



TO COUNCILLOR:

S S Athwal
L A Bentley (Chair)
G A Boulter
F S Broadley
J K Ford

C S Gore
G G Hunt
P Joshi
R V Joshi
J Kaufman (Vice-Chair)

C D Kozlowski
C J R Martin
R E R Morris
I K Ridley

I summon you to attend the following meeting for the transaction of the business in the agenda below.

Meeting: Development Control Committee
Date & Time: Thursday, 30 May 2024, 7.00 pm
Venue: Civic Suite 2, Brocks Hill Council Offices, Washbrook Lane, Oadby, Leicester, LE2 5JJ
Contact: Democratic Services
t: (0116) 257 2775
e: democratic.services@oadby-wigston.gov.uk

Yours faithfully

Council Offices
Oadby
21 May 2024

Anne E Court
Chief Executive



Meeting ID: 2627

ITEM NO.

AGENDA

PAGE NO'S

Meeting Live Broadcast | Information and Link

This meeting will be broadcast live.

Press & Public Access:

A direct link to the live broadcast of the meeting's proceedings on the Council's Civico platform is below.

<https://civico.net/oadby-wigston/18929-Development-Control-Committee>

1. Apologies for Absence

To receive apologies for absence from Members to determine the quorum of the meeting in accordance with Rule 7 of Part 4 of the Constitution.



Postal Address: Brocks Hill Council Offices, Washbrook Lane, Oadby, Leicester, LE2 5JJ

Refuse & Recycling Centre: The Depot, Wigston Road, Oadby, Leicester, LE2 5JE

Telephone: (0116) 288 8961 **Email:** customer.services@oadby-wigston.gov.uk



oadby-wigston.gov.uk



OadbyWigstonBC



@Oadby_Wigston

2. **Appointment of Substitutes**

To appoint substitute Members in accordance with Rule 26 of Part 4 of the Constitution and the Substitution Procedure Rules.

3. **Declarations of Interest**

Members are reminded that any declaration of interest should be made having regard to the Members' Code of Conduct. In particular, Members must make clear the nature of the interest and whether it is 'pecuniary' or 'non-pecuniary'.

4. **Minutes of the Previous Meeting**

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To read, confirm and approve the minutes of the previous meeting in accordance with Rule 19 of Part 4 of the Constitution.

5. **Draft Local Validations Checklist - Planning Applications**

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Report of the Planning Policy & Development Manager

6. **Neighbour Notification Letters - Planning Application Consultations**

23 - 29

Report of the Planning Policy & Development Manager

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**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD AT
CIVIC SUITE 2, BROCKS HILL COUNCIL OFFICES, WASHBROOK LANE, OADBY,
LEICESTER, LE2 5JJ ON THURSDAY, 28 SEPTEMBER 2023 COMMENCING AT 7.00 PM**

PRESENT

L A Bentley Chair
L M Broadley Vice-Chair



Meeting ID: 2542

COUNCILLORS

S S Athwal
G A Boulter
F S Broadley
J K Ford
P Joshi
R V Joshi
C D Kozłowski
C J R Martin
R E R Morris
I K Ridley

OFFICERS IN ATTENDANCE

S J Ball Legal & Democratic Services Manager / Deputy Monitoring Officer
T Carey Senior Development Control Officer
J Carr Planning Policy and Development Manager
J Cosgrove Development Management Planning Officer
A Thorpe Head of Built Environment

OTHERS IN ATTENDANCE

N Dhada Public Speaker (Applicant)
D Wykes Public Speaker (Objector)

13. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor C S Gore.

14. APPOINTMENT OF SUBSTITUTES

None.

15. DECLARATIONS OF INTEREST

Councillor G A Boulter declared a pecuniary interest with regard to application no. Application No. 23/00044/OUT (86 Station Road, Wigston) insofar as he was the applicant.

16. MINUTES OF THE PREVIOUS MEETING

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The minutes of the previous meeting held on 27 July 2023 be taken as read, confirmed and approved.

17. REPORT OF THE PLANNING POLICY AND DEVELOPMENT MANAGER (SEPTEMBER 2023)

18. APPLICATION NO. 22/00187/FUL - LAND TO EAST OF ASH LODGE, STOUGHTON DRIVE SOUTH, OADBY, LEICESTERSHIRE, LE2 2NG

Mr Naeem Dhada addressed the Committee remotely as the applicant.

Dr David Wykes addressed the Committee in objection to the application.

The Committee gave consideration of the report (as set out on pages 7 - 21 of the agenda reports pack) which asked it to determine an application for the demolition of an existing coach house and the erection of a new dwelling plus replacement gate piers and gates.

It was moved by the Councillor G A Boulter, seconded by the Chair and

UNANIMOUSLY RESOLVED THAT:

The application be GRANTED planning permission in accordance with the submitted documents and plans subject to the prescribed conditions and informatives.

19. APPLICATION NO. 23/00044/OUT - 86 STATION ROAD, WIGSTON, LEICESTERSHIRE, LE18 2DJ

Having declared a pecuniary interest, Councillor G A Boulter left the meeting and took no part in the debate on the planning application and voting thereon.

The Committee gave consideration of the report (as set out on pages 22 - 30 of the agenda reports pack) which asked it to determine an outline application for one dwelling with associated parking.

