

Statement of Community Involvement



December 2022

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Introduction

1.0 What is a Statement of Community Involvement?

1.1 This document is the Council's Statement of Community Involvement (SCI) and it sets out how we will engage with the public in the development of our local plan, during our stage of the neighbourhood plan preparation process and on development management cases / planning applications.

1.2 We aim to empower the local community to engage with the planning system and to work positively and make sure you are: fully informed; involved in the decision-making process, and that you have meaningful opportunities to have your say.

1.3 Preparing a Statement of Community Involvement is a legal requirement and it must be reviewed every 5 years, and this latest review started in February 2022.

1.4 Since publishing our last Statement of Community Involvement in 2017, the Council published its 'Vision Bolsover' prospectus in 2021, which establishes Customers as one of its three overarching strands of modern governance and states our commitment to:

- Increasing customer satisfaction with our services;
- Improving customer contact and removing barriers to accessing information;
- Actively engaging with partners to benefit our customers;
- Promoting equality and diversity and supporting vulnerable and disadvantaged people.

1.5 We want communities to make a genuine and positive difference to their areas, and we value their involvement in both the planning application and

plan making processes. And we aim to make this easier for people through the following actions:

- Use plain English in our documents and consultation;
- Reduce the use of planning jargon;
- Improve the style and accessibility of our documents;
- Reach out to all sectors including those that are 'seldom heard';
- Improve how we use online technology and social media platforms
- Be transparent and clear about what is being proposed and how you can influence the outcome.

1.6 We will comply with all current legislation and all data that we store will be compliant with our Data Protection policy. We comply with our obligations under the Equality Act 2010 and have a Corporate Equalities Policy that sets out our commitment to equality together with setting equality objectives.

Why should I get involved?

1.7 The planning process seeks to promote sustainable development through the building of new homes, economic growth and investment, leisure, retail and the provision of new infrastructure. It seeks to ensure that new development meets the social and economic needs of our communities whilst at the same time protecting the natural and built environment.

1.8 Planning has a direct impact on the daily lives of residents and the business community. And we consider that the decisions we make are enriched through community involvement where:

- we can take account of local knowledge;
- we can better understand and focus on local needs and priorities;

- the removal of barriers can increase opportunity to comment;
- an enhanced sense of community ownership over local plan documents can be achieved.

Digital innovation

1.9 We recognise that advancements in technology have changed the way in which we interact with our communities, e.g. through greater access to the internet, online meetings and correspondence by email and social media. And these changes have become all the more important during the Covid 19 pandemic. However, there remains a significant number of people who do not use electronic forms of communication and therefore we will continue to consult in a variety of ways, subject to current government guidelines.

1.10 We are keen to investigate the delivery of a more digital planning service and are working with the Department for Levelling Up, Homes and Communities through their PropTech Engagement Fund to explore the greater use of digital technologies to improve our

service. By using digital tools, such as mobile phones, social media, QR codes, gamification techniques i.e. using element of game playing, such as point scoring to explore how planning works, and virtual reality, alongside more traditional methods we will aim to reach more people and make planning more accessible, inclusive and transparent.

Planning Reforms

1.11 The Levelling Up and Regeneration Bill was introduced to parliament in May 2022. At the time of writing there is no detail on any proposal to change how councils have to consult about planning matters, but there may be changes once the bill becomes law. At that time the Council will review whether further changes to the SCI will be needed.



Plan Making

- 2.1** This section covers how you can get involved in plan making and discusses:
- Development Plans and Plan Making
 - Who we consult
 - How we consult
 - How you can respond to consultations
 - How we will consider your comments
 - Between Consultation Periods

Development Plans and Plan Making

- 2.2** Development Plans set out strategies of where new development can happen, such as identifying allocations for new residential development, and where it needs to be carefully controlled, such as in the Green Belt or countryside. They also include policies that explain how decisions on whether planning applications will be approved or refused will be made.
- 2.3** The Development Plan is by law the prime consideration when determining planning applications and planning decisions should be made in accordance with it unless [other material considerations](#) indicate otherwise.
- 2.4** The Development Plan for the area is principally the [Local Plan for Bolsover District \(2020\)](#) but also includes [The Derby and Derbyshire Minerals Local Plan](#) and the [Derby and Derbyshire Waste Local Plan](#) and any neighbourhood plans that have been produced.
- 2.5** We are the responsible body for producing Local Plans, a process called ‘Plan Making’, and we recently produced the [Local Plan for Bolsover District \(2020\)](#). We also produce a number of other planning policy documents, such as Supplementary Planning Documents and non-statutory Growth Plans. We also publish our work programme for preparing planning policy documents

in a document called the [Local Development Scheme](#) and it is regularly updated so that people are aware of upcoming opportunities to participate.

