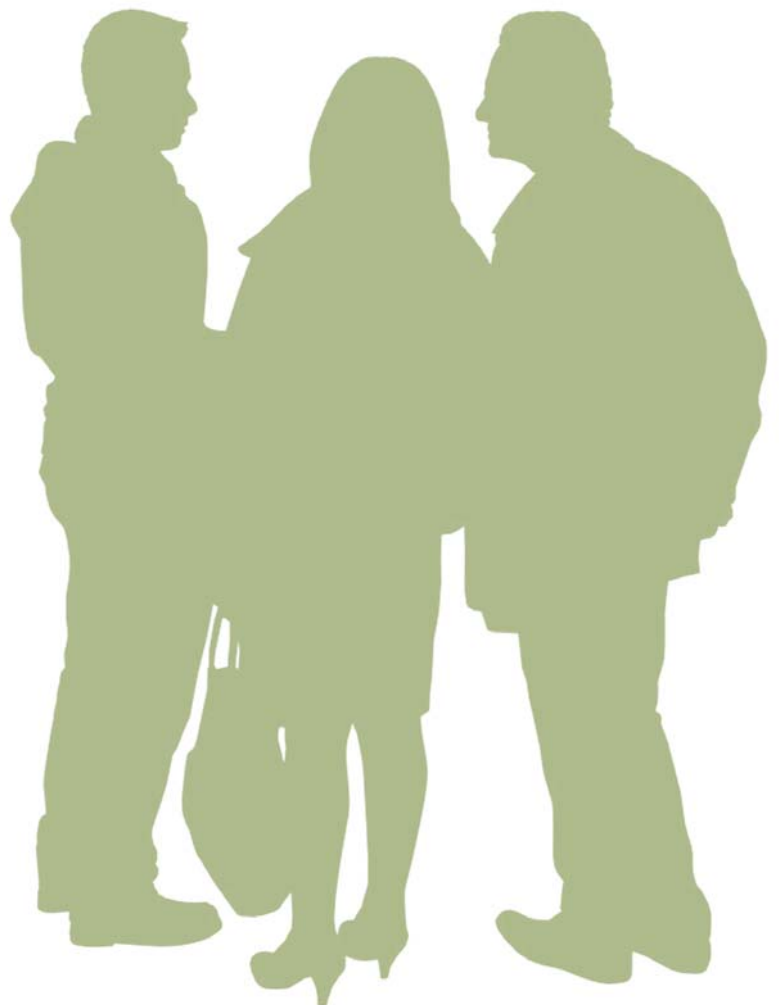


# Statement of Community Involvement



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# 1. INTRODUCTION

## What is a Statement of Community Involvement?

- 1.1** The Statement of Community Involvement (SCI) sets out how the Hinckley and Bosworth Borough Council, as the Local Planning Authority (LPA), will engage and consult the public and stakeholders in preparing the Local Plan and associated documents, and when dealing with planning applications.
- 1.2** The National Planning Policy Framework (2019) states Local 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.'

## How can I influence future development?

You can influence development in two ways:

### Planning Policy

- 1.3** Firstly, by getting involved in the longer term process of drawing up plans which guide future development. This is known as planning policy. The council wants to build up a picture of the community's thoughts and concerns about proposals as future plans are prepared. This will help us understand what the future needs of the borough's community are and how these can be met.
- 1.4** There are two potential routes to being engaged with preparing plans. One is through community involvement in plans developed by the Borough Council (the Local Plan) and the second is through community led plans, such as Neighbourhood Development Plans (NPD), developed by the community themselves.

### Development Management

- 1.5** Secondly, the community can be involved in day to day decisions made on individual planning applications. Most new buildings or major changes to existing buildings, or the local environment require planning permission. The views of the local community are important to draw on local knowledge and make good decisions on planning applications.
- 1.6** The level and type of involvement will be different between planning policy and planning applications. Influencing development through planning policy takes place over a longer period of time, and often

can deal with themes as well as definite proposals. Community involvement in planning applications deals with specific proposals and the timescales are usually shorter. The SCI addresses differences between planning policy and planning applications and sets out community involvement that is appropriate to each.

- 1.7** The council's commitment to involving its communities and stakeholders in decisions is one of its Corporate Plan values. To help communities and stakeholders become more involved in planning, the SCI provides information on:
  - Who should be consulted on the preparation of Local and Neighbourhood planning documents
  - How and when communities and stakeholders can become involved in planning matters
  - How and when community and stakeholder involvement will be taken into consideration and used in decision making
  - How we will feedback on the way involvement has influenced decision making
- 1.8** The council has other strategies and policies which guide and promote community engagement and these have been used to inform this SCI. These include the Corporate Plan, Community Plan and the Borough Council Constitution. The documents can be viewed on the Borough Council's website.



## 2. PLANNING POLICY CONSULTATION

- 2.1** The council recognise that good plan making significantly benefits from early and meaningful engagement with individuals, neighbourhoods, local organisations and businesses. We will seek to involve as wide a cross section of the community as possible.
- 2.2** Over the coming years, the council will produce planning documents for the borough (as described below). Figures 1-5 set out the stages that the public will be consulted on throughout the preparation of planning documents including the Local Plan, Neighbourhood Plans, Neighbourhood Development Orders and the Community Infrastructure Levy. Comments received during these consultations will be taken into consideration in the production of documents and incorporated where appropriate. Neighbourhood Plans and Neighbourhood Development Orders are produced by communities rather than the council, however the Borough Council has responsibility for consulting on certain stages of Neighbourhood Plans and Orders, discussed further below.

