

# Draft Statement of Community Involvement

2024

## Contents

1. Introduction .....	4
2. The Planning System and Legal Requirements .....	5
Duty to Co-operate .....	5
Local Development Scheme .....	6
Freedom of Information Act 2000 and Environmental Information Regulations 2004.....	6
Privacy and Data Collection .....	6
Accessibility.....	6
The Need for Review .....	7
3. Planning Documents .....	8
Development Plan and Supplementary Planning Documents .....	8
Planning Submissions.....	8
4. Who and How We Consult – Key Stages of Consultation .....	9
Local Plan Process .....	9
Supplementary Planning Document and / or Development Briefs Process .....	14
Representations .....	16
Neighbourhood Planning .....	16
Planning Applications.....	16
Pre-Application Discussions .....	17
Community Involvement .....	17
What Should Comments Cover?.....	18
Permitted Development .....	18
Petitions .....	18
Appeals.....	18
Leicestershire County Council.....	19
Planning Aid .....	19
5. Who and How We Consult – Planning Proposals Further Information .....	20
APPENDIX .....	22
Appendix 1 – Methods of Consultation .....	22
Appendix 2 – Duty to Cooperate Bodies.....	24
Appendix 3 – Specific Consultation Bodies .....	25
Appendix 4 – General Consultation Bodies .....	27
Appendix 5 – Government Consultation Bodies.....	29
Appendix 6 – Glossary of Terms.....	30

Appendix 7 – Contacts .....31  
Appendix 8 – Further Information .....32

DRAFT

## **The Council's Vision for Community Involvement**

This statement is part of a wider commitment made by Oadby and Wigston Borough Council to create a healthy and empowered community. The Council will always ensure that everyone who lives and works in the Borough is able to help shape its future through consistent, meaningful and far-reaching engagement, particularly in making sure that residents and businesses have wide-ranging and continuous opportunities to influence planning policies put in place by the Council.

The Council recognises the importance of community involvement in planning and its role in shaping growth through the effective delivery of well-designed homes, places and services that meet local needs in the Borough. This growth in turn contributes to improving people's health, happiness and well-being, and giving the opportunity to enjoy peaceful, harmonious, high quality and active lifestyles.

The Council will always seek to go above and beyond the minimum requirements set, where appropriate. This Statement of Community Involvement sets the Council's statutory duties for community involvement, as well as additional, non-statutory ways in which it makes best attempt to reach all members of the community.

This statement sets out the how, when and where you can engage with the consultation process to make important contributions heard and reflected in your area.

**Councillor Samia Haq**

**Leader of the Borough Council**

# 1. Introduction

- 1.1 Oadby and Wigston Borough Council (the Council) is committed to building a strong, empowered and active community to achieve high quality planning and development.
- 1.2 This Statement of Community Involvement (SCI) is a formally adopted document that sets out how the Council will engage with local people, businesses and stakeholders in planning processes. Having members of the community fully engaged with local planning decisions and systems is a positive tool in shaping positive social, economic and environmental growth and improvement of the Borough.
- 1.3 The Council uses a range of communication channels to ensure community involvement happens in a timely and effective manner. This allows people to have an influence in planning the place they live, work and visit. This SCI responds to the Council's strategic objective 'Our Partners: to ensure we are engaged and listening to all sections of the community'. This also allows consultation to reach groups who have traditionally found it difficult to engage in the planning process, in turn giving the Council community feedback that best reflects its stakeholders.
- 1.4 The consultation practices contained in this SCI satisfy the statutory requirements set out in the relevant Legislation, as set out in 'The planning system and legal requirements' section of this report.
- 1.5 The Council intends to exceed the statutory requirements, where appropriate, to ensure wide and inclusive consultation to reflect local circumstances, the character and composition of the local community, however in certain circumstances the resources available may mean that only the statutory requirements are met.

## 2. The Planning System and Legal Requirements

- 2.1 All Local Planning Authorities are required to produce an SCI under section 18 of the Planning and Compulsory Purchase Act 2004. This SCI set out the how, where and when consultation takes place in the planning process with persons who have an interest in development within their area. Key areas of consultation are on components of the Local Plan and development management decisions on planning applications.
- 2.2 Minimum requirements for consultation are set out in '*The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)*' (The Regulations) in the case of Planning Policy Documents and '*The Town and Country Planning (Development Management Procedure) Order 2015 (as amended)*' (DMPO) for planning applications.
- 2.3 The National Planning Policy Framework states that plans should '*be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees*'.
- 2.4 The Council adopted their first SCI in March 2006. There have been considerable changes since then, including the replacement of 'Local Development Frameworks' with 'Local Plans' and changes to the planning Regulations that set the ways in which the Government expects plans to be produced. The Local Plan contains the planning policies and proposals that will shape the future of the Borough. These policies and proposals are used to allocate or safeguard land for or against development, as well as to help inform the determination of planning applications.
- 2.5 When preparing planning policy documents and determining planning decisions, the Council must also comply with the Equality Act 2010.
- 2.6 The Council is required to review its SCI regularly to ensure that it is up-to-date and robust. This SCI is the latest review and has enabled the Council to reflect on and update its methods of consultation based upon the techniques that have worked best in the Borough since the previous SCI's publication in 2019. This updated SCI demonstrates how the Council complies with the minimum legal requirements and standards for consultations and how, in most cases, exceeds them.
- 2.7 Once adopted, the Council will follow the procedures for consultation and engagement as set out in this SCI.

### **Duty to Co-operate**

- 2.8 Current Legislation and planning policy and guidance places great weight on the Duty to Cooperate. The Duty sets out how local authorities should engage with partnering organisations during the Plan making process. To ensure that the Duty is met, the Council will engage with its partners such as neighbouring Councils and government bodies throughout the formulation of its plans. Duty to Cooperate partners are listed in Appendix 2.

