

# Consultation Draft

## Statement of Community Involvement

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Please note, any legislation referred to in the Statement of Community Involvement includes any order revoking and re-enacting that order.

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## Introduction

### What is planning?

Planning is the process through which we make land use decisions about the area we live in. The planning system is in place to make sure that the balance is maintained between protecting our environment and developing our area. Planning can be divided up into two main areas; development management and Strategic Planning. Development management is concerned with planning applications and making decisions on specific developments. Strategic Planning is about creating policies which help to achieve the long-term vision for the area. Both elements are important in creating a place where people want to live and work. It is essential that the community get involved in planning as the decisions taken affect everyone's lives. How the community can get involved in both aspects of planning is covered by this document, the Statement of Community Involvement (SCI).

### What is a SCI?

The SCI sets out the opportunities residents and other interested parties have to become involved in the planning process in Bromsgrove District.

Please note that the SCI identifies the **minimum requirements** for consultation, however Bromsgrove District Council will hold further consultation at our discretion.

### Why is SCI important?

Involving the community in the planning process from the beginning alongside stakeholders will provide many benefits for both the Council and the community. Involving the community is a key part of having a planning system that is open and transparent. The Council will benefit from effective community involvement because:

- We can gain important local knowledge from the community;
- We can get community support for the plans we create; and
- We can reduce the levels of conflict in the system.

The benefits for the community include:

- A better understanding of the planning process;
- Reduced levels of conflict in the system; and
- Having a say in the development of their area.

“Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made.”

National Planning Policy Framework 2012 (Para 155)

## **The Aims of the SCI**

Bromsgrove District Council has produced this document to set out the ways in which the community can be effectively involved in the planning system. By involving the community, the Council will gain a greater understanding of the needs of the community and we can develop documents which better suit the needs of the people of Bromsgrove. At the same time, we are keen to make every effort possible to improve decision making, minimise delays and use resources effectively.

The SCI will:

- Explain why involving the community is important;
- Describe what we intend to do to inform you;
- Let you know how and when you can be involved;
- Outline the various methods for involving people; and
- Explain how you will be informed of any outcomes.

## Consultation - Planning Policy

There are a number of opportunities for the community to have their say on plans. There are two principal types of planning policy documents, each with different statutory arrangements dictating how they are consulted on and adopted.

**Development Plan Documents (DPDs)** – These set out the policies which will be used to manage development in Bromsgrove District and normally called a Local Plan. . The Local Plan must go through specific stages of community involvement before being submitted to a Government Inspector for Examination and decision.

**Supplementary Planning Documents (SPDs)** – These documents provide additional guidance on policies in the adopted Local Plan. These documents are also subject to public consultation and are adopted by Bromsgrove District Council. They are not independently examined.

There are also other documents the public are invited to comment on, but this is not a mandatory requirement.

## Stages of Plan Making

All planning policy documents are required to be based on evidence. Evidence used in preparing planning policy documents includes statistical evidence, technical assessments, and information gathered through public consultation.

Planning policy documents must also be in conformity with national policy, such as the National Planning Policy Framework, amongst others. The Council must therefore balance the need to ensure its policies are justified by the empirical economic, social and environmental evidence whilst supporting the broad national aims of the Government and reflecting, as far as possible, local opinion.

The process of developing Development Plan Documents and Supplementary Planning Documents is detailed below in Figure 1.

