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Friday, 28 August 2020

Dear Sir/Madam

ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW & SCRUTINY) COMMITTEE

In light of the current Covid-19 pandemic and government advice on social distancing the meeting of the Economic Growth, Environment and Development (Overview & Scrutiny) Committee arranged to take place **MONDAY, 7TH SEPTEMBER, 2020 at 6.00 PM** will be held as a virtual meeting and streamed on-line (further information is available on our website).

Yours faithfully

A handwritten signature in black ink, appearing to read 'Christie Tims', written over a light grey circular watermark.

Christie Tims
Head of Governance and Performance

To: Members of Economic Growth, Environment and Development (Overview & Scrutiny) Committee

Councillors Leytham (Chairman), Ball (Vice-Chair), Warburton (Vice-Chair), Binney, D Ennis, Gwilt, Ho, A Little, Marshall, Parton-Hughes, Ray, Robertson and S Wilcox



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AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Minutes of the Previous Meeting 3 - 6
4. Work Programme 7 - 10
5. Planning for the future - Planning white paper 11 - 18
6. Statement of Community Involvement 19 - 58
7. Local Plan Review Update 59 - 64



**ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW
& SCRUTINY) COMMITTEE**

9 JUNE 2020

PRESENT:

Councillors Cox (Chairman), Ball (Vice-Chair), S Wilcox (Vice-Chair), Binney, D Ennis, Gwilt, Ho, A Little, Marshall, Parton-Hughes, Ray, Warburton and Westwood.

(In accordance with Council Procedure Rule No.17 Councillors attended the meeting).

1 APOLOGIES FOR ABSENCE

There were no apologies for absence.

2 DECLARATIONS OF INTEREST

Councillors D. Ennis, Ho and Westwood declared a personal interest in item 5, Local Plan Update as members of Burntwood Town Council and members of the Burntwood Action Group were known to them.

Councillors Cox declared a personal interest in item 5, Local Plan Update as he knew individuals who had submitted representations.

Councillor Marshall declared a personal interest in item 5, Local Plan Update as a member of Armitage with Handsacre Parish Council and knew member individuals who had submitted representations.

Councillors Ball and Ray declared a personal interest in item 5, Local Plan Update as a member of Lichfield City Council and knew member individuals who had submitted representations.

Councillor Warburton declared a personal interest in as a member of Fradley and Streethay Parish Council and knew member individuals who had submitted representations.

Councillor S Wilcox declared a personal interest item 5, Local Plan Update as her son is a project manager for the Highways Agency

Councillor Parton-Hughes declared a personal interest in item 5, Local Plan Update as a member of Fazeley Parish Council and knew member individuals who had submitted representations.

Councillor A. Little declared a personal interest in as a member of Staffordshire County Council.

All members of the Committee declared personal interest in item 5, Local Plan review as knowing other Members and former Members of Lichfield District Council who had submitted representations.

3 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting were circulated. It was noted that affordable housing was under the remit of Community, Housing and Health (Overview & Scrutiny) Committee. It was also noted that there had been reference to the need of play equipment in the south of Burntwood and not just the north of the area.

RESOLVED: That subject to the agreed amendments, the minutes be approved as a correct record.

4 WORK PROGRAMME

The work programme was considered. It was asked if an item could be added that considered details of a grant made available to research what could be done to develop Burntwood.

It was also noted that there was still no update to the LEP review however it was agreed to keep the item on the work programme.

It was discussed that there was overlap with CIL/S106 and Affordable Housing matters with Community, Housing & Health O&S Committee so there may be a need for a joint Task Group or Committee. It was noted that the Chairman had already spoken to the Chairman of CHH O&S on this matter. It was requested that scoping of the item was undertaken to ensure focus could be given with a clear outcome.

It was then requested that an item be added to the work programme that considered the impact on the local economy due to the Covid-19 pandemic. It was noted that recovery would be cross council and it may be advantageous to discuss further at the Overview & Scrutiny Coordinating Group to prevent any duplication. It was confirmed that there would be no omission from the work programme and the Committee would consider matters relevant to its remit.

RESOLVED: The work programme was noted and would be updated were agreed.

Councillor Ho left the meeting at this point due to technical issues.

5 LICHFIELD CITY CENTRE MASTERPLAN

The Committee received a report on the final draft Masterplan for Lichfield City Centre. It was reported that there had been a capacity analysis of the centre's car parks. It was also reported that although financial information to carry out the development brief would have been advantageous, the timescales as set and the current climate had not made this possible however they would be included in the Cabinet report when considered at that meeting.

It was reported that the plan would be delivered as separate sites all with their own development briefs and was hoped that the public realm element would be first. It was also reported that a Project Board would be created to oversee the whole project with O&S representation on that board, it was noted that social distancing and high street shopping post Covid-19 would have to be taken into account.

It was noted that a borrowed sum of £45m had been approved for property investment and views were sought as to whether, in principle, it would be deemed appropriate to use any of this to fund any part of development as set out in the Masterplan if appropriate to do so. There was much debate from the Committee with differing views given. Some felt that without full costings or business cases for each of the sites, it would be wrong to commit at this stage. There was also concern that this agreed sum would be committed to a city masterplan with no consideration to the needs of the wider district. There were also views that supporting investment in the Masterplan would give greater control and oversight and all Members were in agreement that a project board would be essential and welcomed.

There were further concerns that the climate now being experienced due to Covid-19 would impact and potentially change what would be achievable from the Masterplan. It was discussed that retail and other business may operate differently post pandemic and have different needs. Some felt that the Masterplan should be postponed and reviewed to take this into account. Other Committee Members however felt the masterplan was adaptable and the detail were still forthcoming where consideration of the changing environment could be dealt with.

There was a request that Cabinet be recommended to consider implications of Covid-19 before proceeding further with the Masterplan. There was also a request to not endorse the Masterplan due to the complexities such as funding and Covid-19 impact as discussed.

The Committee took a vote on whether to agree with the recommendations as set out in the report or not.

At the meeting the Chairman was advised and announced that the vote was four for the recommendations and 5 against. However after reviewing the video of the meeting, the Monitoring Officer has agreed that the votes cast were six for the recommendations and five against and that result will stand when these minutes are agreed as a correct record at the Committee's next meeting.

- RESOLVED:
- (1) That the City Centre Masterplan be endorsed and its adoption be recommended to Cabinet as the basis of shaping the future development of Lichfield City Centre;
 - (2) That the proposed approach of moving the proposals in the Masterplan forward, including bringing forward a Delivery Strategy be endorsed;
 - (3) That the proposal to bring forward a Public Realm Strategy as the first in a series of strategies to be produced and implemented be endorsed;
 - (4) That the undertaking of a capacity study for Council owned car parks to inform a Car Parking Strategy be endorsed; and
 - (5) That the proposal to undertake preliminary work to inform work on a development brief for the Birmingham Road site be endorsed.

6 LOCAL PLAN REVIEW UPDATE

The Committee received a report giving an update to the Local Plan Review which also provided complete details of representations received to the preferred options consultation together with a suggested response to each of the issues raised. The report also set out the progress that had been made on the collection and updating of the evidence base along with next steps for the evidence base work still to be completed and potential timelines revisions that may be necessary. An update on Government Guidance related to Statements of Community Involvement was also included.

The Committee wished to express their gratitude to the Spatial Policy team for their hard work in collating and analysing the data and evidence base for this and other previous reports.

Representations and the Preferred Options were discussed and there was concern on the impact of the amount of development proposed in Fazeley. Both Fazeley Ward Councillors (Councillor Gwilt and Councillor Parton-Hughes) were present as Committee Members and wished to express their concerns on behalf of residents. These concerns centred on the proposed 800 houses and loss of greenbelt. It was felt that the responses given in the report

were not adequate and without showing the evidence. It was noted that neither Fazeley Parish Council nor Tamworth Borough Council were in favour of these proposals and the impact on the infrastructure would greatly affect those authorities. Questions on behalf of residents were read out and it was agreed that for the Cabinet Member to receive them after the meeting to give comprehensive answers.

Affordable housing was discussed and it was noted that a representation from the Lib Dem party had suggested that it was noted that the 40% target was aspirational and most times negotiated down due to viability however there should be a reduction to 35% but for it to be compulsory. It was reported that the criteria from government on developers to produce 'first homes' may have an impact on further affordable targets and that would have to be taken into account however 35% was on the radar for the preferred options.

- RESOLVED:
- (1) That the updated record and analysis of the representations received following the consultation on the Preferred Options version of the Local Plan be noted
 - (2) That the update on progress of the local plan evidence base and the revised timelines for collection and completion of the evidence due to the impacts of Covid 19 pandemic; and the relevant steps being taken to prepare the regulation 19 publication version of the Local Plan be noted; and
 - (3) That the review of the Lichfield District Statement of Community involvement (SCI) to ensure that it is consistent with new government guidance on social distancing be supported

(The Meeting closed at Time Not Specified)

CHAIRMAN

ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE WORK PROGRAMME FOR 2020-21

Item	9 June 2020	20 July	7 Sept 2020	26 Jan 2021	18 Mar 2021	Details/Reasons	Officer	Member Lead
Policy Development								
Lichfield City Centre Masterplan	✓					To consider the final draft Masterplan and suggested Delivery Strategy before recommendation to Cabinet and Council	Helen Bielby	Cllr Iain Eadie
Local Plan Updates	✓		✓	✓	✓	Reports on progress with the preparation of the Local Plan	Stephen Stray	Cllr Iain Eadie
Planning White Paper			✓			Details of the Governments proposals	Craig Jordan	Cllr Angela Lax
Statement of Community Involvement			✓				Stephen Stray	Cllr Iain Eadie

ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE WORK PROGRAMME FOR 2020-21

Item	9 June 2020	20 July	7 Sept 2020	26 Jan 2021	18 Mar 2021	Details/Reasons	Officer	Member Lead
Events Policy						Draft policy. This has been deferred from September and a Special meeting may be required	Lisa Clemson	Cllr Iain Eadie
Burntwood development					✓	Updates when available.	Craig Jordan	Cllr Liz Little
Briefing paper on Development Management performance			✓		✓	6 monthly reporting of planning performance	Claire Billings	Cllr Angela Lax
Outcome of LEP review						Outcome of Government review into Local Enterprise Partnerships verbal update if necessary, report or briefing paper depending on outcome of review and implications for District when available	Craig Jordan	Cllr Liz Little

ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE WORK PROGRAMME FOR 2020-21

Item	9 June 2020	20 July	7 Sept 2020	26 Jan 2021	18 Mar 2021	Details/Reasons	Officer	Member Lead
GBSLEP Research Grant						A report has been requested to consider details of the GBSLEP grant for research into opportunities in Burntwood	Craig Jordan	Cllr Liz Little
CIL, s106 and Affordable Housing				✓		Review (via Task Group) of how the council is using s106 to deliver affordable housing; how CIL is delivering infrastructure improvements and whether the council's CIL charging regime remains appropriate. This may be joint with CHH O&S	Stephen Stray	Cllr Iain Eadie/ Cllr Angela Lax
High Speed 2				✓		To receive a briefing paper(s) on issues relating to Phase 1 and 2a of HS2 as they impact on Lichfield district	Craig Jordan	Cllr Liz Little
Lichfield BID Second Term Renewal				✓		To consider Lichfield District Council's vote	Jonathan Percival	Cllr Liz Little

ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE WORK PROGRAMME FOR 2020-21

Item	9 June 2020	20 July	7 Sept 2020	26 Jan 2021	18 Mar 2021	Details/Reasons	Officer	Member Lead
Economic Development Strategy 2020-2024				✓		To consider a draft ED Strategy including a response to the impacts of CV19 on the local economy and business. A briefing paper will be circulated in September.	Jonathan Percival	Cllr Liz Little
Conservation - Local List				✓		To consider a report on the Council's Local List for important heritage assets	Claire Hines	Cllr Angela Lax
Conservation Area Appraisals and Management Plans					✓	To consider a report on progress with Conservation Area Appraisals and Management Plans – work programme and work undertaken	Claire Hines	Cllr Angela Lax
Car Parking matters				✓		To consider a report on car parking issues relevant to the plans for redevelopment in Lichfield City Centre and in response to CV19.	John Roobottom	Cllr Liz Little

Planning for the future – Planning white paper

Councillor Iain Eadie, Cabinet Member for Visitor Economy & Local Plan/ Cllr Angela Lax Cabinet Member for Regulatory, Housing and Health Services



Date: 7 September 2020
 Contact: Patrick Jervis/Craig Jordan
 Officer:
 Tel Number: 01543 308196/308202
 Email: patrick.jervis@lichfielddc.gov.uk/craig.jordan@lichfielddc.gov.uk
 Key Decision? No
 Local Ward: All
 Members

**Economic Growth,
 Environment and
 Development
 (Overview and
 Scrutiny) Committee**

1. Executive Summary

- 1.1 The government published a '[Planning for the future](#)' white paper in August 2020 for consultation. The document sets out the government's proposals to reform the planning system in England. The government states that the range of proposals are designed to 'streamline and modernise the planning process, improve outcomes on design and sustainability, reform developer contributions and ensure more land is available for development where it is needed'.
- 1.2 The proposals relate to plan-making, the determination of planning applications (decision-making), design of development and developer contributions. Consultation on the White Paper will last for 12 weeks and closes on 29 October 2020. In due course the District Council will consider the white paper in detail and provide a comprehensive response to the consultation. This response will be reported to and agreed by Cabinet prior to its submission.