### The Local Development Scheme

- 2.3** The Local Development Scheme (LDS) is a project plan which sets out the programme and timescales for the preparation of the new Local Plan and supporting documents. It explains how the documents that form the Local Plan fit together and the key stages for their preparation and management. It also sets out the overarching policy framework in which the new Local Plan and associated documents will be produced.

### The Local Plan

- 2.4** The Local Plan sets out the council's overall strategy for development. This means it allocates sites for housing and employment development, identifies sites of natural and historic importance as well as allocating sites to be protected from inappropriate development, such as play and open space. It also sets policies which the council use to determine planning applications. At present it consists of the following documents.

### Development Plan Documents (DPDs)

- 2.5** Development Plan Documents (DPDs) set out the Borough Council's policies for development and provide the framework and legal basis against which all future planning decisions in the borough are made.
- 2.6** The primary DPD that is prepared by the Borough Council is the Local Plan. Other DPDs may also be prepared, such as those relating to large development sites or regeneration areas which require a strategy for growth and supplementary site specific policies for their delivery.
- 2.7** Regulations<sup>1</sup> set out who should be consulted as a minimum throughout the preparation of a DPD. The council will consult those required by the regulations as a minimum and will consider consulting beyond this at any stage in the plan preparation process where this would be considered to add value to the process. The formal stages for preparing a DPD are set out in Figure 1.

### Supplementary Planning Documents (SPDs)

- 2.8** Supplementary Planning Documents (SPDs) are documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions but do not form part of the development plan.
- 2.9** As regulations do not set out exactly who should be consulted at the various stages of SPD production, the council will use its best judgement. We will normally directly consult those individuals on our consultation database who we consider would have the most interest in the SPD in questions. This means that consultees for different SPDs may vary. We may also hold consultation events where appropriate, to raise awareness of the SPD being prepared. The stages for preparing a SPD are set out in Figure 2.

### Neighbourhood Development Plans (NDPs)

- 2.10** Statutory Neighbourhood Development Plans (NDPs) were introduced by the Localism Act 2011 and further strengthened through the Neighbourhood Planning Act 2017. Through NDPs communities can set out their vision for the future of a neighbourhood, and locate sites and identify policies to guide the siting and design of new homes, shops, offices and other development, in the area they live and work in. NDPs form part of the development plan once adopted.

<sup>1</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012





**2.11** The Neighbourhood Planning Act (2017) introduced a new requirement for SCIs to set out how the Local Planning Authority will support groups preparing NDPs. Similarly to Local Plan, regulations set out the requirements for consulting on all stages of preparing NDPs, including the referendum stage. While it is the role of the LPA to agree the (geographical) neighbourhood planning area; provide advice and assistance; hold an examination; and make arrangements for a referendum, NDPs are community led prepared plans, and parish councils /neighbourhood forums are generally responsible for ensuring that local people are consulted throughout the preparation of the plan.

**2.12** The process and formal stages for preparing an NDP is set out in Figure 3. Primarily, it is the role of the Borough Council to provide advice, technical evidence documentation and general support to neighbourhood planning groups preparing a plan. Prior to submission of the final draft of a NDP, it is the qualifying body<sup>2</sup> that is responsible for all public consultation in its preparation. The responsibility for consulting on and publicising NDPs lies with Borough Council at the following stages:

- Publicising the submission version of the NDP including the Examination process
- Consultation on the Strategic Environmental Assessment (SEA) Screening and SEA Document if applicable
- Consultation on proposed modifications to the plan if applicable
- Notification of whether a plan should proceed to a Neighbourhood Referendum
- Arrangement and publication of the Neighbourhood Referendum and outcome
- Notification of the plan being ‘made’

### Neighbourhood Development and Community Right to Build Orders

**2.13** A Neighbourhood Development Order (NDO) grants planning permission for certain types of development in a specific area. The permission can be for a new building on a specific site, or for alternations or changes of use (e.g. encouraging housing through giving permission to change the upper floors of shops to flats).

**2.14** A Community Right to Build Order (CRTBO) is one kind of NDO which can grant planning permission



for small-scale community-led development. This could include community facilities or community energy schemes.

**2.15** NDOs and CTBOs may be prepared by a parish or town council that has a designated neighbourhood area (a qualifying body) or established neighbourhood forums. CRTBOs may also be prepared by community organisations made up of individuals who live or work in the particular area for which the organisation is established.

**2.16** The process and formal stages for preparing an NDO are set out in Figure 4. A neighbourhood development order will go through the same stages as a neighbourhood plan including engagement, examination, and referendum. Similarly to the preparation of an NDP, the Borough Council is responsible for consulting and publicising NDOs at the following stages:

- Publicising the submission version of the NDO including the Examination process
- Consultation on proposed modifications to the NDO if applicable
- Notification of whether the NDO should proceed to a Neighbourhood Referendum
- Arrangement and publication of the Neighbourhood Referendum and outcome
- Notification of the NDO being ‘made’

<sup>2</sup> A ‘Qualifying Body’ is the responsible body for preparing a Neighbourhood Plan, a Parish Council, Town Council or Neighbourhood Forum



## Community Infrastructure Levy

- 2.17** A Community Infrastructure Levy (CIL) is a charge which enables the Borough Council to raise funds from new developments in the borough. The money collected from the levy is used to support development by funding infrastructure that the council, local community and local residents want. The levy can apply to most buildings. Charges could be based on the size, type and location of new development and would be set out in a CIL Charging Schedule.
- 2.18** Regulations<sup>3</sup> set out who should be consulted but do not specify the methods of consultation the local authority should use. The methods employed will follow those set out in Section 6. The stages for preparing a Charging Schedule are set out in Figure 5.

