



**STATEMENT OF COMMUNITY INVOLVEMENT**

**FEBRUARY 2019**

**WITH ADDENDUM JULY 2020**

In light of the impact of Covid-19 pandemic, it is not currently possible to fulfil certain requirements of the Statement of Community Involvement. In particular, access to the Council Office and other locations where documents can normally be viewed, is either not allowed or is severely restricted. This has implications for seeking views on various planning matters. Therefore, in accordance with advice from Government, the Statement of Community Involvement (2019) has been amended through the following addendum.

The Addendum was agreed by the Council's Cabinet at its meeting of 23 July 2020.

### **ADDENDUM**

There may be occasions where it may not be possible to provide access to hard copies of documents that the Council wishes to consult on due to circumstances beyond the Council's control. A specific example being the Covid-19 pandemic where the Council is unable to provide its usual access to hard copies of documents as the Council Office and other locations, such as public libraries are closed due to restrictions on movement imposed by the Government. Where such occasions arise, the Council will use other available channels of communication to promote and deliver effective consultation. The Council will provide notice on its website of the methods of communication being used in a particular consultation and also those locations which are affected by any access restrictions.

The Council's alternative approaches to ensure continued participation in consultations are set out below. Should any Government guidance or amendments to legislation be published the Council will review and amend the SCI accordingly. Also please note that it is the intention for these changes to be temporary during the period of such occurrences.

#### **Preparation of Local Plans and Supplementary Planning Documents**

- For all consultations, the Council will carefully consider whether it is safe, feasible and appropriate to carry out a consultation, in a way that does not prejudice the ability of people to be engaged in terms of fairness and equality. The Council may in some cases need to adjust its timescales for document preparation and also the period of time documents are consulted upon.
- All consultation documents will continue to be made available via the Council's website.
- For those that are not able to view a local plan or other consultation documents online, hard copies of the document will be made available and posted out where possible (free of charge) on request. This will be communicated in consultation material.
- Should anyone be unable to submit a response online or by email and be unable to leave their home to post a response the Council will consider bespoke measures on a case by case basis to enable people to respond. Anyone who experiences such issues should contact the Planning Policy Team on 01530 454677 or 454676 to discuss possible alternative arrangements.
- The Council will be clear in its correspondence as to how officers can be contacted via phone when not in the office.

- Consultation periods may be extended, where appropriate, to provide time for accessing documents and responding.
- Where a formal notice is required to be available for inspection at the Council Offices, then this will be displayed in a location(s) accessible to the public without needing to enter the Council Offices, for example at the entrances of the building and/or on a notice board.
- Arrangements will be kept under review throughout consultations.

### Managing Development

- For those applications that are not available on line, the documents can be made available in PDF format and sent electronically. For those who do not have access to a computer, please contact the Council's Planning Department on 01530 454665 to discuss alternative arrangements.
- Should anyone be unable to submit a response online or by email and be unable to leave their home to post a response the Council will consider bespoke measures on a case by case basis to enable people to respond. Anyone who experiences such issues should contact the Council's Planning Department on 01530 454665 to discuss alternative arrangements.
- Decision notices for planning applications submitted and determined since 2008 can be viewed on the Council's website.
- Applications for planning permission will be entered on a register. Maintaining a planning register is a statutory obligation and the information is available on the District Council's website for inspection.
- For those unable to view the above documentation on line, hard copies will be made available and posted out where possible (free of charge) on request.
- The Council operates a Duty Planning Officer system to deal with simple enquiries, as well as offering general planning and procedural advice. This service will only be available between 1pm and 5pm on the phone on 01543 454580. . However, it may be necessary on occasion to temporarily suspend this service. Any suspension shall be advertised on the Council's website.

### Neighbourhood Plans

- For those elements of the Neighbourhood Plan process where the Council is responsible for undertaking consultation, the Council will employ pragmatic steps to make the consultation as inclusive as possible. This is likely to include, but is not limited to: extended consultation period, posters in key locations that remain accessible, press release and printed elements provided on request.

## SECTION A: INTRODUCTON AND BACKGROUND

### 1 INTRODUCTION

1.1 Planning shapes the places where people live and work, so it is right that people should be able to take an active part in the process.

1.2 The [National Planning Policy Framework](#)(NPPF) (March 2018) highlights the importance of engagement with our communities in plan-making and states that:

“Plans should.....be shaped by early, proportionate and effective engagement between planmakers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees; (Paragraph 16)”

1.3 In addition, Local Planning Authorities are required to produce a Statement of Community Involvement (SCI) under section 18 (Part 1) of the Planning and Compulsory Purchase Act 2004.

1.4 In making decisions as part of the plan making or planning application process the outcome of engagement will be taken in to account alongside all other material considerations.

#### **What is the Statement of Community Involvement (SCI)?**

1.5 The main purpose of the Statement of Community Involvement (SCI) is to:-

- set out how the community, business and other organisations with an interest in the development of the District can engage with the planning system.
- explain how North West Leicestershire District Council will engage and consult the community and other interested individuals and organisations in the production of new Development Plan Documents (DPDs) including the Local Plan and Supplementary Planning Documents (SPDs), and when dealing with planning applications.
- set out the Council’s role in neighbourhood planning

1.6 The SCI provides a framework for future consultation and community engagement. It is not prescriptive. The approach to consultation will vary depending upon circumstances and therefore a flexible approach to all future consultations is required. Certain requirements for consultation and engagement on plan-making and planning applications are set out in legislation. The SCI satisfies these statutory requirements and also seeks to exceed these requirements where appropriate whilst also having regard to available resources.

1.7 Section D of the SCI addresses Neighbourhood Planning which is a key part of the Government’s localism agenda. The approach to consultation and engagement will be a matter for the

individual bodies in preparing their plans and therefore this matters is outside the scope of the neighbourhood plan. Therefore the SCI provides an overview of what neighbourhood planning is, its process and how the District Council will support and assist Neighbourhood Plan Groups in the preparation and making of Neighbourhood Plans.

### **Why is a new SCI required?**

- 1.8 The current adopted SCI (2015) was prepared to take into account legislative changes relating to the preparation of Local Plans and the determination of planning applications. It also provided an opportunity to allow the Council to change its approach on consultation based on experience gained since the adoption of the 2006 SCI.
- 1.9 Since the adoption of this SCI (2015), legislative changes have been made under the Neighbourhood Planning Act 2017, with respect to plan-making and neighbourhood planning, and what should be addressed in a SCI, namely:-
- The Neighbourhood Planning Act requires a local planning authority to notify the parish/town council or neighbourhood forum of relevant planning applications if there is an adopted neighbourhood plan for their area.
  - Within its SCI the Council is now required to set out its policy for discharging its duty to give advice or assistance to qualifying bodies (i.e. Parish/Town Councils or Neighbourhood Forums) to facilitate neighbourhood planning and neighbourhood development plans and their preparation.

It is therefore an appropriate and relevant time to prepare an updated SCI to allow for these changes to be incorporated.

### **How is the statement set out?**

- 1.10 Section A sets the background and context for the SCI, including legal requirements and explaining how communities, and other individual and organisations, can be involved in the planning process.
- 1.11 Section B deals with plan-making, providing details on who the Council will consult, as well as when and how we will consult and engage with communities and stakeholders.
- 1.12 Section C explains how planning applications are dealt with and outlines the District Council's consultation arrangements.
- 1.13 Section D provides an overview of the role and process of Neighbourhood Development Plans and how the Council will support neighbourhood planning.

1.14 A glossary of terminology that has been used is provided within Appendix H.

## **2 WHAT IS PLANNING?**

2.1 The purpose of the planning system is to manage the use and development of land and buildings. It is how we as a society strike a balance between allowing development to support economic development and provide the things we need like homes, jobs, shops and transport whilst conserving our heritage and the environment.

The planning system has two main parts to it:

- Plan making (Planning Policy) and
- Managing Development (Planning Applications)

### **Plan-Making**

2.2 The purpose of plan making is to set out how an area will develop over time and to provide a guide for future development. Development Plan Documents (DPDs) will set out the policies for development within the district, for example, the North West Leicestershire Local Plan (Adopted 2017). When making decisions on planning applications, they are made having regard to adopted DPDs unless other material considerations indicate otherwise.

2.3 A Neighbourhood Plan is also a DPD, and is prepared by either a Parish or Town Council, or a Neighbourhood Forum. It is used to assist in the determination of planning applications in the local area to which it applies.

### [National Planning Policy](#)

2.4 National Planning Policy is contained within the National Planning Policy Framework (NPPF), together with the National Planning Policy Guidance (NPPG) and the Planning Policy for Traveller Sites (PPTS). These documents provide advice on how the national policies should be applied and also provide guidance for local authorities, both in preparing DPDs and making decisions on planning applications.

