



# Statement of Community Involvement



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This activity addresses the following corporate aims :-



SOCIAL INCLUSION



CUSTOMER  
FOCUSED SERVICES

Updated October 2017

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## **1. FORMAT OF THE STATEMENT OF COMMUNITY INVOLVEMENT**

- 1.1 This Statement aims to encourage greater public involvement in planning rather than just address specialist groups. To help people find the information they need quickly and easily, the statement has been prepared as a series of questions under topic headings.
- 1.2 The Statement also aims to be accessible by avoiding the use of excessive technical jargon, references to legislation and the use of initials. The Statement also contains a range of background information, showing how the Council's Statement of Community Involvement fits into the councils wider agenda.

## INTRODUCTION

### What is a Statement of Community Involvement?

- 2.1 The Statement of Community Involvement sets out the Council's policies on encouraging participation in the planning process. It covers both the development of planning policy documents, and the determination of significant planning applications. (see also section 3 below for a full description of the formal requirements for the Statement)
- 2.2 The statement is aimed equally at individuals and community and special interest groups, formal bodies, organisations, and businesses.

### Why prepare a Statement of Community Involvement?

- 2.3 The views of local people have always been an important part of the planning process. The Council is committed to encouraging people to become involved in the issues that might affect them.
- 2.4 The Council also has a legal requirement<sup>1</sup> to prepare a Statement of Community Involvement. Since the original Statement was adopted by the council in May 2006, there have been a number of changes to legislation and government guidance. The Statement has been regularly updated to reflect the latest requirements.
- 2.5 However, despite the changes to reflect government requirements and updates, it should be noted that the role of the Statement of Community Involvement remains unchanged, as does the Council's commitment to meaningful engagement.
- 2.6 There are two main parts of the planning system that the Council is involved with. These are:
  - **Plan preparation** –there are a number of different types of plans<sup>2</sup> that the Council produces. Local Plans set out the big decisions on planning for the future of the district and its residents, together with details of the level and types of development, and proposed locations for development<sup>3</sup>.

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

<sup>2</sup> Details of the main types of plans are set out at section 4 below

<sup>3</sup> It should be noted that Bolsover District Council is not the only body that makes plans that cover the district. Derbyshire County Council prepares Waste and Minerals Plans that cover the district and are prepared separately

- **Development Control** (Development Management) – Many types of development require planning permission (or advertisement consent). The Council is responsible for making decisions on planning applications. Generally, decisions on planning applications are made in line with planning policies, including those in the Council's own plans.

### **Why should I get involved?**

#### 2.7 Involvement by local communities:

- Gives people the opportunity to influence decisions;
- Leads to outcomes that better reflect the views and aspirations of everyone;
- Improves the quality and efficiency of decisions by drawing on local knowledge and minimising unnecessary and costly conflict.

#### 2.8 The Statement of Community Involvement aims to help individuals and groups to get involved at a time in the decision making process when their involvement will have the most impact.

### **When is the best time to get involved?**

#### 2.9 The opportunities for involvement need to be provided as early as possible in the planning process when it can make a difference to the outcome. However, increased levels of participation or consultation can set up unrealistic levels of expectation. Planning issues rarely start with a blank piece of paper and any participation needs to be set in context to try and avoid this.

#### 2.10 Although planning can help physical and social regeneration, and conservation, it cannot always ensure that new development which is welcomed, actually takes place. This is down to decisions by those owning or developing land.

#### 2.11 Getting involved in planning issues does not mean that people will achieve everything they want in the planning process. It is not always possible to achieve planning solutions that satisfy everyone, particularly when strongly opposing views are held. However, the council will work with people to ensure everyone has an opportunity to participate.



### 3. FORMAL REQUIREMENTS

What does the Statement of Community Involvement need to contain?

3.1 Although the Statement of Community Involvement sets out the Council's policies in relation to engaging with the public on planning issues, it also has to comply with current national legislation<sup>4</sup>. Under this the Statement of Community Involvement has to set out the Council's policies in relation to engagement on:

- Background information, likely to affect the development of the area or plan making in the district<sup>5</sup>. Further information on this is set out at paragraphs 3.3 - 3.8 and table 1 below;
- The Local Development Scheme<sup>6</sup>. This is a timetable for the development of planning documents. Further information on this is set out at paragraph 3.9 below;
- The preparation of the local plan and supplementary planning documents<sup>7</sup>. Further information on this is set out at sections 4, 5, and 6 below;
- The revision of local development documents<sup>8</sup>. Further information is set out at paragraph 3.10 below;
- The development of joint planning documents with other local planning authorities. Further information on this is set out at paragraph 3.11<sup>9</sup> below; and
- Planning applications, including significant applications. Further information on this is set out at section 9 below

3.2 In addition to the above, the Council is now also required to set out its policies for giving advice and assistance to qualifying groups who wish to progress neighbourhood planning initiatives. This is slightly different to the planning policy documents in that neighbourhood planning documents are mainly prepared by Parish and Town Councils, and not by the Council. This information is set out at section 7 below

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<sup>4</sup> Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended)

<sup>5</sup> Section 13 of the Planning and Compulsory Purchase Act 2004 (as amended)

<sup>6</sup> Section 15 of the Planning and Compulsory purchase Act 2004 (as amended)

<sup>7</sup> Section 19 of the Planning and Compulsory Purchase Act 2004 (as amended)

<sup>8</sup> Section 26 of the Planning and Compulsory Purchase Act 2004 (as amended)

<sup>9</sup> Section 28 of the Planning and Compulsory Purchase Act 2004 (as amended)

- 3.3 As part of the process of developing new planning documents the Council uses statistical information and compiles or commissions analysis and studies on a wide range of topics. Together these documents make up the 'evidence base' on which planning policy documents are based.
- 3.4 Some of these evidence base documents deal with purely factual information, such as the number of people in the district and where they live. However, other documents contain qualitative and quantitative information and the knowledge and views of local people are used inform these documents.
- 3.5 Key studies in the Council's current evidence base that include information or views from people living in the district or having an interest in the district are set out in table 1 below. It should be noted that the list is for illustrative purposes rather than being a comprehensive statement of everyone's involvement in the development of every document in the council's evidence base. All of the documents in the Council's evidence base are published on the Council's website, and all set out the extent of the involvement of local groups and individuals in their development.

**Table 1 Examples of key Evidence Base Studies, and Community Involvement**

Document	Involvement
<b>The Lowland Biodiversity Action Plan (cross boundary document)</b>	Written in co-operation with 96 partners, including: statutory bodies, for example the Forestry Commission; some Parish Councils; local community groups; broad specialist groups, for example the Derbyshire Wildlife Trust; and, specific specialist groups, for example the Derbyshire Bat Conservation Group.
<b>Economic Development Needs Assessment</b>	The consultant involved: the Nottinghamshire and Derbyshire Chamber of Commerce; key developers with an interest in the district, for example Laing O' Rourke, and Waystones; clinical commissioning groups; education providers; and local developers and estate agents as consultees and workshop participants
<b>Strategic Housing Market Assessment (joint assessment across 4 districts)</b>	This was built in part on a household survey of 40,000 people across the housing market area; discussions with letting agents; discussions with housebuilders in the district; and a stakeholder workshop attended by representatives from; housebuilders; developers; local land owners; local agents; and, the representatives from the public and private rented sectors
<b>Green Space</b>	Engagement during the early stages of the Green Space

<b>Strategy</b>	<p>Strategy included:</p> <ul style="list-style-type: none"> <li>• a survey of 3,000 households;</li> <li>• a town and parish council survey;</li> <li>• a survey of other green space providers;</li> <li>• a young person's survey; and,</li> <li>• community and youth council workshops to gain local views on the provision of green space in the area and to establish local priorities.</li> </ul>
<b>Playing Pitch Strategy</b>	<p>Engagement involved local sports development officers. Face to face consultation was carried out with key clubs from each sports. Where this was not possible, online/postal/telephone surveys were utilised.</p> <p>Representatives of the following groups were included: football clubs and teams; cricket clubs; rugby union clubs; primary schools; secondary schools; and parish councils.</p>
<b><u>Gypsy Traveller Accommodation Assessment (2014) (Joint Study)</u></b>	<p><u>Engagement included both</u> Stakeholder consultation with local organisations involved with Gypsies and Travellers; and Face-to-face surveys of Gypsies and Travellers</p>

- 3.6 In addition, the Council publishes an Authority Monitoring Report each year. This contains a section setting out details of the evidence base studies that the council has started/commissioned, and those completed each year. All evidence base studies are published separately on the Council's website. It should be noted that the evidence base studies are only the start of rigorous consultation relating to planning policy documents. The evidence base studies feed into a comprehensive system of engagement, as set out in this Statement, using the Councils extensive consultation data base.
- 3.7 Within systems for consultation it is acknowledged that there is a need to balance community and stakeholder engagement with consultation fatigue.
- 3.8 It is therefore the Council's policy that evidence base documents will continue to be developed with engagement from a range of stakeholders with local knowledge, views, and expertise, as illustrated in table 1 above. The main exception to this would be where the evidence base work relates to purely factual or statistical information, for example census data.
- 3.9 The Council's Local Development Scheme sets out the Council's

timetable for developing new local plan documents. Before a new Local Development Scheme takes effect the Council will issue a press release, setting out details of the draft scheme, and publish the draft Scheme on the Council's website. The draft document will be available for a period of 14 days to comment on. Any comments received will be considered, and any amendments considered appropriate will be made before bringing the Scheme into effect.