2. Recommendations

- 2.1 Members note the contents of this report and provide comments to help inform a Council response in due course.

3. Background

- 3.1 The government published a '[Planning for the future](#)' white paper on 6 August 2020 for a twelve week consultation. The document sets out the government's proposals to reform the planning system in England aiming to "streamline and modernise the planning process, bring a new focus to design and sustainability, improve the system of developer contributions to infrastructure, and ensure more land is available for development where it is needed".
- 3.2 The consultation on the 'Planning for the future' white paper will run until the 29th October 2020 and alongside a narrative includes 26 specific questions which the government are seeking response to. Officers will continue to consider the white paper and prepare a response to the consultation. This response will be reported to Cabinet in October 2020 to ensure the response can be considered and submitted to the government before the consultation deadline.
- 3.3 The white paper proposes a wide range of reforms, these can mainly be grouped into four categories, relating to local plan making, decision taking on planning applications; developer contributions and design. The proposals for each of these areas are summarised below:

Local Plans:

- 3.4 The white paper proposes a range of reforms to the nature of local plans and plan-making process. These changes seek to simplify local plans and speed up the process involved in preparing them. The first key reform proposed is to simplify the role of the local plan to focus on identifying land under three categories or delineated zones:
- Growth areas - would be zones which are considered to be suitable for substantial development¹. Growth areas would be used to define land for comprehensive development including urban extensions, new settlements and areas for redevelopment (including brownfield land) and regeneration sites. Outline planning permission for the principle of development would be automatically granted for development types within growth areas as specified within the local plan;
 - Renewal areas – areas considered to be suitable for development. This would include existing built up areas where smaller scale development would be considered appropriate. The category would include *“the gentle densification and infill of residential areas, development in town centres, and development in rural areas that is not annotated as Growth or Protected areas, such as small sites within or on the edge of villages”*. In renewal areas there would be a statutory presumption in favour of development being granted for the uses specified as being suitable in each renewal area². It would be for the local plan to specify these uses; and
 - Protected areas – sites and areas that as a result of their environmental and/or cultural characteristics would be protected and have more stringent development controls should planning applications be submitted. The white paper states that this would include for example; Areas of Outstanding Natural Beauty (AONBs); Green Belt; Local Wildlife Sites; areas susceptible to significant flood risk; other important green spaces and open countryside which is not designated as either a growth or renewal area (see above). Some of these areas would be designated nationally, with others to be designated through the local plan.
- 3.5 The white paper states that these new-style local plans would comprise an ‘interactive web-based map’ of the council’s administrative area where data and policies are easily searchable with a clear key colour coded in line with the three zones. Accompanying text would set out the appropriate development uses and any limitations to that development (for example restrictions on height/density). Local plans, the white paper suggests, should be published as standardised data to enable a strategic national planning map to be created showing all local policies across England.
- 3.6 The second major proposed reform is that policies for development management within a local plan would be restricted to those required to define the respective areas or site specific requirements for the categories described at paragraph 3.4 of this report. The white paper states that the National Planning Policy Framework would become the primary source of policies for development management. This the government suggests would change local plans from ‘long lists of general policies to specific development standards’.
- 3.7 A new standard method for establishing housing requirement figures in Local Plans is proposed within the white paper which would replace the current standard method which is used to establish Local Housing Need (LHN). The white paper states that the new approach would be binding in order to ‘drive

¹ The white paper states that the term substantial would be defined in policy through the reforms to ensure to remove debate over its definition.

² Planning permission for other uses could still be granted within growth and renewal areas but this would be subject to a different type of application which would consider the principal of development.

greater land release' to ensure the government's target of 300,000 new homes annually in England can be met. This new approach would have regard to;

- The size of existing urban settlements;
- The affordability of places;
- The extent of land constraints that exist;
- Opportunities to better use existing brownfield land;
- The need to make allowance for other forms of development (non-residential) and;
- The inclusion of an appropriate buffer to account for the non-implementation of permissions and providing sufficient choice to the market.

As part of this approach local planning authorities would still have flexibility as to where homes are delivered to meet their requirements including utilising the categories described at paragraph 3.5 of this report. Additionally, it is proposed that the 'five-year housing land supply' test is removed with the Housing Delivery Test (HDT) remaining as the key test to assess delivery for authorities.

- 3.8 The white paper also proposes the abolishment of the 'tests of soundness' which local plans are currently examined against. This would be replaced by a single 'statutory sustainable development' test which would consider whether a local plan contributes to achieving sustainable development in accordance with policy issued by the Secretary of State. A simplified examination procedure based on the aforementioned test along with the more streamlined content of local plans should reduce delay in the plan-making process the white paper argues. Indeed the white paper goes further and suggests that local plans under the reformed planning system should be prepared in a 30 month statutory time frame.
- 3.10 In respect of the changes to local plans and the plan-making process this will represent a significant change from the current approach. The move to a 'zoned' system with the three designations as described at paragraph 3.4 could lead to an overly simplified approach which does not take account of the diverse nature of areas of the District. The white paper also proposes to limit the use of localised development management policies, with the primary source of such policies becoming the National Planning Policy Framework. Whilst such an approach may be beneficial to the development industry who would be effectively dealing with the same nationally set policies across the country it doesn't allow for locally distinctive development management policies to be drawn up and adopted by the Council. These two proposals together appear overly simplistic and remove the ability for the authority to draw up nuanced and detailed locally specific allocations and policies.
- 3.11 The white paper proposes a new standardised method to calculating housing need which would be binding for authorities. There is limited detail as to how housing need would be calculated using the new method so it is not possible to determine what impact this would have for the District in terms of its housing need. However, by setting this approach nationally and making it binding there is concern that this may lead to an approach which does not allow for the reflection of local characteristics and constraints. Alongside this approach the abolition of the five year supply test and reliance on the HDT is worthy of consideration. The HDT tests an authority's housing delivery in terms of annual completions rather than the number of homes it has permitted. Given the Council is not responsible for the actual delivery of homes there is the potential that should the development community not implement consented schemes in a timely fashion that the local planning authority is at risk of being punished through the HDT.
- 3.12 The white paper is relatively limited in terms of its detail around the role of neighbourhood plans in the new planning system. Neighbourhood plans are proposed to be retained as part of the reformed planning system, however the white paper suggests the content of neighbourhood plans should be more focused in a similar way to the proposals for local plans. The lack of detail in the white paper is an area of concern given the large number of neighbourhood plans which have been, and continue to be, advanced within the District.

3.13 Proposals to streamline the examination process for local plans are welcomed. There is a lack of detail within the white paper as to how the new approach and the 'sustainable development test' would work in practice. However, an approach which reduces the cost and delay in the plan making process would be beneficial for the Council.

Development management:

3.14 Alongside changes to local plan and how they are prepared the 'Planning for the future' white paper proposes a range of reforms relating to the development management process. Much like the reforms to local plans, these are proposed in order to 'streamline' the planning process.

3.15 As discussed at paragraph 3.4 of this report the white paper proposes that automatic outline consent be granted for development in defined growth and renewal areas as detailed in the new-style local plans. Full consent would therefore be granted through routes which should offer a more 'streamlined and faster' route to consent. These routes would be:

- A "reformed reserved matters process for agreeing the issues that remain outstanding"; and
- A "local development order (LDO) prepared by the local planning authority for the development which could be prepared in parallel with the local plan and be linked to a master plan and design codes". LDOs grant planning permission upfront for specific types of development in a defined area.

3.16 The white paper says the government wants to see "a much more streamlined and digitally enabled end to end process which is proportionate to the scale and nature of the development proposed, to ensure decisions are made faster". In respect of determining planning applications the white paper proposes an approach where the well-established eight and twelve week determination timescales which exists become 'firm' deadlines with penalties imposed on local planning authorities when deadlines are missed. To achieve this the white paper proposes:

- A 'clear incentive' for authorities to determine applications within the statutory time limits which could involve the refunding of planning fees where timescales are missed and whether some types of application should be deemed to have been granted permission if there has not been a timely determination;
- 'Shorter and more standardised' applications are proposed where the amount of information required for an application is reduced and greater standardisation of technical supporting information (for example heritage, highways or flooding matters) is introduced. Such an approach could include a national data standard for smaller planning applications and/or the digitisation of validation checklists so that the right information is provided as part of an application at the start of the process;
- The white paper also proposes the delegation of detailed planning decisions to planning officers where the principal of development has already been established (for example through the new local plan approach); and
- The strengthening of enforcement powers are also proposed with the white paper saying the government want to see local planning authorities placing greater emphasis on the enforcement of planning standards and decisions. The white paper states that the government intend to review and strengthen existing enforcement powers and sanctions available to authorities to ensure they support the new planning system including consideration of higher fines through the courts.

3.17 The white paper's proposal to penalise local planning authorities when determination timescales are not met by refunding application fees is a concern. The white paper makes the case that presently extensions

of time are too often agreed between applicants and local planning authorities, leading to delays in determination. Such extensions of time are often necessary to ensure the appropriate information has been submitted and sufficient opportunity for all stakeholders to consider this information is provided. It is concerning that by arbitrarily focusing on timescales could lead to less clear and rushed decision-making and a potential reduction in the quality of decisions.

- 3.18 As noted at paragraph 3.10 a concern is that the proposed changes will lead to a simplistic system which lacks locally distinctive policies upon which planning applications are determined. Additionally, the proposals would also seek the delegation of a wide range of planning applications to officers where the principal of development has been established through a council's local plan. This risks removing scrutiny of those applications by local authorities planning committees and elected members, thereby potentially removing a degree of local democracy from the development management process. When this is coupled with the approach to provide nationally set development management policies there is a risk of significantly curtailing the decision-making ability of a local planning authority, and its consideration of locally important and specific issues in the planning process.

Developer contributions:

- 3.19 The white paper proposes to reform the current approach to developer contributions which primarily consists of the Community Infrastructure Levy (CIL) and other obligations which are usually achieved through Section 106 agreements (S106). These approaches would be replaced by a nationally set 'value-based flat rate charge' to be known as the 'Infrastructure Levy'. The levy would be either a single rate across the country or a series of area-specific rates which would be set nationally and chargeable on developments which exceed a nationally set threshold. The 'value-based' charge would be based on the final value of a development which it is proposed would be more effective in capturing increases in value and be sensitive to economic fluctuations. It should be noted that at present the white paper does not define the threshold at which it would be applied.
- 3.20 The white paper suggests that this new national levy will aim to raise more revenue than the current approach and 'at least as much –if not more' provision of on-site affordable homes. It is proposed that affordable homes would be delivered 'in-kind' on a development site with the value of the provision being taken into account in the calculation of the Infrastructure Levy for the site.
- 3.21 It is proposed that the reformed approach to developer contributions will provide greater freedom and flexibility to local planning authorities on how they wish to spend any monies accrued through the infrastructure levy. In addition it is proposed that a 'neighbourhood share' of monies collected would be transferred to Parish Councils for them to spend on priorities in their areas. This approach mirrors that currently in place with CIL.
- 3.22 The proposal to simplify the current approach to developer contributions and provide greater transparency could potentially bring benefits. Presently, the use of S106 agreements and CIL can be time consuming and open to negotiation and challenge, indeed in the District the agreement of S106's has led to delays in bringing forward development. A clearer approach which removes some of these difficulties would potentially be welcomed. However, there is a lack of detail within the white paper in respect of how the national 'Infrastructure Levy' will be calculated and what this could mean for authorities. It is not possible, with the detail provided, to determine whether the new approach to developer contributions would deliver more infrastructure, affordable homes and other obligations compared with that of the current system.
- 3.23 The paper suggest the levy would generate at least the same level or more on-site affordable homes, without sufficient detail there is some concern as to how the levy would impact provision of affordable homes and other developer contributions. The white paper suggests the on-site provision would be

delivered 'in-kind' with the value potentially taken away from the infrastructure levy as such there is a concern that this could lead to less 'obligations' being achieved. As noted above the lack of detail on the new approach however makes it difficult to determine exactly what impacts the proposed reforms would have in terms of the obligations the Council could seek.