## **Local Development Scheme**

- 2.9 The Local Development Scheme (LDS) is a regularly updated document outlining the local authority's programme of completion of planning related documents. The LDS for the Borough area establishes the programme for the preparation of, and consultation on, all the components of the Council's Development Plan, including the Local Plan.
- 2.10 The LDS document is available to view on the planning pages of Oadby and Wigston Borough Council website.

## **Freedom of Information Act 2000 and Environmental Information Regulations 2004**

- 2.11 Members of the public have the statutory right, under the Freedom of Information Act (FOI) 2000 and Environmental Information Regulations 2004, to request information held by the Council.
- 2.12 The Council always aims to make as much information accessible online through the website. If you cannot find information online, please do contact the Council in the first instance, however you have the right to request information held by Oadby and Wigston Borough Council under the FOI and EIR.

## **Privacy and Data Collection**

- 2.13 The Council will maintain an address and personal contact information database of individuals, groups and other interested parties wishing to be informed when planning policy documents are published. The database will be kept up to date and amended as and when necessary. The information held on this database is done so in conformity with the Data Protection Act (2018) and the General Data Protection Regulation (UK GDPR).

## **Accessibility**

- 2.14 The Council is committed to making its website accessible in accordance with the Public Sector Bodies (Websites and Mobile Applications) (No.2) Accessibility Regulations 2018.
- 2.15 All documents and communication are, where possible, limited in their use of technical terms and jargon. However, the use of technical terms cannot be avoided when set out as a requirement under Legislation that the Council has a statutory to complete. A glossary of technical terms may be included at the end of reports published by the Council.
- 2.16 Most of the Council website can be navigated using speech recognition software.
- 2.17 For a step-by-step guide on how to access planning services on the website, such as how to make a planning application or comment on a planning application, please contact the Council's planning team by email [planning@oadby-wigston.gov.uk](mailto:planning@oadby-wigston.gov.uk) or call us on 0116 288 8961.
- 2.18 If you require any information from the website in a different format, such as an accessible PDF, large print, language translation, audio recording or braille, please contact the Council by email [communications@oadby-wigston.gov.uk](mailto:communications@oadby-wigston.gov.uk) or call us on 0116 288 8961 where staff also have access

to a telephone translation service. If you contact the Council before you visit, we can arrange a British Sign Language (BSL) interpreter.

- 2.19 Please visit the Council's online accessibility statement for further information on how the Council fulfils accessibility requirements.

### **The Need for Review**

- 2.20 As mentioned earlier, the need for review comes with the statutory duty to update the SCI every 5 years. The Council's last SCI was updated in 2019.
- 2.21 In general, there have been no major governmental changes in relation to consulting with the public regarding planning matters since the last updated SCI.
- 2.22 The only notable change to processes has been the transition towards a digital-first approach to communication with the public, largely seen as a natural incline resulting from the pandemic. Although the Council acknowledge the value of having in-person meetings, technology and the flexibility it allows for is recognised as a desired first approach to communication. Therefore, while the Council offices and hubs are open to in-person meetings on demand, digital pathways of communication are encouraged. Examples are through the website, phone calls and online meetings.



### **3. Planning Documents**

- 3.1 Depending on the type of planning policy document or planning application being considered, there are a number of consultation bodies that the Council must notify and invite to make representations in order to comply with the Regulations set by Government.

#### **Development Plan and Supplementary Planning Documents**

- 3.2 Development Plans can be made up of a number of separate 'Development Plan Documents (DPDs)' or be a comprehensive Local Plan document. These provide strategic policies for the area's growth, non-strategic policies, policies maps and Site Allocations.
- 3.3 The Regulations set out that Duty to Cooperate partners should be consulted during the production of a Development Plan.
- 3.4 The Regulations also set out specific consultation bodies that the Council must consult in the production of a Development Plan document and / or a Supplementary Planning Document. Specific consultation bodies are listed in Appendix 3. Chapter 4 also contains further information regarding who is consulted and at what stage of document production.
- 3.5 At the Council's discretion, it may also consult with a number of other bodies that it deems appropriate to engage with at an appropriate time / stage of consultation. These are referred to as general consultation bodies within the Regulations and are listed in Appendix 4.
- 3.6 These lists may change as a result of amendments to the Regulations and / or by the Council choosing to update or amend its list of general consultation bodies. The Council therefore reserves the right to amend the details held within the Appendices for either of these reasons.

<https://www.legislation.gov.uk/uksi/2012/767/contents/made>

#### **Planning Submissions**

- 3.7 As set out in The Town and Country Planning (General Permitted Development) (England) Order 2015, the Council is required to consult various organisations and bodies on planning applications. A complete list of these consultees can be accessed via the following link:

<http://www.legislation.gov.uk/uksi/2015/595/contents/made>

## 4. Who and How We Consult – Key Stages of Consultation

- 4.1 There are a wide range of consultation methods open to the Council when producing planning policy documents and determining planning applications.
- 4.2 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 consultation’ with the community as part of the development and assessment of emerging options. The type of consultation method will vary depending upon the stage of production and this document makes the distinction between consultation that is ‘required’ by the Regulations and that which is invited by the Council through its SCI over and above the minimum requirements. Table 2 in this section outlines the methods of communication for the statutory and non-statutory notification of the Local Plan process stages.
- 4.3 The Council is the ‘Local Planning Authority’ (LPA) for the area and is therefore responsible for the determination of most planning submissions, other than those determined by Leicestershire County Council. It is also responsible for producing up to date and robust planning policy documents, including the Local Plan. The minimum legal consultation requirements in relation to the production of planning policy documents at formal stages of consultation and in determining planning applications are set out below.
- 4.4 The Council regards the statutory requirements set out in The Town and Country Planning (Local Planning) (England) Regulations (2012) (as amended) as the minimum requirements for consultation. Along with being in accordance with Legislation, the Council will seek to go beyond the minimum requirements outlined throughout the plan preparation process where appropriate and when resources allow for it.