It was moved by the Chair, seconded by Councillor Carl J R Martin and

RESOLVED THAT:

The application be GRANTED outline planning permission in accordance with the submitted documents and plans subject to the prescribed conditions and informatives.

Votes For	11
Votes Against	0
Abstentions	1

THE MEETING CLOSED AT 7.53 pm



Development Control Committee	Thursday, 30 May 2024	Matter for Decision
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Report Title: **Draft Local Validations Checklist – Planning Applications**

Report Author(s): **Jamie Carr (Planning Policy & Development Manager)**

Purpose of Report:	To highlight to Members the Council’s new draft Local Validations Checklist and request permission to consult on the document in line with the Government’s Planning Practice Guidance.
Report Summary:	<p>The Council’s previous Local Validation Checklist was published circa 2009, therefore is well overdue an update. It should be noted that Appendix 1 to this report, is not an update per-se, it is a completely new draft Local Validations Checklist that takes account of all relevant legislation and guidance.</p> <p>Regular monitoring has highlighted that in excess of 75 per cent of all planning applications received by the Council are invalid on receipt. Such a high rate of invalid planning applications places a huge additional burden on the Council’s Planning Validations Officer as the Officer needs to undertake substantial on-going correspondence to ensure that all of the information is contained within the submitted planning application so that an informed and robust decision can be made.</p>
Recommendation(s):	It is recommended that Members approve the new draft Local Validations Checklist, for consultation which will take place from the 11th June 2024 for a 4 week period.
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	<p>Teresa Neal (Strategic Director) (0116) 257 2642 teresa.neal@oadby-wigston.gov.uk</p> <p>Adrian Thorpe (Head of Built Environment) (0116) 257 2645 adrian.thorpe@oadby-wigston.gov.uk</p> <p>Jamie Carr (Planning Policy & Development Manager) (0116) 257 2652 jamie.carr@oadby-wigston.gov.uk</p>
Strategic Objectives:	<p>Our Council (SO1) Our Communities (SO2) Our Economy (SO3) Our Environment (SO4) Our Partners (SO5)</p>
Vision and Values:	<p>"Our Borough - The Place To Be" (Vision) Customer & Community Focused (V1) Proud of Everything We Do (V2) Collaborative & Creative (V3) Resourceful & Resilient (V4)</p>

Report Implications:-	
Legal:	There are no implications arising from this report.
Financial:	There are no implications arising from this report.
Corporate Risk Management:	Regulatory Governance (CR6) Economy / Regeneration (CR9)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
Statutory Officers' Comments:-	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
Consultees:	None.
Background Papers:	None.
Appendices:	1. Draft Planning Application Validation Checklist 2024

1. Introduction

- 1.1 Validation is a process undertaken by the Council on a planning application prior to starting the formal process of determining whether to grant or refuse planning permission. The validation of applications is the process to check that the correct documents and fee (where applicable) have been submitted in order for the Council to make an informed decision based on the impact of the application proposal. Appendix 1 to this report sets out the level of information that will be required for certain types of planning applications in order that they can be validated and determined by the Council.
- 1.2 Validation requirements for planning applications are set both nationally and locally. Appendix 1 to this report sets out the expectations for planning applications submitted to the Council, helping to reduce unnecessary delay at the validation stage due to the omission of required information.
- 1.3 As mentioned above, there are two levels of mandatory document requirements: national and local. The national checklist sets out the essential (minimum) requirements for validating all applications. The local list is prepared by the Council and provides a list of additional local requirements which will need to be met in certain circumstances, dependent on factors such as the location or characteristics of the site and the scale and nature of the development.

2. Consideration

- 2.1 Paragraph 44 of the National Planning Policy Framework (NPPF) states that *'local planning authorities should publish a list of their information requirements for applications for*

planning permission'. It goes on to state that *'these requirements should be kept to the minimum needed to make decisions and should be reviewed at least every two years'*. Further, paragraph 44 suggests that *'local planning authorities should only request supporting information that is relevant, necessary and material to the application in question'*.

- 2.2 The Council's previous Local Validation Checklist was published circa 2009, therefore is well overdue an update. It should be noted that Appendix 1 to this report, is not an update per se, it is a completely new draft Local Validations Checklist that takes account of all relevant legislation and guidance.
- 2.3 In addition to the above, regular monitoring has taken place in relation to the quality of planning applications submitted to the Council. Over recent months, monitoring has highlighted that in excess of 75 per cent of all planning applications received by the Council are invalid on receipt. Such a high rate of invalid planning applications places a huge additional burden on the Council's Validations Officer as the Officer needs to undertake substantial on-going correspondence to ensure that all of the information is contained within the submitted planning application so that an informed and robust decision can be made.

3. Conclusion

- 3.1 Appendix 1 to this report sets out the expectations for planning applications submitted to the Council, helping to reduce unnecessary delay at the validation stage due to the omission of required information.
- 3.2 Further, the new draft Local Validation Checklist highlights to customers what is expected from them when submitting a planning application to the Council. This ensures that there is no ambiguity in relation to what is required by the Council.
- 3.3 Subject to Member agreement, the new draft Local Validations Checklist will undergo a 4 week consultation period with the community, including applicants and agents. Comments received during this period will be taken into account in the final new Local Validations Checklist. Once finalised, the new Local Validations Checklist will be presented to a future Development Control Committee for Member sign-off.