### Duty to Co-operate

2.5 There is also a 'Duty to Co-operate' in the plan making process as defined in Section 110 of the Localism Act 2011. It is a requirement for the Council to engage with its partners, such as neighbouring authorities and other statutory bodies to consider joint approaches to plan making. North West Leicestershire District Council is committed to meeting this duty and is actively working with neighbouring authorities and other statutory bodies, and will continue to do so, throughout the plan-making process. See Appendix A for a list of the Duty to Co-operate bodies.

## Local Plan Policy

### *Development Plan Documents*

- 2.6 Development Plan Documents (DPDs) set out the District's policies for development. The Development Plan comprises of Development Plan Documents (DPDs) which form the legal basis for all future planning decisions in the district. DPDS must be consistent with and have regard to national planning policy.
- 2.7 The key and main DPD for the District Council is the Local Plan. This will set out the planning strategy, policies and proposal for the district; it will set out how the area will develop and change in the long term and will:
- Provide a vision for the future of the area, based on evidence of what is needed and what makes the local area distinctive
  - Provide priorities and policies to guide future development
  - Allocate land for housing, employment, retail and other uses.

Planning applications must be determined in accordance with the development plan (i.e. the Local Plan) unless material considerations indicate otherwise.

- 2.8 The current [North West Leicestershire Local Plan](#) was adopted in 2017 and provides the planning policies for the district for the period 2011 to 2031. It comprises a vision, strategic objectives, site allocations and development management policies.

### *Supplementary Planning Documents*

- 2.9 We can also produce Supplementary Planning Documents (SPDs) to add greater detail to policies in the Local Plan. These can be area or topic based. Although SPDs do not have the same status as the Local Plan they can be a material consideration when making planning application and making planning decisions. Current [SPDs](#) are available to view on the Councils website.

### *Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)*

- 2.10 All DPDs must be subject to a Sustainability Appraisal and most DPDs and some SPDs to a Strategic Environmental Assessment (SEA), the latter normally being incorporated into the former. The Sustainability Appraisal seeks to assess the environment, social and economic effects of the implementation of the policies contained in the documents or the effects of not having these policies. The SEA only considers the environmental implications of policies and proposals in a DPD.
- 2.11 The Sustainability Appraisal is an integral part of Local Plan preparation and its outputs will be consulted upon during the various consultation periods.

## Neighbourhood Plan Policy

### *Neighbourhood Plans*

- 2.12 A Neighbourhood Plan is a community prepared plan which enables local people to guide the future of the area they live and work in. It is prepared by communities themselves with the support of the Council and will form part of the Statutory Development Plan alongside the Local Plan. Legislation enables either a parish or town council (where they exists), or a neighbourhood forum (for non-parished areas) to take neighbourhood planning forward and produce a Neighbourhood Plan. These are referred to as the 'qualifying body'. It is the role of the local planning authority to agree to the designation of a neighbourhood forum for the neighbourhood area.
- 2.13 A Neighbourhood Plan can be used to address the development and use of land and it can allocate land for the development, or include policies to guide development, for example, by seeking to protect important local green spaces. It should support the strategic policies set out in the Local Plan for its area and have regard to national policies and advice, set out in the NPPF and the NPPG. A proposed Neighbourhood Plan is subject to an Independent Examination and if recommended will proceed to a referendum. If a majority vote is received at referendum the Neighbourhood Plan will then be approved and form part of the development plan for that Neighbourhood Area. Applications for planning permission must be determined in accordance with the development plan, which includes both a local plan and neighbourhood plan, unless material considerations indicate otherwise

### **Managing Development**

- 2.14 Most new development, building work and how land and buildings are used, are managed through the process of planning permission. We are responsible for the determination of planning applications for such works. We receive about 1,000 applications per year which range from householder extensions and minor applications to large-scale proposals that include new housing, employment, retail and other development. The Local Plan is the most important consideration in deciding planning applications and planning applications must be determined in accordance with the development (i.e. the Local Plan) unless material considerations indicate otherwise



### **3 WHAT OPPORTUNITIES ARE THERE TO BE INVOLVED IN PLANNING?**

3.1 For the plans that we prepare and the planning applications that are submitted to us to decide, we must consult and engage with people and organisations in making our decisions.

#### **Plan Making**

3.2 The Local Plan has to be widely consulted upon and there is a formal process of consultation that all Local Plans need to go through with fixed deadlines. Minimum requirements for engagement are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (The Regulations). There are different stages in the preparation of a Local Plan and there are different opportunities to have a say throughout.

3.3 The nature of community involvement will vary depending on the type of planning policy document being produced. For example;

- Development Plan Documents - these must go through specific stages of community involvement before being submitted to a Government Inspector for examination and decision;
- Supplementary Planning Documents - these will also be subject to public consultation (but no independent examination) but will be adopted by the Council itself.

3.4 The Town and Country Planning (Local Planning) (England) Regulations 2012 ('The Regulations') sets out the three stages of plan production where some consultation or engagement is required, these are:

- Preparation of a Local Plan (Regulation 18)
- Publication of a Local Plan (Regulations 19)
- Representations relating to a Local Plan (Regulation 20); and
- Submission of a Local Plan and information to the Secretary of State (Regulation 22)

3.5 In terms of Supplementary Planning Documents (SPDs) the Regulations set out the two stages of plan production where some consultation or engagement is required, these are:

- Public participation (Regulation 12) and;
- Adoption of supplementary planning documents (Regulation 14)

#### **Managing Development**

3.6 Once any planning application has been received and recorded, we will take steps to publicise it, consult and invite comments. The nature, scale and type of planning application will determine

how we will engage with the Community. Minimum requirements are set out in the Town and Country Planning (Development Management Procedure) Order 2015 (DMPO).

**What is the role of Councillors in the planning system?**

- 3.7 Councillors have an extremely important role to play in the planning process, both as decision makers and as somebody who will represent the views of local people. Before the Local Plan can be submitted for independent examination it must be agreed by a meeting of all Councillors. Eleven Councillors also sit on the Local Plan Committee, which enables cross-party discussion, guidance and support for the development of the Local Plan.
- 3.8 With respect to planning applications, some of these will be determined by the Planning Committee. Although not all Councillors are members of the Planning Committee they can attend the meeting and make representations on behalf of local people.
- 3.9 Councillors will also help you to understand the planning process and assist you to respond to consultations on the Local Plan or planning applications. They will also communicate your views to officers and other councillors so as to ensure that all views are taken into account when determining how the council should proceed.
- 3.10 You can discuss any concerns or views you have with a councillor over the telephone or meet them in person. Councillors have regular surgeries which provide an opportunity for any resident to go and talk to their ward councillor face to face. If you cannot attend a surgery then councillors will try and meet with you separately. You can also write to councillors using either email or a letter.
- 3.11 Information about which councillors represent which area together with information about how you can contact them can be found on the district council's website at: [www.neleics.gov.uk/councillors](http://www.neleics.gov.uk/councillors).

## SECTION B: PLAN MAKING

### 4 Introduction

- 4.1 This section of the SCI set outs who we will consult, when we will consult and how we will consult when preparing our planning policy documents, both DPDs and SPDs. Minimum requirements for consultation and engagement are set out within the regulations however at certain stages in the preparation of planning policy documents; we have the flexibility to undertake our own process of engagement. The scale and extent of this will vary depending on the subject of the planning document. For example, the Local Plan will require widespread consultation across the District as well as with national and regional bodies, whereas an action plan for a particular area or a supplementary planning document on a specific topic, will be much more specific and targeted in terms of its consultation.

### 5 PLAN MAKING: Who do we consult?

- 5.1 Depending on the type of planning policy document there are a number of ‘specific’ consultation bodies that we must consult and invite to make representations. We also have the discretion to identify general consultation bodies. However these two lists of bodies are not exhaustive and are also related to successor bodies where re-organisations occur. In addition, legislation and regulations are frequently updated and the list of consultees may change over time as a result.
- 5.2 The Regulations set out the specific consultation bodies that we must consult at defined key stages in the production of a Plan. This includes a range of statutory bodies with responsibilities for the environment, infrastructure and mining. A full list of these ‘specific consultation bodies’ is set out in Appendix B. In addition we must consult with neighbouring authorities, with this group being more tightly specified and also part of the Duty to Cooperate place on local authorities.
- 5.3 We must also consult ‘general’ consultation bodies at key stages. The types of bodies on this list who will be involved include:
- Those representing the wider community, including the local strategic partnership, parish/town council, neighbourhood forums, areas forums, and other community groups;
  - Those representing the business community, including chambers of trade and Network Gold;
  - Special interest groups, such as conservation societies and nature conservation bodies;
  - Hard to Reach Groups
  - Developers and those with property and/or development interests.

