

Wyre Forest District Statement of Community Involvement



February 2013



Wyre Forest
District Council

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Wyre Forest District Council

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1	Introduction	3
2	Community Engagement	5
3	Who Will be Involved in Consultation	7
4	The Local Planning Process	10
5	Supplementary Planning Documents	15
6	Neighbourhood Planning	18
7	Community Involvement in Planning Application Decisions	24
8	Reviewing the Statement of Community Involvement	28

Appendices

A	List of Specific Consultees	29
B	Jargon Guide	31

1 Introduction

1.1 This Statement of Community Involvement (SCI) sets out how the District Council will consult on planning policy documents and planning application decisions. Paragraph 18 of the Planning and Compulsory Purchase Act 2004 requires all local planning authorities to produce an SCI. Wyre Forest District Council adopted its first SCI in April 2006 under regulations which have since been replaced. This review has become necessary due to changes in the legislation which governs the preparation of planning policy and the determination of planning applications, as well as the introduction of neighbourhood planning. This revision has been written to reflect the current requirements as set out by The Planning Act 2008, The Localism Act 2011, The Town and Country Planning (Local Planning) (England) Regulations 2012, The Neighbourhood Planning (General) Regulations 2012 and the National Planning Policy Framework (NPPF). The District Council is legally required to comply with its SCI once it is adopted.

1.2 The Localism Act 2011 places a strong emphasis on involving local communities in shaping the places where they live. As well as involving local communities in the preparation of planning policies at the District level, the Localism Act introduces neighbourhood planning, allowing communities to develop their own plans for their local areas. Following on from the Localism Act, the NPPF, published in March 2012, reinforces the importance of community involvement through the first of its 12 Core Planning Principles:

"planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area."⁽¹⁾

1.3 In April 2012 the regulations governing the preparation of local planning policy were updated and new regulations governing the preparation of neighbourhood development plans were published. These regulations set out the minimum requirements for community involvement in plan-making and have informed the proposals for consultation set out within this Revised Statement of Community Involvement.

1.4 This document sets out how the District Council will involve the local community and other key stakeholders in the development of planning policy and in determining planning applications. It describes how consultation will be carried out and when, what methods of consultation will be used and how the representations received will be dealt with. The statement clearly sets out:

- How people will have the chance to contribute their ideas, and the process for considering and responding to these views.
- How people will get the chance to participate in developing proposals and options.
- How people can submit representations on formal planning proposals.
- How the District Council will seek to provide feedback to keep the community informed on progress and outcomes.

1.5 The NPPF was published in March 2012 to replace the existing series of planning policy guidance notes (PPGs) and planning policy statements (PPSs). The document retains a strong focus on community involvement within the planning process. The first of 12 core planning

1 NPPF, (2012) p.5, para. 17

principles states that planning should *"be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area"*⁽²⁾. The Town and Country Planning (Local Planning) (England) Regulations 2012 and The Neighbourhood Planning (General) Regulations 2012 set out the minimum level of community engagement for local plans and neighbourhood development plans respectively.

1.6 Wyre Forest District Council is responsible for preparing planning policies for the District. The District Council adopted its Local Plan in 2004 and a number of the policies set out within this remain extant. In December 2010 the District Council adopted its Core Strategy, which sets out the strategic policy for the development of the District until 2026, and this replaced a number of the policies within the 2004 Adopted Local Plan. The District Council is now in the latter stages of preparing a Site Allocations and Policies Local Plan and a Kidderminster Central Area Plan which will guide new development and allocate sites for specific uses across the District. It is anticipated that these documents will be adopted in 2013, at which stage the remaining Adopted Local Plan policies will lapse. Section 4 sets out how the community will be involved in the local planning process.

1.7 In addition to the local plan, the District Council can also prepare supplementary planning documents (SPDs) to provide a detailed interpretation of policies relating to a specific subject or site. SPDs are quicker and simpler to prepare but they can not introduce new policies, they can only provide guidance on interpreting existing policies. Section 5 sets out how stakeholders and the wider community will be involved in the preparation of SPDs.

1.8 The District Council is also responsible for assisting neighbourhood forums and Parish and Town Councils with the preparation of neighbourhood development plans should they wish to develop one. These plans must be in general conformity with the planning policies already adopted within the District. Section 6 sets out how the community will be involved in the neighbourhood planning process.

1.9 The District Council is also responsible for determining the majority of planning applications within its boundary. Community involvement is a key part of the development management process and has been strengthened by the provisions in the Localism Act. Section 7 sets out the procedures for involving the community in the development management process.

1.10 The arrangements for monitoring the implementation of the SCI and reviewing it are set out at section 8.

Preparing the Statement of Community Involvement

1.11 The SCI was prepared during 2012 and was subject to a six-week consultation between 1st November and 14th December 2012. It was adopted by Full Council at their meeting on 27th February 2013.

2 Community Engagement

The Benefits of Community Engagement

2.1 The District Council places great emphasis on involving the community in planning issues and believes the following benefits can be achieved:

- It will help strengthen the evidence base for local plans and neighbourhood development plans.
- It will help to inform decisions on planning applications.
- It will help to foster community commitment to the future development of the area.
- It promotes a sense of ownership and strengthens the delivery of projects. The involvement of communities at an early stage helps to resolve issues.

2.2 It should be noted however that whilst the District Council will seek a general consensus when engaging communities, in reality, it will not always be possible to achieve this.

Principles of Engagement

2.3 The key aims of the SCI are:

- To offer the widest range of opportunities to stakeholders and the community to participate in the plan-making process with the resources available.
- To comply with, and where appropriate, exceed the minimum legal requirements for stakeholder and community consultation in the planning process.

2.4 The following key principles will apply to all planning consultations:

- Information will be presented in a clear and concise format using plain English and avoiding the use of technical jargon where possible.
- The opinions of stakeholders, community groups and individuals will be valued. Where possible, changes will be made to reflect comments received, and where this is not possible, the reasons will be clearly explained.
- Consultation techniques which are appropriate to the subject matter and the particular consultees involved will be used.
- The value of diversity will be recognised with equal and fair treatment of all of those involved in the consultation process.
- The District Council will make every effort to ensure it engages with those groups not traditionally involved with the planning process.

Community Engagement, Stourport Carnival



- The public will always be involved at an early stage in the planning process.
- All consultation responses will be analysed and the outcomes reported in a clear and understandable way within a reasonable timeframe.

The Role of Elected Councillors

2.5 Elected Councillors play a key role in the planning process. Their role in planning policy includes approving development plans for consultation and their subsequent submission for Examination in Public. There are a number of different panels and committees with different powers to scrutinise plans and make decisions. Any document which forms part of the local plan must be approved by Full Council before it is submitted for Examination in Public or adopted. Elected Members also play a key role in the development management process. The District Council's Planning Committee determine many planning applications, with some smaller applications being determined by officers under delegated powers in accordance with the Adopted Scheme of Delegation.

