documents and corresponding plans and elevation drawings, can be viewed online at <http://www.tamworth.gov.uk/planning.aspx> and are also available to view in person at the Council offices in Marmion House (Monday to Friday 9am – 5pm). Planning Officers are available at Marmion House to give advice on current or proposed applications, appointments must be made in advance if you wish to speak to a Planning Officer.

* Site and press notices for listed buildings, conservation areas, departures from the development plan and those affecting public rights of way.

Comments on planning applications must be made in writing within 21 days from the date of our notification letter or within 21 days from the date of a press notice or site notice appearing whichever is the later. Please note that comments submitted after the 21 day publicity period has expired may not be considered because a decision may have already been made on the planning application.

In the event that revised plans are submitted during the consideration of the application you will be written to again and given a further 10 days during which you can submit further comments.

We will always seek to take into account any comments received prior to a formal decision being made, however it will not be possible to consider comments received after the consultation deadline date if a decision has already been made. When an application is determined by planning committee, comments received shall be summarised in the committee report.

You can make comments²:

- **Online** – <http://www.tamworth.gov.uk/planning.aspx>
- **E-mail** – planningadmin@tamworth.gov.uk
- **Post** – Tamworth Borough Council
Marmion House
Lichfield Street
Tamworth
B79 7BZ

Statutory and Non Statutory Consultees

We are legally required to consult and involve statutory bodies, such as the Environment Agency and Highway Authority, on certain planning applications in accordance with Article 10 of the Town and Country Planning (General Development Procedure) Order 1995 (as amended). We will also consult non statutory bodies where we think that they have information or views that might influence the outcome of the application. Non statutory bodies include Staffordshire Wildlife Trust and other departments within the Borough Council.

Public meetings and exhibitions

Dependent upon the nature and potential impact of the development proposal on the local community, developers may need to carry out their own pre-application public consultation, and The Validation of Planning Applications in Tamworth (2013) explains that some major planning applications and major change of use planning applications will need to be accompanied by their own Statement of Community Involvement.

These consultations should be carried out at an early stage in the design process, to enable community views to be incorporated into the submitted

² All comments received on planning applications will be made publicly available and added to the Council's website.

proposal. The form of consultation will need to be tailored to suit the particular circumstances of the site, proposal and locality, and the council can provide advice on what level of pre-application consultation would be appropriate, for example through 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. As a minimum, the consultation statement submitted with the application 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 Scheme of Delegation. The Council's Planning Committee makes decisions on major applications, and in certain other circumstances as detailed in the Council's Constitution.

For those applications determined by the Planning Committee, the council allows public speaking. This gives objectors to the development and supporters of the proposals the opportunity to reinforce their arguments. Guidance on how members of the public can speak at Planning Committee is provided on our website.

A member of the public, or their representative, will be allowed to address the Planning Committee only if a written representation setting out substantive planning reasons has been made and where they have indicated their desire to speak at Committee. The Head of Planning and Regeneration, and the Development Control Manager, have 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.

Where public speaking is permitted we will write to the individuals concerned, giving details of the time and venue for the Planning Committee meeting. Notification will not be sent to anyone who has made representations, but not requested to speak, but they are welcome to attend the meeting to observe proceedings should they wish to do so.

Two objectors are allowed to speak for a maximum of 3 minutes each.

Two supporters (one slot reserved for the agent / applicant) are allowed to speak for a maximum of 3 minutes each.

Ward Councillors in which the application falls will, subject to prior agreement with the Development Control Manager, 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.

In exceptional cases, the time allocated for public speaking may be extended at the discretion of the Planning Committee Chair, this will allow for additional speakers. In the event of the time being extended and in the interests of fairness the time allowed for speakers will always be the same for objectors, supporters and Local Councillors.

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

Notification after Planning Committee

Anyone who has submitted written representations, either against or for the development will be informed, in writing, of the decision. The decision is also recorded on the Council's website.

Planning Appeals

If an application is refused the applicant can make an appeal to the Planning Inspectorate. On being informed of an appeal we will write 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 the appeal, and providing them with the opportunity to make further representations to the Planning Inspectorate.

For Householder appeals, i.e. those relating to extensions to dwellings, 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.

Pre-Application

In addition to managing the system for determining planning applications, the Development Management team can provide advice to business and householders who are considering development projects. Further details are on our website

http://www.tamworth.gov.uk/planning/how_we_can_help_you/pre-application_advice.aspx