

Statement of Community Involvement

(Updated and revised April 2014)

April 2014

Stratford-on-Avon District Council

STATEMENT OF COMMUNITY INVOLVEMENT (Updated and Revised APRIL 2014)

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Stratford-on-Avon District Council

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1. Introduction

What is the Statement of Community Involvement (SCI)?

1.1 The SCI explains how Stratford-on-Avon District Council will consult local communities and other interested parties in the preparation and revision of planning policy documents. The SCI also sets out how the Council will consult on planning applications. This SCI replaces the former development plan document, adopted in 2006.

1.2 Planning decisions affect land and buildings as well as the wider landscape. They will often place demands upon any related infrastructure. It is important that local communities and other interested parties have the opportunity to engage in the processes for plan-making and development management decision-making.

1.3 As a minimum, the SCI satisfies the requirements for consultation on plan-making and planning applications set out in legislation.

What is the status of the SCI?

1.4 Section 18 of the Planning & Compulsory Purchase Act 2004 requires a local planning authority to produce an SCI. On adoption, an SCI's provisions with respect to plan-making are legally binding.

What is the aim of the SCI?

1.5 To allow local people and other interested parties the opportunity to be fully and effectively involved in influencing the plan and development decision-making process.

Relationship to other Council communication and consultation strategies

1.7 Stratford-on-Avon District Council must have regard to the Public Sector Equality Duty (Equality Act 2010) as set out within its Single Equality Scheme. An up-to-date SCI demonstrates that the Council has had due regard to this statutory duty in terms of public consultation on planning documents and applications.

1.8 The Council recognises that everyone is different, but this should not mean that people are disadvantaged as a result. To support the aims of the equality duty we will eliminate unlawful discrimination; promote equality of opportunity; and foster good relations between people who are different to each other.

1.9 Consultation is a key part of this. The SCI embraces the principles of the Council's equality duties and recognises the need to consider the 'protected characteristics' of its residents. (The Act lists 'protected characteristics' as: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex

and sexual orientation.) Consultation can help it to do this, especially by considering 'seldom heard' or 'hard to reach groups' who do not take part in consultation through choice, circumstances or lack of opportunity, which may also mean they are underrepresented in both decision-making and the wider community. By relating the SCI to the equality and consultation frameworks, the Council intends to foster better community relations and improve access to services for all within the district.

1.10 The Council articulates its commitment to equality and diversity in the Corporate Strategy. 'Fairness' is one of the values that underpins everything we do.

The SCI supports the following Aims of the Corporate Strategy:

- Aim One – Addressing local housing need. It supports the outcome that residents feel they have more influence over the development that takes place in their area.
- Aim Three – Improving Access to Services. It supports the outcome of an increase in the proportion of people who feel they can influence decisions in their local area.

1.11 The SCI also has a corporate role with regard to the Council's biennial Community Engagement Plan, which establishes an overall framework within which the SCI will operate. It identifies who will be consulted and the means of engagement by which this will be achieved.

1.12 Questions relating to Development Plan issues e.g. quantity and location of housing/employment/community/leisure development are included as part of Council consultations. In particular: the Citizen's Panel, Resident's Survey, Business Survey and Young Person's Survey.

1.13 The Council must comply with both the Data Protection Act 1998, which protects the privacy of personal data, and the Freedom of Information Act 2000, which is concerned with the openness of public information. The challenge for local authorities is to comply with both Acts, which requires careful handling of requests for information and consultation responses. Details of the policies under both Acts can be inspected on the Council's website at www.stratford.gov.uk

1.14 The Council's E-Planning system on the website provides details of planning application documents that can be readily inspected by the community.

1.15 Development Plan Documents, Supplementary Planning Documents, Parish and Neighbourhood Plans and associated consultations can also be viewed from the Planning Policy pages on the website.

2. Stratford-on-Avon District Profile

2.1 Stratford-on-Avon is the largest district in Warwickshire, extending to 979 square kilometres and with a population of 120,485 (2011 Census). Stratford-upon-Avon is the largest town with a population of 27,445 which means that over 77% of residents live in the smaller market towns, rural centres and numerous villages and hamlets scattered throughout this distinctively rural district.

2.2 The population profile of Stratford-on-Avon is characterised by a significantly higher number of people aged over 65. The 2011 Census shows that people aged 65+ make up 22% of the district's population, whereas the national average is only 16.3%. The Census also shows that the district's minority ethnic population makes up 6.4% of the total, which is well below regional and national averages. The largest elements of this group identify as White Other (mainly Eastern European) 2.9% and White Irish (0.7%).

2.3 The characteristics set out in paragraph 2.1 and 2.2 pose issues that need to be addressed if public consultation is to be effective:

- The dispersed nature of the local population, the majority of whom live well beyond the administrative centre of Stratford-upon-Avon.
- The need to consider developing and using different consultation mechanisms in urban and rural locations, tailored to meet specific needs and opportunities.
- To consider how all potential consultation mechanisms will deliver a meaningful response.
- To ensure that decision-makers have appropriate consultation measures identifying the potential resource implications for each option.
- How to consult and involve a population that is relatively elderly, but with above average levels of education and training.
- How to consult the relatively small numbers of residents from ethnic minority backgrounds, where English may not be a household's first language.
- How to consult with the socially excluded.
- How to ensure the inclusion of people whose health or disability does not allow them to engage with the planning process using traditional methods of consultation.
- How to engage young working age people who lead busy lives revolving around work, families or both.
- How to engage young people in the consultation process and ensure that responses include input from young people.
- How to work proactively with the large number of Parish and Town Councils in the district and with resident and special interest groups, particularly given that they do not necessarily meet frequently or on a consistent basis.