Draft Planning Application Validation Checklist 2024

Appendix 1

Planning Department Service

Draft June 2024 – For
Consultation

Oadby & Wigston | Our borough -
the place to be

Contents

- Introduction
- Pre-application Advice
- Validation Process
- Checklists
- Development proposals made under the GPDO

Introduction

- Oadby and Wigston Borough Council (the Council) has produced this Planning Application Validation Checklist document in accordance with the relevant parts of the Planning Practice Guidance (NPPG) and paragraph 44 of the National Planning Policy Framework (NPPF).
- Validation is a process undertaken by the Council on a planning application (and associated information) prior to starting the formal process of determining whether to grant or refuse planning permission. The validation of applications is the process to check that the correct documents and fee (where applicable) have been submitted in order for the Council to make an informed decision based on the impact of the application proposal. This document sets out the level of information that will be required for certain types of planning applications in order that they can be accepted and processed by the Council.
- Validation requirements for planning applications are set both nationally and locally. This document sets out the expectations for planning applications submitted to the Council, helping to reduce unnecessary delay at the validation stage due to the omission of required information.
- As mentioned above, there are two levels of mandatory documents: national and local. The national checklist sets out the essential (minimum) requirements for validating all applications. The local list is prepared by the Council and provides a list of additional local requirements which will need to be met in certain circumstances, dependent on factors such as the location or characteristics of the site and the scale and nature of the development.
- Paragraph 44 of the NPPF states that *'local planning authorities should publish a list of their information requirements for applications for planning permission'*. It goes on to state that *'these requirements should be kept to the minimum needed to make decisions and should be reviewed at least every two years'*. Further, paragraph 44 suggests that *'local planning authorities should only request supporting information that is relevant, necessary and material to the application in question'*. This document sets out both the national requirements and the local requirements in terms of the information needed in order for an application to be valid.
- It must be recognised that there may still be situations arising where a validated application will not contain all the information required for a decision to be made by the Council and the Council may seek additional information post-validation under the existing statutory provisions set out within the relevant parts of the Town and Country Planning (Application) Regulations.

Pre-application Advice

- The Council is committed to ensuring that all new development occurring within the Borough area is of the highest quality and promotes sustainable living, whilst positively impacting the character and vibrancy of an area. NPPF paragraph 39 states that *‘early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community.’*
- Whilst the Council cannot require an applicant to seek pre-application advice for a development proposal, it would advise that this process is undertaken, for all but the most straight forward of planning proposals.
- Pre-application discussions can assist applicants by clarifying and narrowing down the information required to support a planning application. This will have the advantage of avoiding unnecessary work and expenditure and minimising delay in the handling of planning applications.
- In addition to addressing the information requirements of formal applications, pre-application discussions can bring about a better mutual understanding of the planning history, planning policies, objectives and constraints that apply to the particular site.
- Further information relating to the pre-application process, including all of the forms, fees and information requirements can be accessed via the Council’s planning web-pages or via contacting the Council’s Planning team.

https://www.oadby-wigston.gov.uk/pages/do_i_need_planning_permission

Validation process

- Planning applications should be submitted on-line on the Planning Portal website the [Planning Portal](#). This will speed up the registration and validation process for your application, however, if you would like to submit a paper application, please contact the Council's Planning team for help.
- The application validation process is undertaken in-house by the Council's Planning Department and can take a number of days, specifically if the application submission is complex. However, ordinarily the Council will endeavour to begin the process within 5- 10 working days of an application being received.
- If information which is required by the relevant Validation Checklist is not included with an application and is considered by the Council to be reasonable and necessary in order to properly assess the application, the Council will be entitled to declare the application invalid. Further, if once the applicant has been informed by the Council that the application is invalid and that further information is needed; if the further information is not received by the Council within 15 working days (or an agreed period of time), then the Council will return the application and it will be treated as 'withdrawn'.
- For any planning applications withdrawn at validation stage a 10% handling charge will be applied by the Council (capped at £1,000) to seek to recover some of the costs already incurred by the Council in handling the application to date. The remaining 90% planning application fee will be returned to the applicant. This fee has been introduced due to the high number of invalid planning applications that the Council receives and has to deal with. **Note – the fee return will not apply once a planning application is deemed valid by the Council, therefore if a planning application is withdrawn after the validation process, no fee will be returned to the applicant.**
- It should be noted that there may be circumstances when planning applications are deemed valid but further information may be required by the Case Officer to ensure that an informed and robust decision can be made. The Council holds the right to refuse planning applications if requested further information is not submitted.
- If the applicant does not agree that a particular piece of information is required to accompany the application, the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), under Part 3, Article 12, sets out a procedure for both the applicant and the Local Planning Authority to follow to resolve the dispute.

Checklists

- As mentioned earlier, there are two ‘levels’ to validation checklists, one at a national level, which is the minimum information required to validate a planning application, and at local level, which is the information that the Council considers is required to make an informed decision.
- The below tables set out the **national level checklist requirements**.