- Voluntary groups and groups representing different ethnic, national or faith groups, and groups representing the interests of local people with disabilities.

The current list is set out in Appendix C.

Those 'general consultation bodies' who are consulted will depend on the nature and subject of the planning policy document being consulted upon. The Council can decide which organisations within these general categories it thinks are appropriate to consult.

- 5.4 In addition to the 'specific' and 'general' consultation bodies, we are committed to involving a wide range of other individuals and organisations including members of the Community and 'hard to reach' groups.
- 5.5 Therefore we will maintain a comprehensive database of individuals, community groups and stakeholder groups, who wish to be informed of the production of development plan documents and plan making. This database will be kept up to date as and when is necessary and will be kept under review. These interested individual and groups are asked to provide details of any changes of address etc to enable the database to be kept up to date.
- 5.6 It is recognised that there are sections of the community and population that maybe underrepresented in the planning process, or have a limited capacity for involvement. These groups may include ethnic minorities, young people, elderly people, and the transient population. We will liaise with other local council services, such as the Community Focus Team, as well as other organisations, such as Leicestershire County Council, where necessary to seek engagement with as many hard to reach groups as possible.

## 6.0 PLAN-MAKING: When do we consult?

- 6.1 The section below identifies the minimum legal requirements (as stated within the Regulations) for the stages in the preparation of DPDs and SPDs.

### **Strategic Growth Plan for Leicester and Leicestershire**

- 6.2 The district council has been working with the other Leicestershire authorities on the preparation of a Strategic Growth Plan which will set out aspirations for delivering housing, economic development and infrastructure. This document does not comprise a DPD but the Council will provide support for its preparation and assist in public consultation that is to be undertaken. The SCI will inform the methods of consultation and engagement as well as the consultees, including specific and general consultation bodies.

### **Development Plan Documents**

- 6.3 There are three main stages of DPD production where some form of consultation or engagement is required by the Regulations. These are summarised below.

**Preparation of a Local Plan (Regulation 18):** At this stage in the process we must consult and invite representations from:

- 'specific' consultation bodies (identified in the Regulations);
- 'general' consultation bodies (identified by the Local Authority), and
- Residents or businesses within the area, who we consider appropriate

Representation will be sought on what a Local Plan ought to contain.

Apart from these requirements there is flexibility open to us as to how we carry out the initial stages of plan production. Plan preparation can be an informal and ongoing process and involvement will be possible up to the publication of the Local Plan. However there will be at least one 'formal consultation' period during the Local Plan Preparation stage, normally with a 6-12 week consultation period.

**Publication of a Local Plan (Regulations 19 & 20):** The publication stage plan is the plan which we consider ready for examination. Before the plan is submitted we will publish the plan together with associated documents for representations to be made, for a period of not less than 6 weeks. These documents will be made available at the Council

Offices and other defined appropriate places. The Council will invite interested parties (in addition to the specific and general consultation bodies) to make formal representations at this stage. This is the final stage in the process when formal representations on the Local Plan can be made to the Council.

**Submission of a Local Plan to the Secretary of State (Regulation 22):** A copy of the Local Plan and associated documents is submitted to the Secretary of State for ‘examination’ and an Independent Inspector is appointed to examine the soundness of the plan. The Inspector will also be provided with the formal representations made at the previous publication stage.

It is also at this stage that a Programme Officer will be appointed to assist the Inspector with procedural and administrative matters, organise the Hearing session of the examination and act as a channel of communication between the Inspector, the Council and representors. The Programme Officer is not an officer of the Council, but works under the direction of the Inspector.

The Programme Officer will notify each of the general and specific consultation bodies advising that the documents are available for inspection and where, as well as give notice of submission, to those who requested to be notified. Please note that this is not a stage where we carry out a formal consultation.

**Independent Examination (Regulation 24):** The Planning Inspectorate will notify the council of the date for the Examination in Public (EIP) in order to carry out an examination into the Plan’s ‘Soundness’. The Programme Officer will notify any person who has made a representation on the pre-submission consultation (Regulation 20) of the date, time, place and name of the Inspector at least six weeks before the opening of the hearing. The Plan is ‘examined’ by the Inspector to ensure that it is ‘sound’ and that the appropriate legal and procedural requirements have been met. Please note that this is not a stage where we carry out a formal consultation.

**Adoption (regulation 26):** As soon as reasonably practicable after we adopt a local plan we will make the plan and associated documents available for inspection at the Council Offices and other defined appropriate places. We will also send a copy of the adoption statement to any person who has asked to be notified on the adoption of the Local Plan as well as to the specific and general consultation bodies.

- 6.4 The Consultation Table 1 in Appendix D summarises the key stages of consultation for DPDs. It explains what these stages are, who will be consulted, when and how. This table will form the basis of how the Council will conduct its consultation on Development Plan Documents.

### **Supplementary Planning Documents**

- 6.5 The Council will occasionally produce Supplementary Planning Documents to add further detail to the policies in the Local Plan, as well as other DPDS. A Supplementary Planning Document

(SPD) can be area or topic based and is capable of being a material consideration in a planning decision.

- 6.6 The National Planning Policy Framework (2012) states that SPDs should be used where they can help applicants make successful applications or aid infrastructure delivery. They should not be used to add unnecessarily to the financial burdens on development.

**Scoping and Evidence Gathering** – this is not a formal stage that is required in the Regulations. However this stage allows document preparation to begin with evidence gathering from a variety of sources, with a view to identifying possible issues and options. This stage is also likely to involve informal consultation with stakeholders and interested parties, considered appropriate to the subject matter of the SPD.

**Publication Stage (Public Participation) (Regulation 12)** – Copies of the SPD will be made available for not less than 4 weeks at the Council offices and other defined places and on the Council’s website. The Council will also invite representations from those individuals and bodies considered appropriate having regard to the subject of the SPD using the lists of specific and general consultation bodies. This stage is the formal consultation stage when comments are invited on the draft SPD.

**Adoption (Regulation 14)** –Representations received will be considered and when we are satisfied with the content and form of the document, it will be presented to Cabinet for adoption. Once adopted a SPD is a material consideration in the determination of planning applications.

- 6.7 The Consultation Table 2 in Appendix D summarises the key stages of consultation for SPDs. It explains what these stages are, who will be consulted, when and how. This table will form the basis of how the Council will conduct its consultation on Development Plan Documents.

## **7 PLAN MAKING: How do we consult?**

7.1 The Council recognises that there are different elements to engagement, including

- Providing information, in a variety of ways e.g. in writing, website and social media
- Undertaking consultation – the Council asking for views or comments on what you think about a policy or proposal,
- Participation – active involvement in something such as discussions or workshop etc and;
- Feedback – identifying or explaining how responses received have informed the production of a piece of work such as a DPD.

7.2 In the case of planning policy documents, there is a distinction between ‘formal stages’ of plan production (where the nature of consultation is governed by the Regulations) and ‘ongoing informal consultation and engagement’ with the Community as part of the development and assessment of emerging options and where there is more freedom about how we engage..

### **What are the Legal Requirements?**

7.3 The minimum legal requirements concerning ‘how’ the Council must consult on Development Plan Documents are set out in the Town and Country Planning (Local Planning) (England) Regulations (2012) (The Regulations). These specify the following:

#### Plan Preparation (Regulation 18)

7.4 Notify and invite comments from the specific and general consultation bodies as well as residents or other persons with an interest in the district. To meet these requirements the specific and general bodies along with residents and business will be informed, by letter or e-mail during this stage of plan preparation.

#### Publication of a Local Plan (Regulation 19 & 20)

7.5 We are required to publicise the version of the Local Plan that we intend to submit for examination. This is to provide opportunity for representations to be made that can be considered at examination.

7.6 The regulations also specify that the document must be made available for inspection. We will meet this requirement by making the Local Plan document and supporting documents available in defined locations, including:



- At the Council Offices, Whitwick Road, Coalville, LE67 3FJ
- [At the Libraries throughout the district](#)
- [On the Council's website](#)

We will advise, by email or by letter, the specific and general consultation bodies, of this stage of plan production, including the availability of documents and inviting representations to be made, as required by the Regulations. The Council will also advise by email or by letter, residents and business, who are listed on the Council's Local Plan database.

#### Submission of documents (Regulation 22)

7.7 A copy of the Local Plan, along with associated documentation including any proposed changes is submitted to the Secretary of State for 'examination'. An independent Inspector is subsequently appointed to examine the soundness of the plan. We will meet the minimum publicity requirements by making the documents available in defined locations, including:

- At the Council Offices, Whitwick Road, Coalville, LE67 3FJ
- [At the Libraries throughout the district](#)
- [On the Council's website](#)

The Programme Officer will notify, by email or by letter, each of the general and specific consultation bodies, as well as residents and businesses, advising of the availability of the document, their availability for inspection and when and where. Other groups and individuals who have requested to be notified of the submission will also be contacted by email or by letter.