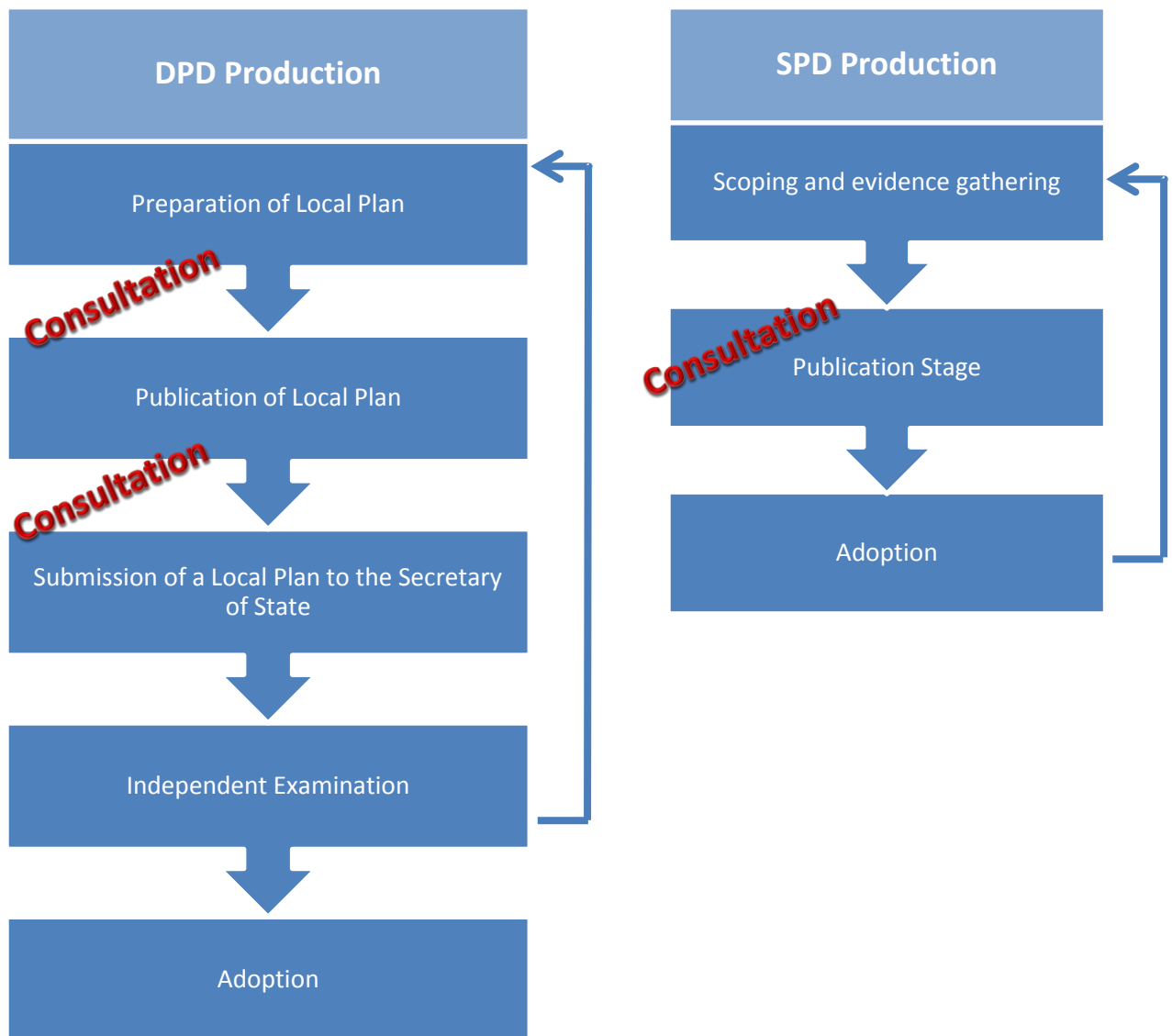


Figure 1: Stages of DPDs and SPDs

## Development Plan Documents (DPDs)

The main stages of DPD production are detailed above in Figure 1. Within these 5 stages, consultation or engagement is required during the Preparation and Publication stages.

### Preparation of a Local Plan

At this stage of the plan making process, we must consult and invite representations from:

- Duty to Co-operate bodies (See Appendix A);
- Specific consultation bodies (See Appendix B);
- General consultation bodies; and
- Residents or businesses within the area, as appropriate.

Representations will be sought on what the Local Plan ought to contain. The Council has flexibility as to how the initial stages of plan production are conducted.

## **Publication of a Local Plan**

The Publication Stage Plan is the plan which the Council considers is ready for examination. Before the plan is submitted, the Local Plan, along with all the supporting documents will be published for consultation. The consultation will last a minimum of 6 weeks and documents will be made available in all the locations detailed in the 'Access to information' section of this document. The Council will invite everyone living, working or with an interest in the District to comment. This is the final stage in the process when formal representations on the Local Plan can be made to the Council.

## **Submission of a Local Plan to the Secretary of State**

The Local Plan and associated documents is submitted to the Secretary of State for Examination and an Independent Inspector is appointed. The Inspector will examine the soundness of the Local Plan and will be provided with the formal representations made at the publication stage.

A Programme Officer will also be appointed who works under the direction of the Inspector and is therefore independent of the Council. The Programme Officer will assist the Inspector with the procedural and administrative matters and be the channel of contact between the Council, Inspector and representors.

No formal consultation is carried out at this stage.

## **Independent Examination**

The Planning Inspectorate will inform the Council of the date for the Examination in Public (EIP). The EIP will be a public hearing to examine the soundness of the Plan and that the appropriate legal and procedural requirements have been met. The Programme Officer will notify any person who made a representation at the Publication Stage of the date, time, place and name of the Inspector at least 6 weeks before the opening of the hearing.

No formal consultation is carried out at this stage.

## **Adoption**

As soon as reasonably practicable after the Council adopts a Local Plan it will make the plan and associated documents available for inspection at the Council Offices and on the Council's website. An adoption statement will be sent to any person who has asked to be notified of the adoption of the Local Plan as well as to the specific and general consultation bodies.

## **Supplementary Planning Documents (SPDs)**

The Council will occasionally produce SPDs to add further detail and guidance to the policies in the Local Plan as well as other DPDs. An SPD can be area or topic based and is a material consideration in a planning decision.

## Scoping and Evidence Gathering

This stage is the beginning of document preparation with evidence gathered from a variety of different sources and the identification of possible options and issues. No formal consultation is required at this stage, however the council may hold informal consultation with stakeholders and interested parties where appropriate to the subject matter of the SPD.

## Publication Stage

The draft SPD document will be available for consultation for a minimum of 4 weeks. Representations will be invited from individuals and bodies considered appropriate having regard to the lists of specific and general consultation bodies.

## Adoption

Representations received will be considered and when the SPD document has been re-drafted to incorporate comments and finalised it will be presented to Cabinet for adoption. Once adopted a SPD is a material consideration in the determination of planning applications.

## Localism and Neighbourhood Development Planning

The Localism Act 2011 introduced the ability for a parish council or neighbourhood forum (known as a Qualifying Body) to prepare Neighbourhood Development Plans which can add detail beyond the strategic elements of the District Council's planning policies. The Qualifying Body can allocate land for development and include policies to control development. Parish councils can also prepare neighbourhood development orders and community right to build orders. As local communities are responsible for the development of these plans, it is up to them to decide how they involve people and undertake any consultation. The Council does, however, have some statutory functions regarding the development of Neighbourhood Plans, which are set out in the Neighbourhood Planning (General) Regulations 2012.

Table 1 below identifies the different stages of preparing a Neighbourhood Development Plan and at which stage the Qualifying Body or Local Planning Authority have a statutory duty to consult the public or hold a referendum.