Design

- 3.24 Another key aspect of the reforms proposed by 'Planning for the future' relate to the design of new development and the government aspiration of creating 'beautiful and sustainable places'. The white paper states that following the publication in October 2019 of the [National Design Guide](#) this will be supplemented by a National Model Design Code which will be published in the autumn of 2020 setting out detailed parameters for development in different locations and a revised Manual for Streets thereafter. The government expects this national guidance to have a direct bearing on the design of new development.
- 3.25 Alongside this government will expect design guides and codes to be prepared locally with community input to reflect the diverse character of places across the country. Part of this proposal is to ensure that any such guides and/or codes are prepared with effective input from the local community and consider evidence of what is popular and characteristic to the area. Only where this has been demonstrated will local design guides or codes be given weight in the planning system. The white paper envisages such guides and/or codes to be progressed in one of three ways:
- By local planning authorities to supplement their local plans and add a visual element to the 'categories' which have been designated in the local plan;
 - Through the work of neighbourhood planning groups; and
 - By applicants when bringing forward proposals.
- 3.26 The white paper also proposes a 'fast-track for beauty' approach which is designed to incentivise and accelerate high quality developments which reflect local character and preferences. This will be achieved in three ways:
- Revised national policy will make clear that proposals which comply with local design codes and guides will have a greater certainty about their prospects of a swift approval;
 - Masterplans and design codes will be required as a condition of the local plan when designated 'growth areas'. These could be prepared alongside or subsequent to the local plan and will provide detail as to the expectations on development prior to this coming forward; and
 - Production of 'pattern books' for 'renewal areas' which will allow the pre-approval through changes to permitted development rights of popular and replicable design.
- 3.27 The focus on design and the desire to 'build beautiful' within the white paper is to be welcomed. However, as with many of the proposals there is an emphasis on determining what is considered to be good design at a national level through the use of the National Design Guide and forthcoming design code. It is noted however that this section of the white paper does then make further reference to the need for local planning authorities, working with their communities including neighbourhood planning groups, to define more localised design codes for their areas. This is to be welcomed.

Resource implications:

3.28 In respect of funding the new system the white paper suggests that this should be principally paid for by the 'beneficiaries of planning gain – land owners and developers'. Whilst this would appear to be a positive, the white paper then continues to state that the costs of development management activities should be covered by planning application fees which should continue to be set nationally. This does not allow for local fee setting which could be used to ensure the full costs of the planning system are met by those who gain from it. The white paper goes further and also states that the national setting of fees should also include greater regulation of discretionary pre-application charging to ensure 'it is fair and proportionate'. As members will be aware the Council currently charges for pre-application requests and any regulation introduced nationally which could put this at risk would be a concern. The white paper further states that 'some local planning activities should still be funded through general taxation given the public benefits from good planning'. Such statements coupled with the proposed approaches to fee setting would seem to limit the ability for the council to increase its revenue to fund its statutory planning services.

Concluding remarks:

3.29 As a whole the reforms proposed in the housing white paper are clearly significant and would represent a considerable change in the planning process for the Authority. There is though a lack of detail around many of the proposals within the white paper, something the paper itself acknowledges and suggests will be 'fleshed out' in the future as the reforms are considered further. However, this lack of detail does make responding to the Government's consultation more challenging. The Council will assess these details once these become available and respond to any further consultations issued by the government.

3.30 Throughout the white paper the government continues to advance the view that the planning system is responsible for delaying development and for the number of homes being built nationally not meeting government targets. This fails to recognise that a key issue in bringing forward development is the development industries failure to deliver consented schemes. Whilst in Lichfield District there is a relatively low level of planning permission not being implemented nationally we see that a large number of consented homes are not built. The white paper continues with the narrative that by allocating more land for growth this will drive housing completions without recognising the need to deliver changes which encourage those with extant planning permissions to implement consented schemes.

3.31 The white paper itself does not detail the timescales within which the reforms, if progressed, would take place. It does state that subject to the responses to the consultation the intention is to make 'rapid progress toward this new planning system' with legislation to be brought forward to implement the reforms. The white paper makes clear that should the proposed planning reforms come into fruition that there would need to be transitional arrangements which ensure that recently approved plans, existing permissions and any associated planning obligations can continue to be implemented as intended. Whilst the exact timescales of implementation are unclear the white paper states that to support the transition into the new system authorities will be statutorily required to have an adopted a local plan (under the new planning system) within 30 months from the legislation being brought into force or 42 months for local planning authorities who have already adopted a local plan or submitted one for examination. In such circumstances this means having an adopted Local Plan would provide more certainty in decision taking while the legislative reforms are going through the system. Also, it means that once legislation comes into force, Lichfield will be likely to benefit from the 42-month grace period (3.5 years).

3.32 A concern overall with the proposals is that there appears to be a move away from 'localism' and local decision making to more centralised control. A number of the proposals (see the local plan and development management sections of this report in particular) appear to take decisions away from local plan authorities and pitch them at a national level. Such an approach does not take account of the great

differences in administrative areas across the country and indeed the very differing characteristics and issues we find within our own District.

Alternative Options	1. None – the report is for informational purposes.
Consultation	1. The planning white paper is currently the subject of a consultation.
Financial Implications	<ol style="list-style-type: none"> 1. There are no financial implications from this report which is for informational purposes. 2. The planning reforms proposed within the white paper, if enacted, would give rise to financial implications in terms of the financial obligations from development which could be set nationally and financial implications for the authority in terms of meeting the requirements of any new/changed planning system.
Contribution to the Delivery of the Strategic Plan	1. Supports the shaping place and developing prosperity branches of the strategic plan.
Equality, Diversity and Human Rights Implications	1. Not required.
Crime & Safety Issues	1. None.
Environmental Impact	1. There are no specific environmental issues arising from this report.
GDPR / Privacy Impact Assessment	1. Not required.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	None	N/A	N/A

<p>Background documents</p> <ol style="list-style-type: none"> 1. Planning for the Future – White Paper (August 2020) 2. National Design Guide
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<p>Relevant web links</p> <p>Planning for the future - https://www.gov.uk/government/consultations/planning-for-the-future</p>
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Statement of Community Involvement

Councillor Iain Eadie, Cabinet Member for Visitor Economy & Local Plan

Date:	7 th September 2020
Contact Officer:	Stephen Stray/Patrick Jervis
Tel Number:	01543 308147/308196
Email:	Stephen.stray@lichfielddc.gov.uk/patrick.jervis@lichfielddc.gov.uk
Key Decision?	YES
Local Ward Members	All



**Economic Growth,
Environment and
Development
(Overview and
Scrutiny) Committee**

1. Executive Summary

- 1.1 Due to temporary legislative changes in light of the Coronavirus (Covid-19) pandemic there is a need to review and update the Council's Statement of Community Involvement (SCI). In respect of local plans the legislative amendments primarily involve changes to face to face interactions to be consistent with the latest guidance on social distancing, the need for the physical placing of consultation documents for physical inspection becoming a non-statutory requirement, and the encouragement through guidance on increased innovative and creative online interaction being undertaken instead of physical meetings. Where stakeholders are unable or choose not to use online methods to communicate, the council will seek to engage with such groups creatively with the means set out in this report. In respect to the publicity arrangements for planning applications, the legislative changes allow authorities greater flexibility to take other reasonable steps to publicise planning proposals where the requirement for site notices, neighbourhood notifications or newspaper publicity cannot be discharged.
- 1.2 Whilst the catalyst for the changes are regulatory and the legislation currently only covers the period up to 31st December 2020, it is considered prudent to make amendments to the current SCI in order to cover future consultations on the Local Plan Review, other development plan documents and in respect of the consultation process on planning applications beyond that period. This approach reflects likely ongoing restrictions into 2021, and will be kept under review
- 1.3 The changes proposed are considered to be in line with government advice and will provide for new and innovative ways of consultation in line with social distancing advice.
- 1.4 It is considered that as the changes follow social distancing advice and require relatively modest change, that Cabinet can adopt the amended SCI without the need for the amended SCI to be consulted upon.
- 1.5 Cabinet to be asked to delegate authority to allow further minor changes to the SCI that may have to be undertaken as a result of evolving Coronavirus (Covid-19) guidance to be undertaken by the Head of Economic Growth & Development in consultation with the Cabinet member for the Visitor Economy & Local Plan.

2. Recommendations

- 2.1 The Committee notes the changes made in the updated SCI at **Appendix A** which is in line with the [temporary legislation relation to Coronavirus \(Covid-19\)](#), the associated Explanatory Memorandum to the Town and Country Planning Regulations and the updated government guidance (See 'relevant web links' at the end of this report) and adoption statement (**Appendix B**).

- 2.2 That the committee note the request to delegate authority to allow further minor changes to comply with statutory requirements to the SCI to be undertaken by the Head of Economic Growth & Development in consultation with the Cabinet member for Visitor Economy & Local Plan.

3. Background

- 3.1 Members will recall that the Statement of Community Involvement (SCI) sets out the standards that can be expected by the public, statutory consultees, developers, landowners and interested parties when engaging with the planning process. The current SCI was revised and adopted in April 2019.
- 3.2 Legislative changes due to the Coronavirus (Covid-19) pandemic have provided the necessity and opportunity to review the existing SCI which was adopted in April 2019. Planning Practice Guidance has also been published by the government which sets out the need for local planning authorities to review their SCI's in light of the Coronavirus (Covid-19) pandemic to ensure that any policies within the SCI are consistent with the latest social distancing guidance. Having undertaken such a review the changes considered necessary in light of the review relate to/take into account the following:
- Social distancing measures introduced by the UK government;
 - Flexibility for authorities relating to publishing physical notices on the sites of planning applications, neighbour notifications and newspaper publicity;
 - Changes to the ways in which consultation events can be held to ensure social distancing measures can be adhered to including the use of facial coverings and floor markings for example and for virtual exhibitions to take place;
 - Development plan documents to be uploaded to the Council's website as a statutory requirement;
 - Encouraging local action groups to send in representatives to consultation events to assist with ensuring the numbers of people at an event are consistent with the latest social distancing guidance and any measures put in place, including floor markings and controlling numbers of stakeholders at any one time can be adhered to; and
 - Not making hard copies of plan documents available for inspection a statutory obligation of the District Council.

These changes are a temporary (currently due to expire 31st December 2020) as stipulated by the government in its [latest legislation](https://www.legislation.gov.uk/ukxi/2020/731/made) relating to community engagement in the planning process (<https://www.legislation.gov.uk/ukxi/2020/731/made>).

- 3.3 The changes will mean that whilst the updated SCI still provides for physical consultation events, face to face consultation exhibitions will now only be undertaken where social distancing measures can be undertaken in line with the [latest social distancing guidance](#). The requirement for physical copies of plan documents to be made available has been removed through the temporary legislation. The changes will mean that the ways in which the Council undertakes consultation going forward is also consistent with the most up to date adopted and published SCI.
- 3.4 The [government's guidance](#) on engagement with the community on local planning matters encourages 'creative solutions' to maintain community engagement. It also encourages innovative and creative solutions to reach those hard to reach groups who may not have regular access or regularly use of the internet and could be therefore impacted upon by the necessary changes to comply with the Coronavirus (Covid-19) legislation and guidance. Set out below are the approaches the Council proposes to reach the public including for hard to reach groups:

- Encouraging individuals to contact local action groups and other local organisations or groups including parish councils with similar views to their own to nominate representatives where physical interactions are considered possible and can be undertaken in accordance with social distancing guidelines. This will assist in ensure the number of people at any physical consultation events held are consistent with the latest social distancing guidelines, whilst ensuring the views held by members of action/stakeholder groups are represented.
- Encouraging individuals who have not got access to electronic media to liaise with those who have to allow their views to be expressed.
- Reviewing the potential for the use of joint mail drops with other postal correspondence the Council may be required to send out where possible.
- Continue to send physical notifications to those stakeholders registered on the consultation system who request such correspondence rather than electronic correspondence.
- To increase community involvement through the provision of virtual exhibitions and seminars/presentations.
- By allowing flexibility in the placing of site notices, neighbour notifications and newspaper publicity. Should this not be possible authorities are enables to take ‘other reasonable steps’ to publicise applications. It should be noted that at present site notices, neighbour notifications and newspaper publicity are still being undertaken by the Development Management team.