7.8 Our database will be used to ensure the required and appropriate stakeholders, including organisations, individuals, community groups and stakeholder groups are informed of the production of development plan documents and plan making.

#### How we will communicate with people

7.9 There are a variety of consultation and engagement techniques available to the Council that go beyond the minimum requirements of the Regulations. We will seek to go beyond the minimum requirements. Furthermore the methods of involving people should be appropriate and relevant to the people involved, and the type of consultation being undertaken. For example, a consultation on the general principle of where development should go will need a much wider consultation than a proposal relating to a specific issue or specific part of the district. Where possible and appropriate, we will go beyond those minimum requirements to promote greater community participation.

7.10 We will give consideration to a variety of methods that could be used during the various stages of the plan making process outlined above. Potential techniques that could be used include:-

**Inform by letter or email** statutory and general bodies, relevant groups and to those on our consultation database who have requested to be consulted.

**Publish on the Council's website** – a dedicated page(s) on the Council's website to provide information on the preparation of planning policy documents. Notifications of upcoming consultations will also be available on the website, including dates of consultation, how to make representations and how to view or download the associated documents, including evidence bases. Press releases could also be posted on the Council's website.

The web pages will be kept up to date and will be interactive, allowing representations to be submitted electronically where appropriate.

**Email alert system** whereby stakeholders identified on the Council's database can be provided with the latest information.

**Social Media** – Facebook, Twitter and other forms of social media used to publicise emerging documents and consultations and seek views and representations.

**Local media** – Notices published in local newspapers circulating in the area and press releases made available to the local media, as appropriate throughout the plan preparation process, and at key preparation stages.

**Availability of documents** – Hard copies of the documents will be made available for public viewing during formal public consultation at the District Council's offices and local libraries within the District. Hard copies of documents could also be provided to the Parish Councils that have offices and the Council's leisure centres.

**The Planning E-newsletter** - Consideration will be given to the publication of a planning e-newsletter which could be published on our website and distributed to all Parish Councils and District Councillors and stakeholders. It could be used to provide updates on plan preparation and provide notification of consultation events.

**Leaflets/postcards/posters** – this could be a good way of informing local residents about the local plan. Leaflets and posters could be made available at the Council offices, libraries, leisure centres and health centres as well a range of venues frequented by peoples, such as notice boards at Parish Councils and supermarkets in the District.

**Workshops**– These can be employed through the process although the exact format will depend on the issues discussed. They could be particularly useful in gathering information to inform plan preparation. The objectives and expected outcomes of each workshop will be clearly set out beforehand. Workshops will usually involve groups using plans and other visual aids. Careful consideration will be given to venues, timing and participants to ensure that events are as effective as possible.

**Town and Parish Councils** –have an important part to play during the process. Their important role in the local community and their knowledge on local matters is recognised. We will endeavour to make officers available to explain proposals and to help facilitate a well informed debate on the issues under consideration. We will also look at ways to facilitate and enable the Parish Council to help raise awareness of local plan preparation and consultations in their local

community. Supporting documents can also be sent to the Parish Councils, such as leaflets and posters, to support local community engagement. Parish Councils will also be advised of Local Planning Advisory Committee Meetings and provided, electronically, with a copy of the agenda. In addition, we will use the existing Parish Liaison meetings to provide information and updates.

**Exhibitions** – These can also be employed throughout the process. Public displays for local residents would allow for progress on plan preparation to be followed, provide advice and information or raise awareness of consultations, as well as provide opportunities to contribute representations to a consultation. Existing community events could be used as venue for such exhibitions. Other appropriate venues may include high street locations, frequented by people, within the district’s town and villages.

**Surveys and questionnaire** - these may be utilised to canvas views on key issues, options, proposal and documents. Existing community events could be used as a venue for the surveys and questionnaires to be carried out.

**Programme of plan preparation** – The Council’s Local Development Scheme will provide information on the timetable for producing development plan documents. Where possible local groups will be advised of forthcoming consultation exercised through e-mail alerts.

**Focused meetings with recognised lobby groups** – These will be considered when requested and where it is clear that there are significant benefits from holding such a meeting.

**Utilise existing established groups** – existing forums and stakeholders will be utilised where appropriate in order to publicise development plan preparation and process including for the purposes of consultation and evidence gathering.

#### *Resources*

- 7.11` Community Involvement of the plan making process will be led by the Council’s Planning Policy Team but will also involve a corporate support across the Council involving the Communications Team and the Community Focus Team, as well as other areas of expertise. It is also appreciated that there may need to be an input from consultants or external facilitators.

## **8. HOW DO WE DEAL WITH REPRESENTATIONS**

8.1 Feedback is also an important element of the process as it is a means of showing those who have responded to the consultation how their views have been taken into account and informed the plan-making process. We will:

- acknowledge all representations received and summaries will be prepared of such representations.

8.2 It should be noted that all comments and representations received are public documents and cannot be kept confidential.

## SECTION C: MANAGING DEVELOPMENT

### 9. INTRODUCTION

- 9.1 This section explains how planning applications are dealt with and outlines the District Council's consultation arrangements.
- 9.2 The majority of planning applications are determined under powers that have been delegated to officers. Some applications are considered and determined by the Planning Committee which meets monthly, in accordance with the Council's constitution. Decisions are taken having regard to the Councils adopted Local Plan, and any adopted Neighbourhood Plans, which are the legal basis for all decisions, unless material considerations indicate otherwise.
- 9.3 The government sets targets for the time taken to determine planning applications. These are currently 13 weeks for major applications and 8 weeks for all others. If an Environmental Impact Assessment is required by the scale of development then this period will extend to 16 weeks. Before a decision is made the case officer will prepare a report with a recommendation.
- 9.4 The recommendation will take into account the policies within the adopted Local Plan, the National Planning Policy Framework, Planning Practice Guidance as well as any consultation comments received. The District Council can only take into account comments relating to material planning considerations.

### 10. PRE-APPLICATION ADVICE

- 10.1 We encourage applicants and developers to seek pre-application advice from the Council prior to the submission of a formal planning application. These discussions are undertaken in confidence. Normally this would involve the submission of sketch drawings and other relevant detail. We aim to provide a response within 20 working days wherever possible, advising on the likelihood of gaining an approval on an informal and non-prejudicial basis as well as giving an indication of what the key policies and planning issues are likely to be. The schedule of charges for pre-application advice as well as the procedures for gaining pre-application advice is available at:

[http://www.nwleics.gov.uk/pages/planning\\_advice\\_and\\_guidance](http://www.nwleics.gov.uk/pages/planning_advice_and_guidance)

- 10.2 Furthermore, in accordance with good practice guidelines, the District Council currently operates a 'development team' approach to major proposals, with a nominated officer co-ordinating the input of other specialist advice on an initial scheme.

- 10.3 The Council also operates a Duty Planning Officer system to deal with simple enquiries, as well as offering general planning and procedural advice. This is available between 1pm and 5pm at the reception at the Council Offices or on the phone on 01543 454580.

Pre-Application Consultation

- 10.4 We will also encourage applicants to undertake pre-submission consultation with neighbours and local communities prior to making an application. Pre-application discussion should also include the key consultees on the type of development proposed such as the Local Highway Authority, the Highways Agency and Environment Agency.

## **11. MANAGING DEVELOPMENT: When do we consult?**

- 11.1 Upon receipt of a planning application the local planning authority will undertake a period of formal consultation. This will normally last for a period of 21 days although there will be cases a longer period of time will be allowed for comment on applications where this is prescribed by legislation.
- 11.2 Depending on the type of planning application being considered, there are a number of consultation bodies that the Council must consult and invite to make representations. In addition, who will be consulted can depend on factors such as how many people would be affected by the proposal and the type of impact likely. The main type of consultation groups include:-
- Public – including consultation with neighbouring residents and community groups
  - Parish Councils and Neighbourhood Forums – consulted on applications within their Parish or Neighbourhood Area.
  - Statutory Consultees – this is where there is a requirement in law to consult a specific body who in turn are under a duty to respond, for example, Environment Agency, The Coal Authority
  - Consultation required by a direction – this is where the local planning authority is directed to undertake additional consultation due to specific local circumstance
  - Non Statutory Consultees – these are not required by law but there is a planning reason to engage with these consultees and who are likely to have an interest in the proposed development, for example, Health and Safety Executive.