### Local Plan Process

- 4.5 The Town and Country Planning Regulations set out the stages of plan production where considerable, well documented, consultation is required. The Regulations sets out the definitive process.
- 4.6 There are many opportunities for the community to be involved throughout the Local Plan process. The earlier people become involved, the greater the opportunity to influence the spatial strategy and direction of policies in the Local Plan.
- 4.7 Usually, Development Plan Documents require a Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA). These documents are produced in tandem with the production of the Development Plan Documents to assess their economic, environmental and social impact.
- 4.8 The tables below set out the Local Plan process and indicates how SA / SEA / HRA can be aligned with plan production. The tables set out who will be consulted at each stage. For up to date information on the current stage at which the Local Plan process is at, please visit the Council website.

**Table 1. Process and requirements for the production of a Local Plan**

<b>Stage 1: Issues and Options and Preferred Options. Includes the SA/ SEA / HRA. (Regulation 18)</b>
<p>There will be at least one ‘formal’ consultation, lasting for at least 6 weeks, for bodies identified to comment on the Plan and what it should contain. The following bodies will be notified and invited to consult on the ‘formal’ consultation:</p> <ul style="list-style-type: none"><li>• Specific consultation bodies (see Appendix 3 for full list)</li><li>• General consultation bodies (see Appendix 4 for full list)</li><li>• Residents or other persons carrying on business in the local planning authority’s area</li></ul> <p>At a minimum, bodies will be notified of the consultation period by a letter or email. Consultation documents will be available through the website and at the Council offices.</p> <p>This is a stage of formal consultation. It should be noted that the Council may consult on more than one occasion during this Regulation 18 consultation stage, for example at Issues and Options stage and Preferred Options stage.</p>



<b>Stage 2: Pre-submission. Includes SA / SEA / HRA. (Regulation 19 and 20)</b>
<p>Before submitting a Local Plan, the Council must ensure the proposed Plan is available for inspection by bodies notified under Regulation 18.</p> <p>All representations made under Regulation 18 will be available upon inspection of the Local Plan proposed.</p> <p>Copies of the proposed Plan and its associated documents will be available for inspection through the website or at the Council offices for a minimum of 6 weeks. The specific and general consultation bodies invited to make representations under Regulation 18 will be notified of consultation on the draft Plan by a letter or email.</p> <p>The Council invites comments for further representations about the proposed Plan.</p>



### Stage 3: Submission to the Secretary of State. Includes SA / SEA / HRA. (Regulation 22)

The Plan and accompanying documents are sent in electronic form to the Secretary of State. Once the LPA has submitted a Local Plan, the following will be publicly available:

- A copy of the proposed Plan and supporting documents that are, in the opinion of the LPA, relevant to the Plan's preparation.
- The submitted Policies Map (if the adoption would result in changes to the Adopted Policies Map and SA).
- A statement on the website and notification to specific and general consultation bodies that the proposed Plan, supporting documents and proposed Policies Map are available to view.
- A statement on the website setting out bodies invited and how they were invited to make representation under Regulation 18, a summary of the issues raised in representations and how representations made have been taken into account. The statement will also include if representations were made under Regulation 19 and 20, and if so the number of representations made with a summary of issues raised.
- Copies of representations made under Regulation 19 and 20.

The Council will also give notice to those persons who have requested the notification of submission of the draft Local Plan. This is not a consultation stage.



### Stage 4: Independent examination of the Local Plan and its supporting documents including the SE / SEA / HRA. (Regulation 24)

Six weeks prior to the independent examination, the Council will provide a statement on the website of the date, time and place at which the hearing is held, as well as the name of the Inspector appointed to carry out the independent examination.

Any person who made a representation in accordance with Regulation 19 and 20 will be notified of the independent examination.

Should the Inspector require the Council to make main modifications to the Plan in order to make it 'Sound', it is likely that the Inspector will require the modifications to undergo further consultation (usually six weeks). This may be an additional informal opportunity to consult. Any representations submitted are then considered by the Inspector.



### Stage 5: Proposed modifications

If main modifications are proposed, there is formal consultation with those who made representations in accordance with Regulation 19. The consultation period is usually 6 weeks and consultant bodies will be notified by letter or email. A public notice will also be posted on the website.

This is an additional informal opportunity to consult.



#### **Stage 6: Publication of Inspector's Recommendations. (Regulation 25)**

Once the Inspector's recommendations are received, all persons who requested to be notified will be given notice that the recommendations are available.

This is not a consultation stage.



#### **Stage 7: Adoption of the Local Plan and its supporting documents including the SE / SEA / HRA. (Regulation 26)**

The final version of the Local Plan will be presented to the Councillors at an appropriate committee to seek resolution to adopt.

Once adopted, the Plan and its accompanying evidence will be made available on the Council website along with an adoption statement and outline the places and times at which the Local Plan is available for inspection.

The following will be notified when the Plan is adopted:

- Secretary of State
- Council Members
- Duty to Co-operate partners (see Appendix 2 for full list)
- All persons who requested will be notified

This is not a consultation stage.

4.9 Different methods of communication on the Local Plan process are deployed by the Council to notify stakeholders of consultations and how to make a representation, and also notify the public on the current Local Plan stage. This variety of communication channels enables the Council to reach as many of its residents and stakeholders as possible, especially those otherwise hard to reach.

