



**Warwick District Council**

# **STATEMENT OF COMMUNITY INVOLVEMENT**

**HOW WE WILL INVOLVE YOU  
IN PLANNING MATTERS**

**April 2020**



# Contents

## 1. Introduction

What is the Statement of Community Involvement?

The Planning System

Warwick District Council's Approach

## 2. Getting involved in the Local Plans, Development Plan Documents and other planning policy documents consultations

Who We Will Involve

Timescales

The planning teams involved in consultations

When we will involve you in the Local Plan and DPD Production

When we will involve you in Supplementary Planning Document Production

When we will involve you in the Community Infrastructure Levy

Taking part in Neighbourhood Plan consultations

## 3. Getting involved in the planning application process

When you can get involved in the planning application process

Commenting on planning applications

Taking Part in the Decision Making Process for Planning Applications

How a Decision is Made

Appeals

Pre-Application Consultation

## **Appendices**

Appendix 1 Consultation bodies

Appendix 2 Material and non-material considerations

Appendix 3 Other Planning Documents that you may wish to be involved with

# 1. Introduction

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

- 1.1 It is a statutory requirement that the Council prepares a Statement of Community Involvement (SCI)<sup>1</sup>. The SCI formally sets out the policy and standards for engaging residents, local groups, stakeholders and statutory consultees in preparing development plans and how we will consult on planning applications.
- 1.2 The planning system affects everybody who lives, works in or visits the district. It balances competing land uses and sets out the vision for how communities will be enhanced. Local communities, businesses and other organisations can contribute to this process through engagement in the planning process and thereby help to shape their environment.
- 1.3 Warwick District Council's first Statement of Community Involvement was adopted in July 2007 and briefly updated in April 2014 as there had been a number of changes to the planning system. These were introduced through the Localism Act 2011 and the National Planning Policy Framework in March 2012.
- 1.4 This review of our SCI takes account of those recent changes in legislation and policy and seeks to illustrate clearly how people can be involved in local policy and decision making. Planning legislation sets out a number of statutory requirements with respect to consultation on planning policy documents and planning applications. This SCI sets out how we will meet these requirements and involve everyone in all aspects of the planning system.
- 1.5 The Localism Act 2011 also sets out a 'duty to co-operate'. It is a requirement that we will engage with neighbouring local authorities and other statutory bodies to consider joint approaches to plan-making. We are committed to meeting this duty and are already working closely with neighbouring authorities, other partner organisations and stakeholders.

## The Planning System

- 1.6 We are responsible for ensuring that the needs of its current and future residents and business users, together with those who visit the area, are met. We need to do this whilst ensuring a sustainable approach and where there is minimal negative impact for the surrounding environment as a result.

<sup>1</sup>Section 18 of the Planning and Compulsory Purchase Act as amended.

- 1.7 The current system of producing Local Plans was set out by the Planning and Compulsory Purchase Act 2004 and reforms set out in the Localism Act 2011 and the National Planning Policy Framework 2012 (NPPF). The suite of documents formerly known as the Local Development Framework and outlined in our previous SCI are now known as the Local Plan. 'Local Development Framework' is still used, but less so as the Government prefers 'Local Plan'.
- 1.8 Development across the district is led by national and local policies. The Local Plan includes strategic and site specific policies relating to issues such as housing, employment and other land allocations and outlines where new development is expected to take place. These local policies need to accord with those produced nationally.
- 1.9 To ensure that the needs of local people are met, community engagement gives an opportunity for those affected to be heard and their views considered.

## **Involving the Community**

**This SCI describes how and when Warwick District Council will involve local communities in:**

- **The preparation of the Local Plan and other planning policy documents; and**
- **The determination of planning applications.**

## **Warwick District Council's approach**

- 1.10 When we consult you in preparing the Local Plan or on a planning application we will:
- Aim to make the process as simple as possible by writing in plain English and explaining any planning terms that are used
  - Explain when, where and how you can submit your views to us
  - Explain why we want to involve you and collect your comments
  - Ensure that the information you need is available on our website, at our offices and in local libraries/one stop shops

- Provide feedback by summarising the responses received and showing how these have been considered during the next stage of the process. This 'Report of Public Consultation' will be published on our website. In this way, we hope to ensure that everyone will feel that they have the chance to be involved in the decision making processes which form part of the planning system.