- 3.10 The Council can revise a local development document<sup>10</sup> at any time, if circumstances change, or significant new evidence emerges, and the document becomes out of date. The Secretary of State can also direct the Council to revise a document. Where a document is being revised, the Council will use the stages of community involvement set out in sections 5 and 6 as a basis for community engagement, commensurate with the extent of the review
- 3.11 In some areas, (for example Greater Nottingham), local authorities produce joint local development documents. The Council has resolved not to produce any joint documents of this type at this time. However, if this was to change, the Council would work with its joint partners to develop a common approach to public engagement. The Council would not expect the joint measures to be less than those set out in sections 5 and 6 below.

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<sup>10</sup> See paragraph 4.2 below for the definition of a 'development plan document'

## 4. PLAN MAKING

### What are the different types of plans that can be prepared?

- 4.1 This section sets out the different types of plans that the Council can prepare. Planning policy documents are a suite of documents, which when put together, set out Council's policies relating to the development and use of land in the district. These are referred to in government legislation as 'local development documents'.<sup>11</sup>
- 4.2 Some of the 'local development documents' are also 'development plan documents'. That is they form part of the 'development plan' for the area. The 'development plan' is usually more than one document. Within Bolsover district, the 'development plan' is usually made up of a Local Plan, prepared by Bolsover District Council, and Waste and Minerals Plans prepared by Derbyshire County Council. Any Neighbourhood Plans would also form part of the development plan once adopted. The distinction between 'local development documents' and 'development plan documents' is an important one. First, because of the legislative requirement that applications for planning permission should usually be made in accordance with the development plan<sup>12</sup>. Secondly, because the local development documents which are not development plan documents are approved by the Council rather than being the subject of an examination in public by an independent inspector, the process and stages of consultation differ from the development plan documents.
- 4.3 To summarise, development plan documents such as a local plan set out the overarching vision and strategic priorities for an area. They set out policies about what types of development will be allowed and where new development will take place. These documents have to be prepared with involvement from the community. They must be examined by an independent inspector and found sound<sup>13</sup> before they can be adopted by full council. Once adopted they form part of the development plan for the district.
- 4.4 Local development documents, or supplementary planning documents add further detail to the policies in Local Plans. They generally fall into two main types: area based, which include masterplans and development briefs which deal with a specific area of land; and, topic based, which provide additional information on a specific local issue, such as a design guide. They are not

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<sup>11</sup> Under Section 17 of the Planning and Compulsory Act 2004

<sup>12</sup> Presumption set out in Section 38 of the Planning and Compulsory Purchase Act 2004.

<sup>13</sup> See Glossary for definition of 'sound'.

subject to examination by an independent inspector. They are adopted following agreement by the full Council. They do not form part of the development plan for the district

### **What type of Local Plan is the Council going to produce?**

- 4.5 The Council is producing a single Local Plan to cover the whole district. This is in line with the latest Government advice<sup>14</sup>. The single Local Plan will set out: the overarching principles for development; site allocations to guide new development; designations showing areas where particular opportunities or considerations apply (such as protected habitats); and, development management policies. It is following the steps set out at section 5 below in relation public engagement.

### **What Supplementary Planning Documents (SPD) is the Council going to produce?**

- 4.6 The Council has already produced some Supplementary Planning Documents, and these are available to view on the Council's website. The Council's latest Supplementary Planning Document was 'Successful Places: A Guide to Sustainable Housing Layout and Design'. This was produced jointly with Bolsover, Bassetlaw, Chesterfield, and North East Derbyshire Council's and was adopted in October 2013.

### **What is a Sustainability Appraisal (SA)/Strategic Environmental Assessment (SEA)?**

- 4.7 This is a process that runs alongside, and helps to inform Local Plans. The purpose of a Sustainability Appraisal is to assess the sustainability of the Plan. Sustainability is defined as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs"<sup>15</sup>. The Strategic Environmental Assessment examines the plan's recommendations in relation to environmental aims, identifying the likely effects and if necessary undertaking adjustments to reduce the likely significant effects of the plan on the environment.
- 4.8 An SEA/SA scoping report is produced when work starts on the preparation of a Local Plan. We consult a number of statutory bodies for their views on what our Sustainability Appraisal should contain. A Sustainability Appraisal is being undertaken for each key stage of the Local Plan and is available for

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<sup>14</sup> ID 12-012140306 of National Planning Practice Guidance Issued March 2014

<sup>15</sup> (Definition drawn up by the World Commission on Environment and Development in 1987).

comment usually at the same time as the draft stages of the Local Plan.

- 4.9 A Strategic Environmental Assessment is required under European Directive 2001/42/EC for plans and policies. It is usually undertaken in conjunction with the Sustainability Appraisal.
- 4.10 A Sustainability Appraisal is not required for Supplementary Planning Documents.

## 5. DETAILS OF COMMUNITY ENGAGEMENT ON LOCAL PLANS

- 5.1 Council's have a duty to co-operate with each other, in particular in relation to issues which cross administrative boundaries for example housing market areas: or where proposals in one area could have an impact on another, for example by increasing the likelihood of flooding. In addition, where appropriate, council's can produce joint plans, although none are planned for Bolsover district at the present time.

### **What is the process for making Local Plans?**

- 5.2 The steps set out in the table below show both the process of how plans are developed and the opportunities for engagement.

### **How will the results of community involvement be fed into the preparation of plans?**

- 5.3 At every stage of the process of plan preparation where participation takes place, the results feed into the next stage of preparation.

**Table 2 Opportunities to Participate in Relation to the Development of Local Plans**

<b>STAGES OF PLAN DEVELOPMENT AND COMMUNITY INVOLVEMENT IN RESPECT OF LOCAL PLANS</b>
<b>Stage 1 – Early Community Engagement and Evidence Gathering</b>
<b>We will:</b> <ul style="list-style-type: none"><li>• Issue a press release to appropriate local newspapers<sup>16</sup>, and place an article on the council's website on the subject of the plan.</li><li>• Contact people on the Local Plan consultation database<sup>17</sup> either by letter or e-mail seeking views on the new plan, and what topics/issues you think the plan should address.</li><li>• Make copies of any documents, including key background papers available for you to view on the website, and at contact centres and libraries in the district.</li></ul>

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<sup>16</sup> See section 9 below for details of 'appropriate local newspapers'

<sup>17</sup> This will include Specific Consultation Bodies; General Consultation Bodies; other stakeholders; and the Local Strategic Partnership – see section 9 below for further details.



- Hold open participation meetings/exhibitions to meet planners and discuss issues (the number and locations will depend on the subject of the plan).

**You can:**

- Contact us to discuss any issues before responding.
- Let us know your views.

Ask to be added to our Local Plan consultation database to be notified of future consultation by contacting the planning policy team.

**Stage 2 – Building on Engagement**

**We will:**

- Record all representations made. Consider them carefully, and take them into account in the further preparation of the Local Plan
- Publish summaries of the representations and responses on the Council's website.

**You can:**

- See the Council's response to representations.
- See what other representations have been made, and the Council's initial response(s).

**Stage 3 – Preparation of Local Plan Documents**

**We will:**

- Prepare the next version of the plan, including: a submission policies map if a new one is needed; a Sustainability Appraisal; and a statement setting out full details of consultation undertaken so far, and the Council's response(s).

There is no formal consultation at this stage. The details above have been set out to show the process of plan development.

**Stage 4 - Publication**

**We will:**

- Publish the plan, in what we think should be the final version, together with any associated documents, for example the Sustainability Appraisal and policies map, together with details of the consultation undertaken so far and the Council's responses to the key points made to date.
- Write to or e-mail the people on the Local Plan consultation

database and let them know where they can see a copy of the document(s).

- Hold a formal public consultation of not less than 6 weeks.
- Issue a press release setting out details of when and where the plan and associated documents can be viewed.
- Publish details of when and where the plan and associated documents can be viewed on the Council's website.
- Make copies of the plan and associated documents available to look at and comment on: on the Council's website; at the main council offices; customer contact centres; and at local libraries.
- Prepare a form for replies so that people can respond easily, and we can contact them if required.
- Listen to what people have to say.