4.10 Table 2 below outlines methods of communication used, coded as:

- **statutory means of communication to bodies mentioned in Table 1**
- **non-statutory means of communication by which the Council may seek to announce and notify on the stage of the Local Plan**

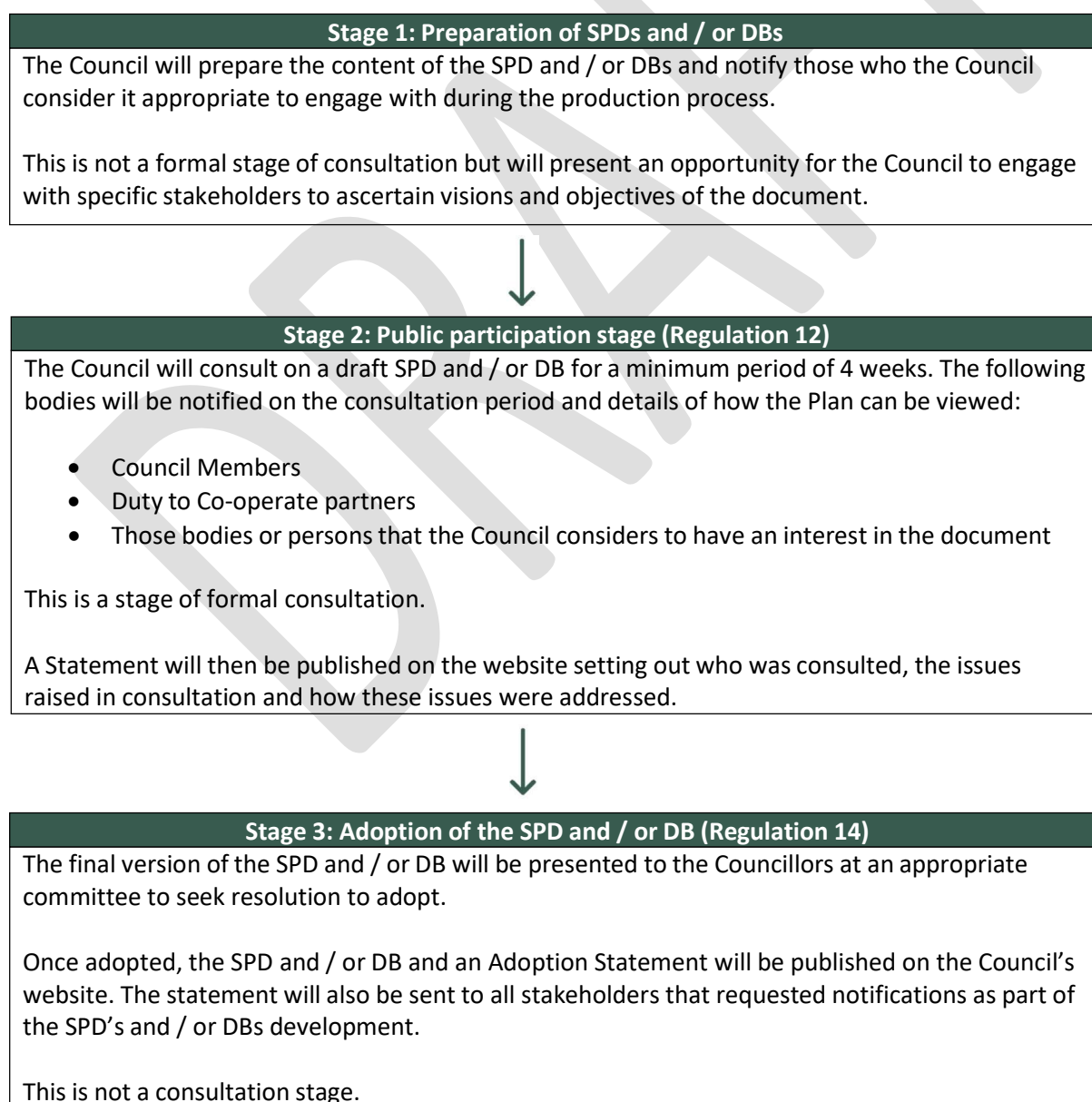
**Table 2. Methods of communication in the Local Plan process**

	Stage 1	Stage 2	Stage 3	Stage 4	Stage 5	Stage 6	Stage 7
Letter or Email or other virtual means	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Council's website <a href="https://www.oadby-wigston.gov.uk/">https://www.oadby-wigston.gov.uk/</a>	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Press release to local newspaper, radio and regional TV.	Yes	Yes	Yes	Yes			Yes
Public events, forums and/or exhibitions.	Yes	Yes	Yes				
Stakeholder group meetings.	Yes	Yes					
Summary Leaflet prepared which may be circulated to households in the Borough.	Yes	Yes					
Council Newsletter article	Yes	Yes	Yes	Yes			Yes
Social Media consultation notifications, for example Twitter and Facebook.	Yes	Yes	Yes	Yes			Yes
Advertisement of the consultation on the digital display screens.	Yes	Yes	Yes	Yes			Yes

## Supplementary Planning Document and / or Development Briefs Process

- 4.11 As part of the on-going production of planning documents, the Council will produce Supplementary Planning Documents (SPD) and Development Briefs (DB). These documents seek to add greater depth to a planning area or topic and support planning policies as well as the Council's objectives. Although SPDs and DB's do not have the same status as Development Plan Documents and do not contain policies, they are important documents in decision making.
- 4.12 The Town and Country Planning Regulations set out the requirements for the production of SPDs and / or DBs. The requirements involve formal stages of involvement. The Regulations sets out the definitive process, however a summary of these requirements is set out below. The summary tables set out who will be consulted at each stage, and how they will be consulted.

