



Statement of Community Involvement in Planning

February 2019

This document may be viewed or downloaded from our website
<https://swindon-consult.objective.co.uk/portal/>

Planning Policy, Swindon Borough Council, Wat Tyler West,
Beckhampton Street, Swindon

E-mail: forwardplanning@swindon.gov.uk

This document can be made available in a range of languages, large print, on tape, electronic and other accessible formats from:

Tel: 01793 445500 or e-mail: forwardplanning@swindon.gov.uk

All rights reserved. No part of this document may be produced or transmitted in any form or by any means including photocopying or electronic or other recording without the written permission of the copyright holder.

© SWINDON BOROUGH COUNCIL, 2018

Table of Contents

1. Introduction.....	4
2. Engaging with Plan Making.....	7
How to view SBC Planning documents	10
How to register on the SBC planning consultation portal.....	12
How to view a list of statutory consultees.....	12
How to view planning policy documents and make comments	13
How to contact Ward Members and Parish Councils	16
3. Engaging with Planning Applications.....	18
How to view SBC Pre-application guidance.....	19
How SBC will publicise planning applications.....	19
How to view planning applications on-line.....	21
How to comment on planning applications.....	22
How to find out about SBC Planning Committee.....	23
4. Neighbourhood Planning.....	24

1. Introduction

What is the Statement of Community Involvement?

1.1 The Statement of Community Involvement in Planning (SCI) sets out how you can get involved in the planning process within Swindon Borough. It is intended for:

- Residents,
- Town and parish councils,
- Charities, sports, local interest and other community groups,
- Business and organisations located or have an interest in the Borough
- Statutory agencies; and,
- Land owners and developers

1.2 The Council is required to prepare and publish a Statement of Community Involvement by the Planning and Compulsory Purchase Act 2004. The Council adopted its Statement of Community Involvement in 2007 and published a revised version in 2013.

1.3 This document is divided into 3 main sections:

- Plan making
- Planning applications
- Neighbourhood planning

To make them easy to find, the contact details and website links from each sub-section are repeated in an orange shaded box at the end of that sub-section.

Why is the 2013 Revised Statement of Community Involvement being reviewed?

1.4 The Neighbourhood Planning Act (April 2017) included requirements for Local Planning Authorities to review their SCI's at regular intervals and to include information on how local authorities will support neighbourhood planning groups.

1.5 This review will also take account of the increased use of the internet and social media, structural changes within Swindon Borough Council (including a move towards increased digitisation of services) and increased pressures on Council spending.

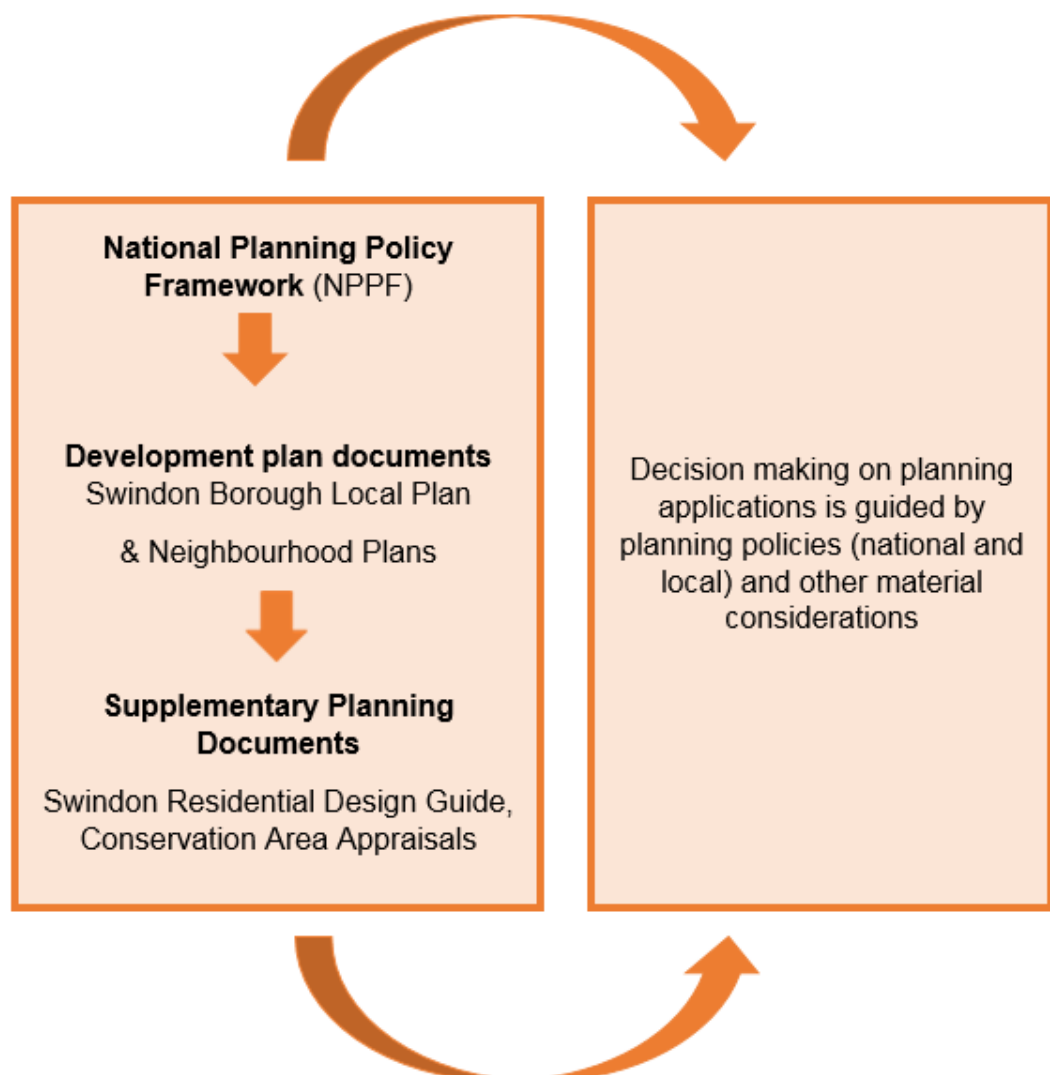
The planning system in England

1.6 The purpose of the planning system is to help achieve sustainable development by enabling development in the right place at the right time, to the benefit of existing and future communities. It aims to balance the often competing impacts of social, economic and environmental consequences of development.