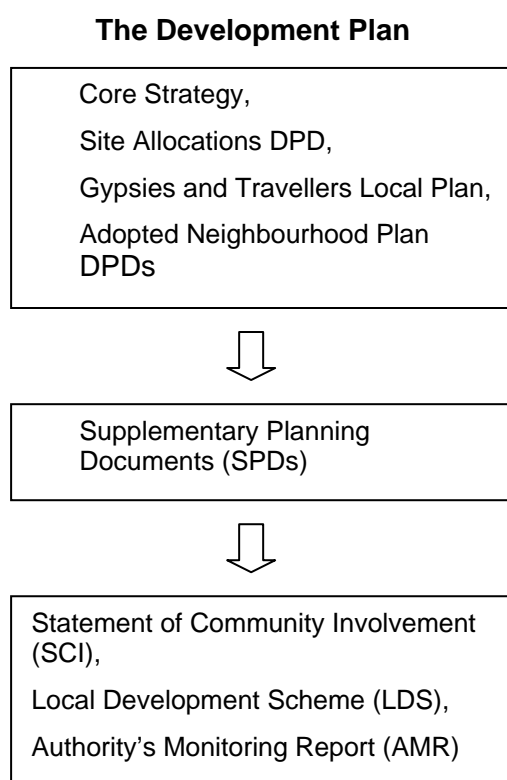
3. Consulting on Planning Policy documents

3.1 The minimum legal requirements for consultation are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. The Council will go beyond these requirements when it clearly will result in more effective engagement, subject to available resources.

Plan-making – a basic guide

3.2 There are several types of planning policy documents. The technical term for them is a Local Development Document. The most important of these are Development Plan Documents (DPDs): the Core Strategy, Site Allocations DPD and Gypsies and Travellers Local Plan. These are subject to independent examination and once adopted become part of the overall Development Plan. DPDs carry the greatest “planning weight” in the consideration of planning applications and appeals. Supplementary Planning Documents (SPDs) on the other hand are not part of the Development Plan and their purpose is to provide further guidance on DPD policies. See Figure 1 below.

Figure 1: Local Development Plan



3.3 The National Planning Policy Framework (NPPF) sets out the Government’s approach to the planning system and, together with ‘Planning policy for traveller sites’ (CLG March 2012) sets out the national planning policies that development plan documents must support. The NPPF stresses the importance of a plan-led system and reiterates the role of early and meaningful engagement and co-operation with neighbourhoods, local organisations and businesses to produce Local Plans that reflect the vision and aspirations of local communities.

The Duty to Co-operate

3.4 The Localism Act (2011) abolished regional planning. The West Midlands Regional Spatial Strategy and the remaining Warwickshire Structure Plan saved policies were revoked in 2013. It introduced a 'duty to co-operate' which requires planning authorities and other 'prescribed' public bodies to actively engage on cross-boundary strategic matters. For example, housing, transport and flood risk can have impacts that cross administrative boundaries. The Council will continue to address such issues jointly with neighbouring councils and public bodies to ensure that strategic priorities are reflected in its plans. These duties are in addition to the basic legal requirements for consultation when plan-making.

3.5 The Local Development Scheme (LDS) sets out the Council's plan-making intentions over a three-year period and can be viewed on its website.

3.6 All DPDs must be subject to a Sustainability Appraisal and most DPDs and some SPDs to a Strategic Environmental Assessment (SEA). The SEA is integrated into the Sustainability Appraisal as part of the environmental impacts. The Scoping Report, which sets out the methodology for the appraisals, will be updated as necessary and will be the subject of consultation with relevant stakeholders each time a DPD or SPD is prepared, to ensure that it provides for an up-to-date and appropriate appraisal of the document in question. The Sustainability Appraisal will be published alongside the relevant DPD or SPD.

3.7 The Sustainability Appraisal assesses the likely environmental, social and economic impacts of the proposed policies or the potential impact on the local area of not having those policies.

Preparing Development Plan Documents (DPD)

The process for producing a Development Plan Document is illustrated in Appendix 1 (Figure 2).

Stage 1 – Evidence Gathering

3.8 This is where the Council will collect the relevant social, economic and environmental data and establish the national policy framework implications. Meetings and discussions with consultees and identified stakeholders at this stage will consider any specific issues arising during the evidence gathering process. Evidence documents received by the Council will be made available on the Stratford-on-Avon website. In practice evidence gathering will continue throughout the preparation of the plan.

Stage 2 – Issues and Options

3.9 At this stage consultation will normally be informal, and will vary depending on the nature of the document. It will normally involve meetings to discuss issues and options with relevant groups and public sector bodies. The aim of this stage is the 'front loading' of community involvement - stakeholders are encouraged to put forward their ideas at the early stages and thus may participate in developing the document. An issues and options document, papers or leaflet may be produced to assist wider public engagement.

3.10 At this stage, any previous relevant consultation exercises and the comments received in respect of them will also be taken into consideration in the development of a Preferred Options Draft document.

Stage 3 – Preferred Options Consultation

3.11 This stage is a more formal six-week consultation period on a Preferred Options draft document. Representations can be made on the preferred options and any suggested alternatives. As the consultation period is normally fixed the Council will give advanced notice of the consultation dates, in particular to inform Town and Parish Councils who may not have a scheduled meeting during the six week period.

3.12 As part of the Consultation:

- Information will be placed on the website, including all consultation documents, background papers and response forms.
- An interactive version of the consultation document will link to on-line comment forms.
- The availability of the document will be advertised, including via news releases and social media.
- A display or exhibition may be prepared.
- Notifications will be sent to relevant consultees and all others who have requested to be notified will be advised of its availability.
- Meetings/workshops may be arranged during this period to discuss the Preferred Options draft.
- Presentations may be made to Community Forum meetings.

3.13 At this stage there will also be consultation on a Scoping Report for the Sustainability Appraisal and Strategic Environmental Assessment, if this did not occur earlier on in the process.

3.14 All consultee responses will be made available to view on the website. Personal details, other than consultee name, will be redacted. The Council will consider all the comments received in response to the public consultation and will amend the document as appropriate in response. It is important to note that any comments made at this stage, or the earlier stages, will not be carried forward to the independent Examination. If anyone is not satisfied that their comments have been taken on board, they must comment again at the Publication stage (set out below) in order to have their comments considered by the Inspector.