- 2.6** The [Local Plan for Bolsover District \(2020\)](#) was adopted in March 2020. We will need to have carried out a review of whether this Local Plan and its evidence base remain up-to-date by March 2025.
- 2.7** In terms of Government policy, the National Planning Policy Framework states that plans should:
- “c) be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees...”
- 2.8** We will set out below how we intend to engage with communities in effective but proportionate ways that exceed the minimum requirements.
- 2.9** Finally, the Key Stages in preparing a Local Plan, along with how we will consult you, are shown in Appendix B.

Local Plan Stages of Preparation

- 2.10** There are two main opportunities for you to be involved during the Plan Making process and both include a public consultation for a minimum of 6 weeks on the proposed strategy, allocations and policies that will be in the Local Plan. These stages are formally known as Plan Preparation (Regulation 18) and Plan Publication (Regulation 19) within the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#).
- 2.11** There is also an Examination of the Local Plan that is led by an Independent Planning Inspector (Regulation 24) where people can attend and are invited to participate in the hearings if they

have made comments during the Plan Publication (Regulation 19) stage.

Supplementary Planning Documents

2.12 Supplementary Planning Documents (SPDs) add further detail to the operation of the policies in the Local Plan, so they can be produced once a plan is adopted. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions.

2.13 SPDs can be produced in a shorter time period. There is a formal time period but no examination by a planning Inspector at the end of the process. The stages of the production of an SPD are set out in legislation and summarised in Appendix C.

Non-Statutory Growth Plans

2.14 The Local Development Scheme approved by the Council in February 2022 included a timetable for the production of Non-Statutory Growth Plans. These Growth Plans would not technically be able to ‘allocate’ land for development, but would be able to influence decisions on planning

applications by adopting the Growth Plans as material considerations in the planning process. The consultation methods for these Growth Plans are intended to mirror closely the methods used for statutory planning documents. The stages of the production of a Growth Plan are summarised in Appendix D.

Who we consult

2.15 We are [legally](#) required to consult the Specific Consultation Bodies, General Consultation Bodies and residents and businesses during the Local Plan process.

2.16 Specific Consultation Bodies (sometimes referred to as statutory consultees) include public organisations such as The Environment Agency, Historic England, Highways England and Natural England, neighbouring Planning Authorities and Derbyshire County Council. A full list of SCBs is shown in Appendix A.

2.17 For us, General Consultation Bodies are defined in the regulations as being:

- voluntary bodies whose activities (some or all) benefit any part of Bolsover District;
- bodies representing the interests of different racial, ethnic or national groups in Bolsover District;
- bodies which represent the interests



of different religious groups in Bolsover District;

- bodies representing the interests of disabled people in Bolsover District; and,
- bodies representing the interests of people carrying on business in Bolsover District.

2.18 To determine which residents and businesses we should invite to make representations we encourage all interested parties to sign up to our [online local plan database](#) to stay up to date with new policy consultations or stages of the local plan process. You can also email planning.policy@bolsover.gov.uk if you would like to be added. If you wish to be consulted by letter, you can also write to Planning Policy, Bolsover District Council, The Arc, High Street, Clowne, Derbyshire S43 4JY. Or telephone us on 01246 242203.

How we will consult

2.19 We will use the following methods of consultation on Planning Policy documents:

Emails

- Send email communications to those who are registered on our [online local plan database](#).

Letters

- Write to everyone who has registered on our [online local plan database](#) but does not have an email address.
- Consult directly by letter all properties affected by a draft site allocation for:- residential, employment, gypsies and travellers, travelling show-people, retail, town centre and tourism uses; in the same way as we would an outline planning application, unless it already has planning permission.
- Use QR codes on letters to provide people a quick link to the relevant web pages.

Document Deposit Locations

- The following documents will be made available at publically accessible venues such as Libraries, Customer Contact Centres including our offices, and others where appropriate:
 - Consultation versions of documents;
 - Representation forms for feedback;
 - Consultation Response Information sheets or guidance notes that would set out the type of comments that are acceptable e.g. material considerations and explaining how we use evidence to help inform and change our policies.
- For district-wide Local Plan consultations only, a Planning Policy member of staff will be stationed for at least 3 days within each of the Contact Centres at Shirebrook, Bolsover and South Normanton (or other suitable alternative venues) for each local plan consultation period. This is to be more accessible to other areas who may find it inconvenient to travel to Clowne to speak to a planning policy officer.

