

Stafford Borough Local Development Framework

PLANNING

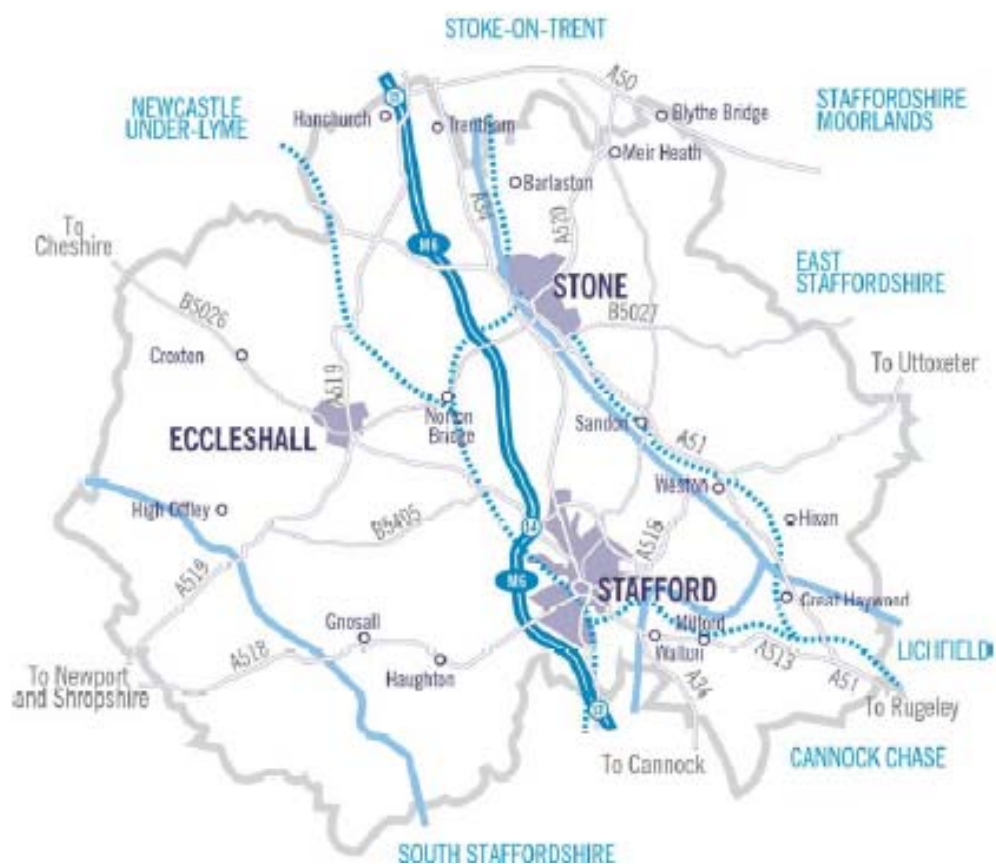
for our **FUTURE**

Adopted Statement of
Community Involvement
Appendices
(July 2006)



Stafford
BOROUGH COUNCIL

This 'Statement of Community Involvement' (SCI) is relevant to everyone living, working or visiting Stafford Borough...



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Appendices

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Appendix 1

A1. Tests of Soundness and summary of relevant legal framework

A1.1 Tests of Soundness

The test criteria are set out in paragraph 3.10, Chapter 3 of Planning Policy Statement 12: Local Development Frameworks 2004. In assessing whether the Statement of Community Involvement (SCI) is sound, the inspector will determine whether it has met the following tests;

- i. local planning authority has complied with the minimum requirements for consultation as set out in Regulations (The Town and Country Planning (Local Development) (England) Regulations, 2004);
- ii. local planning authority's strategy for community involvement links with other community involvement initiatives e.g. the community strategy;
- iii. statement identifies in general terms which local community groups and other bodies will be consulted;
- iv. statement identifies how the community and other bodies can be involved in a timely and accessible manner;
- v. methods of consultation to be employed are suitable for the intended audience and for the different stages in the preparation of local development documents;
- vi. resources are available to manage community involvement effectively;
- vii. statement shows how the results of community involvement will be fed into the preparation of development plan documents and supplementary planning documents;
- viii. authority has mechanisms for reviewing the statement of community involvement; and
- ix. statement clearly describes the planning authority's policy for consultation on planning applications.

A1.2 Summary of relevant legal framework

The Statement of Community Involvement (SCI) acknowledges the following legal instruments and national planning guidance, listed chronologically, and where relevant is considered to be compliant with the requirements of each one.

- **Aarhus Convention**

The UK has signed up to this Convention, which is based on the principle that sustainable development can only be achieved through the involvement of all stakeholders. Rights are granted to the public, with corresponding obligations on access to information on environmental matters; the opportunity to participate in decision-making on key environmental matters; and access to justice in these matters.

- **The Compact on Relations between Government and the Voluntary and Community Sector in England 1998**

The Government has set a target of increasing voluntary and community sector activity, including increased community involvement in decision-making by 5% in 2006.

The National Compact between Government and the voluntary and community sector (VCS), a voluntary agreement introduced in 1998, is about improving the relationship for mutual advantage. Local Compacts are also encouraged. The Compact and supporting Codes / Guidance provide a framework for defining and developing relationships between these sectors.

- **Disability Discrimination Act (DDA) 1995**

Under the Disability Discrimination Act 1995, service providers have to consider making reasonable adjustments to the way they deliver their services so that people with disabilities can use these services.

Implementation of the Disability Discrimination Act is being sought to address access and inclusion throughout the entire planning system. 'Planning and Access for disabled people: A good practice guide', stresses the commitment to addressing the needs of disabled people through a cooperative approach and early involvement in the planning process.

- **European Directive on Strategic Environmental Assessment**

This Directive requires local authorities to give the public an early and effective opportunity to comment on the environmental effects of proposed plans.

- **Freedom of Information Act 2000**
The public have a general right of access to information from almost all public authorities. Local authorities have to publish details of the information they hold and make it available to the public unless covered by an Exception. The Act also requires public authorities to have regard to the public interest in allowing access to information and in publishing reasons for decisions.

- **Human Rights Act (HRA) 1998**
This Act incorporates into domestic law the rights and freedoms guaranteed under the European Convention on Human Rights, including the Right to a fair and public hearing by an independent and impartial tribunal in the determination of civil rights and obligations. The Planning and Compulsory Purchase Act is compatible with this Act.

- **Local Government Act 2000**
This Act places a duty on principal local authorities to prepare Community Strategies, for promoting and improving the economic, social and environmental well-being of their areas, and contributing to sustainable development.

- **ODPM: Planning Guidance**
Includes a suite of new guidance and procedure notes;
 - Community Involvement in Planning,
 - LDFs: Guide to Procedure and Code of Practice (consultation draft)
 - Creating LDFs Process of preparing LDFs (consultation draft)
 - Draft PPS1 – General Policy Principles
 - Draft PPS12 – Local Development Framework

- **Race Relations (Amendments) Act 2000**
Local Authorities must comply with the duty in the Race Relations (Amendment) Act 2000, and publish a Race Equality Scheme. The aim is to eliminate unlawful racial discrimination and promote equality of opportunity and good relations between persons of different racial groups. Local Authorities must also carry out a race equality impact assessment of each strategy and plan, including Development Plans.