**Table 3. Process and requirements for the production of SPDs and DBs**



- 4.13 Different methods of communication on the production of SPDs and DBs are deployed by the Council to notify stakeholders of consultations and how to make a representation at the relevant stages. This variety of communication channels enables the Council to reach as many of its stakeholders as possible, especially those otherwise hard to reach.
- 4.14 Table 4 below outlines methods of communication used, coded as:
- **statutory means of communication to bodies mentioned in Table 3**
  - **non-statutory means of communication by which the Council may seek to announce and notify on the process on the production of SPDs and / or DBs**

**Table 4. Methods of communication used to notify on the production of a SPDs and / or DBs**

	Stage 1	Stage 2	Stage 3
Letter or Email or other virtual means	Yes	Yes	Yes
Council's website <a href="https://www.oadby-wigston.gov.uk/">https://www.oadby-wigston.gov.uk/</a>		Yes	Yes
Press release to local newspaper, radio and regional TV.		Yes	Yes
Public events, forums and/or exhibitions.		Yes	
Stakeholder group meetings.		Yes	
Summary Leaflet prepared which may be circulated to households in the Borough.		Yes	
Council Newsletter article		Yes	Yes
Social Media consultation notifications, for example Twitter and Facebook.		Yes	
Advertisement of the consultation on the digital display screens.		Yes	



## **Representations**

- 4.15 Representations help shape planning documents and form part of the robust evidence base used by the Council to justify the making of policies in the Local Plan.
- 4.16 The Local Planning Authority (LPA) must consider any representation made to them in response to invitations. Although the Council will consider all representations thoroughly, proposals may not always change as a result of representations received as the Council has the responsibility to achieve a balanced and effective suite of planning policy and guidance.

## **Neighbourhood Planning**

- 4.17 There are two main mechanisms for neighbourhood planning – Neighbourhood Plans and Neighbourhood Development Orders.
- 4.18 Neighbourhood planning was introduced by the Localism Act 2011 and further strengthened by the Neighbourhood Planning Act 2017. Neighbourhood plans must be prepared in accordance with Legislation set out in the Neighbourhood Planning (General) Regulations 2012 (as amended) and The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016.
- 4.19 A Neighbourhood Plan is a way of helping local communities influence the planning of the area they live and work in. If a plan is prepared and agreed by the community by referendum, it will become part of the Development Plan for the Local Authority area and will be used in the determination of planning applications.
- 4.20 It is the full responsibility of the community forums or local groups in the Borough to prepare the Plan and to undertake an inclusive consultation. The Council has a duty to assist.

## **Planning Applications**

- 4.21 The Council is aware of the importance of consultation with the community when it comes to considering and deciding formal planning submissions.
- 4.22 As set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the Council is required to consult various organisations and bodies and is advised to consult others depending on the type of planning application being considered.
- 4.23 The Borough Council deals with many hundreds of planning applications each year and the nature of the planning applications dealt with are wide ranging from householder and minor applications, to large scale mixed use proposals including residential, leisure, and other forms of development. The nature, scale and type of planning application submitted will determine how the Council will engage with the Community and other stakeholders.
- 4.24 Planning applications submitted to the Council are either determined at Development Control Committee by elected Council Members or they are delegated to Officers and are determined without the need to be reported at Planning Committee. When a planning application is to be considered at a Planning Committee, there may be the opportunity for interested parties to address

the Committee at the meeting prior to any decision being taken. Further information on this can be viewed on the Council's website.

- 4.25 Chapter 5 explains in more detail how the Council will engage with the community when determining planning applications.
- 4.26 Some planning applications can require special (or additional consultation) procedures due to their particular characteristics, including but not limited to:
- applications which are a departure from the Local Plan
  - applications which are classed as Major Developments, as defined by the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)
  - applications which are accompanied by an Environmental Statement
  - applications for Listed Buildings, Scheduled Monuments and certain works that materially affect the character of Conservation Areas or Listed Buildings
  - applications affecting public Rights of Way.
- 4.27 There are some applications where there is no statutory requirement to consult the public. These include Certificates of Lawful Development, internal alterations to a Grade II listed building, advertisements, non-material amendments and approval of details.

### **Pre-Application Discussions**

- 4.28 The Council offers a chargeable pre-application advice service for all planning applications. Pre-application discussions identify issues and requirements at an early stage and are beneficial for applicants to provide clarity as to the process and some degree of certainty where local planning policies and constraints are identified. Details of how to approach pre-application advice, including fees and how to request a meeting, can be found on the Council's website.
- 4.29 The Council cannot require a developer or householder to undertake pre-application discussions, or to engage with local residents and amenity groups, however it is advised as a 'good practice' approach. Pre-application discussions with the Council are encouraged for all development proposals.

### **Community Involvement**

- 4.30 Community involvement on planning applications does not just involve the public. The Council must also consult the appropriate statutory bodies. Statutory bodies are those bodies which have particular powers in the policy making process. In deciding which statutory body is consulted, the Council must take into account the nature and location of the proposal. There are also a significant number of non-statutory bodies including local interest groups which the Council will consult in appropriate circumstances. The public, statutory consultees and non-statutory consultees have 21 days to make any comments they may have on a submission from the initial notification of an application. The results of any such consultation will be taken into consideration in the determination of any planning application.
- 4.31 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.

- 4.32 In the event that an application is significantly amended during its consideration, the Council may send a further round of consultation letters to nearby residents, to those who have already written in with comments and consultees. Further comments can then be submitted regarding the amendments.

### **What Should Comments Cover?**

- 4.33 Comments can be made to support, object, or make a general observation on planning application proposals. It must be noted, that the Council can only take into account material planning considerations within the determination of planning proposals and therefore would only encourage comments that relate to planning related observations only.
- 4.34 Comments which contain unacceptable language, discrimination or harassment of any kind, or contain any content that may be potentially libelous will not be accepted by the Council.
- 4.35 The Council does reserve the right to publish all comments received on a planning proposal.