Stage 4 – Publication of Proposed Submission Document

3.15 The amended DPD, now called the 'Proposed Submission Document', will be published, and there will be a formal six-week period during which final representations can be made. The Sustainability Appraisal and a Consultation Statement, which summarises the consultation that has been undertaken in connection with the preparation of the DPD to date, will be published alongside the DPD.

3.16 Following this period, the Council will submit the Proposed Submission Document together with all the other relevant reports, the representations received and a Statement of Representations to the Secretary of State.

Stage 5 – Examination

3.17 All representations will be considered by the independent Inspector appointed by the Secretary of State, who will conduct an Examination into the legal compliance and ‘soundness’ of the DPD (see the Planning Inspectorate’s guide to Examinations). The Inspector will consider most comments by way of written submissions and these will carry an equal weight to appearances in person at an oral hearing. The hearing can be in the form of a round table discussion, an informal hearing or a Public Inquiry.

3.18 There will normally be a Pre-Hearing Meeting (PHM) at which the Inspector will agree with all those who have made representations how their views will be considered. On occasion, there may also be an Exploratory Meeting, which is called by the Inspector prior to the PHM to address or clarify any outstanding issues and explore how best to proceed with the Examination.

Stage 6 – Main Modifications

3.19 During the Examination, the Inspector may ask the Council to allow him / her to propose changes, known as ‘main modifications’, to address issues of soundness or legal compliance. The Council will normally consult on any such main modifications for a time period agreed with the Inspector. Any further representations received will then be considered by the Inspector who may reopen the Hearing sessions if he / she thinks this is necessary. Minor changes, such as typographical corrections, factual updates or other changes which taken together do not ‘materially affect the policies’ of the Plan, do not require further consultation.

Stage 7 – Adoption

3.20 Following the Examination, the Council will receive an Inspector’s Report. The Council can choose whether or not to adopt the Plan. The Council must follow the Inspector’s recommendations and, if any critical modifications are proposed, amend the Plan accordingly for it to pass the tests of soundness. There is a short period of time allowed for seeking to clarify factual matters. Following the plan being declared sound by it can be adopted. There will then be a six-week period for the submission of any legal challenge to its adoption. The Council must publish the Plan, Adoption Statement, SA Report and details of where these can be inspected, in accordance with Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Preparing a Supplementary Planning Document (SPD)

The process for producing a Development Plan Document is illustrated in Appendix 2 (Figure 3).

3.21 The procedure for preparing and adopting Supplementary Planning Documents (SPDs) is shorter than for DPDs. SPDs are not subject to Independent Examination.

3.22 Initial consultation on SPDs will be informal and will be targeted at particular groups and individuals depending on the subject matter or location to be dealt with by the SPD. Consultation techniques will vary depending on the topic of the SPD. This informal consultation will seek to influence the scope and content of the SPD.

3.23 Following initial consultation, a draft SPD will be prepared and this will then be the subject of formal public participation as required by Regulation 13. Other consultees who have requested to be notified will be advised of its availability.

3.24 The draft SPD will be made available through the Council's website. This publicity will offer an opportunity for individuals and bodies to contribute their views. Depending on the nature of the SPD, the consultation may be further publicised through a local exhibition or display, or meetings may be held to discuss the draft document, or other publicity as listed in 3.12.

3.25 All comments received will be available to view on the website. They will be considered and the SPD amended in the light of these comments. Following consideration by the Cabinet, the final document will be adopted by the Council.

Neighbourhood Plans

3.26 As with informal Parish Plans, Town Plans and Village Design Statements, Neighbourhood Plans (NP) are produced by local communities, although the District Council is involved and assists in the process. Neighbourhood Plans are different however, in that once adopted they will form part of the overall Development Plan with equal status to DPDs. NPs have to follow a prescribed process and have to pass both a referendum and an independent examination.

3.27 Consultation procedures for Neighbourhood Plans are set out in the Localism Act 2011 and Neighbourhood Planning (General) Regulations 2012. Further information on neighbourhood planning is available on the District Council's website.

Consultation Methods for Plan Making

3.28 The consultation methods employed will be shaped by the type of document being consulted on (for example, whether the document is a DPD or SPD) and the subject matter (generic or site specific). It is both premature and inappropriate to specify precisely what methods will be employed for every planning document. Broadly speaking the methods employed will be as set out in Table 1 below.

Table 1: Consultation Strategy by Document Type

	Consultation Letters and Emails	Web site	Media releases	Structured Response Form	Meetings with Interested Parties	Exhibitions & Displays	Focus Groups
SCI							
Public Participation (Reg. 26)	x	✓	Possibly	x	x	x	x
DPDs							
Informal Consultation	Possibly	✓	✓	Possibly	✓	x	✓
Public Participation (Reg. 18)	✓	✓	✓	✓	✓	✓	x
Publication for formal representations (Reg.19/20)	✓	✓	✓	✓	x	x	x
Main Modifications (if necessary)	✓	✓	✓	x	x	x	x
SPDs							
Informal Consultation	Possibly	✓	x	Possibly	✓	Possibly	✓
Formal Public Participation (Reg. 13)	✓	✓	✓	✓	Possibly	Possibly	x

Who will be Consulted?

3.29 The minimum legal requirements for consultation and public participation for Local Development Documents are set down in the Town and Country Planning (Local Planning) (England) Regulations 2012. Specified bodies must be consulted where the District Council considers that the body may be affected by what is proposed. These ‘specific consultation bodies’ are defined as:

- The County Council
- Parish and Town Councils (within the plan area)
- Adjoining Councils (County, District, Unitary and Parish/Town)
- The Police and Crime Commissioner
- Adjoining Police and Crime Commissioners
- Coal Authority
- Environment Agency
- English Heritage (Historic Buildings and Monuments Commission for England)
- Marine Management Organisation
- Natural England
- Network Rail Infrastructure Limited
- Highways Agency
- Relevant telecommunications companies
- Relevant Clinical Commissioning Group(s)
- NHS Commissioning Board
- Relevant electricity and gas companies
- Relevant water and sewerage companies
- Homes and Communities Agency

3.30 The Regulations also require consultation with other interest groups, which cover a whole range of voluntary, community, special interest, amenity and business interests, referred to as 'general consultation bodies'. These are defined as:

- voluntary bodies, some or all of whose activities benefit any part of the authority's area; and
- other bodies who represent, in the authority's area, the interests of different racial, ethnic or national groups; different religious groups; disabled persons; persons carrying on business in the authority's area.