Website

- The following documents will be made available on the Council's website, and others where appropriate
 - Consultation versions of documents;
 - Representation forms for feedback;
 - Consultation Response Information sheets or guidance notes that would set out the type of comments that are acceptable e.g. material considerations and explaining how we use evidence to help inform and change our policies.
- Links to the [online local plan database](#) will be made available on the Council's website.

Local Press

- We will promote consultations in the local press by issuing press releases and paid notices, including InTouch where dates align.

Formal Notices

- These state when and where the plan and associated documents can be viewed and include the [Statement of Representation procedure](#) and availability of documents.

Posters

- We will put up posters (with QR codes) in public buildings such as our Contact Centres and Community centres.

Site Notices

- We will put up site notices (with QR codes) around sites for proposed Local Plan allocations.

Public Events

- We will stage events such as Exhibitions or Drop-in sessions depending on the relevant stage in the process. These will include at least 1 Saturday morning drop in session in the district to have at least some availability to those people who cannot make a weekday or evening session.

Digital Technologies

- We will seek to use the following digital technologies during our consultations: [our website](#), e-newsletters, social media, [Bolsover TV](#), and our digital display screens located in Bolsover, Clowne, Shirebrook and South Normanton, to communicate planning policy news.

Special Digital Events

- We may hold one-off special events focused around the use of technology such as virtual reality.

- 2.20** We also make information available in other formats on request, such as in large print.

How you can respond to consultations

- 2.21** During a consultation period on a new Planning Policy document, we want to take account of what people have to say.

However, as we need to be transparent and publish what people say so that others can also see the comments made, we can only take account of responses where they are written down. This can be done either online, by email or by letter.

- 2.22** To guide people on how to provide feedback, we publish Representation Forms that can be filled out online or in paper format. It is possible to make comments in an email or a letter but we may need to contact you to clarify which part of the planning document you are commenting on. If we receive a petition we will not publish the names, addresses or other personal information of signatories but we will publish the quantity of signatures. Please contact us if you need support in submitting comments.

- 2.23** We cannot currently take account of comments received over social media or non-word based actions such as post likes, shares or retweets.

- 2.24** Beyond formal consultation periods we will still listen and discuss with you any points you wish to raise but sometimes will direct you to the next formal consultation stage where you can formally submit your comments. If requested we can meet with groups or organisations to discuss current work and the next steps.

How we will consider your comments

- 2.25** We will record all representations made and we will consider the points made carefully by everyone in the consultation and take them into account in the further preparation of the relevant planning document.

- 2.26** Your comments along with our response will appear online on the Council's website, through either the Local Plan Consultation database or through the Statement of Consultation we



produce after each consultation, where summaries of your representations will be shown. As mentioned, you will also be able to see other comments and responses although any personal details such as signatures, email addresses or phone numbers will not be made public.

- 2.27** We also publish Authority Monitoring Reports (AMR) that show how effective our planning policies are. Whilst these are not consulted on, the information may be of interest and shows how we are being transparent by reporting the successes or failures of planning policies.

Between Consultation Periods

Resident Forums

- We will offer to establish Local Plan Resident Forums during the preparation of district-wide Local Plans where residents can be invited to meetings outside of formal

consultation exercises to discuss progress on or any changes to the timetable to the preparation of the Local Plan. The number of, frequency of, and geographical coverage of such Forums would depend upon levels of interest.

Meetings with Community Groups

- We will offer to meet with appropriate representatives of community groups / organisations (particularly those registered as General Consultation Bodies or Other Consultation Bodies on the Council's Local Plan Online Consultation Database) to discuss progress on or any changes to the timetable to the preparation of the Local Plan.

Neighbourhood Planning

3.1 Neighbourhood planning allows local communities to plan for their local area by producing their own Neighbourhood Plans or Neighbourhood Development Orders. These type of planning documents can be produced by a Town or Parish Council or by a designated neighbourhood forum.

Neighbourhood Plans

3.2 A Neighbourhood Plan becomes part of the Development Plan described earlier if it is approved at a referendum. [The Local Development Scheme](#) outlines progress on Neighbourhood Plans within the district.

3.3 The District Council is expected to provide assistance to Town and Parish Councils in the preparation of their Neighbourhood Plans and Orders. This includes working with Town and Parish Councils, and in particular sharing evidence to help ensure that a draft Plan or Order has the greatest chance of success at independent examination.

