

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Report to Council Assembly

13th April 2016

TITLE:	Revisions to Statement of Community Involvement
EXECUTIVE COUNCILLOR	Councillor Edwin Wain – Portfolio Holder for Planning, Development and Property
OFFICER:	Dai Larnier - Executive Director (Place)
WARDS INVOLVED:	All Wards outside Peak District National Park

Appendices Attached:

- **Appendix A – Results of Consultation and Officer Responses**
- **Appendix B – Revised Wording of Development Management Chapter in Adopted SCI which underwent consultation**

1 Reason for the Report

- 1.1 To consider the feedback from the 2015 Options consultation regarding proposed changes to Chapter 5 of the Statement of Community Involvement (SCI) and to adopt a revised version.

2 Recommendations

- 2.1 To note the contents of the report and Appendices.
- 2.2 To adopt the revised wording to Chapter 5 of the SCI as set out in this report and Appendix B.

3 Executive summary

- 3.1 The Statement of Community Involvement (SCI) is a statutory planning document which describes how the Council will seek to engage with residents, businesses and other organisations in decision making on planning policy documents and planning applications in the part of the Staffordshire Moorlands outside of the Peak District National Park Boundary.

- 3.2 The Council's most recent Statement of Community Involvement was adopted in December 2014. It has been necessary to amend the Development Management chapter following changes to planning procedures contained in The Town and Country Planning (Development Management Procedures) (England) Order 2015, which became effective from 15 April 2015.
- 3.3 Consultation was undertaken alongside the Local Plan Site Options Consultation between July 6th and September 14th 2015. A total of 129 individuals and organisations commented on the SCI and of these 79 considered that changes were required to the wording and 50 considered that changes were not required to the wording.
- 3.4 A variety of issues were raised relating to both the Development Management process and the Local Plan production process and details of the issues raised and officer responses can be found in Appendix A of this report. One minor additional amendment to those agreed in June 2015 is proposed in response to the consultation feedback (Appendix A, page 4).
- 3.5 Consultation feedback and suggested changes to the SCI were discussed at a meeting of the Service Delivery Overview & Scrutiny Panel on 16th March 2016. No objections were raised regarding the proposed changes. If the Council resolves to adopt, the next stage in the process will be for the Council to re-publish the updated SCI and notify relevant bodies in line with the regulations. The updated version will then be used to inform community involvement on planning matters

4. How this report links to Corporate Priorities

- 4.1 The Statement of Community Involvement is a key document in the context of Local Plan production and the new Local Plan will link with and help deliver all of the Council's priority outcomes.

5 Options and Analysis

- 5.1 **Option 1 (recommended)** – the Council resolves to adopt the updated chapter to the Statement of Community Involvement. This will ensure that the SCI is fully up to date and reflective of the latest regulations.
- 5.2 **Option 2 (not recommended)** – the Council does not resolve to adopt the updated SCI. This option is not recommended as the current document does not fully reflect the latest regulations.

6 Implications

6.1 *Community Safety - (Crime and Disorder Act 1998)*

Not relevant to the recommendations of this report

6.2 *Workforce*

Not relevant to the recommendations of this report

6.3 *Equality and Diversity/Equality Impact Assessment*

The Statement of Community Involvement contains a chapter on how the Council will seek to engage with residents who are within the protected characteristics defined in the Equality Act 2010.

6.4 *Financial Considerations*

The cost of preparing and publishing the Statement of Community Involvement will be borne within the existing Forward Plans budget.

6.5 *Legal*

The preparation of a Statement of Community Involvement is a statutory requirement under the Planning and Compulsory Purchase Act 2004.

6.6 *Sustainability*

None

6.7 *Internal and External Consultation*

Changes were subject to public consultation in 2015. A summary of responses is provided in Appendix A. The consultation responses and proposed changes were considered by the Service Delivery Overview & Scrutiny Panel Agenda on 16th March 2016. Officers in the Planning Applications team have also been consulted.

6.8 *Risk Assessment*

If the SCI is not updated, the document will be inconsistent with the regulations. This may lead to uncertainty regarding the requirements for engagement on planning proposals. This risk is minimised through the recommendation of Option 1 as set out in Section 5 to this report.

