Bromsgrove District Council and Redditch Borough Council Draft Statements of Community Involvement Consultation responses received between 24th October and 5th December 2016

| Consultee | Date | Concerning BDC or RBC? | Response | BDC/RBCresponse |
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| **Warwickshire County Council – Jasbir Kaur** | 26/10/2016 | Both | No observations to make regarding this document | Noted. |
| **Environment Agency – Mark Davies (West Midlands Area)** | 02/11/2016 | Both | The Environment Agency have no comments to have on the SCI. | Noted. |
| **The Woodland Trust – Justin Millward** | 11/11/2016 | Both | 1. Local Plans, Supplementary Planning Documents and other General Policies documents: the Woodland Trust would like to be consulted as a general consultation body.<br><br>2. Development Management: In order to improve consultation on planning applications, the Woodland Trust would like this SCI to commit to consulting the Woodland Trust on any planning applications that destroy, degrade or threaten the irreplaceable habitat of ancient woodland. The National Policy Planning Framework clearly states: "...planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland..." (DCLG, March 2012, para 118). The Woodland Trust therefore needs to be informed of these development cases.<br><br>Other Local Authority SCIs have incorporated this provision to consult the Woodland Trust on ancient woodland planning application cases, such as Swindon Borough Council SCI (March | 1. Agreed. The Woodland Trust will be included as a General Consultation body for planning policy matters and will be added to the consultation database.<br><br>2. Consulting the Woodland Trust on any planning applications that may affect ancient woodland is dependent on having accurate and up-to-date data on the location of ancient woodland in Redditch and Bromsgrove. Subject to the Woodland Trust providing this information, then the Councils could add this information as a constraint layer.<br><br>3. Agreed. The Woodland Trust will be included as a Non-statutory consultee for Development Management purposes in Appendix D of the SCI. |

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| | | | 2013), South Staffordshire District Council SCI (Oct 2013), Worcestershire County Council (SCI Update 2014) and Somerset County Council (adopted Oct 2016).<br><br>We draw your attention to (a) details of the location of ancient woodland are available through the county Ancient Woodland Inventory (Natural England) and ancient trees can be identified by the Ancient Tree Hunt data (http://www.ancient-tree-hunt.org.uk/). And (b) we also draw your attention to Natural England and the Forestry Commission's standing advice for Ancient woodland and veteran trees: protecting them from development - https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences.<br><br>3. We would therefore like to be added to Appendix D as a non-statutory consultee. | |
| **Fairfield Village Community Association – Conrad Palmer** | 25/11/2016 | Bromsgrove | We ask that Community Associations are included in the list of Non - Statutory Consultees; where an application is made that is likely to affect residents in the geographical area that has a constituted community association. | Resident/Community Associations have been added as a Bromsgrove specific Non-Statutory Consultee at Appendix D |
| **Bentley Pauncefoot Parish Council** | 27/11/2016 | Bromsgrove | Bentley Pauncefoot Parish Council, which has, in the past, made quite clear its dissatisfaction with the manner in which the involvement of the local community has been marginalised by Bromsgrove District Council, welcomes this new statement. Despite its professional appearance and content however, there are still some points which, we feel, | The Cover- We will look at other images available to the Council which do not pose copyright issues when compiling the final version of the SCI to be adopted.<br><br>Preparation of a Local Plan – Further detail has been added to this section (see para 3.8-3.11 of the revised SCI). |

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| | | | need clarification.<br><br>The Cover….The circle of smiling young people of mixed race does not adequately represent the community. It may be considered as reference to the future but, even there, middle aged and old people will still form a considerable proportion of Bromsgrove's population. We therefore suggest that a more realistic photograph be adopted to reflect the wish to involve all members of the community.<br><br>Page 6……Preparation of the Local Plan "Representations will be sought on what the LP ought to contain. The Council has flexibility as to how the initial stages of plan production are conducted" Some further brief details/examples here would clarify this point which is very open ended.<br><br>Page 7…….Scoping and Evidence gathering It would be appropriate here to stress the importance of the collection of both relevant and accurate information.<br><br>Page 8…….Localism and Neighbourhood planning This section should include information to the effect that the District Council will offer advice and guidance prior to any application being made to designate an area for which a local neighbourhood plan may be developed (i.e. prior to step 1).<br><br>Page 13……Methods of Involvement, Table 2. "The Council's website has proven to be a very useful tool when engaging the public" Yet the | Scoping and Evidence gathering – We do not think this clarification is necessary. By default, evidence will be relevant to the subject matter of the SPD and using a broad range of evidence will help to assess its accuracy.<br><br>Localism and Neighbourhood Planning – In response to this comment and in light of the content of the Neighbourhood Planning Act, further text has been added on the role of the LPA in supporting Neighbourhood Planning. See Section 5.<br><br>Methods of Involvement, Table 2 – The comment regarding the lack of advertisement under the Corporate consultation page on the BDC website is noted and we thank Bentley Pauncefoot PC for bringing this to our attention. This is something we will address for future consultations. Nonetheless, a notice was placed in the Bromsgrove Standard and in the Redditch Standard on 4th December 2016. Emails were sent to all Councillors, all Parish Councils and selected Community Groups to inform them of the consultation. Both Councils' planning policy webpages were also updated to publicise the consultation.<br><br>How we involve people – Typographical error has now been amended to refer to qualitative data.<br><br>Appendix C- Statutory Consultees – Comment noted regarding tailoring the list of Statutory Consultees to those that are relevant to the district. Given that the Statutory Consultees are listed in the Planning Practice Guidance, it is felt unnecessary to repeat this |