Duty to Co-operate

2.6 Section 110 of the Localism Act 2011 introduced the Duty to Co-operate. This is a legal requirement for local planning authorities, National Park authorities, county councils and a number of other public organisations such as infrastructure providers, to work together and consider joint approaches to plan-making. Wyre Forest District Council will continue to work closely with neighbouring authorities and key stakeholders to deliver positive planning within the area and fulfil the requirements of the Duty to Co-operate.

3 Who Will be Involved in Consultation

Wyre Forest District Community Profile

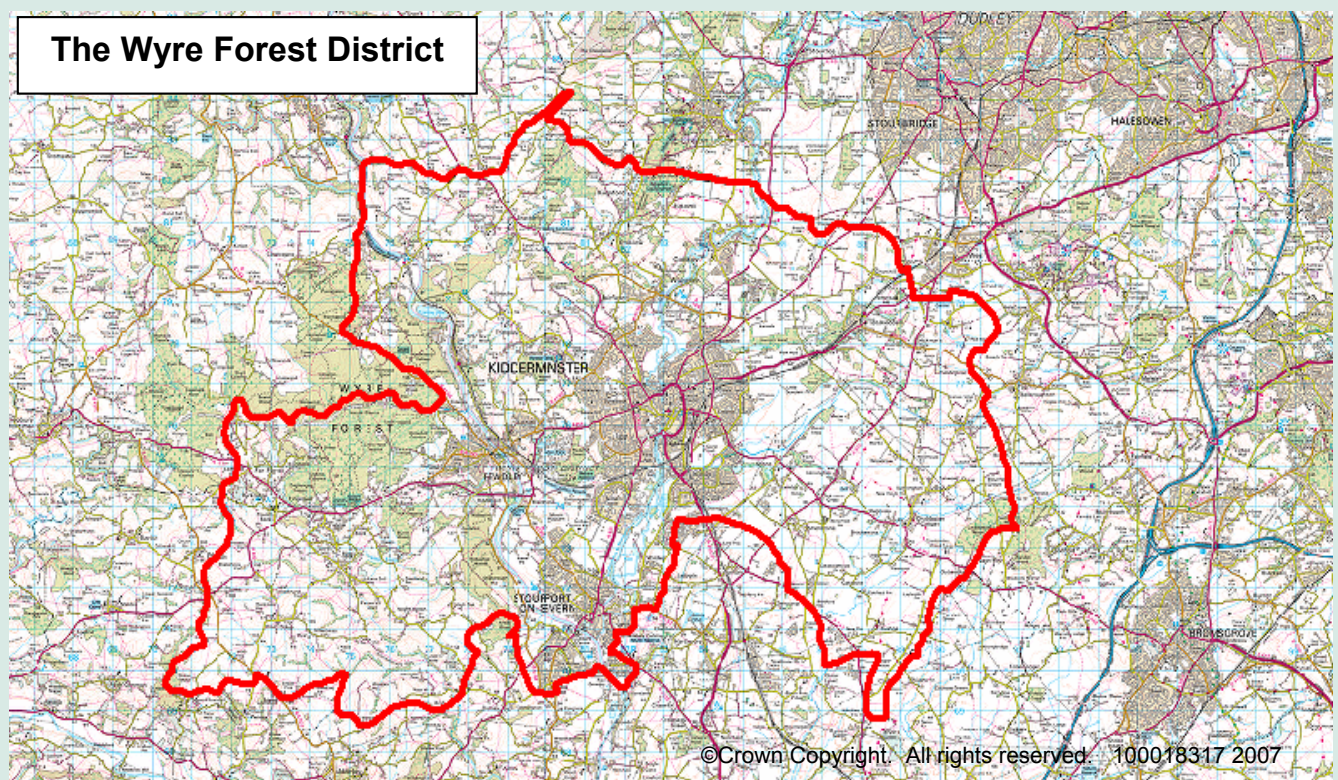
3.1 Wyre Forest District is situated in north Worcestershire and lies to the south of the West Midlands conurbation. It covers an area of 75 square miles and has a population of 98,000 (2011 Census) with around 55,000 people living in the main town of Kidderminster. The three towns of Kidderminster, Stourport-on-Severn and Bewdley form a triangle surrounded by a number of outlying villages and hamlets.

3.2 The District has an ageing population and the number of residents aged over 45 increased by 8,350 between 2001 and 2011 (2011 Census). Almost 30% of the District's population is over 60. The ethnic make-up of the District is predominantly white (98.2% (2001 census)). The largest ethnic minority group is Bangladeshi (0.5%), who live mainly within Broadwaters ward.

3.3 Wyre Forest District is relatively prosperous. However, there are pockets of deprivation, particularly within the Oldington and Foley Park and Broadwaters wards of Kidderminster. The largest contributors to deprivation in Wyre Forest District are income, health and education. In the rural west, there are some deprivation issues which arise from poor access to services and facilities.

3.4 The SCI sets out how all sections of the community will be involved in plan preparation and development control decision making. It is important to recognise that some sectors of the community will find it difficult to engage and this is addressed through the processes set out within the SCI.

Map of Wyre Forest District



Engaging Stakeholders and the Community

3.5 This SCI sets out how the District Council will actively seek to engage all community groups within the Wyre Forest District in preparing planning policy and making decisions on planning applications. The Town and Country Planning (Local Planning) (England) Regulations 2012 set out a list of specific and general consultation bodies. Local planning authorities are required to consult specific consultation bodies which they consider may have an interest in the subject of the proposed planning policy document and the general consultation bodies which it considers are appropriate.

3.6 The District Council will maintain a database with the contact details of the organisations and individuals which are specific or general consultees. A range of interests are represented by those people and organisations within the database. A list of the specific consultees for Wyre Forest District is set out at Appendix 1 to this report. The general consultees are not listed because of the frequency with which organisations are added to, or removed from the list. However, the following categories can be used to give an indication of the range of interests represented:

- Local Strategic Partnership Members
- Local Transport Providers
- Community Service Providers
- Voluntary Bodies
- Ethnic Minority Groups
- Religious Groups
- Disabled Persons/Mobility Impaired/Local Disability Groups
- Business Representatives and Developers
- Landowners
- Older Persons' Groups
- Countryside and Conservation Groups
- Public Sector Housing Interest Groups
- Youth Groups, Schools and Colleges
- Residents Groups
- Local Residents

3.7 The District Council is also keen to ensure that it involves as many local residents and businesses as possible and the consultation measures set out within the following sections set out how the various stages of consultation will be advertised to as wide an audience as possible. Anyone who submits representations to a consultation will automatically be added to the database and notified of subsequent consultations unless they request that their details are removed from the database.