### **Permitted Development**

- 4.36 It is important to note that certain proposals do not need permission of the Council because these developments fall under 'Permitted Development' and are given permission by Central Government Legislation. What constitutes permitted development is detailed in the Town and Country Planning (General Permitted Development) (England) Order (2015) (as amended). For any further information on what requires planning permission and what constitutes 'permitted development', it is advisable to speak to the Council's Planning Department before you undertake any work.

### **Petitions**

- 4.37 The Council will accept petitions relating to plan-making and planning applications, however each signed petition will be considered as one representation and will have equal weight to any other representation reported on in officer reports.

### **Appeals**

- 4.38 Anyone who has submitted a planning application has a right of appeal to the Secretary of State if an application is refused, not determined, or if the permission contains conditions that are considered to be unacceptable to the applicant. Details on how applicants can appeal against a decision are contained within all decision notices issued by the Council. Third parties do not have the right to appeal.
- 4.39 Upon receipt of an appeal and start date from the Planning Inspectorate, the Council may inform neighbours and all those who have made representations on the application that an appeal has been lodged. Appeals are examined by an Independent Planning Inspector.

- 4.40 An appeal may be considered either through an exchange of correspondence (known as written representations), at an informal hearing, or at a more formal Public Inquiry.
- 4.41 Any comments received during the original consideration of the application will be sent to the Planning Inspectorate. There may be the opportunity to make further representations on the appeal directly to the Planning Inspectorate, and the Council will seek to ensure that the same neighbour notifications as the original planning application are carried out.
- 4.42 If the matter is to be heard by an Inspector at an informal hearing or Public Inquiry, then objectors will be invited to attend the hearing / inquiry where, at the inspector's discretion, they may have the opportunity to make verbal submissions. The Appellant and the Borough Council also appear at the hearing or inquiry. All parties associated to the appeal are informed of the Inspector's decision if they have requested to be notified.

### **Leicestershire County Council**

- 4.43 As mentioned, the Borough Council does not deal with all types of planning applications, as certain applications are the responsibility of Leicestershire County Council. The County Council will deal with applications relating to waste and minerals developments, as well as applications relating to County Council owned properties such as depots.

### **Planning Aid**

- 4.44 Planning Aid provides independent professional advice and information on planning matters and is run by a network of volunteer caseworkers. It is aimed at individuals, community groups and other voluntary groups who cannot afford to pay for private consultants. Planning Aid may be able to help you if you want to find out how to:
- apply for planning permission
  - object to or support another person's planning application
  - appeal against a refusal of planning permission
  - get involved in Local Development Document preparation
- 4.45 Contact details for Planning Aid can be found at: <http://www.rtpi.org.uk/planning-aid/>
- 4.46 Another source of useful planning information is the Planning Portal. Planning Portal website details are as follows: <https://www.planningportal.co.uk>.

## 5. Who and How We Consult – Planning Proposals Further Information

- 5.1 This Chapter follows on from the previous, with a more in-depth discussion on the methods used in consultation of planning proposals.
- 5.2 There are a wide range of consultation methods open to the Council when determining planning applications. The planning Legislation sets out the minimum requirements for public participation and the Council will notify all stakeholders and organisations (at least) as set out in the Regulations. The preferred method of consultation is by email, but where a person or organisation does not have an email address, a letter or other methods will be used.
- 5.3 Appendix 1 contains a list of the methods used by the Council and their associated benefits and disadvantages.
- 5.4 The statutory requirements for consultation with regards to planning applications are set out within the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Regulations require that planning applications are publicised by way of some or all of the following, depending on the type of application:
- neighbour notification letters
  - a notice in a local newspaper
  - a site notice
- 5.5 Some of the ways that the Council may look to achieve appropriate levels of publicity for an application are set out below.
- 5.6 **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.
- 5.7 **Site notices** – is the principal method of consultation and are a ‘formal’ requirement of the Regulations for applications which affect conservation areas, or for listed buildings, public rights of way and major applications. Site notices are posted on public land on or close to the site as soon as possible upon receipt of a valid application. These notices invite comments for a minimum of 21 days and may, in certain circumstances, be supplemented with letters to individual households. Letters are not statutory on all applications, however the Council will issue site notices on all relevant applications.
- 5.8 **Newspaper advertisements** - are a statutory requirement for applications in conservation areas, listed building, public rights of way and major applications.
- 5.9 **A Weekly List of Planning Applications** - is produced on the Council’s website which details every application received and validated. This information can be viewed on the website.
- 5.10 The Council’s Website is a useful tool to search for and view new planning applications via the online PublicAccess database. If you have any issues accessing the website, please call the Council on 0116 288 8961.

- 5.11 **Posting public notices and press releases** - the local press and radio broadcasters may be an option to communicate with the public on larger planning applications.
- 5.12 Applications can be made available for inspection at the Council offices upon request.
- 5.13 Customers can request face to face appointments to meet with one of our officers at one of the hubs outlined on the website. Customers are also encouraged to attend their local Library or internet café where internet is free to access the website.

