

Statement of Community Involvement

Revised May 2024



Preface

The Statement of Community Involvement sets out how Eastleigh Borough Council intends to involve the community and a wide range of businesses, organisations and statutory agencies in decisions on planning matters, including the Local Plan and planning applications.

The Council published its first Statement of Community Involvement in 2006 and has published revisions to reflect changes in legislation and in the way the Council is preparing its new planning policies. The Council is currently progressing initial work on the Eastleigh Borough Local Plan Review. This document will inform the consultation on the Local Plan Review.

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1. Introduction

- 1.1. The Statement of Community Involvement (SCI) is a statement of how Eastleigh Borough Council (the Council) will involve the local community in planning matters including the Local Plan and Supplementary Planning Documents and the consideration of planning applications. It also provides information on the Council's role in supporting and advising communities in the preparation of Neighbourhood Plans.
- 1.2. This SCI replaces the previously adopted version from 2015 and the Addendum SCI published in December 2020. The Addendum SCI was published in response to temporary legislation during Covid restrictions. This highlighted publicity and consultation requirements in the adopted SCI that were not achievable due to these restrictions. This temporary legislation expired in December 2021.
- 1.3. This SCI explains the procedures the Council intends to follow in consulting on:
 - the preparation of the new Local Plan for the borough and any subsequent alterations to, and/or reviews of the Local Plan;
 - new Supplementary Planning Documents and updates to them and other policy guidance;
 - Neighbourhood Plans prepared by parish and town councils; and
 - planning applications including planning enforcement.
- 1.4. This document sets out the current consultation requirements. The requirements for planning policy documents are addressed in Section 1 and planning applications in Section 2. These are subject to any changes as regulations are updated or in response to exceptional circumstances (such as those experienced in the Covid-19 pandemic).
- 1.5. The Levelling Up and Regeneration Act gained royal assent in November 2023. It introduces reforms to the planning system including replacing Supplementary Planning Documents with independently examined Supplementary Plans. Alongside the Act, regulations will set out timetables for Local Plan preparation and periods of community engagement. The SCI will be reviewed in due course to consider the new regulations and policy changes.
- 1.6. If you have any queries about this SCI, please contact the Planning Policy Team, Eastleigh Borough Council, Eastleigh House, Upper Market Street, Eastleigh SO50 9YN. planningpolicy@eastleigh.gov.uk.

2. Legislative Requirements

- 2.1. The duties to engage the community in planning matters and to prepare the SCI arise from the Planning and Compulsory Purchase Act 2004 (as amended). This legislation requires the Local Planning Authority to prepare a statement of their policy for involving those with an interest in development in the area in the preparation of local plans and related documents, and in the control of development.

Local Plans and Supplementary Planning Documents (SPDs)

- 2.2. The Town and Country Planning (Local Planning) (England) Regulations 2012 set out broadly who should be consulted on local plans, and the two main stages when the community should be involved. Chapter 5 below explains how the Council will involve the local community in the local plan preparation process, including the consultation stages.
- 2.3. The National Planning Policy Framework (NPPF) also emphasises community involvement in local plans, stating 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”* [NPPF 2021 para.16].
- 2.4. The SCI is prepared by the Council in order to meet the requirements of Section 18 of the Planning and Compulsory Purchase Act 2004. Regulation 18 specifies that in preparing a local plan, the Local Planning Authority should consult:
- **‘Specific consultation bodies’** – these are the statutory agencies carrying out government functions such as the Environment Agency, Natural England, Historic England, National Highways, the health authorities, statutory undertakers providing utilities such as water authorities, telecommunications operators etc. They also include relevant councils including Town and Parish councils in and adjoining Eastleigh Borough and neighbouring local authorities.
 - **‘General consultation bodies’** – these are voluntary bodies, bodies which represent the interests of different racial, ethnic or national groups, religious groups, disabled people, and people carrying on businesses within the local authority’s area; and
 - **Residents and local businesses** from whom the Council consider it appropriate to invite representations. In practice, for the Local Plan the Council seeks representations from all the borough’s residents and businesses.
- 2.5. Chapter 4 explains the methods that will be used to undertake consultation, including how the Council will go about involving residents and local businesses. While Regulation 18 specifies who the Borough Council must consult, there is no restriction on who can respond – anyone can make representations on a Local Plan (see Regulation 20).

- 2.6. Regulation 12 deals with public participation in the preparation of supplementary planning documents. Only one stage of consultation is required for supplementary planning documents (SPDs). The Regulations do not specify who should be consulted on SPDs, and the Council will therefore invite relevant people, organisations and authorities to comment depending on the nature and extent of the SPD, i.e. whether it is site specific or relates to a particular topic. Again, there is no restriction on who can respond to SPD consultations (see Regulation 13). Chapter 6 below sets out how the community will be involved in the preparation of SPDs.
- 2.7. The Council is also required to prepare Statements of Consultation for local plans and SPDs that set out who was consulted, how they were consulted, a summary of the main issues they raised and how these issues were addressed (see Regulations 12 and 22). A Statement of Consultation was published alongside the submission version of the Local Plan 2016-2036 and is available on the Borough Council's website.
- 2.8. For both Local Plans and SPDs, Regulation 35 sets out when and where documents should be made available for consultation.

Neighbourhood Plans

- 2.9. The Localism Act 2011 introduced the power for communities to produce a Neighbourhood Plan to provide more detailed planning policies for their local area. Neighbourhood Plans are prepared by parish / town councils as a 'qualifying body' in areas such as Eastleigh (where 12 parish and town councils cover the whole borough).
- 2.10. The Neighbourhood Planning Regulations 2012 (as amended) identify statutory responsibilities for the Borough Council and a duty to assist communities in the preparation of the Neighbourhood Plan. Responsibilities include designating the area covered; checking whether a plan meets legal requirements and basic conditions; publishing information about the plan; and arranging for the independent examination of the plan.
- 2.11. Before a Neighbourhood Plan can be adopted, it requires a referendum which is organised by the Council. The regulations Neighbourhood Planning (Referendum) Regulations 2012 as amended, and Neighbourhood Planning (Prescribed Dates) Regulations 2012 as amended apply to the referendum.