7 Background and Detail

- 7.1 The Statement of Community Involvement (SCI) is a statutory planning document which describes how the Council will seek to engage with residents, businesses and other organisations in decision making on planning policy documents and planning applications in the part of the Staffordshire Moorlands outside of the Peak District National Park Boundary.
- 7.2 The Council's most recent Statement of Community Involvement was adopted in December 2014 and contains a section relating to community involvement and planning applications (Chapter 5). It has been necessary to amend this chapter of the Statement of Community Involvement following changes to planning procedures contained in The Town and Country Planning (Development Management Procedures)(England) Order 2015, which became effective from 15 April 2015. Changes relate to new legal requirements upon developers to conduct their own pre-application consultation and when the Council may undertake wider consultation for major proposals, amongst others. With this in mind, the wording of this chapter required updating.
- 7.3 Consultation must take place before the Council can adopt this revised wording (which can be viewed in Appendix B of this report). The consultation was undertaken alongside the Local Plan Site Options Consultation between July 6th and September 14th 2015. It must be emphasised that it is only Chapter 5 of the SCI where revisions are proposed so it was only the wording in this chapter that was the subject of consultation and not the content of the rest of the document.
- 7.4 The 10 week consultation was widely publicised, amongst other methods, a flyer was delivered to all homes and businesses in the Staffordshire Moorlands (excluding the Peak District National Park as they have their own planning body), postcards or emails were sent to all interested parties on the Local Plans database (around 3,000), the consultation was advertised on the home page of the Council's website throughout the 10 weeks and consultation events were held throughout the District where interested parties could attend drop in sessions to view the plans and raise queries with planning officers. Around 5,500 responses were received from individuals and organisation in response to the consultation as a whole, the highest number of responses received to a Local Plan consultation for many years.
- 7.5 Appendix A contains a table detailing who responded to the consultation on the SCI, a summary of the comments made, an officer response and a recommendation. A total of 129 individuals and organisations commented on the SCI and of these 79 considered that changes were required to the wording and 50 considered that changes were not required to the wording.

- 7.6 Of those who considered that changes were required to the wording of the SCI, 42 of the 79 considered that paragraph 5.8 should be amended 'as most people don't understand the planning process'. (This paragraph reads: *"Neighbour notification letters, site notices and press advertisements give the date of serving the notice and the date by when representations must be made; they also advise on how and where the application can be inspected and how representations can be made. The close of consultation date will be 21 days after the publication of the advertisement or site notice, but the date will also be published on the Council's website".*)
- 7.7 This identical comment was sent to the Council in a standard pre-prepared format which suggests that it was circulated by an individual. However, no alternative wording was suggested by any of the respondents and it is considered difficult to re-word this section without knowing which part of it the residents were finding difficult to understand. It is suggested that the word 'representations' could be changed to 'comments' as this is more widely understood (Appendix A, page 4). This change would be in addition to the new wording for Chapter 5 of the SCI as provided in Appendix B.
- 7.8 Of the 79 comments received requesting changes to the SCI, a further 23 were from Cheadle residents objecting to the reduction of the consultation period for planning applications to 21 days. As 21 days is the time period set out in the Town and Country Planning (Development Management Procedure)(England) Order 2015 it is not advised that the Council amends this. The other issue raised was site specific and related to the new Local Plan, rather than the SCI.
- 7.9 Of the remaining comments received, 5 said that changes were required to the SCI but did not specify any changes, one disagreed with the lack of a right of reply to Planning Officer's comments to the Planning Committee (there are no current plans to change this) and one respondent raised issues relating to education in Biddulph, which are beyond the remit of this Council. Another respondent was unhappy about a perceived lack of assistance from Council Officers and Councillors to the community when faced with a planning application which they objected to. Another respondent queried why the Council could not set out defined ways in which a developer must consult the community. For very large scale development (in excess of 200 homes for example) developers are required by law to consult with the community. For other major applications the National Planning Policy Framework and the Council both encourage developers to engage with the community prior to submitting planning applications. However for these developments the Council cannot require that pre application consultation is carried out.

AGENDA ITEM 6

- 7.10 One respondent raised concerns about the lack of involvement of the community / local interest groups in discussions between the Council and a developer about a major planning application. However, it would not be appropriate for third parties to be involved in these discussions. They get the opportunity to comment on the application in any case. Specific references to specific cases were made (refer to appendix A for details) which cannot be addressed by amending the wording of the SCI.
- 7.11 Cheadle Unite along with 3 members of the public raised a variety of issues relating to the planning applications process and the Local Plan production process, to which detailed responses have been made in the table in Appendix A. However, it is considered that none of the issues raised can be addressed through amending the wording in the SCI.
- 7.12 If the Council resolves to adopt, the next stage in the process will be for the Council to re-publish the updated SCI and notify relevant bodies in line with the regulations. The updated version will then be used to inform community involvement on planning matters.