## 2. Getting Involved in Local Plans, Development Plan Documents (DPDs) and other Planning Policy Documents Consultations

2.1 The Council has a statutory duty to prepare and keep an up to date Local Plan for the area

The Warwick District Local Plan forms the statutory development plan for the area.

- It sets out the strategy, policies and land allocations that guide future development
- Planning applications for development must be in conformity with the Local Plan unless material considerations (see **Appendix 2**) indicate otherwise
- Local Plan documents must be subject to a Sustainability Appraisal (SA) which assesses the potential economic, social and environmental impacts of the policies and proposals within the Local Plan. This enhances positive effects whilst ensuring any potentially adverse impacts are minimised or mitigated
- SA's are prepared alongside the Local Plan and are also subject to consultation. Sometimes a Habitat Regulation Assessment will also need to be undertaken to determine whether the Local Plan would have any significant effects on internationally important nature conservation sites and, if so, suggest ways in which the impacts could be mitigated. Other planning policy documents, such as Supplementary Planning Documents (SPD), may also need a Habitat Regulation Assessment

There are some other Planning Policy documents which you will be consulted upon which are included at **Appendix 3** of this document

### Who we will involve

2.2 The Council wishes to gather the views of a cross-section of the local population, including those who do not normally get involved or feel unable to do so, where possible. We encourage people to take part in consultations and offer their views or share with us, their local knowledge often unknown outside the local area, including historic information regarding our towns and villages.

- 2.3 The Council makes use of existing partnerships that already operate and engages effectively with relevant groups in the local area, including the community groups and those in the voluntary sector. Government Regulations require that certain organisations are consulted at key stages in the production of Local Plan documents, including Historic England and the Environment Agency. These are known as the 'statutory consultees'. We are also required to invite comments from other general consultation bodies we consider are appropriate, from a designated list. The list is included in **Appendix 1**.
- 2.4 Town and Parish Councils are key partners in the planning application and plan making process and are becoming increasingly important through the introduction of Neighbourhood Plans. More details of Neighbourhood Planning can be found in **Appendix 3**

## How we will involve you in the preparation of planning policy documents

- 2.5 A variety of consultation methods have been tested during previous consultations; the most successful, taking into consideration the issues being consulted on and the needs of participants will be employed at each stage of consultation.
- 2.6 It is difficult to involve everyone in consultations of this sort. For some sections of the community it may be difficult to reach them using standard consultation techniques. The Council is hoping to overcome such barriers by developing its understanding of different consultation techniques over time and learning from experience. A variety of methods has and will be used during consultations taken from the list below and added to in time if we find other successful methods.
- 2.7 Use of IT has given greater accessibility to those with the knowledge of its use and access to the hardware. Documents are made available electronically, but we also produce hard copies in recognition of the fact that not everyone has the means to access electronic documentation. The Council will also consider the use of social media (e.g. Twitter) to help access "hard to reach" groups, especially young people.
- 2.8 We will aim to ensure as wide a circulation as we can, but it is not always possible or appropriate to undertake consultations using all the methods listed below. It is important therefore that the Council carries out consultation appropriate to the nature of the plan/policy or proposal. We will continue to provide printed copies of all consultation documents to allow access for all. Involvement will be open to all those who wish to be involved regardless of gender, race, disability, sexual orientation, age, rural isolation, social deprivation and social background. We will comply with the minimum legal requirements for consultation and, if time and resources allow, we will aim to go beyond these requirements. The Council will also endeavour to hold events such as public exhibitions in accessible locations and at appropriate times.

2.9 There may be consultations where it may not be possible to provide access to hard copies of documents due to circumstances beyond the Council's control. A particular example being a global pandemic where the Council is unable to provide access to hard copies of documents due to restrictions on movement imposed by the Government or in order to protect the physical wellbeing of its employees. Where this is the case all other available channels of communication will be used in order to promote and deliver an effective consultation and the Council will provide notice on its website of the methods of communication being used in a particular consultation.