**You can:**

- Contact us to discuss any issues before responding.
- Let us know your views in writing or by electronic communication
- Let us know if you would like to be notified of:
  1. When the plan is submitted for examination.
  2. When the recommendations of the inspector are published.
  3. When the plan is adopted.

**Stage 5 – Consideration of the points made in representations**

**We will**

- Consider the points made by everyone who responded to the consultation.
- Prepare the Council's response to the key points made in representations.
- Prepare a Statement of Consultation giving a summary of the main issues raised by the representations.
- Make any amendments to the draft plan.
- Exceptionally, if the representations raise significant major issues, the Council may withdraw the plan and return to Stage 3.

There is no formal consultation at this stage. The details above have been set out to show the process of plan development.

## **Stage 6 – Submission to the Secretary of State**

### **We will**

- Send the plan, together with any associated documents, for example the Sustainability Appraisal and Policies Map, to the Secretary of State.
- Also send a statement of: who has been consulted; how they were consulted; the main points made; and how representations made have been taken into account; and how the requirements of this Statement of Community Involvement have been met.
- Make copies of the above information available on the Council's website, the main Council offices, at contact centres and libraries in the district.
- Write to or e-mail the people on the Local Plan consultation database and let them know that the documents have been submitted, and where they can access copies of them.
- Inform people who asked to be notified of the submission of the plan to the Secretary of State that the Plan has been submitted.

## **Stage 7 – Independent Examination and Public Hearing**

An Inspector appointed by the Government will carry out an independent examination into the soundness<sup>18</sup> of the plan. Before this takes place

### **We will:**

- Publish on the Council's website, and make available at the Council's main offices; customer contact centres; and libraries; details of the date, time, and place of the Hearing, together with the name of the Inspector.
- Notify anyone who made representations under Stage 4 and has not withdrawn them of details of the examination.

### **You can:**

- If you made written comments about the plan at stage 4, you can appear at the Hearing to speak in support of or against issues in the plan.

## **Stage 8 – Following the Hearing**

Once the Hearing has taken place, the Inspector will prepare a report setting out his views on the plan, and recommendations.

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<sup>18</sup> For a definition of soundness in this context, please see section the Glossary

<p><b>We will:</b></p> <ul style="list-style-type: none"> <li>• Publish the Inspector's recommendations on the Council's website and make copies available at the Council's main offices; customer contact centres; and libraries.</li> <li>• Notify anyone who asked at stage 4 of the publication of the recommendations.</li> </ul> <p><b>You can:</b></p> <ul style="list-style-type: none"> <li>• View the Inspector's recommendations.</li> </ul>
<p><b>Stage 9 - Adoption</b></p> <p>The Council will consider the Inspector's recommendations and make any appropriate changes.</p> <p><b>We will:</b></p> <ul style="list-style-type: none"> <li>• The Council will then adopt the plan.</li> <li>• Publish the adopted plan and associated documents on the Council's website and make copies available at the Council's main offices; customer contact centres; and libraries.</li> <li>• Notify anyone who asked at stage 4 that the plan has been adopted.</li> </ul> <p><b>You can:</b></p> <ul style="list-style-type: none"> <li>• View the adopted plan and associated documents.</li> </ul>
<p><b>Stage 10 - Review</b></p> <p><b>We will:</b></p> <ul style="list-style-type: none"> <li>• Set targets and monitor the performance of the plan to ensure it is effective, and meeting its objectives.</li> </ul> <p><b>You can:</b></p> <ul style="list-style-type: none"> <li>• View the monitoring reports to see what the plan is achieving for your community, and how the policies are performing.</li> </ul>

- 5.4 The table above sets out the minimum public engagement. In some instances, for example where there is a particularly high level of public interest, or there have been significant changes to a draft plan during its development, further consultation may be carried out. The main methods of consultation and their appropriateness for different purposes are set out at section 13 below.

## 6 CONSULTATION ON SUPPLEMENTARY PLANNING DOCUMENTS

### What is the process for making a Supplementary Planning Document?

- 6.1 Paragraph 153 of the National Planning Policy Framework explains that Supplementary Planning Documents should only be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development.
- 6.2 Like the Local Plans above, topics covered by a Supplementary Planning Document can cross administrative boundaries, and be prepared jointly.

**Table 3 Opportunities to Participate in Relation to the Development of Supplementary Planning Documents**

<b>STAGES OF DOCUMENT DEVELOPMENT AND COMMUNITY INVOLVEMENT IN SUPPLEMENTARY PLANNING DOCUMENTS</b>
<b>Stage 1 – Early Community Engagement and Evidence Gathering</b>
<p><b>We will:</b></p> <ul style="list-style-type: none"><li>• Issue a press release to the Local Press<sup>19</sup>, and place an article on the council's website on the subject of the SPD.</li><li>• Collect information, including recent studies to create an up to date evidence base on the topic.</li><li>• Collate information from people/groups/organisations on the subject of the SPD. This will involve using the most appropriate methods of community involvement set out in section 11 below proportionate to the geographic area and topic of the SPD as appropriate.</li></ul> <p><b>You can:</b></p> <ul style="list-style-type: none"><li>• Let us know your views.</li></ul> <p>Ask to be notified of future consultations on this topic by contacting the planning policy team.</p>
<b>Stage 2 – Preparation of a draft Supplementary Planning Document</b>
<p><b>We will:</b></p> <ul style="list-style-type: none"><li>• Prepare a draft version of the SPD using the information collected at stage 1, and a statement setting out who we have consulted, the main issues they raised, and how these issues have been addressed</li></ul>

<sup>19</sup> See section 9 below for details of 'appropriate local newspapers'

in the SPD.

There is no formal consultation at this stage. The details above have been set out to show the process of how documents are prepared.

### **Stage 3 – Consultation on the draft Supplementary Planning Document**

**We will:**

- Hold a formal public consultation of a minimum of 4 weeks.
- Make the draft SPD and associated documents available to view and comment on via the Council's website, and at the Council's main office; customer contact centres; and, libraries.
- Write to or e-mail people with an interest in the topic(s) in the SPD.
- Listen to the comments you make.

**You can:**

- Write or e-mail, and let us know your views.

### **Stage 4 – Consideration of the points made in representations**

**We will:**

- Consider the points made by everyone who responded to the consultation.
- Make any appropriate amendments to the draft document.

There is no formal consultation at this stage. The details above have been set out to show the process of how documents are prepared.

### **Stage 5 - Adoption**

**We will:**

- Adopt the Supplementary Planning Document.
- Make the adopted Supplementary Planning Document and associated documents available to view on the Council's website, at the main council offices; customer contact centres; and, libraries.
- Notify anyone who asked to be notified of the adoption of the Supplementary Planning Document.

## **7. ADDITIONAL INFORMATION IN RELATION TO CONSULTATION IN RESPECT OF PLANNING POLICY DOCUMENTS**

### **Who else will the Council work with in developing its planning policies?**

7.1 The Council is committed to involving as many local people and stakeholders as possible in the planning process. In addition to this some of the people that the council are required to consult are set by the government, in Part 1 of the Town and Country Planning (Local Planning) (England) Regulations 2012-2016. The Regulations can be viewed at [www.communities.gov.uk](http://www.communities.gov.uk). The Regulations require that the following bodies (referred to in the Regulations as “specific consultation bodies”) must be consulted:

- Any relevant authority any part of whose area is in or adjoins the local planning authority’s area\*\*
- The Coal Authority,
- Electricity Companies
- The Environment Agency
- Gas Companies
- The Highways Agency,
- The Historic Buildings and Monuments Commission for England (known as English Heritage),
- The Homes and Communities Agency
- The Marine Management Organisation,
- Natural England,
- Network Rail Infrastructure Limited
- The Primary Care Trust
- Sewerage Companies
- Telecommunications Companies
- Water Companies; and
- A neighbourhood forum, any part of whose area is in or adjoins Bolsover district.

\*\* Relevant authorities include:

- Amber Valley Borough Council;
- Ashfield District Council;
- Bassetlaw District Council;
- Chesterfield Borough Council
- Derbyshire County Council;
- Mansfield District Council;
- North East Derbyshire District Council;

- Nottinghamshire County Council;
- Rotherham Metropolitan Borough Council;
- Any Parish Council whose area is in or adjoins Bolsover district
- The local policing body

7.2 Although not a Specific Consultation Body, government departments or agencies are also often consulted as appropriate.

**Are there any other key groups the Council will consult?**

7.3 Under Regulations, the government says that the council should consult with 'general consultation bodies'. These are groups whose activities benefit part of the district or represent the following groups within the district: voluntary bodies; bodies representing the interests of different racial, ethnic or national groups; bodies which represent the interests of different religious groups; bodies representing the interests of disabled people; and, bodies representing the interests of people carrying on business.

