

Warwick District Council

# STATEMENT OF COMMUNITY INVOLVEMENT

HOW WE WILL INVOLVE YOU  
IN PLANNING MATTERS

January 2024



# Contents

## **04 SECTION 1 – INTRODUCTION**

**05** What is the Statement of Community Involvement?

**06** The Planning System

**07** Warwick District Council's Approach

## **08 SECTION 2 – GETTING INVOLVED IN THE LOCAL PLANS, DEVELOPMENT PLAN DOCUMENTS AND OTHER PLANNING POLICY DOCUMENTS CONSULTATIONS**

**09** Who we will involve

**10** How we will involve

**12** The planning teams involved in consultations

**13** What is the role of Councillors

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

**16** When we will involve you in Supplementary Planning Document Production

**17** When we will involve you in Neighbourhood Plan Production

**21** When we will involve you in the Community Infrastructure Levy

## **22 SECTION 3 – GETTING INVOLVED IN THE PLANNING APPLICATION PROCESS**

- 23** Commenting on planning applications
- 23** Taking Part in the Decision-Making Process for Planning Applications
- 24** How a Decision is Made
- 24** Appeals
- 25** Pre-Application Consultation
- 25** Permission in Principle

## **APPENDICES**

- 28** Appendix 1: Consultation bodies
- 32** Appendix 2: Material and non-material considerations
- 34** Appendix 3: Other Planning Documents that you may wish to be involved with

SECTION 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 produced in July 2007 and 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. The Statement of Community Involvement was then revised in January 2016 as a result of legislative changes to the planning system which set out new requirements for local councils. The SCI was briefly updated in April 2020 in response to updated government regulations (April 2020) issued as a result of the Covid-19 (Coronavirus) pandemic. The Council is committed to reviewing and updating the SCI which involve removing the references to Covid-19 and reviewing and updating the recommended methods of consultation to reflect the current circumstances.
- 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.

<sup>1</sup> Section 18 of the Planning and Compulsory Purchase Act (2004) as amended (2008).

## The Planning System

- 1.6 We are responsible for ensuring that the needs of Warwick District Council's current and future residents and business users, together with those who visit the area, are met. We need to do this through a sustainable approach to development that seeks to minimise the impact upon the environment.
- 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 (NPPF) 2012, (updated in July 2021). The suite of documents formerly known as the Local Development Framework and outlined in our previous SCI are now known as the Development 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.

## SECTION 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 is part of 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 are 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 ensures that the positive effects are enhanced whilst ensuring any potentially adverse impacts are minimised or mitigated.
- SA's are prepared alongside the Local Plan and are also subject to same level of consultation as Local Plan. Sometimes a Habitat Regulation Assessment (HRA) 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 may be consulted upon which are included at Appendix 3 of this document.

## Who we will involve

2.2 In preparing the planning policy documents the Council need to ensure that it meets a range of statutory responsibilities in terms of who and how it consults.

- **Duty to Co-operate:** this is a legal duty on local planning authorities and other public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of local plan preparation in the context of strategic cross boundary matters.
- **Specific consultation bodies:** statutory authorities such as neighbouring authorities, government agencies and utilities providers;
- **General consultation bodies:** including interest and amenity groups, residents' associations, property, trade and business associations, voluntary organisations whose activities benefit the district and bodies that represent issues of race, ethnicity, gender, age, sexual orientation, disabilities and those with caring responsibilities; and Residents, businesses and landowners located in the district.

2.3 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.

- 2.4 The Council will make 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. 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.
- 2.5 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.

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

- 2.6 A variety of consultation methods were used during previous consultations; the most effective, taking into consideration the issues being consulted on and the needs of participants will be employed at each stage of consultation.
- 2.7 It may be difficult to involve everyone in consultations of this sort. Some sections of the community may be difficult to reach 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 have and will be used during consultations taken from the list below and added to in time if we find other successful methods.
- 2.8 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/Facebook/LinkedIn) to help access "hard to reach" groups, especially young people.
- 2.9 We will aim to ensure a 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 legal requirements for consultation. The Council will also endeavour to hold events such as public exhibitions in accessible locations and at appropriate times, where it considers it beneficial to do so.
- 2.10 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 was 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.

The Table below outlines the range of consultation methods that could be used. This is not an exhaustive list and we will adopt other methods as and where appropriate.