Our consultation methods are set out in the following list (subject to what is being consulted upon, suitability, availability and the stage reached):

### **The Council Website**

The internet is an effective way to communicate with statutory consultees, individuals and community groups. Specific planning policy pages on our website are kept up to date with the latest on the preparation of the Local Plan and other planning policy documents. The website also provides the opportunity to gain feedback by using questionnaires and interactive documents as part of our dedicated online consultation software

### **Emails and letters**

If your details are held on our consultation database, we will inform you preferably by email or by letter of upcoming consultations. To add your details to the database contact us at [localplan@warwickdc.gov.uk](mailto:localplan@warwickdc.gov.uk) [planningpolicy@warwickdc.gov.uk](mailto:planningpolicy@warwickdc.gov.uk)

### **Public exhibitions**

Public exhibitions can be effective for the dissemination of information and where they are held in accessible locations. This allows the public to view proposals and talk to planning officers in an informal way. They normally take the form of 'drop in' sessions where officers will be available during a set time period and to explain what is being proposed. Feedback forms/questionnaires will be provided at public exhibitions to allow comment

### **Public notices/press releases**

Local press notices are sometimes required to fulfil statutory legal requirements. Normally this will mean a notice in the local newspapers. The Council may issue press releases for key stages in the production of important planning policy documents, at its discretion

## Questionnaires

Questionnaires are useful in helping individuals formulate their views on policies and proposals by providing a framework for their response. These can be made available at exhibitions or distributed through the deposit points and online. There are some stages of the consultation process where an official response form is the only method of participating to meet Government requirements. These will always be made available.

## Social media

Social media is becoming increasingly important in the everyday lives of many people. Platforms such as Twitter and Facebook can be used to good effect in reaching members of the community and could be particularly effective for engaging with young people.

Opportunities to use these methods may be explored further

## The planning teams involved in consultations

### Planning Policy Team

- 2.9 This team is responsible for producing the evidence base and studies which inform policies that make up the Local Plan. They organise and lead consultation exercises on draft planning documents, summarise and consider responses and propose any subsequent amendments to the final documents.

### Development Management Team

- 2.10 This team assesses planning applications in accordance with the adopted development plan (Local Plan) and other relevant material considerations such as the NPPF. This includes consultation responses and comments from the public collected as part of the process. The **Conservation Team** are responsible for the protection and management of historic assets within the District, such as Listed Buildings and Conservation Areas. They are responsible for assessing Listed Building applications protecting Listed Buildings from inappropriate alteration or demolition and advising owners.

2.11 All planning teams work closely with others at the County Council providing professional advice on projects with land-use and spatial planning implications.

### What is the role of Councillors?

- 2.12 Local Councillors have a duty to represent those who elected them to office and have a key role to play in the planning process:
- Councillors attend committees reviewing planning policies and ensuring that they are carried out. They monitor services provided to ensure that they are delivered in the most efficient and effective way taking these policies into account
  - Planning Committee is made up of Councillors who make decisions on individual planning applications
  - Councillors voice support, comment on, or raise objection to, planning applications in writing, or by speaking on the behalf of residents at Planning Committees
  - Councillors work with officers in the preparation and development of any documents produced by the Council
  - Councillors may attend public meetings to listen independently to what is said.

The role of local Councillors in representing the views and concerns of residents is very important in the planning process.

### Timescales

The regulations require minimum levels of consultation at given stages of a document's preparation. Consultations on planning policy documents will usually last for 6 weeks. However, the Council recognises that there are certain times of the year when this may need to be extended (except where the period is fixed by regulation). The following may apply:

Where the consultation period overlaps with Christmas, Easter, or August bank holidays, the consultation period may be extended at the Council's discretion

### When we will involve you in the Local Plan and DPD Production?

- 2.13 A Local Plan has to be prepared in accordance with formal requirements set out in legislation. The following table sets out the key stages of preparation and when the Council will involve you in Local Plan and other DPD production.