1.7 Local government is responsible for carrying out the two key functions of the planning system: **Planning Policy** and **Development Management**.

- **Planning Policy** is concerned with producing local planning document and policies which identify what development is needed and where, and what areas need to be protected or enhanced. These documents are used to guide development in Swindon Borough. They must conform to relevant Government guidance and there are specific regulatory procedures which must be followed in their preparation.
- **Development management** is concerned with processing and decision making on planning applications, including applications relating to advertisements, listed buildings and trees, as well as the enforcement of breaches of planning control. Decisions on planning proposals are guided by planning policies and other material considerations.

Figure 1: the relationship between plan making and decision making on proposals



- 1.8 The government sets out its economic, environmental and social planning policies for England in the National Planning Policy Framework (NPPF). The NPPF was first published in March 2012 and is a material consideration in deciding planning applications. Its policies must be taken into account when preparing Local Plans and neighbourhood plans. Whilst it does not dictate how Local Plans and neighbourhood plans should be written, it is a framework for producing distinctive plans which meet local needs.
- 1.9 The government published a revised NPPF in July 2018.

Purpose and Benefits of Consultation

- 1.10 Community involvement in planning should be a continuous process enabling the local community to engage at a stage where they can make a difference.
- 1.11 The revised NPPF encourages effective engagement in both plan-making and decision making:
- 1.12 With regard to plan-making, paragraph 16 (c) of the NPPF states that '*Plans should be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees.*'
- 1.13 With regard to decision making, paragraph 128 states that '*Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.*'
- 1.14 The benefits of consultation to the public are:
- An ability to influence the decision-making process
 - A sense of ownership and common vision
 - A greater understanding of the planning system and work of the Council.
- 1.15 The benefits to the Council are:
- Improved decision making drawing on local knowledge, experience and priorities
 - Common ownership and shared responsibilities
 - Potential conflicts (which can be costly) are minimised.
- 1.16 Swindon Borough Council is committed to effective and meaningful community involvement at all stages of the planning process in order to ensure that residents and other stakeholders have an understanding of planning processes and that they have opportunities to contribute and to influence it.

1.17 Community involvement in planning within Swindon is underpinned by the following principles:

- Clear aims and objectives
- Clear and co-ordinated process and timeframes
- Strive to be inclusive
- Clear roles and responsibilities
- A proportionate approach
- Clear communication and information
- Correct and robust use of data
- Commitment to feedback on the results
- Adapt and learn throughout
- Review or evaluate at the end

This document covers how the Council will meet the particular requirements of involving the community in the planning process. It complements:

- Swindon Borough Council's Consultation Policy which sets out the Council's wider approach to consulting the public in carrying out all its activities; and
- the Swindon Compact & Five Codes of Practice – which was developed in 2007 and sets out the framework which reinforces and enhances the working relationship between the voluntary and community sector and the statutory sector in Swindon.

Ensuring the planning process is inclusive

1.18 Historically some segments of the community such as older people, the young, disabled people, people from ethnic minorities, Gypsies, Travellers and Travelling Showpeople have been under represented in the planning process. These groups are sometimes referred to as 'hard to reach' or 'seldom heard' and many of these groups are likely to have an interest in the development plan process.

1.19 In line with the Equality Act 2010, and to take into account the views of all our community, the Council is committed to making the planning system in Swindon Borough as inclusive and representative as possible. It will do so by making sure to use a wide range of consultation methods in order to inform and enable all sections of our community to engage with the planning process.

Links with the Council's Priorities and Pledges (the Vision)

The Swindon Vision sets out the Council's ambitions and priorities to 2030. Successful planning is key to the realisation of many of those priorities and effective consultation is key to successful planning. The priorities and pledges can be viewed at:

https://www.swindon.gov.uk/info/20028/open_data_and_transparency/952/our_priorities_and_pledges

2. Community Involvement in Plan Making

- 2.1 Swindon Borough Council is responsible for the preparation and publication of planning documents containing planning policies on a range of different issues such as the provision of new housing and employment land, retail and open space. These policies seek to ensure that they are delivered in the right time at the right places and they are used to inform and guide decision making on planning proposals.
- 2.2 There are two main types of planning documents – Development Plan Documents and Supplementary Planning Documents.

What are Development Plan Documents?

- 2.3 Development Plan Documents (DPDs) are formal plans that set out the planning policies for the area. Each plan is subject to public consultation and independent examination and has to be adopted by the Council before it comes fully into force. The main Development Plan Document in Swindon Borough is the **Swindon Borough Local Plan 2026 (SBLP 2026)**. This was adopted in March 2015 and includes a Policies Map showing the geographical areas to which the policies contained within the Plan relate.
- 2.4 A local planning authority may choose to produce a development plan document with another local authority as is the case with mineral and waste plans which we have produced jointly with Wiltshire Council. Development Plan Documents are subject to sustainability appraisal. These Plans also may need to consider international and EU rules and regulations.