3.4 Parish / Town Council or designated neighbourhood forums must undertake their own consultation. To aid local groups wishing to develop neighbourhood planning initiatives, we have developed a [Neighbourhood Planning Protocol](#) This is intended to:

- Provide a general overview
- Explain how and when we will support the neighbourhood planning process including advice on consultation methods.
- Ensure there is clarity and transparency for local communities in terms of our support;
- Provide a coordinated approach in relation to neighbourhood planning.

3.5 We strongly advise that any group 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.

3.6 The 5 key stages in preparing a Neighbourhood Plan are set out in Appendix E.

Neighbourhood Development Orders

3.7 A Neighbourhood Development Order (NDO) is another tool that communities can use to permit different types of development without the need for planning permission. When preparing a NDO it must still be in line with national and local policy and other legal requirements. The Town or Parish Council or neighbourhood forum is the only body that can prepare an NDO.

3.8 Some community organisations can develop a Community Right to Build Order in an area. A Community Right to Build Order is a form of NDO that can be created by a local community organisation, and so not restricted to a Town or Parish Council or neighbourhood forum and can be used to grant planning permission for small scale development for community benefit on a specific site or sites in a neighbourhood area.

3.9 The process of developing a NDO is set out in Appendix F.

3.10 You can also contact your Town or Parish Council and ask them about their views on preparing a Neighbourhood Plan or a Neighbourhood Development Order for your area.

3.11 You may also have other ideas that you want to suggest about how we can better engage with you about neighbourhood planning and if so please let us know what they are.

Planning Applications

Introduction

- 4.1** This section covers how you can get involved in development management cases and outlines –
- The Development Management process
 - How we consult?
 - Who we consult?
 - How to comment?
 - Decisions on Planning Applications
 - Planning appeals
 - S.106 Planning Obligations
 - Pre – application advice
 - Planning Enforcement
 - Complaints

The Development Management Process

- 4.2** We manage development in the local area including:
- Dealing with planning applications, (including changes to your home; new houses and businesses or changing the use of land and buildings);
 - Planning enforcement (dealing with alleged breaches of planning legislation); and
 - Planning Appeals.
- 4.3** We are not responsible for most schools, roads, paths and infrastructure, nor are we responsible for [National Significant Infrastructure Projects](#) such as changes to the motorway.
- 4.4** The Development Management team is responsible for assessing planning applications in accordance with the [Adopted Local Plan for Bolsover District \(2020\)](#), the [National Planning Policy Framework \(NPPF\)](#), [Planning Practice Guidance \(PPG\)](#) and [other](#)

[material considerations](#) that include consultation responses. The team also defends the Council's decisions on planning applications at appeal and investigates and enforces against breaches of planning control. If you are unsure about whether you need planning permission please email dev.control@bolsover.gov.uk

- 4.5** We receive several categories of planning application. The most common are:
- Major Application (10 or more homes or 1,000 m² non-residential floorspace);
 - Minor Applications (up to 9 homes) or up to 999 m² non-residential floorspace);
 - Other Applications (includes household extensions, advertisements, and Listed Building Consent).

The Planning Application process is shown in Appendix G.

How we consult

- 4.6** We will carry out consultation on planning applications in the following ways.

Email Alerts

- 4.7** If you are interested in planning applications in your area you can sign up for email alerts. Once registered, you will receive an automatic email notification informing you of any new planning application or planning decision made in your area of search with a link to the relevant documents on our website. We encourage residents and businesses to [subscribe here](#).

Neighbour Notification Letter

- 4.8** We will send a notification by letter to properties adjacent to the boundary of

the application site where we consider they may be affected. Application plans and documents will be available to see on our website and we will also make plans available to view at home on request for infirm or disabled neighbours without internet access.

Site Notice

4.9 Depending on the type of application we will display a notice at the application site in a place that is visible to members of the public. For all major applications we will display at least 1 site notice for a minimum of 21 days (a copy of a typical notice is attached at Appendix H). We have a system for checking the notices and replacing any that are taken down during the 21 day period. Environmental Impact Assessment (EIA) planning applications and accompanying Environmental Statements must be publicised for 30 days.

Press Notice

4.10 We will publicise all major planning applications in accordance with national requirements which currently

includes the notices section of a local newspaper (see Appendix J for a list of local papers and their coverage). We will publicise a press notice for some other types of application including applications that are in conservation areas or that affect the character or appearance of a listed building.

Website

4.11 Once an application has been registered the whole application is published on Online applications. All applications validated by week / month can be viewed, and can be filtered by district wards. It is also used by certain consultees to select which applications they wish to comment on.

Applications Weekly List

4.12 We send a copy of the weekly list to all councillors. 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 determination by Committee or delegated powers. The weekly list is also available to view via Online applications.