**Table 1: Quick Guide to Community Involvement in Local Plans and other Development Plan Document (DPD)\* Production**

Stage	How and when we will involve you	Political Involvement	Sustainability Assessment (SA) Stage
<b>Pre-Preparation</b>	We will inform the evidence base by involving our partners and consulting with statutory consultees	Portfolio member appraised	Stage A – set the scope and consult the environmental bodies <sup>2</sup>
<b>Preparation</b>	<p>The preferred options will be published giving everyone the opportunity to express their views. This stage will be published on our website with hard copies made available at deposit points<sup>3</sup></p> <p>Once collated and summarised, the representations will inform any changes</p> <p>The final 'submission' version will be prepared with reference to feedback received. This version will be submitted to the Secretary of State for consideration</p>	The Executive will approve the preferred options before consultation takes place	<p>Stage B – Develop and refine options whilst assessing their effects</p> <p>Stage C – Prepare the SA report</p>
<b>Publication</b>	<p>A further period of consultation on the soundness and legality of the Plan follows publication and this will be advertised on our website</p> <p>Those who have responded and those who have registered on the consultation database, will receive an email or letter informing them that this stage is reached</p> <p>Copies of documents will be published on our website and hard copies will be made available at the deposit points</p>	The Council will approve the Publication Draft	Stage D - Consult on the proposed DPD together with the SA report

	Anyone wishing to view representations will be able to do so online using our dedicated consultation software		
<b>Submission and Examination</b>	<p>An independent Planning Inspector appointed by the Secretary of State will carry out an examination of the document, including representations made during the Publication Draft consultation. This will be by written representations unless a public examination has been requested by anyone who has made representation during the final consultation. A public examination tends to be the usual route for a Local Plan.</p> <p>Publicity relating to the public examination (when held) will be published on our website and will be displayed at deposit points with a minimum of 4 weeks' notice</p>	The Council will approve the Submission of the Plan	
<b>Adoption</b>	The Inspector's report will be binding upon the Council. Adoption of the final document, as revised by the Inspector, will be published on our website and hard copies will be made available at deposit points	Approval to adopt will be required from the Council	
<b>Monitoring &amp; Review</b>			Stage E - the implementation of plans and policies will be monitored at least on annual basis

\*DPDs include Local Plans, Allocations Documents and Area Action Plans

<sup>2</sup>Natural England, Historic England and the Environment Agency

<sup>3</sup>Deposit points are normally Council Offices at Riverside House, Royal Leamington Spa; Town Hall, Royal Leamington Spa; One Stop shops/libraries around the district and Brunswick Healthy Living Centre, Royal Leamington Spa. In times of crisis (e.g. Global Pandemics) it may not be possible to provide hard copies to Deposit Points (please see paragraph 2.9).

## When we will involve you in Supplementary Planning Document Production

2.14 The following table sets out the key stages of preparation and when we will involve you.

<b>Table 2: A Quick Guide to Community Involvement in Supplementary Planning Document (SPD) Production</b>			
<b>Stage</b>	<b>How we will involve you</b>	<b>Political Stages</b>	<b>SA Stage</b>
<b>Pre-Production</b>	We will inform the evidence base by involving our partners and statutory consultees.	Portfolio member appraised	Stage A – set the scope and consult where necessary, the environmental bodies <sup>4</sup>
<b>Production</b>	<p>The evidence base will be used to prepare the draft SPD</p> <p>Comments will be invited from all interested parties and the wider community on the draft SPD and SA. Details will be advertised on our website</p> <p>Those registered on the consultation database requesting the SPD will be informed that it is available for comment on our website or in hard copy at deposit points<sup>5</sup></p> <p>Responses will be considered, summarised and where appropriate, inform the final adopted version of the SPD</p>	Approval of draft by Council required prior to consultation	<p>Stage B – Develop and refine options whilst assessing their effects</p> <p>Stage C - Prepare the SA report</p>
<b>Adoption</b>	<p>SPD's are not subject to the independent examination stage</p> <p>The adopted document will be published on our website and hard copies will be available to view at deposit points</p>	Council approval of the amended document will be required prior to adoption	

<b>Monitoring &amp; Review</b>			Stage E – Effects of implementing the document will be monitored
<p><sup>4</sup> These are Natural England, Historic England and the Environment Agency</p>			
<p><sup>5</sup> Deposit points are normally Council Offices at Riverside House, Royal Leamington Spa; Town Hall, Royal Leamington Spa; One Stop shops/libraries around the district and Brunswick Healthy Living Centre, Royal Leamington Spa. <u>In times of crisis (e.g. Global Pandemics) it may not be possible to provide hard copies to Deposit Points (please see paragraph 2.9).</u></p>			