The Local Development Scheme (LDS)

- 2.5 When appropriate the Council may need to produce new planning documents, or update existing ones. The timetable for the preparation and consultation on the Plans will be kept up to date and published in the Council's Local Development Scheme, available at https://www.swindon.gov.uk/info/20113/local_plan_and_planning_policy/643/local_development_scheme.
- 2.6 The steps involved in preparing a DPD are summarised in the following table:

Table 1: Key Stages in producing a Development Plan Document

Key Stages	Opportunities for community involvement?	Regulation
<u>Plan preparation:</u> A period of evidence gathering and on-going engagement with the community and stakeholders to inform the scope, content and preferred options for the Plan. At the start of the process, a Diversity Impact Assessment highlights who may be affected by the plan and the most appropriate consultation methods to use.	YES - during this period the Council may arrange workshops, information sessions, public displays for the general public or for specific groups. Comments can also be made on the evidence documents eg the Strategic Housing & Economic Land Assessment (SHELAA) and Strategic Housing Market Assessment (SHMA) as they are published. There will also be at least one period of formal public consultation of a minimum of 6 weeks	Regulation 18
<u>Plan production and publication of the draft Plan</u>	YES - a statutory public consultation of 6 weeks on the draft Plan will be carried out. This is normally the final stage at which representations can be made to the Council before it is submitted for Examination	Regulation 19
<u>Submission</u> of the final draft Plan to Secretary of State for independent examination	NO	Regulation 22
<u>Independent Examination:</u> An independent inspector is appointed to examine the soundness of the Plan.	YES - invitations to participate at the hearing sessions of the examination are at the discretion of the Inspector. Opportunities exist for additional statements to be made to the Inspector to elaborate on those representations made at regulation 19. The Inspector may request a period of consultation on any draft modifications to the Plan recommended to make the Plan sound.	Regulation 24
<u>Inspector's Report:</u> The Inspector sends the Council a copy of the Report of the Examination which may contain recommendations for modifications to make the Plan sound	NO	Regulation 25
<u>Adoption by Full Council:</u> The Council considers the Inspectors Report and chooses to adopt the Plan as modified.	NO although a legal challenge may be made during a 6 week period	Regulation 26

*Town and Country Planning (Local Plan) (England) Regulations 2012

Supplementary Planning Documents (SPD's)

- 2.7 **Supplementary Planning Documents (SPD's)** are produced to add further detail to the policies contained in a Development Plan Document. They provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are material considerations in planning decisions but are not part of the development plan.
- 2.8 The process of preparing an SPD is simpler and shorter than that of a DPD. There are opportunities to get engaged during the preparatory stages when relevant stakeholders and communities are likely to be consulted with and occasionally invited to take part in technical studies. Once the draft document is completed, a 4-6 week period of formal consultation will take place prior to adoption, usually through Planning Committee.
- 2.9 Further information on Swindon Borough Council's SPD's is available at: https://www.swindon.gov.uk/info/20113/local_plan_and_planning_policy/651/planning_policy_guidance.
- 2.10 Other policy documents (which can be viewed on the planning pages of the SBC website) that the Council may produce include:
- Local Development Orders (LDO's)
 - Community Infrastructure Levy (CIL) Charging Schedule

Sustainability Appraisals & Strategic Environmental Assessments

- 2.11 The Council is required by law to promote sustainable development by assessing the plans and policies that it produces (such as development plan documents) for their potential impacts on the environment, economy and society. This is done through a **Sustainability Appraisal (SA)**.
- 2.12 The Council is also required to undertake a **Strategic Environmental Assessment (SEA)** in order to ensure the consideration of environmental issues during decision making on strategic documents such as development plan documents. The Assessment identifies the significant environmental effects that are likely to result from the implementation of the plan. The findings of the assessment are published in a report which is then consulted upon. Any issues that are raised must be considered and resolved before the plan can be adopted. In most cases the SEA is incorporated within the Sustainability Appraisal.
- 2.13 Sustainability Appraisal Reports are published alongside Plans for consultation and comments are usually invited on them at the same time.

Box1: Go to:

https://www.swindon.gov.uk/info/20113/local_plan_and_planning_policy

in order to follow the links and view these documents:

- Swindon Borough Local Plan 2026
- The Local Development Scheme
- Supplementary Planning Documents
- Local Development Orders (LDO's)
- Community Infrastructure Levy (CIL) Charging Schedule
- The Statement of Community Involvement

How Swindon Borough Council will consult on Development Plan Documents

- 2.14 The Council seeks to engage as many people and stakeholders as possible in the plan-making process and will use a variety of communication methods as necessary to ensure the fullest participation in the planning process.
- 2.15 The diagram below identifies some of the consultation methods we may use to engage with communities and stakeholders. The actual methods used may differ depending on the purpose of the engagement exercise and the target audience. We will also consider new methods of engagement should they arise during the life-time of this document.
- 2.16 In order to provide value for money for local people and businesses, the Council needs to use the most appropriate methods of communication and engagement relevant to the document and the stage that it has reached in its production. Increasingly, the Council will use electronic communications and social media such as Twitter and Facebook to consult and engage with the public. These methods are more cost effective and time-efficient and can reach a wider audience than more 'traditional' methods.
- 2.17 The Council will monitor and evaluate consultation methods to ensure they remain effective and value for money. The Council will explore new opportunities to engage with the community and, where it is reasonable to do so, will respond to individual preferences.
- 2.18 The planning regulations require that the Council consults with the following types of organisations whilst preparing development plans. These groups will always be notified (by letter or email) of any consultations on future plan-making proposals:
- **Specific consultation bodies** are organisations responsible for services, utilities and infrastructure provision in the Borough and include Parish and Town Councils and major land owners plus organisations such as the Environment Agency, Highways England, Natural England and Historic England. For the full list see Planning Practice Guidance at: <https://www.gov.uk/guidance/consultation-and-pre-decision-matters>