### Amended Plans

- 11.3 Following submission of a planning application, negotiations can often take place between planning officers and developers, and their agents in order to seek amendments to a submitted scheme. In most cases, upon receipt of amended plans, we will carry out a further consultation on these amendments. This consultation is likely to include re-notification of neighbours, Parish Councils and statutory consultees, depending on the nature of the changes and the likely implications. In view of the tight time scales to determine planning applications the re-notification time is set at 14 days. Minor alterations that have no material impacts will not normally be the subject of re-notification.

### Planning Appeals

11.4 If an application for planning permission is refused by the local planning authority, or it is granted with conditions, an appeal can be made to the Secretary of State against the refusal or the conditions attached. There is also a right of appeal if an application is not determined within a specific time. An appeal can only be made by or on behalf of the person who made the application for planning permission or approval. There is currently no 'third party' right of appeal for objectors or other parties who may have an interest in the proposal and who are unhappy about the decision to approve a planning application.

11.5 Appeals are examined by an independent Planning Inspector. We will advise neighbours who have previously been notified when appeals are submitted. Further advice on the appeal process is available at:-

<http://www.planningportal.gov.uk/planning/planninginspectorate>

## **12. MANAGING DEVELOPMENT: How do we consult?**

12.1 The level of consultation carried out for planning applications, will be proportionate to the type and scale of planning application being determined. In all cases, publicity will meet legal requirements and in some cases, additional publicity will be carried out.

12.2 Planning legislation requires certain types of applications, such as works to a listed building, or planning applications that are accompanied by an Environmental Impact Assessment, to be advertised in the local press. For most types of applications, site notices (s) and/or letters will be appropriate. More detail is provided in the section below.

### Publicity Requirements

12.3 The regulations set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015, The Planning (Listed Building and Conservation Areas) Regulations and The Planning (Listed Buildings and Conservation Areas) Act 1990, state how planning applications need to be publicised, either by site notice or individual neighbour notification.

12.4 Neighbour notification by letter is the principal method of consultation on most planning applications. For most planning applications, letters are sent to all owners/occupiers of properties that immediately adjoin the boundary of the application site. In addition the Council will notify more widely where an application is likely to have a wider impact. Comments are invited within 21 days.

12.5 In addition, a press notice and site notice is also required for the following types of applications:

- Erection of 10 or more dwellings, or a site area of 0.5 hectares or more
- Erection of 1000 square metres of floorspace or site area of 1 hectare or more
- An application accompanied by an Environment Impact Statement
- A departure from the Local Plan



- A development that would affect the public right of way, under part III of the Wildlife and Countryside Act 1981
- Development affecting the character or appearance of a Conservation Area
- Development affecting the setting of a Listed Building.

12.6 Large scale or more complex development proposals may warrant the use of a Planning Performance Agreement (PPA). This is a project management tool that is agreed between the Local Planning Authority and an applicant. Under the PPA a project plan and programme is agreed. They provide opportunities for joint working, bringing together other parties such as statutory consultees as well as provide opportunity to identify how and what communities should be engaged.

**13. MANAGING DEVELOPMENT: Who do we consult?**

13.1 The Council is ‘required’ to consult various organisation and bodies and is advised to consult others depending on the type of application, as set out in the Town and Country Planning (Development Management Procedure Order) (England) (2015) (DMPO). A list of the statutory consultees is provided in Appendix E. A list of the non-statutory consultees, as defined in national policy and guidance, is provided in Appendix F.

13.2 Parish Councils are consulted electronically on planning applications within their parish, which means they are able to access the planning application by viewing the details on line. The same approach would be applied to any Neighbourhood Forums that are established within the district.

13.3 In addition to planning applications, there are other types of applications that can be submitted to the Councils for determination. These are listed in the table below along with details of who and how we will usually consult on these applications, depending on the particular circumstances

Application type	Consultation
Lawful Development Certificate (existing)	<ul style="list-style-type: none"> <li>• Neighbour Notification</li> <li>• Parish/Town Council</li> <li>• Neighbourhood Forum</li> <li>• Site Notice</li> </ul>
Lawful Development Certificate (proposed)	<ul style="list-style-type: none"> <li>• Neighbour Notification</li> <li>• Parish/Town Council</li> <li>• Neighbourhood Forum</li> <li>• Site Notice</li> </ul>
Advertisement Consent	<ul style="list-style-type: none"> <li>• Neighbour Notification</li> </ul>

Applications	<ul style="list-style-type: none"> <li>• Parish/Town Councils</li> <li>• Neighbourhood Forum</li> <li>• Councils Conservation Officer if the application site is on a Listed Building</li> <li>• Highway Authority if the sign is illuminated and is fronting public highway</li> </ul>
Prior Notification Applications	Parish/Town Councils are consulted as would be any Neighbourhood Forums. As scheme is permitted development and does not need the benefit of planning permission, generally there is more consultation. However some consultation maybe undertaken depending in the nature of the proposal and whether local knowledge is appropriate to situation.
Non-Material Amendments	As these types of applications propose amendments that are non-material to the original permission then no consultation is carried out.
Hedgerow removal notices	<ul style="list-style-type: none"> <li>• Parish/Town Council</li> <li>• Neighbourhood Forum</li> <li>• Council's Tree Officer</li> <li>• Any relevant statutory consultees</li> </ul>
Tree Preservation Orders(TPOs)/works to trees protected by TPOS	<ul style="list-style-type: none"> <li>• Neighbour Notification</li> <li>• Parish/Town Council</li> <li>• Neighbourhood Forum</li> </ul>
Work to trees in a Conservation Area	<ul style="list-style-type: none"> <li>• Parish/Town Council</li> <li>• Neighbourhood Forum</li> </ul>
Discharge of Conditions	<ul style="list-style-type: none"> <li>• Relevant Statutory Consultees</li> </ul>
Environment Assessment 'scoping opinion'	<ul style="list-style-type: none"> <li>• Relevant Statutory Consultees</li> </ul>
Environmental Assessment 'Screening opinion'	<ul style="list-style-type: none"> <li>• None</li> </ul>

Table 1: publicity on other planning applications

What happens to comments made on an application?

13.4 People are able to respond online through the Councils website. Alternatively comments can be submitted by email or by letter. All comments must be made in writing and contain the name and address of the author. All comments received are public documents and cannot be kept confidential. All written representations received on all applications are summarised in the report on the application and are considered before a decision is made.

**14. HOW ARE APPLICATIONS DETERMINED?**

14.1 Some 90% of planning applications are determined under delegated powers by authorised officers of the Council. However, some major and/or controversial applications are reported to the Planning Committee for decision by Members of the Council. If an application is to be determined in this way we will inform the applicant/agent and anyone who has submitted comments on a particular application (including the Parish Council) of the date of the meeting and their right to speak at the meeting. Ordinarily there is a right for one objector or supporter, the applicant or agent and a Parish Council representative to speak at the Planning Committee. Each speaker has no more than three minutes. A guidance note is sent to all interested parties advising of the procedure and issues which are planning related and those which are not. These guidance notes are available also available on the Council's web site at:

[http://www.nwleics.gov.uk/pages/speaking\\_at\\_planning\\_committee](http://www.nwleics.gov.uk/pages/speaking_at_planning_committee)

14.2 Planning decisions are uploaded to the Council's website. In addition, anyone who submitted comments in respect of a particular planning application is notified of the decision.

## **15. WHERE CAN I FIND INFORMATION ON PLANNING APPLICATIONS**

15.1 Information on planning applications can be found in a number of places.

### Website

15.2 Current planning applications including plans, application forms, consultation replies and drawings, as well as some historical applications, can be viewed here [https://www.nwleics.gov.uk/pages/view\\_planning\\_applications](https://www.nwleics.gov.uk/pages/view_planning_applications). This is available by individual property or by weekly/monthly list.

15.3 For those older applications that are not available on line, the documents can be made available for inspection by arrangement during office hours. For those who do not have access to a computer the Council provides access to the online system at the District Councils offices, Whitwick Road, Coalville. Access to the offices is between the hours of 8.45 am and 5.00pm Monday to Friday.

15.4 Decision notices for planning applications submitted and determined since 2008 can normally also be viewed on the Councils website.

### The Weekly List

15.5 A list of valid planning applications registered and planning decisions made are updated in 'real time' on the District Council's website.

### *The Planning Register*

15.6 Applications for planning permission will be entered on a register. Maintaining a planning register is a statutory obligation and the information is available on the District Council's website for inspection by arrangement during office hours.