CONSULTATION AND ENGAGEMENT TECHNIQUE	
METHOD	DETAIL
<b>The Council Website</b>	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 our dedicated online consultation software.
<b>Emails and letters</b>	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 <a href="mailto:planningpolicy@warwickdc.gov.uk">planningpolicy@warwickdc.gov.uk</a>
<b>Public exhibitions</b>	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.
<b>Public notices/ press releases</b>	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.
<b>Questionnaires</b>	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.
<b>Social media</b>	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.
<b>Focus Groups and workshops</b>	These will be held, where necessary, to actively seek comments during the course of consultations or outside of formal consultation periods to inform policy development. Focus groups and workshops will be tailored to the consultation/issue under consideration and will be held at times and at locations convenient to the participants. A note will be taken of all meetings and circulated to attendees. Where undertaken as part of the formal consultation on a plan, these notes will also be published on the Council's website and included in a published consultation statement.
<b>Advisory Groups</b>	The Council will consider whether standing advisory groups are required, bringing together interested parties and experts to provide advice on a specific planning policy matter.

## The planning teams involved in consultations

### Planning Policy Team

- 2.11 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

- 2.12 This team assesses planning applications in accordance with the adopted Local Plan, other Development Plan Documents and Neighbourhood Plans and other relevant material considerations such as the NPPF or relevant Supplementary Planning Documents (SPDs). This includes consultation responses and comments from the public collected as part of the process.

### The Conservation Team

- 2.13 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 providing advice.
- 2.14 All planning teams work closely with colleagues at Warwickshire County Council who provide professional advice on projects with land-use and spatial planning implications on matters within their remit.

## What is the role of Councillors?

- 2.15 The role of local Councillors in representing the views and concerns of residents is very important in the planning process.
- 2.16 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 sit on and attend Cabinet, Council and other committee meetings where they review and take decisions on the production and content of planning policy documents. 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 discussed at the meetings.
  - Councillors represent their constituents and may often, with support from officers, provide advice to constituents.

### Timescales

The regulations require minimum levels of consultation at given stages of a document preparation. Consultations on planning policy documents 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 Development Plan Document Production?

- 2.17 A Local Plan must be prepared in accordance with formal requirements set out in relevant planning legislation. The following table sets out the key stages of preparation and when the Council will involve you in Local Plan and other Development Plan Document (DPD) production.

QUICK GUIDE TO COMMUNITY INVOLVEMENT IN LOCAL PLANS AND OTHER DEVELOPMENT PLAN DOCUMENT PRODUCTION

STAGE	HOW AND WHEN WE WILL INFORM YOU	POLITICAL INVOLVEMENT	SUSTAINABILITY ASSESSMENT (SA) STAGE
<p><b>Pre - Preparation Issues and Options (Regulation 18)</b>  <b>The issues which the plan needs to address are identified and alternative options for the policies are considered</b></p>	<p>We will inform the evidence base by involving our partners and the community, including the statutory consultees.</p> <ul style="list-style-type: none"> <li>· Consult for minimum 6 weeks.</li> <li>· Make documents available on the website and through online consultation portal.</li> <li>· Make documents available at Deposit points identified.</li> <li>· Consult general and specific consultation bodies.</li> <li>· Consult those on Mailing list.</li> <li>· Consult Duty to Co-operate bodies.</li> <li>· Arrange public meetings as appropriate including focus groups and workshops.</li> </ul>	Portfolio Holder engagement	Stage A – set the scope and consult the environmental bodies <sup>2</sup>
<p><b>Preparation - Preferred Options are selected and policies drafted. Non statutory consultation on draft Plan</b></p>	<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> <ul style="list-style-type: none"> <li>· As above</li> <li>· Issue consultation statement setting out comments received at Issues and Options Stage.</li> </ul> <p>Make all evidence and documents prepared since Issues and Options Stage.</p>	The Cabinet or relevant Joint Committee if a cross-authority document, will approve the preferred options before consultation takes place	Stage B – Develop and refine options whilst assessing their effects Stage C – Prepare the SA report
<p><b>Publication of the Plan (Regulation 19)</b>  <b>The Plan is published for a final stage of consultation prior to submission to Secretary of State</b></p>	<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> <ul style="list-style-type: none"> <li>· As above</li> <li>· Publish the Plan and supporting documents and evidence base on the website and consultation portal and provide details of physical location of hard copies.</li> <li>· Publish information on how to respond to the consultation through a 'statement of representations procedure'.</li> <li>· Contact those that have made representations at previous stages.</li> <li>· Inform other appropriate bodies.</li> </ul>	The Council will approve the Publication Draft	Stage D - Consult on the proposed DPD together with the SA report

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

<sup>3</sup> Deposit points are normally Council Offices, Royal Leamington Spa Town Hall, 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 2.10).