## When we will involve you in the Community Infrastructure Levy

2.15 The Community Infrastructure Levy (CIL) is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010. New developments are often subject to this levy and the rates are set out in a document known as a Charging Schedule. A Charging Schedule has to be prepared in accordance with formal requirements set out in legislation. The following Table sets out the key stages of preparation for the CIL and when and how we will involve you. We are, in this case, the Charging Authority

<b>Table 3: Consultation Stages for the CIL Charging Schedule</b>			
<b>Formal consultation stage and scope</b>	<b>Who is notified and how we publicise</b>	<b>Assessment of documents and consultation periods</b>	<b>Resulting consultation responses</b>
<p><b>Consultation on Preliminary Draft Charging Schedule (PDCS) or revised PDCS</b></p> <p>The PDCS sets out the</p>	<p>The 'consultation bodies' [Reg. 15(3) of CIL regs.] are notified</p> <p>In satisfying Reg. 15(5) of CIL regs:</p> <ul style="list-style-type: none"> <li>All interested consultees on our database are notified</li> <li>Published on our website</li> </ul>	<p>Copy of documents sent electronically to the consultation bodies inviting their comments over a 4 week period</p> <p>All documents including details on the duration</p>	<p>The charging authority takes into account any representations before it publishes a draft charging schedule [Reg. 15(7) of the CIL regs]</p>

<p>proposed rates for chargeable development in the charging authority's area</p> <p>Comments are invited on the content of PDCS</p>		<p>of consultation, are published on our website</p>	
<p><b>Publication of a draft charging schedule (DCS)</b></p> <p>Comments are invited on the DCS</p>	<p>Consultation bodies [Reg. 15(3) of CIL regs.] are notified</p>	<p>Published on our website</p> <p>Hard copy deposited at Council Offices, Riverside House, Royal Leamington Spa and deposit points</p> <p>Electronic copy of documents sent to consultation bodies</p> <p>Consultation not less than 4 weeks from date of local notice</p>	<p>Reps. received within the prescribed period, will be reviewed</p> <p>Reps. are summarised and submitted to the examiner</p> <p>Persons making reps. on the draft Charging Schedule have the right to be heard by the Examiner, but must request this in writing within the timescale specified by the charging authority</p>
<p><b>Submission of a draft schedule and information</b></p>	<p><i>Four weeks prior to opening of examination</i></p> <p>Notice on our website detailing:</p>	<p>All information submitted for examination is published on our website for the duration of</p>	

<p><b>to the examiner</b></p> <p>Information is submitted to an independent examiner. This includes the draft charging schedule, supporting evidence, summary of reps received, copies of reps. and any requests to be heard</p> <p>Examiner seeks to ensure the Charging Authority strikes an appropriate balance between the desirability of funding infrastructure from CIL against the imposition of CIL upon economic viability of development across the area</p>	<ul style="list-style-type: none"> <li>• The venue and time for examination to be heard</li> <li>• Name of examiner</li> </ul> <p>We notify:</p> <ul style="list-style-type: none"> <li>• Anyone making reps.</li> <li>• Anyone requesting to be heard</li> </ul> <p>If a person requests the right to be heard on a modification to the DCS then the same applies, but timescales are reduced to two weeks before the examination opens</p>	<p>the examination and for 6 months after the Inspector's report is published</p>	
<p><b>Publication of examiner's</b></p>	<p>Those who requested notification of the examiner's recommendations and reasons</p>	<p>Examiner's recommendations and reasons made available</p>	

<p><b>recommendation</b></p>		<p>for inspection at Council Offices and deposit points</p> <p>Published on our website</p>	
<p><b>Approval and publication of Charging Schedule</b></p> <p><b>Following the examiner's recommendations, a report is presented to the Council where members must vote to approve the Schedule which has been examined</b></p>	<p>Notice to those who requested to be notified of the approval of the Charging Schedule</p>	<p>Publish the Charging Schedule and report to the Council, recommending adoption</p> <p>Make the Charging Schedule available for inspection at Council Offices and deposit points</p>	
<p><b>Corrections of errors in Charging Schedule</b></p> <p>Where there is a correctable error, the Charging Authority will issue a correction notice</p>	<p>If the correction notice was issued as a result of a request by a person in writing, a copy will be sent directly to them</p> <p>If the error to be corrected has an impact on the amount of CIL chargeable, a notice on our website will advise where the Charging Schedule and correction notice can be viewed</p>	<p>A correction notice and revised Charging Schedule will be published on our website and hard copies made available at the Council Offices and deposit points</p>	

