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23 October 2020

To: All Councillors

As a Member or Substitute of the **Community & Environment Committee**, please treat this as your summons to attend a **Special meeting on Monday 2 November 2020 at 6.00pm** via the Zoom application. (Joining details will be provided separately).

Under Regulations made under the Coronavirus Act 2020, the meeting will be held virtually. As a member of the public you can view the virtual meeting via the District Council's website at www.derbyshiredales.gov.uk or via our YouTube channel.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'James McLaughlin'.

James McLaughlin
Director of Corporate Services

AGENDA

1. APOLOGIES/SUBSTITUTES

Please advise the Committee Team on 01629 761133 or email committee@derbyshiredales.gov.uk of any apologies for absence and substitute arrangements.

2. PUBLIC PARTICIPATION

As the Council cannot hold meetings at the Town Hall, Public Participation can only take place using the Zoom application or by written representations. Members of the public are able to comment or ask questions on the items listed in the agenda and must give notice before 12 noon on the day preceding the meeting by:

Web-form: [Make your submission here](#)

Email: committee@derbyshiredales.gov.uk

Post: Democratic Services, Derbyshire Dales District Council, Town Hall, Matlock DE4 3NN

Phone: 01629 761133 (working days only 9am – 5pm)

The Committee Team will assist any member of the public without access to electronic means by capturing their concerns over the telephone.

Written representations, received by the deadline will be read out at the meeting, verbal contributors will be given instructions on how to join the meeting after giving notice.

All meeting proceedings open to the public will be streamed live on our YouTube channel when all non-exempt items are being considered. Recordings of the meeting will also be available after the event on the District Council's website.

3. INTERESTS

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council's Code of Conduct. Those interests are matters that relate to money or that which can be valued in money, affecting the Member her/his partner, extended family and close friends. Interests that become apparent at a later stage in the proceedings may be declared at that time.

Page No.

4. DERBYSHIRE DALES STATEMENT OF COMMUNITY INVOLVEMENT 2020

3 - 54

To consider a report seeking approval for revisions to the Council's current Statement of Community Involvement and request that delegated authority be given to the Director of Regeneration and Policy to undertake the revisions to the Statement of Community Involvement (SCI) 2020 and to commence a six week public consultation.

5. DERBYSHIRE DALES LOCAL DEVELOPMENT SCHEME 2020 - 2023

55 - 80

To consider a report seeking approval for the immediate publication of a revised Local Development Scheme (LDS) on the District Council's website.

Members of the Committee - Councillors: Sue Bull, Matthew Buckler, Martin Burfoot, Helen Froggatt (Vice Chair), Chris Furness (Chair), Clare Gamble, Susan Hobson, David Hughes, Tony Morley, Peter O'Brien, Joyce Pawley, Garry Purdy, Mike Ratcliffe, Andrew Statham, Alasdair Sutton, Steve Wain and Mark Wakeman.

Substitutes – Councillors: Robert Archer, Jason Atkin, Richard Bright, Sue Burfoot, Neil Buttle, Tom Donnelly, Richard FitzHerbert, Alyson Hill, Claire Raw and Peter Slack

COMMUNITY & ENVIRONMENT COMMITTEE
2 NOVEMBER 2020

Report of the Director of Regeneration and Policy

DERBYSHIRE DALES STATEMENT OF COMMUNITY INVOLVEMENT 2020

PURPOSE OF REPORT

This report advises of the statutory requirement to prepare a Statement of Community Involvement (SCI) in relation to the District Council's Planning functions. The report recommends that revisions to the Council's current Statement of Community Involvement as set out in Appendix 1 be subject to a period of six weeks public consultation.

RECOMMENDATION

1. That delegated authority be given to the Director of Regeneration and Policy to undertake the revisions to the Statement of Community Involvement (SCI) 2020 as set out in Appendix 1 and to commence a period of six weeks public consultation.
2. That a report be presented to a future meeting that sets out and considers any representations received during period of six weeks public consultation.

WARDS AFFECTED

All outside the Peak District National Park.

STRATEGIC LINK

A Statement of Community Involvement (SCI) sets out the standards of community engagement that the District Council will seek to achieve in respect of the delivery of its Planning functions. As such the SCI will support the delivery of the Councils Corporate Plan 2020-24 which has the key priority of providing people with a high quality customer experience. .

1. BACKGROUND

- 1.1 Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017) requires that local planning authorities prepare a Statement of Community Involvement (SCI).