Table 1: Summary of the key stages in neighbourhood planning

<b>Step 1</b>	Designating neighbourhood area and if appropriate neighbourhood forum	<ul style="list-style-type: none"><li>• Relevant body (parish / town council, prospective neighbourhood forum or community organisation) submits an application to the local planning authority (LPA) to designate a neighbourhood area</li><li>• local planning authority publicises and consults on the area application for a minimum of 6 weeks (or minimum of 4 weeks where the area to which the application relates is the whole of the area of a parish council and is wholly within the area of one</li></ul>
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	<p>local planning authority)</p> <ul style="list-style-type: none"> <li>• local planning authority designates a neighbourhood area within the statutory timescales</li> <li>• In an area without a town or parish council a prospective neighbourhood forum submits an application to be the designated neighbourhood forum for a neighbourhood area</li> <li>• local planning authority publicises and consults on the forum application for minimum 6 weeks</li> <li>• local planning authority takes decision on whether to designate the neighbourhood forum</li> </ul>
<p><b>Step 2</b> Preparing a draft neighbourhood plan or Order</p> <p><i>Qualifying body will consult with the community</i></p>	<p>Qualifying body develops proposals (advised or assisted by the local planning authority)</p> <ul style="list-style-type: none"> <li>• gather baseline information and evidence</li> <li>• engage and consult those living and working in the neighbourhood area and those with an interest in or affected by the proposals (e.g. service providers)</li> <li>• talk to land owners and the development industry</li> <li>• identify and assess options</li> <li>• determine whether a plan or an Order is likely to have significant environmental effect</li> <li>• start to prepare proposals documents e.g. basic conditions statement</li> </ul>
<p><b>Step 3</b> Pre-submission publicity &amp; consultation</p> <p><i>Qualifying body will consult with the community</i></p>	<p>The qualifying body:</p> <ul style="list-style-type: none"> <li>• publicises the draft plan or Order and invites representations</li> <li>• consults the consultation bodies as appropriate</li> <li>• sends a copy of the draft plan or Order to the local planning authority</li> <li>• where European Obligations apply, complies with relevant publicity and consultation requirements</li> <li>• considers consultation responses and amends plan / Order if appropriate</li> <li>• prepares consultation statement and other proposal documents</li> </ul>
<p><b>Step 4</b> Submission of a neighbourhood plan or Order proposal to the local planning authority</p> <p><i>Local Planning Authority will consult with community</i></p>	<ul style="list-style-type: none"> <li>• Qualifying body submits the plan or Order proposal to the local planning authority</li> <li>• Local planning authority checks that submitted proposal complies with all relevant legislation</li> <li>• If the local planning authority finds that the plan or order meets the legal requirements it: <ul style="list-style-type: none"> <li>▪ publicises the proposal for minimum 6 weeks and invites representations</li> <li>▪ notifies consultation bodies referred to in the consultation statement</li> <li>▪ appoints an independent examiner (with the agreement of the qualifying body)</li> </ul> </li> </ul>
<p><b>Step 5</b> Independent Examination</p>	<ul style="list-style-type: none"> <li>• local planning authority sends plan / Order proposal and representation to the independent examiner</li> <li>• independent examiner undertakes examination</li> <li>• independent examiner issues a report to the local planning authority and qualifying body</li> </ul>

		<ul style="list-style-type: none"> <li>• local planning authority publishes report</li> <li>• local planning authority considers report and reaches own view (save in respect of community right to build orders where the report is binding)</li> <li>• local planning authority takes the decision on whether to send the plan / Order to referendum</li> </ul>
<b>Step 6</b>	Community Referendum  <i>Local Planning Authority will hold the referendum</i>	<ul style="list-style-type: none"> <li>• relevant council publishes information statement</li> <li>• relevant council publishes notice of referendum/s</li> <li>• polling takes place (in a business area an additional referendum is held). This is a Yes or No vote.</li> <li>• results declared. A Yes vote needs to be over 50%</li> </ul>
<b>Step 7</b>	Making the neighbourhood plan or Order (bringing it into force)	<ul style="list-style-type: none"> <li>• subject to results local planning authority considers plan / order in relation to EU obligations and Convention rights</li> <li>• If the plan / Order is compatible with EU obligations and does not breach Convention rights – local planning authority makes the plan or Order.</li> <li>• Once the legal challenge period is over, the Council can adopt the Neighbourhood Development Plan which will then be a material planning consideration</li> </ul>

Source: Adapted from NPPG Paragraph: 080 Reference ID: 41-080-20150209

## What other documents are consulted on?

### Sustainability Appraisal

The undertaking of a Sustainability Appraisal (SA) is vital to the integration of sustainability and environmental considerations into the preparation and adoption of plans. The SA is not a separate activity, but an integral part of the plan making process. As such, the Council reports documenting the SA process will be published at the same time as the Publication and Submission stages of the Local Plan document production for consultation.

### Community Infrastructure Levy (CIL) Charging Schedule

The Community Infrastructure Levy (CIL) is a charging schedule which sets a standardised non-negotiable, local levy which is placed on new development for the purpose of helping raise funds to support the delivery of infrastructure, such as schools and highways that are required due to the new development.

Bromsgrove District Council does not currently have a CIL Charging Schedule and achieves coverage of infrastructure costs by developers through Section 106 agreements. Should the Council wish to implement CIL, the Council will produce a document which sets out the level of charge required for every additional square metre of new development. This new document will be produced through the same stages as a Local Plan, as outlined in Figure 1. The Council will therefore:

- Widely publicise and consult a Preliminary Draft Charging Schedule setting out the Council's initial consideration of appropriate charge;

- Widely publicise and consult a Draft Charging Schedule prior to submission for independent examination; and
- Submit the Draft Charging Schedule and all representations to an examination in public. All those who made a representation on the Draft Charging Schedule will be able to speak at the examination, should they wish.

### **Statement of Community Involvement**

The SCI will be consulted on with the public and statutory consultees at the draft stage. Although there is no legal requirement for consultation, it is important to the council that the ways in which we will be consulting and advertising on development plan documents and planning applications is clearly explained and the public are able to give comments and suggestions on the ways we consult.

Once the SCI is adopted, it will be reviewed to incorporate new and revised legislation. Depending on the changes made to the SCI, further consultation will occur.

### **Who do we consult?**

The nature of community involvement will vary depending on the type of planning policy document being produced. Bromsgrove District Council intends to do more than the required minimum for consultation and intend to involve as many parties, groups, bodies and individuals as possible, using a variety of techniques to involve the public.

Bromsgrove District Council has a consultation database, all of whom are on the list are notified of a public consultation on a planning document when one occurs. Individuals and groups who have previously responded to a consultation on a particular planning document are automatically added to the database unless they expressly opt out. Organisations, groups and individuals that wish to be added or deleted from the database can do so at any time by contacting the Strategic Planning team (See 'Access to information' section for details).