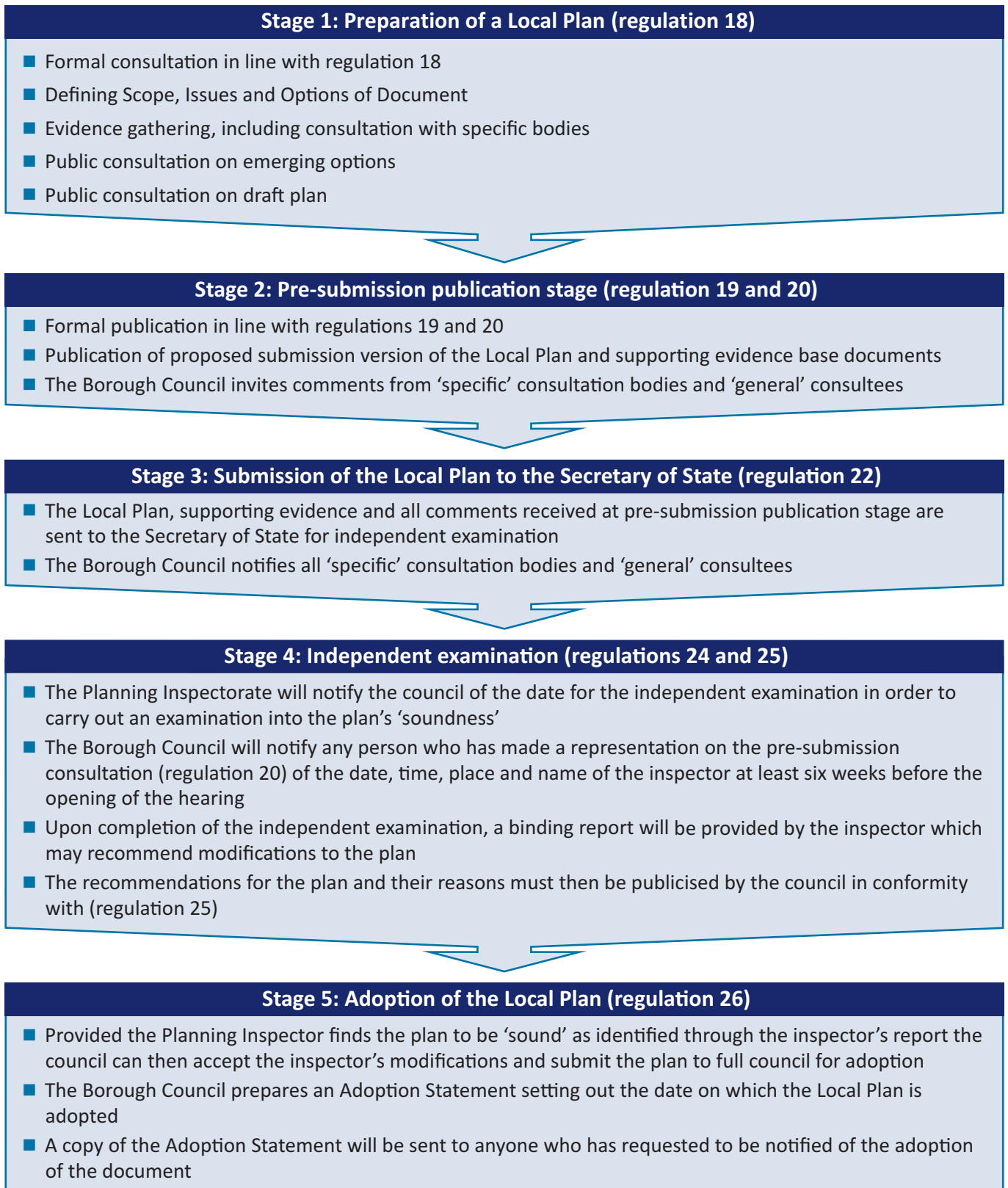
## The Duty to Cooperate

- 2.19** In addition to the requirements set out above, LPAs are also subject to a 'duty to cooperate.' This requires LPAs to engage with neighbouring councils and other relevant bodies (such as the Environment Agency and Highways England) constructively, actively and on an ongoing basis when preparing planning documents which relate to strategic matters or which could have a strategic impact (an impact which affects areas outside of Hinckley and Bosworth).
- 2.20** The duty to cooperate is not a 'duty to agree,' however, local planning authorities are required to make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their local plans for examination. Local planning authorities must show how they have complied with the duty to cooperate at the independent examination of their local plan. If a LPA cannot show that it has complied with the duty then the local plan will be found unsound.
- 2.21** We are committed to meeting this duty through working closely with the relevant organisations. Constructive ongoing consultation with these bodies is essential, and will be undertaken through the plan-making process. We will demonstrate effective and on going joint working through the preparation of formal statements of common ground with other local planning authorities and other relevant bodies.

<sup>3</sup> The Community Infrastructure Levy Regulations 2010



**Figure 1 Stages of preparing a Development Plan Document**



## Figure 2 Stages of Preparing a Supplementary Planning Document (SPD)

### Stage 1: Scoping of Issues and evidence gathering (informal consultation stage)

Scoping and gathering evidence to inform the document. This may involve informal consultations with stakeholders and interested parties to discuss key issues.