DRAFT

## APPENDIX

### Appendix 1 – Methods of Consultation

Method	Benefit	Disadvantage
Make documents and supporting information available at the Council Offices and public libraries.	Consultation document, information and forms for submitting responses are free of charge to view and available during opening hours.	Not all stakeholders will be able to access this information due to limitations on their ability to travel etc. Also opening times can be limiting.
Make documents and supporting information available on the Council's website.	Information easily accessible from people's own homes and businesses, 24 hours a day.	Not all stakeholders will be able to access this information due to limitations on their access to the internet.
Hold Exhibitions and / or staffed Road Shows where practical and appropriate.	Publicises information in a user friendly way in a variety of locations. It also provides an opportunity for the public to have a conversation with Officers / the Council about the issues in hand, face-to-face.	Not all stakeholders will be able to attend these events. This can also be a very costly and resource intensive consultation method.
Include information in a Summary Leaflet and send out to households in the Borough where appropriate, this could also include a questionnaire with collection boxes provided around the Borough.	Provides a brief summary of the document outlining the key headlines to inform plan preparation or to raise awareness of upcoming events or public consultations etc.	Not all residents will read the leaflet. This can also be a very costly and resource intensive consultation method.
Council Newsletter	Newsletter could be distributed to all households in the Borough to alert people to upcoming major issues or planning consultations.	Not all residents will read the leaflet. This can also be a very costly and resource intensive consultation method.
Attendance of Planning Officers at meetings and community forums.	Allows information to be displayed in public locations in local areas.  Gives opportunities for representatives at meetings and forums to raise and discuss issues.	Not all stakeholders will be able to attend / be aware of these events. This can also be a very costly and resource intensive consultation method.
Letters and emails sent to stakeholders and organisations.	A formal means of communication with those on the database; ensures communication is received.	Not all stakeholders have an email registered or will check their emails regularly.

Method	Benefit	Disadvantage
		Stakeholders address details may also be out of date.
On-line response form on the Council's website.	Comments can be submitted to the Council, quickly, at any time of the day, with no postage costs.	Not always easily accessible to all stakeholders because it requires them to have access to the internet and an email account. There may also be a charge to the Council for its implementation.
Dedicated email address for planning policy matters.	Means of submitting comments and contacting the Council for further information and assistance for the public.	Not always easily accessible to all stakeholders because it requires them to have access to the internet and an email account.
Press releases to local newspapers, radio and regional TV.	Information to the local community which stimulates debate.	Not always easily accessible to all stakeholders because they may not see or hear it. This can also be a very costly and resource intensive consultation method.
Posters around the Borough Including the Council's Digital Display Screens.	Information for the local community that may not be seen by other forms of communication. These can be displayed on Notice Boards, Bus Stops, and on Lamp Posts in the areas that are effected.	Not always easily accessible to all stakeholders because they may not be seen. They can also be removed or vandalised. This can also be a very costly and resource intensive consultation method.
Involving Elected Members and providing updates.	By informing Members of the latest publications or consultations, they will then be prepared to inform their constituents of the latest planning policy position.	Information presented may be missed or be misinterpreted.



## **Appendix 2 – Duty to Cooperate Bodies**

Relevant bodies to Oadby and Wigston Borough Council extracted from Part 2, Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) that must be consulted to conform to the Duty to Co-operate:

### **Local nearby Councils:**

Local Authorities in the Housing Market Area

Blaby District Council

Charnwood Borough Council

Harborough District Council

Hinckley and Bosworth Borough Council

Leicester City Council

Melton Borough Council

North West Leicestershire District Council

Leicestershire County Council.

### **Other relevant bodies that may be consulted on:**

Active Travel England

Environment Agency

Historic England

Natural England

Civil Aviation Authority

Homes England

Leicester, Leicestershire and Rutland Integrated Care Board (LLR ICB)

Office of Rail and Road

National Highways

Leicestershire County Council Highway Department

Leicester and Leicestershire Enterprise Partnership

### **Appendix 3 – Specific Consultation Bodies**

In accordance with Government Regulations, and depending on the scale or nature of a submitted planning application the Borough Council as Local Planning Authority may have a statutory duty to consult the following organisation or bodies, however, notwithstanding any formal requirements to consult these bodies they may also be consulted where the Borough Council considers that they may have a relevant interest in any planning application or document:

This list is not intended to be definitive and it may be appropriate to consult other groups not listed.

#### **Local nearby Councils:**

Blaby District Council  
Harborough District Council  
Leicester City Council  
Leicestershire County Council

#### **Other relevant bodies:**

Active Travel England  
Coal Authority  
Canal and River Trust  
Control of major-accident hazards competent authority (COMAH)  
Department for Business Energy and Industrial Strategy  
Environment Agency  
Forestry Commission  
The Gardens Trust  
Health and Safety Executive  
Highways England  
Historic England  
Homes England  
Leicester, Leicestershire and Rutland Integrated Care Board (LLR ICB)  
Leicestershire Police  
Natural England  
Network Rail  
Relevant Telecommunication Companies  
Relevant Utility Companies

Severn Trent Water

Sports England

Theatres Trust

The Crown Estate

DRAFT

## Appendix 4 – General Consultation Bodies

This list is not intended to be definitive (it gives an example of the likely groups) and these, or other groups, may be consulted when appropriate.

Category	General consultation bodies
Architecture, Design and Heritage Interests	Local Groups and Organisations*, inc. Civic / Historical Societies
Business and economic Development Organisations	Confederation of British Industry (CBI) Chambers of Commerce, East Midlands Chamber
Countryside / Rural Organisations	Campaign for the Protection of Rural England, The Countryside Charity National Farmers Union Rural Community Council for Leicestershire and Rutland
Emergency Services	Leicestershire Constabulary Leicestershire Fire & Rescue Service
Environmental Protection and Conservations Organisations	Royal Society for the Protection of Birds (RSPB) The National Trust The Tree Council The Woodland Trust Open Spaces Society
Health Organisations	Leicester, Leicestershire and Rutland Integrated Care Board
Housing Providers and Organisations	Home Builders Federation
Libraries	Agency for the Legal Deposit Libraries
Major Landowners	The Crown Estate University of Leicester
Media Organisations	BBC Radio Leicester
Other Government Organisations	H M Prison Services