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| | | | section "We want your feedback" on the Council website does not include the SCI consultation in its list of ongoing consultations. It can indeed be found under the heading of the Local Development Plan but this link is not immediately clear to the man in the street. If involving the community provides benefits for both Council and Community, it is logical that information should be easily accessible, not simply to those on the existing consultation database.<br><br>Page 14……How will we involve people<br>This can be seen as relating to the section on Local Plan preparation (Page 5) but its terminology is misleading. In the paragraph beginning "A wide variety of methods…." the term quantitative in the sentence "At early stages we may seek to gather quantitative data (views, reasoning and suggestions)……." is an unfortunate error. Views, reasoning and suggestions are QUALITATIVE information. Quantitative data, as the name implies, involves numbers not opinions.<br><br>Page 26…….Appendix C, Statutory Consultees<br>This is clearly a standard list and some of the organisations have little relevance to Bromsgrove. The list could therefore be abridged to exclude such organisations. If the full list is to be retained then comments in the final column should be specific to Bromsgrove. This appears to have been done in relation to the (obvious) lack of National Parks in Bromsgrove. This quaint aberration however, pales into insignificance when we note the inclusion of the information relating to the Greater London | information here. The revisions to the SCI have made this Appendix more specific to Bromsgrove DC.<br><br>Appendix A – Duty to Co-operate – The Duty to Co-operate is a statutory requirement on Local Planning Authorities, introduced through the 2011 Localism Act and referenced in the National Planning Policy Framework. The idea is that planning authorities engage with their neighbouring authorities and with statutory agencies to work together from an early stage on common issues to find solutions. The aim of the Duty to Co-operate is to hopefully avoid costly and time consuming representations at the later formal stages of the plan making process. The text presented at Appendix A was taken from the Planning Practice Guidance. This text has now been updated as it is felt unnecessary to repeat national guidance. |

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| | | | Authority.<br><br>Page 23…… Appendix A, Duty to Co-operate<br>"These organisations are required to co-operate with Local Planning Authorities…vital to make Local Plans as effective as possible on strategic Cross Boundary matters…….bodies should be proportionate in how they do this…..tailor the degree of co-operation according to where they can maximise the effectiveness of the plans"<br>The message here seems to be that whatever they may think of the plans and whatever problems are perceived, organisations must not pursue their concerns in great detail but accept and do the best that they can in the circumstances. Hardly reassuring unless all the organisations involved have confidence in the quality of an evidence based decision making process.<br><br>We conclude by commenting that, whilst it is promising to see Bromsgrove District Council producing an up to date statement about community involvement, without real commitment from planning officers and elected councillors the policies it expounds will count for little. | |
| **Wildmoor Residents' Association –Syd Danks** | 27/11/2016 | Bromsgrove | Relevant excerpt below:<br><br>In the above context and because our area receives regular planning applications for unsuitable development, I am concerned that our own area of Wildmoor is not referred to at all in the Local Plan, whereas Romsley, Fairfield and Belbroughton etc., are included for reference. On behalf of Wildmoor | Wildmoor Residents Association were added to the Consultation database on 24/11/2016 in response to a separate telephone request. They will therefore be notified of relevant consultations in the future.<br><br>Belbroughton and Fairfield Parish Council were sent an email informing them of the consultation on the draft SCI in October 2016. No 'bounce-back' email was |

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| | | | Residents' Association I would like to request that this omission be rectified. I would also request that Wildmoor Residents' Association be placed on your list of community organisations to which future consultation will be referred. Our Association has been in existence for over twenty years.<br>Whilst writing, I need to mention that until last week we were not aware of the consultation period regarding the 'Statement of Community Involvement' and also that our Parish Council, being Fairfield and Belbroughton P.C. are also unaware of the consultation period on the S.C.I. | received so it is assumed that the email was successfully delivered. |
| **Natural England – Carla Wright** | 28/11/2016 | Both | We are supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.<br><br>We regret we are unable to comment, in detail, on individual Statements of Community Involvement but information on the planning service we offer, including advice on how to consult us, can be found at: https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals.<br><br>We now ask that all planning consultations are sent electronically to the central hub for our planning and development advisory service at the following address: consultations@naturalengland.org.uk. This system enables us to deliver the most efficient and effective service to our customers. | Planning consultation email address noted. Bromsgrove District Council already use this as the main address for Natural England. |