- **Town & Country Planning (Local Development) (England) Regulations 2004**
Statutory Instrument within the Town & Country Planning system that sets out minimum requirements for evidence of public participation.

Appendix 2

Proformas for Statement of Compliance with Statement of Community Involvement

PROFORMA 1 – to be completed by Stafford Borough Council. **Consultation for each draft LDD as set out in Statement of Community Involvement**

Referring to the appropriate Local Development Document (LDD) stage and associated consultation methods write a Supporting Statement detailing all consultation undertaken and explain how you have met all of the following criteria to comply with this Statement of Community Involvement.

For each criteria, where reference is made to supporting data, you will need to submit that data as evidence. For example, if a Newspaper Article was published, that particular page of the publication will need to be submitted to accompany this Statement of Compliance as evidence.

Statement of Community Involvement Vision

Explain how the LDD, at this stage, meets the Stafford Borough SCI Vision.

Equal Opportunities

- a) Explain how the LDD, at this stage, meets the requirements of the Stafford Borough Equality Policy.
- b) Explain how the LDD, at this stage, demonstrates an understanding as to how local people can be involved in a timely and accessible manner.
- c) Explain how the LDD, at this stage, demonstrates efforts made to engage hard to reach groups, especially those identified in the Statement of Community Involvement.

Range of Participation

- a) Provide evidence of outreach to a range of community groups, with a view to establishing a broad basis for engagement and consultation.

Refer to the following details in your Supporting Statement where applicable;

1. Dates and times between which publicity and consultation were carried out,
2. Reference to persons or organisations / bodies whom carried out the consultation, and
3. The approach and method in which the consultation was carried out. For example, venue of public meeting selected for accessibility, regard to timing of religious holidays, etc...

**PROFORMA 2 – to be completed by the Planning Applicant:
Pre-Submission Consultation for each Major Planning Application**

YOU ARE ENCOURAGED TO SUBMIT THIS FORM FOR INFORMATION

Referring to the appropriate stage in making a planning application and associated consultation methods write a Supporting Statement to explain how you have met all of the following criteria to comply with this Statement of Community Involvement.

For each criteria, where reference is made to supporting data, you will need to submit that data as evidence. For example, if a Newspaper Article was published, that particular page of the publication will need to be submitted to accompany this Statement of Compliance as evidence.

Equal Opportunities

- a) Explain how this pre-application public consultation meets the requirements of the Stafford Borough Equality Policy.
- b) Explain how this pre-application public consultation demonstrates an understanding as to how local people can be involved in a timely and accessible manner.
- c) Explain how this pre-application public consultation demonstrates efforts made to engage hard to reach groups, especially those identified in the Statement of Community Involvement.

Range of Participation

- d) Provide evidence of outreach to a range of community groups, with a view to establishing a broad basis for engagement and consultation. This should include all key community groups.

Consistency and Certainty

- e) Pre-application proposals that are subject to public consultation will need to be *materially similar* to the subsequent planning application or evidence of publicising those changes / amendments will be required to avoid confusing the public. Evidence of this must be provided.
- f) Information for use in any community engagement in relation to any prospective significant planning proposal must not give opportunity to unnecessarily raise false expectations within the community. The information relating to the proposal will need to be clear, factual and accurate and aim to inform the local community without leading to misrepresentation. Evidence of this must be provided.

Refer to the following details in your Supporting Statement where applicable;

1. Dates and times between which publicity and consultation were carried out,
2. Reference to persons or organisations / bodies whom carried out the consultation, and
3. The approach and method in which the consultation was carried out. For example, venue of public meeting selected for accessibility, regard to timing of religious holidays, etc.

Statement of Community Involvement Appendices

<p>PROFORMA 3 - FOR ALL MAJOR PLANNING APPLICATIONS & LDDS YOU ARE ENCOURAGED TO COMPLETE AND SUBMIT THIS FORM FOR INFORMATION Assessing Functions Relevant to SBC Race Equality Scheme July 2003</p>	
<p>Duty</p>	<p>Rating: 0 none 1 a little 2 some 3 a lot</p>
<p>Relevant to Duty?</p>	
<p>Does the consultation carried out relate to eliminating discrimination? Supply evidence to justify this rating.</p>	
<p>Does the consultation carried out relate to promoting equal opportunities? Supply evidence to justify this rating.</p>	
<p>Does the consultation carried out relate to promoting good race relations? Supply evidence to justify this rating.</p>	
<p>Degree of Relevance</p>	
<p>How much evidence do you have?</p>	
<p>Is there public concern that functions/ policies are being operated in a discriminatory manner?</p>	

Statement of Community Involvement Appendices

Is there evidence or reason to believe that some racial groups could be differently affected? If so, which racial groups are affected? Provide a Supporting Statement (either below or on additional pages) if responding positively.

All community engagement publicity prior to any event, methods, times and venues will need to ensure that procedures and practices not to discriminate on the grounds of race, colour, ethnic or national origins, age, disability, gender, sexual orientation, marital status, religion, or other non-objective reason such as economic status.

Supply a reasoned justification below or on additional pages, to acknowledge that this has been met, along with any Evidence of Support with this SCI Statement of Compliance, where applicable.

Appendix 3

Stafford Borough Council Equality Policies

The following information is an extract of Stafford Borough Council's adopted Equality Policy October 2004. Planning Service delivery is subject to this. For full details contact 01785 619000 or visit the Council's website <http://www.staffordbc.gov.uk/>

Equality Policy October 2004

1 Introduction

Stafford Borough Council seeks to be equal opportunity service provider and employer and is committed to providing equal opportunity to all and to opposing and preventing discrimination. This policy provides the overall framework and statement of principles within which this Authority will work to meet its statutory and community equality obligations. The Policy sets out corporate and operational responsibilities and the accompanying Equality Action Plan identifies specific actions to be taken. It should also be read in conjunction with the Authority's Race Equality Scheme which forms APPENDIX 2 to this document.

The Policy will be communicated to all existing and potential employees and be available for our customers. We will vigorously pursue any alleged breach of policy. The Council recognises its statutory obligations under the following legislation:-

- Equal Pay Act 1970 and Equal Pay (Amendment) Regulations 1983 and 1996
- Rehabilitation of Offenders Act 1974
- Sex Discrimination Acts 1975 and 1986 and Sex Discrimination (Amendment) Regulations 1996
- Race Relations Act 1976 and Race Relations (Amendment) Act 2000
- Disability Discrimination Act 1995
- Human Rights Act 1998
- Disability Rights Commission Act 1999
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Employment Relations Act 1999
- Sex Discrimination (Indirect Discrimination and Burden of Proof) Regulations 2001
- Other relevant Regulations and Directives

2 Statement of Commitment to Equality

This Authority is committed;

- (a) in service delivery and the development and use of employment procedures and practices not to discriminate on the grounds of race, colour, ethnic or national

origins, age, disability, gender, sexual orientation, marital status, religion or other non-objective reason such as economic status,

- (b) to promote equality of opportunity,
- (c) to promote good race relations, and
- (d) recognising and challenging institutionalism racism and any other forms of discrimination.