- 1.2 The purpose of the SCI is to explain to local communities and stakeholders how they will be involved in the preparation, alteration and review of Local Plans and also in the determination of planning applications. Local planning authorities are also required to set out in the SCI their policies for giving advice or assistance to neighbourhood planning groups and their policies for involving communities and other interested parties in the preliminary stages of plan-making.
- 1.3 The SCI helps to ensure that local communities have greater ownership over local planning decisions and are better able to shape the places where they live. The SCI defines the standards to be met by the District Council in terms of community involvement and stakeholder engagement.
- 1.4 The National Planning Policy Framework (NPPF) emphasises the role of community engagement in the planning system, setting out that “Plans should be prepared with the objective of contributing to the achievement of sustainable development... be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees.” (Paragraph 16 NPPF). Furthermore the NPPF states “plans should be accessible through the use of digital tools to assist public involvement and policy presentation” (Paragraph 16 NPPF). In respect of decision making, the NPPF further emphasises that “early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties” (Paragraph 39 NPPF).

2. REVISED DERBYSHIRE DALES STATEMENT OF COMMUNITY INVOLVEMENT

- 2.1 The current Statement of Community Involvement (SCI) 2019¹ was adopted at a meeting of the Community and Environment Committee on 10th January 2019 (Minute 286/18).
- 2.2 During the current unprecedented times associated with the COVID-19 pandemic, temporary changes in respect of publicity on planning policy documents and planning applications have been announced by Government. On 13th May 2020 the Secretary of State issued a Ministerial Statement that set out implications for community involvement and participation on planning matters, indicating that Local Planning Authorities should adapt their consultation arrangements to enable public consultation to be undertaken, making documents available as ‘digital by default’.
- 2.3 Temporary changes to the publicity requirements for certain planning applications were introduced through the Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020 to support timely decision making, and avoid delays to development as a result of the effects of the pandemic, while maintaining public participation in the decision making process. These temporary changes have given local planning

¹ https://www.derbyshiredales.gov.uk/images/documents/S/FINAL_SCI_2019.pdf

authorities greater flexibility in relation to the way they publicise planning applications, if they are unable to comply with a particular requirement because it is not reasonably practicable to do so for reasons connected to the effects of coronavirus. This includes for instance flexibility relating to the publicity of planning applications if the Local Planning Authority is unable to discharge the specific requirements for site notices, neighbour notifications or newspaper publicity cannot be achieved and promoting the use of digital communications, including social media.

- 2.4 Additionally as set out elsewhere upon this agenda, a review of the adopted Derbyshire Dales Local Plan is proposed. Regulation 10A of the Town and County Planning (Local Planning) (England) Regulations 2012 (as amended) requires local planning authorities to review Local Plan and Statements of Community Involvement at least once every 5 years from their adoption date to ensure that policies remain relevant and meet the needs of the local community. To comply with this duty a review of the Derbyshire Dales Local Plan and accompanying Derbyshire Dales Statement of Community Involvement must be undertaken be completed by December 2022.
- 2.5 In light of this it is considered appropriate to undertake a proportionate review of the Derbyshire Dales SCI. Whilst the majority of the SCI continues to remain up to date and does not require significant revisions, some modifications have been made to ensure that the District Councils practices reflect current statutory requirements and best practice. A copy of the revised SCI is set out in **Appendix 1** for Members consideration.
- 2.6 Although the District Council already consults widely with the local community and stakeholders, the SCI is intended to formalise and continually improve consultation and public participation methods and processes.
- 2.7 As Members will be aware the District Council has considerable experience of engaging with the local community and working with partners and stakeholders. The SCI has therefore been produced with a focus upon the achieving the objectives of the Corporate Plan 2020-2024, Derbyshire Dales Consultation and Engagement Strategy 2014-2019, Derbyshire Dales Equality, Consultation and Engagement Plan 2020-2022 and the Derbyshire Dales Communications and Marketing Strategy (updated September 2019).
- 2.8 The revised SCI identifies the Local Development Documents upon which the public and stakeholders will be consulted; these include the Derbyshire Dales Local Plan and any forthcoming Supplementary Planning Documents. The revised SCI also sets out how the District Council will give advice and assistance to neighbourhood planning groups on the preparation of Neighbourhood Development Plans and involve communities in the preliminary stages of plan making.
- 2.9 The SCI outlines the different stages of consultation for the various stages of document preparation and identifies the different methods the District Council will adopt to ensure that as wide a range of the community and stakeholders as possible are engaged in the planning process. The revised SCI seeks to encourage as wide a range of engagement methods as possible, and does not exclude any specific method be utilised. However, throughout it seeks to

ensure that engagement operates on a digital by default basis as a priority. In respect of Local Development Documents it sets out that the following methods would be appropriate for use, if circumstances allow:

- Newsletters and leaflets
- Media – local press, TV, radio
- Exhibitions and displays
- Website
- Online Workshop & Exhibition
- Questionnaire and surveys
- Online Panel
- Public meeting and surgeries
- Focus groups
- Workshops
- Participative planning activities
- Community forums and liaison groups

- 2.10 The revised SCI also sets out how the community and stakeholders will be involved in the process of submitting and determining individual planning applications, including how they are publicised and consulted upon. It also provides guidance on how comments can be made on planning applications, the arrangements for Planning Committee and the decision making and appeal process.
- 2.11 To assist community groups get involved in the planning processes the revised SCI outlines where they can obtain further information and advice from, including organisations such as Planning Aid England.
- 2.12 Although the SCI is not required to be subject to an independent assessment it is considered best practice that it be subject to a period of public consultation prior to formal adoption. It is therefore recommended that the revised SCI as set out in Appendix 1 be subject to a period of 6 weeks public consultation, in line with the advice contained within the document itself. Delegated authority is therefore sought to undertake this consultation, with any representations reported back to Members at a future date.

3 RISK ASSESSMENT

3.1 Legal

This is a statutory requirement and the proposals accord with the provisions of the relevant legislation. Accordingly the legal risk that has been attributed to this report is low.

3.2 Financial

The cost of officer time spent in preparing the Statement of Community Involvement can be met from existing budgets. There are no financial risks arising directly from this report.

4 OTHER CONSIDERATIONS

In preparing this report the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

Equality Considerations

Derbyshire Dales District Council has a statutory duty under S.149 of the Equality Act 2010 to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity; and
- Foster good relations between different groups

The District Council's commitment to equality and fairness is set out in the Equality Consultation and Engagement Plan 2020-2022. This sets out that the District Council aims to embed consideration of equality in everything it does, including making equality an integral part of community involvement. The Equality Consultation and Engagement Plan 2020-2022 recognises that different groups require different forms of involvement to ensure their needs are met appropriately and sensitively. Equality interest groups to be engaged through the SCI are identified in Paragraph 2.10 of the SCI as set out in Appendix 1.

5 CONTACT INFORMATION

Esther Lindley, Senior Planning Policy Officer

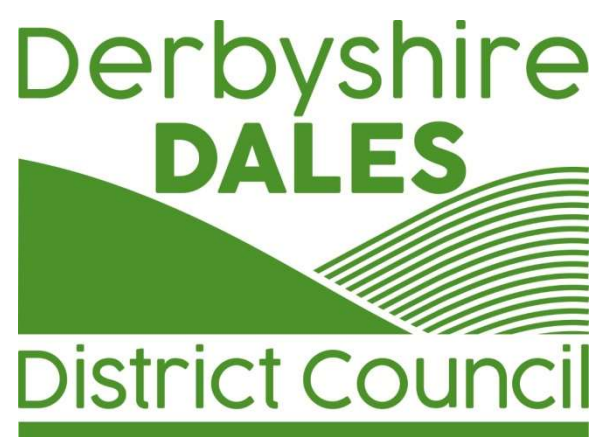
Email: esther.lindley@derbyshiredales.gov.uk Tel: 01629 761241

6 BACKGROUND PAPERS

Description	Date	Location
Planning & Compulsory Purchase Act	13th May 2004	G/5/P2
Localism Act 2011	15th November 2011	G/5/P2
Town and Country Planning (Local Development) (England) Regulations 2012	6th April 2012	G/5/P2
Neighbourhood Planning Act 2017	27 th April 2017	G/5/P2
National Planning Policy Framework and Planning Practice Guidance	February 2019	G/5/P2
Derbyshire Dales Local Plan	Adopted December 2017	G/5/P2
Derbyshire Dales Local Statement of Community Involvement	January 2019	G/5/P2