### Stage 2: Public Participation draft SPD (regulation 12)

- The council will consult relevant specific consultation bodies, general consultees and others it considers appropriate when preparing the document
- Any representations received will be considered and used to prepare the final document

### Stage 3: Adoption of the SPD (regulation 14)

- Once the Borough Council is satisfied with the content it will be presented to full council for adoption
- The Borough Council prepares an adoption statement setting out the date on which the SPD is adopted
- A copy of the adoption statement will be sent to anyone who has requested to be notified of the adoption of the document





## Figure 3 Stages of preparing Neighbourhood Development Plan (NDP)

### Stage 1: Application and publicity of the Neighbourhood Area / Forum designation (regulations 5, 6 and 7)

- The application for designation is received by the local authority who publicise the application for a minimum 6 week period and then determine whether the proposed area is considered an appropriate neighbourhood area
- Once approved, or refused, the council must publish the decision through a decision statement on the website as a minimum and if refused, publish the reasons for refusal

### Stage 2: Plan preparation

The qualifying body begin work on the plan, usually starting with scoping community opinion and evidence gathering. This stage may involve informal consultation with relevant stakeholders. The methods of consultation is to be determined by the community group preparing the plan.

### Stage 3: Pre-submission consultation and publicity (regulation 14)

The qualifying body publicly consults on the plan to bring it attention to those who live, work or have an interest in the area, in addition to statutory consultees set out in regulation 14, for a minimum of 6 weeks.

### Stage 4: Submission of the NDP to the Borough Council and publicity (regulations 15 & 16)

- Once the community group preparing the NDP are satisfied that the plan is complete it will be submitted to the local authority. The plan should be submitted along with the consultation statement, basic conditions statement, a map of the plan area and other associated documents
- The Borough Council publicises the NDP and associated documents on the website as a minimum and in a way which brings it to the attention of people who live, work or have an interest in the area
- This publicity period will run for a minimum of six weeks and will invite comments
- The Borough Council will notify any consultation bodies referred to in the submitted consultation statement

### Stage 5: Examination (regulations 17 & 18)

- The Borough Council in conjunction with the community group preparing the plan will appoint an examiner to assess the plan against the basic conditions
- All documents and comments received during stage 4 (submission) by the Borough Council will be submitted to the examiner
- The examiner will prepare a report which recommends whether the plan should proceed to referendum either with or without modifications
- If the Borough Council is satisfied that the NDP meets the legal requirements and whether the plan should proceed to referendum, it will publish its decision (in a decision statement) along with details of where the decision statement and examiners report can be inspected
- The examiner's report and decision statement will be made available on the Borough Council's website and publicised in a way which brings it to the attention of people who live, work or have an interest in the area

### Stage 6: Referendum

50% +1 vote means that a plan can proceed to be adopted by the Council

### Stage 7: Adoption (regulations 19 & 20)

Following a 'yes' vote at referendum, the NDP is 'made' or adopted by the Council



## Figure 4 Stages of preparing A Neighbourhood Development Order (NDO)

### Stage 1: Application and publicity of the Neighbourhood Area / Forum designation (regulations 5, 6 and 7)

- The application for designation is received by the local authority who publicise the application for a minimum 6 week period and then determine whether the proposed area is considered an appropriate neighbourhood area
- Once approved, or refused, the council must publish the decision through a decision statement on the website as a minimum and if refused, publish the reasons for refusal

### Stage 2: NDO (including CRTBOs) preparation

- The qualifying body begin work on the NDO, usually starting with scoping community opinion and evidence gathering. This stage may involve informal consultation with residents, business and other stakeholders
- The methods of consultation are determined by the community group preparing the plan

### Stage 3: Pre-submission consultation and publicity (regulation 21)

The qualifying body publicly consults on the plan to bring it attention to those who live, work or have an interest in the area, in addition to statutory consultees set out in regulation 21, for a minimum of 6 weeks.

### Stage 4: Submission of the NDO to the Borough Council and publicity (regulations 22 & 23)

- Once the community group preparing the NDO are satisfied that it is complete it will be submitted to the local authority. The plan should be submitted along with the consultation statement, basic conditions statement, a map which identifies the land to which the NDO relates, an archaeology statement (where appropriate)
- If submitting a CRTBO, details of the enfranchisement rights, if applicable which are not exercisable
- The Environmental Statement will also need to be publicised in accordance with the EIA regulations
- The Borough Council publicises the NDO and associated documents on the website as a minimum and in a way which brings it to the attention of people who live, work or have an interest in the area
- This publicity period will run for a minimum of six weeks and will invite comments
- The Borough Council will notify any consultation bodies referred to in the submitted consultation statement

### Stage 5: Examination (regulations 24 & 25)

- The Borough Council will appoint an examiner to assess the NDO against the basic conditions
- All documents and comments received during stage 4 (submission) by the Borough Council will be submitted to the examiner
- The examiner will prepare a report which recommends whether the NDO should proceed to referendum either with or without modifications
- If the Borough Council is satisfied that the NDO meets the legal requirements and whether the NDO should proceed to referendum, it will publish its decision (in a decision statement) along with details of where the decision statement and examiners report can be inspected
- The examiner's report and decision statement will be made available on the Borough Council's website and publicised in a way which brings it to the attention of people who live, work or have an interest in the area



## Figure 5 Stages of preparing a Community Infrastructure Levy (CIL) Charging Schedule

### Stage 1: Preparation of the Evidence Base

The Borough Council to gather appropriate available evidence to inform the draft CIL Charging Schedule. This will involve informal consultation with adjacent local authorities, landowners, housing officers, developers and businesses.