Involving 'Hard to Reach' Groups

3.8 Within the District there are groups which have traditionally been 'hard to reach' through consultations and this is particularly apparent in relation to planning matters. These include ethnic minorities, older people, single mothers, those with special needs, isolated rural residents, younger people, Gypsies and Travellers, and those residing in more socially deprived wards such as Oldington & Foley Park and Broadwaters. The general consultees listed on the

consultation database include a number of 'hard to reach' groups. It is recognised that these groups in particular have different levels of access to information and therefore find it harder to get involved in the decision making process. This has often resulted in certain community groups not being able to successfully put their views across to the local planning authority.

3.9 The District Council recognises that it will need to employ a variety of methods to present information and promote discussion if it is to successfully involve the local community and meet the requirements of relevant anti-discriminatory legislation including the Race Relations Act 2000 and the Disability Discrimination Act 1995. Different methods of consultation will be appropriate at different stages of the plan-making process and these are set out within the appropriate sections of this SCI.

Accessing Information

3.10 The District Council will ensure that all consultation material on planning policy is available for the public to access at 'deposit locations'. Unless otherwise stated, the 'deposit locations' will be the Worcestershire Hub in Kidderminster and the libraries within the District which are located within Kidderminster, Stourport-on-Severn and Bewdley. Where appropriate, this information will be made available in hard copy. However, sometimes it may be more appropriate to make the information available electronically. A document loan scheme is operated by the Planning Policy Team, whereby consultation documents can be loaned free of charge. Additionally, all consultation material will be placed on the District Council's website where it can be viewed and where comments can be submitted electronically. Where required by the relevant regulations, statutory notices will be published on the District Council's website setting out consultation periods and the times and places where documents can be viewed.

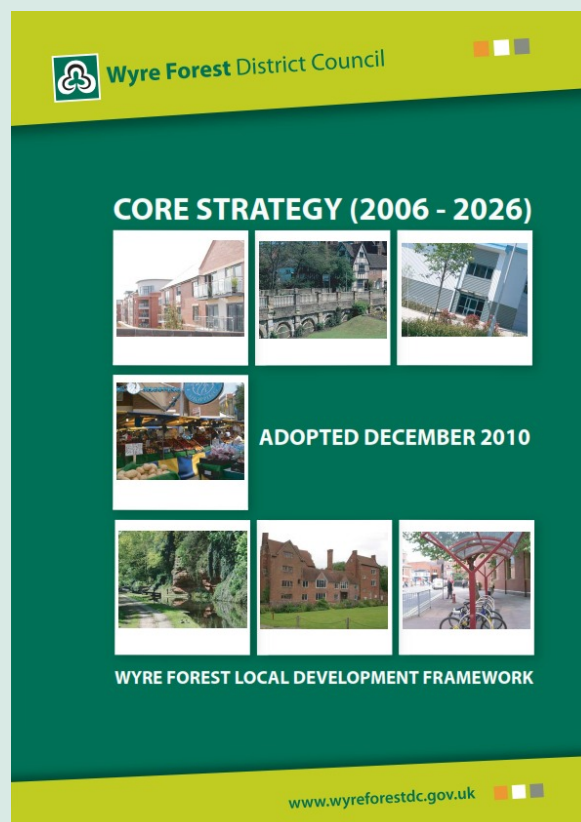
3.11 Where the SCI states that people will be notified or that copies of documents will be sent, electronic communication will be used where e-mail addresses have been provided unless consultees specifically request to receive a hard copy notification letter or a hard copy of the relevant documents.

4 The Local Planning Process

4.1 The 2004 Planning and Compulsory Purchase Act introduced the Local Development Framework (LDF). This system replaced the single local plan with a suite of planning policy documents. However, the Localism Act 2011 reverted back to local plans. Wyre Forest District has the following planning policies in place:

- **Adopted Core Strategy (December 2010)** - this document establishes the Vision and Development Objectives for the District and sets out the Development Strategy for the District including the level of housing, employment, retail and office development the District will need to deliver up until 2026. It also sets out strategic planning policies to achieve the vision.
- **Emerging Site Allocations and Policies Local Plan** - this document allocates specific sites for specific uses for the District (excluding the Kidderminster Central Area) and provides detailed planning policies which apply across the District.
- **Emerging Kidderminster Central Area Plan** - this document allocates specific sites for specific uses within the central area of Kidderminster and provides detailed planning policies to guide its regeneration.
- **Supplementary planning guidance and supplementary planning documents** relating to a number of policy areas and specific development sites.

Adopted Core Strategy



4.2 The Localism Act 2011 reverts back to a single local plan setting out both strategic and detailed policies as well as allocating sites for development. The District Council will continue under the 2004 LDF system until the current emerging documents are adopted. The District Council's planning policy will therefore be set out in the Adopted Core Strategy (2010) and the Site Allocations and Policies Local Plan and Kidderminster Central Area Plan once they are adopted. However, any subsequent review of planning policy will lead to the production of a local plan.

4.3 The District Council is required to produce a Local Development Scheme (LDS). The LDS is a three-year work programme which sets out any planning policy documents which will be produced and the anticipated dates of the consultation stages for these documents. The District Council is required to publish the most up-to-date LDS on their website.

4.4 In order for the District Council to develop 'sound' local planning policies it is important that an evidence base is established. This will provide a thorough understanding of the issues within the District as well as opportunities for addressing these issues and the constraints. Sustainability Appraisal is a legal requirement which tests the social, economic and environmental sustainability of the policies prepared and sites suggested and informs the District Council's policy choices. Sustainability Appraisal forms a key part of the evidence base, helping to demonstrate that the most appropriate policy options and sites are selected from the alternatives considered. The Sustainability Appraisal process provides a number of opportunities for community involvement and these will be highlighted in the following sections.

4.5 In addition to the Sustainability Appraisal, the evidence base also includes a number of technical studies looking at flood risk, open space, housing requirements, employment land requirements, retail and commercial leisure provision, historic environment, green infrastructure and the water cycle. The involvement of key stakeholders, in particular, will help to ensure that when such studies are undertaken they are robust and provide the basis for 'sound' policy making.

4.6 The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the process which must be followed when producing a local plan, including the stages at which consultation must take place. The regulations also set out minimum standards for undertaking such consultation. This chapter will explain the requirements of the regulations and how the District Council will meet those requirements.

Early Engagement

Regulation 18

Regulation 18 sets out the requirements for early engagement and it requires the District Council to:

- Notify both the specific and general consultation bodies of the subject of the local plan which they propose to prepare.
- Invite those people notified to make representations to the local authority about what a local plan with that subject should contain.
- Take into account any representations received when preparing the draft local plan.

4.7 In order to meet the requirements of Regulation 18 the District Council will notify all of those people registered on the database, which it feels are appropriate, that the document will be prepared. Representations will be invited at this stage relating to the topic areas which the plan should cover.