Validation Item	Type of application that information is required for	Policy / Guidance driver	Other information
Completed Application Form	All application types.	The Town and Country (Development Management Procedure) (England) Order as amended.	All sections of the form must be completed with as much detail as possible. The Declaration must be signed.
Relevant application fee	All application types (except for Listed Building Consent).	The Town and Country (Development Management Procedure) (England) Order as amended.	The relevant fee must be paid in full at the time of submitting your application.
Ownership certificate and Agricultural Land Declaration	All application types where an application form is required and where there are owners of the application site other than the applicant.	The Town and Country (Development Management Procedure) (England) Order as amended.	An application is not valid, and therefore cannot be determined by the local planning authority, unless the relevant certificate has been completed. It is an offence to complete a false or misleading certificate, either knowingly or recklessly, with a maximum fine of up to £5,000.
Full suite of Biodiversity Net Gain documentation	All application types other than set out in the following guidance – https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments	The Town and Country Planning Act (as amended).	Developers must deliver a BNG of 10%. At validation stage developers must provide at least the following: ecological report and mapping; pre and post development plans; BNG design stage report (including metrics).

Checklists

- The below tables set out the **national level checklist requirements**.

Validation Item	Type of application that information is required for	Policy / Guidance driver	Other information
Location Plan	All application types.	The Town and Country (Development Management Procedure) (England) Order as amended.	<p>This is a plan that shows the location of the application site in relation to its surroundings. The plan must have: a red line showing the application boundary; a blue line around any other land owned by the applicant, close to or adjoining the application site; and, a north arrow.</p> <p>The plan also must be: a plan of the site as is sited on the day of application and where possible must show at least two named roads and surrounding buildings; and scaled to either 1:1250 or 1:2500.</p>
Design and Access Statement	<p>Applications for major development.</p> <p>Applications for development in a designated area, where the proposed development consists of: one or more dwellings; or a building or buildings with a floor space of 100 square metres or more.</p> <p>Applications for listed building consent. Such applications can combine a Design and Access Statement and a Heritage Statement.</p>	National Planning Practice Guidance and National Planning Policy Framework.	<p>The purpose of a Design and Access Statement is to explain the design thinking behind the proposed development and why the proposal is a suitable response to the site and its setting, and to demonstrate it can be adequately accessed by prospective users.</p> <p>The scope and level of detail contained within the Statement should be proportionate to the type, scale and complexity of the proposal.</p> <p>For the purposes of Design and Access Statements, a designated area means a World Heritage Site or a conservation area.</p>

Checklists

- The below tables set out the **local level checklist requirements**.
- It should be noted that the national level checklist requirements will not be repeated below. In order for a planning application to be deemed valid, both levels of checklist requirements will need to be met where required to do so.

Validation Item	Type of application that information is required for	Policy / Guidance driver	Other information
Additional Plans and Drawings	All application types.	<p>The Town and Country (Development Management Procedure) (England) Order as amended.</p> <p>Oadby and Wigston Local Plan and all other key SPD and guidance documents.</p>	<p>The plans and drawings set out below are required for all development proposals. These are required so that informed and robust planning decisions can be made.</p> <ul style="list-style-type: none"> - Existing and Proposed block plan at 1:100, 1:200 or 1:500 scale, including north arrow. The plans should clearly illustrate the proposed development in relation to the site boundaries and other existing buildings on-site, along with parking arrangements post development also. The position and canopy extent of all trees and hedges on site, both pre and post proposed development should also be clearly illustrated. - Existing and proposed elevations at 1:50 or 1:100 scale. - Existing and proposed floor plans at 1:50 or 1:100 scale. Plans should clearly illustrate the buildings current floor plan and the floor plan post development. - Roof plan at 1:50 or 1:100 scale. <p>All plans and drawings must clearly illustrate all critical dimensions and not contain the phrase ‘do not scale from this plan’ (or similar wording). It is for the applicant to clearly illustrate to the Council the scale of the proposed development and not for the Council to interpret what is being proposed.</p> <p>All plans and drawings must specify the printing page size for which the scale applies; be correctly orientated for on-screen display; include a scale bar; and, be given a meaningful title and dated with a unique plan reference.</p>

Checklists

- The below tables set out the **local level checklist requirements**.

Validation Item	Type of application that information is required for	Policy / Guidance driver	Other information
<p>Additional Plans and Drawings continued. (existing and proposed site sections, FFL and site levels).</p>	<p>Applications for extensions to existing buildings, for example dwellings, or commercial units.</p>	<p>The Town and Country (Development Management Procedure) (England) Order as amended.</p> <p>Oadby and Wigston Local Plan and all other key SPD and guidance documents.</p>	<p>Plans and drawings should clearly illustrate:</p> <ul style="list-style-type: none"> - Existing and proposed site sections at a scale of 1:50 or 1:100 - Existing and proposed finished floor levels (FFL) at a scale of 1:50 or 1:100 - Existing and proposed site levels at a scale of 1:50 or 1:100. <p>Note – the above information can be shown on the same plan or drawing.</p> <p>All plans and drawings must clearly illustrate all critical dimensions and not contain the phrase ‘do not scale from this plan’ (or similar wording). It is for the applicant to clearly illustrate to the Council the scale of the proposed development and not for the Council to interpret what is being proposed.</p> <p>All plans and drawings must specify the printing page size for which the scale applies; be correctly orientated for on-screen display; include a scale bar; and, be given a meaningful title and dated with a unique plan reference.</p>

Checklists

- The below tables set out the **local level checklist requirements**.

