

## Statement of Community Involvement - Consultation Statement

### 1. Introduction

This statement is the 'Consultation Statement' for the Statement of Community Involvement (SCI) as required by the Town and Country Planning (Local Planning) (England) Regulations 2012. This statement sets out how the public and other stakeholders have been consulted upon the SCI.

Appendix A summarises the comments during the consultation period and details how the issues raised have been dealt with to form the final SCI for adoption.

### 2. Consultation Regulations

The SCI is produced in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. The relevant regulations relating to the consultation process are explained below.

- Regulation 12(a) requires the Council to produce a consultation statement prior to adoption, this must set out who was consulted, a summary of the issues raised and how these issues were incorporated into the SCI.
- Regulation 12(b) requires the Council to publish the documents for a minimum 4 week consultation, specify the date when responses should be received and identify the address to which responses should be sent.
- Regulation 13: Regulation 13 stipulates that any person may make representations and that the representations must be made by the end of the consultation date referred to in Regulation 12.
- Regulation 35: Regulation 12 states that when seeking representations, documents must be made available in accordance with Regulation 35. This requires the Council to make documents available by taking the following steps:
  - Make the document available at the principal office and other places within the area that the Council considers appropriate;
  - Publish the document on the Council's website.

### 3. Statement of Community Involvement Information

Consultation on the SCI was carried out in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. The SCI was made available for inspection by the public for a four week period between 2<sup>nd</sup> January and 1<sup>st</sup> February 2019. Copies of the SCI were available to view in the reception of the District Council House, Frog Lane, Lichfield, Staffordshire, WS136YZ Monday to Friday between 8.45am – 5.15pm (except Bank holidays).

Copies of the Statement of Community Involvement were available to view on the Council's website at <https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Resource-centre/Local-Plan-documents/Statement-of-Community-Involvement->

[SCI.aspx](#) and through our consultation portal <http://lichfielddc-consult.limehouse.co.uk/portal>

With further information available by contacting the Spatial Policy team by email at [developmentplans@lichfielddc.gov.uk](mailto:developmentplans@lichfielddc.gov.uk) or by telephoning 01543308152.

The following measures were undertaken to inform persons of the SCI consultation:

- Notification letters / emails sent to all individuals / organisations / boides that the Council consider will be affected or interested in the SCI
- A press release was issues; and
- The SCI and details of the consultation were posted on the Council's website.

The Council received 11 responses to the consultation over the four week period. These representations are set out in Appendix A.

Comments were received requesting for consultation bodies to be listed, however in general responses related to development planning matters outside the scope of the Statement of Community Involvement. Therefore, the consultation has resulted in a small number of changes to the document, however these mainly relate to typographical corrections.

The Council will send a copy of the adoption statement to the author of any representation which specifically asks for notification of the adoption of the document.

## Summary of Representation – Statement of Community Involvement

Consultee / Agent	Comment Summary	Response	Changes to document
Burntwood Action Group	<p>Para 2.2 line 3: Insert 'District' to read 'Lichfield District is seen...'</p> <p>Para 3.8 line 4: Insert the sentence 'Evidence provided by residents or other organisations on the importance of wildlife habitats threatened by development on sites other than European Sites will be appended to the HRA'</p> <p>Para 3.22 line 4: insert 'be' to read 'it can be inspected'</p>	<p>Comments noted.</p> <p>The HRA is a legal requirement and will be consulted. As part of this any comments received by residents and other organisations will be given consideration and dealt with as a consultation response therefore it is not necessary to append these to the HRA.</p> <p>Comments noted</p>	<p>Insert 'District' into para 2.2 line 3</p> <p>No change regarding HRA</p> <p>Insert 'be' into para 3.22 line 4</p>
Canal and River Trust	<p>Would welcome a reference to their role as a Statutory consultee and consider it beneficial to be identified as a consultee within a full list of non-statutory consultee bodies under para 6.2.</p> <p>In section 4, the trust would welcome the opportunity to work with you in respect of both major and minor pre-application consultations for development within the Trusts defined notifiable area where development is likely to impact upon the Trust's assets and wish to be referenced in this section of the Statement. Alternatively applicants could be encouraged to discuss their proposals directly with the Trust where appropriate (please see the attached link to the relevant part of the Trusts website <a href="https://canalrivertrust.org.uk/about-">https://canalrivertrust.org.uk/about-</a></p>	<p>Comments noted however due to the varied and wide nature of general consultation bodies they are not listed within the document however form part of the Council's consultation database.</p> <p>As set out in their representation, the Canal and River Trust are a statutory consultee for certain types of development such as development likely to affect any inland waterway or reservoir owned or managed by the Trust. Therefore, they are consulted on any relevant applications which fall within these remits.</p>	<p>No change</p>