3.31 In addition to the above, the Council maintains a commitment to both formal consultation and informal discussions with other local authorities and non-governmental organisations. The Planning Policy Team maintains a database of contact details of organisations and individuals who have requested to be kept informed of planning policy documents in Stratford-on-Avon District. This is kept up to date and can be amended at the request of the individuals and organisations. The consultation database includes a large number of groups, organisations, companies and individuals (see Appendix 3 for list of groups and organisations).

3.32 If an individual or group wishes to be added or removed from the database, please e-mail planning.policy@stratford-dc.gov.uk

Consulting You

3.33 Consultation documents will be made available in electronic and hard copy format. The District Council seeks to produce its policy documents in an accessible and easy to read form. Documents for inspection, meetings and exhibitions will be held at accessible locations. For those who do not have internet access, other

formats are available on request. Documents can also be made available in formats accessible to people with visual impairments.

3.34 Consultation letters and email may be accompanied by specially designed comments forms to assist people with their responses, and officers will be happy to provide guidance and assistance when required.

3.35 On-line comment forms linked to the consultation document will be available via the website together with downloadable forms which can be returned via email to planning.policy@stratford-dc.gov.uk or posted to Stratford-on-Avon District Council.

Receipt of Representations

3.36 The District Council will accept written representations only at consultation stage. During the formal consultation stage, official representation forms and an online comment form will be made available. Whilst representations through the post are accepted, in the interests of efficiency and cost the Council strongly encourages the use of electronic means of communication.

3.37 Petitions must include a name and address and (if available) an email address of anyone who signs them.

Dealing with your Comments

3.38 All representations submitted on LDDs, including the respondent's name and contact details will be entered onto the consultation system maintained by the Council. Representations will be acknowledged via the system.

3.39 All duly made comments on the relevant LDD will be analysed and considered carefully. How they are taken into account and reported on will depend on the stage a document has reached. Individual written responses to the comments received will not normally be sent. Those who have commented will be able to see how their comments have been addressed as set out below.

3.40 For the informal consultation stages representations will be summarised. All duly made representations will be available to view on the website or for inspection on request. At early and informal stages, comments made through specific engagement exercises, such as Parish workshops, will be recorded and summarised.

3.41 At the Preferred Options stage and for SPDs post-consultation, a summary of the representations will be produced. All duly made representations will be available to view on the website or to inspect on request. These summaries or summary reports will be made available on the Council's website.

3.42 For DPDs, the Council has to prepare a Consultation Statement for publication alongside the Proposed Submission DPD, which summarises the consultation that has been undertaken in connection with the preparation of the DPD.

3.43 For SPDs, the Council must also prepare a Consultation Statement for publication alongside the draft SPD, which summarises the consultation that has been undertaken in connection with the preparation of the draft.

3.44 It is important to note that whilst the Council (or Inspector) will always consider any relevant comments in respect of the development of a policy document or a planning application, it will not always be possible or appropriate to decide the matter in accordance with the comments received. There may be other material considerations, such as legislative requirements, national or other local policies to which the Council must adhere and take into account.

What are “Duly Made” Representations?

3.45 For comments to be considered ‘duly made’ they must:

- Be received within the timescales specified
- Relate to the document, its content, or its preparation
- Not be anonymous
- Not be offensive, libellous or otherwise breach the law (i.e. inadmissible)

3.46 Whilst all duly made comments will be considered, not all comments may be capable of being taken into account. At the Examination the Inspector can only consider and address issues of soundness or legal compliance. There may be a limit on the size of the document which can be received via email or sent through a consultation portal. Large attachments can sometimes cause a delivery failure. If a large document is being sent through as part of a consultation response, it would be advisable to check that the Council has received it well before the consultation deadline expires. Please also ensure comments are sent to the correct email address: planning.policy@stratford-dc.gov.uk

Publicity and Document Availability

3.47 All formal draft and final documents will be available through the Stratford-on-Avon District Council website and the District Council Offices at:

Elizabeth House
Church Street
Stratford-upon-Avon
Warwickshire
CV37 6HX

Also at Libraries throughout the District during their normal opening hours.
www.warwickshire.gov.uk/findalibrary

All draft versions will be available for information after the consultation period has closed, until such time as the document is finally adopted.

Document Charges

3.50 All consultees and interested parties will be encouraged to use the Stratford-on-Avon website for viewing or downloading documents, although it is appreciated that this is not appropriate for everyone.

3.51 Consultation notifications will normally be sent by e-mail with a link to the relevant document on the website or the document provided as an attachment. A hard copy letter can still be sent where there is no email address.

3.52 At formal stages, hard copies of plans will only be issued in exceptional circumstances. A charge will be made, normally to cover printing and mailing costs.

3.53 A scale of reasonable charges for other consultees, individuals, agents and companies who have requested documents will be published on the Council's website and reviewed periodically, as will the scale of charges for final adopted documents. A reasonable charge will also be made for hard copies of any background documents requested.

4. Consultation on Planning Applications

4.1 The SCI sets out standards of consultation to be achieved by the Council in making decisions on planning applications.

4.2 Larger schemes and schemes that could have a greater impact on local communities are far more likely to be determined by one of the Council's two Planning Committees (East and West), which allow for public speaking.

4.4 The District Council encourages any person contemplating development other than house extensions, to have informal discussions with planning officers as early as possible before any application is submitted. In particular, regard should be paid to paragraphs 188 – 192 of the NPPF that could facilitate the efficient handling of any planning application. The Council's approach to pre-application advice is set out on the Getting Advice on Planning Applications page on the District Council website. The Council will keep the advice up to date to provide guidance for officers, councillors and the public alike. A table of current Pre-Application Advice Fees can be downloaded from the webpage.