Planning applications

- 2.12. The duty to consult on planning applications is set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015 as amended. There are separate arrangements for listed building and conservation area consent which are set out in The Planning (Listed Buildings and Conservation Areas) Regulations 1990. These specify who applicants should notify; who the Local Planning Authority should consult; and how the Local Planning Authority should advertise and make available applications for public scrutiny and comment. Chapter 8 below explains how the Council will involve the community in the consideration of planning applications.
- 2.13. The NPPF also encourages developers to engage with the community before they submit their planning applications [NPPF para. 40]. Further support, and guidance is also offered in the 'Before submitting an application' chapter in the Planning Practice Guidance (PPG).

3. Eastleigh Borough Council's approach to Community Engagement

3.1. The Council's Corporate Strategy 2023-2026 has recently been published. It has identified four priority themes to shape places and improve people's lives, and reflect the Council's ambitions on housing and the environment:

- **Enabling a Healthier Eastleigh** – this includes improved socio-economic and health outcomes and reduced inequality;
- **Shaping Places** – this includes creating and enhancing places where residents and businesses can thrive;
- **Protecting our Environment** – this includes actions to tackle the Climate and Environmental Emergency, and the Council's new sustainable energy operations and infrastructure;
- **Creating Homes and Communities** – this includes new housing and associated infrastructure delivery, and the new landlord functions.

3.2. The Council has also prepared a Voluntary Sector Compact stating how it will engage with voluntary groups and community sector organisations serving the Borough. It can be viewed on the Eastleigh Borough Council web site at: www.eastleigh.gov.uk/our-community/eastleigh-compact.aspx. This SCl reflects the commitments in the compact, to:-

- Consult with the voluntary sector on issues which may affect them or their clients/users.
- Allow adequate time for consultation.
- Ensure that materials for a consultation are available in accessible formats.

3.3. The following assumptions underlie the Council's approach to consultation on the Local Plan and related matters: -

- There is more than one community to consider, so it is necessary to employ a variety of methods of consultation. Experience suggests that some people and groups will want more involvement than others and that the stages at which they wish to become involved will vary. Participation is likely to work best for all concerned where everybody is satisfied with the level of participation at which they are involved, and the techniques being used.
- Since consultation takes time and other resources, efficiency is important. The Council must have regard to the cost-effectiveness of community engagement so that it makes use of the most effective techniques both in person and online. It is also important to avoid consultation overload.

- It is not necessary to consult everyone on everything – those consulted, and methods of consultation can and should vary according to the scope of the document under consideration.
- 3.4. An overriding objective is to ensure that no one has just cause to feel that they have been denied opportunities to engage in the consultation process. In demonstrating that the Local Plan is sound, the Council must provide evidence of participation of the local community and others having a stake in the area.
- 3.5. Consultation is not about passing decision-making to others – the Council has statutory responsibilities that it must undertake itself, for example to prepare planning policy documents and determine planning applications. The main purpose of consultation on these is to help the Council understand the needs and wishes of its communities and so far, as possible to reflect these in its planning policies and decisions. It is important to understand that communities are diverse and can have very different, indeed opposing views on many issues. The Council has to balance all these views with statutory requirements and other local and national imperatives. This Statement of Community Involvement reflects the Council’s corporate priorities and approach.
- 3.6. The Council does not act in a vacuum and some elements of its planning strategy arise from beyond the local community. As well as addressing local issues, Council policies add detail to, or stem from government policies and proposals. In addition, in south Hampshire, there is a partnership of local authorities – the Partnership for South Hampshire (PfSH) – which is currently reviewing its development strategy for the area¹. These wider imperatives must be reflected in the Council’s planning policy documents.

The purposes of consultation - Local Plan and supplementary planning documents

- 3.7. The purposes of consultation on the Local Plan and supplementary planning documents include to: -
- provide information about the process and opportunities to participate;
 - test and expand the information that will provide the basis for proposals (the evidence base);
 - gather ideas and a wide range of views about the issues that the Local Plan or SPD should address, and ways of dealing with them;
 - ensure that the Council has properly identified all relevant issues and reasonable options;
 - help reach agreement on issues and secure support for proposals; and
 - meet the requirements of the Regulations and tests of soundness.
- 3.8. It must be recognised that the Council will not be solely responsible for realising the Local

¹ PfSH is a partnership of the unitary authorities of Portsmouth and Southampton, Hampshire County Council (HCC) and district/Borough authorities of Eastleigh, East Hampshire, Fareham, Gosport, Havant, New Forest district, New Forest National Park Authority, Test Valley and Winchester.

Plan's vision and objectives. Many of the proposals will need to be implemented by the Council's partners and other stakeholders, including landowners and developers. It is important that those who will be expected to deliver the plan's vision and proposals are given opportunities to influence the content of the plan, within the context of the Council's statutory responsibilities.

Planning applications

- 3.9. The purposes of notifying interested parties on planning applications are to:
- make neighbours and the community aware of development proposals that might affect or be of interest to them;
 - provide an opportunity for neighbours and the community to express their views on the proposals; and
 - enable the Council to take these views into account in determining the applications.
- 3.10. The Council will also consult with parish and town councils as well as statutory and non-statutory consultees.

How the Council will consult

- 3.11. In undertaking consultations with the community, a wide range of methods and techniques will be used in order to: -
- inform people about opportunities to make their views known, and
 - engage as many people and as broad a range of interests as possible.
- 3.12. These methods and techniques are explained at [Chapter 4](#) below. In order to ensure that consultation is as effective as possible the Council will ensure that whatever techniques are being used, the scope of the consultation is made clear. This includes precisely what is being consulted on, when comments are required, how the information gained will be captured and used. Chapter 4 also covers the extent to which consultation may affect the final outcome and the means which will be used to feed-back to participants.
- 3.13. The Council is committed to make consultation as accessible and clear as possible. This includes considering the physical accessibility and location of venues used for consultation and the timing of events. The Council will also consider the format of key materials with different formats, languages and easy to read versions available on request.
- 3.14. The Council will encourage respondents to engage with consultations online and submit their comments through the Council's consultation portal and via email. This reflects the general shift towards people accessing consultation materials and responding electronically. It saves the Council time and money printing and distributing documents and analysing comments. It also ensures documents are available at any time.
- 3.15. If people do not wish to view documents online or respond electronically, paper copies of documents will be available and consultation responses can be submitted by post or by hand.