Dai Larner
Executive Director

Web Links and

Background Papers

<http://www.staffsmoorlands.gov.uk/sites/default/files/documents/pages/Final%20SCI%20with%20cover.pdf>

Location

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APPENDIX A

SCI CONSULTATION RESPONSES IN RELATION TO THE PROPOSED CHANGES TO CHAPTER 5 OF THE DOCUMENT 'HOW CAN YOU GET INVOLVED IN THE DECISION MAKING PROCESS ON PLANNING APPLICATIONS?'

RESPONDENT NAME	COMMENTS RECEIVED	OFFICER RESPONSE & RECOMMENDATION
<p>Cheadle Unite J. Shaw G. Rowley E. Johnson</p>	<p>Consultations should be carried out by SMDC and not third party developers.</p> <p>This should include full consultation with affected residents for large scale developments of over 10 houses.</p> <p>Residents should be given equal balanced support to oppose planning applications.</p> <p>Planning officers should be allocated to the local community in equal measure to developers and their availability clearly detailed to residents at the start of any consultation.</p> <p>All correspondence between SMDC and Developers should be freely accessible to residents as part of the consultation. This has not happened in the past with Freedom of Information Requests being refused and ignored.</p> <p>The SCI document should not be classed as final and should be open to modification in line with community requirements. It should not be necessary to make a high court appeal to amend this document when the community request change.</p> <p>On the SMDC Website page there is a document titled 'SCI Proposed Amendments for Consultation - July 2015'.</p> <p>This proposal document appears to infer that instead of carrying out a formal consultation for Major housing developments (10 or more houses), that formal consultation is only needed for very large</p>	<p>Formal consultation on planning applications is carried out in accordance with the statutory requirements set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.</p> <p>Members of the public are always able to speak with a Planning Officer to discuss a planning application. Their contact details are provided in notifications and are on the Council's website.</p> <p>All relevant correspondence between the applicant/agent and Case Officer is recorded on the planning file.</p> <p>The SCI undergoes extensive consultation in line with regulations during the production process and it is then adopted by the Council. It is not an acceptable approach to continually revise the document without having a final version. Also, it must undergo public consultation every time a revision takes place and a finished version is part of the Council's</p>

RESPONDENT NAME	COMMENTS RECEIVED	OFFICER RESPONSE & RECOMMENDATION
	<p>scale development (>200 houses). This excessively high figure would in effect take all probable housing developments out of any formal consultation process and is not considered appropriate.</p> <p>Further the proposed reduction in consultation from 35 days to 21 days is not appropriate. Residents require more time to respond to a consultation not less, given the complexities involved.</p> <p>Cheadle Unite Wrote to SMDC regarding the Framework for Community Involvement Namely the 'Statement of Community Involvement – Cheadle Unite Response April 2014 [8].</p> <p>Residents do not feel the implementation of Community involvement has:</p> <ul style="list-style-type: none"> • Taken into account an adequate scope for a Community framework (I.e. the SCI) • Taken on the points raised in that letter [8] • Created a 2-way dialogue with the community • Been effectively implemented by SMDC <p>In order to Consult (discuss) in a process incorporating a 'duty to co-operate' with a community, the process has to involve a 2-way flow of information, Including relevant documents and feedback.</p> <p>SMDC has not presented residents with the Latest 2012 ONS Population figures (Published in full May 2014) or the Department for Communities and Local Government (DCLG) Household Predictions for England 2012 -2037 (Published Feb 2015). The figures for <u>all</u> SMDC between 2016 and 2031 show a housing demand of 2573 Significantly Lower than the proposed 6000.</p> <p>These figures have been available since February, 5 months in advance of the consultation. Further on the 18th March 2015 you wrote to Cheadle Unite indicating that the '2012 based household</p>	<p>evidence base to submit to the Secretary of State to support the examination process for the Local Plan.</p> <p>Formal consultation is carried out in accordance with the statutory requirements set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.</p> <p>21 days is the time period set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.</p> <p>Consultation on the Council's Local Plan is ongoing and the next round of public consultation will take place in April / May 2016 and will be open to anyone who wishes to make comments.</p> <p>On the 2nd March 2016, the Council took a decision on housing numbers in the Staffordshire Moorlands taking into account the latest available population projections. The committee report and minutes are available to view on the Council's website.</p> <p>Duty to co-operate with neighbouring authorities is an on-going process which the Council is actively involved in.</p>