4.8 In order to publicise the proposals to residents and businesses in the area, a leaflet will be produced which will be distributed to all households within the District. Where households receive the local free newspaper, the leaflet will usually be distributed with this. Where households do not receive the local free newspaper, alternative arrangements will be made to deliver leaflets. An interactive version of the consultation document will be made available to enable

electronic representations to be made. Representations will also be accepted by e-mail, post or fax. It may be possible to accept late submissions as part of continuous community engagement.

4.9 In addition to meeting the requirements of Regulation 18, the District Council will also at this stage make available all of the relevant consultation material on its website and in the appropriate deposit locations within the District. Documents will also be available to loan.

4.10 In order to increase levels of engagement, it may be considered appropriate and necessary to hold exhibitions within accessible locations to publicise proposals to a wider audience. Exhibitions will be held in the three main towns of Kidderminster, Stourport-on-Severn and Bewdley as a minimum. Exhibitions will only be held in the rural areas where there are specific proposals relating to that area. When organising the exhibition schedule and venues, consideration will be given to selecting venues and tailoring opening hours to attract the widest audience. This will mean that where exhibitions take place during the working week they will be open into the evening and, where appropriate, exhibitions will take place on Saturdays. The District Council will also prepare a press release to be circulated to local newspapers and radio stations which may lead to media coverage of the consultation. The press release will include details of any planned exhibitions.

4.11 All representations received at this stage will be acknowledged within five working days of their receipt and will be entered into a database and summarised. District Council officers will report the representations and suggested District Council responses to the appropriate committee meetings. Once approved by the appropriate committee, the representations and District Council responses will be published on the District Council's website and will be used to inform the preparation of the draft local plan. Tables setting out the summary of representations and the District Council's responses to these will also be made available in the deposit locations.

4.12 At this stage, information will be made available on the Sustainability Appraisal process and how it has informed the preparation of the consultation documents. This information will either be set out within the document or within a separate Sustainability Appraisal leaflet.

Publication

Regulation 19

Regulation 19 sets out the requirements for the Publication stage and it requires the District Council to:

- Make copies of each of the proposed submission documents and a statement of representations procedure available in accordance with Regulation 35.
- Ensure that the statement of representation procedure and the statement of the fact that the proposed submission documents are available for inspection, are sent to each of the specific and general consultation bodies invited to make representations under Regulation 18.

4.13 In order to comply with Regulations 19 and 35, the District Council will publish the draft local plan for a minimum of six weeks before it is submitted to the Secretary of State. This allows interested parties to make representations on the soundness and legal compliance of the plan. At this stage, the District Council will publish on its website a statement of representation procedure and a statement that the documents are available to view and where, along with the proposed submission documents as set out within Regulation 17. These documents will be placed in the deposit locations. The District Council will also prepare a press release to be circulated to local newspapers and radio stations which may lead to media coverage of the consultation. An interactive version of the draft local plan will be made available on-line to enable electronic representations to be made. Representations will also be accepted via e-mail, post and fax. At the Publication stage late responses will not be accepted.

4.14 Representations submitted at the Publication stage will be acknowledged by the District Council within five working days of their receipt. All representations received at the Publication stage will be submitted to the Secretary of State, alongside the draft local plan, for consideration by an independent inspector as part of the Examination in Public process. It should be noted that only those who make a representation seeking a change to the plan within the advertised publication period will have the right to appear at the Examination.

4.15 At this stage, the full Sustainability Appraisal report will be made available for consultation. This report will include a non-technical summary setting out the key stages in the Sustainability Appraisal process and the main findings.

Examination in Public

4.16 Following the Publication period, the draft local plan will be submitted to the Secretary of State to undergo an Examination in Public by an independent inspector. The Examination will check that the plan has been prepared in accordance with The Duty to Cooperate, meets all legal and procedural requirements and is 'sound'. To be sound a local plan must be:

- Positively prepared
- Justified
- Effective
- Consistent with national policy

Regulations 24 to 26

Regulations 24 to 26 set out the requirements for community engagement during and following the examination process. The specific requirements at each stage are as follows:

- Regulation 24 (Independent Examination):
 - Make the time, date and place where the hearings are to be held available in accordance with Regulation 35 at least 6 weeks before the hearings start and notify any person who made a representation at publication stage of this information.

- Regulation 25 (Inspector's Report):
 - The local authority must publish the inspector's report as soon as practicable after its receipt. This requires it to be made available in accordance with Regulation 35 and notification to be sent to those people notified of the publication period.
 - If the Secretary of State gives a direction or the appointed inspector makes a recommendation in relation to the Plan this must be published as soon as practicable. This requires it to be made available in accordance with Regulation 35 and notification to be sent to those people notified of the publication period.
- Regulation 26 (Adoption):
 - As soon as practicable after a local authority adopts a plan it must publish in accordance with Regulation 35:
 - The local plan
 - An adoption statement
 - The Sustainability Appraisal report
 - Details of where and when the local plan can be inspected.
 - Send a copy of the adoption statement to the Secretary of State and any to person who has requested to be notified of the adoption of the local plan.

4.17 In accordance with Regulation 24, the District Council will publish details of the date, time and location of any hearing sessions and the name of the person appointed to carry out the Examination at least six weeks before the hearings are to be held. The information will be made available in the deposit locations as well as on the District Council's website. Any person who made a representation during the Publication period will also be notified of this information in writing.

4.18 In accordance with Regulation 25, the District Council will notify in writing any person who has requested to be notified of the publication of the inspector's report, or where made, any Direction from the Secretary of State or recommendations from the inspector.

4.19 Following the adoption of a local plan, the adopted local plan, the adoption statement and the Sustainability Appraisal report will be made available in the deposit locations as well as on the District Council's website. The District Council will also publish on its website details of where and when the plan is available for inspection as well as sending a copy of the adoption statement to any person who has requested to be notified of the plan's adoption and to the Secretary of State.

5 Supplementary Planning Documents

5.1 Supplementary planning documents (SPDs) can provide additional policy guidance on specific issues such as design, or specific sites allocated for development within the local plan. SPDs have fewer stages in their preparation than the local plan and they are not subject to an Examination in Public. This means they can be prepared more quickly. Despite this, community consultation is an important part of the process of preparing SPDs.

Early Engagement

Regulation 12(a)

Regulation 12(a) sets out the requirement for consultation on SPDs and it requires the following:

- The local authority must prepare a statement setting out who was consulted, the main issues raised and how these issues have been addressed in the SPD.

5.2 When preparing an SPD, the District Council will publish on its website details of the SPD which is being prepared. A scoping paper will be prepared setting out the likely areas which the SPD will cover and any relevant options for consideration. The District Council will hold a consultation period of no less than four weeks in duration to give the opportunity for representations to be made on the scoping paper. At the start of the consultation period copies of the scoping paper will be made available on the District Council's website and at the deposit locations.