4.5 Charges are made for pre-application advice for most types of development. This is so that it can provide the best possible advice and a higher quality service. The chargeable pre-application service is intended to provide applicants with an indication as to whether their scheme is likely to gain planning permission or not, what the key policies and planning issues are likely to be and what information they would need to submit with an application. Applicants are encouraged to engage with relevant bodies and if required, obtain specialist advice.

4.6 Schemes requiring highway advice, Transport Assessments or Green Travel Plans can use the pre-application service provided by Warwickshire County Council – Highways. Charges for this service cover site visits or meeting attendance if required.

4.7 Under the provisions of the Freedom of Information Act 2000, the Council may have to make public any information it has unless one of the stated exemptions apply. For instance, personal information, commercially sensitive information or information provided in confidence to a local authority is exempt from disclosure. District Councillors and Parish / Town Councils will be made aware of pre-application submissions in their ward only if the applicant agrees.

Giving local communities a say prior to submitting an application

4.8 Whatever the scale of development proposed, applicants or developers are always best advised to discuss the proposals with the owners/occupiers of neighbouring land and/or community groups prior to making an application. Such informal discussion can often help to allay fears within the community on the nature of the development. Moreover, an applicant may be able to make changes to a proposal to accommodate comments from a neighbour and avoid an objection at the formal application stage. Pre-application discussions should also include the key consultees on the type of development proposed, such as Warwickshire County Council and the Environment Agency. Some consultees external to the District Council may make a separate charge for pre-application advice.

4.9 Stratford District Council expects the promoters of large schemes to consult with the local community and interested parties in advance of submitting a planning application. This is in addition to the statutory requirement set out in Section 122 of the Localism Act, which obliges developers to consult on very large scale proposals. The Council encourages developers to allow local communities an opportunity to

comment on their proposals before the design is finalised. For large schemes, community engagement should include any, or a combination of the following:

- developer presents to a Parish/Town council meeting
- developer presents to a public meeting organised by a Parish/Town council or other local community group
- developer holds a public exhibition at a local venue
- developer holds a public meeting where they seek local views
- planning officer facilitates a meeting between the developer, Parish/Town council(s) and Ward Member(s)
- planning officer facilitates a meeting between Parish/Town council(s) and Ward Member(s) without the developer attending
- planning officer facilitates a developer presentation to all Councillors who wish to attend
- a Member workshop is arranged in connection with the proposal without the developer attending

4.10 For large-scale proposals, the Council expects the developer to submit a “statement of community involvement” in order to validate the planning application. This statement should set out clearly what consultation has been undertaken, the responses received and how they have been taken into account. The Council recognises that over and above the legal requirements of the Localism Act 2011, pre-application consultation with the local community cannot be enforced, nor can an application be rejected in the absence of a supporting statement. However, the additional notification and consultation that the District Council will have to undertake may delay the consideration of the application.

Planning Applications – Notification and Consultation Arrangements

4.11 As soon as the planning application has been submitted and validated, the Council will undertake notification and consultation with the local community. The procedures for notification of the public meet the requirements laid down in planning regulations and comprise the following:

- The listing of the application details on the Council’s website and a facility to enable people to comment online through the E-Planning System.
- A letter to the owners or occupiers of property adjoining the application site advising of an application and the period to make comments
and/or
- Site notices placed on or near sites subject to applications for development, including advertisement in the local press.

4.12 The District Council will also carry out consultations with statutory and non-statutory consultees, such as Ward Members, the local parish or town councils, the highway authority, the Environment Agency and drainage companies and various interest/community groups.

4.13 All comments will be considered by planning officers as well as a Planning Committee in appropriate cases. In order to ensure consistency in the determination or recommendation of planning applications, officer reports are agreed by the Planning Manager or a Team Leader. Comments received up to the date a decision

is formally issued will be taken into account, insofar as they are material to the determination of the application. Comments will be assessed alongside all other material considerations in relation to the provisions of the Development Plan when a formal decision is made on an application.

The Council's adopted Scheme of Delegation is detailed as part of the Council's Constitution but some applications will need to be reported to a Planning Committee:

- Large scale (major) developments unless the Council recommends refusal and the Parish/Town Council or Ward Member objects.
- Parish/Town Council or Ward Member objects to or supports contrary to the proposed delegated decision on valid planning grounds, in writing and within 21 days.
- Applications of significant public interest
- Development on District Council owned land
- Applications by members of staff, Ward Members and their families.

4.14 Comments on planning and related applications will be held on the application file and made publicly available for others to see via the website. Where an application is reported to a Planning Committee, comments will be summarised in the Committee report.

4.15 Where applications are reported to a Planning Committee, the Council operates a public speaking scheme whereby interested parties can address the Committee for a specified time; details of this process can be found in the 'Public Involvement in Planning' leaflet on the website.

4.16 Retrospective applications may be submitted to regularise the position regarding minor breaches and the Council will carry out consultation as for a regular planning application.

Applications that cross parish and district boundaries

4.17 For those applications within the district that straddle a parish boundary, each of the relevant parish councils will be consulted. Where applications are received near to or adjoining the district boundary, the relevant neighbouring local planning authority will be consulted if the proposed development is likely to affect land in that district. This decision will be based on the scale and nature of the proposed development. The neighbouring authority will be given 21 days to make representations.

4.18 In some cases, an application site may fall within the boundary of more than one local planning authority. In such cases the applicant must submit an application to each of the relevant planning authorities. However, the fee is payable only to the authority in which the largest part of the site is located, in line with the Town and Country Planning Fees Regulations 2012. Local planning authorities have discretion on how best to determine cross-boundary applications, and as such each one will need to be considered on a case-by-case basis. Without special arrangements being put in place, each authority can only determine the application relating to the part of the site in its own area and will also be responsible for carrying out necessary local consultation. However, given that this would be contrary to the overall tenor of Government guidance, which encourages joint working between local planning authorities in relation to the use of their planning powers, it may be appropriate in certain cases to set up a joint decision-making committee, or alternatively to devolve

decision-making powers to the authority receiving the fee. Any such arrangements will need to be formally approved by the relevant councils.

Service of Tree Preservation Orders

See the Trees and Landscape pages on the Councils website for detailed advice on trees and hedgerows.