3 Types of Discrimination

(a) Direct Discrimination

This relates to the treatment of someone less favourably on the grounds of their race, colour, ethnic or national origins, age, disability, gender, sexual orientation, marital status, religion or other non-objective reason. This form of discrimination is easily detected.

(b) Indirect Discrimination

This relates to the application of a condition which adversely affects a larger proportion of one group (based on race, colour, ethnic origin, disability, sex, marital status, or other non-objective reason) than others and which cannot be justified in the provision of a service or by employment requirements. This form of discrimination is less obvious.

In addition to discrimination which is deemed to be unlawful, the Authority will also endeavour to eliminate all forms of discrimination on the grounds of age, religious belief, economic status, sexual orientation and other non-objective reasons.

4 Equal Opportunities in Service Delivery

To ensure equality in service provision the following framework will be adopted:-

- (a) Dealing with the public - the Council will ensure through training and raising awareness that all staff are familiar with the principles, practices and policies in regard to equal opportunities and promote good practice in respect of customer care,
- (b) Access to Council buildings - the Council will work to ensure that all its buildings from which a public service is delivered will be reasonably accessible to people with disabilities,
- (c) Service Delivery - the Council will seek to ensure equality of access and will strive to meet people's specific needs,
- (d) Take up of services - the Council will wherever practicable, monitor the use of its services to ensure that no individual or groups are excluded because of disability, economic status, sex, race, cultural background or age,

Statement of Community Involvement Appendices

- (e) Information about services - the Council will endeavour to provide information on its services, policies and practices in a variety of formats so as to not to exclude or discriminate against any group or individual.
- (f) Charges for services - the Council will when charges are made for services recognise the potential for exclusion of those on low incomes and will provide concessionary pricing structures.
- (g) Community consultation - the Council will consult with organisations and individuals who are able to represent the community in order to assist in the design of policies and services together with the evaluation thereof.
- (h) Social inclusion - the Council will examine on a regular basis how its services contribute towards equality in respect of social inclusion.
- (i) Inspection and regulation - the Council will undertake its inspection and regulation duties in such a way that excludes prejudice, stereotyping and unequal treatment in accordance with the Government's Enforcement Concordat.

The practical application of the above framework will vary between service areas. Heads of Service are responsible for ensuring that they have undertaken an assessment of equality needs for their areas of service and that where appropriate they have identified and planned actions to achieve necessary improvements. (Details contained within the Equality Action Plan). Reference should be made to the Equality Action Plan which forms part of this policy, and also to the individual Unit Service Plans of the Authority for specific examples of equality action to be undertaken. These identified actions will include targets where appropriate for each service area to ensure that progress can be monitored.

THE EQUALITY ACTION PLAN

The Equality Standard Level 1: Commitment to a comprehensive equality policy
To achieve Level 1 of the Standard an authority must have adopted a comprehensive equality policy that commits it to achieving equality in race, gender and disability through C1 improving equality practice at both corporate and departmental level C2 earmarking specific resources for improving equality practice C3 equality action planning and equality target setting within all departments and service areas C4 systematic consultation C5 a fair employment and equal pay policy C6 an impact and needs/requirements assessment C7 progress monitoring C8 audit and scrutiny

Statement of Community Involvement Appendices

Appendix 4

- 4.1 To ensure that the Statement of Community Involvement can be delivered effectively and provide certainty that the public consultation methods outlined here are capable of being implemented, a Resource Audit has been undertaken. This Audit (overleaf) sets out which resources are required for each consultation methods per development plan-making stage.
- 4.2 Resources include;
- **Staff resources** - in timescale to undertake specific tasks, or number of personnel available, skills, training and availability of personnel, and
 - **In-house facilities and capabilities** - e.g. Information and Communication technology (ICT).
- 4.3 Resources are limited, and managing public consultation within the new planning system, which has introduced new requirements for public involvement within the development-plan-making process, will be more resource intensive. It is important to recognise and balance the scope within which effective public engagement can be undertaken, whilst minimising delays to the process.
- 4.4 Stafford Borough Council has been directing the Planning Delivery Grant towards staff resources to improve the performance of Planning and Engineering Services. The Forward Planning team currently have only 3 Forward Planning Officers allocated to progressing the Local Development Framework. There is also a vacant post in the team to fill. There are no current plans to extend the resources within the Forward Planning team.
- 4.5 In order to meet the public involvement targets specified in the Resource Audit and consultation methods matrix (pages 16-17 in the Statement of Community Involvement) the Forward Planning team will employ an emphasis on joined-up approaches with other Services within the Council to maximise consultation opportunities and coverage, whilst minimising resource implications.
- 4.6 Where relevant and appropriate per LDF stage, opportunities will be sought to publish information for the public within Stafford Borough Council publications and join up with other Services carrying out public consultation exercises. Such an approach will also limit 'consultation fatigue' as far as possible.

Appendix 4 (contd)

Resource Audit of Consultation Techniques

Reference	Consultation Method	Purpose and Type of Consultation Method	Resource Implications	SBC Service affected	Summary
A	Letters - including questionnaires	Sent to statutory consultees and interested parties, with or without other information such as questionnaires	Officer time. Within existing Forward Planning resources	Planning and Engineering Service (Forward Planning)	Method suitable at appropriate stages subject to current resources
B	Leaflets	High coverage to raise awareness of LDF. Not an effective means of developing dialogue or creating community involvement	Officer time. Liaise with external public libraries. Within existing Forward Planning resources	Planning and Engineering Service (Forward Planning)	Method suitable at appropriate stages subject to current resources
C	Articles in newsletters	Articles targeted at residents in Stafford Borough. High coverage to raise awareness of LDF. Publication deadlines relevant.	Officer time. Within existing Forward Planning resources Reinforces joined-up approach & minimises resource demands	All relevant Services	Method suitable at appropriate stages subject to current resources
D	Posters	Wide coverage with a manageable demand for resources. Can be displayed in Council Buildings, and public libraries	Officer time. Within existing Forward Planning resources	Planning and Engineering Service (Forward Planning)	Method suitable at appropriate stages subject to current resources
E	Public Notices	High coverage to raise awareness of LDF stage. Not an effective means of creating dialogue with the community	Officer time. Press liaison. Within existing Forward Planning resources	Planning and Engineering Service (Forward Planning)	Method suitable at appropriate stages subject to current resources