Planning Consultation Response Guidance Note

4.13 We publish Planning Consultation Response Guidance Notes that set out the type of comments that are appropriate to the consultation so that the public are encouraged to comment about matters that can be taken into account and made aware of the type of comments that will not be taken into account.

Use of QR codes

4.14 We will publish QR codes on letters, posters and Site notices to enable ease of access to consultation material using mobile phones.

Who we consult on Planning Applications

4.15 The Planning Practice Guidance on Consultation and pre-decision matters sets out the process for efficient and inclusive consultation of planning applications. Statutory bodies will be consulted on planning applications for certain types of development in accordance with relevant regulations. Consultation with these bodies will vary depending on the type of development proposed / and or location.

4.16 We also consult neighbours and town or parish councils. Councillors will be sent a copy of the weekly list. Members of the public can find out about applications through the methods in the 'How we consult' section.

How to comment

4.17 We can only accept comments in writing. We ask that all comments are made via our website in the first instance but we also accept emails and letters.

4.18 When commenting on an application, it is important to provide:

- Planning application reference number
- Address of the site

- Your name and address

4.19 Your comments will appear publicly on the planning application's webpage. All personal information such as telephone numbers, emails and signatures will be redacted, however addresses and names will be shown for transparency purposes. If we receive a petition we will not publish the names, addresses or other personal information of signatories but we will publish the quantity of signatures.

4.20 Comments made on a planning application are not transferred to a subsequent consultation or to a new planning application (although if an amendment is made to a current application, comments originally submitted are taken into account and do not need to be made again). However, if a new planning application is submitted on the same application site as a previous application, you will need to resubmit your comments for consideration. Please note that we don't acknowledge or respond to comments directly, due to the high numbers we receive.

4.21 When commenting on planning applications, it is important to comment on issues which are [material planning considerations](#) as we can only take those into account. These are more likely to help shape the outcome of the application. Examples of material considerations are shown in Appendix I.

4.22 In accordance with our Customer Service Standards and Equality Policy, we will not tolerate comments that contain abusive, offensive or derogatory language, or those related to a personal circumstance not directly related to the application. Any comments submitted to us in this manner will not be published nor considered.

4.23 Once a planning application is registered and allocated to a planning officer, the application will be publicised online and appropriate parties will be notified.

Parties have a minimum of [21 days](#) to comment (30 days for an Environmental Impact Assessment application accompanied by an Environmental Statement. All comments must be made in writing, preferably through our website, or by email, or if this is not possible then by letter, within:

- 21 days from the date of our notification letter, or
- 21 days from the date of a press notice or site notice appearing.

4.24 Due to the volume of correspondence we receive, it is not possible to respond to or discuss individual comments that we receive on planning applications, however a summary of these and the officers' responses are provided in the officer report, published on the relevant planning application page.

Decisions on planning applications

4.25 Decisions on planning applications will be determined in accordance with the decision-making processes set out in our constitution, in the [Council's Planning Protocol](#)

4.26 The constitution sets out how we operate, how decisions are made and the procedures that are followed to ensure that we are efficient, transparent and accountable.

4.27 [Time periods for determination are set out in law](#) but the time limit is usually:

- 8 weeks for most planning applications
- 13 weeks for 'major' (larger) developments
- 16 weeks for applications that need an Environmental Impact Assessment.

4.28 If more time is needed to determine an application, an 'extension of time' can be agreed between the planning officer and the applicant.

Planning Committees

4.29 All planning applications are allocated to a case officer who will assess the application and make a recommendation on whether the application should be approved or refused. Most applications are determined under delegated powers, which means the applications do not need to go to a planning committee for a decision. However, some larger and / or complicated planning applications will need to be determined by a planning committee. The planning committee, which comprises elected councillors, has a duty to decide planning and other development-related applications. Elected members can also call in applications to be decided at planning committee in accordance with our [Planning Protocol](#).

Speaking at Planning Committee

4.30 If an application that you have commented on is due to go to a planning committee for a decision, we will write to you and invite you to speak or submit a statement for the meeting in line with our [Speaking at Planning Committee Guidelines](#) Each speaker, or group of speakers, can speak for up to five minutes on each application site.

4.31 Agenda papers are published on our website five working days before the committee meeting. If you wish to speak or submit a statement at the meeting, please contact the Democratic Services Officer using the contact details provided or alternatively you can complete the online [self serve form](#).

Planning Appeals

4.32 If a planning application is refused, the applicant can either re-apply for planning permission with an alternative scheme, or they can appeal against the decision. Applicants also have the right to appeal against non-determination, if we have not determined the application within the statutory time limits. It is also

possible to appeal against any planning condition imposed on a planning permission. Appeals are made to the Government's Planning Inspectorate (PINS).