5.3 Additional consultation techniques will be tailored to the nature of the SPD. For example, it may be appropriate to hold a community planning event for a site specific SPD or to arrange exhibitions within close proximity to the site. Where an SPD is site specific and it falls within a Parish or Town Council area, the relevant Parish or Town Council will be offered a presentation and discussion session. Site notices will also be used to publicise site specific SPDs. For topic-based SPDs it may be appropriate to hold exhibitions within Kidderminster, Stouport-on-Severn and Bewdley. Where SPDs cover more technical topics it may be more appropriate to hold a key stakeholder workshop. A press release will also be prepared which may lead to media coverage relating to the SPD.

5.4 All representations will be acknowledged within five working days, summarised and report to elected members along with suggested District Council responses. Once approved by Cabinet the representations will be made available on the District Council's website and in the deposit locations. The representations will inform the development of the draft SPD.

Example Exhibition



5.5 Sustainability Appraisal (SA) is not always required for an SPD. Where it is not required a screening report will be produced setting out the reasons why a full SA is not necessary. Where SA is necessary, a scoping report will be published for consultation at the early engagement stage.

Draft SPD

Regulations 12(b) and 13

Regulations 12(b) and 13 set out the requirements for seeking representations on a draft SPD. The District Council is required to:

- Make copies of the statement prepared in accordance with Regulation 12(a) and the draft SPD available in accordance with Regulation 35 together with details of the deadline for representations to be received and details of how to make representations.

5.6 In order to satisfy the requirements of Regulation 12(b), the District Council will prepare a consultation statement setting out the details of the consultation that has taken place during the preparation of the SPD, a summary of the issues raised within the comments and details of how these issues have been addressed within the SPD. The draft SPD together with the consultation statement will be made available at the deposit locations well as on the District Council's website for a period of no less than four weeks to enable representations to be made. The District Council will also provide details of the time and date by which representations are to be received and how to make such representations. In addition to meeting the requirements of the regulations, the District Council will also notify in writing any specific or general consultee

who has previously made representation on the SPD that the consultation statement and draft SPD are available for inspection. Where appropriate, other specific and general consultees will be notified also.

5.7 It may be considered appropriate at this stage to use any of the consultation techniques explained within the early engagement section at paragraphs 5.2 to 5.5. All representations received at this stage will be acknowledged within five working days. They will be used to inform the final SPD. All representations will be entered into a database, summarised and responded to indicating how the representation has informed the final SPD and if it has not then why not. This information will be reported to elected members alongside the final SPD.

5.8 Where Sustainability Appraisal (SA) is required a draft SA report will be published for consultation alongside the draft SPD. Representations received will be reported in the same way as those received on the SPD and will be used to refine the SA report before the SPD is adopted.

Adoption

Regulation 14

Regulation 14 sets out the requirements in relation to the adoption of an SPD. The District Council is required to:

- Make the SPD and adoption statement available in accordance with Regulation 35 as soon as possible after adoption and send a copy of the adoption statement to anyone who has asked to be notified of the adoption of the SPD.

5.9 Upon Council resolving to adopt an SPD, an adoption statement will be prepared. The adopted SPD and adoption statement will be made available at the deposit locations and on the District Council's website. A copy of the adoption statement will be sent to anyone who has asked to be notified of the adoption of the SPD.

Example Outdoor Exhibition



6 Neighbourhood Planning

6.1 The Localism Act 2011 also introduced neighbourhood development plans. These are prepared by Parish and Town Councils where they exist and by neighbourhood forums in areas without parishes. Whilst the preparation of neighbourhood development plans is optional, where they are prepared the District Council has a duty to support the process. The District Council will need to ensure that any body preparing a neighbourhood development plan meets the requirements of The Neighbourhood Planning (General) Regulations 2012 and this chapter provides guidance for doing so. The District Council will also need to publish any draft neighbourhood development plan which is submitted and the steps the District Council will take to meet the legal requirements for doing so are also set out within this chapter. The procedures set out within this chapter are the minimum consultation requirements. Different qualifying bodies may wish to use additional consultation techniques as appropriate.

Establishing Neighbourhood Forums and Neighbourhood Areas

Regulations 6 and 7: Designating a Neighbourhood Area

Regulation 6 sets out the requirements for the District Council to publicise a neighbourhood area application and it requires that:

- As soon as possible after receiving an area application, the District Council must publicise it on their web-site and in any other manner considered appropriate to bring it to the attention of people living, working or carrying out business in the area. The authority must publish a copy of the area application, details of how to make representations and the date by which representations should be made. A period of at least six weeks must be allowed for representations to be made.

Regulation 7 sets out the requirements following the determination of a neighbourhood area application. Where a neighbourhood area application is approved, the District Council must publicise the name of the area, a map of the area and the name of the body who applied for the area to be designated on their website and in any other manner considered appropriate to bring it to the attention of people living, working or carrying out business in the area.

If the application for the neighbourhood area is refused, the District Council must publish the 'decision statement' which must set out the reasons for refusing the application, together with details of where the decision statement can be inspected, on their website and in any other manner considered appropriate to bring it to the attention of people living, working or carrying out business in the area.

6.2 Before a neighbourhood development plan can be prepared, the area which it will relate to must be designated as a neighbourhood area. Only a Parish or Town Council, neighbourhood forum or group wishing to become a neighbourhood forum, known as the qualifying body, can make an application for an area to be designated as a neighbourhood area. The qualifying body must make an application to the District Council and the District Council must then publicise

the application for a minimum of six weeks and invite representations. Neighbourhood area applications will be published on the District Council's website as a minimum but may also be advertised on the qualifying body's website where possible. Additionally, where possible, notices will be placed within the area, for example, on Parish notice boards.

6.3 The District Council will consider all representations when deciding whether to make the neighbourhood area designation. The outcome of the neighbourhood area application will be publicised in the same ways as the application was originally publicised. Full details will be placed on the District Council's website, including a table of representations and details of how these were considered. Where an application is refused, the 'decision statement' will be placed in the Worcestershire Hub in Kidderminster, as well as in any appropriate public buildings within the area covered by the application.

Regulations 9 and 10: Designating a Neighbourhood Forum

Regulation 9 sets out the requirements which the District Council must meet when consulting on a neighbourhood forum application. The regulation requires that:

- As soon as possible after receiving a neighbourhood forum application, the District Council must publicise the following on their website and in any other manner considered appropriate to bring it to the attention of people living, working or carrying out business in the area:
 - A copy of the application.
 - A statement that if the designation is made no other organisation or body may be designated for that neighbourhood area until that designation expires or is withdrawn.
 - Details of how to make representations and the date by which they must be received, being no less than six weeks from when the application was first publicised.