7.4 The third group of consultees covers a wide range of national and local interest groups/bodies. All these groups can evolve and change rapidly and as such it is not practical to list key groups by name. The council's current Local Plan consultation database includes the following groups:

- National and local heritage groups;
- National and local landscape groups;
- National and local sports groups;
- National local housing and house building groups;
- Countryside groups;
- Wildlife groups;
- Local Members of Parliament and Members of the European Parliament;
- Local cycling and rambling groups;
- Local riding groups;
- Civic Societies;
- Local secondary schools and colleges;
- Disability groups;
- Local Chambers of Trade, Business Forums and Traders Groups;
- National and local archaeological groups;
- Local transport groups;
- Local history groups;



- Faith and Church groups;
- Groups for elderly people;
- Voluntary Action Groups;
- Community Associations;
- Youth Groups; and
- Landowners/developers groups.

7.5 The main source of information used to identify and write to people about plans and documents being produced is the Local Plan consultation database. This includes individuals, and groups not in any of the above categories who have asked to be informed of progress on planning policy plans and documents.

7.6 You can check whether you or your group is on the database by e-mailing [planning.policy@Bolsover.gov.uk](mailto:planning.policy@Bolsover.gov.uk) or by telephoning us on 01246 242203. You can add your group to the database either by writing to the main council offices e-mailing us at the address above.

### **What are the ‘appropriate local newspapers’?**

7.7 The three local papers that operate in this district, relate mainly to the following areas:

Derbyshire Times	Mansfield CHAD	Worksop Guardian
Ault Hucknall; Barlborough; Clowne; Glapwell; Old Bolsover; Scarcliffe, Blackwell; South Normanton; Tibshelf; Pinxton.	Shirebrook; Pleasley; Scarcliffe (includes Whaley Thorns, Upper Langwith, and Stony Houghton areas)	Elmton with Creswell; Whitwell

## 8. NEIGHBOURHOOD PLANNING

### What is Neighbourhood Planning?

- 8.1 Neighbourhood planning seeks to provide local communities with three tools they can use to shape the growth in their local area. They are made by 'qualifying bodies' (in Bolsover this is likely to be Parish or Town Councils) who can prepare their own neighbourhood planning initiatives. Summaries of each type of neighbourhood planning initiative are set out below:

- *Neighbourhood Plans.*

- 8.2 This is usually carried out at a parish level (although parishes can collaborate on a neighbourhood plan to cover more than one area), and prepared by a parish or town council. It sets out the type and location of development within the neighbourhood area, and policies to achieve these. A Neighbourhood Plan has to be generally in line with national and local policies, and local plans. The Plan is subject to examination by an independent inspector, and a local referendum before it can be adopted. The neighbourhood plan is adopted if 50% of local residents voting vote in favour of the proposed Plan. Once adopted, it forms part of the development plan for the district, sitting alongside the Council's Local Plan.

*Neighbourhood Development Orders (NDO).*

- 8.3 These orders grant planning permission for development. They are usually prepared by a parish or town council. They can grant permission on a specific site for development, or for a particular type of development (for example retail or housing). Neighbourhood Development Orders have similar requirements to neighbourhood plans in terms of process, including the need to comply with national and local plans, and policies, and the need for a local referendum.

*Community Right to Build Orders (CRtBO)*

- 8.4 This order allows town and parish councils, and certain community organisations to bring forward small scale sites for development without the need for further planning permission. Any benefit from this type of development can stay within the community to be used for community benefit, for example to maintain affordable housing stock or to provide and maintain local facilities such as playgrounds and village halls. The orders have similar requirements to other neighbouring planning tools in terms of process, including the need for a local referendum.

- 8.5 Local Authorities are expected to take a proactive and positive approach to the preparation of Neighbourhood Plans and Orders. This includes working collaboratively with town and parish council's, and in particular sharing evidence to help ensure that a draft Plan or Order has the greatest chance of success at independent examination.
- 8.6 As neighbourhood planning initiatives are developed and consulted on by local bodies, rather than by the Council, this Statement of Community Involvement does not include details of consultation on these documents by the qualifying body.<sup>20</sup> However, to aid local groups wishing to develop neighbourhood planning initiatives, the Council has developed a planning protocol. This is intended to:
- Provide a general overview and advice to parish and town council's on the neighbourhood planning process;
  - Ensure there is clarity and transparency for local communities in terms of Council support;
  - Provide a coordinated approach within the Council in relation to neighbourhood planning.
- 8.7 A copy of the protocol, which contains more background information in relation to the development of neighbourhood planning initiatives, is available on the Council's website. The Council strongly advises that groups considering making a neighbourhood Plan or Order read the protocol, and contact the planning policy team early in the process to help ensure the smooth running of the project.
- 8.8 In addition to the protocol, the advice and assistance the Council will provide to qualifying bodies that wish to develop neighbourhood planning initiatives is set out below:

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<sup>20</sup> Further details on the formal requirements for consultation on neighbourhood planning documents are set out in the Neighbourhood Planning Regulations

- **Table 4 - the steps the Council will take to advise and assist in relation to the development of Neighbourhood Plans**

<b>DESIGNATING A NEIGHBOURHOOD AREA</b>	
<b>Stage B1: Initial Scoping Meeting (Planning Policy Team)</b>	
<p><b>We Will:</b></p> <p>Offer to hold one two-hour meeting with the Parish or Town Council to:</p> <ul style="list-style-type: none"> <li>• Discuss whether a Neighbourhood Development Plan; Neighbourhood Development Order; or Community Right to Build Order is the most appropriate route for the community to achieve its aspirations;</li> <li>• Discuss alternative ways of getting involved in the development process.</li> </ul>	
<b>Stage B2a: Application for designation of a neighbourhood area by a town or parish Council where the proposed designation covers the whole of a parish (Planning Policy and Legal Teams)</b>	
<p><b>We will:</b></p> <ul style="list-style-type: none"> <li>• Consider whether the application meets the statutory requirements;</li> <li>• Advise of any additional information needed to meet the statutory requirements;</li> <li>• When the application meets the statutory requirements, designate the area as a neighbourhood area.</li> </ul> <p><i>Note - the next stage in this process is Stage B5 below</i></p>	
<b>Stage B2b: Application by a relevant body for designation of a neighbourhood area where the proposed neighbourhood area does not cover the parish (Planning Policy and Legal Teams)</b>	
<p><b>We will:</b></p> <ul style="list-style-type: none"> <li>• Consider whether the application meets the statutory requirements;</li> <li>• Where the statutory requirements are met, notify the application body within one week of receipt of the application;</li> <li>• Where the statutory requirements are not met, notify the application body and advise of any additional information needed to meet the statutory requirements within three weeks.</li> </ul>	
<b>Stage B3: Publicising an area application (Governance Team)</b>	
<p><b><u>We will:</u></b></p> <ul style="list-style-type: none"> <li>• Publicise the application so that people can make representations</li> </ul>	

<p>within two weeks of receiving an application;</p> <ul style="list-style-type: none"> <li>Publicise how representations can be made.</li> </ul> <p><i>Note – the period for making representations must be at least four weeks (unless application relates to more than one Parish / Town area, then the period for representations must be at least six weeks).</i></p>
<p><b>Stage B4: Determining an area application (Legal Team)</b></p> <p><b>We will:</b></p>
<ul style="list-style-type: none"> <li>(Where the application falls within the areas of two or more local authorities), determine the application within 20 weeks from the date the application is first publicised (stage B3 above)</li> <li>In all other cases determine the application within 13 weeks</li> </ul>
<p><b>Stage B5: Publicising the designation or refusal of a neighbourhood area (Governance Team)</b></p> <p><b>We will:</b></p> <ul style="list-style-type: none"> <li>Publicise the within one week of determining the application;</li> <li>Inform anyone who requested notification of the designation.</li> </ul>
<p style="text-align: center;"><b>PREPARING A NEIGHBOURHOOD PLAN</b></p>
<p><b>Stage B6: Initial Meeting (Planning Policy Team)</b></p>
<p><b>We will:</b></p> <ul style="list-style-type: none"> <li>Provide an initial two hour meeting with the Town or Parish Council to discuss; community ambitions and aspirations;</li> <li>Seek to agree a timetable for the preparation of the Neighbourhood Plan;</li> <li>Provide advice and assistance on; <ul style="list-style-type: none"> <li>Published information and data sets the planning department has;</li> <li>The published evidence used by the District Council in preparing its new Local Plan;</li> <li>Advice on consultation methods and questionnaire format; and</li> <li>Discussion on possible need for Sustainability Appraisal / Environmental Assessment and Habitat Regulations Assessment;</li> </ul> </li> <li>Provide an additional seven hours of further general support if requested</li> </ul>