Table 2: Consultation Methods

	Swindon Borough Council website. Information will be published here about the Local Plan and other development plan documents about consultations. Visit https://www.swindon.gov.uk/info/20113/local_plan_and-planning_policy
	Swindon's On-line Engagement Portal (Objective). This enables on-line participation in consultations on planning issues, allowing residents to view planning documents and make comments. Users will need to register as a consultee before submitting a response.
	Questionnaires, response forms, leaflets and newsletters emailed to residents or via the Online Engagement Portal.
	Site notices and notification letters inform local residents of planning applications in their area only.
	Letters and emails to statutory bodies, groups and individuals - with email being the first choice.
	Meetings and discussion groups with councillors, community groups and residents - including regular meetings such as the Parish Clerks' Forum and one-off meetings arranged to consult on a specific planning related issue. Face to face meetings enable information to be disseminated and instant feedback to be given.
	Public exhibitions staffed and unstaffed, enable people to view information at a time convenient to them.
	Press releases and statutory notices in local newspapers and to local newspapers, radio and TV enable information to be given to a wide range of people.
	Social Media e.g. Facebook and Twitter.
	Focus groups and workshops enable thorough discussion of planning related issues and the collation of local knowledge and other feedback.
	Targeted work with community and voluntary organisations is useful where issues affect a particular area or community. The involvement of external consultants or facilitators may be required.

D2608/18

- **General consultation bodies** are voluntary bodies whose activities benefit any part of the Council's area and/or bodies which represent the interests of different ethnic or national groups, different religious groups, disabled people and people carrying out business in the local authority area.
- **Other consultation bodies** include any organisations with which it might be appropriate to consult with on specific planning issues, such as other government bodies, local authorities, charities and business organisations.

2.19 The Council holds a consultation database of individuals and stakeholder organisations to be contacted when we publish a planning policy document. Anyone can register on the Council's database in order to be notified of future consultations on Swindon Borough Council development plan documents.

In addition, in order to raise awareness, gather views and seek feedback and consensus the Council will:

- use existing liaison meetings with the community such as the Wiltshire Association of Local Councils (WALC) Swindon meetings, the Parish Clerks Forum and Swindon Developers Delivery Panel, Swindon Investment Group and Initiatives in Swindon Group
- attend meetings by invitation/request from individual parish council/community group/resident associations
- organise information sessions and workshops for the general public or specific groups

Box 2: How to register on the SBC planning consultation portal

- **On-line:** <https://swindon-consult.objective.co.uk>
- **By Email** your contact details to us at: forwardplanning@swindon.gov.uk
- **By post;** send your contact details to us at: Planning Department, Swindon Borough Council, 5th floor, Wat Tyler House West, Beckhampton Street, Swindon SN1 2JH

To view a list of statutory consultation bodies:

<https://www.gov.uk/guidance/consultation-and-pre-decision-matters>

How to View and Respond to Consultation Documents

2.20 The Planning & Compulsory Purchase Act 2004 (as amended) stipulates the following minimum requirements for publicising consultations on plan documents:

- notices in local newspapers (mainly the Swindon Advertiser but also the Wiltshire Gazette and Herald when a wider circulation is necessary), stating when and where the relevant material can be inspected, how copies of the relevant material may be obtained, the

closing date for any comments and where the comments should be sent.

- providing copies of all planning documents and the supporting evidence base on the Council's website.
- making paper copies of the development plans available for inspection at the Council Offices and at Swindon Borough Council libraries (Swindon Central, Highworth, North Swindon, Park and West Swindon).

- 2.21 The easiest way to respond to Planning Policy consultations is to use the Council's online Planning Consultation Portal <https://swindon-consult.objective.co.uk/portal/>. It is convenient in that the documents and questionnaires are available in one place. Responses can be drafted, saved and submitted at a later date. Access to the portal is secure and password protected.

When registering to use the Council's Consultation Portal 'Objective' you will be asked whether you wish to receive notifications of future consultations on planning policy documents and related issues. You may withdraw from this list at any time by contacting us at: forwardplanning@swindon.gov.uk.

- 2.22 We recognise that not everyone has access to a computer and therefore we will accept comments by post. Such comments will be added alongside those received by e-mail into the consultation portal.

Box 3: Where to view paper copies of planning and related documents

At Swindon Borough Council libraries (Swindon Central, Highworth, North Swindon, Park and West Swindon) and by request from the Planning Policy team (see below). Some documents may be available for purchase for a fee plus postage.

How to view consultation documents and related materials on-line:

- Online Planning Consultation Portal <https://swindon-consult.objective.co.uk/portal/>
- The Consultations, engagements and surveys page on the SBC website at: https://www.swindon.gov.uk/info/20019/consultations_and_surveys

Comments can be submitted:

- **on-line** through the Planning Consultation Portal at: <https://swindon-consult.objective.co.uk/portal/>
- **by post:** Swindon Borough Council, Planning Policy 5th Floor, Wat Tyler House, Beckhampton Street, Swindon SN1 2JG (opening hours: Monday – Friday 9am-5pm) and can be contacted
- **by email** at: forwardplanning@swindon.gov.uk

To contact the Planning Policy team by phone: 01793 466513

- 2.23 Responses to Development Plan Documents and Supplementary Planning Documents consultations should not be considered confidential as the Council

is obliged under the Town And Country Planning (Local Planning) (England) Regulations 2012 to publish:

- A list of consultees that are contacted
- A summary of responses; and
- Copies of responses to draft documents that the Local Authority intends to submit to the Secretary of State.