Regulation 10 sets out the requirements for publicising a decision on a neighbourhood forum application. The regulation requires that:

- As soon as possible after designating a neighbourhood forum the District Council must publicise the following on their web-site and in any other manner considered appropriate to bring it to the attention of people living, working or carrying out business in the area:
 - The name of the neighbourhood forum.
 - A copy of the written constitution of the neighbourhood forum.
 - The name of the neighbourhood area to which the designation relates.
 - Contact details for at least one member of the neighbourhood forum.
- Where an application for a neighbourhood forum is refused the District Council must publicise the following on their web-site and in any other manner considered appropriate to bring it to the attention of people living and working in the area:

- A copy of the 'refusal statement' setting out the decision and the reasons for making that decision.
- Details of when and where the refusal statement can be inspected.

6.4 Where a Parish or Town Council exists, any neighbourhood development plan which covers their area must be prepared by them. In areas without parishes, a neighbourhood forum must be established to prepare a neighbourhood development plan. Any group of people wishing to become a neighbourhood forum must make an application to the District Council. However, areas can only be covered by one neighbourhood forum. Under Regulation 9, the District Council must then consult on the application for a minimum of six weeks. The Council will publish the application on its website as a minimum. In addition, a press release will be issued which may lead to media coverage.

6.5 The District Council will consider all representations in deciding whether or not to designate the neighbourhood forum. Should the neighbourhood forum be designated, then the designation will be placed on the District Council's website and will also be advertised in any other way in which the original application was advertised.

6.6 Where an application for a neighbourhood forum is refused, the 'refusal statement' will be made available in the Kidderminster Hub and appropriate public buildings within the neighbourhood area.

6.7 Where applications need to be made to designate both the neighbourhood area and the neighbourhood forum then the applications for both the neighbourhood area and neighbourhood forum will be considered alongside each other allowing for a joint consultation to take place. However, should the neighbourhood area which is approved be different from the area submitted, then a further six week consultation will be held in order to allow people to comment on whether the proposed neighbourhood forum is still representative of the area designated.

Pre-Submission Consultation and Publicity

Regulation 14: Pre-Submission Consultation and Publicity

Regulation 14 sets out the requirements for the consultation which the qualifying body must undertake on a neighbourhood development plan before it is submitted to the District Council. The regulation requires:

- That the qualifying body publicise, in a manner that is likely to bring the attention of people who live, work or carry out business in the area:
 - Details of the proposals for a neighbourhood development plan.
 - Details of where and when the proposals for a neighbourhood development plan may be inspected.
 - Details of how to make representations and the date by which they must be made which must be at least six weeks from when the proposals were first publicised.

- That the qualifying body consult any of the consultation bodies listed in the regulations whose interests may be affected by the neighbourhood development plan.
- That the qualifying body send the local planning authority a copy of the neighbourhood development plan.

6.8 Regulation 14 requires the qualifying body to undertake consultation before submitting the neighbourhood development plan to the local authority. At this stage, the qualifying body is required to publicise the proposals, details of where the draft plan can be inspected, details of how to make representation, and the date by which representations must be made which must be at least six weeks from when the documents are made available. Whilst the regulations do not set out exactly how this should be done, the following techniques could be used to do this:

- Leaflet drop to all households within the neighbourhood area.
- Posters within the neighbourhood area.
- Exhibitions.
- Public meetings.
- Workshop events.
- Information on the qualifying body's website.
- Information on District Council's website.
- Press release via the District Council.

6.9 Regulation 14 also requires that the qualifying body consult any specific or general consultee whose interests may be affected by the neighbourhood development plan. The District Council will use its database to advise the qualifying body on the people who should be consulted. The qualifying body is also required to send a copy of the neighbourhood development plan to the District Council who will undertake a formal check for conformity with higher level policies.

6.10 Following the consultation, the qualifying body should use the representations received to refine the plan. The qualifying body will need to produce a consultation statement setting out how representations have been addressed and where requested changes have not been made the reasons for this will need to be explained.

Publicising a Plan Proposal

Regulation 16: Plan Proposals

Regulation 16 sets out the action that the District Council must take once a neighbourhood development plan is submitted by a qualifying body. Regulation 16 requires that the District Council:

- Publicise on their website and in a manner that is likely to bring the attention of people who live, work or carry out business in the area:
 - Details of the plan proposals.

- Details of where and when the plan can be inspected.
- Details of how to make representations.
- A statement that any person making representations may request to be notified of the District Council's decision as to whether or not to adopt the neighbourhood development plan.
- The date by which representations must be received being no less than 6 weeks from the date the proposal is first publicised.
- Notify any consultation body referred to in the consultation statement submitted, alongside the neighbourhood development plan that the plan has been submitted.

6.11 The qualifying body is required, under Regulation 15, to submit the neighbourhood development plan to the District Council. Once the District Council receives the neighbourhood development plan, it is required, under Regulation 16, to publish the proposals for a minimum of six weeks. At this stage, the following consultation techniques will be used:

- Preparation and publication of a statement setting out when and where documents can be inspected, details of how to make representations and when they must be made by, and that any persons making representations may request to be notified of the local authority's decision on a plan proposal.
- Written notification to all of those bodies who were consulted by the qualifying body during the plan's preparation.
- Publication of the neighbourhood development plan on District Council's website.
- Publication of the neighbourhood development plan on qualifying bodies website where appropriate.
- Displaying of posters within the neighbourhood area.
- Making copies of the documents available to view at the Worcestershire Hub in Kidderminster and at any locations within the neighbourhood area where documents were made available under Regulation 14.
- Preparing a press release.

6.12 Following the close of the consultation period the District Council will appoint an independent inspector and all representations received will be forwarded to the inspector to be addressed through the examination process.

Examination and Inspector's Report

Regulation 18: Inspector's Report

Once the inspector's report has been received by the District Council and a decision has been made regarding how to proceed, Regulation 18 requires that the District Council publish on their website and in a manner that is likely to bring the attention of people who live, work or carry out business in the area:

- The 'decision statement' which should set out their decision and the reasons for it.

- Details of where the decision statement can be inspected.
- The inspector's report.

6.13 Once the inspector's report is received, the District Council will decide how to proceed with the neighbourhood development plan and publish their decision in a 'decision statement' which will be made available on the District Council's website and in those places where the plan was made available during the Regulation 16 consultation period. A copy of the 'decision statement' will be sent to the qualifying body and to any person who requested to be notified. The District Council will also ask the qualifying body to publish the 'decision statement' on their website, where possible, and will use posters in the neighbourhood area to advertise the fact the 'decision statement' is available.

Publicising the Neighbourhood Development Plan

Regulation 20: Neighbourhood Development Plan

Once the District Council has adopted a neighbourhood development plan Regulation 20 requires that they:

- Publish on their website and a manner that is likely to bring the attention of people who live, work or carry out business in the area:
 - The neighbourhood development plan
 - Details of where and when the neighbourhood development plan can be inspected.
- Notify any person who has asked to be notified of the making of the neighbourhood development plan and where and when it can be inspected.