4.33 Only the person who applied for planning permission, or was served with an enforcement notice, has a legal right to appeal (known as the appellant). There is no right of appeal for interested people or organisations (known as third parties). However, the lawfulness of a decision can be challenged via Judicial Review.

4.34 There is [planning practice guidance on appeals](#) available online that provides useful information about the appeals process.

4.35 If an appeal is made, we will notify the interested parties of the appeal and provide information on how and when to respond to the Planning Inspectorate. You can view current appeals on the Planning Inspectorate's Appeals Casework Portal.

Section 106 (Planning Obligations)

4.36 A Section 106 is a legal agreement between us and developer(s) and / or landowner(s) to raise money to provide affordable housing or to fund infrastructure if it is needed to support development.

4.37 We draw up a Section 106 agreement before we grant planning permission, so the developer is legally bound to deliver the affordable housing or other infrastructure we have agreed.



Money is collected from the developer or works are provided on site once the planning permission is implemented and when certain points in the agreement have been met.

4.38 We do not consult on Section 106 agreements. However, we work with Town and Parish Councils and local district councillors as well as other technical consultees, to find out which community facilities may be impacted by new development or that require investment as a result of the development. We also publish an Annual Infrastructure Funding Statement.

Pre-application advice

4.39 We encourage developers to carry out pre-application consultation with us when they are preparing an application. We will discuss the need for community involvement with applicants and agents at the pre-application stage for significant proposals. Early engagement can help to identify and resolve issues before the application is submitted.

4.40 On significant proposals developers are asked to:

- i. Submit a consultation programme at pre-application discussions with us. 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.

4.41 For the purposes of this statement a significant proposal is defined as:

- Industrial, office, retail, and community development **in excess of 10,000 m²**;
- Warehouse development **in excess of 20,000 m²**;
- Applications requiring the submission of an Environmental Impact Assessment;
- All housing of more than **100 houses**;
- All major applications which are also departures to the development Plan.

Planning Enforcement

4.42 When a person carries out development without planning permission we consider what action to take. Although we investigate allegations, the decision on whether to take formal action is discretionary.

4.43 If we find a breach of planning control has occurred, we can consider enforcement action. However, before such action is taken, we will give the person an opportunity to put things right. This could involve us asking for a new retrospective planning application at which point public consultation will happen.

4.44 If no application is made and the breach is deemed to be harmful in planning terms, then formal action will be considered. We have several tools we can use including enforcement notices and high court injunctions. However, our action needs to be proportionate to the breach that has taken place and formal action is a last resort. Further details on

[our approach to addressing planning enforcement matters](#) can be found on our website where you can report a suspected unauthorised development or breach of planning permission.

Complaints

4.45 Should customers wish to make a complaint, in the first instance they are encouraged to talk to the officer concerned, or failing this, the Planning Manager (Development Management). If you are still unhappy, then we have a corporate complaints procedure which can be used. Information is available on our website, and you should visit [Compliments, comments and complaints](#).

4.46 [The Local Government Ombudsman](#) investigates complaints of injustice arising from maladministration. They can investigate complaints about how we have done something, but cannot question what we have done simply because someone does not agree with it. You must give us an opportunity to deal with a complaint against it first (see above). If you are unhappy with the action we take then you can write to the Ombudsman.

4.47 You may also have other ideas that you want to suggest about how we can better engage with you in respect of planning applications and if so please let us know what they are.



Appendices

- A) Full list of SCBs
- B) Key Stages of the Development Plan process
- C) Key stages of the Supplementary Planning Document process
- D) Key stages of the Growth Plan process
- E) 5 Key stages of Neighbourhood Plan Preparation
- F) Key stages of a Neighbourhood Development Order
- G) The Planning Application process
- H) Site notice
- I) Material considerations as found on the Planning Portal
- J) Newspaper coverage of the district

Appendix A – Full list of SCBs

- 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;
- National Highways;
- The Historic Buildings and Monuments Commission for England (known as Historic England);
- 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

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

Appendix B

Stages of plan development and community involvement in respect of local plans

DETAILED STAGES OF PLAN DEVELOPMENT AND COMMUNITY INVOLVEMENT IN RESPECT OF LOCAL PLANS

Stage 1 – Early Community Engagement and Evidence Gathering

We will:

- Undertake an Initial Consultation Exercise in accordance with Paragraphs 2.19 to 2.20 of this document. At this stage we will be asking what topics/issues you think the plan should address.
- Collect information, including recent studies to create an up to date evidence base.