## SECTION D: NEIGHBOURHOOD PLANNING

### 16. NEIGHBOURHOOD PLANS

- 16.1 Neighbourhood Plans (NPs) were introduced by the Localism Act 2011 and are regulated by The Neighbourhood Planning (General) Regulations.
- 16.2 A NP is a community prepared plan which enables local people to guide the future of the area they live and work. NPs can add detail and local objectives to the Council's Local Plan. North West Leicestershire District Council will provide advice and assistance to a parish/town council, neighbourhood forum or community organisation that is producing a neighbourhood plan and take decisions at key stages in the neighbourhood planning process within the time limits that apply.
- 16.3 North West Leicestershire District Council will provide information on the status of neighbourhood plans in the district using the Councils' website. However it is not the role of the SCI to set out the approach to consultation on a Neighbourhood Plan and this will be a matter for the 'qualifying body'.
- 16.4 The following section summarises the key stages in the neighbourhood planning process, together with the roles and responsibilities of the District Council and qualifying body.

### 17. STAGES AND CONSULTEES IN THE PREPARATION OF A NEIGHBOURHOOD AREA DESIGNATION

- 17.1 In terms of general support throughout the plan preparation process, North West Leicestershire District will
- Maintain a Neighbourhood Planning webpage that provides information about the powers available under neighbourhood planning and the key development stages.
  - Provide details of the officer(s) to contact for Neighbourhood Plan Issues.
  - Coordinate input into the Neighbourhood Plan on Local Authority services, functions, plans and policies including local planning, housing and leisure and amenities.
  - Provide advice and information about the Neighbourhood Planning process and any funding, resources and skills available to support the process. This maybe in the form of providing details of contacts in other organisations, attending Neighbourhood Plan meetings or signposting the group to the availability of funding sources
  - Provide advice and assist with the interpretation of the relevant regulations and highlight any potential issues.

- Assist with and/or provide advice on community engagement or consultation, loan of display boards, and where resources permit attend consultation events/meetings if requested.
- Provide mapping services for use at consultation events and workshop.

**17.1 Step 1: Designating neighbourhood area and if appropriate neighbourhood forum (Regulation 5, 6 and 7)**

- Relevant body submits an application to North West Leicestershire District Council to designate a neighbourhood area.
- On receipt the Council will check that the application meets the necessary requirements and that the boundary is considered to be coherent, consistent and appropriate in planning terms. If it is considered not to be we will work with the qualifying body to come to a suitable resolution
- North West Leicestershire District Council will acknowledge receipt of the application and publicise and consult on the area application for minimum 6 weeks (4 weeks where the application is from a parish council and the area to which the application relates is the whole of the area of the parish council). The District Council will consult local planning authorities adjoining the neighbourhood area, adjoining parish councils, Leicestershire County Council and the relevant District Councillors. The costs of consultation will be met by the District Council.
- In an area without a town or parish council a prospective neighbourhood forum would need to submit an application to be the designated neighbourhood forum for a neighbourhood area. The Council will also publicise and consult on the forum application for minimum 6 weeks.
- North West Leicestershire District Council will designate the neighbourhood area within the statutory timescales, this being within 8 weeks if the application is from a parish council and relates to the whole of the parish, or 13 weeks in other cases. Where the application relates to an area that also falls within the area(s) of another local planning authority, the application will be determined within 20 weeks. The timescale commences from the date immediately following that on which the application is first publicised.
- North West Leicestershire District Council takes decision on whether to designate the neighbourhood forum.

**17.2 Step 2: Preparing a draft neighbourhood plan**

Qualifying body develops proposals and will:

- gather baseline information and evidence. North West Leicestershire District Council will share relevant evidence, including that gathered to support its own plan-making, with the qualifying body. In particular, where the Local Plan does not set out a housing requirement figure for a neighbourhood area, the District Council will provide an

indicative figure if requested to do so by the qualifying body. The District Council will engage with the qualifying body, in order for groups to understand how figures are reached. This will help avoid disagreements at neighbourhood plan examinations, and minimise the risk of neighbourhood plan figures being superseded when the District Council adopts a new Local Plan.

- engage and consult those living and working in the neighbourhood area and those with an interest in or affected by the proposals (eg service providers). Representatives of North West Leicestershire District Council will attend stakeholder events when invited by the qualifying body.
- talk to land owners and the development industry. North West Leicestershire District Council will share relevant evidence relating to land availability assessments subject to data protection principles.
- Identify issues that the Neighbourhood Plan may address. North West Leicestershire District Council will provide advice on which issues could be considered suitable for a Neighbourhood Plan as well as provide advice on any relevant European and National legislation and policies, and adopted and emerging Local Plan policies which the Neighbourhood Plan will need to be in conformity with
- determine whether a plan is likely to have significant environmental effect. If requested to do so by the qualifying body, North West Leicestershire District Council will prepare a Strategic Environmental Assessment Screening Statement for a neighbourhood plan to be used to determine whether a neighbourhood plan requires a Strategic Environmental Assessment (SEA). Where requested the District Council will also prepare a Habitats Regulations Assessment Screening Statement to assess whether there are likely to be significant effects on European Sites as a result of a neighbourhood plan.
- start to prepare proposals documents eg basic conditions statement. Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the District Council will discuss and aim to agree with the qualifying body the relationship between policies in the emerging neighbourhood and local plans with appropriate regard to national policy and guidance. The District Council will work with the qualifying body to produce complementary neighbourhood and Local Plans.

### 17.3 **Step 3: Pre-submission publicity and consultation (Regulation 14)**

The qualifying body:

- publicises the draft plan and invites representations
- consults the consultation bodies as appropriate. Appendix G provides a list of these consultees and North West Leicestershire District Council will provide the qualifying body with relevant contact details subject to data protection principles. The Council will also respond to the pre-submission consultation on the Neighbourhood Plan.
- sends a copy of the draft plan to the local planning authority. North West Leicestershire District Council will publicise the draft plan on its website for the duration of the consultation period which should be a minimum of 6 weeks
- where European Obligations apply, complies with relevant publicity and consultation requirements.
- considers consultation responses and amends plan if appropriate.

- prepares consultation statement and other proposal documents.

**17.5 Step 4: Submission of a neighbourhood plan to the local planning authority (regulation 15 & 16)**

Qualifying body submits the plan to North West Leicestershire District Council together with a map or statement which identifies the neighbourhood plan area, a Consultation Statement, and a Basic Conditions Statement.

- North West Leicestershire District Council checks that submitted proposal complies with all relevant legislation
- If the North West Leicestershire District Council finds that the neighbourhood plan meets the legal requirements it will:
  - publicises the proposal for minimum 6 weeks and invite representations
  - publicise the submitted documents on the Council's website, as a minimum, in a way which is likely to bring the proposal to the attention of people who live, work or carry on business in the neighbourhood area.
  - notifies consultation bodies referred to in the consultation statement including those bodies specified under Paragraph 1 of Schedule 1 of the Neighbourhood planning (General) Regulations 2012. (Appendix G)
  - appoints an independent examiner (with the agreement of the qualifying body)

**17.6 Step 5: Independent Examination (regulation 17 & 18)**

- North West Leicestershire District Council sends plan and representation to the independent examiner
- independent examiner undertakes examination. The examination will usually take the form of written representations, unless the examiner considers it necessary to hold a public hearing. If a public hearing is held the examiner will invite participants to attend. Examiner fees are paid by North West Leicestershire District Council. If a public hearing is to be held, the District Council will provide an Examination venue, if no other suitable town/village venue can be provided.
- independent examiner issues a report to the North West Leicestershire District Council and qualifying body
- North West Leicestershire District Council publishes report
- North West Leicestershire District Council considers report and reaches own view within 5 weeks of receiving the report unless the District Council and the qualifying body agree another date.
- North West Leicestershire District Council takes the decision on whether to send the plan to referendum



**17.7 Steps 6 and 7: Referendum (guided by the Neighbourhoods Planning (Referendums) Regulations 2012) and bringing the neighbourhood plan into force**

- North West Leicestershire District Council will meet the cost of the referendum and will arrange a referendum, normally within 56 days of the decision to go to referendum. The Council will also give a minimum of 28 working days notice before the date of the referendum.
- North West Leicestershire District Council publishes information statement
- North West Leicestershire District Council publishes notice of referendum/s
- polling takes place (in a business area an additional referendum is held)
- results declared
- should more than half of those voting vote in favour of the neighbourhood plan, the plan comes into force as part of the statutory development plan for the area
- upon a successful vote for the community to accept the NP as a planning document for the area the Council will bring the document into legal force as an extant and active planning document. The Council will publicise the decision on its website as a minimum and notify anyone who asked to be notified of the decision. Details of where and when the neighbourhood plan can be inspected will also be provided.
- there are narrow circumstances where North West Leicestershire District Council is not required to make the neighbourhood plan. These are where it considers that the making of the neighbourhood plan would breach, or otherwise be incompatible with, any EU or human rights obligations (see section 61E(8) of the Town and Country Planning Act 1990 Act as amended). Otherwise, the neighbourhood plan will be 'made' within 8 weeks of the referendum.
- in respect of proposals for modifications of neighbourhood plans where the modifications do not change the nature of the plan and meet the basic conditions, a referendum is not required. The local planning authority is required to make the modified neighbourhood plan