2.24 The Council is also required to comply with the Data Protection Act 2018. Responses to public consultations will be made publically available to view on the Council's website. Responses containing libellous, discriminatory or otherwise offensive comments will not be made publically available.

2.25 The Council redacts comments from individual members of the public to remove personal data in respect of email addresses, telephone numbers and signatures. In order to enable us to do so, personal information should be clearly distinguished from the comments, preferably by use of a cover sheet. Personal information included within the body of the text is harder to redact and therefore more costly to the Council.

2.26 Subject to the above, comments received:

- Will be made available for public inspection, and cannot be treated as confidential;
- Will be available to view on the Council's website;
- Will be used by the Council to inform the preparation and production of the Development Plan Document or Supplementary Planning Document;
- Will be retained by the Council for one year after the Document has been superseded;
- Will be stored in electronic format within the Council's consultation portal and servers (hard copy letters, where received, will be stored at the Council's offices or secure storage facility);
- May be forwarded to the Planning Inspectorate or other independent Examiner, as appropriate to the Document and the stage it has reached. for consideration as part of any examination;
- May be summarised and presented in summary form.

Box 4: For more information on how the Council uses personal information and to view the Planning Policy Privacy Notice visit:

https://www.swindon.gov.uk/info/20061/data_protection/395/data_protection

What you can expect from us

2.27 When consulting on Planning Policy Documents:

- The Council will meet the requirements of the Equality Act 2010.

- Copies of draft and adopted Development Plans and Supplementary Planning Documents will be made available to view on the Council's website. Paper copies will be available at the Civic Offices, at the 5 Swindon Borough Council libraries (Swindon Central, Highworth, North Swindon, Park and West Swindon) and at other locations the Council considers appropriate. Additional paper copies will be available to purchase.
- Documents will be made available in large print, alternative formats and different languages on request to forwardplanning@swindon.gov.uk
- Planning Policy documents will be written in a format that is clear and understandable. Technical studies will include an executive summary.
- We will make it clear how and when you can make comments.
- We will acknowledge consultation responses made through the consultation portal or by e-mail by return. Consultation responses made by post will not be acknowledged unless an e-mail address is provided.
- Other correspondence requiring a response will be responded to within 10 working days or acknowledgement will be sent stating when a full response will be made.
- Local Events will be held at a time and place suitable to different sections of the community.
- Once a consultation period has ended, we will log all comments that we have received on the Planning Policy Consultation Portal. We will produce a report with officer responses, which identifies how comments have been considered. Such a report will be published on the website.
- The internet and e-mails will be the default method of communication.

2.28 In response to previous consultations, petitions have been raised in respect of a particular element of the relevant document. With such petitions individual names will not be added to the Councils consultation database. The main or first named contact on any such petition will be included on the database and only that person will be kept informed of the relevant stages of plan making.

Duty to Co-operate

2.29 The Localism Act (2011) provides a statutory duty for local planning authorities to co-operate with neighbouring authorities and other public bodies in the preparation of development plans. Compliance with the legislation will be demonstrated through the production and agreement of Statements of Common ground.

2.30 Given our functional geographies, more specific cooperation has been and will be undertaken with Wiltshire Council.

The role of Swindon Borough Councillors

2.31 As elected representatives, Swindon Borough Council Members (also known as ward councillors) are a vital link between local communities and the Council. They may be the first point of contact for residents. Their role is to understand the planning related issues raised by the community and to relay those views to the wider Swindon Borough Council.

- 2.32 Any decision relating to the approval of or variation to the Council's development plans is considered by the Borough Council's Cabinet who will then make recommendations to the Full Council of the Borough for final approval.
- 2.33 All ward councillors are sent the weekly list of applications received within the Borough. The SBC Planning Committee is currently made up of thirteen Council Members who debate and vote on larger planning proposals in the Borough and who can approve some development plan documents such as Supplementary Planning Documents.
- 2.34 All Cabinet and Planning Committee meetings are open to the press and public (subject to various legislative exclusions) and agendas and minutes are available in advance on the Council's website. At each meeting, time is allocated to questions from members of the public.
- 2.35 Parish and Town Councils play a similarly vital linking role between the communities they represent and Swindon Borough Council. As statutory consultees within the planning process, many councils have considerable knowledge of the planning system and related issues. They can be a useful source of advice and information for their residents.
- 2.36 The procedures for how Parish Councils and SBC should work together are set out in the **Swindon Parish Charter 2015** available at: https://www.swindon.gov.uk/info/20030/planning_and_regeneration/492/apply_for_planning_permission or by emailing the Planning Department at: sbcadc@swindon.gov.uk
- 2.37 In order to raise planning issues with parish councils and gather feedback on them, SBC Planning Officers attend:
- Quarterly Parish Clerk Forums
 - Quarterly meetings of the Swindon branch of the Wiltshire Association of Local Councils (WALC) which are attended by participating parish councillors
- 2.38 SBC Planning Officers provide training for parish and borough/ward councillors on the planning process, the production of development planning documents and on specialist subjects as required. They keep councillors informed of progress of development plans, especially during key consultation stages.
- 2.39 Parish and Town Councils are statutory consultation bodies and are automatically informed of all planning applications in their area and invited to make representations about development proposals on behalf of their communities. Working with local residents they can also produce Parish or Town Plans, Neighbourhood Plans and other planning documents such as Village Character Assessments for their own parish.

Box 5: How to contact your Ward Member(s) and Parish Council

See the SBC website for contact details of all Swindon Borough Councillors and the details of Borough Council meetings, Minutes and Agendas:

https://www.swindon.gov.uk/info/20021/councillors_democracy_and_elections

For information about Parish Council meetings you will need to refer to the individual Parish Council website.