Other Voluntary Bodies / Charities	British Red Cross Citizens Advice Bureau Guide Dogs for the Blind Association
Planning Consultancies	National and Local Planning Consultancies that have registered their interest
Postal Services	Royal Mail Group Limited
Racial, Ethnic, National, Religious and Minority Groups Representatives and Interests	Local Groups and Organisations where requested
Retailers	National and Local Retailers that have registered their interest
Services for the Disabled or those with Special Needs	Equality and Human Rights Commission Mind
Services for the Elderly	Age UK
Service Providers and Conservation Bodies	National Grid plc
Sport and Leisure Organisations	Sport England Active Together
Telecommunication Groups	Relevant Groups and Organisations
Tourism	Go Leicestershire
Transport Undertakings and Interests	Network Rail Local Bus Companies
Youth Organisations	Schools Youth Council

## Appendix 5 – Government Consultation Bodies

Home Office

Ministry of Defence

The Department for Levelling Up, Housing, and Communities

Ministry of Justice

Department for Business, Energy and Industrial Strategy

Department for Business, Innovation and Skills

Department of Digital, Culture, Media and Sport

Department for Education

Department for Environment, Food and Rural Affairs

Department of Health and Social Care

Department for Transport

Department of Work and Pensions

DRAFT

## Appendix 6 – Glossary of Terms

Adoption: The final confirmation of a Plan and its policies being deemed acceptable by the Council.

Annual Monitoring Report (AMR): Is a report that measures the ‘success’ of planning policies and assesses plan making performance.

Development Plan Document (DPD): Document subject to independent examination, which will form part of the statutory development plan for the area.

Equalities Impact Assessment (EIA): An evaluation tool which analyses the effect that a policy or procedure will have on a particular group of people to highlight whether their needs are being met and if there are any issues requiring further action.

Independent Examination: Development Plan Documents will be examined by an Independent Inspector whose role is to assess whether the Plan has been prepared in accordance with the Duty to Co-operate, legal and procedural requirements and whether it is sound.

Local Development Scheme (LDS): The Council’s programme for preparing planning documents.

Local Plan: The document setting out the overall planning strategy, policies and proposals for the Borough area.

National Planning Policy Framework (NPPF): The NPPF sets out the Government’s National planning policies and how these are expected to be applied at a local level.

Neighbourhood Planning (General) Regulations 2012 (as amended): The Regulations that set out the process by which the Neighbourhood Plans must be prepared.

Planning Inspectorate: A government body whose work involves processing planning and enforcement appeals and holding examinations into Development Plan Documents.

Statement of Community Involvement (SCI): Document setting out when, with whom and how consultation will be undertaken on Local Development Documents.

Supplementary Planning Document: Document that expands on policies and proposals set out in the Local Plan.

Stakeholder: A person, group, organisation, company etc with an interest in or potentially affected by planning decisions in the Borough.

Sustainability Appraisal (SA): Document setting out the appraisal of plans and policies to ensure that their potential impact is assessed and that they reflect sustainable development objectives.

Test of Soundness: A series of questions the Independent Inspector asks during the Independent Examination of the Local Plan to assess whether it has been positively prepared, justified, effective, and if it is consistent with national policy.

The Council: Oadby and Wigston Borough Council

Town and Country Planning (Local Plans) (England) Regulations 2012 (as amended): The Regulations that set out the process by which the Local Plans and SPDs must be prepared.

## Appendix 7 – Contacts

You can contact the Planning Department by telephoning the Council, or by emailing or writing us:

Tel: 0116 288 8961

Email (Development Management - Applications):

[planning@oadby-wigston.gov.uk](mailto:planning@oadby-wigston.gov.uk)

Email (Planning Policy):

[planningpolicy@oadby-wigston.gov.uk](mailto:planningpolicy@oadby-wigston.gov.uk)

Postal Address:

Oadby and Wigston Borough Council  
Brocks Hill Council Offices  
Washbrook Lane  
Oadby  
Leicester  
LE2 5JJ

DRAFT



## Appendix 8 – Further Information

### Legislation

The Town and Country Planning (Local Planning) (England) Regulations 2012. Latest available (revised) <https://www.legislation.gov.uk/uksi/2012/767/contents>

Neighbourhood Planning (General) Regulations 2012. <https://www.legislation.gov.uk/uksi/2012/637/contents>

The Town and Country Planning (Development Management Procedure) (England) Order 2015 <https://www.legislation.gov.uk/uksi/2015/595/contents>

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) <https://www.legislation.gov.uk/uksi/2015/596/contents>

### National Policy / Guidance

National Planning Policy Framework, sets out government's planning policies for England and how these are expected to be applied. <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

National Planning Practice Guidance, sets out the government's guidance for implementing policies set out in the NPPF. <https://www.gov.uk/government/collections/planning-practice-guidance>

Planning Aid, provides independent professional advice and information on planning matters and is run by a network of volunteer caseworkers. It is aimed at individuals, community groups and other voluntary groups who cannot afford to pay for private consultants. <http://www.rtpi.org.uk/planning-aid/>

Planning Portal, is the national home of planning and building Regulations information and the national planning application service: <https://www.planningportal.co.uk/>

### Oadby and Wigston Borough Council

Planning, outlines the way planning issues are dealt with by the Council. <https://www.oadby-wigston.gov.uk/pages/planning>

Building Control, provides advice and assistance to achieve quality of design and construction in buildings in accordance with The Building Regulations and associated Legislation. Oadby and Wigston Borough Council is part of the Leicestershire Building Control Partnership, which is based at Blaby District Council. <https://www.blaby.gov.uk/building-control/>