3.5 It is clear that the ongoing Coronavirus (Covid-19) pandemic and temporary legislative changes that have been introduced in response to the pandemic will result in the council consulting and engaging in new and different ways. Future consultations may need to be carried with new and creative approaches which have regard and conform to the councils Engagement Strategy. These new approaches will be used to complement its more traditional ways of consultation (notwithstanding the issues noted at paragraph 3.4 of this report). A range of these approaches and options are being considered and some or all could be used as part of any future approach to consultation alongside other methods and in line with the legislative requirements as set out in the SCI. Such options could include:

- Press releases and material – utilisation of the range of printed and electronic local media outlets including local papers (not withstanding closures of some local publications), local magazines and other publications, local electronic news formats and sites, and the increased use of social media including paid for advertisements;
- District wide communications which could tie in with consultations and/or promote the councils consultation database to ensure people sign up to this to receive details of consultations as soon as they are published;
- Notices/leaflets placed on household bins as has previously been done to promote council services such as help for vulnerable households and the shopping service.
- Video and online presentations/seminars providing overviews and explanations of a particular consultation document providing explanations of how people can respond to the consultation. These could then be released via the council’s website and social media channels.

3.6 There is no legislative requirement for local planning authorities to consult when reviewing and updating the SCI. Given the nature of the proposed changes to the SCI which are considered to be relatively minor and are all proposed in response to the legislative changes and updated guidance in relation to the Coronavirus (Covid-19) pandemic it is not considered that consultation on the updated SCI is required. Alongside the updated SCI, the District Council’s website will be updated to make clear to the public that the SCI has been updated to include temporary changes relating to the Coronavirus (Covid-19) regulations. It is suggested that delegated authority to allow further minor changes to comply with statutory requirements to the SCI to be undertaken by the Head of Economic Growth & Development in consultation with the Cabinet member for Visitor Economy & Local Plan is provided.

Alternative Options	1. The revised SCI is not approved. This would pose a risk to staff and the public in requesting them to fulfil obligations and undertake actions in contradiction to Social Distancing guidelines. The changes will ensure that the SCI is consistent with the actions the council is obliged to undertake to satisfy Coronavirus (Covid-19) legislation and guidance.
Consultation	1. Consultation has informed previous versions of the SCI including the adopted SCI 2019. The proposed amendments are considered to be minor and relate specifically to Coronavirus (Covid-19) legislation and guidance. No consultation is required by legislation and it is not considered necessary.
Financial Implications	1. There are no financial implications from this report.
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. Supports the priority of enabling people to collaborate and engage with us. 2. Supports the shaping place and developing prosperity branches of the strategic plan. 3. Supports the priority of being financially sound, transparent and accountable and responsive and customer focused.
Equality, Diversity and Human Rights Implications	1. An equality impact assessment accompanies the SCI (Appendix C).
Crime & Safety Issues	1. The updated SCI will help improve the safety of the public and Council staff during the Coronavirus (Covid-19) pandemic.
Environmental Impact	1. There are no specific environmental issues arising from the updating of the SCI.
GDPR / Privacy Impact Assessment	1. A privacy impact assessment was undertaken in relation to the SCI 2019.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Financial risk if the SCI is not up to date with current regulations	Update the SCI	Yellow
B	Reputational risk if the SCI is not up to date with current regulations	Update the SCI	Yellow
C	Further legislative requirements result in the need to further update the SCI	Officers continue to monitor legislative changes. Where necessary changes will be proposed to the SCI to ensure the document is legally compliant	Yellow
D	Safety risk to officers and public having to comply with outdated SCI contrary to social distancing guidance	Update the SCI	Red

Background documents

1. [Statement of Community Involvement 2019](#)
2. [The Town and Country Planning \(Local Planning\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020](#)
3. [Explanatory Memorandum to The Town and Country Planning \(Local Planning\)](#)

Relevant web links

[Staying alert and safe \(social distancing\) government guidance](#)

[The Town and Country Planning \(Local Planning\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020](#)

[National Planning Practice Guidance – Coronavirus \(Covid-19\) relating to local plans](#)

[National Planning Practice Guidance – Coronavirus \(Covid-19\) relating to planning applications](#)

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Statement of Community Involvement 2020

■	Introduction	
1	Introduction	3
■	About our community	
2	About our community	5
■	Community Involvement in Plan Making	
3	Community Involvement in Plan Making	7
■	Community Involvement in Planning Applications	
4	Community Involvement in Planning Applications	17
■	Monitoring and Review	
5	Monitoring and Review	24
■	Appendix A - Consultees	
6	Appendix A - Consultees	25

1 Introduction

Lichfield District Council is committed to delivering excellent services to our local residents, businesses and service users. We see consultation as a vital part of this service.

We know that by engaging with our customers we can help deliver better quality development which meets their needs and those of future generations.

This document sets out our approach to consulting with you during the planning process and understanding your views.

What is the Statement of Community Involvement?

1.1 This Statement of Community Involvement (SCI) explains how we will engage our communities, businesses and other interested parties in the planning process when we prepare our planning policies and determine planning applications, including:

- Preparation, alteration and continuing review of the Local Plan, which is our development plan document;
- Preparation of other planning documents such as supplementary planning documents;
- Aspects of the neighbourhood planning process;
- Community Infrastructure Levy; and
- Development management decisions.

1.2 The Council is required to prepare and maintain a SCI by the Planning and Compulsory Purchase Act 2004. This document also reflects the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012, the Localism Act 2011 and the National Planning Policy Framework.

1.3 This SCI updates and supersedes the existing SCI which was adopted in 2019 and has been advanced following government legislation relating to the Coronavirus (Covid-19) pandemic. We will review and update the SCI as necessary to reflect any future changes including those which relate to the ongoing Coronavirus (Covid-19) situation.

Why is community involvement in planning important?

1.4 Planning affects us all. The homes we live in, the places we work, the open spaces we enjoy and leisure facilities we use are all a result of planning policies and decisions. It is important to us that all sections of our community are given the opportunity to take part in the planning process at the earliest opportunity so that decisions can take into account the range of community views and reflects, as far as possible, the concerns and aspirations of the people affected by them.

1.5 This statement provides an overview of the District's profile to identify the key challenges that need to be overcome when consulting with our community and sets out our approach to community involvement in the plan making process and determining decisions on planning applications. The actions which are set out within this document represent a minimum requirement in relation to community involvement in the planning process. Depending on the scale and impact of what is being consulted upon the Council may undertake further consultation work which goes above and beyond the requirements of the SCI to ensure that comprehensive consultation has taken place.

1.6 The Coronavirus (Covid-19) pandemic presents new challenges to undertaking consultation work in our District. This has repercussions for our consultation events, posting site notices, and for publishing hard copies of development planning documents at the District Council House. The government, in recognition of this, have published regulations and new planning practice guidance relating to consultation. This updated SCI aims to provide a means of engaging with the local community despite the challenges of Covid-19 and maintain a comprehensive consultation in these challenging times.

If you need this in another format, such as large print, please call spatial policy and delivery on 01543 308192 or email developmentplans@lichfielddc.gov.uk

2 About our community

2.1 It is important to understand the dynamics of our community in order to recognise the needs of the District and the challenges that may arise during consultation. This chapter sets out some of the key challenges faced by our residents, businesses and interest groups when engaging in the planning process and then lists how we will seek to overcome them.

Key Challenge: Accessibility

2.2 Lichfield District has a population of 103,061 people according to the Office of National Statistics mid-year population estimates 2016, of which 77.2% are economically active which is higher than the regional average. Lichfield District is seen as an attractive commuter area for Birmingham and therefore almost half of residents commute outside of the District to work. Given the high levels of outer city commuting it may be difficult for some residents to access the Council offices during the working week.

2.3 Lichfield District is considered a relatively prosperous area when compared to the West Midlands region and in a national context. However within some of our communities there are pockets of deprivation. The cost associated with accessing these consultation documents could be a factor which restricts engagement.

To help overcome this challenge we will:

- Place all matters for consultation on our website so they are available when the Council's main office is closed and can be accessed via the internet at Staffordshire's libraries most of which are open on Saturdays.
- Provide a copy of the Local Plan to residents for free during its consultation stages upon request.

Key challenge: Digitalisation

2.4 Some people have difficulty in accessing the internet and struggle to navigate online to find the relevant consultation documents they want to respond to.

2.5 A number of planning documents can be technical and lengthy and slow internet access could restrict ease in utilising these documents.

To help overcome this challenge we will:

- Have officers available to provide assistance via the telephone to locate and understand the documents.
- Provide a copy of the Local Plan to residents who do not use the internet during consultation stages upon request where possible.

Key challenge: Engaging the whole community

2.6 Whilst the demographics of different communities within the District vary considerably, the District is characterised by a larger than average proportion of over 65s. The overall population for the District is projected to increase by 4% between 2015 and 2025 with a significant growth in people aged over 65 and aged 85 and over.

2.7 It is important to try and engage with all ages, both old and young in the planning process to ensure the all age and interest groups are represented.

To help overcome this challenge we will:

- Seek to involve young people in decision making on planning issues through the use of more modern consultation tools, such as social media.
- Use accessible venues and facilities for exhibition events which allow for social distancing guidelines to be followed and to have documents available in accessible formats on request.

2.8 The Council recognises that not everyone will want to get involved in the planning process. We also recognise that some residents, businesses and groups may have greater capacity than others to get involved, so where appropriate, we will try and support and encourage those who find it difficult to get involved within planning issues to engage in the planning process.

2.9 The following sections set out how we will engage with our communities in the plan making process and the planning application process.

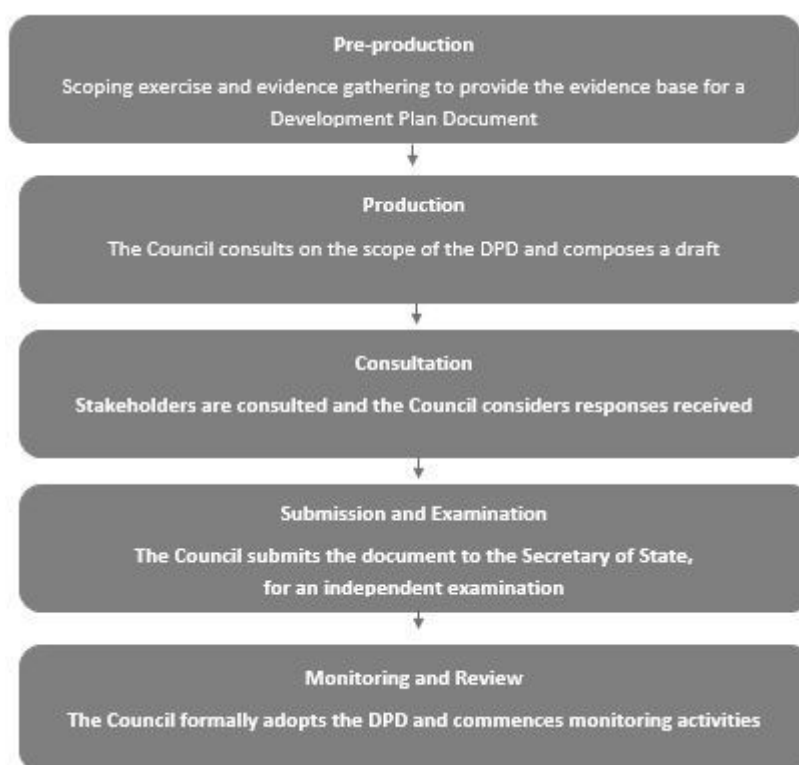
3 Community Involvement in Plan Making

Development Planning

3.1 Lichfield District Council is responsible for preparing development plan documents (DPDs) which are used to guide development proposals and determine planning applications. The development plan for Lichfield District comprises of the Local Plan Strategy and 'made' neighbourhood plans. The Local Plan Strategy was adopted in 2015 and provides the strategic vision and objectives that set out the Council's aspirations for the District's future, allocations and strategic sites for residential development and sets local planning policies to guide development. The Council is at an advanced stage with part two of its Local Plan - Local Plan Allocations Documents and is progressing a review of its Local Plan.

3.2 Figure 3.1 below outlines the key stages of plan preparation.

Figure 3.1 Indicative stages in the preparation of a DPD



3.3 The Council publishes the details of its DPDs in the [Local Development Scheme](#) (LDS). The LDS sets out the programme for plan preparation and provides a starting point for residents, stakeholders and interested parties to find out which documents are being prepared and the timetable for their publication. To ensure the LDS is up to date it is reviewed at least every five years in line with statutory requirements and is reported every year within the [Authority Monitoring Report](#) (AMR).