<b>Stage B7: Once drafted, before the proposed Plan is submitted to the Council (Planning Policy Team and Legal Team) (if requested)</b>
<p><b>We will:</b></p> <ul style="list-style-type: none"> <li>• Provide a two hour meeting to discuss and comment on the draft Plan</li> <li>• Provide an additional four hours of support if requested;</li> </ul>
<b>Stage B8: Consulting on the proposed Plan (Planning Policy Team)</b>
<p><b>We will:</b></p> <ul style="list-style-type: none"> <li>• Publicise the receipt of the proposed Neighbourhood Plan; and</li> <li>• Publicise how interested parties can make representations on the proposed Neighbourhood Plan.</li> </ul> <p><i>Note - the period for making representations must be at least six weeks</i></p>
<b>Stage B9: Submission of the plan proposal to examination (Planning Policy Team)</b>
<p><b>We will:</b></p> <p>Within six weeks of the close of consultation:</p> <ul style="list-style-type: none"> <li>• appoint a person to examine the Neighbourhood Plan.</li> <li>• send the Neighbourhood Plan and its supporting documentation including copies of representations received to the examiner</li> <li>• make the necessary arrangements for the examiner to examine the Neighbourhood Plan, including arranging for a Hearing where required.</li> </ul> <p><i>Note - if an appropriate examiner is not available an alternative timescale will be agreed between the Council and parish or town council</i></p>
<b>Stage B10: Examiners Report (Planning Policy Team)</b>
<p><b>(if requested) We will:</b></p> <ul style="list-style-type: none"> <li>• Provide a third meeting with the town or Parish Council to discuss the findings of the inspector's report and the Council's initial response;</li> <li>• Provide an additional four hours of general support if required.</li> </ul>
<b>Stage B11: Publication of the examiner's report and plan proposal decisions (Planning Policy Team)</b>
<b>We will:</b>

<ul style="list-style-type: none"> <li>• Within five weeks of receiving the examiner's report, prepare and publish a decision statement, setting out the Council's decision(s) on the recommendations made by the examiner and the reasons for the decision(s). Decisions may include: <ol style="list-style-type: none"> <li>1. to decline to consider a Plan proposal;</li> <li>2. to refuse a Plan proposal;</li> <li>3. what actions to take in response to the recommendations in the examiner's report;</li> <li>4. modifications are needed to the draft plan (if any);</li> <li>5. whether to extend the referendum area;</li> <li>6. that the Council is not satisfied with the proposal;</li> </ol> </li> <li>• Publish a Decision Statement.</li> </ul>
<b>Stage B12: Referendums (Elections Team)</b> <b>We will:</b>
<ul style="list-style-type: none"> <li>• Organise and hold a referendum on the Neighbourhood Plan within 56 working days of the publication of the decision to hold a referendum</li> </ul>
<p><i>(Where more than 50% of those voting in the Neighbourhood Plan referendum vote in favour of the Plan)</i></p> <b>Stage B13: Date for making a neighbourhood development plan (Planning Policy and Legal Teams)</b>
<b>We will:</b> <ul style="list-style-type: none"> <li>• Adopt the Neighbourhood Development Plan within 8 weeks of the date of the referendum</li> </ul>
<b>Stage B14: Publicising Decision (Planning Policy and Governance)</b>
<b>We will:</b> <ul style="list-style-type: none"> <li>• Publicise the decision on the Plan.</li> </ul>
<b>Stage B15: Publication of a new Neighbourhood Development Plan (Planning Policy and Governance)</b>
<b>We will:</b> <ul style="list-style-type: none"> <li>• Publish the adopted Neighbourhood Plan.</li> </ul>

- **Table 5 - the steps the Council will take to advise and assist in relation to the development of Neighbourhood Development Orders and Community Right to Build Orders**

<b>NEIGHBOURHOOD DEVELOPMENT ORDERS AND COMMUNITY RIGHT TO BUILD ORDERS</b>	
<b>Stage C1: Initial Meeting (Planning Policy Team)</b>	
<p><b>We will:</b></p> <ul style="list-style-type: none"> <li>• Provide an initial two hour meeting with the Town or Parish Council to discuss community ambitions and aspirations</li> <li>• Seek to agree a timetable for the preparation of the Order;</li> <li>• Provide advice and assistance on; <ul style="list-style-type: none"> <li>○ Published information and data sets the planning department has;</li> <li>○ The published evidence used by the District Council in preparing its new Local Plan;</li> <li>○ Advice on consultation methods and questionnaire format; and</li> <li>○ possible requirements for Sustainability Appraisal / Environmental Assessment and Conservation of Habitat and Species Regulations;</li> </ul> </li> <li>• Discuss possible requirements in respect of the historic environment, including: any listed buildings; ancient monuments; and conservation areas</li> <li>• Provide four hours of further general support if requested</li> </ul>	
<b>Stage C2: Once drafted, before the proposed Order is submitted to the Council (Planning Policy Team and Legal Team)</b>	
<p><b>(if requested) We will:</b></p> <ul style="list-style-type: none"> <li>• Provide a meeting to discuss and comment on the draft Order:</li> <li>• Provide an additional four hours of support if requested;</li> </ul>	
<b>Stage C3: Consulting on the proposed Order (Planning Policy Team)</b>	
<p><b>We will:</b></p> <ul style="list-style-type: none"> <li>• Publicise the receipt of the proposed Order; and</li> <li>• Publicise how interested parties can make representations on the proposed Order</li> </ul> <p><i>Note - the period for making representations must be at least six weeks</i></p>	
<b>Stage C4: Submission of the Order proposal to examination (Planning Policy Team)</b>	
<p><b>We will:</b></p> <ul style="list-style-type: none"> <li>• Within six weeks of the close of consultation appoint a person to examine the proposed Order.</li> <li>• Within six weeks of the close of consultation send the Order and its supporting documentation including copies of representations</li> </ul>	



<p>received to the examiner</p> <ul style="list-style-type: none"> <li>• Within six weeks of the close of consultation make the necessary arrangements for the examiner to examine the Order, including a Hearing where required.</li> </ul> <p><i>Note - if an appropriate examiner is not available an alternative timescale will be agreed between the Council and the District and parish or town council</i></p>
<b>Stage C5: Examiners Report (Planning Policy Team)</b>
<p><b>(If requested) we will:</b></p> <ul style="list-style-type: none"> <li>• Provide a third meeting with the town or Parish Council to discuss the findings of the inspector's report and the Council's initial response;</li> <li>• Provide an additional four hours of general support if required.</li> </ul>
<b>Stage C6: Publication of the examiner's report and plan proposal decisions (Planning Policy Team)</b>
<p><b>We will</b></p> <ul style="list-style-type: none"> <li>• Within five weeks of the receipt of the examiner's report, prepare and publish a decision statement, setting out the Council's decision(s) on the recommendations made by the examiner and the reasons for the decision(s). Decisions may include: <ol style="list-style-type: none"> <li>1. to decline to consider an Order proposal;</li> <li>2. to refuse an Order proposal;</li> <li>3. what action to take in response to the examiner's report, such as send the plan to referendum;</li> <li>4. modifications are needed to the draft order (if any);</li> <li>5. whether to extend the referendum area;</li> <li>6. that the Council is not satisfied with the Order.</li> </ol> </li> <li>• Publish a Decision Statement.</li> </ul>
<b>Stage C7: Referendums (Elections Team)</b>
<p><b>We will:</b></p> <p>Organise and hold a referendum on the proposed Order within 56 working days of the publication of the decision to hold a referendum</p>
<b>Stage C8: Date for making an Order (Planning Policy and Legal Teams)</b> <i>(Where more than 50% of those voting in the Neighbourhood Plan referendum vote in favour of the Plan)</i>
<p><b>We will:</b></p> <p>Make the Order within 8 weeks of the date of the referendum</p>
<b>Stage C9: Publicising Decision (Planning Policy and Governance)</b>
<p><b>We will:</b></p> <p>Publicise the decision on the Order.</p>
<b>Stage C10: Publication of a new Order (Planning Policy and</b>

<b>Governance)</b>
<b>We will:</b>  Publish the new Order. Carry out any additional necessary notification.

**Table 6 The steps the Council will take to advise and assist on the modification of Neighbourhood Plans or Orders**

<b>MODIFICATIONS TO NEIGHBOURHOOD PLANNING INITIATIVES</b>
<b>Stage D1: Initial Meeting (Planning Policy Team)</b>
<b>We will:</b>  Provide an initial two hour meeting with the relevant body(s) to discuss the reasons for seeking the proposed modification; Seek to agree the modification: Discuss the process and timetable for the modification;
<b>Stage D2: Publicity</b>
<b>We will:</b>  Publicise the changes Carry out any additional notification.