QUICK GUIDE TO COMMUNITY INVOLVEMENT IN LOCAL PLANS AND OTHER DEVELOPMENT PLAN DOCUMENT PRODUCTION

STAGE	HOW AND WHEN WE WILL INFORM YOU	POLITICAL INVOLVEMENT	SUSTAINABILITY ASSESSMENT (SA) STAGE
<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 may be by written representations or more often through public hearing sessions.</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> <p>Main modifications to the submission DPD may be required to be made for reasons of soundness, in accordance with paragraph 35 of the NPPF (2021). This will require public consultation to be undertaken for a period of 6 weeks, on the identified proposed main modifications.</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>	The Plan will be reviewed where necessary and at least every 5 years.		<p>Stage E - the implementation of plans and policies will be monitored at least on annual basis.</p> <p><b>Authority Monitoring Report</b> will be published annually on the Council's website.</p>

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

2.18 Supplementary Planning Documents can be used to provide further detail and guidance on policies in the Local Plan or other appropriate documents. The following table sets out the key stages of preparation and when we will involve you.

A QUICK GUIDE TO COMMUNITY INVOLVEMENT IN SUPPLEMENTARY PLANNING DOCUMENT (SPD) PRODUCTION			
STAGE	HOW AND WHEN WE WILL INFORM YOU	POLITICAL INVOLVEMENT	SUSTAINABILITY ASSESSMENT (SA) STAGE
<b>Pre-Preparation</b>	We will inform the evidence base by involving our partners and statutory consultees.	Portfolio Holder engagement	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. 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> <ul style="list-style-type: none"> <li>• Consultation for a minimum of 6 weeks</li> <li>• Publish on the Council's website and consultation portal.</li> <li>• Make documents available for inspection at identified deposit points<sup>5</sup> for the length of consultation period.</li> <li>• Consult general and specific consultation bodies.</li> <li>• Consult Duty to Co-operate bodies.</li> <li>• Consult those on the Council's consultation database.</li> </ul> <p>Arrange meetings, presentations and other discussions if appropriate.</p>	Approval of draft by Cabinet 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> <ul style="list-style-type: none"> <li>• Publish a consultation statement setting out who was consulted, how they were consulted and a summary of issues raised and how they have been taken into account</li> <li>• Send an adoption statement to all those individuals and organisations who commented on the draft and/or preliminary consultation and to those that requested notification.</li> <li>• The adopted document will be published on our website and hard copies will be available to view at deposit points.</li> </ul>	Cabinet approval of the amended document will be required prior to adoption	
<b>Monitoring &amp; Review</b>	SPD's may be reviewed, where necessary.		<p>Stage E – Effects of implementing the document will be monitored.</p> <p><b>Authority Monitoring Report</b> will be published annually on the Council's website.</p>

<sup>4</sup> These are Natural England, Historic England and the Environment Agency

<sup>5</sup> Deposit points are normally Council Offices, Royal Leamington Spa Town Hall, 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 2.10).



## When we will involve you in Neighbourhood Plan Productions

- 2.19 Neighbourhood Planning was introduced by the Localism Act (2011). It is a mechanism for communities to influence the future of the places where they live and work by having more of a say in where new homes, businesses, shops and community facilities should be placed in their local area, along with being able to allocate sites for development. 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. The Council has 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.
- 2.20 The Neighbourhood Planning Act (2017) introduced a new requirement for SCIs to set out how the Local Planning Authority will support groups undertaking Neighbourhood Plans. The council's policy for supporting qualifying bodies and facilitating the process is through the provisions set out in the table below.

### Neighbourhood Development Orders

- 2.21 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

- 2.22 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.