Sustainability Appraisal

3.4 A Sustainability Appraisal (SA) must be undertaken as part of the Local Plan process. The purpose of the SA is to assess the social, environmental and economic effects of the Local Plan. The first stage of the SA is the production of a scoping report to identify the key sustainability issues for the area. Following the scoping report, subsequent versions of the SA are produced to accompany each stage of the plan making process and published for consultation at the same time.

Supplementary Planning Documents

3.5 Supplementary Planning Documents (SPDs) are designed to support and add further guidance to policies in the Local Plan. These documents are prepared with the involvement of the local community and interested parties. The consultation period will be a minimum four and maximum of six weeks. Whilst they are not subject to independent examination they are adopted by the Council under the authorisation process.

Community Infrastructure Levy

3.6 The Community Infrastructure Levy (CIL) allows local authorities to raise funds from developers undertaking new building projects in their area. The money can be used to fund a wide range of infrastructure that is needed for development. The Community Infrastructure Levy (Amendment) Regulations 2012 apply to the production of CIL. The Council adopted its CIL Charging Schedule in April 2016.

3.7 The first stage of consultation on CIL is the Preliminary Draft Charging Schedule which takes place over a six week period. The next consultation stage is the publication of the Draft Charging Schedule. It is consulted on for a six week period and any person can make representations and if requested to do so they will be heard before the Inspector at the CIL examination. If the Council make significant changes to the Draft Charging Schedule following the publication stage then we will produce a 'statement of modifications' which is advertised for a four week period. Prior to adoption, the Charging Schedule will be examined in public by an independent inspector.

Other Documents

3.8 Under the provisions of the Habitats Directive, the Council must carry out an assessment of whether a plan or project will significantly affect the integrity of any European Site, in terms of impacting the sites conservation objectives. The Habitats Regulations Assessment is prepared and consulted on as a statutory requirement of the Local Plan. Other evidence base documents will be prepared and whilst not subject to formal public consultation, if anyone wishes to comment on these documents they can email or write in and the Council will respond accordingly.

3.9 Neighbourhood Plans set out policies and guidance for development and land uses in a parish or neighbourhood area. Lichfield District has a number of Neighbourhood Plans at various stages and once 'made' they become part of the statutory development plan. The community involvement associated with the preparation of neighbourhood plans is explained later in this section.

Who will we consult?

3.10 The Town and Country Planning (Local Plan) (England) Regulations 2012 sets out the legal requirements for consultation and public engagement during the preparation of planning policy documents.

3.11 Government regulations identify 'specific consultation bodies' including organisations such as Natural England, Environment Agency and Historic England that we are required to consult. In addition we will consult 'general consultation bodies'. Whilst not an exhaustive list, Appendix A provides further details of the organisations and interested parties the Council consults.

Join our consultation database

The Council maintains a database of all its consultees which it reviews and updates. Any individual or organisation can contact the Spatial Policy & Delivery team and request to be added to the database and notified of future consultations.

When will we engage?

3.12 The regulations outline the various stages in the preparation process for each of the types of planning document and when we must formally consult on the document. Whilst we will meet these requirements we also consider that significant effort should be made to try and engage people during the initial plan making stages, when there is the greater opportunity to influence policies and strategies.

How will we engage?

3.13 In addition to meeting the statutory consultation requirements, we will utilise a range of consultation techniques where applicable to enable greater involvement in the plan preparation process. The following techniques will be applied where appropriate: press releases, send an email to interested parties, a 'wrap around' newspaper advert, placing paper copies of the documents in libraries, presenting to parish forums and exhibitions. We will consider utilising social media and mobile phone applications where appropriate, as advised by our communications team.

3.14 The Coronavirus (Covid-19) pandemic has led to the Government introducing [social distancing guidance](#) in order to reduce the spread of Coronavirus. This has included new statutory regulations and planning practice guidance produced in the wake of the Coronavirus (Covid-19) pandemic. This has impacted the manner in which Lichfield District Council can engage with the local community. Face to face consultation exhibitions must adhere to social distancing guidelines with stakeholders and participants being expected to wear facial coverings to prevent the spread of the virus and floor markings to improve adherence to these measures where possible. Local action groups may be asked to send representatives to ask questions on behalf of their action group in order to maximise the number of different people represented at face to face consultations. Virtual exhibitions and digital consultations

are being considered by Lichfield District Council as a way of reaching more people who are unable to attend in person. The Council is aware that government guidelines are constantly being updated and may be subject to change.

3.15 The the ongoing Coronavirus (Covid-19) pandemic and temporary legislative changes that have been introduced in response to the pandemic will result in the council consulting and engaging in new and different ways. Future consultations may need to be carried with new and creative approaches which have regard and conform to the councils Engagement Strategy. A range of these approaches and options are being considered and some or all could be used as part of any future approach to consultation alongside other methods. Such approaches could include:

- Press releases and material – utilisation of the range of printed and electronic local media outlets including local papers, local magazines and other publications, local electronic news formats and sites, and the increased use of social media;
- District wide communications which could tie in with consultations and/or promote the councils consultation database to ensure people sign up to ensure they receive notification as soon as consultations are published;
- Notices placed alongside household bins; and
- Video and online presentations providing overviews of consultation documents and explaining how people can engage in the consultation. These can then be released via the councils website and social media channels.

3.16 The following tables set out the key stages, statutory requirements and potential additional consultation methods that will be utilised in the preparation of development plan documents, supplementary planning documents and the community infrastructure levy respectively.

Table 3.1 Key stages and consultation methods in the preparation of Development Plan Documents

Development Plan Documents (DPD)		
Stage	Statutory Requirements	Additional actions
Plan preparation	<ul style="list-style-type: none"> No specific requirements. 	<ul style="list-style-type: none"> Informal engagement with relevant consultation bodies to identify the key issues and scope of the document. Issue a press release. Additional consultation techniques such as present to Parish Forums where appropriate and resources will allow.
Publication of Draft (Regulation 19)	<ul style="list-style-type: none"> Seek views on whether the Local Plan and its accompanying suite of documents are legally compliant and sound. Make the documents for at least 6 weeks via the Council's website. 	<ul style="list-style-type: none"> Issue a press release. Send out notifications to consultee bodies and those who have asked to be notified of consultations. Publish documents online and make them available in our libraries and principal office and at the District Council House. Promote use of website and online response forms. Additional consultation techniques such as public and virtual exhibitions where appropriate and resources will allow. Documents to be made available in alternative formats on request.
Submission (Regulation 22)	<ul style="list-style-type: none"> Provide a copy of the Local Plan, Sustainability Appraisal / Strategic Environment Assessment Report, Policies Map, Statement of representations, copy of the representations, supporting documents a statement of fact of where the above documents are available for inspection at and when, on the Council's website. Send out notifications to each of the general consultation bodies and specific consultation bodies to notify them of the documents availability. Notify those who have requested to be notified that the Plan has been submitted. 	<ul style="list-style-type: none"> Issue a press release. Provide a copy of the Local Plan, Sustainability Appraisal/Strategic Environment Assessment Report, Policies Map, Statement of representations, copy of the representations, supporting documents a statement of fact of where the above documents are available for inspection at the District Council House.
Examination with oral hearings (if necessary) (Regulation 24)	<ul style="list-style-type: none"> Notify any person who has made a representation and not withdrawn it of the date, time and place at which the hearing is to be held and the name of the person appointed to carry out the independent examination 6 weeks prior to the opening of a hearing. Publish the notification on the Council's website. Undertake any other notification that the Inspector and Programme Officer Request. Publish documents relevant to the examination on the Council's website. 	<ul style="list-style-type: none"> Undertake further notifications/consultation should it be considered appropriate. Issue a press release. Where examination or hearings are required to be conducted electronically due to social distancing guidelines utilise councils communications channels including online streaming to enable these to be viewed digitally.

Development Plan Documents (DPD)		
Stage	Statutory Requirements	Additional actions
Modifications (if necessary)	<ul style="list-style-type: none"> Undertake further consultation as required by the Inspector and make the documents available on the Council's website . 	<ul style="list-style-type: none"> Issue a press release.
Publication of the Inspectors Report	<ul style="list-style-type: none"> Publish the Inspector's report for at least 6 weeks on the Council's website. 	<ul style="list-style-type: none"> Issue a press release. Publish the Inspector's report for at least 6 weeks at the District Council House.
Adoption and Publication (Regulation 26)	<ul style="list-style-type: none"> Publish the Local Plan, adoption statement and environmental report for 6 weeks and make the Local Plan available thereafter until it is withdrawn via the Council's website. Notify any person or body that made a representation or asked to be notified of the adoption. Notify the Secretary of State. 	<ul style="list-style-type: none"> Issue a press release. Make the report available in alternative formats on request.

Table 3.2 Key stages and consultation methods in the preparation of supplementary planning documents

Supplementary Planning Documents (SPD)		
Stage	Statutory Requirements	Additional options
Preparation	<ul style="list-style-type: none"> No specific requirements. 	<ul style="list-style-type: none"> Informal engagement with relevant consultation bodies to identify the key issues and scope of the document. Issue a press release. Additional consultation techniques such as present to Parish Forums where appropriate and resource will allow.
Publication of Draft (Regulation 12)	<ul style="list-style-type: none"> Make the document available for between 4 and 6 weeks via the Council's website. 	<ul style="list-style-type: none"> Consultation with consultation bodies and community involvement where appropriate and resources will allow. Issue a press release. Make the document available for between 4 and 6 weeks at the District Council House. Consultation with neighbours if the SPD is site specific. Promote use of website and online response forms. Make the document available in alternative formats on request.
Adoption and Publication (Regulation 14)	<ul style="list-style-type: none"> Consider the representations received through the consultation and make amendments/modifications necessary before adopting. Once adopted, produce an adoption statement, a consultation statement and make the document available for 3 months and thereafter (until the document is withdrawn) via the Council's website Notify any person or body that made a representation or who asked to be notified of the adoption. 	<ul style="list-style-type: none"> Issue a press release. Make the document available in alternative formats on request. Once adopted, produce an adoption statement, a consultation statement and make the document available for 3 months and thereafter (until the document is withdrawn) at the District Council House.

3.17 The process for preparing SPDs is the same process that will be used to prepare and review the Statement of Community Involvement.

Table 3.3 Key stages and consultation methods in the preparation of community infrastructure levy

Community Infrastructure Levy		
Stage	Statutory Requirements	Additional options
Preparation	<ul style="list-style-type: none"> No specific requirements. 	<ul style="list-style-type: none"> Informal engagement with relevant consultation bodies and stakeholders to identify the key issues and scope of the document.
Preliminary Draft Charging Schedule (Regulation 15)	<ul style="list-style-type: none"> Send out notifications to each of the consultation bodies inviting them to make representations. 	<ul style="list-style-type: none"> Issue a press release. Make documents available on the Council's website and at the District Council House.
Publication of Draft Charging Schedule (Regulation 16)	<ul style="list-style-type: none"> the draft charging schedule, relevant evidence and statement of representation for 6 weeks on the Council's website Send a copy of the draft charging schedule and statement of representations procedure to each of the consultation bodies. Place a local advertisement notice. 	<ul style="list-style-type: none"> Promote use of the website and online response forms. Publish the draft charging schedule, relevant evidence and statement of representation for 6 weeks at the District Council House.
Submission (Regulation 19)	<ul style="list-style-type: none"> Publish a copy of the draft charging schedule, evidence and statement of representation of where the above documents are available inspection at and when, on the Council's website Send out notifications to each of the general consultation bodies and specific consultation bodies to notify them of the documents availability. Notify those who have requested to be notified on the submission of the draft charging schedule. 	<ul style="list-style-type: none"> Issue a press release. Provide a copy of the draft charging schedule, evidence and statement of representation of where the above documents are available inspection at and when at the District Council House.
Examination (Regulation 21)	<ul style="list-style-type: none"> Publish details of examination and the inspector on the Council's website. Notify those whose have made representations. 	<ul style="list-style-type: none"> Issue a press release. Where examination is required to be conducted electronically due to social distancing guidelines utilise councils communications channels including online streaming to enable these to be viewed digitally.
Approval and publication	<ul style="list-style-type: none"> Once adopted, produce an adoption statement, a 	<ul style="list-style-type: none"> Issue a press release.