### Stage 2: Consultation on a preliminary draft charging schedule (regulation 15)

Representations will be invited from the consultation bodies and those involved in the preparation of the Charging Schedule in stage 1.

### Stage 3: Publication of the draft CIL charging schedule (regulation 16)

- The final stage before submission of the Charging Schedule for examination involves the publication of a draft Charging Schedule
- The CIL Charging Schedule will be published alongside the appropriate available evidence
- Regulations a minimum consultation period of 4 weeks. The Borough Council will maintain consistency with the consultation period for DPDs and undertake a minimum six week consultation
- The consultation documentation will be made available on the
- Any person may make a representation to the Charging Schedule

### Stage 4: Submission & examination (regulation 19, 20, 21, 23 & 24)

- The Borough Council will submit the Charging Schedule with the supporting evidence including the consultation statement and statement of modifications to the planning inspectorate for examination into the 'soundness' of the document
- Notification of the examination will be provided to those who previously made a representation, usually at least four weeks before the date of the examination
- Any person who requests to be heard at examination, in line with regulatory requirements will be provided the opportunity to speak
- The Borough Council will make the examiner's recommendations available at the locations as required by regulation 16, on the Borough Council's website and give notice to those who requested to be notified of the recommendations

### Stage 5: Adoption

- Upon the successful completion of the examination and any required modifications made, the Borough Council will present the document to full council for adoption which includes a date of commencement for the Charging Schedule
- Upon adoption the CIL Charging Schedule forms part of the Local Plan and will be actively applied to development schemes
- The Charging Schedule will be published on the Borough Council's website and made available for inspection in the locations required under regulation 16
- A local advertisement will advertise the decision to adopt the Charging Schedule and notice given to those requested to be notified



### 3. WHO WILL BE CONSULTED ON PLANNING POLICY CONSULTATIONS?

- 3.1** Depending on the type of planning document being produced, there are specific bodies that the council is required to consult and invite to participate. Beyond the minimum requirements, we will consider broadening the scope of who is consulted where it is considered this would be appropriate.
- 3.2** The Borough Council will maintain a database of individuals, groups and other interested parties who wish to be kept informed about stages of plan preparation (including when documents are published or updated). This database will be kept updated, and requests to be removed from the database can be made to planning policy. Data storage and processing will be undertaken in accordance with the relevant data protection requirements.
- 3.3** The list of consultees in the database will be amended should any of the organisations or individuals on the lists request to be removed, because, for example, they are no longer interested in the process, or if letters are returned to sender following consultation mail outs. Amendments will also be made to existing customers or new customers added following such requests.

#### Consultation bodies

- 3.4** Regulations<sup>4</sup> set out who should be consulted throughout each stage of preparing DPDs, SPDs, NDPs and NDOs<sup>5</sup>. When preparing Local Plan documents the Borough Council should consult 'specific consultation bodies', 'general consultation bodies' and residents or other persons in the local planning authority's area from which the Borough Council consider it appropriate to invite representations.
- 3.5** It should be noted that legislation and regulations are frequently updated and the list of consultees below may change over time and must be checked against the requirements set out in any new regulations. Details of who must be consulted in relation to Local Plan development and

<sup>4</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>5</sup> The Neighbourhood Planning (General) Regulations 2012



Neighbourhood Plan development can be found on [legislation.gov.uk](http://legislation.gov.uk) website.

- 3.6** Specific Consultation Bodies include:
- Neighbouring local authorities and county councils
  - Parish and Town Councils within and adjacent to the Borough
  - National government Agencies (including The Environment Agency; Historic England, Natural England and the Homes and Communities agency)
  - Healthcare providers
  - Infrastructure providers including utilities
- 3.7** General consultation bodies include:
- Local authorities within Leicestershire not adjacent to the borough
  - Local Enterprise and Strategic Partnerships
  - Bodies/groups who represent the interests of different racial; ethnic; national; religious groups; disabled persons and those carrying out business in the borough
- 3.8** Specifically for NDPs and NDOs, the Borough Council is required to consult the following consultation bodies:
- Local planning authorities, County Councils and parish/town councils within or adjacent to the neighbourhood area
  - National government Agencies (including The Environment Agency; Historic England, Natural England and the Homes and Communities agency)
  - Healthcare providers
  - Infrastructure providers including utilities
  - Voluntary bodies some or all of whose activities benefit all or any part of the neighbourhood area
  - Bodies/groups who represent the interests of different racial; ethnic; national; religious groups; disabled persons and those carrying out business in the borough



**3.9** The Borough Council is committed to involving as wide a range of individuals and organisations in the plan-making process as possible, including 'seldom-heard' groups whose views, for a variety of reasons, may be under represented in the planning process. Examples of some of these seldom heard groups include:

- Young people;
- Gypsies and Travellers;
- Elderly people;
- People aged between 18 and 45;
- Black and minority ethnic groups;
- People with disabilities;
- People with learning difficulties/communication impairments;
- Rural communities

**3.10** These groups can be discouraged from being involved in the planning process for a variety of reasons. Barriers to involvement include: consultation and engagement media, accessibility of venues, language, childcare and lack of time, amongst others.

**3.11** We will make all reasonable efforts to make the planning process as accessible and transparent as possible to everyone. It is our aim to provide these groups and individuals every opportunity to be engaged and encouraged to participate in the preparation of planning policy documents.