4.19 In making, serving, reviewing or revoking Tree Preservation Orders, Stratford District Council will write to the owner/occupier of the land where the tree/s is located. If the tree/s overhangs adjacent land, we will also inform the adjacent landowner. Where the owner of the land is unknown, a copy of the TPO will be displayed on the site. A copy of the Order will also be sent to the appropriate Parish / Town Council for their information. Stratford District Council will consider all representations received within 28 days of the date of serving and a decision on whether to confirm (make permanent) or modify the Order will be made within six months of the date of serving. Where objections are received from affected landowners the decision on its confirmation will normally be taken by a Planning Committee. Where no objections are received, the Order will be confirmed.

Applications for works to protected trees

4.20 Applications for works to trees covered by a Tree Preservation Order (TPO) will be determined within eight weeks of the date of receipt. Notification for works to trees in conservation areas will be determined within six weeks from the date of receipt. Ward Members and Parish/Town council are consulted about proposed works to protected trees. Details of applications to trees covered by a TPO and within conservation areas can be viewed via the E-Planning System on the Council's website.

Officers have delegated powers to determine all such applications and notifications, taking into account representations received.

Applications for works to important hedgerows

4.21 All notifications to remove hedgerows under the Hedgerow Regulations 1997 will be determined within six weeks of the date of receipt. Consultation will be carried out with all relevant statutory and interested bodies, in addition to the Ward Member, Parish/Town Council, Warwickshire County Council and the Shakespeare Birthplace Trust. Any matters raised that are material to the determination of the notification will be taken into account in making a decision on whether to consent to removal or issue a Hedgerow Retention Notice.

5. Monitoring and Further Advice

5.1 In order to monitor the effectiveness of the SCI, the Council intends to develop a range of indicators through the Authority Monitoring Reporting (AMR) that will have regard to outputs, such as:

- The number of people engaged in planning consultations
- Satisfaction ratings
- Participation in public speaking
- Seeking direct feedback on specific consultation exercises

5.2 A review will be undertaken if the AMR indicates that there is a substantial level of dissatisfaction amongst Parish/Town councils and 'hard to reach' groups on the nature of involvement in the preparation of local development documents or decisions on planning applications. A review will also be triggered by material changes in government policy or advice, which affect the principles of the SCI as adopted.

Further advice

5.3 The Planning Portal is the Government's website that offers guidance on the planning system and it can be viewed at www.planningportal.gov.uk

5.4 In addition, Planning Aid England provides free, independent and professional planning advice to communities and individuals who cannot afford to pay professional fees. Planning Aid England's advice is available via 0330 123 9244 and their website is available to view at www.rtpi.org.uk/planningaid

Planning Aid England can help people to:

- Understand how the planning system works
- Take part in the preparation of Development Plans
- Comment on planning proposals
- Apply for planning permission
- Appeal against a decision
- Represent themselves at appeals or public enquiries

5.5 Key contacts and addresses are set out on the back page of this document. During consultation exercises, the relevant contact addresses for responses and queries will be clearly stated.

Appendix 1:

Figure 2 - Process for Producing a Development Plan Document

Stage	Process and Requirements
1. Pre-production	<ul style="list-style-type: none"> Collect evidence and establish wider policy framework
2. Involvement Informal and early engagement	<ul style="list-style-type: none"> Informal consultations may be carried out and the nature/extent of these will be determined by the specific requirements of evidence gathering or subject matter Consider issues and alternatives Consult on the scope of the SA/SEA
3. Consultation Preferred Options	<ul style="list-style-type: none"> Prepare 'preferred options' draft document Consult over six week period in line with Regulation 18 Council to consider the comments made*
4. Publication Publication of Proposed Submission Document and SEA/SA Report for final representations	<ul style="list-style-type: none"> Statutory stage where a minimum of six weeks is provided to make representations on the plan, its sustainability appraisal and supporting evidence (Regulations 19 & 20) These representations will be considered by the Inspector at the Examination
5. Examination Submission of Plan for Independent Examination	<ul style="list-style-type: none"> Main issues raised in the representations at Regulation 19 & 20 Stage summarised and made publicly available Plan submitted to Secretary of State for independent examination in line with Regulation 22 Independent Examination (notice given six weeks in advance to people who have requested to appear, in line with Regulation 24) Examination likely to involve public Hearing Sessions Planning Inspector issues report
6. Main Modifications	<ul style="list-style-type: none"> Optional Stage – where the District Council agrees, the Inspector can propose changes or 'main modifications' to the plan (including adding 'omission sites', i.e. additional sites put forward by objectors to the DPD) to avoid it being found 'unsound' Inspector considers representations on main modifications The hearing may be re-opened
7. Adoption	<ul style="list-style-type: none"> Plan adopted by the District Council if found 'sound' by Inspector (Regulation 26)
8. Monitor & Review	<ul style="list-style-type: none"> Monitor Plan to make sure it is achieving its aims Plan may be reviewed where necessary

* It is important to note that any comments made at this stage will not be carried forward to the Independent Examination. If anyone is not satisfied that their comments have been taken on board, they must comment again on the Proposed Submission Document in order to have their comments considered by the Inspector.

Appendix 2:

Figure 3 - Process for Producing a Supplementary Planning Document (

Stage	Process and Requirements
1. Involve Preparation and early engagement	<ul style="list-style-type: none"> • Collect evidence. Informal consultations may be carried out and the nature/extent of this will be determined by the subject matter of the document. • Work with relevant groups and organisations • Consider issues and alternatives in the production of a draft SPD • Screen to determine whether an SEA required • Report on the consultation undertaken is summarised in a Consultation Statement (Regulation 12)*
2. Consult Publication of draft SPD	<ul style="list-style-type: none"> • Statutory stage where a minimum of six weeks* will be provided to interested parties to comment on draft SPD and any supporting evidence, including the Consultation Statement (Regulation 13)* • Documents made available for inspection including on the Council's website • Notifications will be sent to relevant groups and organisations and all those who have requested to be notified • Parish and town councils will be notified • Comments considered by officers and SPD amended
3. Adopt	<ul style="list-style-type: none"> • Amended SPD and summaries of consultation responses received presented to Planning Committee for adoption under Regulation 14 • Adoption statement produced and relevant people notified
4. Monitor	<ul style="list-style-type: none"> • Final SPD is monitored, to make sure it is achieving its aims • SPD may be reviewed, where necessary