Community Infrastructure Levy		
Stage	Statutory Requirements	Additional options
(Regulation 25)	<p>consultation statement and make the document available for 3 months and thereafter (until the document is withdrawn) via the Council's website</p> <ul style="list-style-type: none"> Notify any person or body that made a representation or who asked to be notified of the adoption. 	<ul style="list-style-type: none"> Make the document available in alternative formats on request. Once adopted, produce an adoption statement, a consultation statement and make the document available for 3 months and thereafter (until the document is withdrawn) -at the District Council House.

How can you respond to the consultations?

3.18 There are many ways in which you can respond to consultations on the Lichfield Local Plan and other development plan documents, supplementary planning documents or community infrastructure levy. Consultations will be publicised on line and in accordance with the methods set out in the tables above. You can respond in the following ways:

- By using our online consultation system;
- By emailing us at: developmentplans@lichfielddc.gov.uk;
- By writing to us at: Spatial Policy & Delivery, Lichfield District Council, Frog Lane, Lichfield, WS13 6YZ; or
- If you have any issues with any of the above you can also phone us on 01543 308000 and a member of the team will be able to assist you.

What will we do with the comments?

3.19 All comments received as part of a planning policy consultation process will be collated, analysed and taken into consideration in the preparation of the next stages of the plan process. Comments will be reviewed and considered by planning officers and where appropriate changes will be proposed. There may be instances where the Council considers that it is not appropriate to amend the plan to accommodate the views of a respondent.

3.20 The results of consultations will be published on the Council's website and a Statement of Consultation will be prepared for each statutory consultation stage. The comments received to any consultation cannot be treated as confidential, however, personal information will not be made publically available in accordance with the Data Protection Act.

Neighbourhood Planning

3.21 The Localism Act 2011 introduced new rights and powers for communities to shape new development by preparing a Neighbourhood Plan and grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders. Neighbourhood plans are prepared by the community, they can be simple or go into considerable detail. They set out local planning policies in relation to that area but they still have to be in line with national and local policy.

3.22 The Neighbourhood Planning (General) Regulations 2012 sets out the requirements for publicity and consultation in relation to the preparation of Neighbourhood Plans and Neighbourhood Development Orders. Depending on how advanced the neighbourhood plan is, it is the responsibility of either the qualifying body such as the town or parish council or Lichfield District Council to publicise the consultation.

Interested in helping shape your local area

For more information on neighbourhood planning including information on how to start preparing a neighbourhood plan please visit the following websites:

- www.lichfielddc.gov.uk/neighbourhoodplans
- www.gov.uk/government/publications/localism-act-2011-overview

What will we do to help with neighbourhood plan process?

3.23 The Council will provide advice and assistance to any neighbourhood plan group seeking to prepare a neighbourhood plan. We will fulfill our statutory obligations such as to share our evidence base, publicise the designation of a neighbourhood area on our website and issue a press release. It should be noted that in developing a neighbourhood plan, most of the responsibility for consulting the community affected falls to the parish council.

3.24 Once a plan has been prepared and consulted on by the community, it will be submitted to the Council and we will provide advice to ensure it meets the relevant legislation and conforms with the Local Plan. The Council will consult on the plan and publicise the details of plan including where it can be inspected on the Council's website and also issue a press release. We will then organise an independent examination of the document in collaboration with the relevant parish council.

3.25 If the document is considered to meet the requirements by the independent examiner and the Council is also satisfied it does then it will be subject to a referendum by the community and businesses affected. This will be co-ordinated by the Council and we will make all of the documents available to view on the Council's website and at the Council House.

3.26 The Covid-19 pandemic has affected the Neighbourhood Plan process with no referendums being allowed to take place under the Coronavirus Act 2020 until 6 May 2021.

4 Community Involvement in Planning Applications

Development Management

4.1 Development Management consider the detailed proposals that are submitted to the District Council for consideration and any breaches of planning control.

4.2 The proposals are submitted to the District Council in a wide variety of applications and are considered against current legislation, national guidance, the Development Plan (currently the Lichfield Local Plan Strategy, made Neighbourhood Plans and the Staffordshire County Council Minerals and Waste Local Plans where appropriate) and relevant adopted SPDs. The involvement of our customers is important and enables them to be better informed which assists us in the delivery of sustainable development.

4.3 The Council deals with on average around 1200 planning applications per year. This includes applications for listed building consent, advertisement consent, applications for prior notification, certificates of lawfulness and amendments. In addition the Council receives on average 200 discharge of condition applications and 300 planning enforcement enquiries per year.

4.4 The Government has set out minimum standards for consultation on planning applications in the National Planning Practice Guidance and Article 15 of the Town and Country Planning (Development Management Procedure) Order 2015 (DMPO) as amended. There are three categories of application, which require differing levels of publicity:

1. All applications subject to an environmental assessment. All applications which are a departure from the Development Plan and all applications affecting public rights of way are required to be publicised by the display of a notice on the site for a minimum of 21 days excluding bank holidays, and by the placing of an advertisement in a local newspaper. This is in addition to any of the requirements pertinent to the scale of the development set out in the table below.
2. Applications defined as “major” applications by the DMPO are required to be publicised by the display of a site notice or letters written to adjoining owners/occupiers of land, and by placing an advertisement in a local newspaper.
3. If an application does not fall in the above categories, then it is required to be publicised by the display of a site notice or by letter to adjoining occupiers/owners.

4.5 Applications for listed building consent, applications affecting the setting of a listed building, or the character or appearance of a conservation area require publicity by way of a site notice and a newspaper advertisement. The requirements for publicity are set out in Regulation 5 and 5A of the Listed Buildings and Conservation Area Regulations 1990 (as amended).

4.6 The table below illustrates our approach to planning application publicity, it shows what we are required to do to meet the statutory requirements and what actions we will take over and above these statutory requirements. In response to the Coronavirus (Covid-19)

pandemic the government published [temporary legislation](#) and [planning practice guidance](#) in respect of the publicity and consultation requirements for planning applications. This provides local planning authorities the flexibility to take other reasonable steps to publicise applications if they cannot discharge the specific requirements for site notices, neighbour notifications or newspaper publicity. Any such steps should notify people who are likely to have an interest in the application and provide detail of where further information about it can be viewed online. This could include, for example, the use of social media and other electronic communications and must be proportionate to the scale and nature of the proposed development.

Table 4.1 Approach to planning application publicity

	Type of development	What we are required to do	Additional actions
Major	<p>For dwellings: where 10 or more are to be constructed (or if no number given, the area is more than 0.5 hectare).</p> <p>For all other uses: where the floorspace will be 1000sq.m or more (or site is 1 hectare or more).</p>	<ul style="list-style-type: none"> Write to all adjoining owners or occupiers or post a site notice or take other reasonable steps to publicise the application if it is not possible to discharge this requirement. Press Notice or take other reasonable steps to publicise the application if it is not possible to discharge this requirement. Full details available on the Council's website. Notify the appropriate Town or Parish Council of the application. Consult with statutory consultees online. 	<ul style="list-style-type: none"> Advise applicants to consider public meetings exhibitions as appropriate. Advise applicants of and encourage engagement with the pre-application advice service available including the Development Team approach. See Council's website Consult adjoining local authorities where appropriate. For larger housing schemes applicants will be encouraged to prepare and consult the community on a master plan for the development. Consult with non-statutory consultees.
Minor	<p>Minor development is development which does not meet the criteria for Major Development or the definitions of change of use or householder developments.</p>	<ul style="list-style-type: none"> Write to all adjoining owners or occupiers or post a site notice or take other reasonable steps to publicise the application if it is not possible to discharge this requirement. If affecting the setting of a conservation area also do a press notice or take other reasonable steps to publicise the application if it is not possible to discharge this requirement. Full details available on the Council's website. Notify the appropriate Town or Parish Council of the application. Consult with statutory consultees online. 	<ul style="list-style-type: none"> Advise applicants of and encourage engagement with the pre-application advice service available including the Development Team approach. See Council's website Consult with non-statutory consultees.
Other	<p>This includes the following categories:</p>	<ul style="list-style-type: none"> Write to all adjoining owners or occupiers or post a site notice or take other reasonable steps to publicise 	<ul style="list-style-type: none"> Advise applicants of the pre-application advice which is available and

	Type of development	What we are required to do	Additional actions
	<p>Change of Use: Applications that do not concern major development or where no building or engineering work is involved.</p> <p>Householder Development: Defined as works within the curtilage of residential property which require an application for planning permission and are not a change of use.</p>	<p>the application if it is not possible to discharge this requirement.</p> <ul style="list-style-type: none"> ● Applications within a conservation area that affect its character or affect the setting of a Listed Building are subject to a site notice and press notice or take other reasonable steps to publicise the application if it is not possible to discharge this requirement. ● Full details available on the Council's website. ● Notify the appropriate Town or Parish Council of the application. ● Consult with statutory consultees online. 	<p>encouraged with written advice provided. See Council's website</p> <ul style="list-style-type: none"> ● Consult with non-statutory consultees.

4.7 All consultees and neighbours are given a minimum of 21 days to comment/respond, excluding bank holidays as set out in The Town and Country Planning (Local Authority Consultations) England Order 2018. Where necessary consultees will be given longer to reflect statutory timescales where specified by legislation. Anyone can respond to a consultation. In addition to individuals who might be directly affected, community groups and specific interest groups (national as well as local in some cases) may wish to provide representations.

4.8 If any significant amendments are received in relation to any of the above categories, we undertake to carry out a further round of consultation. The extent of this re-consultation is dependent upon the scale of the amendments – writing to those (directly) affected and the local Parish/Town Council, if necessary. It is at the discretion of the Local Planning Authority as to the need and length of re-consultation, however we normally allow a minimum 10 days from the date of the re-consultation letter to respond. Although, we may carry out a full 21 day re-consultation process as appropriate, or where it is an EIA application.

Other Consultations

4.9 In addition to the above applications, we also carry out consultation on the following categories:

- Erection or replacement of telecommunication masts - We will write to all occupiers within 100 metres of the site and the relevant Parish Council to seek specific comment.
- Wind Turbines - We will write to all occupiers within 500m of the site and the Parish Council to seek their specific comments
- Permission in Principle and Technical Details Consent - We will for 14 days, excluding bank holidays, display a site notice; have a notice on our website; notify the appropriate Parish or Town Council of the application; consult with statutory consultees online as set out in the Town and Country Planning (Permission in Principle) (Amendment) Order 2017.

Other applications where consultation is not required

4.10 Certain types of application do not require or allow consultation with anyone under the legislation. This includes non-material amendment applications i.e where a more minor change is proposed to an approved scheme after the planning decision has been made. This process is only generally used where the change is small relative to the size of the overall development or where the change would have no impact to anyone. We are not required to consult on condition compliance applications - this is when details are submitted to the Council to confirm the details submitted for the purposes of any 'conditions' placed on a planning permission; for 'prior notifications' in relation to certain types of agricultural development; and, in relation to certificates of lawfulness for proposed development, where the application is seeking a determination of whether or not the development needs planning permission.

Openness and transparency

4.11 We aim to make the planning application process as open and transparent as possible. All recent planning application documents are available online and only information exempt under the Freedom of Information Act 2000 and the General Data Protection Regulation (GDPR) is withheld from public view. We also publish advice intended to guide users of the service through the system – this is available on the Council's website <https://www.lichfielddc.gov.uk>

4.12 Applicants are encouraged to discuss proposals in advance and we have a pre-application (fee applicable) process and a Duty Officer system is in place during morning office hours to ensure that professional advice is available. By appointment, officers are prepared to visit individual occupiers to explain planning applications, if the need arises.

Pre-application Discussions

4.13 All potential applicants are encouraged to hold informal discussions with Council Officers prior to formally submitting an application. This allows for concerns and issues to be raised and where possible resolved at an early stage in the process. Where appropriate, the views of other professionals (e.g. highway officers) will be sought. As of 2014 the Council started charging for pre-application discussions. Full details of the fees and minimum level of information required are available on the Council's website <https://www.lichfielddc.gov.uk/preapplicationadvice>

4.14 In the case of major applications prospective applicants are encouraged to present at a Development Team meeting. This includes relevant officers from the Council and statutory consultees. Local Councillors are also encouraged to be involved where necessary. Pre-application discussions are in confidence (subject to the relevant provisions of the General Data Protection Regulation and Freedom of Information Act) although applicants are advised on how to involve Parish/ Town Councils, neighbours and/or the wider community (e.g. Civic Society) at an appropriate point.