## 4. CONSULTEES ON THE COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE

**4.1** Figure 5, on a previous page, illustrates the stages of CIL Charging Schedule preparation and identifies specifically when in the process those with an interest are consulted and the stages are publicised. Regulation 15 sets out who should be consulted on the preliminary draft CIL Charging Schedule (Stage 2). Regulation 16 (Stage 3) stipulates that the Borough Council will consult those consultation bodies previously consulted in Stage 2. The Borough Council will also consult those who made representations in Stage 2 who fall outside of the prescribed consultation bodies. The local authority as the charging authority will consult and invite representations from the following:

- Neighbouring local authorities and county councils
- Parish/Town Councils within the borough
- Those resident or carrying on a business in the area; and where appropriate
- Voluntary bodies whose activities benefit the area
- Bodies representing the interests of persons carrying on business in the area; and
- Infrastructure providers, where deemed appropriate





## 5. HOW WILL CONSULTATION HAPPEN?

**5.1** Legislation sets out minimum requirements for public participation when preparing planning policy documents. This includes making information available on our website. Where possible and

appropriate, the Borough Council will go beyond these requirements to promote greater community participation and to meet the needs of our different communities. Therefore, a variety of methods are likely to be used at various stages of the plan making process as set out in Table 2. The Borough Council may employ other consultation methods not listed in Table 2 where it is considered appropriate.

**Table 2 Planning Policy Methods of Consultation**

Method of consultation	Description
<b>Direct notifications to appropriate organisations and individuals</b>	Emails or letters (where no email address is available) will be sent to statutory bodies, relevant groups and to those on our consultation database who have requested to be contacted.
<b>Publish on the Borough Council's website</b>	Notifications of consultations will be made available on the website, highlighting the times and dates of consultation, how to make representations and how to view the associated documents. The website will also enable the download of evidence bases, consultation reports and comment forms (where applicable). Progress on planning documents will be publicised on the council's website.
<b>Location of hard copies of documents</b>	Hard copies of the documents will be made available for public viewing during formal public consultation at the Borough Council's offices and local libraries within the borough. Other locations will be used when considered appropriate.
<b>Social networking sites</b>	Information on consultation events will be advertised on social media including our corporate Facebook page and Twitter feed.
<b>The Borough Bulletin</b>	Where feasible, the quarterly Borough Bulletin, a council publication distributed to every household in the borough, will provide notifications of consultation events and updates on the preparation of planning policy documents.
<b>Local media</b>	Where appropriate advertisements for formal consultations will be placed within local media such as the local newspaper.
<b>Exhibitions</b>	Public exhibitions for local residents during consultation stages to discuss plan proposals and content in more detail, and encourage participation and responses.
<b>Council meetings</b>	Where appropriate, plans will be taken to relevant council meetings in line with the Borough Council's constitution for feedback and approval from elected local members.

*continued over...*



**Table 2 Planning Policy Methods of Consultation continued**

Method of consultation	Description
<b>Parish Council Meetings</b>	Where appropriate, the Planning Policy Team may offer attendance at Parish Council meetings to discuss plan proposals and content in more detail and answer questions from local representatives.
<b>Member workshops</b>	Group meetings will disseminate information to elected local members on plan preparation and primarily gather locally specific information to inform plan preparation. Workshops will usually involve groups using plans, models and other visual materials.
<b>Surveys and questionnaires</b>	These may be used to canvass views on key issues, options, proposals and documents.



## 6. WHAT ARE THE CONSULTATION TIMESCALES?

- 6.1** The timescales for the statutory stages of consultation on planning policy documents are set out in the relevant regulations. Where there are no prescribed timescales for statutory consultation or we run consultations over and above the statutory stages, we will consider what the appropriate timescales for these should be and advertise accordingly. We will endeavour to avoid running key consultations over established busy holiday periods (primarily Christmas, Easter and the summer holidays). However, it may not always be possible to avoid these time periods due to the need to produce documents in a timely manner. In these situations, we will seek to extend consultation timeframes to account for this, where we are able to do so in accordance with the regulations.
- 6.2** We will ensure that the time periods of consultations are clearly publicised, with a particular focus on ensuring that stakeholders and consultees are aware of when consultations will end. It is important that responses are made within the formal time periods. We will keep late responses on file but these will be unlikely to influence the content of documents, and will not be considered to be 'duly made.'

## 7. HOW WILL RESPONSES BE CONSIDERED AND PUBLICISED?

- 7.1** We will consider all responses received during the formal consultation period. Following consultation periods, we will publish a Consultation Statement which will set out how we have addressed responses received during consultations. This will be made available on our website and also be available to view in person during office hours. Any responses which contain offensive language will be redacted prior to being published.
- 7.2** Details of respondents to consultations will be kept on a database (subject to Data Protection requirements) and these respondents will then be kept notified of the development of documents they have previously commented on (unless they request otherwise).