Correction undertaken within 6 months of Charging Schedule approval by Council	Also persons will be notified that requested confirmation of the approval of the Charging Schedule		
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### 3. When you can get involved in the planning application process

- 3.1 The Development Management Team is responsible for assessing all planning applications for development, advising Planning Committee on applications, determining certain other types of application and providing advice on development proposals.
- 3.2 Most kinds of development require planning permission; however, there are a number of circumstances where certain types of development are automatically permitted. These are described in The Town and Country Planning (General Permitted Development) Order 2015. Some such permitted development rights are subject to a 'prior approval' process which may involve neighbour consultation.
- 3.3 Decisions taken on planning applications must be made in accordance with national planning guidance, the Local Plan and/or the Neighbourhood Plan unless there are material considerations(see Appendix 2) to indicate otherwise. This includes taking into account site specific matters relevant to the case. The planning application process at this Council, from pre-application discussion to determination and when you can get involved is detailed below.

#### Commenting on planning applications

- 3.4 Members of the public are encouraged to comment on all planning applications, whether they are for small scale housing extensions or major projects. Planning applications can be viewed online at: <http://planningdocuments.warwickdc.gov.uk/online-applications/>

## **Taking Part in the Decision Making Process for Planning Applications**

- 3.5 Anyone wishing to make a representation to us on any planning application may do so and these can be taken into account provided that the matters they raise are material planning issues. Representations must be made in writing and can be sent as an email, letter, fax or online consultation form. All comments received will be taken into account when making a decision, will be made publicly available, and will be displayed on the Council's website. If you wish to avoid the display of personal details, there is no requirement to include telephone or email details or a signature on your letter or on the online response form, but your name should be included. If this application goes to the Planning Committee for a decision, you may have an opportunity to address the committee if you have expressed a view on the proposal. You will be advised of the procedure prior to the committee date if this is the case. If the application is a resubmission of an application on which you have previously commented, please note that previous comments will not be taken into consideration in the determination of this application and you will need to provide your comments again. Unfortunately we cannot acknowledge written comments or enter into correspondence, but you can check that they have been received by following the progress of the application on the website.

### **How a Decision is Made**

- 3.6 The majority of minor planning applications are decided under 'delegated powers'. If objections are received from Parish and Town Councils or there are five or more written objections and the officer recommendation is contrary to those representations, then the item will be referred to the Planning Committee for a decision. The committee will be made aware of all representations of objection or support made with regard to an application in the officers' written report on the application. In addition, since April 2004, interested parties have been allowed to address the committee for a period of three minutes to summarise their cases. This time period is strictly adhered to and if more than one objector/supporter wishes to speak, then either a single representative must be elected to speak for all, or the three minutes must be divided between those wishing to speak. Additionally, since 2006, the Conservation Advisory Forum (CAF) has also been allowed to address the committee on relevant matters. The committee will then consider the application and make a decision. Occasionally, the committee may defer the decision pending a site visit. Some planning applications have to be referred to the Secretary of State e.g. departures from the development plan. An application can also be "called in" to Planning Committee by a Councillor within the relevant consultation period.

## Appeals

- 3.7 When an application for planning permission has been refused and the applicant appeals against the Council's decision, we will inform those who were initially consulted and any others who have made representations during the life of the application. Details of all appeals received are also included on the website. Comments made at the time of the application will be forwarded to the relevant Inspector but any further comments which objectors or supporters wish to make should then be sent direct to the Planning Inspectorate. Officers will discuss with third parties how to get involved in the appeal process. Persons wishing to attend and participate in any subsequent Inquiry or Hearing must inform the Planning Inspectorate of their wish. The Inspector's decision is available after the inquiry/hearing from the Planning Inspectorate and copies are forwarded by the Inspectorate to those parties who have requested it.