Under-represented groups

- 3.16. The Council will use its own and other public and voluntary sector expertise in community development to identify those groups who have not chosen or been unable to participate in previous planning consultation exercises and will consider how best to engage them in the process. These groups can include those for whom English is not their first language, racial minorities, people with disabilities and younger people.
- 3.17. The Council will seek to gather relevant data about those participating in consultation exercises so that it can better identify specific groups which are under-represented. Targeted efforts may be made to increase their representation.

4. Methods of Consultation

- 4.1. There are various ways of involving the local community, and the choice depends on the purposes and stages of consultation, and the subject matter on which views are being sought. The different purposes of consultation are listed in [paragraphs 3.7 – 3.9](#) above.

Local Plan updates and consultees

- 4.2. The Council maintains lists of individuals and organisations interested in receiving updates on the Local Plan, and related supplementary planning documents, and notification of formal consultation periods. These include all the ‘specific’ and ‘general’ consultation bodies as defined in the Regulations (see [paragraph 2.4](#) above). Individuals and organisations can sign up to receive updates via the Local Plan webpages and choose to unsubscribe when they no longer wish to receive updates.
- 4.3. Additional landowner and developer interests have been identified through work on the Council’s Strategic Land Availability Assessment (SLAA) and Employment Land Review (ELR). These contacts have also been added to the database.
- 4.4. The Council will continue to review and maintain the consultee database. Any updates to the general and specific consultee contact details should be sent to planningpolicy@eastleigh.gov.uk.

Development Management consultation

- 4.5. There is a range of statutory consultees for planning applications (see [Appendix 2](#)). Parish or town councils are also consulted on planning applications within their administrative areas. In addition, other bodies and individuals are consulted as relevant to their interests, including neighbouring landowners (see ‘[Neighbour notification](#)’ below). Consultation is normally by means of a letter but can be supplemented by press and site notices.

Borough News

- 4.6. The Council publishes a quarterly newspaper focusing on the work of the Council, community events and developments. The Council seeks to deliver this to every dwelling in the borough. It is also published online. When the timing of its publication fits with the consultation programme, it will be used to provide information about the proposals and opportunities for engagement.

Local media – newspapers, radio and TV - Local Plan

- 4.7. Consultations on future development options and the Local Plan may be publicised by means of a press release to the local media including local newspapers, and local radio and TV channels (as well as the Borough News if possible). Local newspapers are also used for formal advertisement of proposals where this is required. Press publicity for SPDs is usually less intensive.

Planning applications

- 4.8. Planning applications for major development, works within a conservation area or to a listed building are routinely advertised in Hampshire Media, in accordance with legislation and to inform the wider community of development proposals.

Neighbour notification and site notices - Planning applications

- 4.9. When considering planning applications, the Council will ensure that those immediately adjoining or opposite the site are made aware of the development proposals. For major developments that have more than a local impact the Planning Manager may decide to notify neighbours in a wider area. This will be done by letter, and/or by posting notices at the site and/or through press notices.

- Local Plan

- 4.10. Where emerging Local Plan proposals involve the proposed allocation of specific new sites for development, the Council may use site notices displayed close to the proposed site, or send letters, to notify neighbours most affected by the proposals. These are not required for changes to area designations. They may not be required where the site has received planning permission or is subject to a planning application as notices will have already been published for these sites.

Visits to parish councils, residents' associations and other local groups

- 4.11. Council officers may meet town/parish councils and with local groups to establish local concerns and priorities, and where possible to explore evolving options.
- 4.12. Developers are also encouraged to meet town/parish councils and local groups to explain their proposals and seek local views before they make a planning application.

Participative workshops and forums

- 4.13. Workshops, forums or meetings involving invited representatives of the consultation bodies may be held during the initial stages of development plan document preparation and evidence gathering. These can help to establish issues that need to be addressed, and priorities for dealing with them.

- 4.14. The Council may select participants for the workshops/forums to ensure that all relevant interests are represented. If necessary, a series of workshops may be held in order to accommodate all interests. It is unlikely that workshops will be used in the preparation of SPD, but there may be exceptions. They will be held in accessible, and where possible wheelchair-friendly, venues.
- 4.15. Developers may also employ workshop techniques in order to involve communities in the evolution of larger development schemes.

Local staffed exhibitions

- 4.16. The Council may stage local staffed exhibitions as a means of helping communicate Local Plan and supplementary planning document options, proposals and/or issues for consultation. Local communities will be made aware of these opportunities through a variety of different measures. These may include local press releases, email updates sent out to consultees, the Council's Borough News newspaper (see above) and local poster and leaflet publicity. In the case of a site-specific SPD local residents in the area most affected may be notified of exhibitions by letter. They will be held in accessible, and where possible wheelchair-friendly, venues.
- 4.17. Developers are also encouraged to hold local exhibitions and undertake local publicity to advise communities of their development proposals and seek views before they submit a planning application.

Web-based consultation

- 4.18. The Council will post all published documentation on its website, including the evidence-base and appraisal processes as well as the consultation documents. Comments will be invited, with the facility to make these on-line, by e-mail or in writing. The Council may use social networking sites, and other appropriate web-based approaches to broaden the reach of consultation exercises. The Council will also consider opportunities for digital engagement that may reach a wider and more diverse audience.
- 4.19. All planning applications can be viewed on the Council's website at www.eastleigh.gov.uk and there is the opportunity to make comments online or by e-mail as well as by letter.

Copies of documents

- 4.20. Electronic copies of the Local Plan and supplementary planning documents and related appraisals and assessments will be published online. Subject to any prevailing regulations, the Council will publish limited numbers of the main documents and make hard copies available for inspection at its main offices, in the borough's town and parish council offices and at local libraries in accordance with the regulations. Background papers providing evidence for the matters addressed in the Local Plan will be available on the Council's website.
- 4.21. Copies of planning applications can be viewed at the Council's main office and on the Planning Register on the Council's website - <https://planning.eastleigh.gov.uk/s/public-register>.