Statement of Community Involvement Appendices

Reference	Consultation Method	Purpose and Type of Consultation Method	Resource Implications	Stafford Borough Council Services affected	Summary
F	Press Releases	High coverage to raise awareness of LDF stage. Not an effective means of creating dialogue with the community	Officer time. Press liaison. Within existing Forward Planning resources	Planning and Engineering Service (Forward Planning)	Method suitable at appropriate stages subject to current resources
G	Talking Newspaper	High coverage of specific hard to reach user group to raise awareness of LDF.	Officer time. Liaise with external public libraries. Within existing Forward Planning resources	Planning and Engineering Service (Forward Planning)	Method suitable at appropriate stages subject to current resources
H	Citizenship and Planning for Schools Project	Education and 2 way participation and involvement. Important & effective means of reaching a large specific section of Stafford Borough community	Officer time. Liaise with external schools. Within existing Forward Planning resources	Planning and Engineering Service (Forward Planning)	Method suitable for ongoing availability via website
I	Community Involvement Packs	Education and 2 way participation and involvement. Important & effective means of reaching a Stafford Borough community	Officer time. Highly resource intensive. Insufficient resources within Forward Planning	Planning and Engineering Service (Forward Planning)	<i>Not appropriate with existing resources</i>
J	Discussion groups / forums with stakeholders	2 way participation, education and involvement. Important & effective means of reaching a Stafford Borough community, stakeholders and statutory Consultees	Officer time. Highly resource intensive. Insufficient resources within Forward Planning	Planning and Engineering Service (Forward Planning)	<i>Not appropriate with existing resources</i>

Statement of Community Involvement Appendices

Reference	Consultation Method	Purpose and Type of Consultation Method	Resource Implications	Stafford Borough Council Services affected	Summary
K	Public meetings	High coverage to raise awareness of LDF stage. Not necessarily representative. Needs to be well managed to maintain proactive exchange	Officer time. Press liaison. Within existing Forward Planning resources.	Planning and Engineering Service (Forward Planning)	Method suitable at appropriate stages subject to current resources
L	LSP Partnership	High coverage to raise awareness of LDF stage. Regular Forward Planning Officer attendance at LSP meetings and presentations at appropriate development plan-making stages	Officer time. Reinforces SBC joined-up approach and minimises resource demands	Policy & Improvement, Planning and Engineering Service (Forward Planning)	Method suitable at appropriate stages subject to current resources
M	Citizen's Jury / Panel	Cross-section of community. High coverage to raise awareness of LDF stage. Needs to be well managed to maintain proactive exchange	Resource intensive. Insufficient resources within Policy & Improvement	Policy & Improvement	<i>Not appropriate with existing resources</i>
N	Focus Groups	Engaging with the public in their local environment. Very effective in achieving detailed engagement with specific proposal or policy in mind. E.g. County Youth Forum, District Youth Forum, Business Forum	Officer time. Within existing Forward Planning resources.	Planning and Engineering Service (Forward Planning)	Method suitable at appropriate stages subject to current resources

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Reference	Consultation Method	Purpose and Type of Consultation Method	Resource Implications	Stafford Borough Council Services affected	Summary
O	Attend Special Events	Raise profile of LDF within the community. Outreach to raise levels of participation. E.g. Stafford County Show	Resource intensive. Insufficient resources within Forward Planning	Planning and Engineering Service (Forward Planning)	<i>Not appropriate with existing resources</i>
P	Borough Councillors	Raise profile of LDF within the community. Outreach to raise levels of participation They are able to act as information sources and enablers to feedback views.	Councillor time Reinforces SBC joined-up approach and minimises resource demands	All Borough Councillors and Parish Councils	Method suitable at appropriate stages subject to current resources
Q	Exhibition (including ideas wall)	Coverage extends only to those residents attending. Raise profile of LDF within the community	Officer time. Requires extensive resources to prepare material and 'man' displays	Planning and Engineering Service (Forward Planning)	Method suitable at appropriate stages subject to current resources
R	Stafford Borough Council Website	Extensive coverage including outside the Borough. 24hr resource. Limited to those with access to the internet and knowledge to use IT.	Officer time. Within existing Council resources.	Planning and Engineering Service (Forward Planning)	Method suitable at appropriate stages subject to current resources

Appendix 5

Existing established Stafford Borough Council community consultation mechanisms

Method	Key Target Audience	Method Details	Frequency	Service	Publication
The Local Strategic Partnership (LSP)	Consists of over 360 key local voluntary, community and environmental sectors organisations and individuals across Stafford Borough.	The Local Strategic Partnership (LSP) was formed in 2001. The current Community Plan 2003-2006 was published in September 2003.	Local Strategic Partnership (LSP) Executive (24 members) meets quarterly	Policy & Improvement	Partnership Plus
Area Forums	Community in localised area	Regular updates and opportunities for community involvement in the LDF process will occur at Area Forums, throughout the Borough.	Ad hoc	Ad hoc	Ad hoc
Publications and Newsletters	Each publication is targeted at either a specific section of the community or deals with a specific topic area.	Regular updates and news via a plethora of Stafford Borough Council publications issued by different Services within the Council at a range of issue intervals.	Various (see overleaf)	Various (see overleaf)	Various (see overleaf)
Specific Service Consultation	General and specifically targeted community consultation for each Service	A Consultation Calendar within the Consultation Strategy. Forthcoming consultation periods per Service to identify opportunities for joined-up approach	Rolling programme of community consultation	Policy & Improvement	SBC Consultation Strategy
Information Base	Stafford Borough Council local community and other interested parties	Up-to-date information is available at receptions and on the Borough Council's website	Ongoing	All	Various (see overleaf)

Appendix 6

Stafford Borough Council Publications

Stafford Borough Council Publications				
Publication	Status	Publication frequency	Publication Source	Target Audience
Partnership Plus	Local Strategic Partnership (LSP) Publication	Quarterly	Policy & Improvement Team	Sent to all LSP members
Sundial	LA21 'sustainability issues' magazine. The newsletter is also translated into Braille	Tri-annually	Local Agenda 21 Team	Local Community
Newsline	Stafford Borough Council Newsletter	Monthly	Chief Executive's Office	Local Community
Executive Summary	Update of key Stafford Borough Council events and current issues	Monthly	Chief Executive's Office	Stafford Borough Council Employees Newsletter
Members Digest	Update of key Stafford Borough Council events and current issues	Monthly	Committee Services	Stafford Borough Council Members Parish / Town Councillors
Feeder's Digest	Environmental Health issues for the catering sector	Monthly	Environmental Health	Pubs & Restaurants serving food to the public
Leisure Guide	Calendar with public service adverts	Annual	Cultural and Leisure Services	Local Community
Neighbours	Former SBC housing tenants publication	Quarterly	'Stafford & Rural Homes' from February 2006	Local Community