	<a href="#">us/planning-and-design/the-trust-as-a-statutory-consultee-for-planning-applications/pre-application-consultations</a> ).		
Fazeley Residents Association	<p>Page 15, para 3.19 - Neighbourhood Planning Neighbourhood Planning is vital to engaging communities in Planning and development. As a new Resident's Association, we have been pressing locally for this process to commence unsuccessfully. We understand that this work has been promised for some 3 years. Local people are interested in their community. It has the potential to provide a Vision for the Community, provide linkage between identified community needs, indicators and the District Plan. It also, in our view generates opportunities to improve the sense of wellbeing, involvement and environment which can benefit residents, businesses and community resources of schools and other infrastructure requirements. Not to have one we believe is an impediment to our Neighbourhood improvement. It should be a requirement, not an option.</p> <p>Section 3 – Community Infrastructure Levy The decision-making and criterion process outlined for the allocation of funding from developers for a range of infrastructures needs to be clarified based on our local experience. (Tolson's Mill) Where no representations were made in respect of our local school (Millfield) How does this apply to retrospective planning applications and conversion of properties?</p>	<p>In accordance with Neighbourhood Planning (General) Regulation 2012 communities are able to produce their own plans for a neighbourhood area however this is discretionary and not a requirement. The designated Neighbourhood Area for Fazeley was approved on 11 July 2018 and the relevant body making the application was Fazeley Town Council.</p> <p>The SCI is not site specific and relates to the consultation process.</p> <p>With regards to the planning application for Tolson's Mill education provision was secured following a response from County Council.</p> <p>Community Infrastructure Levy (CIL) is applicable to any development which is CIL liable such as residential development which</p>	<p>No change</p> <p>No change</p>

	<p>District Plan is an aid to inform decision making  Considerable effort is invested in the District Plan.  Yet it appears not to be referred to when making decisions that affect a community and destroys trust in the process. Described as a gap between planning and operations. How can this be improved for it would also improve engagement with communities?</p>	<p>were determined after CIL Charging Schedule came into effect on 13 June 2016.</p> <p>The Development Plan is taken into consideration as part of determining each planning application.  The proposed approach towards community consultation for both plan making and decision taking is set out within the SCI.</p>	<p>No change</p>
<p>Historic England</p>	<p>Concerned Table 3.1 to Development Plan Documents does not feature a Regulation 18 stage when consultation at this draft Plan stage is required. We recommend that the table and accompanying text in the main document is amended to include this stage.</p> <p>Encourages engagement in the early stages of any DPD to provide advice on appropriate ways to consider the historic environment.</p>	<p>Comments noted. Consultation undertaken at Regulation 18 stage will be carried out in accordance with the methods listed in the plan preparation stage.</p>	<p>No change</p>
<p>Inland Waterways</p>	<p>Development Management  Table 4.1 – it is disappointing that there is no list of current consultees under General Consultation Bodies at 6.2 where the categories referred to are very generalised and incomplete.  Many authorities have previously included a full list of non-statutory consultee bodies and whilst we recognise that this can change with time, it is helpful in promoting public engagement and confidence in the planning system.  At the very least, it should include a table like that in Appendix B of the Local Plan Allocations (Focused Changes) Consultation Statement, January 2018.</p>	<p>Comments noted. Due to the varied and wide nature of general consultation bodies they are not listed within the document however form part of the Council's consultation database.</p>	<p>No change</p>