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| **Historic England - Rohan Torkildsen** | 01/12/2016 | Both | Could I ask that reference to English Heritage is removed and replaced by Historic England.<br><br>Could I also ask that the schedule setting out when Historic England should be consulted is corrected. Could I refer you to our Charter for the appropriate list in accordance with the relevant Procedures and Regulation. https://historicengland.org.uk/services-skills/our-planning-services/charter/when-we-are-consulted/ | The references to English Heritage are taken from the NPPG and the 2012 Local Planning Regulations. The text in the SCI has been altered to refer to Historic England in the first instance, but with the addition of a footnote to clarify that English Heritage has been known as Historic England since 2015.<br><br>The Schedule referred to at Appendix C has been adapted from the detail provided in the Planning Practice Guidance. It is noted that some of the detail of the circumstances when Historic England would be consulted on planning applications has been lost in translation. This has been amended as the table has been simplified in the final version of the SCI. |
| **Philip Woodhams (Planning Consultant) on behalf of Billingham and Kite** | 02/12/2016 | Bromsgrove | In relation to the draft approach to Supplementary Planning Documents it is considered that the SCI should make it clear that the scope of SPD's is limited to 'where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development' (NPPF paragraph 153). It is considered that the SCI should contain a reference to this limitation of national policy so that potential participants in the production of SPDs are directed to within the boundaries of the scope indicated by national policy. This is especially important given that in SPDs the Planning Authority are promoter, judge and jury. Disciplining the scope for commentary by participants in the process will deter to potential for SPD's to trespass onto areas where they would impose obligations beyond those contained within the statutory planning policies. | Supplementary Planning Documents – Partially agree. Text regarding the content of SPDs has been updated to refer to their limitations. However, it is unnecessary to repeat text from the NPPF which is national policy.<br><br>The detailed nature of the suggested wording would not be appropriate in the Statement of Community Involvement which has been drafted as an easily accessible document for members of the public to use. The Local Development Scheme, which sets out which planning policy documents the Council intends to produce, would be a more appropriate location for this type of detail. This will be considered when the Local Development Scheme is revised.<br><br>Length of consultation – The regulations[1] set out the minimum requirement for consultation on SPDs and set this as not less than 4 weeks. The first page of the |

[1] The Town and Country Planning (Local Planning) (England) Regulations 2012

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| | | | In a similar vein conditions and S106 obligations are subject to legal and policy requirements which may also temper actual content of SPDs, and sometimes the views of policy and statute are given force in Court decisions.<br><br>Having regard to the above it is considered the Council should include a phrase to make it clear that the scope for SPD's is limited and in this context I table the following:-<br><br>"In considering the involvement of the community the Council will be mindful of court decisions, policy and legal restrictions on SPD content which restricts such content to material which assists successful articulation of planning applications or infrastructure provision without increasing the burden evident from the statutory policies which furnish the background for SPD's. It should be borne in mind in approaching community involvement in SPD's that any matter which ought ordinarily to be within the domain of statutory policy is not added to by the SPD. It is also important in considering the scope of SPD's to bear in mind that public involvement needs to recognise the limitations imposed by national policy, statute and court decisions in relation to conditions and Section 106 requirements."<br><br>In addition to the foregoing it is considered that the minimum period for consultation should be 6 weeks, and that in addition to inviting parties to respond to proposed SPD's there should be local media advertising also. | SCI states that the document sets out **minimum requirements** throughout, but that the Council may use additional initiatives as and when necessary. With regards to advertisements, the table in the 'Methods of involvement' section already includes using the Local Press to publicise consultation periods and the 'Access to information' section refers to advertising the availability of draft documents and when DPDs are submitted to the Secretary of State. |

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| **Worcestershire County Council – Emily Barker** | 05/12/2016 | Both | Worcestershire County Council (WCC) welcomes the opportunity to comment on the above consultation and support the draft document's aims.<br><br>WCC's officer-only comments on the draft SCI are:<br>• The statutory body 'English Heritage' is referred to in various places. These references should now be replaced with 'Historic England'.<br>• The paragraph which introduces the table of non-statutory bodies in Appendix D refers to statutory consultees, and may need clarifying.<br>• The table of non-statutory bodies should include access to the HER and specialist historic environment advice as provided by the County Council. The HER is referred to specifically in the NPPF and thus should be included in this document. WCC provides specialist historic environment advice to Bromsgrove and Redditch councils, in addition to being consulted on specific applications. | • English Heritage / Historic England – noted above under the response from Historic England.<br>• The introductory sentence to Appendix D has been amended to reflect that it is a choice as to whether these non-statutory bodies are consulted.<br>• The Worcestershire County Council Historic Environment Record has been added to the list of non-statutory consultees. |