Appendix 7

Standard consultee list for Development Control consultations

Acorus (rural property consultants)
ADAS (former Executive Agency of MAFF in 1992 and private company in 1997)
Regional Development Agency for the West Midlands
Ancient Monuments Society
Archaeology Services Wyas
Staffordshire Badger Conservation Group
The Council for British Archaeology
Bat Conservation Trust
Barlaston and Meaford Residents Association
British Waterways
Central Networks
Commission for Architecture in the Built Environment
Cannock Chase District Council
Friends of Cannock Chase
The Coal Authority
Campaign to Protect Rural England
Defence Estates
Department for Environment, Food and Rural Affairs
Department of Trade and Industry
Department for Communities and Local Government
The Environment Agency
East Staffordshire Borough Council
English Heritage
Nature Conservancy Council for England
Stafford Friends of the Earth
Forestry Commission
British Gas Transco
The Georgian Group
The Garden History Society
English Golf Union
Government Office for the West Midlands
National Grid Company
The Haywood Society
Hanchurch Conservation Area Residents Association
Mid Staffordshire Health Authority
Environmental and Health Services
Highway Agency - Area Development Manager
Health and Safety Executive
The Inland Waterways Association
Lichfield District Council
Newcastle-under-Lyme Borough Council
NHS Trust
National Land Information Service
North Shropshire District Council
Ofsted – Child Minding or Day Care Provision

Parish Councils
Mainline Pipelines Ltd
Staffordshire Police - Police Liaison Officer
Network Rail
Railway Inspectorate
Ramblers Association
Royal Society for the Protection of Birds
Stafford Borough Council - Housing Services
Stafford Borough Council - Arboriculture Officer
Stafford Borough Council - Conservation Officer
Stafford Borough Council - Drainage Section
Stafford Borough Council - Engineers
Stafford Borough Council - Leisure Officer
Stafford Borough Council - Parks and Open Spaces Officer
Stafford Borough Council - Building Control Services
Stafford Borough Council - Urban Design Officer
Staffordshire County Council - Archaeological Officer
Staffordshire County Council - Animal Health and Petroleum
Staffordshire County Council - Cycle Routes
Staffordshire County Council - Highways
Staffordshire County Council - Principal Ecologist
Staffordshire County Council - County Property Service
Staffordshire County Council - County Planning Enforcement
Staffordshire County Council - County Footpaths Officer
Staffordshire County Council - Nursery Schools
Staffordshire County Council - Property and Estates Division
Staffordshire County Council - Strategic Planning Officer
Sports Council
Stafford Chamber of Trade
Staffordshire Environmental Fund
Staffordshire Gardens and Park Trust
Stafford Historical and Civic Society
Staffordshire Moorlands District Council
Stoke on Trent City Council
Stoke on Trent City Council - Engineering
Stoke on Trent City Council - Highways
The Society for the Protection of Ancient Buildings
Sow and Penk Internal Drainage Board
South Staffordshire District Council
Stone Historic and Civic Society
Severn Trent Water
Shropshire Union Canal Society
Staffordshire Wildlife Trust
The Theatres Trust
National Trust
The Victorian Society
Borough of Telford & Wrekin Council

This list is not exhaustive and will be updated as necessary

Appendix 8

Consultee list for Local Development Framework consultations

1. Extract from Planning Policy Statement 12 (PPS12):

SPECIFIC CONSULTATION BODIES

- E1. The following bodies are specific consultation bodies and must be consulted in accordance with the Act and The Town and Country Planning (Local Development) (England) Regulations, 2004.
- (a) The regional planning body if the local planning authority's area is in a region other than London;
 - (b) The Mayor of London if the authority is a London Borough;
 - (c) A relevant authority any part of whose area is in or adjoins the area of the local planning authority;
 - (d) The Countryside Agency;
 - (e) The Environment Agency;
 - (f) Highways Agency;
 - (g) The Historic Buildings and Monuments Commission for England;
 - (h) English Nature;
 - (i) The Strategic Rail Authority;
 - (j) A Regional Development Agency whose area is in or adjoins the area of the local planning authority;
 - (k) Any person to whom the electronic communications code applies by virtue of a direction given under Section 106 (3)(a) of the Communications Act 2003;
 - (l) Any person who owns or controls electronic communications apparatus situated in any part of the area of the local planning authority; and
 - (m) Any of the bodies from the following list who are exercising functions in any part of the area of the local planning authority:
 - i. Strategic Health Authority;
 - ii. Person to whom a licence has been granted under Section 7(2) of the Gas Act 1986;
 - iii. Sewage undertaker; and
 - iv. Water undertaker.

GOVERNMENT DEPARTMENTS

E2. The appropriate Government Office for the Region should also be consulted and will often be the first point of contact for consultation with central Government Departments. In addition, local planning authorities are strongly advised to consult any Government Departments or agencies where those departments or agencies have large land holdings in the area covered by a local development document. This will ensure that local planning authorities are fully aware of the possible need for expansion of existing facilities or, more importantly, the likelihood of large-scale land disposals taking place within the period of time covered by the local development document.

- (a) Home Office;
- (b) Department for Education and Skills (through Government Offices);
- (c) Department for Environment, Food and Rural Affairs;
- (d) Department for Transport (through Government Offices);
- (e) Department of Health (through relevant Regional Public Health Group);
- (f) Department of Trade and Industry (through Government Offices);
- (g) Ministry of Defence;
- (h) Department of Work and Pensions;
- (i) Department of Constitutional Affairs;
- (j) Department for Culture, Media and Sport;
- (k) Office of Government Commerce (Property Advisers to the Civil Estate); and
- (l) The Countryside Agency.

GENERAL CONSULTATION BODIES

- (a) Voluntary bodies some or all of whose activities benefit any part of the authority's area;
- (b) Bodies which represent the interests of different racial, ethnic or national groups in the authority's area;
- (c) Bodies which represent the interests of different religious groups in the authority's area;
- (d) Bodies which represent the interests of disabled persons in the authority's area; and
- (e) Bodies which represent the interests of persons carrying on business in the authority's area.

OTHER CONSULTEES

- E3. Local planning authorities should also *consider the need to consult*, where appropriate the following agencies and organisations in the preparation of local development documents.
- (a) Age Concern;
 - (b) Airport operators;
 - (c) British Chemical Distributors and Traders Association;
 - (d) British Geological Survey;
 - (e) British Waterways, canal owners and navigation authorities;
 - (f) Centre for Ecology and Hydrology;
 - (g) Chambers of Commerce, Local CBI and local branches of Institute of Directors;
 - (h) Church Commissioners;
 - (i) Civil Aviation Authority;
 - (j) Coal Authority;
 - (k) Commission for Architecture and the Built Environment;
 - (l) Commission for New Towns and English Partnerships;
 - (m) Commission for Racial Equality;
 - (n) Crown Estate Office;
 - (o) Diocesan Board of Finance;
 - (p) Disability Rights Commission;
 - (q) Disabled Persons Transport Advisory Committee;
 - (r) Electricity, Gas, and Telecommunications Undertakers, and the National Grid Company;
 - (s) Environmental groups at national, regional and local level, including:
 - i. Council for the Protection of Rural England;
 - ii. Friends of the Earth;
 - iii. Royal Society for the Protection of Birds; and
 - iv. Wildlife Trusts;
 - (t) Equal Opportunities Commission;
 - (u) Fire and Rescue Services;
 - (v) Forestry Commission;
 - (w) Freight Transport Association;
 - (x) Gypsy Council;
 - (y) Health and Safety Executive;
 - (z) Help the Aged;
 - (aa) Housing Corporation;
 - (bb) Learning and Skills Councils;
 - (cc) Local Agenda 21 including:
 - i. Civic Societies;
 - ii. Community Groups;
 - iii. Local Transport Authorities;
 - iv. Local Transport Operators; and
 - v. Local Race Equality Councils and other local equality groups;
 - (dd) National Playing Fields Association;