GDPR

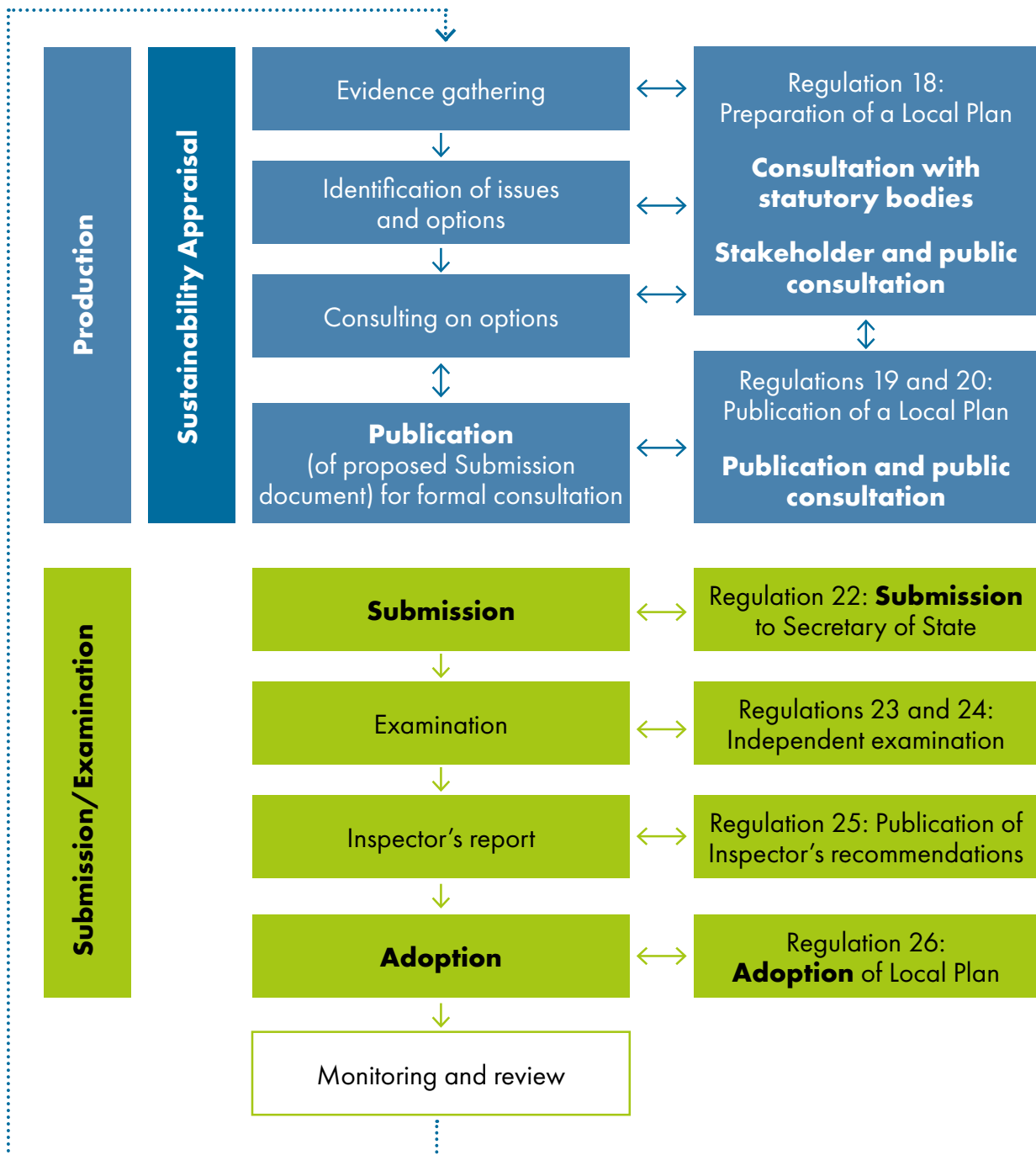
- 4.22. In line with the GDPR 2018, the Council's full Privacy Notice provides information on the information the Council may use, why it's required and how it may be used. The Development Management Privacy Notice specifically addresses any information provided to deal with planning applications. The Planning Policy Privacy Notice specifically addresses any information provided to undertake consultation and analysis on planning policy documents and supporting evidence. The Council is committed to transparent notification to all parties affected.

Section 1 - Consultation on Planning Policy documents

5. Consultation on the Local Plan

5.1. The statutory process of preparing the Local Plan is illustrated at Fig. 1 below, which shows the two main consultation stages in the Town and Country Planning (Local Planning) (England) Regulations 2012. The Regulations referred to are summarised in Appendix 1.

Fig. 1: Local Plan preparation process



How Eastleigh Borough Council will consult on the Local Plan Review and on future reviews or alterations of the Local Plan

Preparation of a Local Plan (Regulation 18)

- 5.2. In undertaking the Regulation 18 consultation process on a new Local Plan, the Council will focus on the broad options that are being considered for the distribution of new development and to address any other strategic issues. The consultation document will indicate the options considered, subject to the outcome of the consultation and any further appraisal that is required. Chapter 4 sets out potential methods of consultation. The Council may employ the following methods of involving the community:
- i. An updated Local Development Scheme will be published that gives details of the programme for preparing the Local Plan and the anticipated general timings of opportunities to comment;
 - ii. Up to the start of the Regulation 19 stage, the evidence base will be reviewed and updated to inform the need and location of development and infrastructure, areas of protection and other policies. These will be prepared and/or updated in consultation with relevant organisations and authorities;
 - iii. All available evidence at the time of the consultation will be published on the Council's website for general public comment for the period required by the regulations, currently six weeks;
 - iv. Where new site-specific development allocations are proposed (not designations), notices may be posted at the sites concerned with details of the consultation and how to make representations;
 - v. Staffed exhibitions of the options may be held in the borough's parishes and in Eastleigh. Where proposals are limited in their impacts, for example in the case of a partial review of the Local Plan, exhibitions may only be held in the areas affected;
 - vi. Workshops and meetings may be arranged with interested parties including representatives of the specific and general consultation bodies to explore issues and options in more depth;
 - vii. Discussions may be held with Parish/Town Councils as required to discuss issues relating to the Local Plan;
 - viii. Updates may be sent to inform individuals and organisations including statutory consultees of progress on the Local Plan. Where possible and appropriate, the Borough News will also be used for this purpose;
 - ix. The consultation documents will be published on the Council's website, and hard copies will also be made available in accordance with the regulations at the Council's offices, the borough's town and parish council offices and local public libraries;
 - x. A press release may be issued to local newspapers and local TV and radio stations giving details of the consultation including related events such as exhibitions;

- xi. Consultees and the public will be invited to make comments on-line, via e-mail or by letter, with the opportunity to use a consultation form (this will not be mandatory).