6.14 The neighbourhood development plan will be adopted by the District Council if it passes a local referendum. The measures set out in relation to publicising the 'decision statement' above will be repeated to publicise the fact the neighbourhood development plan has been adopted in accordance with the requirements of Regulation 20.

7 Community Involvement in Planning Application Decisions

7.1 This section sets out details of how the District Council will involve the community in determining planning applications. The District Council has an adopted set of procedures for publicising planning applications and inviting comments from the community and these procedures vary depending on the type of application. The different types of planning applications are outlined at paragraph 7.3

7.2 The District Council sits within a two-tier administrative system with Worcestershire County Council overseeing a much larger area. The County Council is responsible for determining applications in relation to the working of minerals (together with the processing of minerals and other related activities) and the deposit of waste materials (including treatment, storage, processing and other related activities). However, Wyre Forest District Council is responsible for all other development control functions within the District.

7.3 The District Council deals with a number of different types of planning applications, the three main types which are covered by the SCI being:

- **Outline** - to establish the principle of development. Outline applications can only be made for the erection of buildings and are usually used for larger sites and developments.
- **Full** - all details need to be submitted when the application is made.
- **Reserved Matters** - following an outline planning approval, reserved matters applications finalise the details of the development and relate to matters including design, access and layout.

Major Planning Applications

7.4 Major planning applications are those which fall under the Government's definition of 'major development': residential developments comprising of 10 or more dwellings; or a site of 0.5 hectares or more where the number of dwellings is not given in the application; and for other uses where the floorspace to be built is 1,000m² or greater; or the site is 1 hectare or more. The Council receives a number of 'major' planning applications each year, the majority of which are not controversial.

Pre-Application Discussions and Early Community Involvement

7.5 The District Council encourages developers to enter into early dialogue through the use of the Development Team Approach. Representatives of the following District Council sections and external organisations may be involved in the development team:

- **Wyre Forest District Council:**
 - Development Control
 - Planning Policy
 - Legal
 - Parks and Greenspaces
 - North Worcestershire Economic Development and Regeneration

- **External Organisations:**

- Worcestershire Regulatory Services
- North Worcestershire Building Control
- Worcestershire County Council Highways Partnership Unit
- Environment Agency
- West Mercia Police
- Hereford and Worcester Fire and Rescue Service
- Canal and River Trust
- English Heritage

7.6 Pre-application discussions are confidential between the District Council and the applicant. Pre-application discussions have the following benefits:

- They help to achieve better quality applications with more chance of a successful outcome;
- They help to identify at an early stage whether specialist input is required;
- They ensure all the necessary drawings and information is provided to enable the application to be registered as valid; and
- They highlight any key considerations at the beginning of the process, including whether there are any major issues with the proposal or what contributions may be required to make the proposal acceptable in policy terms. Where it is indicated that a proposal is completely unacceptable, this could save considerable costs in pursuing a formal application.

7.7 It is not just major planning applications which can be controversial. At the pre-application stage, planning officers can advise applicants as to whether or not their proposal may be sensitive and therefore require a more detailed level of community involvement. Applicants will always be encouraged to consider the benefits of involving the community in developing their proposals whether it is legally required or not. The following methodologies could be adopted to involve the community:

- Public exhibitions
- Public meetings
- Development briefs
- Use of websites
- Questionnaires and surveys
- Site notices

7.8 Applicants should discuss community involvement with District Council officers and agree the groups which should be involved, how they should be involved and the timetable for engagement.

Community Involvement in Planning Application Decisions

7.9 Statutory consultation requirements for planning applications are set out in Article 8 of the Town and Country Planning (General Development Procedure) Order 1995 as amended. The District Council has a number of procedures currently in place to involve the community in planning application decisions and these are:

- Site notices
- Neighbour notification letters
- Weekly list of planning applications (circulated to specific consultees and available on the District Council's website)
- Consultation with specific bodies (e.g. Parish Councils)
- Existing protocols with particular organisations (e.g. Environment Agency, Highways Authority).

7.10 Further information can be found within Development Control Practice Note 3: Publicity and Consultation on Planning Applications. Development Control Practice Note 13: Public Speaking at Planning (Development Control) Committee sets out the procedures and opportunities for enabling people to address the Council's Planning Committee. Development Control Practice Note 10: Protocol on Parish Representations at Planning (Development Control) Committee sets out the procedures for involving Parish Councils that have signed up to the Protocol in Planning (Development Control) meetings to speak on applications which interest them. The District Council sees these Practice Notes as a way of increasing public representation in the open and democratic process by which planning applications are determined. Copies of these Practice Notes can be viewed on the District Council's website or at the Worcestershire Hub.

7.11 Where early discussions with applicants identify potentially sensitive applications, additional consultation methodologies such as exhibitions will be considered. In order for the District Council to maintain its impartiality when determining planning applications, it will be the responsibility of the applicant to take the lead role in community engagement and to cover any costs resulting from the process. The District Council will expect applicants to provide evidence of pre-application consultation in accordance with the requirements of The Localism Act 2011. Such evidence should be set out within a consultation statement outlining what consultation has been carried out and how the results of the exercise have been incorporated into the submitted proposals. Inadequate pre-application consultation may lead to delays in processing applications as new issues emerge late in the process.

7.12 Comments can be submitted on any planning application within 21 days of it being registered. Comments can be submitted online, by e-mail or in writing to the Development Management Team. You must supply your name and address for your comments to be considered.

Member Involvement

7.13 Local Councillors will be encouraged to participate in the planning process at pre-application stage by attending public meetings and exhibitions in line with the Member's Code of Good Practice. However, Councillors should keep an open mind and not give an opinion at this stage as pre-determination of a planning application may prejudice their position in any future decision making on that matter at Planning (Development Control) Committee.

Appeals

7.14 When a planning application is refused, or not determined by the authority within the statutory period, the applicant may appeal to the Secretary of State via the Planning Inspectorate. There are broadly three different appeal types; written representations, hearings and public enquiries. The local planning authority will carry out the following public notifications;

- All of those people who were consulted on the original application and those who commented on the application will be re-notified.
- If the appeal is to be heard by informal hearing or public inquiry, all of those people who were consulted on the original application will be re-notified, with information about the date, time and venue of the hearing. If it is a significant hearing/inquiry a site notice detailing the date, time and location of the hearing/inquiry will be posted on or near the site.
- If the appeal is for a householder (fast track) application, all of those people who were consulted on the original application and those who commented on the application will be re-notified.

7.15 In all instances any comments received on the original application will be forwarded to the Planning Inspectorate. Additional written representations can be made in all instances except where the appeal route is the householder fast-track option, which does not allow for additional representations to be made. Third parties can speak at appeal hearings and enquiries, however this is at the discretion of the Inspector in the case of hearings and is subject to the rules for Public Enquiries for such appeals.