## Pre-Application Consultation

- 3.8 Developers and applicants are encouraged to discuss their proposals with planning officers, statutory consultees, neighbours to the development and the wider public where relevant. Where major development is proposed discussions with officers will cover possible methods of and timescales for pre-application publicity that applicants may wish to undertake on their proposals. This may include public exhibitions or meetings which will inform residents and interested groups. In order to enable the Council to respond as effectively as possible to pre-application enquiries, an upgraded pre-application regime, including the making of a charge for the provision of such advice, is currently being introduced which will commence upon the completion of recruitment to a new post that has been created to support that initiative.

## Appendix 1

### Consultation bodies

In accordance with government regulations the following specific consultation bodies must be consulted where the Council considers that they may have an interest in the subject of the proposed planning document:

- The Coal Authority
- Environment Agency
- Historic England
- Marine Management Organisation
- Natural England
- Network Rail
- Highways England
- Warwickshire County Council
- Parish and Town Councils within and adjoining Warwick District
- Warwickshire Police/emergency services
- Adjoining local planning authorities
- Severn Trent Water
- Homes and Communities Agency
- Electronic communication companies who own or control apparatus in Warwick District
- Relevant gas and electricity companies
- NHS England
- South Warwickshire Clinical Commissioning Group

We have also added the following:

- Health and Safety Executive
- Sport England
- Canal and River Trust

### General consultation bodies

In accordance with government regulations the following general consultation bodies must be consulted where the Council consider it appropriate:

- Voluntary bodies some or all of whose activities benefit any part of the District
- Bodies which represent the interests of different racial, ethnic or national groups in the District
- Bodies which represent the interests of different religious groups in the District
- Bodies which represent the interests of disabled persons in the District
- Bodies which represent the interests of persons carrying on business in the District
- Bodies which represent the interests of environmental groups in the District

### Duty to co-operate

The Localism Act 2011 introduced a Duty to Co-operate, which is designed to ensure that all the organisations involved in planning work together on issues that are of bigger than local significance.

The authorities and agencies that we will co-operate with is specified in Regulation 4 of the Town and Country Planning (Local Development) (England) Regulations 2012. The following bodies are designated as Duty to Co-operate stakeholders (*please note this list is not exhaustive*):

**Neighbouring Local Authorities and County Councils i.e. those relevant to Warwick District include:**

- Warwickshire County Council
- North Warwickshire Borough Council
- Nuneaton and Bedworth Borough Council
- Rugby Borough Council
- Stratford-on-Avon District Council
- Coventry City Council

There is also a list of prescribed bodies outlined in the 2011 Localism Act with whom we have to cooperate in order to deliver local aspirations and make Local Plans as effective as possible;

- Environment Agency
- Historic England
- Natural England
- Civil Aviation Authority
- Homes and Communities Agency
- Clinical Commissioning Group
- National Health Service Commissioning Board
- Office of Rail Regulation
- Integrated Transport Authority
- Highway Authority

In addition, Warwick District is also in regular contact with:

- Coventry and Warwickshire Local Enterprise Partnership
- Coventry and Warwickshire Joint Committee for Economic Growth and Prosperity
- Coventry and Warwickshire Chief Executives/Managers
- Coventry, Solihull and Warwickshire Association of Planning Officers
- Greater Birmingham Housing Market Area
- The South Warwickshire M40 Corridor Steering Group

## Appendix 2

### Material and non-material considerations

The following list provides examples of material and non-material considerations, however the list is not exhaustive

#### **Material considerations**

Can be taken into account

- National and local policies
- Planning history and previous appeal decisions
- Case Law
- Impact on sunlight, outlook, privacy and amenity
- Highways issues (e.g. increased traffic movements)
- Conservation/ Listed Building
- Affordable Housing
- Fear of Crime
- Local Economy
- Layout, Density, Design/Appearance, Character
- Effect on a Listed Building or Conservation Area
- Noise, smell or other disturbances
- Cumulative impact
- Highway safety