7 ATTACHMENTS

Appendix 1 – Derbyshire Dales Statement of Community Involvement – October 2020



DERBYSHIRE DALES
STATEMENT OF COMMUNITY INVOLVEMENT
OCTOBER 2020

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DERBYSHIRE DALES

STATEMENT OF COMMUNITY INVOLVEMENT

1.0 INTRODUCTION

- 1.1 Section 18 (Part 2) of the Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008, the Localism Act 2011 and Neighbourhood Planning Act 2017) requires Local Authorities to produce a Statement of Community Involvement (SCI) which sets out the authority's policy on the involvement of those who have an interest in matters relating to development in their area.
- 1.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the minimum requirements for Local Authorities in terms of community involvement when preparing Local Plans. These statutory requirements underpin the SCI, which itself sets out the wider steps that the District Council will take to involve and engage the community in all elements of plan making and the determination of planning applications.
- 1.3 The Localism Act 2011 also places greater emphasis upon community involvement by empowering local communities to get involved in the plan making process in their area. The Localism Act also updates the Planning and Compulsory Purchase Act 2004 requirement that local planning authorities should produce a Local Development Scheme (LDS). An updated LDS was adopted by the District Council at a meeting of Community and Environment Committee on the 13th September 2018. The LDS sets out the Council's programme for the preparation and review of Local Development Documents over a three year period. A copy of the revised LDS can be downloaded from the Council's website at: www.derbyshiredales.gov.uk/LDS
- 1.4 There is a clear emphasis through national planning policy on encouraging early and consistent community involvement. The National Planning Policy Framework emphasises the role of community engagement in the planning system, setting out that "Plans should be prepared with the objective of contributing to the achievement of sustainable development, be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, business, infrastructure providers and operators and statutory consultees" (Paragraph 16 NPPF). Furthermore the NPPF states "plans should be accessible through the use of digital tools to assist public involvement and policy presentation" (Paragraph 16 NPPF). In respect of decisions making the NPPF further emphasises that "early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties" (Paragraph 39 NPPF).
- 1.5 It is therefore of great importance to involve the community within the planning process and the SCI outlines the District Council's process of doing so. The SCI not only sets out how the District Council will seek to engage with the community in all stages of plan making, but also how the District Council will engage with the community in the determination of planning applications. It is designed to ensure that members of the public have a clear understanding of when and how they can participate in both the plan making process and within the decision making process in regard to planning applications.

- 1.6 The previous SCI was adopted in 2016 at a time when the District Council was preparing the now adopted Derbyshire Dales Local Plan. The Derbyshire Dales Local Plan was adopted on 7th December 2017 and sets out up to 2033 the overall vision, objectives and policies for the future development of those parts of the Derbyshire Dales that lie outside the Peak District National Park. The Local Plan provides a strategy for the spatial development of Derbyshire Dales and provides a framework for promoting and controlling development. The Plan allocates sites for housing and employment development and provides development management policies for the use in the determination of planning applications. The Adopted Local Plan can be viewed here: www.derbyshiredales.gov.uk/Localplan
- 1.7 Whilst the majority of the previous SCI continues to remain up to date and does not require significant revisions, some modifications have been made to ensure that the District Councils practices reflect current statutory requirements and best practice.

2.0 OUR COMMITMENT TO COMMUNITY INVOLVEMENT

- 2.1 The District Council already has considerable experience of engaging with the local community and has been successful in working with the community and its partners in the Peak District Partnership (PDP). This partnership draws together organisations working in the Derbyshire Dales and High Peak from the statutory, voluntary and business sectors. The work of the PDP is now focused on the delivery of an annual 'think tank', horizon scanning event to consider the impact of strategic issues e.g. the ageing demographic of the area in the short, medium and longer term and what action can be taken collectively by partners to help address these issues
- 2.2 The District Council is also an active participant in the Derbyshire Community Engagement Group. The group comprises public sector organisations in Derbyshire that have statutory responsibilities for carrying out consultation with the public. Its membership includes; Derbyshire County Council, Derbyshire Fire and Rescue Service, and Derbyshire Constabulary. The aim of the Group is to share resources and expertise and develop best practice in research and consultation across the public sector.
- 2.3 The District Council has a number of plans and strategies in place which relate to community involvement. This SCI builds upon approaches set out in such plans and strategies including the Council's Corporate Plan 2020-2024, Derbyshire Dales Consultation and Engagement Strategy 2014-2019, Derbyshire Dales Equality, Consultation and Engagement Plan 2020-2022 and the Derbyshire Dales Communications and Marketing Strategy (updated September 2019).