## **9. PARTICIPATION IN RELATION TO PLANNING APPLICATIONS**

- 9.1. This section sets out the Council's policy for public consultation in respect of planning applications. It includes the Council's measures to encourage increased participation in respect of significant proposals. It also outlines how comments can be made including the opportunity to speak at a planning committee.
- 9.2. It should be noted that not all development requires the making of a formal planning application. If you are uncertain whether planning permission is required or if you want to find out whether someone else needs planning permission for work they are doing, you can contact the development control service who will be able to help. As the works that require planning permission do change over time following changes by the government it is always recommended that people check before starting building work to avoid costs and delays.

### **Is there any way of becoming involved before an application is made?**

- 9.3. The best time to become involved in the planning process is at the plan preparation stage where there is a greater opportunity to shape major or significant proposals. We have also extended community involvement to early in the development control process when significant proposals are being prepared to be submitted as planning applications. We are doing this by encouraging developers to carry out pre-application consultation when they are making an application for a significant proposal.

### **What does Bolsover District Council mean by a 'significant proposal'?**

- 9.4. For the purposes of this statement a significant proposal is defined as:
- i. Industrial, office, retail, and community development in excess of
  - ii. 2500sq m;
  - iii. Warehouse development in excess of 5,000 sq m;
  - iv. Applications requiring the submission of an Environmental Impact
  - v. Assessment;
  - vi. All housing of more than 100 houses; and
  - vii. All major applications which are also departures to the development plan (Major applications are defined below).

### **What is a 'major' planning application?**

9.5. Under the planning regulations major development is defined as being of a major scale if it proposes:

- i. The creation 10 or more dwellings or having a site area over 0.5 hectares (ha) for residential development; and
- ii. The development of over 1000sq m of floor space or a site of over 1 hectare for non – residential development.

**What public participation are developers encouraged to undertake on significant proposals?**

9.6. Developers are asked to:

- i. Submit a consultation programme at pre-application discussions with the council. The programme will show who will be consulted, and how they will be consulted, together with full details of the meetings/events proposed;
- ii. Notify neighbours of the site of the proposal;
- iii. Carry out the agreed consultation programme prior to submitting the planning application;
- iv. Submit a Public Consultation Statement at the same time as the planning application. The statement will set out the results of the agreed consultation;
- v. Notify all of those engaged in the pre-submission process of the submission of the application;
- vi. Certify that they have notified people; and
- vii. Advise people involved in pre-submission process of any significant changes made between proposals put forward at the pre-application stage and the submitted application.

**Who does the Council have to notify about planning applications, and how do they do so?**

9.7. The minimum levels for consultation that the council has to meet are set out in Section 18 of the Planning and Compulsory Purchase Act 2004, and Articles 16, 17, and 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The council exceeds these requirements and carries out the following notification on all applications by:

- i. Advertising all applications, for 21 days by a site notice posted on or close to an application site. (A copy a typical notice is attached at Appendix 2). The council has a system for checking the notices and replacing any that are taken down during the 21 day period;

- ii. Notifying neighbouring occupiers of all applications. Notification is sent to all immediately adjoining premises to the application site which can be readily identified. This notification is by standard letter, sent by second class post;
  - iii. Making plans available to view at home on request for infirm or disabled neighbours;
  - iv. Advertising applications as required under the relevant legislation (for example Listed Buildings Applications, and Conservation Consent) in the appropriate local newspaper (see section 9 below for a list of local papers);
  - v. Notifying Parish Councils of any applications in their area, and those in adjoining areas where it is considered likely that the proposal could affect the parish in question, and;
  - vi. Sending a copy of the weekly list to all councillors, and putting a copy on the council's website.
- 9.8. In addition to involving the public the council also consults 'statutory consultees'. These are usually bodies with an interest in the development (for example the County Highway Authority if new roads are proposed), or a specialist group (for example a wildlife or heritage group). The comments of these groups are also taken into account when assessing an application.

### **How else can I find out if a planning application has been made if I am not a neighbour?**

- 9.9. Every week the council publishes a list of valid applications received. The list gives details of the application site, the name of the applicant(s), what is proposed, the name of the planning officer dealing with the application, and an indication of whether the application will be determined by a meeting of the planning committee, council or planning officer. The list is available in print (a charge is made for this service) and is available each week on request. Print copies of the list are sent to all of the customer contact centres. The planning applications themselves are available to view at the council's main offices. The list is also available on the council's website.

### **How can I make my comments?**

- 9.10. Any comments on a planning application must be made in writing, and can be sent to council by letter, or e-mail. Comments must be made within 21 days of the date on the site notice or neighbour notification letter. All letters received are available for public inspection, and copies may be supplied (subject to a copying charge).

### **What happens if someone changes their plans after they make an application, but before the council makes a decision?**

9.11. Where changes are made, the council will consider the extent of the proposed changes, and whether people are likely to be affected by them. Where we consider people are likely to be significantly affected by the proposed change, we will re-advertise, and send out new neighbour notification notices giving people 14 days to make further comments, as considered appropriate.

### **What happens to any comments I make?**

9.12. All comments made about planning applications are acknowledged, considered, and taken into account when the application is determined.

9.13. The representation will be summarised in a report, identifying the areas of concern which are relevant in planning terms and which have been raised collectively by the representations received.

### **Can I speak at the Planning Committee?**

9.14. Yes, it is open to anyone who has made a written representation in respect of an application to be considered by the planning committee to address the committee. The council has produced guidelines on this in a document called "Speaking at the Planning Committee on a Planning Application" (May 2009). The guidelines have two sections; the first covers a range of frequently asked questions, the second sets out the code of conduct for speakers addressing the planning committee. The document can be viewed on the council's website, or obtained from the planning department.

9.15. People are advised of whether an application is likely to be decided by Committee on their neighbour notification letter, and can ask to be notified of the date of the Planning Meeting at which the application will be determined.

9.16. Planning Committees are held in the daytime. Details of the meetings are set out in a schedule available either on the council's website, or by contacting the council's main offices, or the customer contact centres.

9.17. Most applications are not, however, determined by the committee but are determined under delegated powers by officers of the council. The Planning Committee only decides the most contentious applications where issues of significant local interest or issues of planning interpretation are involved.

9.18. The agenda, report and background papers for planning committee meetings are all available on the Council's website, and in hard copy from the

council's main offices. The agenda and report are also available at the customer contact centres.

### **How do I find out whether planning permission has been granted?**

- 9.19. When someone writes in to comment on an application we will acknowledge receipt of their representations and advise them how they can be updated on any amendments to the plans and receive notification of the final decision on the application. The officer report explaining how a recommendation has been made on an application and the decision notice will be made available to view on the Council's website. This is done whether the application is determined by officers or councillors. Hard copies of the report and decision notice can be sent out by request once a decision has been made.

## 10 APPEALS AND COMPLAINTS

**I do not think that a development should have been granted planning permission. Who can I appeal to?**

- 10.1 Where a planning application is refused, or granted subject to conditions, the applicant(s) can appeal to the Secretary of State to have their application re-considered, and planning permission granted or the conditions changed. Details on how to do this are sent out with every decision notice. However at the present time there is no right of appeal for other people who are unhappy about the granting of planning permission.

**How do I make a complaint?**

- 10.2 In the first instance, customers are encouraged to talk to the officer concerned, or failing this, the Planning Manager (Development Control). If you are still unhappy, then the council has a corporate complaints procedure, and you should write to Customer Services.

**What does the Local Government Ombudsman do and how can I contact him or her?**

- 10.3 The Local Government Ombudsman investigates complaints of injustice arising from maladministration. They can investigate complaints about **HOW** the council has done something, but cannot question what a council has done simply because someone does not agree with it. You must give the council an opportunity to deal with a complaint against it first (see above). If you are unhappy with the action the council takes then you can write to the ombudsman.
- 10.4 The website for the ombudsman is [www.lgo.org.uk](http://www.lgo.org.uk). Tel: 0330 061 0614



## 11. FURTHER INFORMATION

### The Council's Corporate Aims

- 11.1 The Council as a whole has its own policies and aims relating to community engagement, and seeks to involve the local community and stakeholders in all aspects of its work.
- 11.2 This section of the Statement looks at the relationships between the Statement of Community Involvement and the Council's wider corporate aims.

### How does the Statement of Community Involvement fit in with the Council's corporate aims?

- 11.3 The vision of the Bolsover District Corporate Plan 2015 - 2019 is "To enhance and improve the wealth profile, well being and quality of life for the communities of the District of Bolsover". The corporate aims that support this vision are focussed on:
- Unlocking our **Growth** Potential
  - Providing our **Customers** with Excellent Service
  - Supporting our **Communities** to be Healthier, Safer, Cleaner and Greener
  - **Transforming** our Organisation
- 11.4 The planning process aims to improve the environment whilst improving the economy and society to create sustainable communities. The provisions of the Statement of Community Involvement will help to define which areas are of concern to local communities, and how local people want to see their areas protected, improved and developed. The Statement also seeks to ensure that all sections of the community can have their say in shaping their area.
- 11.5 The planning system aims to achieve a balance between development and protection. Being involved in the planning process provides an opportunity for people to consider what aspects of their local environment they value, and to consider whether the balance between necessary development and protection is right. This approach towards community involvement in the planning system allows local people to put forward their needs early in the process, when their aspirations have a greater chance of being met.