### **How will we involve people?**

A basic minimum for involvement would be informing the required (statutory) consultees about documents being produced and how and when they can be consulted on.

The principles for involvement are ensuring our approach is:

- Accessible: Have documents and hold events in the most suitable places for people to make use of;
- Genuine: to only involve people when they can have a real influence on the outcome of a plan;
- Transparent: to keep the lines of communication open; and
- Appropriate: to use the best method possible for involving people.

## Methods of involvement

The table below shows the variety of methods available to the Council when consulting on planning documents. Not all of these documents will be used, the most appropriate method(s) will be used when consulting on specific documents.

Table 2: Methods of involvement

Method	Approach
<b>Letter</b>	Letters will be sent out to all required consultees, all those who have expressed a specific interest and local bodies who may have valuable input, to inform them of any consultation they may want to take part in or about a document that has been released for consultation in accordance with legal requirements.
<b>E-mail</b>	E-mails will be used when appropriate. All documents will be available in an electronic format via email as this is an important way of saving paper.
<b>Exhibitions</b>	Exhibitions including explanatory posters and leaflets can be held to inform people about documents that are being produced. These exhibitions will be held at Parkside, Bromsgrove, Redditch Town Hall and other locations as appropriate.
<b>Workshops</b>	Workshop events will consist of a presentation followed by group work in order to discuss the issue at hand. These organised discussion group events can be very worthwhile but can be very resource intensive. Workshop event or focus group will be held for documents.
<b>Website</b>	The Council's website has proven to be a very useful tool when engaging the public. All documents will be available online free of charge.
<b>Focus Groups</b>	Focus groups bring together a small number of stakeholders to discuss a specific issue in depth. They are used to explore specific subjects in detail.
<b>Newsletter</b>	The Council has a bi-annual newsletter, which is sent out to every home in the district. The Planning Department will make use of this to inform the community about the Local Planning process and how they can be involved.
<b>Public Meetings</b>	Where Planning Officers are invited to attend public meetings, such as Parish Council meetings to discuss documents, every effort will be made to attend.
<b>Questionnaires</b>	Questionnaires will be used at an early stage of document production to gauge public opinion on a specific topic. Questionnaires will generally be sent out to members of the public who have previously displayed an interest in the subject to find out their opinions on certain matters. This technique is useful when we need quantitative data.
<b>Interviews</b>	It may be useful to do one to one interviews with specific individuals who have links to a specific subject to get their in-depth knowledge of the subject. This technique will be employed when appropriate.
<b>Planning for Real</b>	Planning for Real refers to using interactive displays and 3D plans to illustrate the issue we are dealing with. These techniques tend to be very popular with the public and tend to help those who have not taken part before have their say. Planning for Real can be used in conjunction with

	other methods to help maximise involvement.
<b>Media</b>	There are statutory requirements for the Council to publish details of consultation periods in a newspaper which covers the whole of the District. We will attempt to get extra media coverage of any events to improve publicity. We will use free newspapers to increase coverage opportunities.

A wide variety of methods have been identified which can be used to involve as many people as possible in the most suitable way for them. Different people will want to be involved in the process to different degrees. We are also aware of the suitability of different methods at different stages of the document production. At early stages we may seek to gather quantitative data (views, reasoning and suggestions) and this may involve a workshop or focus group; later stages will necessitate as much publicity of proposals as possible to ensure people are aware of proposals.

In many cases, it may be necessary to consult on more than one document at the same time or for the Council’s Planning Service to get involved in and attend meetings of other groups. This is known as ‘piggybacking’ and relates to our intention to link our activities with other community initiatives. By ‘piggybacking’ events we will be able to reach a broader and, potentially, a greater number of people than we would otherwise be able to do. ‘Piggybacking’ also has the potential to help avoid consultation fatigue with the public. We will make every attempt to attend meetings of other organisations, such as the Parish Councils, on request.

### **Choosing the appropriate approach**

Choosing the appropriate approach during consultation can influence the number of people informed, consulted and involved in the different stages. Appropriate approaches to each stage will result in the optimum consultation with the community.

### **Access to information**

The Council recognises the importance of effective communication. All Local Development Documents will be available for review during normal opening times at the locations below. For opening times of libraries please visit the Worcestershire County Council website.

Customer Service Centre Market Street Bromsgrove B61 8DA		Bromsgrove Library Parkside Market Street Bromsgrove B61 8DA
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Alvechurch Library Birmingham Road Alvechurch Birmingham B48 7TA	Catshill Community Library The Community Room Catshill Middle School Meadow Road Bromsgrove B61 0JW	Hagley Library Worcester Road Hagley Stourbridge West Midlands DY9 0NW
Rubery Library 7 Library Way Rubery Rednal Birmingham B45 9JS	Wythall Library May Lane Hollywood Birmingham B47 5PD	Bromsgrove District Council Website <a href="http://www.bromsgrove.gov.uk">www.bromsgrove.gov.uk</a>

We will also advertise in the local press when a draft version of any document is available for consultation and prior to submission to the Secretary of State. The advert will state where and when the documents can be viewed. Documents will be available in a variety of different formats including:

- Paper copies – leaflets, posters and paper copies of documents, which will be placed in key community locations;
- Electronic Versions –that can be e-mailed to interested individuals/organisations;
- Website – proposals documents, proposals matters, availability of proposals documents for inspection (with times, locations, places) will be published on the Council’s website – [www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)

We may also be able to make documents available in other languages and formats (large print, Braille) as needs are identified. Any comments that people wish to make on any of the documents out for consultation can be sent to the Council by post or by emailing the following addresses

Strategic Planning Team  
Bromsgrove District Council  
The Town Hall  
Walter Stranz Square  
Redditch  
Worcestershire  
9AH 8AA  
Tel: 01527 881691 / 881663  
Email: [strategicplanning@bromsgroveandredditch.gov.uk](mailto:strategicplanning@bromsgroveandredditch.gov.uk)

### **Feedback and taking views into account**

The views that are expressed by the community during any involvement activity will be fed into the process of document production. Feedback from consultations will be made

available in summary form and will be used to influence the drafting of documents. Ensuring people are kept informed of the outcome of events is seen as a vital part of the planning system to reinforce the message that public involvement is helpful and worthwhile.