#### **Non-material considerations**

Cannot be taken into account

- Issues considered under Building Regulations
- Land/boundary disputes, including rights of access
- Opposition to business competition
- Loss of property value
- Loss of view (this does not include 'outlook')
- Moral Objection
- Change from previous schemes
- History of the applicant
- Matters covered by other legislation
- Restrictive covenants
- Opposition to the principle of a development if permission has been granted by an outline application or appeal decision
- Work already done
- Factual misrepresentation of the proposal

## Appendix 3

### Other Planning Documents that you may wish to be involved with

#### **The Community Infrastructure Levy (CIL)**

CIL is a charge that is levied on new development floorspace which is intended to contribute towards the provision of infrastructure to support growth. The statutory process for preparing a CIL Charging Schedule is set out in the Community Infrastructure Regulations 2010 (as amended) including the requirements for public consultation.

We have already consulted on a Schedule of Charges which it intends to implement and this will be submitted to the Secretary of State for examination when the Local Plan examination has been completed

#### **Supplementary Planning Documents**

Supplementary Planning Documents provide further detail on how Local Plan policies/DPD's should be implemented. They could take the form of a development brief for a particular site or provide practical guidance on how a policy should be interpreted and implemented in practice. They can be used to provide further guidance for development but cannot be used to set out new policy. As with Local Plans/DPDs the statutory requirements for preparing SPDs are set out in the Town and County Planning (Local Planning) (England) Regulations, 2012.

#### **The Evidence Base**

A basic component in creating a Local Plan is the evidence base. The evidence base comprises studies, reports and assessments that support the Council's emerging strategy and policies. This ensures that the planning policies and decisions are based on robust and up-to-date information. The NPPF states this as being of great importance.

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

The Sustainability Appraisal is an integral part of the plan preparation process and is required for each local plan document and for some SPDs. It looks at the environmental, social and economic effects of a plan to make sure that the plan promotes sustainable development and that it takes the most appropriate approach given reasonable alternatives. At each stage of the Local Plan preparation there is a corresponding stage when the sustainability appraisal and the SA documents are made available for comment during the public consultation. The Sustainability Appraisal, where appropriate, will incorporate the Strategic Environmental Assessment (SEA), in accordance with European Directive EC/2001/42. The process is laid out in government guidance.

#### **Neighbourhood Plans**

The Neighbourhood Planning (General) Regulations 2015 set out the

statutory requirements for the preparation of Neighbourhood Plans and Development Orders. Neighbourhood Plans are prepared by Parish and Town Councils and Neighbourhood Forums. We have a role to play in this process as we provide technical advice and carry out conformity checks against national and local policies. An examination and subsequent referendum are held. The Council will then adopt the Neighbourhood Plan if it meets all the requirements. This makes it part of the statutory development plan for the district and is used to assist in the determination of planning applications in the area the plan covers.

### **Neighbourhood Development Orders**

Neighbourhood Development Orders are prepared by Parish and Town Councils and Neighbourhood Forums. They have the same effect as a Local Development Order and can grant planning permission for specific types of development for a specific site or type of development in the neighbourhood area. The Council provides the same support and advice as for Neighbourhood Plans at the statutory stages of the process.

A Community Right to Build Order is a form of Neighbourhood Development Order that can be used to grant planning permission for small scale development for the benefit of the community on a specific site. These are prepared by constituted community groups.

### **Local Development Orders**

A Local Development Order allows certain developments to go ahead in a specific area without the need for planning permission, provided that the type of development is covered by the order. There are periods of consultation attached to these Plans and Orders although they are only the responsibility of the local authority in the final stages.

## Register your details

If you have not already done so and would like your contact details to be added to our mailing list, please e-mail [planningpolicy@warwickdc.gov.uk](mailto:planningpolicy@warwickdc.gov.uk) ~~[localplan@warwickdc.gov.uk](mailto:localplan@warwickdc.gov.uk)~~ If you do not have internet access you can contact the Planning Policy Team via the details provided below. Likewise if you wish to change or remove your details from the list you can do so online or by contacting the team. The database of individuals, groups and stakeholders has been developed to allow the Council to inform the public of the preparation of new planning documents. This database is continually updated and reviewed.

Planning Policy Team  
Warwick District Council  
Riverside House  
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**Tel:** 01926 410410  
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Large print versions of all documents can be obtained by telephoning 01926 410410