Corporate Plan 2020-2024

- 2.4 The Corporate Plan 2020-2024 sets out the vision and improvement priorities for Derbyshire Dales District over the next four years. It is the key strategy from which the District Council's Budget and Service Plans cascade. It sets out three broad priority areas:
- People - providing you with a high quality customer experience
 - Place - keeping the Derbyshire Dales Clean, Green and Safe; and
 - Place - supporting better homes and jobs for you.
- 2.5 A copy of the Corporate Plan can be found at:
https://www.derbyshiredales.gov.uk/images/C/Corporate_Plan_2020-24_for_web.pdf

Consultation and Engagement Strategy 2014-2019

- 2.6 The District Council's Consultation and Engagement Strategy 2014-2019 recognises that policies have a more lasting impact and services are more responsive to local need if influenced directly by those whom they affect. It also sets out other benefits of involving people including improving customer perceptions and satisfaction, to reduce inequalities, to strengthen local democracy and to enhance community cohesion.

- 2.7 For consultation and engagement to be effective the views of residents, service users, local businesses, voluntary and community sector organisations, partners and other stakeholders will be sought and listened to with the results used to improve the Council's decisions. The Council is committed to working with these different stakeholder groups to ensure the priorities of the Council, the policies it makes and services it provides are shaped through local engagement. This strategy also supports one of the core values of the District Council, listening to people.
- 2.8 The District Council uses a range of methods in order to access a range of people. This involves:
- Website surveys and polls
 - Residents' surveys
 - Area Community Forums
 - Public meetings, exhibitions and 'drop-in' sessions
 - Focus Groups
 - Business breakfasts and evening meetings
 - Parish and town council conferences
 - Attending meetings and events with representatives of hard to reach groups and holding engagement events in venues used by these groups.
- 2.9 Where possible the District Council will work with partners, including those on the Peak District Partnership, to enhance the District Council's capacity to engage using existing networks. The District Council also continuously strives to improve on their approach by developing alternative methods of engagement, increasing local area working and developing a better understanding of its customers.
- 2.10 The strategy identifies people with disabilities, young people and businesses as the main hard to reach groups which will be particularly targeted. Countywide representative bodies such as Derbyshire LGBT, BME forum, Derbyshire Gypsy Liaison Group, 3D Voluntary and Community Sector Infrastructure Consortium, Learning Disabilities Partnership Board and Derbyshire and Nottinghamshire Chamber of Commerce will also be engaged as appropriate to seek the views of their members.
- 2.11 The District Council's Consultation and Engagement Strategy can be found at:
http://www.derbyshiredales.gov.uk/images/documents/C/Consultation_and_Engagement_Strategy_2014-2019.pdf

Area Community Forums

- 2.12 Local communities can also be involved in planning matters through the District Council's Area Community Forums. The Area Community Forums are an opportunity for members of the public, representatives from community groups and the voluntary and business sector to meet with Officers and Councillors from the District Council and partner organisations such as the Peak District National Park Authority, Derbyshire County Council and Fire, Police and Health Authorities. The Forums are held annually in public venues across the Derbyshire Dales. Planning matters are generally included on the agenda of such forums along with wider issues. Each

session normally covers 2 or 3 subjects plus an allocated session for general questions.

- 2.13 The forums are open to anyone to attend and they are publicised to Community Groups, Town and Parish Councils and more widely through the District Council's website and social media and through the use of a database of interested parties.

Communications and Marketing Strategy

- 2.14 The District Council approved an update to the Communications and Marketing Strategy in September 2019. Its aim is to provide a clear understanding and a positive perception of the District Council's visions, aims, values, services and achievements to all staff, residents, partners and everyone who deals with the Council in order to achieve higher levels of satisfaction and engagement. The focus of the strategy is to support and enhance the activities of Derbyshire Dales District Council through effective communications.

- 2.15 The Objectives of the Communications and Marketing Strategy are;

- Secure and strengthen the reputation of the council in the community as an effective and efficient provider of high quality outcomes – focused on our values and priorities
- Build and maintain a professional corporate identity for consistent and co-ordinated use throughout the organisation
- Promote the image of the council as an effective, efficient and listening organisation focused on the public and their needs
- Ensure that communications are consistent and co-ordinated across all channels to give maximum support to the council's strategic priorities.
- Ensure all staff understand the priorities of the council and feel valued and able to contribute to major changes affecting services they provide
- Ensure that communications activities reflect the full diversity of the community and help ensure equality of access to our services.

- 2.16 The District Council will also increase its efforts to understand what local communities are saying and aims to help communities to help themselves by:

- Giving individuals more say about the services and support they receive
- Empowering communities to do more for themselves and giving them the tools they need for community actions
- Recognising that some areas need more help than others and that, with a little support they can get their ideas off the ground.
- Supporting the transfer of buildings and other assets to community ownership so that they can become hubs for local activity which are flexible and responsive to local needs.