8 Reviewing the Statement of Community Involvement

8.1 The SCI will be kept under review and community engagement in planning will be monitored through the production of the District Council's Annual Monitoring Report (AMR). A review of the SCI would only be considered necessary following significant changes in the legislation governing the production of planning policy, the determining of planning applications or community involvement in planning, or where the AMR identifies consistently low or declining levels of public participation in planning.

8.2 Should a review of the SCI become necessary, the District Council will consult on a draft and take those comments into consideration when finalising the SCI. The SCI will need to be adopted at a meeting of Full Council in accordance with the District Council's constitution.

A List of Specific Consultees

A.1 The specific consultees fall into a number of groups:

- **Environmental Bodies:**
 - Environment Agency
 - English Heritage
 - Natural England
- **Neighbouring Authorities:**
 - Bromsgrove District Council
 - Dudley Metropolitan Borough Council
 - Malvern Hills District Council
 - Wychavon District Council
 - Shropshire Council
 - South Staffordshire District Council
 - Staffordshire County Council
- **Service and Infrastructure Providers:**
 - British Telecom
 - Central Works
 - Hereford and Worcester Fire and Rescue Service
 - Highways Agency
 - Network Rail
 - Office of Rail Regulation
 - Severn Trent Water Limited
 - South Staffordshire Water Plc
 - Staffordshire Police Authority
 - The Coal Authority
 - Transco West Midlands Local Distribution Zone
 - West Mercia Police
 - West Midlands Strategic Health Authority
 - Worcestershire Primary Care Trust
- **Parish Councils:**
 - Bewdley Town Council
 - Broome Parish Council
 - Chaddesley Corbett Parish Council
 - Churchill and Blakedown Parish Council
 - Kidderminster Charter Trustees
 - Kidderminster Foreign Parish Council
 - Rock Parish Council
 - Rushock Parish Council

- Stone Parish Council
- Stourport-on-Severn Town Council
- Upper Arley Parish Council
- Wolverley and Cookley Parish Council
- **Adjoining Parish Councils:**
 - Abberley Parish Council
 - Astley and Dunley Parish Council
 - Bayton Parish Council
 - Belbroughton Parish Council
 - Clent Parish Council
 - Cleobury Mortimer Parish Council
 - Dodford with Grafton Parish Council
 - Elmbridge Parish Council
 - Elmley Lovett Parish Council
 - Hagley Parish Council
 - Hartlebury Parish Council
 - Highley Parish Council
 - Kinlet Parish Council
 - Kinver Parish Council
 - Milson and Neen Sollars Parish Council
 - Pensax Parish Council
 - Upton Warren Parish Council
- **Key Stakeholders:**
 - Greater Birmingham and Solihull Local Enterprise Partnership
 - Homes and Communities Agency
 - The Planning Inspectorate
 - Worcestershire County Council
 - Worcestershire Local Nature Partnership
 - Worcestershire Local Enterprise Partnership
 - Worcestershire Partnership

B Jargon Guide

Adopted Core Strategy (2010) - this sets out the broad locations for delivering housing and other major development needs in the District such as employment, retail and transport. It does not deal with site-specific issues.

Adopted Local Plan (2004) - the existing planning policy document for the Wyre Forest District. This was adopted in 2004 to guide future development within the District until 2011. Along with the Worcestershire County Structure Plan 1996-2011 and the Hereford and Worcester County Minerals Local Plan (1997) it constituted the Development Plan for the Wyre Forest District and has been partially replaced by the Core Strategy. The remaining extant policies will be replaced by the Site Allocations and Policies Local Plan and the Kidderminster Central Area Plan.

Annual Monitoring Report (AMR) - an annually produced document which sets out the progress made in achieving the timetable set out in the Local Development Scheme as well as measuring the effectiveness of the development plan policies.

Evidence Base - the information and data gathered by local authorities to justify the 'soundness' of the policy approach set out in local plan documents, including the physical, economic and social characteristics of an area.

General Consultation Bodies - organisations with an interest in the social, economic and environmental development of an area and which may be consulted on the development of planning policies for the area.

Infrastructure - basic services necessary for development to take place; for example, roads, electricity, sewerage, water, education and health facilities.

Kidderminster Central Area Plan (KCAP) - a plan targeted specifically to regenerating the central area of Kidderminster.

Local Development Scheme (LDS) - a three year timetable setting out the type of planning documents to be produced and the key milestones for their development.

Local Strategic Partnerships: Partnerships of stakeholders who develop ways of involving local people in shaping the future of their neighbourhood and how services are provided. They are often single, non-statutory, multi-agency bodies which aim to bring together locally the public, private, community and voluntary sectors.

Major Developments - major developments include;

- Residential development comprising at least 10 dwellings or a site area of at least 0.5 hectare if the number of dwellings is not specified.
- Other uses where the floor space to be built is greater than 1,000 square metres or the site area is at least 1 hectare in size.

National Planning Policy Framework (NPPF) - the document which sets out the Government's planning policies for England and how these are expected to be applied. It provides a framework within which local people and their accountable councils can produce their own distinctive local

and neighbourhood plans, which reflect the needs and priorities of their communities. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in decisions on planning applications.

Natural England - Natural England works for people, places and nature to conserve and enhance biodiversity, landscapes and wildlife in rural, urban, coastal and marine areas.

Neighbourhood Development Plan - A neighbourhood development plan is a plan prepared by a Parish Council or a neighbourhood forum to cover a designated neighbourhood area.

Soundness: The 'soundness' of a submission local plan, and objections to it, must be considered by an independent inspector at Examination. 'Soundness' includes assessing whether it has been prepared in the right way using the right procedures, and if it broadly conforms with other planning policies in place including those set out within the National Planning Policy Framework.

Specific Consultation Bodies - are the bodies defined in the Local Planning Regulations which must be consulted when a local plan is produced. They are set out at Appendix A.

Supplementary Planning Documents (SPDs) - provide additional information to guide and support local plans.

Sustainable Community Strategy - the Sustainable Community Strategy 2008-2014 brings together the concerns of Wyre Forest communities under six main themes which the Council and its partners need to focus their efforts on in order to improve the social, economic and environmental wellbeing of the District. These are:- Communities that are Safe and Feel Safe; A Better Environment for Today and Tomorrow; Economic Success Shared By All; Improving Health and Wellbeing; Meeting the Needs of Children and Young People; and Stronger Communities. These themes will be addressed through the Adopted Core Strategy.

Sustainability Appraisal (SA) - the purpose of SA is to ensure that all planning documents and conform to the Government principles of sustainable development which are:

- Living within environmental limits
- Ensuring a strong, healthy and just society
- Achieving a sustainable economy
- Promoting good governance
- Using sound science responsibly.

The Planning Inspectorate - The Planning Inspectorate is responsible for processing planning and enforcement appeals and conducts examinations into local plans.