Publication of the pre-submission Local Plan (Regulation 19)

- 5.3. In undertaking the Regulation 19 (pre-submission Local Plan) consultation process the Council may employ the following methods of involving the community:
 - i. The pre-submission Local Plan and all necessary evidence will be made available for inspection and comment for the period required by the regulations, currently six weeks.
 - ii. Where new site-specific development allocations are proposed (not designations), notices may be posted at the sites concerned with details of the consultation and how to make representations;
 - iii. The consultation documents will be published on the Council's website, and hard copies of the main consultation documents made available at the Council's offices, the borough's town and parish council offices and local public libraries as required by the regulations.
 - iv. Formal representations on the soundness of the Local Plan will be invited, to be made on-line, via e-mail and by letter, with the opportunity provided to use a consultation form (this will not be mandatory). The Council will provide advice on what soundness means and on how to make formal representations. Regulation 20 indicates that anyone can make representations on the pre-submission Local Plan (although the Council is unable to accept anonymous comments).
 - v. If publication dates coincide, the Council's Borough News newspaper may be used to notify the borough's households of the consultation and related events.
 - vi. A press release may be issued to local newspapers and local TV and radio stations giving details of the consultation.
- 5.4. During and immediately after the Regulation 19 stage, the Council will seek to resolve any outstanding objections where possible before submission of the document.

Submission and examination of the Local Plan

- 5.5. Submission of the Local Plan does not require further community involvement. The Local Plan, all necessary evidence and supporting documents including a 'statement of consultations' and the comments received are submitted to the Secretary of State. The statement of consultations provides further details on the consultation and the Council response.
- 5.6. Following submission, the Secretary of State appoints an Inspector to undertake a formal examination of the Local Plan. In undertaking the examination, the Inspector is required to consider all the representations ([Regulation 23](#)). During the examination, the Inspector will arrange hearings where the Inspector can probe the evidence for the plan further and consider how any soundness or legal compliance issues can be resolved. The Inspector will decide on the topics to be discussed and who should be invited to attend.
- 5.7. At least six weeks before the examination hearings the Council will publicise the date, time and place where these are to be held, and the name of the person conducting the examination, in accordance with the regulations (see [Regulation 24](#)).

- 5.8. After the examination, the Council will publish the Inspector's report for information as soon as practicable after it is received, in accordance with the regulations (See [Regulation 25](#)).

Adoption of the Local Plan

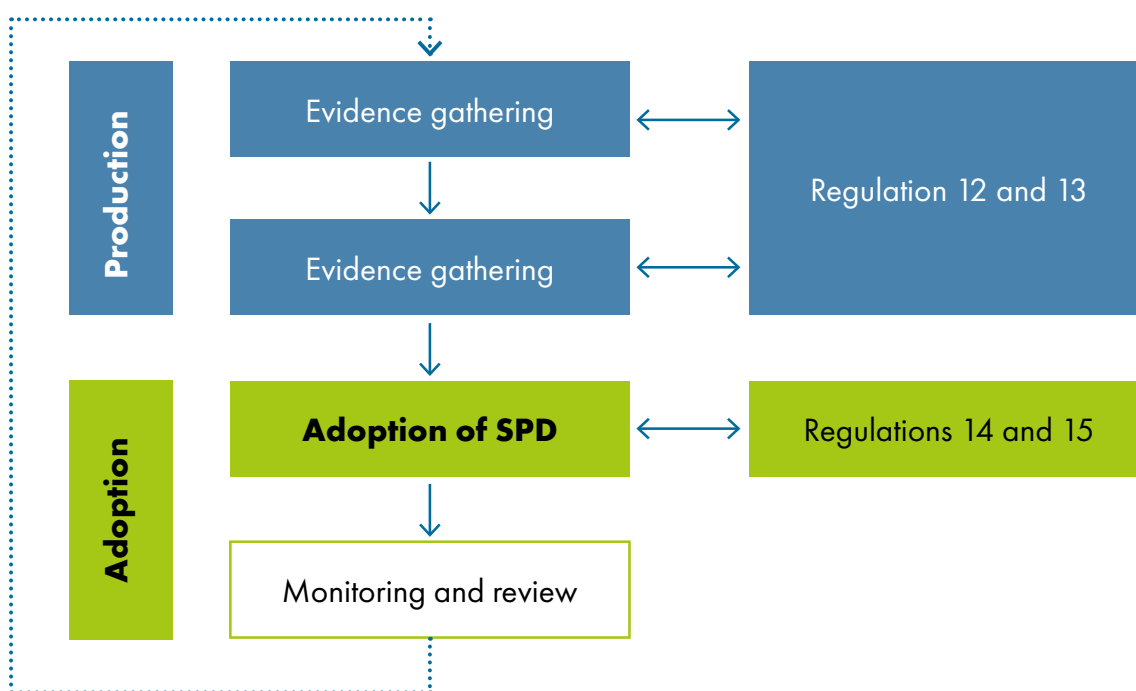
- 5.9. When the Council decides to adopt the Local Plan under [Regulation 26](#). In accordance with the regulations:
- i. The adopted Local Plan, a statement of adoption and the final versions of the necessary evidence documents will be published on the Council's website, and hard copies made available at the Council's offices, the borough's town and parish council offices and local public libraries;
 - ii. Consultees will be notified of the adoption of the Local Plan, and where it and the remainder of the adoption documents can be seen;
 - iii. The adoption statement (or a link to the document) will be sent to everyone who has asked to receive it, along with information about where the Local Plan and related documents can be seen and the scope to challenge the plan;
 - iv. The Council's Borough News newspaper will also be used to notify the borough's households of the adoption of the Local Plan and where it and related documents can be seen;
 - v. A press release may be issued to local newspapers and local TV and radio stations giving details of adoption of the Local Plan and where it and related documents can be seen.