- 2.17 The Communications and Marketing Strategy can be found at:

https://www.derbyshiredales.gov.uk/images/documents/C/Communications_Marketing_Strategy_updated_September_2019.pdf

Equality, Consultation and Engagement Plan 2020-2022

2.18 The District Council has statutory duties under the Equality Act 2010 which should be considered across all the District Council's Public Functions. Three broad aims which the District Council must have due regard to under the Equality Act 2010 S.149 are

- the need to eliminate discrimination, victimisation and harassment,
- advance equality of opportunity and
- foster good relations between different groups.

2.19 The Equality Act 2010 (Specific Duties) Regulations 2011 sets out further specific duties which support the delivery of the above aims. These require the District Council to

- publish annually equality information about its workforce and service users,
- set equality objectives and specify the steps it will take to achieve them, at least every four years.

The Equality, Consultation and Engagement Plan 2020-2022, therefore supports the delivery of the District Council's equality duties.

2.20 The Equality, Consultation and Engagement Plan 2020-2022 sets five new Equality Objectives:

- Objective 1: Maintain high customer satisfaction about the quality of services we deliver
- Objective 2: Implement the Derbyshire Dales Climate Change Strategy and make improvements to the operational aspects of the Clean & Green services
- Objective 3: Promote housing development that meets the needs of the present and future population of the District
- Objective 4: Seek to attract investment that supports the local economy including the provision of jobs for younger people
- Objective 5: One team, working together as one Council with one purpose

2.21 The District Council is therefore committed to the implementation of the Equality, Consultation and Engagement Plan. The associated action plan sets out the equality improvements identified for 2020-2022 as:

- Undertaking an annual online survey of residents to establish customer satisfaction and priorities
- Maintain other customer access channels: during opening hours, you will still be able to phone us or drop by at the Town Hall in Matlock
- Deliver a high quality waste/recycling service to residents
- Work with partners and communities to maintain high levels of community safety
- Implement the Council's Climate Change Strategy and ensure that the benefits derive to vulnerable households across the District
- Helping disabled people adapt their homes so they can continue to live there
- Continue to provide debt and welfare advice to vulnerable households
- Building new Council homes to rent and continuing to build social rented homes in partnership with Housing Associations
- Delivering a permanent site to meet identified traveller needs

- Ensure a One Team approach to the Council's statutory equality duties
- Retain the Disability Confident standard
- Support the Derbyshire Careers Enterprise Co, to strengthen links between education and employers
- Agree and progress the corporate programme of priority Equality Impact Assessments
- Service Reviews of any potential equality impacts to be identified through EIA's

2.22 Equalities data will continue to be monitored in order to understand the customers of council services in order to make relevant improvements.

2.23 The Equality, Consultation and Engagement Plan 2020-22022 can be found at:
http://www.derbyshiredales.gov.uk/images/E/Eq_Cons_Eng_Plan_2018-19_FINAL.pdf

Data Protection

2.24 The District Council understands the value of an individual's personal data and is committed to keeping it safe by fulfilling its obligations under, the Data Protection Act 2018 (DPA) and the General Data Protection Regulations GDPR.

2.25 In order to assist the District Council with meeting its obligations it has created full suite of supplemental documents including a Data Protection Policy, Privacy Notice, Retention Guidelines & Lawful Basis of Processing. These documents can be found on the District Councils website (<http://www.derbyshiredales.gov.uk/your-council/data-information/data-protection>)

2.26 The District Council has also appointed a Data Protection Officer (DPO) to handle any queries or requests. Should you have any queries or would like to access your rights as a data subject please contact the DPO at dataprotection@derbyshiredales.gov.uk or write to them at Derbyshire Dales District Council, Town Hall, Bank Road, Matlock, DE4 3NN

3.0 GETTING INVOLVED IN PLANNING

- 3.1 This section of the Statement describes how to get involved in the planning process. It identifies the documents, plans and policies upon which the District Council will be seeking community involvement upon and establishes when community involvement will be sought and who will be involved. Throughout this document the following definitions for community involvement will be used.

Information Giving

- 3.2 This is the simplest level of engagement and is simply about providing information to stakeholders. Although it is a form of engagement in itself, information-giving underpins all other levels of engagement as it is essential that participants are provided information (in varying detail and formats) about the issues upon which they are being engaged so that they are able to make informed and considered choices. Participants should also receive feedback after engagement has been completed and this is, in itself, an information-giving exercise.

Consultation and Learning

- 3.3 Ensuring that consultation is undertaken which benefits both parties. Consultation exercises will enable the community to learn more about planning and for the council to learn more about the needs of communities.