### What does Council's Single Equality Scheme require?

- 11.6 The Council's **Equality Policy Statement (October 2016)** states 'Bolsover District Council is committed to equalities as an employer and in delivering the services we provide to all sections of the community. We believe that no person should be treated unfairly and are committed to eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society'.
- 11.7 The Council has a statutory duty to advance equality with regard to the following groups:
- Age
  - Disability
  - Gender
  - Gender reassignment
  - Race
  - Religion or belief (including non belief)
  - Sexual orientation
- 11.8 It is intended that the measures outlined in this Statement to encourage participation in the planning process will help to meet this duty.

#### **How will planning contribute to meeting this duty?**

- 11.9 Methods of engagement aimed at increasing participation by these groups could involve the following initiatives:
- Attending events organised for the groups to present information to engage the audience. For example, the council is currently working with young peoples' groups;
  - Increased use of new technology to target older people and young groups;
  - Holding events at times and in locations likely to be attractive to the groups;
  - Though the Council's Access for All making information available in large print; audio tape; Braille; languages; words and Pictures/Easy read ; and with officer support on request.

#### **What methods of consultation will be used to consult people?**

- 11.10 A table setting out the benefits and resource implications of the different methods of consultation proposed are set out at section 11 below.

#### **Who will be involved in managing community involvement?**

- 11.11 The staff that carry out work on community engagement for Local Plan and

Supplementary Planning Documents will be drawn mainly from the Planning Policy Team who will prepare the Local Plan.

- 11.12 Participation on all planning applications, including significant applications (see section 6 above for details) will be carried out by staff in the Development Control Team, as part of their general duties on the determination of planning applications.
- 11.13 The Bolsover Partnership, and the council's Customer Service Performance Unit, will also have important roles in helping to access community groups and to ensure a thorough approach to participation.

#### **What role will councillors have?**

- 11.14 Councillors have two main roles within the council, firstly as decision makers, and secondly as community representatives. They carry out the first role as members of the Council and/or as members of the Planning Committee, deciding on draft plans and documents, considering representations, and deciding on final plans and documents. Councillors carry out the second role in their capacity as Ward Councillors, members of the Scrutiny Committee and members of consultation and advisory groups.

#### **How will the Statement of Community Involvement be reviewed?**

- 11.15 The Statement is kept up to date so that it remains relevant and effective. It is considered that the following factors may result in the need for further reviews of the Statement of Community Involvement:
- New government advice;
  - The inclusion of best practice standards from other councils;
  - The use of new technology;
  - The monitoring of how well participation undertaken has worked

## **12. Changes to the System for Making Plans**

### **What are the main changes that have taken place since the original Statement of Community Involvement was adopted in May 2006?**

- 12.1 The system introduced in 2004 required that local planning authorities to prepare a suite of separate formal planning documents, referred to as the Local Development Framework (LDF). The intention was that these would replace the Bolsover District Local Plan, which was adopted in February 2000. Changes to legislation in 2012<sup>21</sup> replaced the term 'Local Development Framework' with 'Local Plan'.
- 12.2 Under its current Local Development Scheme the Council intends to produce a single Local Plan covering the whole district.
- 12.3 The Council adopted its original Statement of Community Involvement in May 2006. Since this time the Statement has had minor updates to reflect changes to guidance, and ensure it remains relevant and up to date..
- 12.4 The latest (2017) amendments have been made to keep the Statement up to date with current practice, and the latest legislation, in particular including setting out the advice and assistance the Council will give in relation neighbourhood planning.

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<sup>21</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012

### 13. Proposed Methods of Community Involvement

#### What methods of community involvement are most appropriate?

13.1 The table below sets out the main methods of community engagement that the Council will use, together with an assessment of their perceived benefits and disadvantages to allow the Council to select the most appropriate method of engagement for the proposals being put forward.

**Table 7 Proposed Methods of Community Involvement**

Proposed Methods of Community Involvement.			
Method	Perceived Benefit	Perceived Disadvantages	Resource Implications
Plans and documents available for inspection at the Council's Main office, customer contact centres and Libraries.	<ul style="list-style-type: none"> <li>Means that documents are available locally.</li> <li>Allows people to study documents.</li> <li>Allows people to fill in comments forms with the documents in front of them</li> <li>Universal access</li> </ul>	<ul style="list-style-type: none"> <li>Largely limited to office hours.</li> </ul>	<ul style="list-style-type: none"> <li>Difficult to plan for in advance.</li> <li>Controlled by public demand.</li> <li>For major documents could have extensive implications in terms of staff time if people want to discuss with an officer.</li> <li>No room hire charges or other on costs.</li> </ul>
Letters to Specific Consultation Bodies, General Consultation Bodies, Other Consultation Bodies,	<ul style="list-style-type: none"> <li>Ensures compliance with minimum requirements in the Town and Country Planning (Local</li> </ul>	<ul style="list-style-type: none"> <li>Requires maintenance of an up to date consultation database to ensure a targeted approach and to avoid</li> </ul>	<ul style="list-style-type: none"> <li>Staff time to keep consultation database up to date and relevant to the plan or document under preparation.</li> </ul>

Private Interest bodies and Elected Members.	<p>Planning) (England) Regulations 2012 - 2016.</p> <ul style="list-style-type: none"> <li>• Allows the targeting of specific interest groups.</li> <li>• Allows Local Planning Authority to focus on specific issues.</li> </ul>	exclusivity with just a few interest groups involved.	<ul style="list-style-type: none"> <li>• Staff time in producing mailings.</li> <li>• Cost implication for postage and stationary requirements for mailings.</li> </ul>
E -mail, website.	<ul style="list-style-type: none"> <li>• Allows people to access documents in their own home, or locally e.g. Libraries.</li> <li>• Easy and cheap to distribute.</li> <li>• May appeal to young people.</li> </ul>	<ul style="list-style-type: none"> <li>• May be less appealing to some groups of older people. (Although it is recognised that 'older people' are not a single homogenised group).</li> </ul>	<ul style="list-style-type: none"> <li>• Staff time to prepare documents, update site, and respond to comments.</li> </ul>
Press Advertisement / Press releases	<ul style="list-style-type: none"> <li>• Covers a wide cross section of residents in the district.</li> <li>• Useful for letting people know where they can obtain detailed information or where they can attend meetings.</li> </ul>	<ul style="list-style-type: none"> <li>• With 4 different local papers covering the area not all areas will receive information at the same time. The papers are published on different days.</li> <li>• Lack of space for detailed presentation.</li> <li>• Not everyone buys a newspaper or reads adverts.</li> </ul>	<ul style="list-style-type: none"> <li>• Staff time to prepare press releases / advertisements.</li> <li>• Staff time to answer questions arising by letter or telephone.</li> <li>• Cost of notices /advertisements.</li> <li>• The lead in time for printing needs factoring into the work programme.</li> </ul>
Leaflets / Brochure	<ul style="list-style-type: none"> <li>• Can be sent to all homes in the district or a</li> </ul>	<ul style="list-style-type: none"> <li>• May be treated as junk mail and not read.</li> </ul>	<ul style="list-style-type: none"> <li>• Cost of production.</li> </ul>

	<ul style="list-style-type: none"> <li>specific area.</li> <li>Can be used to inform about issues in greater details than the local press.</li> <li>Can be used to publicise meetings and availability of documents.</li> </ul>	<ul style="list-style-type: none"> <li>Resource implications</li> </ul>	<ul style="list-style-type: none"> <li>Time and cost to produce documents that is attractive to read.</li> <li>High cost of delivery.</li> <li>Staff time in preparation.</li> </ul>
Public Exhibition	<ul style="list-style-type: none"> <li>Reaches into communities involved.</li> <li>Provides visual information for communities.</li> <li>Officer available to lead discussion</li> <li>Can be available some evenings.</li> <li>Covers more rural areas.</li> </ul>	<ul style="list-style-type: none"> <li>Resource implications</li> <li>Problems with finding suitable central venues</li> <li>May have access problems for people with restricted mobility and car availability.</li> </ul>	<ul style="list-style-type: none"> <li>High cost in staff time in preparation and manning exhibitions.</li> <li>Possible hire charges</li> </ul>
Meetings with Specific Consultation Bodies, General Consultation Bodies, Other Consultation Bodies, Private Interest bodies and Elected Members and interested individuals.	<ul style="list-style-type: none"> <li>Allows an exploration and identification of issues.</li> <li>Can help build consensus.</li> <li>Can form a useful forum for discussion with people who feel intimidated about speaking at public meetings.</li> </ul>	<ul style="list-style-type: none"> <li>Can be time consuming to set up, attend and in following up non planning related issues.</li> <li>Care needs to be taken to ensure groups represent the wider community and are not self selecting.</li> </ul>	<ul style="list-style-type: none"> <li>Can involve high levels of staff time.</li> <li>Costs of meeting room hire.</li> </ul>
Open Participation Meetings	<ul style="list-style-type: none"> <li>Open to all.</li> <li>Good way to engaging</li> </ul>	<ul style="list-style-type: none"> <li>Whatever time and date chosen not</li> </ul>	<ul style="list-style-type: none"> <li>Can involve high levels of staff time over a</li> </ul>