We are committed to incorporating where possible the consensus views raised through involvement into the preparation of the documents.

The Council will keep contributors informed, where possible, through using;

- The Councils website and social media sites
- The Local Media, e.g. Press Releases;
- Officer presentations to stakeholder groups who have been involved in participation events and those who contact us to request a presentation.

## Consultation - Development Management

### Introduction

Many people first become involved in planning through consultation on nearby development, whether it is a small householder development, such as an extension, or a larger application for a number of dwellings.

The Council's Development Management team is responsible for the processing of most planning applications within the District (apart from applications which are dealt with by Worcester County Council such as those for minerals, waste, railway stations and large infrastructure projects among others).

Depending on the type of planning application being considered, there are a number of consultation bodies that the Council must consult and invite to make representations. In addition, who is consulted can depend on factors such as how many people would be affected by the proposal and the type of impact likely. The main type of consultation groups include:

- Public – Including consultation with neighbouring residents and community groups through site notices or letters or other means, depending on the type of planning application;
- Statutory Consultees (see Appendix C) – Where there is a requirement by law to consult a specific body they are expected to respond, for example, Environment Agency or Parish Councils
- Consultation required by a direction – Where the local planning authority is directed to undertake additional consultation due to specific local circumstances; and
- Non Statutory Consultees (see Appendix D) – These consultees are not required by law but there is a planning reason to engage with these consultees and who are likely to have an interest in the proposed development, for example, Health and Safety Executive.

All applications are available to view on the Council's website and are available to inspect in hard-copy on request at Parkside in Bromsgrove and the Town Hall in Redditch. Responses received within the consultation periods for applications are generally uploaded on the Council's website. Full consideration is given to representations received, and due weight attached to the views of the community and stakeholders. Once a decision has been reached, all respondents will be informed of the outcome. Decisions can be reached in two ways, by planning officers through delegated powers, or by the Planning Committee comprised of a number of elected Ward members.



## What do we consult on and how?

### Pre-application Stage

The Localism Act 2011 requires applicants to consult with the community before submitting planning applications for certain large developments.

Pre-application consultation can be in a number of different forms, which is up to the developer to organise. Examples of pre-application consultation include fliers, public meetings and questionnaires targeted at those living near to the proposed development site.

### Minor Planning Applications

Minor planning applications include development for:

- Householder developments – Developments within the curtilage of a dwelling house which requires planning permission, for example: extensions, alterations, garages, car ports, walls, fences and outbuildings. **Please note: this is not an exhaustive list of when planning permission may be required for householder developments, please seek advice from the Planning Department if you have any queries.**
- New Residential - 1-9 dwelling/under half a hectare
- Office/light industrial – up to 999m<sup>2</sup>/under 1 hectare
- General industrial – up to 999m<sup>2</sup>/under 1 hectare
- Retail – up to 999m<sup>2</sup>/under 1 hectare
- Gypsy/traveller site – 1-9 pitches

Consultation on minor applications normally involves the writing to immediately adjoining neighbours **OR** advertising the application through a site notice. The application is also published on the weekly list of applications received in planning services and the plans uploaded to the Council's website. The Parish Council is also written to (where one exists) and public consultation on minor applications last for a minimum of 21 days.

Minor applications which are for Listed Buildings, within a Conservation Area or immediately adjacent to or includes a public right of way may also have to be advertised in the newspaper and a minimum 21 days given for comments to be submitted. A site notice will also be put up.

Minor applications are generally determined by planning officers. However, an applicant or objector can ask their local Ward Councillor to call the application into Planning Committee. Should the Ward Councillor call in the application within relevant timeframes, the Planning Committee will determine the planning application.

### Major Planning Applications

Major planning applications include development for:

- Residential – 10 or more/over half a hectare

- Office/light industrial – 1000m<sup>2</sup> or more/over 1 hectare
- General industrial - 1000m<sup>2</sup> or more/over 1 hectare
- Retail – up to 1000m<sup>2</sup> or more/over 1 hectare
- Gypsy/traveller site – 10 or more pitches

For the consultation on major planning applications posting site notices and/or adjacent neighbourhood notification letters are required, depending on the type of development. For all major applications, advertising in the newspaper and uploading the application to the Council’s website is required. Major applications are also included on the weekly list. Consultation on major schemes is required to be a minimum of 21 days but, dependent on the size and type of scheme, a longer consultation period may be given. For major applications that are determined at Planning Committee, for those who submitted representations there is the opportunity to speak at the committee meeting.

### Change of use applications

Applications for a change of use can be either major or minor. This is dependent on the size of the site or floor space of a building as detailed above.

### Other Applications

In addition to planning applications, there are other types of applications which can be submitted to the Council for determination. With the update to Permitted Development Rights, through the Town and Country Planning (General Permitted Development) (England) Order 2015, a greater amount of development can be undertaken without the need for planning permission from the Council or without the need for public consultation. For developments which fall within these categories the Council suggests that in these cases the developers inform neighbours themselves of the intended development.

Table 3 lists the minimum requirements for consultation for types of applications not mentioned in the above sections. For the statutory publicity requirements for planning and heritage applications, please see Table 4 below.