6. Consultation on Supplementary Planning Documents and other policy guidance

Process

6.1. Supplementary planning documents add detail to the policies of the Local Plan. The statutory process of preparing a supplementary planning document is shown at Fig. 2 below, which shows the single stage of consultation required (Regulations 12 and 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012). There is no examination process for SPDs, but they are adopted formally by the Council. They do not form part of the development plan but are material considerations in the determination of planning applications. The Regulations referred to are summarised in [Appendix 1](#).

Fig. 2: Supplementary Planning Document preparation process



How Eastleigh Borough Council will consult on the preparation of supplementary planning documents

6.2. Supplementary planning documents can vary considerably in their scope and area of application. For example, they can focus on a particular topic or issue which may be borough-wide, such as affordable housing, or they can be site specific. Those consulted and the consultation process will vary accordingly.

Preparation and consultation on a draft SPD (Regulation 12)

- 6.3. In undertaking the Regulation 12 consultation process on the draft SPD, the Council may employ the following methods of involving the community:
- i. The draft SPD will be made available for inspection and comment for a six-week period.
 - ii. The consultation documents will be published on the Council's website, and hard copies made available at the Council's offices, in the relevant town and/or parish council offices and local public libraries.
 - iii. If the SPD is site-specific, a staffed exhibition of the draft SPD may be held in the relevant parishes/ Eastleigh.
 - iv. Relevant consultees and the public will be notified of the consultation and invited to make comments on-line, via e-mail or by letter. Consultees notified will vary depending on the nature of the SPD and whether it is borough-wide or site specific. Regulation 13 says that anyone can make representations on a draft SPD (although the Council cannot accept anonymous representations).
 - v. If publication dates coincide, the Council's Borough News newspaper will also be used to notify the borough's households of the consultation and related events.
- 6.4. Following the consultation, the Council may modify the SPD to satisfy objections. In preparing the final version of the SPD, the Council is required to prepare a statement of who was consulted on the SPD, the main issues they raised and how these issues have been addressed (a statement of consultations). The Council may choose to consult again on a revised SPD if it changes substantially following the initial consultation.

Adoption of the SPD (Regulation 14)

- 6.5. When the Council decides to adopt the SPD under Regulation 14:
- i. An adoption statement will be prepared and sent to all who have made representations on the SPD and everyone who has asked to receive it. This will set out the date of adoption, what modifications to the SPD have been made in response to the consultation (if any) and the scope to challenge the plan.
 - ii. The adopted SPD, the adoption statement and the statement of consultations will be published on the Council's website and hard copies made available at the Council's offices and in the relevant town and parish council offices and public libraries;
 - iii. Relevant consultees and the public will be notified of the adoption of the SPD
 - iv. Adoption of the SPD will also be publicised in the Council's Borough News newspaper.

7. Consultation on Neighbourhood Plans

Introduction

- 7.1. The Localism Act 2011 introduced the concept of neighbourhood plans. These are community-led plans for the use and development of land and associated issues in an area.
- 7.2. Neighbourhood plans set out more detailed policies for a specific area. They are non-strategic and can help shape, direct and deliver sustainable development alongside the Local Plan. Neighbourhood plans should be in line with national and local planning policies.

Role of the Council

- 7.3. Neighbourhood plans are written by local communities and led by parish or town councils ('the qualifying body'). An approved Neighbourhood Plan attains the same legal status as a local plan and becomes part of the statutory development plan. Eastleigh Borough Council as a Local Planning Authority has a duty to support those producing a Neighbourhood Plan, assisting in the process and ensuring regulations are met.
- 7.4. The Neighbourhood Planning (General) Regulations 2012 explain how Neighbourhood Plans should be prepared and the duties of the Local Planning Authority, including consultation requirements.

Initial stages

- 7.5. The Local Planning Authority must publicise to those within an area to be covered by the Neighbourhood Plan, the designations of the neighbourhood forum (if it does not have a parish or town council); and the neighbourhood area. As the whole of Eastleigh borough is covered by parish and town councils, the Council's role at this stage is to publicise the designation of a neighbourhood area only.
- 7.6. In undertaking each element of the process, the Council will:
 - i. Make the draft proposals available for inspection and comment for a six-week period.
 - ii. Publish the consultation documents on the Council's website and ensure that hard copies are available at the Council's offices, in the relevant parish and/or town council offices and local public libraries in accordance with the regulations.
 - iii. Work with the parish or town council to ensure that those local to the area are notified by a variety of means which may include local advertisement, press release, posters and leaflets and direct notification of the relevant specific and general consultation bodies as set out in the Regulations.

iv. If publication dates coincide, the Council's Borough News newspaper may also be used to notify the borough's households of the consultation.

7.7. The plan is prepared by parish or town councils as the 'qualifying body'. The regulations require this body to undertake consultation and publicity on the content of the plan and sets out who they should consult. Once this process is completed, the Neighbourhood Plan is sent to the Local Planning Authority, along with a statement of the consultations undertaken.

Draft plan

7.8. The Local Planning Authority must then publicise the plan, notifying all those whom the parish or town council has consulted, and allowing six weeks for comments. In undertaking this element of the consultation process, the Borough Council will follow the same procedures set out in paragraph 7.6 above.

Referendum and Adoption

7.9. The Local Planning Authority then arranges for public examination of the plan. Provided the examiner finds that the plan meets basic standards, the Local Planning Authority must then organise a referendum so that the community can have the final say on whether the plan comes into force. If more than 50% of people voting in the referendum support the plan, the Local Planning Authority must bring it into force. The referendum process is also controlled by regulations (The Neighbourhood Planning (Referendums) Regulations 2012 as amended 2013).

7.10. Information about neighbourhood planning can be found on the government's website at www.gov.uk/neighbourhood-planning. There is also information on the Council's neighbourhood planning webpage www.eastleigh.gov.uk/neighbourhoodplanning.