## ASSISTANCE AND SUPPORT FOR A NEIGHBOURHOOD DEVELOPMENT PLAN (NDP)

KEY STAGES	PARISH/TOWN COUNCIL	WARWICK DISTRICT COUNCIL
<b>1. Pre-designation</b>	Before submitting an application to designate the neighbourhood area the Parish/Town Council may decide to consult the local community about preparing a neighbourhood plan.	Advice as to the suitability of completing a plan and its scope including attending meetings or providing briefings.
<b>2. Area Designation</b>	Parish/Town Council forms the 'qualifying body' and submits the neighbourhood area designation application to the Council. The Council can designate the Neighbourhood Plan area without the need for any consultation if the following criteria is met: <ul style="list-style-type: none"> <li>· an application is received from a parish council</li> <li>· the area specified in the application consists of the whole parish area; and</li> <li>· if any part of the specified area applied for is already part of a neighbourhood area, none of that extends outside the parish council's area.</li> </ul>	Supply mapping where appropriate. Costs may apply.
<b>3. Draft Plan Preparation</b>	The Parish/Town Council will: <ul style="list-style-type: none"> <li>· Secure Government funding grants.</li> <li>· Appoint planning consultant (optional)</li> <li>· Develop vision, aims and objectives.</li> <li>· Initial evidence gathering</li> <li>· Parish survey and publicity.</li> <li>· Prepare the draft plan.</li> </ul>	<ul style="list-style-type: none"> <li>· Guidance and interpretation of the relevant legislative requirements.</li> <li>· Provide advice on national and strategic policies as well as other appropriate regulations or legislation.</li> <li>· Share evidence and information on planning issues and on funding or skills for neighbourhood planning.</li> <li>· Advice on available evidence base documents.</li> <li>· Help to interpret economic and housing need and liaise with external partners where appropriate.</li> <li>· Provide relevant contact information for consultation including statutory consultees and local interest groups and bodies. Advice on undertaking consultation, publicity and engagement.</li> <li>· Provide advice on draft policies and an informal view as to whether they are in general conformity with relevant local and national policies.</li> <li>· Arrange for the draft plan to be screened for the potential requirement for a Strategic Environmental assessment (SEA) and arrange for the subsequent SEA if required.</li> </ul>
<b>4. Pre-Submission Draft Plan</b> (Regulation 14)	The Parish/Town Council will consult over a minimum six-week period.	The Council will provide feedback in the form of comments on the draft plan.

ASSISTANCE AND SUPPORT FOR A NEIGHBOURHOOD DEVELOPMENT PLAN (NDP)

KEY STAGES	PARISH/TOWN COUNCIL	WARWICK DISTRICT COUNCIL
<b>5. Plan Proposals</b> (Regulation 15)	Parish/Town Council prepares amended NDP, Consultation Statement and Basic Conditions Statement.	The Council will review the amended NDP, the Basic Conditions Statements and Consultation Statement to ensure that the Plan can proceed to Regulation 16 (submission) consultation.
<b>6. Submission</b> (Regulation 16)	Parish/Town Council submits the amended NDP, Consultation Statement and Basic Conditions Statement to the Council.	<p>Undertake a minimum six-week consultation on the submission plan.</p> <p>If appropriate during the time of consultation, make documents available for inspection at the District Council offices, and at such other places within the local planning authority area as considered appropriate, during normal office hours.<sup>6</sup></p> <p>Publish consultation on Council website.</p> <p>Notifications inviting representations will be sent to relevant persons, groups and organisations, as well as all those who have requested to be notified.</p> <p>Advertisements and public alerts on social media.</p> <p>Posters displayed in the locality (if appropriate at time of consultation).</p>
<b>7. Examination</b>	Appoints an Examiner in conjunction with the Council.	<p>Make arrangements for the independent examination of the neighbourhood plan.</p> <p>Submit the submission plan to the appointed examiner together with the consultation summary and all submitted responses.</p> <p>Publish the Examiner's report on the website.</p> <p>Assess the plan for compliance with statutory requirements that it meets the basic conditions set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended) in order to proceed to referendum.</p> <p>Work with the NDP group to take forward the recommendations within the Examiner's Report.</p> <p>If a decision is taken to differ from any recommendation then arrange for a further 6 week consultation as required.<sup>7</sup> (Regulation 17A)</p>
<b>8. Referendum</b>	Parish/Town Council may raise local awareness of the referendum using neutral promotional material. Make documents available locally.	<ul style="list-style-type: none"> <li>· Organise the referendum</li> <li>· Provide publicity and Information for Voters guidance for the referendum</li> <li>· Publish referendum results on the website and issue news release</li> <li>· The Council 'makes' the NDP and issues the decision notice.</li> </ul>

<sup>6</sup> Deposit points are normally Council Offices; 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 2.10).

<sup>7</sup> Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016.

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

2.23 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.