RESPONDENT NAME	COMMENTS RECEIVED	OFFICER RESPONSE & RECOMMENDATION
	<p>projections' would be included in the current consultation.</p> <p>Cheadle Unite has always written to SMDC with a positive attitude towards engagement, however, any responses that are forthcoming from SMDC are handled through a complaints department. This clearly does not set a positive precedent for a co-operative District Council.</p> <p>Numerous documents including Road Traffic Survey information have not been in place during the consultation.</p> <p>The SCI should include an open and transparent process with residents and our local City of Stoke-on-Trent and Newcastle-under-Lyme Borough Council and give residents the opportunity to be involved and support a strategy to ensure much needed redevelopment is focused on Brownfield site regeneration around the Potteries as detailed in [8] Point 2.</p> <p>Health & Safety Concerns and Environment and Ecology concerns have been dating back to January 2010 [2] have been raised and largely ignored.</p> <p>Documents 1-8 Referenced in brackets throughout this document e.g. [1] are appended to this Document for inclusion in full as part of the Cheadle Unite consultation response.</p>	<p>The Council is required to meet its objectively assessed housing needs within the District boundary unless they can demonstrate to an Inspector that this is not possible. There would need to be exceptional circumstances in order for this to be adequately demonstrated. The Council's Strategic Housing Land Availability Assessment, a key evidence base document, demonstrates that there is capacity in the Staffordshire Moorlands to meet its housing requirements without the need for development in neighbouring authorities areas.</p> <p>The Council recently published its Phase 1 Ecological Survey and this is available to view on the website. It will inform the content of the Local Plan alongside the rest of the evidence base.</p> <p>RECOMMENDATION</p> <p>NO CHANGE TO SCI</p>
<p>Cheadle Residents: Yes (changes required) 23, No (changes not required) 5</p>	<p>I object to the reduction in the council's duty to consult residents. We with the council fought Danbank in 1998, the hearing was heard over a week in the Guild Hall Cheadle. The cost of the hearing will be wasted if the outcome is ignored. The people in this area (Mobberly Farm) have for approx. 30 years had this threat hanging over us .</p> <p>The pressure is not fair we have suffered enough, There are many old people in this area who can no longer fight. This is taking</p>	<p>Consultation on planning applications is carried out in accordance with the Councils statutory requirements contained in the Town and Country Planning (Development Management Procedure) (England) Order 2015.</p> <p>The issue raised regarding housing in</p>

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	<p>advantage of the battle fatigue felt by my neighbours.</p>	<p>Cheadle is not a matter for the Statement of Community Involvement as this document does not allocate land for development. Housing land allocations will be made in the Council's Local Plan which is currently being produced.</p> <p>Consultation on the Council's Local Plan is ongoing and the next round of public consultation will take place in April / May 2016 and will be open to anyone who wishes to make comments.</p> <p>RECOMMENDATION</p> <p>NO CHANGE TO SCI</p>
<p>42no. Cheddleton Residents</p>	<p>Para.5.8 should be amended as most people don't understand the planning process. Plain English and accredited with the 'Crystal Mark'.</p> <p>(This paragraph reads: "Neighbour notification letters, site notices and press advertisements give the date of serving the notice and the date by when representations must be made; they also advise on how and where the application can be inspected and how representations can be made. The close of consultation date will be 21 days after the publication of the advertisement or site notice, but the date will also be published on the Council's website".)</p>	<p>It is unclear as to how this could be worded any more simply without suggested amendments being put forward. However, it is suggested that the word 'representations' could be replaced with the word 'comments' as this is more widely understood.</p> <p>RECOMMENDATION</p> <p>AMEND SCI</p>
<p>Biddulph Residents: Yes (changes required) 1, No (changes not</p>	<p>This is a comment rather than a proposed change : Community involvement is limited by the inability to have input into the Local Strategic Partnership Plan , which prioritises and monitors areas of health and , education , sport and leisure , and infrastructure etc . When proposed developments are presented to</p>	<p>Comments noted though the issues raised go beyond the scope of the Statement of Community Involvement and the District Council's remit (Staffordshire County Council is the</p>