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 – Preparation of Local Plan Documents

We will:

- Record all representations made during the previous consultation exercise and consider them carefully and take them into account in the preparation of the Local Plan.
- Publish summaries of the representations and responses on our website.
- Between consultation exercises 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 our response(s).

You can:

- See our response to representations.
- See what other representations have been made, and our initial response(s).
- Ask to meet Planning Policy Officers.

Stage 3 – Publication of Draft Local Plan Documents

We will:

- Undertake Consultation Exercises in not less than 6 weeks in accordance with Paragraphs 2.19 to 2.20 of this document.
- Collect information, including recent studies to create an up to date evidence base.

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 4 – Publication of Final Local Plan Documents

We will:

- Undertake a consultation exercise in not less than 6 weeks in accordance with Paragraphs 2.19 to 2.20 of this document.

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 our 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, we 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 our website, our main Council offices, at contact centres and libraries in the district.
- Write to or email 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 of the plan. Before this takes place:

We will:

- Publish on our website, and make available at our 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 their views on the plan, and recommendations.

We will:

- Publish the Inspector’s recommendations on our website and make copies available at our main offices; customer contact centres; and libraries.
- Notify anyone who asked at Stage 4 of the publication of the recommendations.

You can:

- View the Inspector’s recommendations.

Stage 9 – Adoption

We will consider the Inspector’s recommendations and make any appropriate changes.

We will:

- Adopt the plan.
- Publish the adopted plan and associated documents on our website and make copies available at our main offices; customer contact centres; and libraries.
- Notify anyone who asked at stage 4 that the plan has been adopted.

You can:

- View the adopted plan and associated documents.

Stage 10 – Review

We will:

- Set targets and monitor the performance of the plan to ensure it is effective, and meeting its objectives.

You can:

- View the monitoring reports to see what the plan is achieving for your community, and how the policies are performing.

Appendix C

Key stages of SPD preparation

STAGES OF DOCUMENT DEVELOPMENT AND COMMUNITY INVOLVEMENT IN SUPPLEMENTARY PLANNING DOCUMENTS (SPD)

Stage 1 – Early Community Engagement and Evidence Gathering

We will:

- Undertake a consultation exercise in accordance with Paragraphs 2.19 and 2.20 of this document as applicable.
- Collect information, including recent studies to create an up to date evidence base.

You can:

- Let us know your views.
- Ask to be notified of future consultations on this topic by contacting the planning policy team.

Stage 2 – Preparation of a draft Supplementary Planning Document

We will:

- 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 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:

- Undertake a consultation exercise in not less than 4 weeks in accordance with Paragraphs 2.19 and 2.20 of this document as applicable.

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.

Appendix D

Key stages of Growth Plan preparation

STAGES OF DOCUMENT DEVELOPMENT AND COMMUNITY INVOLVEMENT IN GROWTH PLANS

Stage 1 – Early Community Engagement and Evidence Gathering

We will:

- Undertake a consultation exercise in accordance with Paragraphs 2.19 and 2.20 of this document as applicable.
- Collect information, including recent studies to create an up to date evidence base on the topic.

You can:

- Let us know your views.

Ask to be notified of future consultations on this topic by contacting the Planning Policy team.

Stage 2 – Preparation of a draft Growth Plan

We will:

- Prepare a draft version of the Growth Plan 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 in the preparation of the draft Growth Plan.

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 Growth Plan

We will:

- Hold a formal public consultation of a minimum of 4 weeks.
- Make the draft Growth Plan and any 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 email people with an interest in the preparation of the Growth Plan.
- Listen to the comments you make.

You can:

- Write or email, 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 Growth Plan.
- Make the adopted Growth Plan 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 Growth Plan.

Appendix – E

Key stages in preparing a Neighbourhood Plan

1. We approve a Neighbourhood Area Application (Regulation 6).

This stage includes public consultation for 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). Once the Neighbourhood Area is approved by the council work can start on preparing a neighbourhood plan.

2. Pre – submission Consultation (Regulation 14)

This stage consists of a public consultation for a minimum of six weeks on the draft neighbourhood plan. The plan may then be amended as a result of comments received during consultation before submission to us.

3. Publication of Neighbourhood Plan (Regulation 16)

This stage consists of a public consultation for a minimum of six weeks on the neighbourhood plan. The plan is then sent to an independent examiner.

4. Examination of the Neighbourhood Plan

The plan is examined by an independent examiner. During the examination process the examiner will review the comments submitted during the Regulation 16 consultation.