The **Swindon Borough/Parish & Town Council Charter 2015** can be viewed

- on-line at:
https://www.swindon.gov.uk/info/20030/planning_and_regeneration/492/apply_for_planning_permission
- by emailing the Planning Department at: sbcadc@swindon.gov.uk

3. Engaging with Planning Applications

- 3.1 Decision making on planning applications rests in the first instance with the relevant Local Planning Authority, Swindon Borough Council. For a unitary authority like Swindon Borough this means all applications including householder, residential, commercial, waste disposal and treatment sites and mineral workings. In exceptional circumstances, the Secretary of State may choose to make the decision on a proposal him/herself and will 'call in' the application. When this happens a public inquiry is usually held.
- 3.2 Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 3.3 The Planning Portal defines a material consideration as '*a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision.*' See Appendix 1 for a list of material considerations.
- 3.4 Swindon Borough Council's Planning Department deals with some 2,000+ planning and related applications each year. All are determined in accordance with the relevant policies in the NPPF and SBC development plan documents such as the Local Plan 2026, Neighbourhood Plans and Supplementary Planning Documents and any other relevant material considerations. Whilst applications of wider interest or significance or which are locally controversial are usually dealt with by the planning committee, decisions on the majority of schemes are made by Officers under delegated authority.
- 3.5 This section of the Statement of Community Involvement sets out the Council's approach for involving residents and local and other stakeholders in the planning application process.
- 3.6 There are two main categories of planning applications:

Table 3: Categories of Planning applications

Type of application	Definition
Major Proposals	<ul style="list-style-type: none"> • applications for developments of 10 or more dwellings or on sites of more than 1 hectare • 1,000m² or more gross non-residential floor area (including changes of use of existing buildings) • applications associated with minerals & associated landfill operations
Minor and other Proposals	<ul style="list-style-type: none"> • applications for developments of up to 9 dwellings or up to 999m² gross non-residential floor area • changes of use • smaller residential, retail, commercial and employment schemes • telecommunications

	<ul style="list-style-type: none"> • householder applications for the extension or alteration to a house and ancillary buildings in the garden of a house • advertisement consents • listed building consents • prior approvals
--	---

Pre-application Advice

- 3.7 The Council encourages pre-application discussions for certain types of development before making a formal application. The aim of these discussions is to establish whether the principal of the development is acceptable and to clarify the detail, format, type and level of information required to support the application in order to assist the Council to make a decision.
- 3.8 Effective pre-application discussions can identify and resolve potential problems before an application is submitted and help ensure timely decision making on that application following submission.

Pre-application Consultation

- 3.9 The Localism Act (2011) introduced a requirement for developers of **major applications** (10 or more dwellings) to carry out pre-application consultation with communities. Developers are required to:
- Publicise their proposals and carry out consultation before submitting certain types of planning application.
 - Consider any comments received from the community before finalising and submitting the application.
 - Provide evidence of the consultation carried out in the form of a Record of Community Involvement which sets out the responses received and what amendments were made to the proposal as a result of those comments.
- 3.10 SBC encourages all applicants, developers and landowners to discuss their proposals with the local community (neighbours, residents, elected members, schools, colleges and other public institutions, parish or town councils, ward councillors and other interested groups) before submitting a planning application. In general, the more significant and potentially controversial the proposal, the more extensive the amount of consultation expected.

Box 6: The Council's current **Pre-application Guidance** is available on the website at:

http://www.swindon.gov.uk/info/20030/planning_and_regeneration/371/check_if_you_need_planning_per

Planning Applications

- 3.11 The Council's Planning team assesses and determines planning applications against the relevant policy in the Borough's Local Plan and any other material planning considerations including supplementary Planning Guidance and the NPPF.
- 3.12 Decision making on planning applications is guided by the **SBC Protocol for Dealing with Planning and Related Applications and Local Planning and Related Application Validation Lists** (April 2017). This identifies how consultations will take place, representing good practise and exceeds the requirements of legislation. This is reviewed regularly and can be viewed on-line on the SBC website at:
https://www.swindon.gov.uk/info/20030/planning_and_regeneration/492/apply_for_planning_permission

How will SBC publicise planning applications?

- 3.13 There are minimum publicity procedures required by law¹ for all applications. The following sets out the general requirements for the initial consultation.
- 3.14 Where additional consultation is required eg following receipt of amended plans, there is likely to be a reduced time period (normally 14 days) in which comments can be made.

Table 4: How applications are publicised

Publicity method	Details	Timing
Publication of application details on the Council's website (PAS)	http://www.swindon.gov.uk/info/20030/planning_and_regeneration/380/view_or_make_comment_on_a_planning_application/	On-line comments should be made within 21 days
Press Notice in the Swindon Advertiser (when relevant)	Notification of all major proposals. Notification of certain minor proposals primarily where they affect a Conservation Area or a listed building. Proposals that depart from the Local Plan	Once, weekly: allows 21 days to comment
Site Notice	Required when a notice is published in the press and in other cases when required or appropriate in a way that is visible and legible to the public	For a minimum of 21 days
Neighbour notifications	To be sent to adjacent affected neighbours and, when considered necessary, additional properties which might be directly affected by the proposal will also be notified	Comments should normally be made within 21 days

¹ Town and Country Planning (Development Management Procedure) Order 2015 and Town and Country Planning (General Permitted Development) Order 2015

Additional opportunities to engage with planning applications

- 3.15 **On-line register Public Access System (PAS).** The Council maintains an on-line register of all planning applications called the Public Access System. PAS is accessible to all members of the public and permits the documents, plans, comments and decisions relating to each planning application to be viewed.
- 3.16 **Weekly planning lists.** A weekly list is published every Wednesday (of all applications received and determined that week). This list is emailed to Borough, Parish and Town Councillors, various consultation bodies and local civic and amenity groups. It is also available to anyone on request (see below).