## **Appendix A**

### **PLAN MAKING – Duty to Co-operate Bodies**

The prescribed bodies (in addition to local planning authorities and County Councils) which are subject to the Duty to Co-operate include;

- The Environment Agency
- English Heritage
- Natural England
- The Civil aviation Authority
- Homes England
- The Primary Care Trust (now replaced by the Clinical Commissioning Group)
- The Office of Rail Regulation
- The Highway Authority (both the Highways Agency and Leicestershire County Council)

## **Appendix B**

### **PLAN MAKING - Specific Consultation Bodies**

- The Coal Authority
- The Environment Agency
- Historic England
- Natural England
- Network Rail
- Highways England
- A 'relevant' authority in or adjoining the Local Planning Authority (Including Local Planning Authorities, County Council, a Parish Council and a Local Policing Body)
- Electronic communication code systems operators
- Primary Care trust established under section 18 of the National Health Service Act 2006 or continued in existence by virtue of that section
- Electricity providers
- Gas providers
- Sewerage Undertakers
- Water Undertakers
- Homes England

## Appendix C

### PLAN MAKING – General Consultation Bodies

Please note that this list is not exhaustive. The Council has a live database which can be amended at any time.

Age UK Leicestershire and Rutland  
Ancient Monuments Society  
Ashby de la Zouch Civic Society  
Canal and Rivers Trust  
Campaign for Real Ale Ltd  
Campaign for the Protection of Rural England (Leicestershire and Derbyshire) and other environmental groups  
Charley Heritage Group  
Civic societies and local resident associations  
Clinical Commissioning Groups  
Coal Authority  
Coalville Heritage Society  
Coleorton Heritage Group  
Commission for Architecture and the Built environment  
Community Appraisal Groups  
Council for British Archaeology  
Crown Estate  
Diseworth Local Heritage Society  
East Midlands Airport  
East Midlands Chambers  
Equality and Human Rights Commission  
Federation of Small Businesses  
Freight on Rail  
Friends of Thringstone  
Garden History Society  
Guide Association  
Historic period societies (e.g. Georgian Society, Victorian Society, Twentieth Century Society)  
Home Builders Federation  
Hugglescote Heritage Society  
Inland Waterways Association  
Ibstock Historical Society  
Leicestershire Police  
Leicestershire Fire and Rescue Services  
Leicestershire and Rutland Wildlife Trust  
Long Whatton Local Historical Society  
National Farmers Union  
National Forest Company

National Trust  
Network Rail  
Newbold Heritage Group  
Parish Councils  
Parish Plan Groups  
Relevant bus companies  
Royal Society for the protection of Birds  
Resident Associations  
The Scout Association  
The Society for the Protection of Ancient Buildings  
Sport England (East midlands Region)  
Sustrans  
The Theatres Trust  
Volunteering Partnerships  
Whitwick Historical Group  
Woodland Trust

## Appendix D

Table 1: Consultation on Development Planning Documents

Stage	Purpose	Who	How
Preparation of a Local Plan document (Regulation 18)	<p>Plan preparation which can be informal and ongoing process with involvement possible right up to its publication.</p> <p>There will be at least one formal consultation period during the Local Plan Preparation stage, normally with a 6-12 week consultation period.</p>	<p>Specific and general consultation bodies</p> <p>Those registered on the Councils database, including those residents or business within the area where appropriate.</p> <p>Duty to Co-operate bodies</p>	<p>Letter, email, website, press releases.</p> <p>Documents will be made available at the Council Offices and at other locations considered appropriate.</p> <p>Other potential techniques that may be used include: Town and Parish Councils, workshops, utilise existing established groups, social media, public exhibitions, community events.</p>
Publication of a Local Plan Document (Regulation 19 & 20)	<p>Consultation on the proposed submission document.</p> <p>Consultation will be undertaken for a minimum of 6 weeks.</p>	<p>Specific and general consultation bodies</p> <p>Those registered on the Councils database, including those residents or business within the area where appropriate.</p> <p>Duty to Co-operate bodies</p> <p>Those who responded to the plan preparation consultation</p>	<p>Letter, email, website, press releases, social media.</p> <p>Documents will be made available at the Council Offices, district libraries and at other locations considered appropriate.</p> <p>Statement of representations procedure and statement of fact will be sent to specific and general consultation bodies.</p>

Stage	Purpose	Who	How
			<p>Letters and emails will be sent out with the following information-</p> <ul style="list-style-type: none"> <li>-consultation period</li> <li>-how the Plan can be seen, along with the places and times that the Plan can be viewed.</li> </ul> <p>Other potential techniques that may be used include:</p> <ul style="list-style-type: none"> <li>Town and Parish Councils, workshops, utilise existing established groups, social media, public exhibitions, community events.</li> </ul>
<p>Submission of a Local Plan to the Secretary of State</p> <p>(Regulation 22)</p>	<p>Submission of a Local Plan and all associated documents in accordance with Regulation 22</p> <p>This is not a stage where formal consultation is carried out by the Local Planning Authority (LPA)</p>	<p>Specific and general consultation bodies</p> <p>Duty to Co-operate bodies</p> <p>Other interested parties considered appropriate.</p> <p>Those who requested to be notified.</p>	<p>Notification of the submission of the document will be carried out by the appointed Programme Officer, by letter and email.</p> <p>Notification will advise of the availability of the plan for inspection and where and when it can be inspected.</p> <p>A copy of the Submission document and associated documents will be placed on the Council's website, at the Council Offices, and at the districts libraries.</p>

Stage	Purpose	Who	How
Independent Examination(Regulation 24)	<p>Independent examination of the plan by an Independent Inspector.</p> <p>This is not a stage where formal consultation is carried out by the Local Planning Authority (LPA)</p>	<p>All those who made representations.</p>	<p>The Programme Officer will advise of the examination hearing sessions by letter or email, at least 6 week before its start.</p> <p>Publish on the Council's website and provide a hard copy on display at the Council, a notice setting out the date, time and place at which the hearing is to be held and the name of the Inspector appointed to carry out the independent examination.</p> <p>Other potential techniques used may include press releases and social media.</p>
Adoption (Regulation 26)	<p>Adoption of the plan by the Local Planning Authority.</p>	<p>All those who made representations.</p> <p>Specific and general consultation bodies.</p> <p>All those who asked to be notified.</p>	<p>Letter, email, website, Press Releases, Social Media.</p> <p>The Plan and associated documents will be made available at the Council Offices and at other appropriate locations.</p> <p>A copy of the Adoption Statement will be sent to the Secretary of State as well as those who asked to be specifically notified.</p>



Table 2: Consultation on Supplementary Planning Documents

Stage	Purpose	Who	How
Scoping and Evidence Gathering	Evidence Gathering and preparation of Draft SPD	Stakeholders and interested parties, considered appropriate to the subject matter of the SPD, will be engaged.	Letter, email, website.  Documents will be made available at the Council Offices and at other locations considered appropriate.  Other potential techniques that may be used include: Town and Parish Councils, workshops, utilise existing established groups, social media, public exhibitions, community events.
Public Participation (Regulation 12)	Consultation on the Draft SPD.  Consultation period of a minimum of 6 weeks.	Specific and general consultation bodies  Duty to Co-operate bodies  Those registered on the Councils database, including those residents or business within the area where appropriate.	Letter, email, website, press releases, social media.  Copies of the SPD and any supporting documents will be made available at the Council offices and the districts libraries, as a minimum, for public inspection.  Other potential techniques that may be used include: Town and Parish Councils, workshops, utilise existing established groups
Adoption	Adoption of the SPD by the	The following will be	The adoption statement

<p>(Regulation 14)</p>	<p>Local Planning Authority</p> <p>This is not a stage where consultation is carried out by the Local Planning Authority (LPA)</p>	<p>notified of the adoption of the SPD:</p> <p>Specific and general consultation bodies</p> <p>Duty to Co-operate bodies</p> <p>Those registered on the Councils database, including those residents or business within the area where appropriate.</p> <p>Anyone who has specifically asked to be notified when the SPD is adopted.</p>	<p>and the SPD will be made available at the Council offices, the district libraries and other appropriate locations, and published on the Councils website.</p> <p>Notification of the adoption of the SPD sent to individuals, bodies and organisations will be in writing, either email or letter.</p> <p>Press releases and social media will also be used to inform of adoption.</p>
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## Appendix E