5. Referendum on the Neighbourhood Plan

A local referendum is held where voters can decide whether they wish to support the Neighbourhood Plan. At least half of the voters must vote 'yes' for the plan to be 'made' i.e. adopted by the Council.

Appendix F

Key Stages in preparing a Neighbourhood Development Order

1. Pre-submission consultation on draft Order (Regulation 21)

Minimum 6 week consultation on the Draft Order

2. Publication of Order (Regulation 23)

Minimum 6 week consultation on the Order. The Order is then sent to an independent examiner.

3. Examination of the Order

During the Examination process the examiner will review the comments submitted during the Regulation 23 consultation.

4. Referendum on the Order

A local referendum is held where voters are asked if they will support the Order. At least half of the voters must vote 'yes' for the Order to be 'made' i.e. adopted by the Council.

Appendix G

The Planning Application Process

STEP 1 – REGISTRATION AND ALLOCATION

The Application has been validated, registered and allocated to a case officer.

STEP 2 – CONSULTATION

A letter is sent to neighbouring properties who share a boundary with the application site. We also inform the town or parish council, and any relevant consultees. A statutory notice is displayed at the site, where required. We also publicise the application on <https://planning.bolsover.gov.uk/online-applications/>

STEP 3 – SITE VISIT

We usually visit the application site without an appointment, and it is at our discretion whether we need to access neighbouring land or property to view the proposal.

STEP 4 – OFFICER ASSESSMENT

Once the consultation deadline has expired we will assess the planning merits of the application

STEP 5 – NEGOTIATION AND RE-CONSULTATION

If the application is formally amended, because we are unable to support it as originally submitted we may re-consult and this may mean consulting new neighbours if we consider that the changes may affect them.

STEP 6 – RECOMMENDATION AND DECISION

Most application decisions are made under delegated powers. However, large and complicated applications can be brought before our Planning Committee that is made up of elected councillors.

Appendix H

PUBLIC NOTICE

Concerning the development of land or buildings.

All correspondence to The Planning Department.

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

Application No:

Application Type:

Proposal:

Location:

Applicant:

The relevant details and plans submitted in connection with the above application are available for inspection on the Council's website <https://planning.bolsover.gov.uk/online-applications/> or at the Council's offices.

If for any reason the Council offices are closed and you are unable to view the details online please telephone The Arc on 01246 242424 during normal office hours and ask for a message to be passed to development control enquiries. A member of the contact centre staff will take your contact details and a member of the planning department will contact you directly to make alternative arrangements for you to see the details and plans for the application.

Anyone who wishes to make comments about this proposal, please send them via the application pages on the web site or by email to dev.control@bolsover.gov.uk and this would be the preferred way of submitting your comments. However, if you are unable to make your comments online or via email you can make your comments in writing 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:

Planning Manager

SNSTD

Date:

Appendix I

Material Considerations

A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision. Material considerations can include (but are not limited to):

- Overlooking/loss of privacy
- Loss of light or overshadowing
- Parking
- Highway safety
- Traffic
- Noise
- Effect on listed building and conservation area
- Layout and density of building
- Design, appearance and materials
- Government policy
- Disabled persons' access
- Proposals in the Development Plan
- Previous planning decisions (including appeal decisions)
- Nature conservation

However, issues such as loss of view, or negative effect on the value of properties are not material considerations and will not be taken into account in planning decisions. And neither are: Breach of private covenant; Loss of trade to a competitor; Level of profit a developer might make; Personal circumstances of the applicant (other than in exceptional cases); Character of the applicant; Nuisance caused by building works; Moral objections (e.g. to uses such as amusement arcades and betting offices). Boundary or neighbour disputes and conflict with private access may be legal matters, but are not material considerations.

Appendix J

Newspaper coverage of the district

Mansfield Chad – (Wednesday)

Covering: – Whaley Thorns, Nether Langwith, Upper Langwith, Langwith Junction, Langwith, Shirebrook, New Houghton, Stony Houghton, Pleasley and Whaley.

Worksop Guardian – (Friday)

Covering: – Elmton with Creswell, Whitwell, Belph, Bakestone Moor, Hodthorpe and Steetly.

Derbyshire Times - (Thursday)

Covering: Ault Hucknall, Hardstoft, Astwith, Stainsby, Glapwell, Rowthorne, Bramley Vale, Palterton, Pinxton, Scarcliffe, Hillstown, Bolsover, Shuttlewood, Stanfree, Clowne, Barlborough, Doe Lea, Spinkhill, Tibshelf, Newton, Blackwell, Hilcote and South Normanton.