If you are unsure whether the proposed development falls within Permitted Development Rights or have any other questions regarding planning applications or prior notifications please contact the Planning Department Monday-Friday 9am-5pm on 01527 881 770 or email [newplan@bronsgroveandredditch.gov.uk](mailto:newplan@bronsgroveandredditch.gov.uk)

Table 3: Minimum requirements for consultation on applications

Application Type	Consultation
<b>Lawful Development Certificate (existing)</b>	➤ None required
<b>Lawful Development Certificate (proposed)</b>	➤ None required
<b>Prior Notification</b>	As the scheme is permitted development and does not need

	the benefit of planning permission, generally there is no consultation. There are some types of Prior Notification where neighbours are notified. But this is not always the case and consultation will be undertaken depending on the nature of the proposal and type of prior notification application.
<b>Advertisement Consent</b>	➤ Relevant Statutory consultees
<b>Listed Building Consent</b>	➤ Site Notice ➤ Newspaper Advert
<b>Tree Preservation Orders (TPOs)/works to trees protected by TPOs</b>	➤ None required
<b>Works to trees in Conservation Areas</b>	➤ None required
<b>Discharge of conditions</b>	➤ Relevant Statutory consultees
<b>Environmental Assessment 'scoping opinion'</b>	➤ Relevant Statutory consultees
<b>Environmental Assessment 'screening opinion'</b>	➤ None required
<b>Non-material Amendments</b>	➤ None required

Source: Please see Appendix F for the relevant legislation

Table 4: Statutory publicity requirements for planning and heritage applications

Type of development	Site notice	Site notice or neighbour notification letter	Newspaper advert	Website
<b>Applications for major development as defined in Article 2 of the Development Management Procedure Order</b>		X	X	X
<b>Applications subject to Environmental Impact Assessment which are accompanied by an environmental statement</b>	X		X	X
<b>Applications which do not accord with the development plan in force in the area</b>	X		X	X
<b>Applications which would affect a</b>	X		X	X

<b>right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies</b>				
<b>Applications for planning permission not covered in the entries above e.g. non-major development</b>		X		X
<b>Applications for listed building consent where works to the exterior of the building are proposed</b>	X		X	X
<b>Applications to vary or discharge conditions attached to a listed building consent or conservation area consent, or involving exterior works to a listed building.</b>	X		X	X

Source: NPPG Paragraph: 029 Reference ID: 15-029-20140306

All valid applications will be made publically available on the Bromsgrove District Council website.

## Planning Committee

Planning Committee is a meeting held monthly and consists of 11 Ward Councillors.

All major applications automatically go to Planning Committee for determination, while minor planning applications can be called in by the local Ward Councillor should they wish. Only the Ward Councillor whose ward the application is within can call in an application to Planning Committee. The applicant or general public can request that an application is determined at Planning Committee rather than by a Planning Officer, however, it is at the discretion of the Ward Councillor to whether they call in the application.

There is an opportunity to speak at Planning Committee, by the applicant, any objectors, Parish Council representatives or Ward Councillor.

For further details of Planning Committee please visit [www.bromsgrove.gov.uk/planningcommittee](http://www.bromsgrove.gov.uk/planningcommittee) or email the Committee Services Team at [democratic@bromsgroveandredditch.gov.uk](mailto:democratic@bromsgroveandredditch.gov.uk)

## Notification of planning decisions

Once a decision is reached, either by delegated authority or by Planning Committee, the Council will send a Decision Notice to the applicant or agent. Decision Notices are available to view on the Council's website and letters or emails are sent out regarding the Decision to all those who made representations.

## Appeals

Should planning permission not be granted, the applicant is able to appeal the decision. This means that the application is re-assessed by an independent Planning Inspector. Only the person who applied for planning permission has a legal right to appeal (known as the

appellant). There is no right of appeal for interested people or organisations (known as third parties).

Appealing a planning decision can be for a number of reasons including:

- Disagreement with the decision;
- Disagreement with the imposition of a planning condition; or
- The decision wasn't made within 8 weeks (13 weeks for a major development, as detailed in the 'Major applications' section above or 16 weeks for Environmental impact assessment (EIA) development).

To appeal a planning decision, please visit the Gov.uk website (<https://www.gov.uk/appeal-planning-inspectorate>). There are time limits for submitting appeal.

Anyone can comment on a planning appeal.

Once an appeal has been validated, the Planning Inspectorate will tell the applicant what happens next and how long the appeal may take. There are three ways an appeal can be determined:

- Written Representations – The inspector reads all the written information produced by the Council and the appellant. Third parties may also submit representations. The Planning Inspector may wish to visit the site and then a decision will be issued.
- A Hearing – Where the planning issues are not straight forward and require a discussion. This is an informal discussion of the issues between the parties which the Planning Inspector leads. Third parties are welcome to attend and speak at the discretion of the Inspector.
- A Public Inquiry – Where the planning issues are complex or there are legal matters to discuss. Expert witnesses present evidence and the opposing party can cross-examine them. Third parties may take part but can also be cross-examined.

The Planning Inspector will make the decision and inform the appellant and Council. The appellant can challenge the decision in the High Court if they think the Planning Inspectorate made a legal mistake.

For further information, please visit the Gov.uk website.

## Conclusion

The purpose of the SCI is to set out how people can be involved in the planning process. It explains:

- The minimum requirements for community involvement;
- How involvement will occur in a timely and accessible way;
- That suitable methods will be employed;
- How results of involvement will be fed into document production; and
- How people can be involved in planning applications.

Bromsgrove District Council is committed to providing a high level service to the community, making sure everyone has the opportunity to be involved in the planning process. The Council will look to achieve this in the most resource efficient way. Therefore any approach used when engaging with stakeholders will reflect the type of work being undertaken. Any non-statutory approaches used during engagement or consultation activities will also be reviewed to assess whether such an approach was effective

## Appendix A – Planning Policy: Duty to Co-operate Bodies

Other public bodies, in addition to local planning authorities, are subject to the duty to cooperate by being prescribed in the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended by The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013 These bodies are:

- the Environment Agency;
- the Historic Buildings and Monuments Commission for England (known as Historic England);
- Natural England;
- the Mayor of London;
- the Civil Aviation Authority;
- the Homes and Communities Agency;
- each clinical commissioning group established under section 14D of the National Health Service Act 2006;
- the National Health Service Commissioning Board;
- the Office of Rail Regulation;
- Transport for London;
- each Integrated Transport Authority;
- each highway authority within the meaning of section 1 of the Highways Act 1980 (including the Secretary of State, where the Secretary of State is the highways authority); and
- The Marine Management Organisation.