	<p>Development Planning</p> <p>Table 3.2 for SPD consultation with consultation bodies and community involvement as “where appropriate and resources will allow”. This is not acceptable. Resources should not be used as an excuse for failing to consult the community. It takes very little resources to send an email notification to those community bodies and individuals that have requested to be consulted on development planning documents or a letter to the diminishing number of those not supplying an email address.</p> <p>The wording under Publication of Draft also needs to be made clearer; it implies that documents will be withdrawn from the website after 6 weeks. Suggest change “Make the document available for at least 4 weeks but no more than 6 weeks via the Council’s website ...” to “Make the document available for comment for between 4 and 6 weeks via the Council’s website ...”</p> <p>Table 3.1 for Development Plan Documents is unacceptably incomplete and restrictive. According to this the only opportunity for everyone to comment is at the Draft stage but is then limited to views on whether Local Plan documents are “legally compliant and sound”. There should be a full and open consultation on all aspects of each Local Plan</p>	<p>The table lists additional options. With regards to ‘consultation with bodies and community involvement where appropriate and resources will allow’ at Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012, this relates to a broad spectrum of consultation methods for example this could be an email / letter notification or a public exhibition depending on what is considered appropriate at the time of consultation. In general all consultees on the database are notified about local plan consultations when the consultation goes live on objective (the Council’s consultation software).</p> <p>Comments noted</p> <p>Comments noted.</p> <p>Consultation undertaken at Regulation 18 stage will be carried out in accordance with the methods listed in the plan preparation stage. At this stage, if a Regulation 18 is</p>	<p>No change</p> <p>Amend text to read ‘make the document available for between 4 and 6 weeks’</p> <p>No change</p>
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	<p>document at the stage when it is first published as a complete document. Whilst “relevant” consultation bodies are consulted during plan preparation it is not possible to give a full response until the proposals are properly formulated as a draft document. At that stage all consultees should be enabled to provide input on the principles and details of the proposals which are not restricted to the narrow grounds of tests of ‘soundness’. That should only come later at the Submission stage. Under Adoption and Publication the phrase “and the Local Plan available therefore until it is withdrawn” is confusing. The Local Plan is presumably not going to be withdrawn after 6 weeks and neither should its availability on the Council’s website be restricted to 6 weeks. The 6 weeks is presumably the legal challenge period which needs to be made clear with more meaningful wording.</p> <p>Speaking at Committee As a result of a complaint from IWA, those entitled to make verbal submissions to the Planning Committee have been recently extended to include “local interest groups” (Letter from Sean Coghlan SC/DSG110 20/11/2018)</p> <p>Other corrections Para 3.6 The <del>regulations</del> Community Infrastructure Levy (Amendment) Regulations... Para 3.16 Change ‘respond the consultations’ to ‘respond to consultations’ and ‘will be publicise’ to ‘will be publicised’ Para 6.2 ‘disabled’ not ‘disable’</p>	<p>undertaken then consultees on the database will be notified and have the opportunity to comment.</p> <p>The reference to ‘withdrawing’ the local plan is in relation to a local plan being formally withdrawn by the Council, for example when it is superseded by a new local plan. The local plan will be available to view on the Council’s website and at the District Council House in perpetuity until it is withdrawn.</p> <p>Comments noted.</p> <p>Comments noted</p>	<p>‘Local interest groups’ to be inserted into paragraph 4.22</p> <p>Amend para 3.6, 3.16 and 6.2 as suggested</p>
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<p>Jason Carwood</p>	<p>No reference is made to Neighbourhood Plan Act or NPPF 2018. No information is included regarding how the authority can help to update made neighbourhood plans, or making Neighbourhood Development Orders and Community Right to Build Orders.</p> <p>Reference to updating the SCI every 5 years should be made.</p> <p>Consultees should be extended beyond parish / town councils to allow formation of other neighbourhood forums.</p>	<p>Comments noted, however the SCI sets out the Council’s approach to helping with the neighbourhood plan process this includes its statutory duty to provide advice and guidance.</p> <p>It is not a legal requirement to update the SCI every 5 years.</p> <p>Lichfield District is parished and therefore parish councils are the qualifying body in terms of neighbourhood plans. In accordance with Regulation 61F of the Town and Country Planning Act 1990 the route for developing neighbourhood plans is through the Parish Council.</p>	<p>No change</p> <p>No change</p> <p>No change</p>
<p>Lichfield City Council</p>	<p>Para 1.4 seeks clarification on the following: How will LDC engage with stakeholders particularly in terms of Community Infrastructure Levy Will LDC publish a consultation report and identify how it has taken into account the “concerns and aspirations of the people affected”</p> <p>Para 3.7 CIL When will the six week CIL consultation take place? Please provide dates. What is the timeline (dates) of the 6 stages of the CIL consultation referred to in table 3.3. City Council suggest a review of the 0% charging band for apartments in the Local Plan</p>	<p>Table 3.3 sets out how the Council will engage with stakeholders regarding CIL. The responses of any consultation are reported to Members and taking into consideration as part of the next stage of the plan making / CIL process.</p> <p>The SCI does not deal with timescales for the production of documents or CIL charging schedule. The Local Development Scheme outlines timescales for local plan documents, however any updates to CIL will be in conformity with the methods set out in the SCI.</p>	<p>No change</p> <p>No change</p>