Involvement

- 3.4 At this level the community and stakeholders are actually involved in decision making and deciding together on the future of their neighbourhoods and other decisions that affect their lives. This gives the community the power to choose, without fully sharing the responsibility for action.

4.0 THE ROLE OF COMMUNITY INVOLVEMENT IN PLAN MAKING

- 4.1 There are various planning policy documents prepared by the District Council, all with requirements for preparation, public involvement and consultation. Derbyshire Dales District Council is the Local Planning Authority for those parts of the Derbyshire Dales that lie outside the Peak District National Park. The National Planning Policy Framework (NPPF) commits the Government to the principle of a plan-led system where decisions on planning applications are made in accordance with the development plan unless material considerations indicate otherwise. The NPPF sets out the importance of Local Plans as being key to delivering sustainable development that reflects the vision and aspirations of local communities.
- 4.2 Local Plans should be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers/operators and statutory consultees. Local Plans should reflect the collective vision and priorities of the community and therefore a wide selection of the community should be involved in the preparation process. Community involvement and engagement will therefore be sought throughout the process of the development of the Derbyshire Dales Local Plan. Furthermore the NPPF requires that Plans should contain policies that are clearly written, so it is evident how a decision maker should react to development proposals (Paragraph 16 NPPF).

Consultation and the Local Plan Preparation Process

- 4.4 The following sections set out the various elements of the Local Plan preparation process. Details are given of the consultation arrangements for each of the various stages in the preparation of documents and policies. The range of local groups that the District Council will seek to involve at each stage and how this involvement will be facilitated are also highlighted.
- 4.5 The District Council will seek to involve people at an early stage in the Local Plan preparation process. This will aim to seek consensus on essential issues early in the plan preparation process. By enabling individuals, organisations and the District Council to share knowledge and views at this initial stage about which options and proposals are being considered, there will be a genuine opportunity for people to influence plan content.
- 4.6 Local Plan and Supplementary Planning Documents vary in scope and scale and in the degree to which they impact on people's lives and the neighbourhoods in which they live. It is recognised that public interest in documents will vary according to the nature of their content, thus the style and scope of public consultation will be proportionate and tailored to the policy decision at issue.
- 4.7 There are numerous groups that the District Council already involves in the planning process. A long list of the groups the District Council proposes to involve in plan making is set out in Appendix 1. This is not a definitive list as many smaller groups are not included because they change more frequently. The District Council will maintain a database of organisations that make up this 'long list' and as part of the annual review of this SCI seek to ensure that the details of the organisations on the 'long list' as set out in Appendix 1 are kept up to date.

- 4.8 The District Council will employ a range of methods at each stage of the preparation and revision of the Local Plan. Further details of each method, along with the relevant merits of each of the methods are set out in Appendix 2.
- 4.9 The Local Development Scheme (LDS) sets out the Council's key planning documents and the timetable for their preparation. A copy of the LDS can be downloaded from the District Council's website:
www.derbyshiredales.gov.uk/LDS

5.0 LOCAL PLAN DOCUMENTS

- 5.1 Several distinct stages are involved in the preparation of a Local Plan as specified by the Town and Country Planning (Local Planning) (England) Regulations 2012. These are:

- Evidence Gathering
- Preparation of Local Plan (Regulation 18)
- Publication of Local Plan (Regulation 19 and 20)
- Submission of Local Plan to Secretary of State and Examination (Regulation 22)

Community involvement in the preparation of the Local Plan is a continuous process which is undertaken at each of the distinct stages.

- 5.2 In line with current Government advice during the Covid-19 pandemic the District Council will adopt a 'digital by default' approach to consultation and engagement throughout the preparation and review the Derbyshire Dales Local Plan. Only in circumstances when it is considered that "Covid-Safe" arrangements can be put in place will the District Council promote community consultation that involves the inspection of documents at our Offices and other places. This approach will be kept under review during the continuation of the pandemic, and adjusted accordingly to reflect the circumstances in existence at that time.

Evidence Gathering

- 5.2 At this stage the District Council gathers relevant social, economic and environmental information to provide a comprehensive and robust evidence base for plan preparation. The evidence base consists of a wide range of studies, plans and strategies provided by a wide range of organisation, not just the District Council. The evidence base is updated as required to inform development plan preparation. The District Council will provide notification, where appropriate when new evidence is published to encourage involvement in the early and initial stages of plan making.
- 5.3 All new evidence prepared by the Government will be published on the District Council's website. Online workshops and events with the local community and key stakeholders may be held to disseminate and discuss the potential implications that the updated evidence has for the preparation and review of the Derbyshire Dales Local Plan.