	<p>the wider public with opportunities to receive feedback as well as inform.</p> <ul style="list-style-type: none"> <li>• Can be used as a base to progress to meetings to explore specific issues.</li> </ul>	<p>everyone who wants to will be able to attend their nearest meeting.</p> <ul style="list-style-type: none"> <li>• Care needs to be taken to ensure that everyone has the opportunity to raise issues and avoid the meeting being hijacked by single issue groups/individuals. Some people feel intimidated about speaking in public meetings.</li> </ul>	<p>protracted period when meetings are held over the entire district.</p>
<p>Focus groups (selected groups of participants with particular characteristics)</p>	<ul style="list-style-type: none"> <li>• Can be useful for area based or specific topics.</li> <li>• Can be used to create ideas on issues or help identify solutions to problems.</li> </ul>	<ul style="list-style-type: none"> <li>• Resource implications</li> </ul>	<ul style="list-style-type: none"> <li>• May require external facilitator.</li> <li>• Costly in terms of staff time to set up and run.</li> </ul>



## **APPENDICES**

### **Appendix 1 Glossary of terms and abbreviations**

**Adoption:** The formal adoption by the Council of a Local Plan, following an examination in public and report by the independent planning inspector; or the adoption by resolution of the Council, of a Supplementary Planning Document.

**Article 4 direction:** A direction that withdraws automatic planning permission granted by the General Permitted Development Order.

**Authorities Monitoring Reports (AMR):** A report produced at least annually setting out: information on the implementation of the Local Development Scheme; the extent to which policies set out in planning policy documents are being achieved; and, any other information the authority considers appropriate in the interests of transparency. It is produced for the information of the public.

**Bolsover Strategic Partnership (LSP) was formed in 2001.** It is a partnership that brings together the main service providers and agencies from across Bolsover District in an effort to drive local regeneration and service improvement. This means that the public, private, community and voluntary sectors can work together for the benefit of the District

**Community:** the context of this statement, a 'community' is defined as "groups of people defined by common attributes". These may be where they live, their age, their work, their lifestyle, the services they use, their faith or interest groups, geographical location, demographic or socio-economic profiles, their race and/or ethnic origin, their health status, their businesses, the voluntary or community service they provide, etc. Communities do not have to live close together. They are linked by those things that are common between them, not necessarily by their physical locality.

**Community Infrastructure Levy:** A levy allowing local authorities to raise funds from the owners or developers of land undertaking new building projects in their area. Bolsover Council does not currently propose to introduce or impose such a levy.

**Development Plan:** The Development Plan sets out land use planning policies and development proposals against which planning applications will be considered. It includes adopted Local Plans, Neighbourhood Plans, and Waste and Mineral Local Plans.

**Environmental Impact Assessment:** A procedure followed in the determination of planning applications for certain projects to ensure that decisions are made in the full knowledge of any likely significant effects on the environment.

**Examination:** An independent inspector appointed by the Secretary of State begins the examination of the Local Plan as soon as it is formally submitted. The examination process includes a public hearing. The purpose of the examination is to determine the 'soundness' of the plan (see also soundness below).

**Inspector's report:** A report issued by the inspector or panel who conducted the independent examination, setting out their conclusions on the matters raised during the Examination and containing their recommendations. The Council then considers the Inspector's recommendations.

**Local Development Scheme (LDS):** A written project plan, setting out the Local Plans the

council intends to produce, together with a timetable for delivery. A copy of the current Local Development Scheme is on the Council's website

**Major Application:** development involving any one of the following:

- (a) The winning and working of minerals or the use of land for mineral-working deposits;
- (b) Waste development;
- (c) The provision of dwelling houses where –
  - (i) The number of dwelling houses to be provided is ten or more; or
  - (ii) The development is to be carried out on a site having an area of 0.5 hectare or more and it is not known whether the development falls within paragraph
- (d) The provision of a building or buildings where the floor space to be created by the development is 1000m<sup>2</sup> or more; or
- (e) Development carried out on a site having an area of one hectare or more.

**Material Consideration:** Any consideration relevant to the use and development of land and which is taken into account in determining a planning application is capable of being a material consideration.

**Minor Application:** applications that fall below the limits set out under Major Applications set out above.

**Neighbourhood Plans:** A plan prepared by a Parish or Town Council or neighbourhood forum for a particular neighbourhood area.

**Ombudsman:** An independent, impartial adjudicator of complaints about maladministration in government departments and particular services in the public and private sectors.

**Spatial planning:** A system that brings together and integrates policies for the development and use of land with other policies and programmes which influence the nature of places and how they function. This includes policies that impact on the use of land but which are not capable of being delivered solely or mainly through the granting of planning permission and may be delivered through other means.

**Soundness:** An independent inspector assessing a Local Plan has to assess whether the plan has been prepared in accordance with the duty to co-operate, legal and procedural requirements, and whether it is 'sound'. To be found 'sound' the plan must be: positively prepared; justified; effective; and, consistent with national policy.

**Statement of Community Involvement (SCI):** The SCI is a statement of the Council's policy of how it intends to involve people in the preparation of planning policy documents and development control decisions.

**Supplementary Planning Documents (SPDs):** These documents add further details to policies in the Local Plan. They can be used to provide further guidance for development on specific sites or on particular issues, such as design. Supplementary Planning Documents are capable of being a material consideration in planning decisions, but are not part of the development plan.

**Strategic Environmental Assessment (SEA):** A requirement of European legislation, this is an assessment of the effects of the policies and proposals within the key planning documents on the environment.

**Sustainability Appraisal (SA):** An appraisal of the potential impact of policies and proposals from an environmental, economic, social and natural perspective. This will inform the council of the potential implications of different alternatives. Strategic Environmental Assessment and Sustainability Appraisal will be undertaken together.

**Sustainable Community Strategy:** A Plan prepared by Bolsover Strategic Partnership for improving the long term economic, environmental and social well being of local areas through partnership working and the active involvement of local communities.

**Sustainable Development:** This is defined as “development which meets the needs of the present generation without compromising the ability of future generations to meet their own needs”. (From the 1987 World Commission on Environment & Developments – The Bruntland Commission).

**Stakeholders:** People who have an interest in the activities and achievements of the council, including residents, local communities, partners, employees, customers, shareholders, suppliers, opinion leaders, and regulators.

### **Commonly used Abbreviations:**

AMR: Annual (or Authorities') Monitoring Report

DCLG: Department for Communities and Local Government

DPD: Development Plan Document

LDS: Local Development Scheme

LPA: Local Planning Authority

NPPF: National Planning Policy Framework

NPPG: National Planning Practice Guidance

PINS: Planning Inspectorate

SA: Sustainability Appraisal

SCI: Statement of Community Involvement

SEA: Strategic Environmental Assessment

SPD: Supplementary Planning Document

# **PUBLIC NOTICE**

## **concerning the development of land or buildings**

All correspondence to  
The Planning Department

### **TOWN AND COUNTRY PLANNING ACT 1990**

Any comments on the following application should be made within 21 days of the date on this notice.

Notice is hereby given that Bolsover District Council has received details of the following proposal:

Application No:  
Application Type:  
Proposal:  
Location:  
Applicant:

A copy of the proposal, including the plans and other documents submitted with it, may be inspected at the Planning Department, The Arc, High Street, Clowne, Derbyshire S43 4JY during office hours, or alternatively can be viewed on the Council's web site.

[www.bolsover.gov.uk](http://www.bolsover.gov.uk)

Anyone who wishes to make comments or representations about this application should write to The Planning Department, Bolsover District Council, The Arc, High Street, Clowne, Derbyshire S43 4JY quoting the above application number.

All correspondence should be received by the Council within the period specified above which begins with the date of this notice. All correspondence received will be made available for inspection by the applicant and the public and will be posted to the website, and will remain available for public inspection for 4 years after the decision has been made.

Signed \_\_\_\_\_ Date: \_\_\_\_\_  
Assistant Director of Planning