These organisations are required to cooperate with local planning authorities, County Councils that are not local planning authorities and the other prescribed bodies. These bodies play a key role in delivering local aspirations, and cooperation between them and local planning authorities is vital to make Local Plans as effective as possible on strategic cross boundary matters. The bodies should be proportionate in how they do this and tailor the degree of cooperation according to where they can maximise the effectiveness of plans.

The prescribed bodies are defined in Part 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Those relevant to Bromsgrove District are:

- Environment Agency
- English Heritage;
- Natural England;
- Highways Agency;
- Homes and Communities Agency;
- Primary Care Trust;
- Office of Rail Regulation;
- Highway Authority.

In respect of other bodies Local Enterprise Partnerships (LEPs) have been identified in the regulations as bodies that those covered by duty 'should have regard to' when preparing local plans and other related activities. A similar status is also now applied to Local Nature Partnerships and Utility Companies.

## **Appendix B – Planning Policy: Specific Consultation Bodies**

Specific consultation bodies are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 Part 1.

- The Coal Authority
- The Environment Agency
- English Heritage
- Natural England
- Network Rail
- The Highways Agency
- A ‘relevant’ authority in or adjoining the Local Planning Authority (Including Local Planning Authorities, County Council, a Parish Council and a Local Policing Body)
- Electronic communication code systems operators
- Primary Care trust established under section 18 of the National Health Service Act 2006 or continued in existence by virtue of that section
- Electricity providers
- Gas providers
- Sewerage Undertakers
- Water Undertakers
- Homes and Communities Agency



## Appendix C – Development Management: Statutory Consultees

The table below lists where there is a statutory requirement to consult particular bodies or persons, detailing when each statutory consultee is consulted and an example planning application.

<b>Statutory consultee</b>	<b>When are they consulted</b>	<b>Example application</b>
<b>Adjoining landowners</b>	When a planning application is classed as a major application. In accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	Major application for 200 dwellings
<b>Canal and River Trust</b>	Where development is likely to affect any inland waterway or reservoir owned or managed by the Canal and River Trust or any canal feeder channel, watercourse, let off or culvert which is within an area which has been notified for the purposes of this provision to the local planning authority by the Canal and River Trust. In accordance with Schedule 4(za) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	Major application adjacent a canal
<b>Coal Authority</b>	Where notice has been given to a mineral planning authority as respects land which is in their area and it is specified in the notice by the Coal Authority that the land contains coal or any development which involves the provision of a building or pipeline in an area of coal working notified by the Coal Authority to the local planning authority. In accordance with Article 26 and Schedule 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	This is for applications to the minerals authority which is Worcestershire County Council
<b>Control of major-accident hazards competent authority (COMAH) competent authority</b>	Where development may become the source of or increase the risk or consequences of a major accident. In accordance with Schedule 4(zb) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	Application for a nuclear power plant
<b>County Planning Authorities</b>	Where development is of strategic importance or may impact on the wider county strategy. In accordance with Paragraph 7 of Schedule 1 of the Town and Country Planning Act 1990 and Article 21 and Schedule 4(b) and (c) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	Application for a new motorway junction
<b>Crown Estates Commissioners</b>	Where notice has been given to a mineral planning authority as respects land which is in their area and it is specified in the notice by the Crown Estate Commissioners that the land contains gas or oil. In accordance with Article 26 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	This is for applications to the minerals authority which is Worcestershire County Council
<b>Department of Energy and Climate Change</b>	Where notice has been given to a mineral planning authority as respects land which is in their area and it is specified in the notice by the Coal Authority that the land	This is for applications to the minerals

	contains coal. In accordance with Article 26 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	authority which is Worcestershire County Council
<b>Environment Agency</b>	Applications including those for mining operations, refining or storing mineral oils and their derivatives, development relating to the use of land as a cemetery, development within Flood Zones 2 or 3 or Flood Zone 1 which has critical drainage problems, development which does not use the services of a sewage undertaker for the disposal of sewage, or development involving the carrying out of works or operations in the bed of, or within 20 metres of the top of a bank of a main river which has been identified by the Environment Agency. In accordance with Schedule 4 (t), (u), (v), (zc) and (zd) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	Application for development within Flood Zone 2
<b>Forestry Commission</b>	Where an application proposes the use to be for forestry or an application where there is forestry. In accordance with Paragraph 4 of Schedule 5 of the Town and Country Planning Act 1990.	This is for applications to the minerals authority which is Worcestershire County Council
<b>Garden History Society</b>	Where development is likely to affect any battlefield, garden or park of special historic interest. In accordance with Schedule 4(s) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	Application near to Hewell Grange
<b>Greater London Authority</b>	Where development is within a London Borough. In accordance with the Town and Country Planning (Mayor of London) Order 2008	This is for applications within a London Borough
<b>Health and Safety Executive</b>	Where development is within an area which has been notified by the Health and Safety Executive as being within the vicinity of toxic, highly reactive, explosive or inflammable substances (otherwise than on a relevant nuclear site). In accordance with Schedule 4(e) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	No sites have been identified within Bromsgrove District at this time
<b>Highways Authority</b>	Where development is likely to result in an adverse impact on the safety of, or queuing on a trunk road, prejudice the improvement or construction of a road or highway, includes the construction, formation or laying out access to or from a trunk road or highway, development likely to result in the material increase in the volume of a material change in the character of traffic using a level crossing over a railway or the laying of a new street. In accordance with Schedule 4(g), (h), (i), (k), (l), (m) and (n) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	Major application including access onto a main trunk road
<b>Highways England</b>	Where development is likely to result in an adverse impact on the safety of, or queuing on a trunk road, prejudice the	Major application including access