Box 7: How to view planning applications on the on-line SBC planning register PAS

http://www.swindon.gov.uk/info/20030/planning_and_regeneration/380/view_or_make_comment_on_a_planning_application

How to view the weekly planning list:

<http://pa1.swindon.gov.uk/publicaccess/search.do?action=weeklyList>

How to register for the weekly planning list emails: register on PAS via the tab entitled 'Register' along the top tool bar or email your contact details to sbcadc@swindon.gov.uk

Parish and Town Councils

- 3.17 SBC will notify Parish and Town Councils of any newly submitted planning applications within their area and the Parish Council will be invited to make a formal comment within 21 days. Applications will often be discussed by local Councils, either within one of the regular parish or town Council meetings or, by their Planning Committee in a separate meeting (larger parish councils only).
- 3.18 Parish Council meetings meet regularly (usually monthly) and time is allocated at these meetings for residents to raise any issues with their parish councillors.
- 3.19 Anyone proposing to submit an application is encouraged to contact the relevant parish council in order to discuss their plans at a parish council meeting. This includes householders wishing to make changes to their own home and developers with a planning proposal for more than one dwelling. Such discussions are a good way of finding out what would or would not be considered acceptable to parish councillors who will be making a formal comment on the application at a later stage. Parish councillors will also be able to advise on organising public consultations about proposals.

- 3.20 Parish Councils requiring to be consulted with regarding proposals for strategic sites outside their own area should make a written request to the Development Management team at: planningenquiries@swindon.gov.uk

Borough (ward) councillors

- 3.21 Residents can also approach their ward councillors in order to discuss any issues relating to a planning application in their area. Ward members receive the weekly planning lists.

Consultation with Statutory Bodies

- 3.22 The Council is required by law to consult with the appropriate statutory bodies for each planning application. Consultation with these bodies will vary depending on the type of development proposal and/or location. The up-to-date list of statutory consultees can be viewed at:
<https://www.gov.uk/guidance/consultation-and-pre-decision-matters>

Box 8: How to make a comment on a planning application

- **By filling in an on-line comment form** available on the SBC planning register at:
http://www.swindon.gov.uk/info/20030/planning_and_regeneration/380/view_or_make_comment_on_a_planning_application
- **By email:** sbcadc@swindon.gov.uk
- **By post:** Management Development Team (Planning), Swindon Borough Council, Wat Tyler House, Beckhampton Street, SN1 2JH

Please quote the planning application reference number, the address of the site and the name of the case officer. Please be advised that all comments can be viewed by the public once they have been uploaded onto the SBC planning register (PAS). The Council will endeavour to remove all personal data from comments.

See our **Privacy Notice** at:

https://www.swindon.gov.uk/info/20028/open_data_and_transparency/912/privacy_notice - click on Planning in the list of Service Areas in the top right hand corner of this webpage.

To contact your ward or parish councillors:

See the SBC website for contact details of all Swindon Borough Councillors and the details of Borough Council meetings, Minutes and Agendas:

https://www.swindon.gov.uk/info/20021/councillors_democracy_and_elections

Decision making on planning applications

- 3.23 At the end of the consultation period, the Council considers the comments received and makes a decision on the planning application guided by policies

within development plan documents and having regard to all other relevant and material planning considerations.

- 3.24 The majority of planning applications are decided by Development Management planning officers using 'delegated powers' from the Council.

SBC Planning Committee

- 3.25 The Planning committee is made up of Borough (Ward) Councillors of all parties. The applications considered by the planning committee are normally those that are controversial or which raise significant or complex planning issues, including those that have been called in by Borough Councillors and Parish / Town Councils.
- 3.26 Planning Committee meetings are usually held once a month on the second Tuesday, in the evening in the Council Chamber at SBC Civic Offices. As each planning application is being discussed and before a decision is made, time will be allocated within the meeting for interested persons (third parties, applicants, agents, Parish or Town Councils, local residents and representatives of local organisations) to address the Planning Committee, where they have registered an interest to do so at least 24 Hours beforehand.
- 3.27 Public copies of the Agenda will be published and made available in advance of a meeting, for viewing and for download from the Council's website. Parish and Town Councils within the Borough are notified as well as anyone who made a comment.
- 3.28 Officers' make a report and recommendation for each application to the Planning Committee and summarise the comments / representations received. Planning Committee members will have read the committee papers and listened to all representations at the meeting and, following a debate, they vote on a resolution in order to make the final decision.
- 3.29 This decision may be different from that recommended by the Planning Case Officer. It may also authorise the Head of Planning, Regulatory Services and Heritage to determine the application, for example, upon the completion of a planning obligation. Once agreed, the minutes of Planning Committee meetings are also published.
- 3.30 Following the meeting, the Decision Notice will be published on the Public Access System on the Council's website.

Box 9: To view information about SBC Planning Committee, including a meeting timetable, meeting Agendas (published 5 working days before each meeting), and the contact details of the relevant Elected Members) go to:

https://www.swindon.gov.uk/info/20021/councillors_democracy_and_elections

To speak at a Planning Committee meeting, please call the Committee Clerk on 01793 463606 or email at: sbanks@swindon.gov.uk no later than 12 noon on the day before the meeting.