Validation Item	Type of application that information is required for	Policy / Guidance driver	Other information
Advertising drawings and sections	Advertisement planning applications.	National Planning Practice Guidance and National Planning Policy Framework.	Drawings and sections should clearly illustrate the following: <ul style="list-style-type: none"> - The size and position of the proposed advertisement(s) and any associated illumination in relation to the buildings; - The height above ground level; - The amount of projection; - Materials and colours; - Method of fixing; and Levels of illumination.
Affordable Housing Statement	Major development planning applications comprising 10 dwellings or more.	Oadby and Wigston Local Plan Policy 13 – Affordable Housing.	The statement should include the number and mix of residential homes and floor space of habitable areas of the residential homes. Plans showing the location, type, floor space of homes and number of bedrooms should be submitted.
Agricultural Land Classification Report	Any development on land of 1ha or more that is currently or last in use for agriculture.	National Planning Practice Guidance and National Planning Policy Framework.	Should include a Statement setting out the agricultural land classification and whether the proposals would involve the loss of any Best and Most Versatile (BMV) agricultural land (Class 1, 2 or 3a). See: PPG – Natural Environment

Checklists

- The below tables set out the local level checklist requirements.

Validation Item	Type of application that information is required for	Policy / Guidance driver	Other information
Arboricultural Assessment	Required for all development affecting trees and hedgerows within or adjacent to the application site.	National Planning Practice Guidance and National Planning Policy Framework.	All trees and hedges on or adjacent to the proposed development site should be identified and appropriately annotated on the Proposed block plan. Where the development has the potential to adversely affect trees or hedges, both within and adjacent to the application site, an Arboricultural Assessment should be undertaken by a suitably qualified arborist. For the arboricultural implications and method statements, all sections of the British Standard 5837 should be addressed. A topographical survey should indicate current and proposed levels showing all trees on the plan and all features listed in the latest edition of BS5837 Section 4.1. Information will be required on which trees are to be retained and on the means of protecting those trees during construction works. For a tree protection plan all temporary fencing, ground protection and other physical means of protection should be identified.

Checklists

- The below tables set out the **local level checklist requirements**.

Validation Item	Type of application that information is required for	Policy / Guidance driver	Other information
Biodiversity Survey and Report	<p>Required for all major development proposals (comprising 10 dwellings or more) and developments which impact upon:</p> <p>Biological Heritage Sites; Geological Heritage Sites; Wildlife Corridors; Sites of Special Scientific Interest; priority habitats (such as barn conversions; demolition; works impacting roof spaces; removal of trees and hedgerows; and works within an Ecology consultation zone), and priority species (for example, bats, owls and newts).</p>	National Planning Practice Guidance and National Planning Policy Framework.	<p>All surveys should be undertaken and prepared by competent persons with suitable qualifications and experience in the appropriate topic area and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines / methods where available.</p> <p>The Council requires such surveys so that it can consider the potential impacts of development on protected and priority species and habitats, and the scope to avoid or mitigate any impacts.</p> <p>Surveys over 24 months old will be considered out of date and a new survey will be required.</p> <p>The scope and level of detail contained within any survey should be proportionate to the type, scale and complexity of the proposal, and the potential impact upon priority species and habitats.</p>
Environmental Impact Assessment (EIA)	EIA is required for schedule 1 developments and maybe required for schedule 2 developments.	The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as amended.	Where an EIA is required, an Environmental Statement in the form set out in Schedule 4 of the Regulations must be provided. Where an EIA is not required, the Council may still require environmental information to be provided.

Checklists

- The below tables set out the **local level checklist requirements**.

Validation Item	Type of application that information is required for	Policy / Guidance driver	Other information
Heritage Statement	All applications for Listed Building Consent. Applications in or immediately adjacent a scheduled Ancient Monument or a site on the Register of Parks and Gardens. All development within or adjoining a Conservation Area. All applications affecting any known or suspected archaeological sites. Applications whose scale or nature could impact on heritage assets(designated and non-designated)	National Planning Practice Guidance and National Planning Policy Framework.	Applicants are expected to describe in their application the ‘significance’ of any heritage assets affected, including any contribution made by their setting. Applicants should include analysis of the significance of the asset and its setting, and, how this has informed the development of the proposals. The level of detail should be proportionate to the asset’s importance, as to understand the potential impact of the proposal on its significance. For works to Listed Buildings, the Statement should also include a method statement as to how the development will be carried out and the listed property will not be negatively impacted. For works to windows of a listed building or a site within a conservation area, including replacements, a full window audit should be submitted that illustrates the condition of all existing windows.
Site Specific Flood Risk Assessment	Required for: all developments within flood zones 2 and 3; developments on sites of 1 hectare and over within flood zone 1; developments in an area within flood zone 1 which has critical drainage problems as notified by the Environment Agency.	National Planning Practice Guidance and National Planning Policy Framework.	A Site Specific Flood Risk Assessment should assess risks from all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. The Site Specific Flood Risk Assessment should identify opportunities to reduce the probability and consequence of flooding, including the design of surface water management systems including Sustainable Drainage Systems (SuDS) and address the requirement for safe access to and from the development in areas at risk of flooding.
Streetscene drawings	For all development proposals that include new residential dwellings.	National Planning Practice Guidance and National Planning Policy Framework.	To ensure that the Council can ascertain the full impact of new residential dwellings on the existing and / or proposed street scenes. Allows the Council to easily determine a proposals height and bulk relative to neighbouring residential dwellings.