## 8. THE REGISTER OF CONSULTEES

- 8.1** If you no longer wish to remain on our database and be consulted on future documents you can contact us using the details below, quoting your name, address and reference number (this can be found on the top right of your most recent consultation letter).

via our online contact form:

(Web page is no longer available)

Telephone: 01455 238141

Address: Hinckley and Bosworth Borough Council  
Hinckley Hub, Rugby Road, Hinckley  
Leicestershire LE10 0FR



## 9. PLANNING APPLICATIONS

### Introduction

- 9.1** The Borough Council deals with approximately 1,500 planning applications each year, ranging from householder and minor applications to major applications for new housing, employment and retail developments. Most planning applications are determined under powers that have been delegated to officers. Some major and/or controversial applications are determined by planning committee. Decisions are taken having regard to the councils adopted Local Plan, which is the legal basis for all decisions, unless other material considerations can be shown to override these policies.
- 9.2** The process of deciding planning applications is often of great public and local interest and comments from the local community are welcomed. Publicity is therefore carried out on all planning applications. As a general rule, the larger and more complex (major) planning applications are publicised more widely than proposals that are small scale and/or routine.
- 9.3** When deciding which applications are classed as major applications and therefore subject to wider community consultation, the government sets out the following criteria:
- Residential developments comprising 10 or more homes
  - A site area of 0.5 hectares or more where the number of homes is unknown
  - The provision of a building(s) where the created floor space is 1,000 square metres or more
  - Development carried out on a site having an area of 1 hectare or more

- 9.4** The government sets targets for the time taken to determine planning applications. These are currently 13 weeks for major applications and 8 weeks for all others. If an Environmental Impact Assessment is required by the scale of development then this period will extend to 16 weeks. Before a decision is made, the case officer will prepare a report with a recommendation.
- 9.5** The recommendation will take into account the policies within the adopted Local Plan, as well as the National Planning Policy Framework, Planning Practice Guidance as well as any consultation comments received. The Borough Council can only take into account comments relating to material considerations. Guidance on material considerations can be found on the Planning Portal [www.planningportal.co.uk](http://www.planningportal.co.uk).



## 10. PLANNING APPLICATION CONSULTATION PROCESS

- 10.1** The level of consultation carried out for planning applications will depend on the type and scale of planning application being determined.
- 10.2** Planning legislation requires that for certain types of applications, such as works to listed buildings or planning applications that are accompanied by an Environmental Impact Assessment, the application must be advertised in the local press. For most types of applications, site notice(s) and/or letters will be appropriate.

### Statutory minimum publicity requirements

- 10.3** The regulations set out in the Town and Country Planning (Development Management Procedure) Order 2015, the planning (Listed Building and Conservation Areas) Regulations and the Planning (Listed Buildings and Conservation Areas) Act 1990, state that all planning applications need to be publicised, either by site notice or individual neighbour notification. A press notice and site notice is also required for the following types of application:

- Erection of 10 or more dwellings or a site area of 0.5 hectares or more
- Erection of 1000 square metres of floor space, or site area of 1 hectare or more
- An application subject of an environmental impact assessment
- An application that would affect a right of way, under part III of the Wildlife and Countryside Act
- Development affecting listed buildings
- Development affecting the character or appearance of a Conservation Area
- Departures from the Local Plan

### Individual letters

- 10.4** Letters will only usually be sent to those properties that will be directly affected by a proposal. This typically includes an adjoining owner or occupier. For example, letters will normally be sent to adjoining neighbours where residential properties adjoin a common boundary with the application site.

- 10.5** Parish and Town Councils will be consulted on planning applications within their parish boundaries. Ward Councillors will also be given the opportunity to submit comments.

### Sources of information on planning applications

- 10.6** Information on planning applications can be found in the following places:

<p><b>The planning register</b></p>	<p>Applications for planning permission will be entered on a register. Maintaining a planning register is a statutory obligation and the information is available on the Borough Council's website or for inspection by arrangement during office hours.</p> <p>Current planning applications including plans and drawings and some historical applications can be viewed online using the Borough Council's website. For those applications that are not available online, the documents can be made available for inspection by arrangement during office hours.</p> <p>For those who do not have access to a computer the council provides access to the online system at the Borough Council's offices, Hinckley Hub, Rugby Road, Hinckley.</p>
<p><b>The weekly list</b></p>	<p>The Borough Council also produces a weekly list of all new applications registered the previous week. This weekly list is distributed by email to Borough Councillors and those registered to receive the list. It is also available to view on the Borough Council's website.</p>
<p><b>Website</b></p>	<p>The Borough Council's website is a useful tool for viewing planning applications and making comments online. The website includes weekly lists of applications received and decisions made. These can be searched by application number or by ward. The Hinckley and Bosworth Planning Online website allows copies of the application forms, plans, drawings, and statutory consultation comments to be viewed online.</p>





## Procedure for dealing with comments/viewing comments

- 10.7** All those wishing to comment on an application are encouraged to do so online using the Borough Council's website. Whilst we will accept written letters and emails, we are unable to send individual responses or acknowledge receipt.
- 10.8** Once comments have been received, they are placed on to our electronic filing system, where officers will read the comments and take them into account when evaluating the application. Comments from the public are not available online for public viewing. However, should you wish to view comments relating to a particular application you can contact us by the following methods:
- Complete our online contact form:  
(Web page is no longer available)
- Telephone Development Services on:  
01455 238141
- Write to: Development Services  
Hinckley and Bosworth Borough Council  
Hinckley Hub, Rugby Road, Hinckley  
Leicestershire LE10 0FR
- 10.9** Any representation received forms part of the application documents and must be open for public inspection. Advice on personal or sensitive data is available on the Borough Council's website or contained within the notification letters or site notices.
- 10.10** Occasionally, the applicant will make changes to the submitted plans during the course of the consideration of the application, for instance to address concerns raised by local residents. If the scheme changes significantly, it may be appropriate to carry out additional publicity with affected residents. The extent, type and duration of any additional publicity will be decided on a case by case basis. If changes do not raise new or additional planning issues, further publicity will not normally be carried out.