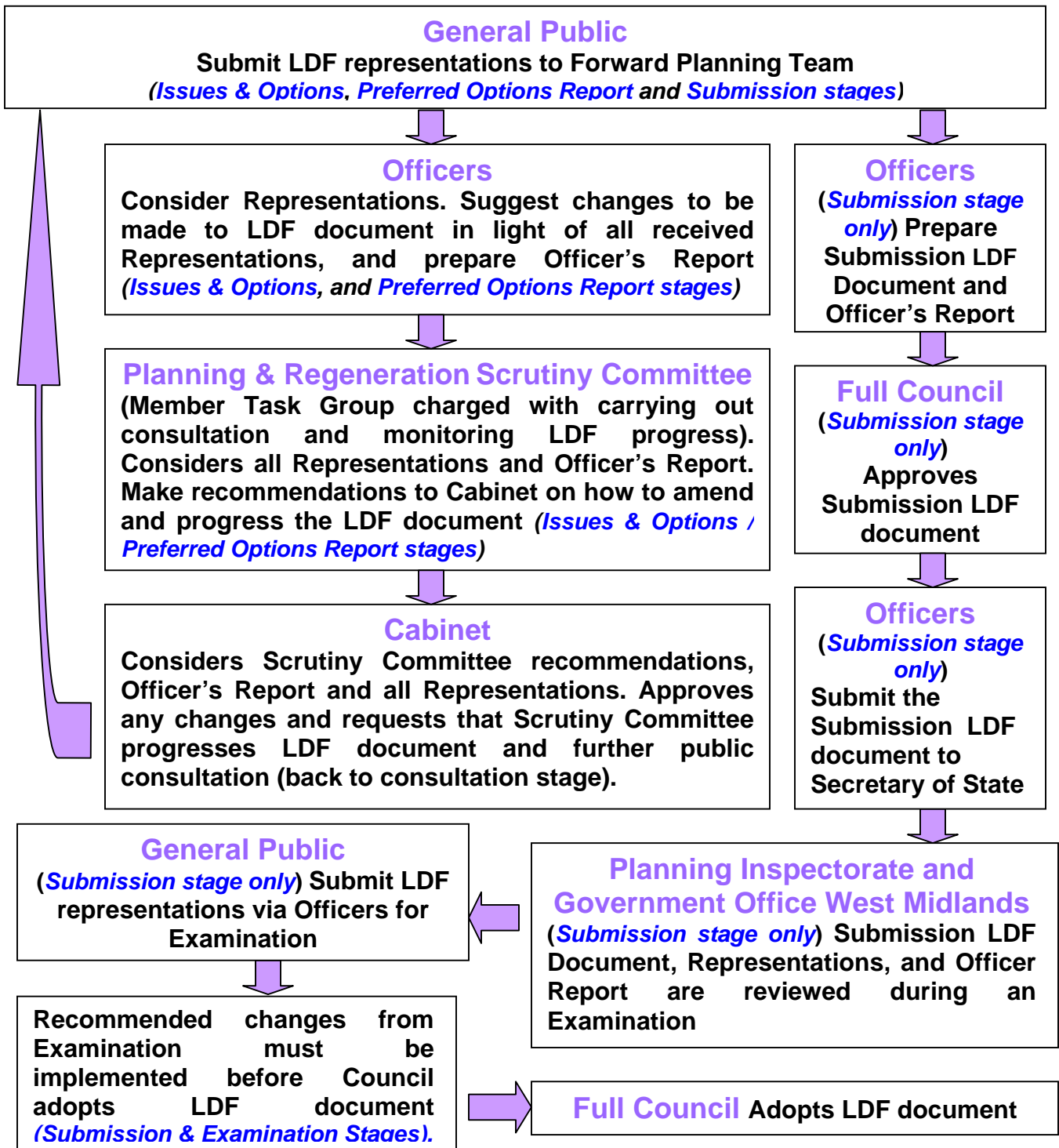
- (ee) Network Rail;
- (ff) Passenger Transport Authorities;
- (gg) Passenger Transport Executives;
- (hh) Police Architectural Liaison Officers/Crime Prevention Design Advisors;
- (ii) Port Operators;
- (jj) Post Office Property Holdings;
- (kk) Rail Companies and the Rail Freight Group;
- (ll) Regional Development Agencies;
- (mm) Regional Housing Boards;
- (nn) Regional Sports Boards;
- (oo) Road Haulage Association;
- (pp) Sport England;
- (qq) The House Builders Federation;
- (rr) Transport for London;
- (ss) Traveller Law Reform Coalition;
- (tt) Water Companies; and
- (uu) Women's National Commission.

2. List of bodies / organisations which the Department for Culture, Media and Sport (DCMS) have advised they are keen to see included as consultees for relevant LDDs:

- (a) Museums, Libraries & Archives West Midlands
- (b) Culture West Midlands
- (c) Tourism West Midlands
- (d) Sport England West Midlands
- (e) Arts Council West Midlands
- (f) English Heritage
- (g) MADE (Midlands Architecture and the Designed Environment)

Appendix 9

Flowchart to show community engagement within the LDF process



This flowchart does not portray the preparation of Supplementary Planning Documents, as outlined in the Stafford Borough Council Consultation Methods table on page 19.

Appendix 10

Definitions of Planning Applications

Definition of Major Planning Applications

- 9.1 Departure from the Development Plan, as defined in Circular 07/99, Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999;
- 9.2 Is the application for any other development which constitutes a departure from the development plan and which, by reason of its scale or nature, or the location of the land, would significantly prejudice the implementation of the development plan's policies and proposals?
- 9.3 In deciding this question, local planning authorities should consider each case on the facts. Although it is a matter for the local planning authority to determine that a proposed development may cause significant prejudice to the implementation of the development plan's policies and proposals, this decision must be made lawfully and is subject to review by the courts. Among the matters the local planning authority should take into account are the size of the proposed development, its impact on the area and the type of development.
- 9.4 The following are examples of the types of **development proposal which might significantly prejudice the implementation of the development plan's policies and proposals**:
 - (i) applications for development of major importance having more than local significance, e.g. major industrial developments and major retail, leisure, office or mixed commercial developments (other than those notified automatically to the Secretary of State);
 - (ii) applications which raise important or novel issues of development control, e.g. major infrastructure projects;
 - (iii) applications for major proposals involving the winning and working of minerals, or waste disposal, storage, treatment or processing facilities, e.g. clinical or special waste incinerators or waste-to-energy power plants;
 - (iv) applications significantly affecting national parks, areas of outstanding natural beauty, sites of special scientific interest and conservation areas, Grade I and II* listed buildings, and scheduled monuments;
 - (v) applications involving development for which an environmental impact assessment is required;
 - (vi) applications involving inappropriate development in the Green Belt and Metropolitan Open Land in Greater London. Advice on what constitutes

inappropriate development is set out in the revised PPG2 "Green Belts" (1995) and RPG3 "Strategic Guidance for London Planning Authorities" (1996);

- (vii) applications involving development that would result in the loss of open space or playing fields both publicly and privately owned;
- (viii) applications which, through their cumulative impact with existing and / or proposed development, may have a significant impact on the implementation of the policies and proposals in the development plan.