Checklists

- The below tables set out the **local level checklist requirements**.

Validation Item	Type of application that information is required for	Policy / Guidance driver	Other information
Technical Housing Space Standards Statement	All development involving new dwellings stemming from either - changes of use, conversions, and / or sub-division.	Oadby and Wigston Local Plan Policy 11 – Housing Choices.	To ensure that new homes are of the size appropriate for modern living, the Council requires that any proposal for conversion, change of use and / or sub-division takes into account the Governments Technical Housing Standards. The statement must set out the appropriate dimensions for each room and dwelling overall, as well as stating the square metre area for each room, in line with the Governments Technical Housing Standards.
Tele – communications area of search	All tele - communication proposals that could impact amenity.	General Permitted Development Order and Oadby and Wigston Local Plan.	The area of search for tele – communications proposals should be justified and robust. Searches should include the potential for co-location and siting apparatus on buildings. Outcomes of the search and conclusions as to why sites have been discounted should be fully justified, directly relevant to the individual site, and not generic. Generic and crude assessments will not be acceptable. Search outcomes and / or conclusions such as ' <i>discounted due to unsuitable pavements at this location</i> ', will not be considered justified or robust.
Active Travel England – Planning Application Assessment Toolkit	All development proposals 150 residential homes or more, creation of 7,500 square metres of floorspace or more, or site area of 5 hectares or more.	Active Travel England Guidance	The Active Travel England Toolkit must be completed and submitted to the Council during the validation process. If the toolkit is not completed and submitted during the validation process, the application will be deemed invalid. Active Travel England will assess the toolkit and proposal as a statutory consultee. (https://www.gov.uk/government/publications/active-travel-england-planning-application-assessment-toolkit)

Development proposals made under the GPDO

- For development proposals made under the General Permitted Development Order, for example householder prior approvals, applications will only be deemed valid that clearly contain all of the required information to enable the Council to assess the proposal against the relevant parts of the General Permitted Development Order.



Development Control Committee	Thursday, 30 May 2024	Matter for Information
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Report Title: **Neighbour Notification Letters – Planning Application Consultations**

Report Author(s): **Jamie Carr (Planning Policy & Development Manager)**

Purpose of Report:	<p>This report highlights to Members that the Council will stop posting out neighbour notification letters for all planning application proposals that the Council assesses and determines. This will result in a significant saving to the Council by removing all of the costs associated to posting letters, as well as ensuring the Council is reducing its carbon footprint in its effort to become more 'green' and carbon conscious.</p>
Report Summary:	<p>As Members are aware the Council has had to carry out a process of service transformation in order to balance the 24/25 Council budget. One of the effects of this is that all planning related processes that the Planning Department carries out are being reviewed.</p> <p>Legislation is clear that Local Planning Authorities are under no statutory obligation to send out neighbour notification letters for any planning application. The statutory requirements are very much an 'and / or' scenario, ie site notice <u>or</u> neighbour notification letter and not both.</p> <p>Stopping the posting of neighbour notification letters will save the Council well in excess of £10,000 annually. Over a 5 year period the Council will save well in excess of £50,000.</p> <p>To ensure that public consultation is still fully effective, the Council will continue to directly consult with relevant statutory consultees, other relevant community organisations, will place additional site notices close by to application sites, will advertise in the press when legislation requires to do so and applications will be advertised on the Council's website.</p> <p>Further, the Planning Application Acknowledgement Letter that is sent to applicants, has been amended to put the onus on the applicant to tell their neighbours what they are proposing to do within their submitted planning application.</p>
Recommendation(s):	<p>It is recommended that Members note the contents of this report.</p>
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Strategic Objectives:	Our Council (SO1) Our Communities (SO2) Our Economy (SO3) Our Environment (SO4) Our Partners (SO5)
Vision and Values:	"Our Borough - The Place To Be" (Vision) Customer & Community Focused (V1) Proud of Everything We Do (V2) Collaborative & Creative (V3) Resourceful & Resilient (V4)
Report Implications:-	
Legal:	There are no implications directly arising from this report.
Financial:	The implications are as set out at paragraph 4.6 of this report.
Corporate Risk Management:	Reputation Damage (CR4) Regulatory Governance (CR6) Organisational / Transformational Change (CR8) Economy / Regeneration (CR9)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable.
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
Statutory Officers' Comments:-	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
Consultees:	None.
Background Papers:	None.
Appendices:	None.

1. Introduction

- 1.1 As Members are aware the Council has had to carry out a process of service transformation in order to balance the 24/25 Council budget. As a result, the Planning Department has had to review all of the processes that it carries out, particularly those associated with public consultation on planning applications.