* The regulations require a minimum of four weeks

Appendix 3: Plan-making consultees

Please note this does not include individuals, agents and companies

Warwickshire County Council: Health, Education, Transport, Planning/Development Management, Ecology, Archaeology, Social Care, Fire and Rescue

Worcestershire County Council

Gloucestershire County Council

Oxfordshire County Council

Northamptonshire County Council

Birmingham City Council

Coventry City Council

Solihull Metropolitan Borough Council

Redditch Borough Council

Bromsgrove District Council

Wychavon District Council

Cotswold District Council

West Oxfordshire District Council

Cherwell District Council

South Northamptonshire District Council

Daventry Council

Warwick District Council

Rugby Borough Council

Nuneaton Borough Council

North Warwickshire Borough Council

County and District Ward Members

Parish/Town Councils

Parish Councils adjoining Stratford-on-Avon District

Cotswolds Conservation Board (AONB)

Coventry and Warwickshire LEP

Solihull and Birmingham LEP

Area Teams, NHS England

Local Clinical Commissioning Groups

Public Health Warwickshire

Warwickshire Police and West Mercia Police & Crime Commissioners

Warwickshire Police and West Mercia Police – Estate Services

Coal Authority

Environment Agency

English Heritage
Marine Management Organisation
Natural England
Network Rail
Highways Agency
Homes and Communities Agency
Housing Associations
Infrastructure / Utility Providers: Gas, Electricity, Severn Trent Water, Thames Water, Telecommunications, Mobile Operators
Shakespeare's England – Tourism
Sport and Leisure organisations
Design Council - Cabe
Agricultural and rural organisations
Inland Waterways
Warwickshire Wildlife Trust
Members of Parliament
Local Interest / Amenity / Pressure Groups
Local Societies
Local Business organisations and representatives
Residents Associations
Developers / builders / landowners / agents (national and local)
Voluntary Organisations
Representative Bodies: racial, ethnic, religious, gay and lesbian, gypsies and travellers, disabled persons – national and local groups.
Residents: any person living and/or working in Stratford-on-Avon District

Appendix 4: Publicity for Planning Applications – Stratford-on-Avon District

INTRODUCTION

This Appendix sets out the publicity which the Council will carry out as part of the process of dealing with applications for planning permission, Listed Building Consent, Conservation Area Consent, Approval of Reserved Matters, amendments to conditions, Hazardous Substances Consent, Certificates of Lawfulness, Advertisement Consent and works to trees subject to Tree Preservation Orders.

The Code also sets out the publicity that will be undertaken for 'Prior Notifications' and 'Prior Approval Notifications'.

ADVERTISING IN A LOCAL PAPER

Advertisements will be placed in the Stratford Herald which is published weekly on Thursdays. These advertisements do not include all applications made to the Council. They will include those types of application set out below which are also the subject of a statutory site notice.

ADVERTS AND SITE NOTICES

Site notices will be placed on or near sites which are the subject of applications for the following types of development:

- Applications for Listed Building Consent.
- Development affecting the setting of a listed building.
- Applications for Conservation Area Consent.
- Development affecting the character and appearance of a Conservation Area.
- Applications for development which are accompanied by an Environmental Statement at submission stage.
- Applications for development which departs from the Development Plan.
- Development which affects a public right of way.
- Major works to protected trees (TPOs)
- Hazardous substance applications
- Major residential development of 10 or more dwellings or development on sites of 0.5 hectares or more.
- Other major developments creating floorspace of 1,000 sq.m or more on sites of 1 hectare or more.
- Applications for development where there are no known owners or occupiers adjoining the land to which the application relates.

SITE NOTICES

- Agricultural notifications.
- Telecommunication notifications.

WARD MEMBERS AND PARISH COUNCIL NOTIFICATIONS

Ward Members, Parish and Town Councils will be notified of all applications for development and of any amendments to current applications which, in the opinion of the case officer, are not trivial. Generally, only Ward Members are informed of prior notification applications.

NEIGHBOUR NOTIFICATION

The Council will give written notification of all proposed developments to:

- Known occupiers of properties that are the subject of an application, other than the applicant;
- Known occupiers of all adjacent properties sharing a common boundary with the site boundary;
- Known occupiers of properties within 50 metres of an application site where, in the opinion of the case officer, the development is likely to have a significant impact on the area by virtue of traffic generation, noise disturbance or other reason.
- In rural areas a wider notification area may be considered by the case officer, having regard to the proximity of nearby properties.

COUNCIL'S WEB SITE

Weekly lists of all new applications received by the Council will be posted on the Council's Web Site.

All applications, associated documents, plans, correspondence, consultation responses and reports are available to view via the E-Planning System. This is accessible from the home page on the Council's website www.stratford.gov.uk

Comments on such applications can be made to the Council directly through the E-Planning System, by e-mail or by post.

TIME FOR SUBMISSION OF REPRESENTATIONS

The Council will allow Ward Members, Parish and Town Councils 21 days for submission of comments in relation to initial notification of applications for development. Case officer decides period of time allowed for submission of comments on alterations.

In respect of other third party comments the following periods will apply:

- Newspaper advertisements -21 days from the date of publication
- Site notices -21 days from the date of notice.
- Initial neighbour notification -21 days from the date of the letter.
- Renotification letters (i.e. in relation to revisions to plans, etc.) – case officer decision (see section on 'Notes on Neighbour Notification').

PUBLICITY FOR PRIOR NOTIFICATIONS FOR AGRICULTURAL OR TELECOMMUNICATIONS DEVELOPMENTS & HEDGEROW REMOVAL

In cases where the Council receives applications via the Prior Approval process, under Parts 6 and 24 of the Town and Country Planning General Permitted Development Order 1995 and Hedgerow Regulations 1997 respectively, the Council

will notify the relevant Ward Member and Parish / Town Council. A period of up to 14 days will be allowed for comments. The Parish or Town Council will be advised of the expiry date at the time of consultation.