	improvement or construction of a road, includes the construction and the formation or laying out access to or from a trunk road. In accordance with Schedule 4(g), (h) and (i) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	onto a main trunk road
<b>Historic England</b>	Where development is likely to affect a scheduled monument, a battlefield, garden or park of special historic interest or is for the demolition, in whole or in part, or the material alteration of a listed building which is classified as Grade I or Grade II*. In accordance with Schedule 4(q), (r) and (s) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	Application for an extension to a Grade II* listed building
<b>Local Highway Authority</b>	Where development is likely to result in a material increase in the volume of traffic or a material change in the character of traffic entering or leaving a classified road or proposed highway, likely to prejudice the improvement or construction of a classified road or proposed highway, development which involves the laying out of a new street or highway or the laying out or alteration of any means of access to a highway. In accordance with Schedule 4(k), (l), (m) and (n) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	Major application including access onto a highway
<b>Local Planning Authorities</b>	Where development is likely to affect land in Greater London or in a metropolitan county other than land in a National Park, or is likely to affect land in a non-metropolitan county other than land in a National Park. In accordance with Schedule 4(b) and (c) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	An application within Bromsgrove District
<b>National Parks Authorities</b>	Where development is likely to affect land in a National Park. In accordance with Schedule 4(a) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	There are no National Parks within the vicinity of Bromsgrove District at this time
<b>Natural England</b>	Where development is in or likely to affect a site of special scientific interest, is not for agricultural purposes and is not in accordance with the provisions of a development plan and will involve the loss of 20 hectares or lead to the loss of 20 hectares or more of grades 1, 2 or 3a of agricultural land or where it appears to the local planning authority that an area of particular natural sensitivity or interest may be affected. In accordance with Schedule 4(w), (y) or (zb) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and Paragraph 4 of Schedule 5 of the Town and Country Planning Act 1990.	Application for development adjacent to a Site of Special Scientific Interest (SSSI)
<b>Parish Councils</b>	Where an application is made which is likely to affect land in the area of a parish council. In accordance with Schedule 4(d) of the Town and Country Planning (Development	Application within an area which contains a Parish

	Management Procedure) (England) Order 2015.	Council
<b>Rail Infrastructure Managers</b>	Where development is within 10 metres of relevant railway land. In accordance with Article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	Application adjacent to relevant railway land
<b>Rail Network Operators</b>	Where development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway. In accordance with Schedule 4(j) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	Application which is close to a level crossing and would lead to a likely increase in traffic over the level crossing
<b>Sport England</b>	Where development is likely to prejudice the use, or lead to the loss of use of land being used as a playing field or is on land which has been used as a playing field any time in the 5 years before the making of the relevant application and which remains undeveloped. In accordance with Schedule 4(z) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	Application for housing on a playing field
<b>Theatres Trust</b>	Where development involves ant land on which there is a theatre. In accordance with Schedule 4(x) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	Application involving a theatre
<b>Toll Road Concessionaries</b>	Where development involves the construction of a highway or private means of access to the premises affording access to a road in relation to which a toll order is in force. In accordance with Schedule 4(m) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	Bromsgrove District currently has no toll roads
<b>Water and sewerage undertakers</b>	Where development involves the boring for or getting of oil and natural gas from shale. In accordance with Schedule 4(zf) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.	Bromsgrove District currently has no identified shale oil or gas resources

Source: Modified from NPPG Paragraph: 030 Reference ID: 15-030-20140612

## Appendix D – Development Management: Non-statutory Consultees

The table below lists where there is a requirement to consult particular bodies or persons on planning applications for certain types of development.

<b>Non statutory consultee</b>	<b>When are they consulted</b>	<b>Example application</b>
<b>Emergency Services and Multi-Agency Emergency Planning</b>	Where issues affecting the emergency services are identified or if specific emergency planning issues related to new developments are apparent.	Application which is protected by flood defences
<b>Forestry Commission</b>	Where development is likely to affect Ancient Semi-Natural woodlands or Plantations on Ancient Woodlands Sites including proposals where any part of development is within 500 metres of an ancient semi-natural woodland or ancient replanted woodland.	Application within 500m of an Ancient semi-natural woodland as defined and recorded in Natural England’s Ancient Woodland Inventory.
<b>Health and Safety Executive</b>	Where developments are proposed around pipelines, licensed explosives sites, licensed ports and other relevant sites as well as developments for and around hazardous installations.	Application in proximity to a site which stores or uses hazardous substances
<b>Ministry of Defence</b>	Where developments are within 15km of Ministry of Defence aerodromes or the application is for a wind turbine of 11m to blade tip or taller and/or has a rotor diameter of 2m or more.	Application for a wind turbine over 11m high (to blade tip)
<b>Office of Nuclear Regulation</b>	Where developments are proposed for and around nuclear installations.	Bromsgrove District currently has no nuclear installations
<b>Police and Crime Commissioners</b>	Where there is an identified risk and to create safer places and buildings that are less vulnerable to terrorist attack through integrating counter-terrorism protective security measures as part of building and urban design.	Application for a new shopping centre
<b>Rail Network Operators</b>	Where development would likely affect transport infrastructure.	Application near to a level crossing
<b>Sport England</b>	Where development might lead to loss of or loss of use for sport of any major sports facility, proposals which lead to the loss of use for sport of a major body of water, creation of a major sports facility, creation of a site for one or more playing pitches, development which created opportunities for sport, artificial lighting of a major outdoors sports facility or a residential development of 300 dwellings or	Application for 350 dwellings

	more.	
<b>Business Improvement Districts</b>	Where development is within or likely to impact on a Business Improvement District.	Bromsgrove District currently does not have any Business Improvement Districts

Source: Modified from NPPG Paragraph: 031 Reference ID: 15-031-20140306

## Appendix E – Legislation at the time of publication

**Please note, any legislation referred to in the Statement of Community Involvement includes any order revoking and re-enacting that order.**

Town and Country Planning (Development Management Procedure) (England) Order 2015

Town and Country Planning (General Permitted Development) (England) Order 2015

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

Town and Country Planning (Tree Preservation) (England) Regulations 2012

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

The Business Improvement District (England) Regulations 2004

Planning and Compulsory Purchase Act 2004 (as amended)

Town and Country Planning Act 1990 (as amended)