RESPONDENT NAME	COMMENTS RECEIVED	OFFICER RESPONSE & RECOMMENDATION
required) 15	<p>the public, there is limited scope to change the fundamental issues of schools , utilities etc , The current issues around schools in Biddulph was already evident in 2012 when an 'AMBER' designation was given, yet a budget of only £230,000 was allocated (compared with Leek £1,500,000 and Cheadle although no shortfall in provision was shown , was allocated £8,000,000, despite both being 'GREEN') . Cheadle and Leek each have 2 secondary schools (Cheadle additionally has a sixth Form College) . Biddulph, with a population similar to Leek should be given another secondary school to comply with the NPPF which refers to there being 'a choice of schools'</p> <p>It is also an ideal time to ditch the Middle School system. Woodhouse should revert to a secondary school, thereby creating space at BHS to take in at age 11 which would then create space at James Bateman. JB and Knypersley First and could become a split site primary school due to physical limitations on expansion . If any development has to take palce in the buffer zone towards Biddulph Moor from Pennine Way , it should be for Oxhey school to expand the provision of places .</p>	<p>Education Authority) so no changes to this document are recommended.</p> <p>RECOMMENDATION</p> <p>NO CHANGE TO SCI</p>
Leek Residents: Yes (changes required) 1, No (changes not required) 2	<p>Currently, procedure allows for the applicant to name 3 x 3 minute slots at committee to verbally support the planning application. However, currently there is no right of reply to the Planning Officers comments on the application to the committee, even if these contain inaccuracies or misleading information . There should be permitted a right of reply by the applicant. At the very least the applicant should be permitted to exchange one of the 3 x 3 minute slots for a right of reply to the planning officers comments on an application. This has been raised with the Executive Director/Monitoring Officer on a previous occasion.</p>	<p>There is no right of reply to the Officer's comments to the Planning Committee.</p> <p>RECOMMENDATION</p> <p>NO CHANGE TO SCI</p>
Endon Residents: Yes (changes required) 5, No (changes not required) 28	<p>Changes not specified.</p>	<p>RECOMMENDATION</p> <p>NO CHANGE TO SCI</p>
Easom	<p>SCI is a sham - Inadequate and should be changed (with</p>	<p>Planning Officers are always available</p>

RESPONDENT NAME	COMMENTS RECEIVED	OFFICER RESPONSE & RECOMMENDATION
	<p>community involvement) to give the community real consultation and participation especially when greenfield sites are the subject of planning applications. At present, any community facing a planning application cannot expect any meaningful help from SMDC officers and little help from elected representatives, especially those with vested interests.</p> <p>Obstruction of Neighbourhood planning proposals by the Conservative majority on the Town Council is one way in which community consultation and participation is denied.</p>	<p>to discuss current applications with members of the public. However they must remain impartial. Their role is to assess an application in light of national and local planning policy and any other material considerations and then to make a recommendation to the Planning Applications Committee.</p> <p>RECOMMENDATION</p> <p>NO CHANGE TO SCI</p>
Leach	<p>Paragraph - 5.7 SMDC need to encourage more community involvement.</p> <p>Until the elections in May I worked with VVSM who represented local residents. They asked to be involved in all discussions as application SMD/2014/0576 was so large and out of character for the area but they were refused. Only meetings were held between SMDC and the developer. The developer refused to accept down scaling of the application and did not speak to local residents about their huge concerns. Everything went through SMDC.</p> <p>Paragraph 5.8</p> <p>Developers must acknowledge resident's concerns. A public exhibition was held but no effective consultation occurred with the developer. VVSM wrote an objections report but this was not put on the planning portal website until after the application had been passed so the residents were still not sure if the developer had seen their concerns. The developer also refused to accept the independent flood report that was submitted by VVSM and accepted by the Environment Agency.</p>	<p>It is normal and entirely correct that all discussions and negotiations on an application take place between the Planning Officer and the applicant. It would not be appropriate to involve third parties in those discussions. Members of the public/third parties are however able to comment on planning applications and their views, where raising material planning considerations are taken into account in the planning process.</p> <p>The WSM objections report was seen by the Case Officer and assessed as part of the application referred to.</p> <p>The Council cannot comment on the reason why the applicant for the Blythe Colours, Cresswell application (Mr M J Barrett) did not consult with the community.</p>