- 1.2 This report highlights to Members that the Council will stop posting out neighbour notification letters for all planning application proposals that the Council assesses and determines from the 1st June 2024. This will result in a significant saving by removing all costs associated with posting letters.
- 1.3 In addition, the Council's Climate Change Strategy demonstrate how we are committed to playing our part in responding to the growing evidence that urgent action is required to respond to climate change. Tackling climate change requires significant cuts to greenhouse gas emissions (including carbon) and action from us all to prevent the worst of its impacts. The UK government has a legally binding national commitment to cut emissions and reach net-zero by 2050. As a local authority we have a leadership role to play and will take direct action where possible to reduce carbon emissions from our own assets and operations. Reducing the amount of paper/envelopes used for neighbour consultation letters is a key action in this respect.
- 1.4 The following paragraphs set out the national and local consultation requirements and the costs associated with distributing neighbour notification letters for planning applications.

2. Government Requirements for Consultation

- 2.1 The steps that Local Planning Authorities should take in relation to public consultation on planning applications is set out by Government in a number of different pieces of legislation.
- 2.2 Paragraph 002 of the Government's 'Consultation and pre-decision matters' Planning Practice Guidance states that:

'Local planning authorities are required to undertake a formal period of public consultation, prior to deciding a planning application. This is prescribed in [article 15 of the Development Management Procedure Order](#) (as amended). There are separate arrangements for applications for permission in principle which are set out in [Article 5G of the Town and Country Planning \(Permission in Principle\) Order 2017](#) (as amended); for listed buildings which are set out in [regulation 5](#) and [regulation 5A of the Listed Buildings and Conservation Area Regulations 1990](#) (as amended) and for applications for prior approval for development which is subject to permitted development rights which are set out in [Schedule 2 to the Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#) (as amended).'

- 2.3 Further Paragraph 004 states that:

'Local planning authorities have discretion about how they inform communities and other interested parties about planning applications. [Article 15 of the Development Management Procedure Order](#) sets out minimum statutory requirements for applications for planning permission. These are summarised in [Table 1](#).

In addition, local authorities may set out more detail on how they will consult the community on planning applications in their Statement of Community Involvement, prepared under [section 18 of the Planning and Compulsory Purchase Act 2004](#). See also [guidance on plan-making](#).

Publishing information online in an open data format can help facilitate engagement with the public on planning applications.'

- 2.4 The summary table (Table 1) specified in Paragraph 004, is very helpful and clearly sets out the consultation requirements for each type of planning application. A version of Table 1 is shown below.

Type of development	Site notice	Site notice or neighbour notification letter	Newspaper advertisement	Website
Applications for major development as defined in Article 2 of the Development Management Procedure Order (which are not covered in any other entry) (including an application for public service infrastructure development made on or after 1 August 2021)		Required	Required	Required
Applications subject to Environmental Impact Assessment which are accompanied by an environmental statement	Required		Required	Required
Applications which do not accord with the development plan in force in the area (including an application for public service infrastructure development made on or after 1 August 2021)	Required		Required	Required
Applications which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies (including an application for public service infrastructure development made on or after 1 August 2021)	Required		Required	Required
Applications for planning permission not covered in the entries above eg non-major development		Required		Required
Applications for listed building consent where works to the exterior of the building are proposed	Required		Required	Required
Applications to vary or discharge conditions attached to a listed building consent or involving exterior works to a listed building.	Required		Required	Required
Applications for development which would affect the setting of a listed building, or affect the character or appearance of a conservation area.	Required		Required	Required

2.5 Taking account of the above legislation and Table 1, it is clear that Local Planning Authorities are under no statutory obligation to send out neighbour notification letters for any planning application. The statutory requirements are very much an 'and / or' scenario, ie site notice or neighbour notification letter and not both.

3. Local Requirements for Consultation

3.1 The Council's Statement of Community Involvement 2024 (SCI), (which can be found on the following weblink - [https://www.oadby-wigston.gov.uk/files/documents/statement_of_community_involvement_2024/Statement%](https://www.oadby-wigston.gov.uk/files/documents/statement_of_community_involvement_2024/Statement%20of%20Community%20Involvement%202024.pdf)

[20of%20Community%20Involvement%20%282024%29.pdf](#)) sets out how the Council should consult on each and every planning related consultation.

- 3.2 To note, the most recent SCI was approved by Members at PFD Committee on Tuesday 26th March 2024. Pertinent points of the SCI are included below:

'In publicising planning applications, it is necessary for the Council to strike a balance between the consideration of cost, speed of decision making and providing a reasonable opportunity for public comment.'

'Neighbour notification by letter or email - *Statutory organisations and neighbours adjoining a site or otherwise directly affected may be targeted. The letter includes brief information about the proposals and gives guidance on how to comment.'*

- 3.3 Taking account of the above, there is currently no requirement for the Council to be posting out neighbour notification letters on any type of planning application, at a local level.

4. What We Currently Do

- 4.1 Currently the Council places a site notice and posts out neighbour notification letters for all types of planning applications. In addition, the Council also directly consults with relevant statutory consultees, other relevant community organisations, advertises in the press when legislation requires to do so and advertises on the Council's website. This is over and above what the Legislation states that the Council should be doing.