4.15 The Council will encourage applicants/developers to undertake appropriate consultation with the local community prior to applications being submitted. Officers will provide further pre-application advice in writing. The Council's Protocol for Pre-application

Discussions on Planning Applications sets out the detailed commitment/requirements to this procedure. This can be found on the Council's website <https://www.lichfielddc.gov.uk/preapplicationadvice>

4.16 Developers will be encouraged on appropriate major housing development to prepare a master plan. The master plan should include the phasing of development and associated infrastructure, community and recreational facilities, safe routes for cyclists and pedestrians etc. Applicants will be encouraged to consult widely on the master plan with the community, neighbours and residents associations at public meetings and/or exhibitions and to indicate any changes to the plan resulting from the consultation. The Council will only undertake consultation on formal planning applications submitted.

How do we involve our customers during the processing of an application?

4.17 Any comments, also referred to as representations, which are received on an application are considered by a planning officer, who will weigh these with other related issues (such as the planning policies of the District Council and national planning guidance) in the assessment of the development proposal before reaching a recommendation.

4.18 By law, all comments received must be open to public inspection. We publish comments on the website, although personal data, such as signatures, email address and telephone numbers will be removed (redacted). However, the names and addresses of those people who commented on the application is published.

4.19 Any complaints will be dealt with in the same manner as a corporate complaint. Any representations received about a planning application are taken into consideration in the determination of planning applications, although we can only take into account material planning considerations. Advice on commenting on a planning application is available at www.lichfielddc.gov.uk/Council/Planning/Planning-guidance/Commenting-on-a-planning-application

4.20 Offensive, racist, discriminatory, threatening and other statements that are not relevant will not be published. These comments will not furthermore be taken into consideration in the determination of the application. Due to the legal requirement to make representations available for public inspection, we cannot accept anonymity or comments marked 'private or confidential'.

How do we involve our customers when the application goes to Committee?

4.21 All planning application decisions contain a report on the proposal and this report contains a summary of all representations received from local residents, the Parish Council and other relevant consultees etc. All comments are considered in reaching a decision on the application. All reports written by Planning Officers are available to view either on the Council's website or on request. The more significant or controversial applications are presented to the Council's Planning Committee for their consideration whilst others are delegated by the District Council to senior officers to determine as they fall within the Council's approved 'Scheme of Delegation'.

4.22 The Planning Committee currently meets monthly generally on a Monday evening at the District Council Offices Frog Lane, Lichfield either in the Council Chamber or the Committee Room and is open to members of the public. A report is prepared by the Planning

Officer making certain recommendations to the Committee to either approve or refuse the proposal. It is for the Committee to decide to either accept or reject these recommendations, as long as they have good planning reasons to do so. As part of the deliberations of the Committee, members of the public, local interest groups, non-Committee ward members, applicants or agents can make verbal submissions directly to the Committee. Detailed advice on the operations of this process and copies of all reports to and minutes of the Council's Planning Committee are published on the Council's website <https://www.lichfielddc.gov.uk/planningcommittee>

How do we involve our customers after a decision is taken on a planning application?

4.23 Once a planning application is determined, the decision is publicised on the Council's website <http://www.lichfielddc.gov.uk>

4.24 Often there are conditions attached to any grant of consent and if there are concerns from local residents or others that the development is not being carried out in accordance with those conditions, then by contacting the Council, investigations can be carried out to ensure that the development is implemented in the correct manner. Decision notices contain detailed reasons for refusal and reasons for all conditions imposed upon any permission. Where developer contributions are available the Council will be open and transparent about the intended use of those monies. Details on how applicants can appeal are contained within all decision notices issued by the Council. There is no third party right of appeal.

How do we involve our customers if an appeal is received on a planning application?

4.25 If a planning application is refused or conditions are imposed on a permission that an applicant is unhappy with, the applicant has the right of appeal against the Council's decision to the independent Planning Inspectorate. Applicants can choose whether to have their appeal decided through an exchange of correspondence (known as written representations), at an informal hearing or at a more formal Public Inquiry. All domestic householder appeals, advertisements and some small scale commercial appeals are exclusively dealt with through a fast track appeal system, in which no further comments at the appeal stage are accepted by the Planning Inspectorate and only comments received by the time the application is determined are taken into consideration by the Planning Inspector. Whichever option is chosen, those who originally commented, and any interested parties, on the planning application are invited to make further representations directly to the Planning Inspectorate. An independent Inspector is then appointed to review the case. If the matter is to be heard by an Inspector at either an informal hearing or a Public Inquiry then the interested parties including local residents and amenity groups will be invited to make verbal submissions directly to the Inspector. The applicant and District Council also appear at the hearing or Inquiry. Whilst the appeal process is an independent process operated by the Planning Inspectorate, some of the administration (notifying people of relevant dates etc.) is undertaken by the District Council.

How else do we involve our customers?

- We will visit individual's homes, upon request, if residents are disabled or housebound to explain development proposals;
- We provide planning advice and guidance on the Council [website](#);

- We display all planning application details on the Council [website](#);
- We accept comments on planning applications via the Councils [website](#), email or through letter;
- We have a Duty Planning Officer who can provide verbal advice between 08.45 and 12.15 Monday to Fridays;
- We have a dedicated name planning case officer for every application; and
- We have public speaking at Planning Committee (subject to certain criteria) - more advice is available on the Council's website regarding this.

5 Monitoring and Review

5.1 The Council will monitor the success of community involvement through its [Authority Monitoring Report](#) (AMR).

5.2 The AMR monitors the number of users of the District Council's on line consultation portal and the levels of engagement from members of the public and other stakeholders to public engagement opportunities, such as consultation at the various stages of the Local Plan production. The AMR also tracks the number of visits to our web pages.

5.3 The AMR is produced annually and a review of the SCI will be considered where there has been a particularly low level of community participation or issues have emerged in terms of its implementation and significant changes are required to meet new circumstances or legislation requirements.

5.4 The Council also has a [complaints and compliments procedure](#) to help us improve our services to our customers and this involves an annual report to the Standards Committee.

How can you get in touch if you have any queries about the Statement of Community Involvement?

For queries related to the Statement of Community Involvement please contact Spatial Policy & Delivery:

**Spatial Policy & Delivery
Lichfield District Council
Frog Lane
Lichfield
WS136YZ**

Email: developmentplans@lichfielddc.gov.uk
Phone: **01543 308000**

6 Appendix A - Consultees

6.1 As defined in the Town and Country Planning Regulations (2012) as amended and the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended):

Specific consultation bodies

- The Coal Authority
- Environment Agency
- Historic England
- Homes and Communities Agency
- Local Bodies (a relevant authority any part of whose area is in or adjoins the local planning authority's area) including Town & Parish Councils
- Natural England
- Network Rail
- NHS
- Utilities Providers

General consultation bodies

6.2 In accordance with the regulations general consultation bodies must be consulted where the council considers it appropriate. These may include voluntary groups and those which represent the interests of different racial, ethnic or national groups; disabled persons; different religious groups and persons carrying on business in Lichfield District.

6.3 Further guidance on statutory and non-statutory consultees is set out in national guidance online: <https://www.gov.uk/guidance/consultation-and-pre-decision-matters>

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Statement of Community Involvement - Adoption Statement

This statement is published by Lichfield District Council to fulfil the requirements of Regulation 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Statement of Community Involvement was adopted by Lichfield District Council on the XXth September 2020. The document sets out the standards which can be expected by our customers for community involvement in the planning process. Any person with sufficient interest in the decision to adopt the Statement of Community Involvement may apply to the High Court for permission to apply for judicial review of the decision.

Any such application for leave to review the decision must be made promptly and in any case no later than 3 months after the date on which the Statement of Community Involvement was adopted that is by the XXth December 2019.

Under Section 23 (1) of the Planning and Compulsory Purchase Act 2004, the Council has modified the Statement of Community Involvement to take into account representations made in relation to the document and any other relevant matters.

The adopted Statement of Community Involvement, Consultation Statement and Adoption Statement are available to view on the Council's website: www.lichfielddc.gov.uk

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equality impact assessment stage 1 quick check questionnaire



If you are planning on making a change to an existing service or policy, or launching something new, fill out this quick questionnaire to find out if you need to complete a full equality impact assessment. You can also use this form to check your current services or policies.

To find out more about the legal background to equality impact assessments, or for advice on which of your current services should be assessed, read our equality impact assessment help notes.

Section 1: About you and your service area

Your name:	Stephen Stray
Your service area:	Spatial Policy and Delivery
Your director/line manager:	Craig Jordan
Your cabinet member:	Cllr. I Eadie

Section 2: About your plans

Name of service/policy you are assessing:	Draft Statement of Community Involvement 2020
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Is it? (please delete as appropriate)
<ul style="list-style-type: none"> ▪ A review of an existing policy/service ▪ A change to an existing policy/service

Who are the main users of your service/policy? (please delete any that are not appropriate)
<ul style="list-style-type: none"> ▪ Mixture of residents and visitors ▪ Visitors to the district ▪ Users of a specific service (e.g. leisure centre customers) ▪ Internal (employees) ▪ Disability specific groups ▪ Race specific groups ▪ Gender specific groups ▪ Religious groups ▪ Sexual orientation groups ▪ Marriage and civil partnerships ▪ Older people ▪ Young people ▪ Other (please specify)

Please briefly describe why you are creating a new service/changing an existing service or reviewing current policy/service (where appropriate, include sources of evidence such as customer feedback):
Regulatory changes

¹ For help or guidance contact Colin Cooke on 01543 308121 or Alison Bowen on 01543 308129 or email colin.cooke@lichfielddc.gov.uk or alison.bowen@lichfielddc.gov.uk

Section 3: Will your plans impact on any particular groups?

3a: ☒ Please fill in all boxes that apply in the table below. If any boxes don't apply, please leave blank.

Hints & tips Think about who will benefit from or be affected by your plans/policy. Will any particular group be negatively affected, or not able to use the service? For further guidance please see Section 3 of the help notes.

Impact of plans	Will your plans have a positive impact on this group? If so please explain why?	Will your plans have a negative impact? If so please explain why? ☒ If there is a negative impact on any group(s), please complete section 4 for each group.
Groups of users		
Age ranges (indicate range/ranges)	Yes, the SCI recognises the demographics within the District and sets out how through the SCI the Council will seek to engage with different age ranges	No
Disability (physical, sensory or learning)	Yes, the SCI seeks to provide specialist provision of documents when requested and sensitive and accessible choices of venues for exhibitions where available to enable participation through consultation	No
Gender/sex	Neutral, although the SCI provides a range of methods which can be utilized to encourage participation	No
Transgender/gender reassignment	Neutral, although the SCI provides a range of methods which can be utilized to encourage participation	No
Race (includes ethnic or national origins, colour or nationality)	Neutral, although the SCI provides a range of methods which can be utilized to encourage participation	No
Gypsies and travellers	Yes, the SCI recognises the physical and technological limitations known to exist within this group and seeks to accommodate these needs to enable participation through consultation	No
Refugees / asylum seekers	Yes, the SCI recognises the communicative and technological limitations known to exist within this group and seeks to accommodate these needs to enable participation through consultation	No
Sexual orientation	Neutral, although the SCI provides a range of methods which can be utilized to encourage participation	No
Marriage and civil partnerships	Neutral, although the SCI provides a range of methods which can be utilized to encourage participation	No
Religion or belief (includes lack of belief)	Neutral, although the SCI provides a range of methods which can be utilized to encourage participation	No
Pregnancy and maternity	Neutral, although the SCI provides a range of methods which can be utilized to encourage participation	No

Carers or the people cared for (dependants)	Neutral, although the SCI provides a range of methods which can be utilized to encourage participation	No
Other (please specify)		No

3b: Further details

Please use this space to provide further details if necessary

The document remains largely unchanged from the version of the document published in 2019. The only changes to the document have been made in response to temporary legislative changes introduced by the Government due to the Coronavirus (Covid-19) pandemic. The changes relate to the Council's consultation procedures and ensuring these are consistent with the latest government guidance in relation to Coronavirus and latest social distancing guide lines.

Section 4: Can you justify and evidence, or lessen any impact?

4a: ☒ If you have identified a negative impact(s) on any group(s) please complete the below table for each affected each group. If any boxes don't apply, please leave blank. If you didn't identify any negative impact(s) on the previous page, skip to section 6.

Hints & tips Is there something you can do to reduce or alter any negative impact you have identified? *For example when we changed waste and recycling collections to kerbside collections, we offered disabled/less able people assisted collections.* Please list all the evidence you have gathered to support your decision(s) – this could include customer feedback, statistics, comparable policies, consultation results. If you don't have any evidence, please carry out appropriate studies and research to gather the evidence you need to support your decision(s). If you have no/insufficient evidence or cannot gather any, you will need to complete a full EIA. For further guidance, see Section 4 of the help notes.