RESPONDENT NAME	COMMENTS RECEIVED	OFFICER RESPONSE & RECOMMENDATION
	<p>They also had an independent traffic report written which may not have been seen by the developer and was definitely not discussed with the community. This has to change.</p> <p>The proposed Draycott Solar Panels recently raised concerns by residents and the company have had open discussions about the issues. Mr Barrett and Scentarea never once met with the community or the Parish Council only through the exhibition. The questionnaire provided straight after the exhibition did not allow time for VVSM to do their own investigating and put the objections in.</p>	<p>RECOMMENDATION</p> <p>NO CHANGE TO SCI</p>
Unstead	<p>Referring to the council:</p> <p>"It can not refuse to accept a valid application because it disagrees with the way in which a developer has consulted the community."</p> <p>Should not the council be able to set out defined ways in which a developer must consult the community. Otherwise all the power lies in the hands of the developer - this is bad for community involvement.</p>	<p>For very large scale development (in excess of 200 homes for example) developers are required by law to consult with the community. For other major applications the National Planning Policy Framework and the Council both encourage developers to engage with the community prior to submitting planning applications. However for these developments the Council could not require that pre application consultation is carried out.</p> <p>RECOMMENDATION</p> <p>NO CHANGE TO SCI</p>

SCI PROPOSED AMENDMENTS FOR CONSULTATION - JULY 2015

5 How can you get involved in the Decision Making Process on Planning Applications?

This section sets out how it is possible for residents and communities to get involved with very large developments prior to the submission of a planning application, and with all planning applications once submitted.

Pre-application Community Involvement

5.1 For very large scale planning applications developers are required under Section 122 of The Localism Act 2011 to engage with local communities in advance of submitting their application. These applications will typically involve more than 200 dwellings or housing sites in excess of 4 hectares, or non-housing schemes of more than 10,000 sqm of floorspace or non-housing development sites in excess of 2 hectares. Developers may use leaflets, public events, surveys, website publicity, exhibitions, a dedicated website, a post-paid or telephone comment facility, and surveys. The aim of this process is to promote discussion between developers and the community, including its elected representatives, as well as statutory consultees, to identify any issues of concern before a formal application is made. The engagement gives an opportunity for these to be resolved at an early stage, and the Council will want to scrutinise the efforts developers have made to engage with local people once their application is submitted.

5.2 The Council will, wherever possible, seek to engage with developers before the local consultation process starts. The Council will want to know:

- The developer's timetable for consultation
- The methods of consultation to be applied
- With whom the developer plans to consult
- How residents can feed in their comments
- What the developer plans to do with the feedback from residents and how this will be taken into account in their proposed scheme.

5.3 It must be noted that although effective consultation for these major developments is mandatory, the Council cannot refuse to accept a valid application for a scheme because it disagrees with the way in which a developer has consulted the community. However, failure by the developer to consult adequately could lead to objections being made which could be material to the determination of the application.

5.4 Regardless of size or location the Council will always encourage applicants to engage with neighbours and the wider community, in advance of submitting a planning application, but cannot oblige prospective applicants to do this. Many applicants ask the Council for pre-application advice; this is a confidential service which includes some consultation with statutory bodies like the highway authority, but it is advisory only and the Council is not committed to follow the advice it has provided when it comes to determine a consequent planning application.

Methods of Involvement when Consulting on Planning Applications

5.5 The Council's policy for consulting on planning applications is set out below. It conforms to the Town and Country Planning (Development Management Procedure) (England) Order 2015 and other relevant guidance including the National Planning Policy Framework.

5.6 When a valid application is received and registered, the Council has to carry out formal consultations, for example with the local parish or town council, and the highway authority. Depending on the nature and location of the application, national bodies with statutory functions, such as the Environment Agency, Sport England, Natural England and Historic England will also be consulted. Other consultees can include the Coal Authority and the Derbyshire Wildlife Trust. For major developments with surface water drainage the Council must consult with Staffordshire County Council as the lead local flood authority. The Council also notifies interested parties and neighbours in accordance with Government guidelines and its own adopted practices.

5.7 The Council also has to ensure that residents are properly consulted. Different types and scales of application require different methods of consultation, and these are set out in statute. For most applications the Council will **notify adjoining neighbours in writing or will display a site notice**. For applications that are deemed 'major' in terms of their scale or that require an Environmental Impact Assessment Statement or are deemed contrary to the Council's development plan, the Council will **also advertise these applications in the local press** (and sometimes the national press). Other forms of planning application have different publicity requirements.