### MANAGING DEVELOPMENT – Statutory Consultees

Statutory Consultees	Type of Development
The Canals and River Trust	Certain types of development likely to affect canals or nearby areas
The Coal Authority	Certain types of development in areas where the Coal Authority has notified to the local planning authority that it is an area of coal working, and for minerals exploration on land that has been identified as containing coal.
Crown Estates Commissioner	Certain minerals planning applications where the Crown Estates Commissioners have given notice to that land in their area contains silver or gold.
Department of Energy and Climate Change	Mineral developments where the Department for Energy and Climate Change have given notice to the local planning authority that the land in their area contains gas or oil.
Department of Transport (administered in practice by the Highways England)	New Development likely to result in a material increase in the volume or a material change in the character of traffic entering or leaving a trunk road.
East Midlands Airport	East Midlands Airport is a statutory consultee in respect of development management. This is in respect of its role as the Aerodrome Safeguarding Authority for East Midlands Airport. East Midlands Airport will be consulted on relevant planning applications located within the Airport Consultation Zone.
Environment Agency	The Environment Agency are a statutory consultee to Local planning authorities for several types of planning application related to its statutory duties on flood risk, protection of land and water quality, mining operations, waste regulation and fisheries.
Historic England	Historic England are a statutory consultee to Local planning authorities for several types of planning application including development that would affect the setting of a Listed Building, development that would affect the

Statutory Consultees	Type of Development
	character and appearance of a Conservation Area, development likely to affect the site of a scheduled monument and Applications for Listed Building Consent for works on a Grade I or Grade II* listed Building.
Forestry Commission	Statutory requirement under <a href="#">paragraph 4 of Schedule 5 of the Town and Country Planning Act 1990</a> or mineral operators to consult the forestry commission if the proposed form of post-extraction restoration is for forestry.
Garden History Society	For development likely to affect any park or garden on English Heritage's <i>Register of Historic Parks and Gardens of Special Historic Interest in England</i>
Health and Safety Executive	The Health and Safety Executive issues consultation zones to the local planning authority and should be consulted on certain developments in the vicinity to major accident hazards.
Highways England	Developments likely to affect the strategic road network, and certain other highway matters.
Local Planning Authority	The adjoining local planning authority will usually need to be consulted where an application is likely to have an impact on a neighbouring area. Where there is a County Council, the district council is required to consult the county council in certain cases and may not decide the application for 21 days or the county council has responded (if earlier).
Local Highway Authority	The Local Highway Authority will need to be consulted where the proposed development will either involve a new access to the highway network, or an increase or change in traffic movements.
County Planning Authority	Specific requirements exist for consultation with County Planning Authorities, reflecting their responsibilities as planning authorities for certain specific matters.
Natural England	Certain developments affecting Sites of Special Scientific Interest, involving the loss of best and most versatile agricultural land, or in an area of particular natural sensitivity or interest which appears to be affected by development that could have significant implications for

Statutory Consultees	Type of Development
	major accident hazards. Natural England must also be consulted on development (including permitted development) likely to have a significant effect on a European (wildlife) Site in England or European Offshore Marine Site under the <a href="#">Conservation of Habitats and Species Regulations 2010</a> (as amended).
National Parks Authorities	Specific requirements exist for consultation with National Parks authorities in relation to development likely to affect land in a National Park
Parish Councils	<p>Whilst Parish Councils are not statutory consultees, they do have a role as a consultee in the planning application process.</p> <p>The Local Planning Authority must consult the Parish Council if they have requested that they do so. There is also a legal requirement to notify the Parish Council of the decision on planning applications if they have requested that they Local Planning Authority do so.</p> <p>The same approach applies to any Neighbourhood Forums.</p>
Rail Network Operators	Development likely to result in a material increase in the amount of traffic using a level crossing over a railway.
Sport England	Planning applications where the development is likely to affect the use of land as playing fields.
Theatres Trust	Development involving any land on which there is a theatre.

## APPENDIX F

### MANAGING DEVELOPMENT – Non-Statutory Consultees

Non – Statutory Consultees
Emergency Services and Multi-Agency Emergency Planning
Forestry Commission
Health and Safety Executive
Ministry of Defence
Office of Nuclear Regulation
Police and Crime Commissioners
Rail Network Operators
Sport England

## Appendix G

### Consultation Body as defined by the Neighbourhood Planning (General) Regulations 2012

Consultation Body
A local planning authority, county council or a parish council any part of whose areas is in or adjoins the area of the local planning authority
The Coal Authority
Homes England
Natural England
The Environment Agency
Historic England
Network Rail Infrastructure Limited
Highways England
The Marine Management Organisation
Any person to whom the electronic communication code applies.
Any person who owns or controls electronic communication apparatus
A Primary Care Trust in any part of the neighbourhood area
A person with a licence under the Electricity Act, in any part of the neighbourhood area
A person with a licence under the Gas Act, in any part of the neighbourhood area
A sewerage undertaker, in any part of the neighbourhood area
A water undertaker, in any part of the neighbourhood area
Voluntary bodies some or all of whose activities benefit all or any part of the neighbourhood area
Bodies which represent the interest of different racial, ethnic or national groups in the neighbourhood area
Bodies which represent the interest of different religious groups in the neighbourhood area
Bodies which represent the interest of person carrying on business in the neighbourhood area
Bodies which represent the interests of disabled persons in the neighbourhood area.

## Appendix H

### GLOSSARY

**Development Management** – The management or control of development proposals through the planning system.

**Development Plan** – comprises of Development Plan Documents (DPDs) which form the legal basis for all future planning decisions in the district.

**Development Plan Documents (DPD)** – Documents prepared by the local planning authority (including the Local Plan) setting out the main spatial strategy, policies and proposals for the area. These documents will be statutory documents and subject to an independent examination by an Inspector. They will undergo rigorous procedures of community involvement and consultation. DPDs must be consistent with and have regard to national planning policy.

**Duty to Cooperate** – Created by the Localism Act 2011. It places a legal duty on the Council to engage constructively, actively and on an ongoing basis with certain specified bodies to maximise the effectiveness of Local Plan preparation relating to strategic cross boundary matters.

**Examination** – The purpose of the Examination is to consider if the development plan is sound. The majority of representations made at Examination will usually be written representations. However, in some instances a Planning Inspector may allow representations to be examined by way of oral hearings, for example round table discussions, informal hearing sessions and formal hearing sessions.

**General Consultation Bodies** – Organisations defined by The Town and Country Planning (Local Planning) (England) Regulations 2012 that are required to be consulted at key stages of plan production. They include bodies which represent the interests of different racial, ethnic, religious or national groups, disabled persons and business in the local planning authority's area.

**Hard to Reach Groups** – Groups of people or organisations within the community that have traditionally been more difficult to engage in the planning system. They include older people, religious, disabled and ethnic minority groups.

**Local Development Document (LDD)** – The collective term covering Development Plan Documents and Supplementary Planning Documents.

**Local Development Scheme (LDS)** – A three year project plan outlining the Councils programme for preparing the Local Plan.

**Local Plan** – Collective term for the Development Plan Documents that set out the spatial vision and strategy for the Borough including policies and proposals. The Local Plan is a key part of the development plan.

**National Planning Policy Framework (NPPF)** – It sets out the government's national planning requirements, policies and objectives. It replaces much of the national advice previously contained within planning policy statements, planning policy guidance and circulars. It is a material consideration in the preparation of Local Plan documents and when considering planning applications.

**Neighbourhood Development Plan (NDP)** – A plan for the neighbourhood area which is prepared by an authorised community group. The plan must be in general agreement with the overall plan for the local authority area and can include general planning policies and allocations for new development.

**The Planning Inspectorate** - The Planning Inspectorate is an executive agency of the Department for Communities and Local Government. It deals with planning appeals, national infrastructure planning applications, examination of local plans.

**Planning Performance Agreements** – Up front agreements between a developer and a local planning authority that set out all the information required and the timetable for delivering a decision on a large



application. They are an opportunity to establish a collaborative relationship based on good communication and regular exchange of information. This should allow a process to be agreed which allows the local planning authority to project plan the work needed to determine the application.

**Specific Consultation Bodies** – Organisations defined by The Town and Country Planning (Local Planning) (England) Regulations 2012 that are required to be consulted at key stages of plan production. They include neighbouring and parish councils, key service providers, Government departments and non-government organisations.

**Stakeholders** – A person or organisation with an interest or concern in something.

**Statement of Community Involvement (SCI)** – Outlines the approach of the authority to involving the community in preparing the Local Plan and planning applications.

**Supplementary Planning Documents (SPD)** – Documents that expand on policies and proposals in Development Plan Documents.

**Sustainability Appraisal (SA)** – An appraisal of the social, economic and environmental implications of a strategy, policies and proposals. The SA seeks to ensure that proposals contribute to the achievement of sustainable development.

**Tests of Soundness** – The tests outlined in the National Planning Policy Framework that DPDs are judged against.