- 4.2 Having examined each and every planning application that the Council consulted upon during the 2023-24 financial year (ie 1st April 2023 to 31st March 2024), the following can be highlighted.

- 500 planning applications were consulted upon (note; not all applications are consulted upon, e.g Certificate Lawfulness, Pre-apps and certain prior approval applications)
- 5,075 neighbour notification letters were posted out by the Council
- 215 representations were received by the Council directly from addresses to which neighbour notification letters were posted (4.24%)
- 409 representations were received by the Council from addresses of which neighbour notification letters were not posted (8.06%)

- 4.3 As can be seen from the above, the number of representations received by the Council is low compared to the number of neighbour notification letters that were posted. Only some 4% of those neighbour notification letters posted out resulted in a representation being made. It should also be noted that a proportion of the 4% of responses from residents that received a neighbour notification letter, may well have responded on the basis of seeing the site notice or as a result of other methods of consultation that the Council carries out, rather than as a result of receiving the neighbour notification letter.

- 4.4 Using the following costs, the total material costs per letter sent by the Council is £1.59.

- A4 sheet - £0.04
- Small envelope - £0.25
- Postage small envelope (2nd class) - £0.65
- Printing - £0.65

- 4.5 From a purely material cost point of view, the total cost for sending out neighbour notification letters during the past financial year was £8,069.25. Note, this does not include Officer costs or any other associated costs.
- 4.6 Officer costs are estimated to be between £1,607 and £6,428 based upon it taking between 1 and 4 minutes of Officer time per letter at a salary rate of £19 per hour (salary band 5). Taking account of both material costs and Officer costs, the posting of neighbour notification letters cost the Council between £9,676 and £14,497 (for 5,075 posted letters).
- 4.7 Taking the number of representations that were received directly relating to a neighbour notification letter, each representation received by the Council during the 2023-24 financial year, cost the Council between £45 and £67.
- 4.8 As a comparison, and to demonstrate how costs to the Council can be impacted due to fluctuations in the type of planning applications received, during the 2022-2023 financial year, records show that over 7,000 neighbour notification letters were distributed by the Council. As an example, the posting of circa 7,000 neighbour notification letters would have cost the Council in the region of £20,000.

5. What We Are Proposing To Do In The Future

- 5.1 The Planning Administrative Officer has recently retired from the Planning Department and as part of the service transformation process that the Council is undertaking, this post will not be replaced. It is this post that has previously had responsibility for printing and posting out neighbour notification letters. As a result, the Council no longer has dedicated staff resource to post out neighbour notification letters.
- 5.2 If the posting out of neighbour notification letters were to continue, then it would need to be carried out by the higher grade posts of the Planning Validation Officer or Development Control Officers. This would not only tie more senior staff up with an administrative tasks and impact upon the Council's ability to determine planning applications within the statutory time period, but would also increase the cost to the Council for carrying out the process.
- 5.3 Stopping the posting of neighbour notification letters will save the Council well in excess of £10,000 annually and enable the Planning Department to operate effectively despite the reduction in staff. It should be noted that the cost savings should be looked at cumulatively and not a one off saving, for example over a 5 year period the Council could be saving well in excess of £50,000.
- 5.4 In terms of benchmarking against other Local Planning Authorities, it has been ascertained that some send neighbour notification letters and some don't. However, it is understood that those that currently post out neighbour notification letters are reconsidering their position due to the significant costs that are incurred and pressures upon local authority budgets.
- 5.5 Objective RE5 of the Council's Environment Strategy and Action Plan states that the Council will reduce its use of paper and plastics. It goes onto suggest that the Council will introduce responsible printing protocols, as well as reducing the amount of printing or printing more efficiently. The ceasing of posting out neighbour notification letters will not only reduce the carbon footprint of the Council in relation to the actual sorting and posting of the letters, but will also drastically reduce the use of paper and printing materials.
- 5.6 Although neighbour notification letters will not be posted out, every planning application received by the Council will continue to be publicly consulted on in conformity with the

relevant national legislation and local guidance. The Council ensure that public consultation is still as effective as it can be, the Council will continue to directly consult with relevant statutory consultees, other relevant community organisations, will place site notices close by to application sites, will advertise in the press when legislation requires to do so and all applications will be advertised on the Council's website.

- 5.7 Further the Council has amended the Planning Application Acknowledgement Letter that is sent to applicants, to put the onus on them to tell the neighbours what they are proposing to do within their submitted planning application. The relevant part of the letter states:

Consultation

As part of the planning application determination process, the Council is required to undertake a formal period of public consultation (usually 21 days) where views on your proposal can be expressed. The Council will consult directly with relevant statutory consultees, other relevant community organisations, will place site notices close by to the application site, will advertise in the press when legislation requires to do so and the application will be advertised on the Council's website.

The Council would also encourage you as the applicant to present your proposal to the owners / occupiers of neighbouring properties to the application site to ensure that they are aware of your planning application and its proposals. Such a process will ensure openness and transparency and potentially prevent future issues with neighbouring properties.

Any comments that the Council receives will be carefully considered by the Case Officer when coming to an informed planning decision.'

6. Conclusion

- 6.1 This report highlights to Members that the Council will be stopping the posting out of neighbour notification letters for all planning application types, for the reasons set out above.