4. Neighbourhood Planning

- 4.1 The Localism Act 2011 introduced the ability for local communities to produce Neighbourhood Plans for their area. Once passed at a local referendum and 'made' (adopted) by the local planning authority (LPA), they form part of the Development Plan for the area alongside any development plan documents produced by the local authority.
- 4.2 The Localism Act, together with these regulations, places various duties and responsibilities upon Swindon Borough Council (SBC) in relation to neighbourhood planning. In addition the Neighbourhood Planning Act (April 2017) introduced a requirement for LPA's to set out their approach to neighbourhood planning within their Statement of Community Involvement.
- 4.3 Swindon Borough Council recognises the value of neighbourhood planning in identifying and articulating local community needs and priorities, improving service delivery and informing policy and strategy within Swindon.
- 4.4 Swindon Borough Council has been working with a number of local groups, providing support and advice, to help them progress their Neighbourhood Plans, some of which have now been 'made'. Information about how Swindon Borough Council will support local groups is set out in the SBC Neighbourhood Planning Protocol available on the SBC website.

Table 5: When to engage in the preparation of a Neighbourhood Plan (NP) or

Box 10: To view information on neighbourhood planning visit the SBC website at

http://www.swindon.gov.uk/info/20113/local_plan_and_planning_policy/650/neighbourhood_planning for information about:

- Neighbourhood Planning
- Neighbourhood Planning FAQ's
- Swindon Borough Neighbourhood Planning Protocol
- Neighbourhood Plans in progress
- Adopted Neighbourhood Plans

How will SBC support groups wishing to progress a Neighbourhood Plan?

View the Swindon Neighbourhood Planning Protocol at:

http://www.swindon.gov.uk/info/20113/local_plan_and_planning_policy/650/neighbourhood_planning

How to contact the SBC Neighbourhood Planning Officer (Karen Phimister):

- Email at: kphimister@swindon.gov.uk
- Telephone on 01793 466425

Further sources of information about neighbourhood planning:

- For case studies and information about government support and funding for Neighbourhood Planning see **Locality** at: <https://neighbourhoodplanning.org/>
- **Planning Aid England** has produced guidance to help communities with Neighbourhood Planning that is available at: <https://www.rtpi.org.uk/planning-aid/neighbourhood-planning/>

Neighbourhood Development Order (NDO):

Key Stages	Opportunities for community involvement?	Regulation
<p><u>Decision to proceed:</u></p> <p>The community considers, consults & decides whether to proceed with a Neighbourhood Plan</p>	<p>YES - community engagement is integral to the neighbourhood planning process, from beginning to end. To pass examination Neighbourhood plans must demonstrate that they reflect the views and aspirations of their community. The initial impetus to proceed with a NP may well come from the community and will require the establishment of a NP steering group which is likely to include a mix of residents, parish councillors and members of community groups, businesses and other stakeholder groups. The process will be overseen by the Qualifying Body, usually the Parish Council.</p>	
<p><u>Submission of Neighbourhood Area Application to SBC</u> by Neighbourhood Group</p>	<p>YES - Swindon Borough Council (SBC) will carry out a formal public consultation (minimum 4 weeks) on the proposed Neighbourhood Area</p>	<p>Regulation 6</p>
<p><u>Designation of Neighbourhood Area</u> by SBC</p>	<p>NO - but the designation will be publicised in the Swindon Advertiser and on the SBC website</p>	
<p><u>Plan preparation:</u></p> <p>A period of evidence gathering and on-going engagement with the community and stakeholders to inform the scope and, content for the Plan.</p>	<p>YES - members of the community will be involved, through the Steering Group, in evidence gathering and plan preparation. Engagement with the wider community will also be needed in order to identify issues to be addressed within the NP. All engagement activities will be recorded within the Statement of Community Involvement which will be submitted for examination with the draft NP.</p>	
<p><u>Plan production</u> by the NP steering group</p>	<p>YES - possibly with assistance from consultants on the technical aspects of plan writing.</p>	
<p><u>Pre-submission consultation</u> by Neighbourhood Group (minimum 6 weeks)</p>	<p>YES - and the draft NP will be modified to reflect the comments received</p>	<p>Regulation 14</p>

<u>Submission of draft Neighbourhood Plan</u> to SBC	NO - SBC will seek to appoint an Examiner (with the approval of the NP Steering Group) and prepare for its own formal consultation	
<u>Formal public consultation</u> on the submitted Neighbourhood Plan/Order by SBC (minimum 6 weeks)	YES - all comments received will be sent to the Examiner with the draft NP and its supporting documents	Regulation 16
<u>Independent Examination</u>	NO - although the Examiner may approach individual consultees directly	
<u>Publication of Examiner's Report</u>	NO - SBC will decide (following consultation with the NP Steering Group) whether to accept the Report (and any modifications recommended within it) and to proceed to Referendum	
<u>Referendum</u>	YES - residents are entitled to vote in the Referendum. A 50% YES vote is required to approve the Plan.	
NP 'made' (formally adopted) by SBC Full Council	NO	

APPENDIX 1 – List of material considerations

A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision.

Material considerations can include (but are not limited to):

- Development Plan Policy
- Government policy and guidance
- Overlooking/loss of privacy
- Highway safety, traffic and parking
- Design, appearance, layout and density
- Effect on the level of light and privacy
- Conservation of buildings, trees and open
- Accessibility

The following **cannot** be considered:

- Effect on the value of the property
- Loss of a private view
- Problems caused by building works *
- Private property rights
- The developer's morals, motives or past record
- Possible future development
- The fact development may have started
- Trade objections based on competition
- Moral objections

For more information see the Planning Portal at:

https://www.planningportal.co.uk/faqs/faq/4/what_are_material_considerations

*these can be managed through planning conditions stipulating for example the site construction hours and haulage routes)

This Statement of Community Involvement December 2018 may be viewed or downloaded from our website:

https://www.swindon.gov.uk/info/20113/local_plan_and_planning_policy/641/statement_of_community_involvement

Planning Policy, Swindon Borough Council,
Wat Tyler West, Beckhampton Street, Swindon SN1 2JG

E-mail: forwardplanning@swindon.gov.uk