CONSULTATION STAGES FOR THE CIL CHARGING SCHEDULE			
FORMAL CONSULTATION STAGE AND SCOPE	WHO IS NOTIFIED AND HOW WE PUBLICISE	ASSESSMENT OF DOCUMENTS AND CONSULTATION PERIODS	RESULTING CONSULTATION RESPONSES
<p><b>Consultation on Preliminary Draft Charging Schedule (PDCS) or revised PDCS</b></p> <p>The PDCS sets out the proposed rates for chargeable development in the charging authority's area. Comments are invited on the content of PDCS</p>	<p>The 'consultation bodies' [Reg. 15(3) of CIL regs.] are notified. 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 of consultation, are published on our website.</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><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, 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>

CONSULTATION STAGES FOR THE CIL CHARGING SCHEDULE

FORMAL CONSULTATION STAGE AND SCOPE	WHO IS NOTIFIED AND HOW WE PUBLICISE	ASSESSMENT OF DOCUMENTS AND CONSULTATION PERIODS	RESULTING CONSULTATION RESPONSES
<p><b>Submission of a draft schedule and information 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. 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>	<p>Four weeks prior to opening of examination.</p> <p>Notice on our website detailing:</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>All information submitted for examination is published on our website for the duration of the examination and for 6 months after the Inspector's report is published.</p>	
<p><b>Publication of examiner's recommendation</b></p>	<p>Those who requested notification of the examiner's recommendations and reasons</p>	<p>Examiner's recommendations and reasons made available for inspection at Council Offices and deposit points. Published on our website.</p>	
<p><b>Approval and publication of Charging Schedule</b></p> <p>Following the examiner's recommendations, a report is presented to the Council where members must vote to approve the Schedule which has been examined.</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>	
<p><b>Correction undertaken within 6 months of Charging Schedule approval by Council</b></p>	<p>Also persons will be notified that requested confirmation of the approval of the Charging Schedule.</p>		

SECTION 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 other Development Plan Documents and Neighbourhood Plans where applicable, 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 considered provided that the matters they raise are material planning issues. Representations must be made in writing and can be sent as an email, letter, or online consultation form. All comments received will be considered when making a decision. Comments will be made publicly available, and will be displayed on the Council's website. Personal details such as telephone numbers, email addresses and signatures will be redacted, as well as any sensitive information. 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. 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 letters in support/object contrary to the officer recommendation, 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 in response 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. Anyone 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.
- 3.9 More information on pre-application can be found on the Council's website: [www.warwickdc.gov.uk/info/20374/planning\\_applications/1061/pre-application\\_advice](http://www.warwickdc.gov.uk/info/20374/planning_applications/1061/pre-application_advice)

## Permission in Principle

- [The Town and Country Planning \(Permission in Principle\) \(Amendment\) Order 2017](#)
  - [The Town and Country Planning \(Brownfield Land Register\) Regulations 2017](#)
  - [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) – Schedule 4
- 3.10 Permission in principle (PIP) consent is an alternative way of obtaining planning permission for housing led development. The PIP consent route has two stages:
1. The permission in principle stage establishes whether a site is suitable in principle
  2. The 'technical details consent' (TDC) stage is when the detailed development proposals are assessed. Granting technical details consent has the effect of granting planning permission.
- 3.11 Local planning authorities can grant permission in principle:
- Upon receipt of a valid application for any site that might accommodate minor housing led development (from 1 June 2018), or
  - By entering a site in Part 2 of its Brownfield Land Register (BLR) which will trigger a grant of permission in principle for that land providing the statutory requirements set out in legislation are met. This is the only route by which brownfield sites capable of accommodating major development can achieve PIP.

The two processes for obtaining permission in principle and opportunities for engagement are set out in the table below.