	<p>Para 3.11 – please supply a list of consultees on the LDC database</p> <p>Para 4.14 – 4.16 a more positive response be received if the word ‘encouraged’ was changed to ‘required’ in all instances it appears</p> <p>Para 6.1 seeks clarification on the consultees in particular the NHS as this generic term embodies</p>	<p>Due to the varied and wide nature of general consultation bodies they are not listed within the document however form part of the Council’s consultation database. Further information regarding general consultation bodies is available at paragraph 6.2</p> <p>Comments noted however pre-applications discussions are not a formal requirement and therefore can only be encouraged.</p> <p>The NHS is the umbrella term used in paragraph 6.1 however this reflects multiple</p>	<p>No change</p> <p>No change</p> <p>No change</p>
Staffordshire County Council – Ecology	No comments	N/A	No change
Staffordshire County Council - Archaeology and Historic Environment	No comments	N/A	No change
Staffordshire County Council – Rights of Way	<p>The plan doesn’t really contain any information about public rights of way other than in para 4.16</p> <p>The plan needs to recognise that any development needs to take appropriate mitigation to ensure the public path network is protected. If amendments to the path network are required to allow development to take place then these Orders need to be processed through the District Council before construction begins. The County Council should</p>	<p>Comments noted however this does not relate to the statement of community involvement. Staffordshire County Council are a statutory consultee and will be consulted as part of the plan making and decision taking process.</p>	No change

	<p>always be consulted in such cases. In relation to such development the planning authority need to be reminded that there are likely to be many non-definitive routes across proposed development sites which should be considered by any applicants. In many cases these routes could have become rights of way by virtue of established usage over many years and should be treated as public. There will also be sites where such usage or historic evidence has already resulted in applications being made to the County Council under Section 53 of the Wildlife and Countryside Act 1981 to add or modify the Definitive Map of Public Rights of Way, which affects the land in question.</p> <p>Any development likely to affect the path network, either directly or indirectly, then we would expect Lichfield District Council to use section 106 funding and/or appropriate planning conditions improve the path network, through liaison with ourselves, at that time. This could be situations where housing development is likely to lead to a rise in usage of the network in the vicinity of the development.</p> <p>Applications should be encouraged to enhance the existing path network where possible in line with Staffordshire County Council's Rights of Way Improvement Plan.</p> <p>County Council expects to be consulted on any submitted applications in due course and is able to provide further advice and guidance.</p>		
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Susan Woodward	Agree with statement but would ask how the commitment to openness and inclusivity will be monitored.	<p>Comments noted. The District Council is committed to publishing as much as possible to ensure openness and transparency.</p> <p>The Statement of Community Involvement is supported by an Equality Impact Assessment which outlines who the main users of the document will be and how the document will impact on any particular groups. It is considered that the SCI will not have a negative impact on any groups.</p>	No change
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