9.5 **Schedule 1 Developments** as defined in **Environmental Impact Assessment Regulations (Town & Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999)** section (3B-949/408). In summary, may include: Crude Oil refineries, Power Stations and installations, Iron & Steel smelting installations, metal production installations, asbestos use installations, integrated chemical installations, construction of lines for long-distance railway/ airport traffic, inland waterways, ports, waste disposal installations, groundwater abstractions, waste water treatment plants, commercial petrol or gas extraction, dams or similar, pipes for chemicals, gas, or oil, intensive poultry or pig farming, industrial pulp or paper plants, quarries or open-cast mining, or petrol, petro-chemical or chemical storage.

9.6 Development Proposals subject to the **Town and Country Planning (Shopping Development) (England and Wales) Direction, (Annex D of PPG6 and substituted by Circular 15/93)**. In essence, major retail proposals. Note guidance from this extract from PPG 6 1996:

'Local planning authorities should consider not only the incremental effects of the new development on existing centres, but the likely cumulative effects of recently completed developments and of outstanding planning permissions in the catchment areas of these centres'.

9.7 For this reason, the Secretary of State has directed local planning authorities to notify him of certain proposals for major retail development, before granting planning permission. This is set out in the Town and Country Planning (Shopping Direction) (England and Wales)(No.2) Direction 1993.

9.8 Local planning authorities are also required by the Town and Country Planning (Development Plans and Consultation) Direction 1992 to notify departure applications to the Secretary of State if:

- they consist of more than 10,000 square metres of gross retail floor space; or
- by reason of their scale, nature or location they would significantly prejudice the implementation of development plan policies and proposals.

- 9.9 These procedures provide the Secretary of State with the opportunity to call-in applications for his own decision, although applications will be called-in selectively and normally only where the proposals are of more than local importance (paragraphs 4.15 – 4.18, PPG6).
- 9.10 **Schedule 2 Developments** as defined in the **Environmental Impact Assessment Regulations (Town & Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999)** Development of a type listed in Schedule 2 to the Regulations which:
- meets one of the relevant criteria or exceeds one of the relevant thresholds listed in the second column of the table in Schedule 2; or
 - is located in a 'sensitive area', as defined in regulation 2(1);
 - is referred to in this Circular as '**Schedule 2 development**'.
- 9.11 **Town and Country (Residential Development on Greenfield Land) (England) Direction 2000**. In the Direction, "greenfield land" is defined by reference to the definition of previously-developed land set out in Annex C to PPG3.
- 9.12 *'Previously-developed land is that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings), and associated fixed surface infrastructure. The definition covers the curtilage of the development. Previously-developed land may occur in both built-up and rural settings. The definition includes defence buildings and land used for mineral extraction and waste disposal where provision for restoration has not been made through development control procedures'* (PPG3 Annex C).
- 9.13 Development proposed on playing fields as set out in the **(Town & Country Planning (Playing Fields) (England) Direction 1998**. This direction shall apply to any planning application made on or after 23 December 1998 where:
- the development to which the application relates is development of a description mentioned in paragraph (z) of the Table (see endnote 2) in article 10 of the Order; and
 - the land (or any part of the land) which is the subject of the application: is land of a local authority; or is currently used by an educational institution as a playing field (as defined in article 10(2) (1) of the Order, or has at any time in the five years before the making of the application been used by an educational institution as a playing field (as so defined); and,
 - The Sports Council for England has been consulted pursuant to article 10(1), and has made representations objecting to the whole or part of the development on one or more of the following grounds:
 - there is a deficiency in the provision of playing fields in the local authority area concerned; or
 - the proposed development would result in such a deficiency; or

- where the proposed development involves a loss of a playing field and an alternative or replacement playing field is proposed to be provided, that alternative or replacement does not match (whether in quantity, quality or accessibility) that which is lost.

9.14 Stafford Borough Council operates a 'Fast-Track' planning application system, whereby some planning applications will be considered with the same public consultation techniques, but delays in the determination process kept to a minimum.

Definition of Fast-Track planning applications

9.15 These are development proposals that fall under any of the categories below;

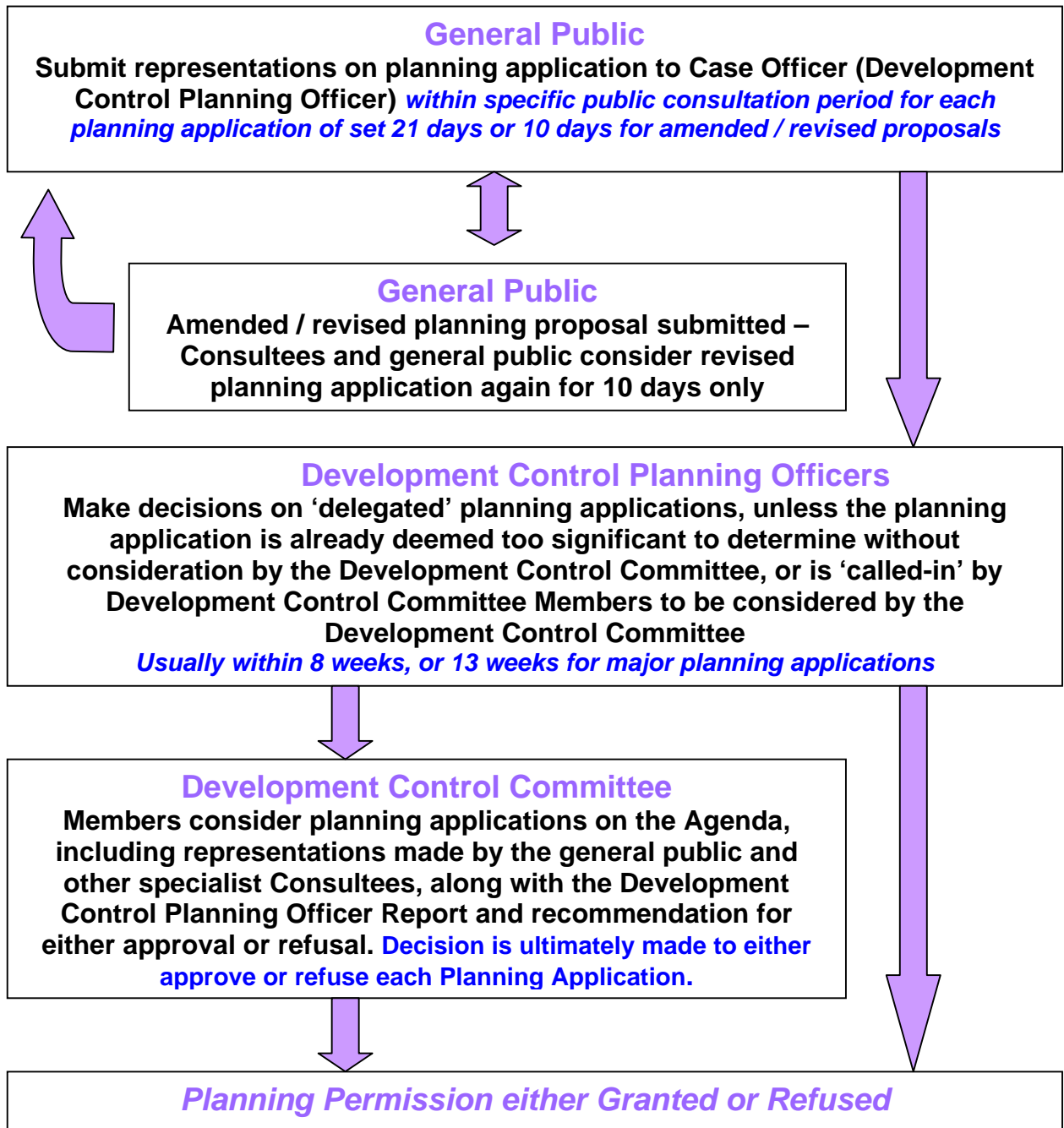
- 1) New buildings and extensions to buildings of 4500 sq m and above,
- 2) creating 30 jobs or more,
- 3) high tech companies (e.g. IT)
- 4) within local clusters, (e.g. IT, logistics)
- 5) within a high growth cluster,
- 6) Creating less than 30 jobs but otherwise significant employer, e.g. satellite office of large overseas company seeking to locate or relocate in Stafford Borough, including proposals with potential for promoting regeneration sites,
- 7) Other business development proposals considered important by virtue of their employment generation, whether direct or indirect.