Section 2 - Consultation on Planning Applications

8. Consultation on Planning Applications

- 8.1. The Council's Development Management Service receive over 2,000 planning applications per year, and it aims to determine applications in an efficient and proactive manner, following the appropriate level of community involvement, as set out below.

General approach

- 8.2. The Development Management working practices put the customer at the heart of the process in line with the council's increasing customer-focus. Officers can adapt their working methods to suit the specific case. This enables a tailored solution (within planning legislation) to be adopted to suit the specific needs in each case.
- 8.3. If you are unclear as to whether you need planning permission for a development, information can be found on the national [Planning Portal website](#). Initial contact for advice from Eastleigh Council can be made via a development management telephone service (accessed through the Customer Service Centre from 023 8068 8000) where trained officers are able to help with planning enquiries. They can also take advice from Planning Officers and if a response from a Planning Officer is required, they will arrange this.

Planning Performance

- 8.4. In the interests of achieving timely resolution of planning applications, central government sets targets for planning authorities to deal with most planning applications. These targets currently are:
- Determine 60% of major applications in 13 weeks (or agreed extension of time)
 - Determine 70% of all other applications within 8 weeks (or agreed extension of time)
- 8.5. The Development Management Service consistently exceed these targets on all planning decisions.
- 8.6. Negotiations on planning applications are encouraged in order to improve schemes and overcome minor issues. In these circumstances it may be appropriate to agree an extension of time in writing (beyond central government targets) to ensure that an agreed date for the determination of the application is mutually acceptable.
- 8.7. Applicants can appeal against 'non-determination' if an application is not determined within the above timescales, although in the interest of achieving the best outcomes we will sometimes seek to agree a longer period with applicants through a formal Extension of Time.

- 8.8. A Planning Performance Agreement is a project management tool which can be used for the Council and applicants to agree timescales, actions and resources for handling particular planning applications. They can be particularly useful for setting out an efficient and transparent process for large or complex applications, for all stakeholders involved.

Definitions

- 8.9. Major Applications are defined as those involving residential development of 10 or more dwellings or an area of 0.5ha or more, or 1,000 sq m or more of commercial floor space or development on a site having an area of 1ha or more.

Pre-application

- 8.10. Applicants are encouraged to approach the council for pre-application advice, particularly in more complex cases, which will provide an opinion on the likely acceptability of proposal. This allows schemes to be amended and relevant matters addressed before a planning application is made. Details of the current Pre-Application advice service can be found on the council's website at: <https://www.eastleigh.gov.uk/planning-and-building/planning-permission/pre-application-service>
- 8.11. A fee is charged for this service which can include meetings, engagements with consultees and an exchange of written correspondence. It is highly advisable for their own benefit that developers undertake pre-application involvement with key consultees and the local community in line with this statement, particularly for major or contentious proposals, in order to identify and resolve issues at an early stage.
- 8.12. For major and contentious applications, applicants will be encouraged to provide additional opportunities for involving the local community on their proposals in addition to the consultation undertaken by the council. The Council will require the applicant/agent to agree a programme of community involvement to best suit the specific proposals and the particular site.

Planning application publicity

- 8.13. The following procedures will be followed to publicise applications that have been received:
- For all planning applications, all neighbours adjacent to or opposite the application site will be notified by letter. For major or contentious applications, the Council will use its discretion to notify a wider area. The website also includes representations received and supporting documents.
 - The relevant parish or town council will be consulted, and they may also seek the views of the public at their parish or town council meeting.
 - For all planning applications, the application form, plans, consultee responses and decision letter will be placed on the Council's website.
 - A weekly list of all planning applications will be sent to borough councillors, town and parish councils. The weekly list is also available on the website.

- For more significant applications a press release will be issued.
- For the following planning applications, a site notice will be issued, and a public notice placed in a local newspaper:
 - Major applications
 - Applications contrary to the Development Plan
 - Applications in a conservation area or relating to a listed building.
 - Applications where there are no immediate residential neighbours (site notice only).
 - Applications on industrial estates (site notice only)
 - Telecommunication developments (site notice only)
- The Council's Development Management Service has a statutory duty to consult certain agencies. The main statutory consultees are listed in Appendix 2.

Application Processing

8.14. In processing planning applications, the following procedures will be followed:

- For all planning applications, the Development Management case officer will be available to discuss the case and its progress and receive comments from members of the public. Comments from the public should be made within 21 days of notification of the application.
- Applications which have significant implications (on matters such as design, highways or education) may be discussed at regular meetings of professionals practicing in the relevant field.
- For major and contentious applications, applicants will be encouraged to provide additional opportunities for involving the local community on their proposals in addition to the consultation undertaken by the council. The Council will require the applicant/agent to agree a programme of community involvement to best suit the specific proposals and the particular site. For such applications a Teams meeting with local Councillors and officers is encouraged to communicate key points and issues.
- For major and contentious applications where major changes are proposed during the application stage, applicants will be encouraged to undertake further local community engagement.
- The results of the notification and consultation process will be taken into account in decisions made by the Council.
- The Council aim to determine major applications in 13 weeks of the application being made valid or a timeframe agreed with the developer and all other applications within 8 weeks, but we may sometimes seek to agree a longer period with applicants through a formal Extension of Time.

8.15. A leaflet explaining the planning process can be found at: <https://www.eastleigh.gov.uk/media/2214/the-planning-process-explained.pdf>

- 8.16. A leaflet is available to explain on what grounds people can comment on planning applications. It is on the Council's website at: <https://www.eastleigh.gov.uk/media/2213/can-i-comment.pdf>.
- 8.17. Comments that use inappropriate language, or are offensive, including on the grounds of race, religion, disability or sexuality, will not be acceptable and may lead to the whole representation being rejected.
- 8.18. If a planning application is to be considered by the Local Area Committee, all neighbours who have made representation will be notified of the date, time and venue for the meeting and given the opportunity to speak as set out in The right to speak at committee.
- 8.19. Any neighbours who made comment on a planning application will be informed of the subsequent decision. The officer's report and decision notice are available to view on the Council's website.