Actions you need to take	We will make the following change(s) to the service/policy to reduce the negative impact. Explain the change(s) and the evidence you have to support your decision? ☒ Use section 4b below if you want to give more details.	We won't make changes as we can justify our decision and there are sound reasons behind our decision. Justify why and detail the evidence you have gathered to support your decision. ☒ Use section 4c below if you want to give more details.	There is a negative impact, and we cannot justify it and/or have no, or insufficient, evidence to support our decision. ☒ You will need complete a full equality impact assessment. See the help notes for more details.
Groups of users			
Age ranges (indicate range/ranges)			
Disability (physical, sensory or learning)			
Gender / sex			
Transgender / gender reassignment			
Race (includes ethnic or national origins, colour or nationality)			
Gypsies and travellers			
Refugees / asylum seekers			
Sexual orientation			
Marriage and civil partnerships			
Religion or belief (includes lack of belief)			
Pregnancy and maternity			
Carers or the people cared for (dependants)			
Other (please specify)			

4b: Further details on changes

Please use the space below to give more details on the changes you will make, if necessary:

4c: Further details on justification

Please use the space below to give more details on the justification/evidence you have gathered, if necessary:

⁴ For help or guidance contact Colin Cooke on 01543 308121 or Alison Bowen on 01543 308129 or email colin.cooke@lichfielddc.gov.uk or alison.bowen@lichfielddc.gov.uk

Section 5: Your action plan

Help notes If, as a result of this assessment, you are going to adapt your plans or policy, please include details below. Please include a quick action plan and key dates that will show how you will review your decisions and when. Please include responsibility and expected outcomes. For full guidance on how to complete this section, please refer to the help notes.

Section 6: Record your actions (delete as appropriate)

I have sent this to Policy and Performance for publication on the intranet and on www.lichfielddc.gov.uk	Yes
Date completed:	August 2020

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Local Plan Review Update

Report of the Cabinet Member for Visitor Economy and Local Plan
Councillor I. Eadie



Date: 7th September 2020
 Contact: Craig Jordan/Stephen Stray
 Officer:
 Tel Number: 01543 308202/308147
 Email: craig.jordan@lichfielddc.gov.uk/stephen.stray@lichfielddc.gov.uk
 Local Ward Members: All Members

**Economic Growth,
Environment and
Development
(Overview and
Scrutiny) Committee**

1. Executive Summary

- 1.1 Members will recall the previous update report presented to this committee on the 9th June 2020. This outlined progress of the Local Plan review including the comments received to the Preferred Options consultation held between 29th November 2019 and 24th January 2020 and responses to the points raised. The report also identified the evidence base work still to be completed for the publication version (regulation 19) of the Local Plan and the next steps.
- 1.2 This report updates the position and sets out the next steps for local plan preparation.

2. Recommendations

- 2.1 That the Committee notes the update on progress of the local plan evidence base and the relevant steps being taken to prepare the regulation 19 publication version of the Local Plan.

3. Background

- 3.1 Members will recall the previous update report presented to this committee on the 9th June 2020 which outlined progress of the Local Plan review including responding to the matters raised in respect of the Preferred Options consultation held between 29th November 2019 and 24th January 2020. In addition, the report identified the evidence base work still to be completed for the publication version (regulation 19) of the Local Plan and the planned next steps.

Local Plan review progress

Evidence base

- 3.2 The previous report to this committee indicated that further evidence base collection was required in regards to:
 - The Cannock Chase Special Area of Conservation (SAC)
 - Viability Evidence
 - Staffordshire Climate Adaption & Mitigation Strategy
 - Stage 2 Strategic Flood Risk Assessment (SFRA)
 - Open Space and Green Infrastructure Study

- Statement of Community Involvement Update
 - Heritage Assessments for each of the Strategic Sites identified in the Preferred Options Plan (as required by Historic England)
 - Sustainability Assessment of the Regulation 19 Proposed Submission Plan
 - Infrastructure evidence and updated Infrastructure Delivery Plan
 - Further strategic transport work to identify the impacts of the proposed developments contained in the Plan
- 3.3 Taking these items in turn, most have continued to progress well. The Cannock Chase Special Area of Conservation visitor survey and zone of influence work has progressed and officers are now awaiting a final draft to read through. The viability evidence is continuing to be amassed and a draft report relating to this is now being reviewed by officers prior to completion in mid-September. Further work on viability will be undertaken once the final wording of the Proposed Submission Plan is agreed.
- 3.4 The Climate Change and Mitigation Strategy and Strategic Flood Risk assessments (SFRA), details of which were described in the June report, are now complete and awaiting sign off from officers. The results of these are positive and don't present any issues for plan preparation. The detailed SFRA work concludes that the sites identified for allocation in the Preferred Options Plan can be taken forward at the numbers of units set out in the Plan.
- 3.5 The Open Space and Green Infrastructure study is a large piece of work, but is on-going. However, this work is not impeding plan progress, and has already produced information helpful for plan making. It is possible that some of its outputs from this work could be the subject of a subsequent Supplementary Planning Document, aligned with the Plan, as they would represent suitable guidance for managing green infrastructure.
- 3.6 An updated Statement of Community Involvement which reflects social distancing measures put in place by the Government on an ongoing basis, and allowing for more documents to be released in electronic form only, is scheduled to be considered by Cabinet at its meeting on the 8th September.
- 3.7 The Heritage Assessments, Sustainability Appraisal and Habitats Regulations Assessments have all been commissioned, and the team is working with specialists to deliver these in time for the Local Plan consultation. This is an expected timescale, since these assessments can't be fully completed until a final version of the Plan is available; and relevant evidence base items such as strategic transport work can be assessed. They are therefore some of the last evidence to be completed in any plan making cycle.
- 3.8 With regard to the infrastructure evidence, specifically transport modelling, the impacts of Covid 19 are hindering the ability of the Highway Authority, Staffs County Council, to begin the work required. It is unclear if modelling work can take place in September, since transport networks are not yet fully in normal operation and it is important to gather reliable data on existing travel patterns. Lichfield Local Plan officers, and the County Council are in regular talks to see if there is a way this can be expedited – but at present (especially with the potential for further local lockdown which could affect traffic flows) this remains a significant risk to delivery of the programme. The lead Cabinet member will be kept informed as and when the position for the potential or otherwise of Autumn survey work becomes clearer

- 3.9 Officers' have commenced preparation of the Infrastructure Delivery Plan (IDP) which will be informed by the content of the Regulation 19 plan. The IDP will also be informed by the development of an Infrastructure Funding Statement for Lichfield District which will set out funding priorities moving forward and need to be submitted to the government by the end of the year. At the present time, notwithstanding the impacts of Covid 19 on the ability to undertake some data collection related to traffic modelling, it is considered these documents can be prepared and duly submitted within the timescales.
- 3.10 Having regard to all of the above, and in light of the impacts of Covid 19, as reported to Committee in June submission of Local Plan by the Spring of 2021 remains achievable, with the proposed submission plan targeted for Cabinet decision in January 2021. An update to this Committee will be provided at the next meeting on progression on all of the evidence including in relation to traffic modelling.
- 3.11 Overview and Scrutiny Committee have delegated the review of emerging evidence papers to Local Plan Subcommittee. The notes of the subcommittee will be available to O&S members on request, and updates given in subsequent Local Plan Progress Reports to O&S. Upcoming scheduled dates for Local Plan Subcommittee and evidence base item to be reviewed are below:

Session description	Date	Session Type
Update on local plan progress/ getting ready for Reg 19 (Papers out 21/8/20)	26/08/20	Local Plan Subcommittee
Update on evidence base - Housing and Employment Demands and Needs Assessment, Strategic Flood Risk Assessment Level 2 (papers out 7/9/20)	09/09/20	Local Plan Subcommittee
Evidence base - Settlement Sustainability Study / Annual Monitoring Report (papers out 18/9)	23/09/20	Local Plan Subcommittee
Update on evidence base - Climate Change Strategy / Green Belt update (papers out 2/10)	07/10/20	Local Plan Subcommittee
Update on Employment Paper/ need and supply position statement General Plan update, getting ready for Cabinet	21/10/20	Local Plan Subcommittee
Meetings after end of October to be scheduled on topics closer towards the date, but will include: Habitats Regulation Assessment, Sustainability Appraisal, Transport, the Reg 19 submission plan etc.		

Alternative Options	<ol style="list-style-type: none"> 1. There are currently no viable alternatives to the production of the evidence base as described. Whilst it would be possible to submit the Proposed Submission Plan for examination without the inclusion of all the evidence detailed in this paper, it would be very unlikely that the Plan would be found sound. This failure would incur significant additional expense and time costs for the council and have consequences as regards the ability of the Council to properly consider planning proposals submitted to it.
Consultation	<ol style="list-style-type: none"> 1. Consultation has been undertaken on the previous stages of the Local Plan Review. The Preferred Options document consultation has now closed and responses recorded. 2. The Proposed Submission Plan version of the Local Plan when agreed will be open for interested parties to comment on.
Financial Implications	<ol style="list-style-type: none"> 1. Officer time will be needed to undertake future consultations on the Local Plan Review. 2. The costs of consultation will be met within approved budgets. 3. A budget has been established to support the Local Plan Review evidence base.
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. Supports the priority of 'Enabling People' through Local Plan preparation which makes provision for growth in housing and other land uses informed by public consultation so they can live healthy and active lives. 2. Supports the priority of 'Shaping Place' through the Local Plan preparation for allocation of new land uses, preserving the districts assets and ensuring growth is done sustainably and with balanced infrastructure provision. 3. Supports the priority of 'Developing Prosperity' through the Local Plan preparation which makes provision for land use allocations including employment and residential use, thereby encouraging economic growth, enhancing the district and providing certainty for investment. 4. Supports the priority of being a 'Good Council' by accountability, transparency and responsiveness as the update enables the community, business, developers, service and infrastructure providers and other interested organisations to know how the Local Plan review is progressing.
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> 1. An Equality Impact Assessment accompanies the Local Plan Review document. This will require ongoing update as the Proposed Submission Plan is finalised.
Crime & Safety Issues	<ol style="list-style-type: none"> 1. None.
Environmental Impact	<ol style="list-style-type: none"> 1. The Council is required to assess the environmental impacts of any plan which it produces. Accordingly, a Sustainability Appraisal Scoping report accompanied the earlier Scope, Issues and Options version of the plan. Subsequent versions of the emerging Local Plan have been accompanied by a Sustainability Appraisal and a Habitat Regulations Assessment. The Preferred Options Local Plan review version published in November 2019 was accompanied by updated versions of the Sustainability Appraisal and Habitat

	<p>Regulations Assessment which were also subject to the consultation process. These documents form an important part of the supporting evidence to the local plan review and help the council to assess the possible impacts of the plan and its policies and therefore how impacts can be addressed or mitigated against. The Proposed Submission Plan will also be released for consultation alongside an updated Sustainability Appraisal which appraises any new elements of the plan not previously tested, and the history of previous reasonable alternatives considered.</p>
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GDPR/Privacy Impact Assessment	<p>1. A privacy impact assessment was completed for the Preferred Options document. This will also be conducted for the forthcoming Proposed Submission Plan.</p>
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	Risk Description	How We Manage It	Severity of Risk (RYG)
A	The quantum of comments received means that officers do not meet the deadlines programmed.	The revision of the LDS approved by Cabinet in May 2020 has allowed for the logging of all of the comments received to the previous consultation.	Green
B	Evidence base requirements emerge that were unforeseen.	Officers will need to continue to assess the need for evidence. Whilst officers are confident that the full ambit of evidence base requirements has been considered, which would usually be required for the preparation of a Development Plan Document, there is always the potential for something unforeseen to arise.	Yellow
C	Evidence base being undertaken now identifies a risk to the Plan being sound.	Officers will need to continue to monitor emerging evidence base outputs. Where the risk of soundness is identified officers will need to consider all aspects of this risk before recommending an alternative Plan. At present the evidence emerging does not indicate this.	Yellow
D	Covid 19 work restrictions cause delay in the collection of the evidence base to support the local plan	It is considered that any delays can currently be accommodated within the timelines set out in the up to date Local Development Scheme. However, the impact of COVID19 is still being felt, especially in regard to transport evidence, which is outside the Council's control. Despite this, officers are doing all possible to	Red

reduce the risk and expedite the work.

Background documents

[Local Plan Review Preferred Options](#)

Relevant web links

[Local Plan Review](#)

[Local Plan Review Preferred Options](#)

[Evidence Base](#)

[Neighbourhood Plans](#)