### Process for obtaining Permission in Principle (PIP)

APPLICATION FOR PERMISSION IN PRINCIPLE		
STAGE	PROCESS AND REQUIREMENTS	ENGAGEMENT
<b>1. Application (Regulations 5A - 5F)</b>	<p>Applications for PIP can be made for minor housing led developments (9 dwellings or less, with less than 1,000 sq.m of commercial floorspace, and/or on a site of less than 1ha).</p> <p>The development must not include habitats development, EIA development or major development.</p>	<p>Part 2 of the public Brownfield Land Register on the Council website must be expanded to include:</p> <ul style="list-style-type: none"> <li>· Permissions in principle allocated by the Council</li> <li>· 'Live' applications for permission in principle</li> <li>· 'Determined' applications for permission in principle.</li> </ul>
<b>2 Publicity and Consultation (Regulation 5G)</b>	<p>The PIP application is made public for 14 days during which relevant statutory consultees and interested parties can make representations.</p> <p>The technical details application is made public for not less than 21 days for a site notice and 14 days for an online notice during which relevant statutory consultees and interested parties can make representations.</p>	<p>The application is made available for inspection on the Council's website.</p> <p>Site Notice(s) displayed on or near the land to which the application relates and an online notice.</p> <p>Parish/Town Councils will be consulted on applications within their area.</p>
<b>3. Decision (Regulations 5R - 5T)</b>	<p>The Council must consider representations made by consultees.</p> <p>The Council has 5 weeks from receipt of the application to issue a decision. Extension of time is permitted by written agreement.</p> <p>Where a PIP application is granted the duration of the permission is 3 years. Applications for technical details consent must be determined before the PIP expires.</p> <p>The Council has 5 weeks to determine a technical details application.</p> <p>Where a PIP application is refused the applicant has the right to appeal the decision.</p>	<p>Parish Councils must be notified of the 'terms of the decision'.</p> <p>Everyone who commented within 14 days is to be notified of the decision.</p>

ENTERING A SITE IN PART 2 OF A BROWNFIELD LAND REGISTER

STAGE	PROCESS AND REQUIREMENTS	ENGAGEMENT
<p><b>1. Publicity and Consultation</b></p>	<p>Should the Council propose to enter land in Part 2 of its Brownfield Land Register it must follow required publicity procedures set out in Regulation 6 of the Brownfield Land Regulations 2017.</p> <p>Consultation procedures are outlined in Regulations 7 to 12 of the Brownfield Land Regulations 2017.</p> <p>These include relevant statutory consultees listed in the DMPO Schedule 4.</p>	<p>Site Notice(s) displayed for 21 days on or near the land to which it proposes to enter in Part 2 of the BLR.</p> <p>Publish on the website specific information required by Regulation 6(4) for 14 days, including where information may be inspected and how to make representations within that time.</p> <p>Consultees have 42 days to respond on the first publication of sites proposed for Part 2. Subsequent publications require 21 days to respond.</p> <p>Specifically serve notice on infrastructure managers for sites within 10 metres of railway land.</p> <p>Serve notice on relevant Parish Council where they have previously requested to be notified.</p> <p>Consult Warwickshire County Council if Regulation 10 is applicable to the land proposed to be entered in Part 2.</p>
<p><b>2. Decision</b></p>	<p>The Council must take into account representations made by consultees.</p> <p>The Council may enter the land in Part 2 after 42 days on the first publication of sites. Subsequent publications may be entered after 21 days.</p> <p>Where a site is entered into Part 2, the duration of the permission is 5 years. Applications for technical details consent must be determined before the PIP expires.</p> <p>The Council has 10 weeks to determine a technical details application for major development and 5 weeks for other forms of development.</p> <p>There is no right of appeal where a local planning authority decides not to enter a site into Part 2 of the register.</p>	<p>Update the Brownfield Land Register on the Council's website.</p>

# Appendix 1 – Consultation Bodies

## **Consultation bodies**

In accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012, 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
- Active Travel England
- Parish and Town Councils within and adjoining Warwick District
- Warwickshire Police/emergency services
- Adjoining local planning authorities
- Severn Trent Water
- Homes England
- Electronic communication companies who own or control apparatus in Warwick District
- Relevant gas and electricity companies
- NHS England
- NHS Coventry and Warwickshire Integrated Care Board (ICB)
- 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 have strategic implications.

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:**

- Coventry City Council
- North Warwickshire Borough Council
- Nuneaton and Bedworth Borough Council
- Rugby Borough Council
- Stratford-on-Avon District Council
- Warwickshire County Council
- Solihull Metropolitan Borough 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 England
- Integrated Care Forums
- National Health Service Commissioning Board
- Office of Rail Regulation
- Integrated Transport Authority
- Highways England (now known as National Highways)

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

- 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

# 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 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.

### 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). 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.

### Planning Policy Team

Warwick District Council  
Town Hall, Parade  
Royal Leamington Spa  
Warwickshire  
CV32 4AT

**Tel:** 01926 456525

**E-mail:** [planningpolicy@warwickdc.gov.uk](mailto:planningpolicy@warwickdc.gov.uk)

**Council website:** [www.warwickdc.gov.uk](http://www.warwickdc.gov.uk)

**Planning Policy webpage:** [www.warwickdc.gov.uk/info/20376/planning\\_policy](http://www.warwickdc.gov.uk/info/20376/planning_policy)

**Large print versions of all documents can be obtained by telephoning 01926 450000.**