## Making decisions on planning applications

- 10.11** In the majority of cases applications will be determined under delegated powers. The major and more sensitive applications will tend to be dealt with by the Borough Council's Planning Committee. These arrangements are set out in the Scheme of Delegation which forms part of the Borough Council's constitution.
- 10.12** Where an application is being reported to Planning Committee, this will be stated on the Borough Council's website and those who have made a

written representation to the application will be notified of the committee date. These arrangements are set out in the scheme of delegation which forms part of the Borough Council's constitution. The full committee report is available before the meeting and a copy will be available to download from the website.

- 10.13** At Planning Committee one representative speaking against an application and one speaking in favour are able to speak to the committee for up to 3 minutes. Ward members may also speak on behalf of their constituents.

## 11. COMPLAINTS PROCEDURE AND CUSTOMER FEEDBACK

- 11.1** A complaint is an expression of dissatisfaction, however made, about the standard of service, action or lack of action by the council or its staff, affecting an individual customer or a group of customers.
- 11.2** If you wish to make a complaint you can do so using the following methods:  
On the Borough Council's website: Make a complaint. Telephone: 01455 238141  
Write to: Hinckley & Bosworth Borough Council  
  
Hinckley Hub, Rugby Road, Hinckley  
LE10 0FR
- 11.3** If you wish to provide feedback on any other aspect of the service you have received from the council you can do so at the following link: (Web page is no longer available)

## 12. MONITORING AND REVIEW OF THE SCI

- 12.1** The SCI provides flexibility to allow for appropriate changes in our approach to community involvement. Comments received on the quality or effectiveness of our consultation will be considered and used to inform future practice. If significant changes are required to meet new circumstances or legislation, a review of the SCI will be undertaken.



# GLOSSARY

## Basic Conditions Statement

A written statement accompanying the submission of a Neighbourhood Development Plan (NDP) to the Local Authority prior to examination into the plan. The statement explains how the NDP meets the conditions of Neighbourhood Development Plan preparation set out in regulations.

## Community Infrastructure Levy

A type of charge which local planning authorities can obtain from new development in their area. The money collected through this levy can be used to support development across the local authority area by funding infrastructure.

## Community Plan

A Community Plan sets out priorities for improving the quality of life in the borough, based on the views of local people and on research into the needs of the area. It is produced by local organisations and community representatives working together through the Local Strategic Partnership.

## Community Right to Build Order (CRTBO)

An order made by the local planning authority (under the Town and Country Planning Act 1990) that grants planning permission for a site-specific development proposal or classes of development.

## Consultation Statement

A Consultation Statement sets out who the council has consulted with in the preparation of planning documents, how these persons were consulted, a summary of the main issues raised and how those issues have been addressed.

## Development Management

The management or control of development proposals through the planning system.

## Development Plan

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

## Development Plan Documents (DPD)

Spatial planning documents which are subject to independent examination and together form a development plan or Local Plan for a local authority area.

## Duty to Cooperate

The legal duty of the council to engage constructively, actively and on an ongoing basis with certain specified bodies to maximise the effectiveness of Local Plan preparation relating to strategic cross boundary matters.

## Environmental Impact Assessment

A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.

## Examination

The purpose of an Examination is to consider the 'soundness of the plan' by an independent Planning Inspector, appointed by the Secretary of State to conduct the examination to consider the document as a whole and determine its soundness. In assessing this, the inspector will consider all representations made of the submitted document and the changes that have been suggested by those making representations.

## General consultation bodies

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

## Local Development Document (LDD)

The collective term covering Development Plan Documents and Supplementary Planning Documents comprising the Local Plan.

## Local Plan

The adopted planning policies setting out the strategic policy, detailed development management policies and site allocations for a local authority area.

## Made

Refers to the final stage of Neighbourhood Development Plan preparation in which the NDP has successfully completed its examination, proceeded successfully through referendum and endorsed as an active planning document by the Local Authority.

## National Planning Policy Framework (NPPF)

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



### **Neighbourhood Development Order (NDO)**

An order made by a local planning authority (under the Town and Country Planning Act 1990) through which parish councils and neighbourhood forums can grant planning permission for a specific development proposal or classes of development.

### **Neighbourhood Development Plan (NDP)**

A plan for a neighbourhood area which is prepared by an authorised community group. The plan must be in general agreement with the overall plan for the local authority area and can include general planning policies and allocations of land for new development.

### **The Planning Inspectorate**

The Planning Inspectorate is an executive agency of the Department for Communities and Local Government. It deals with planning appeals, national infrastructure planning applications, examinations of local plans and other planning-related and specialist casework in England and Wales.

### **Scoping**

The act of or involving an investigation or discussion to determine the effect a proposed policy or project would have on a community or the local environment.

### **Sound**

The starting point for the examination is the assumption that the council has submitted what it considers to be a 'sound' plan. A Plan is considered 'sound' if it is:

- Positively prepared
- Justified
- Effective
- Consistent with national policy

### **Specific consultation bodies**

Organisations defined by The Town and Country Planning (Local Planning) (England) Regulations 2012 that are required to be consulted at key stages of plan production. They include neighbouring and parish councils, key service providers, Government departments and non-government organisations. Specific consultation bodies are also known as statutory consultees.

### **Stakeholders**

A person or organisation with an interest or concern in something.

### **Supplementary Planning Document (SPD)**

These documents contain policy guidance to supplement the policies and proposals in Development Plan documents.

### **Tests of Soundness**

The tests set out in the National Planning Policy Framework that DPDs are judged against.