Definition of Special Interest Applications

9.16 Term used in the planning web page (on-line public access web site link) that includes both major planning applications and fast-track (FT) applications.

Appendix 11

Flowchart to show community engagement within the Development control process



Appendix 12

Responsibilities and consultation for Planning Applications

Who determines which type of planning application?

Staffordshire County Council determines....

- 12.1 Staffordshire County Council determine planning applications that are often called 'County Matters'. This means they are the authority responsible for determining "County Matter" applications, which include proposals for the Extraction and Workings of Minerals and Associated developments, educational facilities and some other strategic developments.
- 12.2 "County Matters" are defined by statute, specifically the Town and Country Planning Act, 1990, Town and Country Planning (Prescription of County Matters) Regulations 2003 and Planning Compensation Act, 1991.

Stafford Borough Council determines....

- 12.3 Stafford Borough Council deal with all other planning applications. If you are a householder or small business it is likely that you need to apply to Stafford Borough Council if you need planning permission.
- 12.4 Where Stafford Borough Council are required to consult the county planning authority before determining an application for planning permission, we shall not determine the application until the expiry of at least 14 days after the date of the notice given to Staffordshire County Council.
- 12.5 The following are suggested best practice methods of how public consultation should take place for Major Planning Applications dealt with by Stafford Borough Council. We advocate the 'front-loading' of public engagement, which may assist in a speedier timescale for a planning decision to be made.
- 12.6 Resource implications for public consultation on planning applications are shown below. Council Officer time is the main resource issue at both pre-application and planning application stages.
- 12.7 Fast track planning applications will be publicised as per whether they are normal planning applications or major planning applications. There is no difference in the methods of public consultation.

**Stafford Borough Council Consultation per planning application type:
Major Planning Applications –
Pre-planning application stage:**

Consultation Techniques	Responsibility and Resources
Letters to inform adjacent residents of the planning application site	Planning applicants / agents are encouraged to write and send out letters to nearby residents
Public exhibition or public meeting to be held in convenient and accessible location(s)	Planning applicants / agents are encouraged to prepare and publicise proposals for public consultation, and make such proposal information available for inspection. Check publicity material for compliance with Statement of Community Involvement
Discussions, or written comments on draft proposal	<p>Planning applicants/agents are encouraged to prepare and submit draft proposals, and hold pre-application discussions</p> <p>Stafford Borough Council Officers should engage with planning applicants / agents regarding their submission of draft proposals (pre-application discussions)</p>

Major Planning Applications-**After validation of planning application:**

Consultation Techniques	Responsibility and Resources
Public Notice in local paper or press release	Stafford Borough Council Officers need to prepare press statements
Site Notice (where applicable) displayed for minimum 21 days on or near the site	Stafford Borough Council Officers need to prepare site notices and visit site to put site notices up
Development Control web pages on Stafford Borough Council website	Stafford Borough Council Officers to maintain and update web page
Notification letters to inform adjacent residents of the planning application site	Stafford Borough Council Officers need to prepare and send out letters. 'Adjacent residents' to be determined per planning application.
Invite representations from Statutory and some Non-Statutory Consultees	Stafford Borough Council Officers need to prepare and send out letters (refer to standard consultee list in Appendix 7)
Where the proposal is in their local area, Councillors and Parish Councils to publicise, disseminate and feedback information to Officers	Borough Councillors and Parish Councils Time with the public as determined by duties

Other Planning Applications -**Pre-planning application stage:**

Consultation Techniques	Responsibility and Resources
Letters to inform adjacent residents of the planning application site	Planning applicants / agents are encouraged to write and send out letters to nearby residents
Public exhibition or meeting to be held	Planning applicants / agents are encouraged to prepare and publicise proposals for public consultation, and make proposal information available for inspection. Check publicity material for compliance with Statement of Community Involvement
Discussions, or written comments on draft proposal	Planning applicants/agents are encouraged to prepare and submit draft proposals, and hold pre-application discussions. Stafford Borough Council Officers should engage with planning applicants / agents regarding their submission of draft proposals (pre-application discussions).

Other Planning Applications -

After validation of planning application:

Consultation Techniques	Responsibility and Resources
Site Notice (where applicable) displayed for minimum 21 days on or near the site	Stafford Borough Council Officers need to prepare site notices and visit site to put site notices up
Development Control website	Stafford Borough Council Officers to maintain and update web page
Notification letters to inform adjacent residents of the planning application site	Stafford Borough Council Officers need to prepare and send out letters. 'Adjacent residents' to be determined per planning application.
Invite representations from Statutory and some Non-Statutory Consultees	Stafford Borough Council Officers need to prepare and send out letters (refer to standard consultee list in Appendix 7)
Where the proposal is in their local area, Councillors and Parish Councils to publicise, disseminate and feedback information to Officers	Borough Councillors and Parish Councils Time with the public as determined by duties