5.8 Neighbour notification letters, site notices and press advertisements give the date of serving the notice and the date by when representations must be made; they also advise on how and where the application can be inspected and how representations can be made. The close of consultation date will be 21 days after the publication of the advertisement or site notice, but the date will also be published on the Council's website.

5.9 All applications received by the Council are, once registered and validated, uploaded to the Council's website. Every week the Council publishes a list of applications received and decisions made, and this can be accessed at this link:

<http://www.staffsmoorlands.gov.uk/sm/council-services/planning-applications/weekly-list>

5.10 Residents can follow progress with any given application on the Council's website. This gives the full application and supporting information, any representations made about the application, the results of consultations, the Planning Officer's report and the decision made. The link includes a section enabling residents to give their views on the application whilst it is current. Note that these views are thereby made public. The Council will not take into account views made anonymously.

Planning applications are accessed at this link:

<http://www.staffsmoorlands.gov.uk/sm/council-services/planning-and-buildings/search-for-a-planning-application>

5.11 For very significant applications, particularly those for sites identified as major regeneration opportunities in the Council's adopted core strategy, or where they are for major developments but not in accordance with planning policy, the Council may want to

undertake wider consultation itself. This is to ensure that residents have every opportunity to understand a potentially contentious proposal and to scrutinise the application. The Council may organise local exhibitions, for example in village halls or libraries, and may call a public meeting.

5.12 Town and parish councils can invite a planning officer to attend one of their meetings, to help the local council consider a particular application. These are public meetings. The planning officer will not comment on the merits or otherwise of an application but will be present to take questions and to aid understanding.

Local Councils

5.13 Town and parish councils are sent details of all current planning applications within their area of the Staffordshire Moorlands, for information and comment. Town and parish councils whose areas adjoin Staffordshire Moorlands will be sent details of planning applications which are likely to have an impact on their areas. This will be applied at the discretion of the Council but applies in all cases for wind turbine applications.

5.14 The Council's Development Management team can be contacted or enquiries made at planning@staffsmoorlands.gov.uk, and through the web.

Inspection of Plans

5.15 As well as on the Council's website planning applications are available for inspection at the District Council offices in Moorlands House, Stockwell Street, Leek during normal office hours. An appointment is not required.

Commenting on a Planning Application

5.16 21 days are allowed for comment upon a planning application except where separate legislation dictates otherwise. Anyone is entitled to comment on a planning application whether or not they have received a neighbour notification letter. Any representations need to be made in writing or on the Council's online public access system and will be placed on the relevant file and available for public inspection including online. These views will be taken into consideration when a decision is made or an officer recommendation to the Planning Applications Committee is made.

Planning Applications Committee

5.17 Most planning applications are determined by planning officers under powers delegated to them by the Council. About 10% of planning applications however, mainly the larger or more contentious applications, are considered by the Planning Applications Committee of the District Council. Everybody who has made a representation on an application to be considered by the Committee will be notified of the meeting date and time, should they wish to attend. Applicants, residents and other interested parties are able to address the Committee. The Council has published a guidance leaflet called "Public Speaking at Planning Applications Committee". This is available on the Council's website at:

<http://www.staffsmoorlands.gov.uk/sites/default/files/documents/pages/Public%20Speaking%20at%20PAC%20Version5%20-%20Master%20for%20Amendment.doc>

Pre-submission Consultation Regulations: Wind Turbines

5.18 In December 2013 the Government issued new regulations which require that applicants proposing wind farms of at least two turbines, or wind turbines more than 15 metres tall, conduct pre-submission consultation with affected communities. Whilst it is not mandatory for applicants to consult the Council before carrying out such public consultation, the Regulations state that applicants must have regard to any advice given by the Council regarding local good practice under these Regulations. Applicants should consult the planning department if they are not sure what pre-consultation measures are expected. Please refer to the Council's document Additional Validation Guidelines Specific to Wind Turbines, or the Regulations. The guidelines are available at this link:

<http://www.staffsmoorlands.gov.uk/sites/default/files/documents/pages/GUIDANCE%20NOTES%20FOR%20TURBINE%20APPLICATIONS%20FINAL.pdf>