PRIOR APPROVAL NOTIFICATIONS

Currently temporary until 30 May 2016. See the Householder Planning and Planning Forms and Fees pages of the Council's website for detailed information.

Household Extensions

The Council will notify owners or occupiers of any adjoining premises detailing measurements of the proposed extension from the rear wall and the height. Representations must be made within 21 days of the notice. If objections are received the Council may require further information from the developer to consider the impact of the proposed development. The Council has 42 days from receipt of the notification to determine whether prior approval is not required, or given, or refused.

Changes of use

Some changes of use of land or buildings may be permitted development, provided that the Council is notified in writing as to whether prior approval is required.

The types of change of use that the new legislation relates to are listed below:

- Class J - Change of use from B1a (offices) to C3 (dwellinghouse)
- Class K - Change of use from Class B1, C2, C2A or D2 to State Funded School
- Class L - Change of use from State Funded School to Class B1, C2, C2A or D2
- Class M - Change of use from agricultural use to Class A1, A2, A3, B1, B8, C1 or D2

If applicable the Council may consult relevant Transport authorities on transport, highway or rail impacts and the Environment agency on flooding risks.

The Council will also display a site notice for 21 days and notify owners or occupiers of any adjoining premises. Representations must be made within 21 days of the notice. If objections are received the Council may require further information from the developer to consider the impact of the proposed development including risk of contaminated land. The Council has 56 days from receipt of the notification to determine whether prior approval is not required, or given, or refused.

NOTES ON SITE NOTICES

Site notices will normally be displayed on the road frontage to a site. Additional site notices are displayed around larger sites at the discretion of the case officer.

NOTES ON NEIGHBOUR NOTIFICATION

- Known occupiers will initially be established by use of Ordnance Survey maps. Case Officers will subsequently seek to establish any additional occupiers when site visits are carried out and establish when additional notification may be necessary.
- Although there is no statutory requirement to re-notify Ward Member, Parish/Town Council and neighbours when plans are amended or substituted after the initial submission, discretionary re-notification will be undertaken, having regard to the effect of the change, any earlier representations and the

significance of the change in relation to the characteristics of the originally submitted development.

- Neighbour notification will not be carried out in relation to applications for new shop fronts or advertisements.

FURTHER INFORMATION

For further information and advice please contact us. You may contact us in the following ways:

- By visiting our Website at: www.stratford.gov.uk
- By e-mailing us at: planning.applications@stratford.gov.uk
- By telephoning us on: 01789 260304
- By visiting the Council Offices in Stratford-upon-Avon and speaking to one of our customer service advisors
- By writing to us at:
Environment and Planning Services
Stratford-on-Avon District Council
Elizabeth House, Church Street
Stratford-upon-Avon, CV37 6HX
- By contacting your local Councillor

Appendix 5: Glossary

Affordable Housing (AH)

Affordable housing is made up of social rented, affordable rented and intermediate housing, and is provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to ensure the properties remain at an affordable price for future eligible households or for the subsidy to be recycled to provide alternative affordable housing provision (NPPF, March 2012).

Development Plan

The development plan is a statutory document or set of documents that set out the local authority's policies and proposals for the development and use of land in their area.

Development Plan Document (DPD)

A statutory document which is part of the development plan under the provisions of the Town and Country Planning Act 1990 (as amended) and which forms part, or the whole, of a local plan. Its purpose is to guide long-term decisions about the future of the area and day-to-day development management decisions about individual planning applications.

Independent Examination

An examination is undertaken by an independent inspector into representations on a Development Plan Document (DPD), including its legal compliance and overall soundness. The examination is likely to include public 'Hearing Sessions'.

Local Development Documents (LDD)

The collective term is used to describe the Statement of Community Involvement, Supplementary Planning Documents and Development Plan Documents.

Local Development Scheme (LDS)

This is the public statement of a local authority's programme for the production of Development Plan Documents.

Local Plan (LP)

The Local Plan is a term used to describe all the DPD produced by an individual Council (it can be a single combined document or series of documents).

Major Development (MD)

'Major' development relates to planning applications and includes:

a) Residential development comprising ten or more dwellings or, if the number of dwellings is unknown, the site area is 0.5ha or more; OR b) Any other use where the floor space proposed is 1,000 square metres or more OR if the site area is one hectare or more.

National Planning Policy Framework (NPPF)

This was adopted in March 2012 and replaces previous national planning policy, formerly enshrined in a series of planning policy statements and guidance notes. The NPPF sets out many of the Government's planning policies for England and how these are expected to be applied.

National Planning Practice Guidance (NPPG)

This was launched in March 2014 as a web based resource. It brings together planning practice guidance for England in an accessible and useable way.

Statement of Community Involvement (SCI)

This sets out the standards to be achieved by the local authority in involving the community in the preparation, alteration and continuing review of all Local Development Documents and planning applications. The SCI is a public statement enabling the community to know how and when they will be involved in the preparation of Local Development Documents and how they will be consulted on planning applications.

Strategic Environmental Assessment (SEA)

SEA is a systematic decision support process, aiming to ensure that environmental impacts and effects are considered appropriately in policy, plan and programme-making.

Supplementary Planning Document (SPD)

SPDs are Local Development Documents that explain how policies in Development Plan Documents will be implemented. They do not form part of the Local Plan and cannot allocate land, but are material considerations when determining relevant planning applications.

Sustainability Appraisal (SA)

Sustainability Appraisal is a systematic appraisal process to assess the social, environmental and economic effects of the strategies and policies in a Development Plan Document. Section 39 of the Planning and Compulsory Purchase Act 2004 requires Local Development Documents to be prepared with a view to contributing to the achievement of sustainable development.

Transport Assessment (TA)

A comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies what measures will be required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport, and what measures will need to be taken to deal with the anticipated transport impacts of the development.

If you find the text in this document difficult to read,
we may be able to supply it in a format better suited to your needs.

Telephone 01789 260334



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