Enforcement

- 8.20. Our planning enforcement team deal with any alleged breach of planning control reported to them. They also monitor conditions imposed on selected planning permissions and check that development has been built in accordance with the planning approval.
- 8.21. Sometimes interested parties may be contacted for their input, such as any information they have regarding existing uses. Generally, however, enforcement investigations are not carried out in the public domain. Investigations can result in planning applications being made to remedy a breach of planning legislation. All planning applications will be consulted on in the normal way, as set out in the above paragraphs.
- 8.22. Weekly communications are sent out to Councillors and Parish/Town Councils for all new and concluded enforcement investigations.
- 8.23. More information on EBCs approach to planning enforcement can be found at <https://www.eastleigh.gov.uk/planning-and-building/planning-enforcement>.

9. Reviewing the Statement of Community Involvement

- 9.1. The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires that the SCI is reviewed every five years from adoption. The Council can also choose to update the SCI more frequently as required.
- 9.2. The Authority Monitoring Report will consider, as appropriate:
 - Whether or not there have been any changes to legislation, regulations, policies or best practice guidance governing SCIs.
 - The success to date of the SCI and of different methods of involvement.
- 9.3. Review of the Local Development Scheme and any change in timescales for the Local Plan under preparation may also trigger a review of the SCI
- 9.4. From time to time the Council may also ask participants for their feedback on the involvement they have been engaged in. This may also provide a basis for review of the SCI.
- 9.5. While there are no requirements in legislation to consult on new or updated SCI, the Council may consult the community in the following ways:
 - i. The draft revised SCI will be made available for inspection and comment for a six-week period.
 - ii. The consultation documents will be published on the Council's website, and hard copies may also be made available at the Council's offices, and in the relevant town and/or parish council offices and local public libraries.
 - iii. The Local Plan email bulletin will be used to notify individuals and organisations who have signed up for updates of the consultation and the opportunities to comment.
 - iv. If publication dates coincide, the Council's Borough News newspaper will also be used to notify the borough's households of the consultation.
 - v. Adoption of the SCI will be publicised in the Council's Borough News newspaper.

Note: The Royal Town Planning Institute (RTPI) runs a charity called Planning Aid which provides free independent advice on planning matters to eligible individuals and groups. The website www.planningaid.co.uk provides answers to general questions about planning and signposting to other resources. Planning Aid also provide an online advice service offering general planning advice by email which can be accessed via the same website.

Appendix 1

Summary of Minimum Statutory Consultation Requirements for Policy Documents

A.1.1. This is only a summary. The definitive text is contained in The Town and Country Planning (Local Planning) (England) Regulations 2012.

Local Plans

Regulation 18, Preparation of the Local Plan

- A.1.2. This is when the Council gathers ideas and views about the issues that the local plan needs to address and what options should be considered for the location of new development and for policies to manage development.
- A.1.3. The Regulations set out minimum requirements but otherwise allow considerable flexibility in precisely who is consulted, when and how. An important role of this SCI is to be explicit about how the Council will go about engaging the community at this stage.

Regulation 19, Publication of a Local Plan

- A.1.4. This is a formal consultation on the local plan and related documents proposed to be submitted to the Secretary of State for examination (the pre-submission local plan) when the Council invites formal representations on the 'soundness'² of the local plan. Regulation 20 states that anyone can make representations on the pre-submission local plan.

Regulation 22, Submission of the Local Plan

- A.1.5. After consultation on the pre-submission Local Plan, it is submitted to the Secretary of State for formal examination by a government-appointed independent Inspector.

Regulations 23 – 25, Examination of the Local Plan

- A.1.6. The Inspector is required to consider all the objections made (Regulation 23). At this stage the Council can propose minor changes to the submission documents to overcome objections, but these, all the representations and all the supporting evidence including appraisals and assessments must be submitted to the Secretary of State. These will all be considered by the inspector by means of a public examination, which includes a hearing session. The Council is required to publicise the examination (Regulation 24). The purpose of the examination is to establish whether the local plan is 'sound'. The Inspector may invite those who have made representations to participate in the examination. The Inspector then prepares a report of the examination, including if necessary recommended modifications to the local plan that will make it sound. The Inspectors final report must be published by the Council (Regulation 25) and is binding.

² For a local plan to be considered 'sound' it must be positively prepared, justified, effective and consistent with national policy (see NPPF para. 182).

Regulation 26, Adoption of the Local Plan

- A.1.7. If the Inspector finds the plan sound, or says that it will be sound subject to making recommended modifications, it can then be adopted in accordance with the Inspector's recommendations. The Council is required to publish the adopted local plan, the sustainability appraisal and a statement of adoption, along with details of where these can be inspected. The statement of adoption has to be sent to all those who have asked to be informed that the plan has been adopted.

Supplementary Planning Documents

Regulation 12, Public participation

- A.1.8. This requires the Local Planning Authority to make a draft SPD available for public consultation in accordance with Regulation 35 (see below), and to prepare a statement explaining who has been consulted on a draft SPD, together with a summary of what respondents said and how the issues they raised were addressed in the SPD. Regulation 13 states that anyone can make representations about the SPD.

Regulation 14, Adoption of supplementary planning documents

- A.1.9. The Local Planning Authority is required to make the adopted SPD and an adoption statement available in accordance with Regulation 35 (below) and to send the adoption statement to all who have asked to be notified that the SPD has been adopted.

Local Plans and Supplementary Planning Documents

Regulation 35, Availability of documents

- A.1.10. Regulation 35 sets out where and for how long documents should be made available for inspection during consultation processes.

Appendix 2

Statutory Consultees on Planning Applications

The full list of statutory consultees is set out in Town and Country Planning (Development Management Procedure) (England) Order 2010. The list below sets out the statutory consultees most likely to be relevant to planning applications in Eastleigh Borough, depending on the type of application.

- Department of the Environment, Food and Rural Affairs
- Environment Agency
- Hampshire County Council Highway Authority
- Hampshire County Council Minerals & Waste Authority
- Health and Safety Executive
- National Highways
- Heritage England (Historic Buildings and Monuments Commission)
- Natural England
- Southampton Airport Ltd
- Sport England