Preparation of the Local Plan

- 5.4 Previous regulations specified that at this stage consultation on "Issues and Options" and "Preferred Options" document had to be published as a statutory aspect of the plan preparation process. The Town and Country Planning (Local Planning) (England) Regulations 2012 has, however, removed this requirement. There is now greater flexibility as to how the District Council undertakes consultation at this 'preparatory' stage.
- 5.5 The District Council is however required under Regulation 18 to notify consultation bodies whom they feel may have an interest in the subject of the Local Plan and other consultation bodies deemed appropriate. In addition residents or those carrying on

business within the area will also be asked to make representations at this stage. The District Council will then take into account any comments made at this before moving forward to the next stage.

- 5.6 The District Council's database of organisations will be used as a starting point for contacting those with an interest in the Local Plan. Additional members of the public will also be contacted and appropriate publicity undertaken.
- 5.7 In line with Government advice during the Covid-19 pandemic the District Council will adopt a 'digital by default' approach to consultation and engagement throughout the preparation and review the Derbyshire Dales Local Plan. At this stage (and only where safe and appropriate to do so), will the District Council use the following consultation methods in order to engage effectively with the public and consultation bodies:
- Documents made available for review at Council Offices and Libraries and on the website
 - Newsletters and Leaflets published which detail and provide an opportunity to comment on the issues and options
 - Public Meetings/Surgeries – Including online seminars, workshops and public meetings
 - Workshops with representatives of range of issue or interest areas – Including online sessions.

Publication of Local Plan

- 5.8 Following the completion of the preparatory consultation the District Council will consider the contents of the comments made, and where appropriate seek to take them into account. At this stage the District Council will publish a Draft Local Plan, which it will assume is suitable to be able to be submitted to the Secretary of State for independent examination.
- 5.9 The Draft Local Plan will be subject to public consultation alongside a Statement of the Representations in accordance with Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. A statement of the fact that the Local Plan is available for inspection and the places and times at which it can be inspected will also be published. As in previous steps the District Council will adopt a 'digital by default' approach to the publication of documents.
- 5.10 This provides a formal opportunity for the local community and other stakeholders to reflect upon the policies and proposals in the Draft Local Plan which the District Council considers suitable for submission to the Secretary of State.

Submission of Local Plan to Secretary of State and Examination in Public

- 5.11 Having considered the representations made on the Draft Local Plan the District Council will consider whether it is necessary to make any appropriate changes to the Local Plan to address comments raised.
- 5.12 The Local Plan along with a schedule of proposed changes and any other documents set out in the Regulations such as the Statement of Consultation and the Sustainability

Appraisal will then be submitted to the Secretary of State to be subject to Examination in Public by a Planning Inspector.

- 5.13 As soon as is practically possible after submitting the Local Plan to the Secretary of State those general and specific consultation bodies who were invited to make representations will be notified that the Plan is available for inspection alongside the time and place at which they can be inspected. Those who requested notification of the submission of the Local Plan will also be given notified at this time. Again a 'digital by default' approach will be taken to publicising the submission of the Derbyshire Dales Local Plan to the Secretary of State and the arrangements for any subsequent Examination in Public.
- 5.14 At this stage a Programme Officer will be appointed to ensure the smooth running of the Examination in Public. This will include ensuring that all interested parties are kept informed of the timing and progress of the examination.

Examination in Public (EIP)

- 5.15 Once the Examination in Public is arranged the Inspector publishes a schedule of main matters, issues and questions which will form the basis of discussions at the EIP. The Programme Officer invites comments on the matters and coordinates who attends each session to make their views orally to the Inspector.

Report and Adoption

- 5.16 After the Examination in Public the Inspector will produce a report with recommendations for the District Council. This can include recommendations for 'main modifications' which should ensure that the Local Plan is sound and legally compliant. The District Council can also put forward 'additional modifications' of its own in order to deal with more minor matters. If major modifications are recommended the Inspector's report will only be published after public consultation on such modifications has been undertaken and the Inspector has had the opportunity to consider the representations on these.
- 5.17 Copies of the adopted Local Plan and other relevant documents will be made available online on the District Council's website www.derbyshiredales.gov.uk and if safe and appropriate to do so at the District Council's offices and at Matlock, Ashbourne and Wirksworth library during normal office hours.

Supplementary Planning Documents

- 5.18 Supplementary Planning Documents (SPDs) can cover a range of issues, and seek to expand policy or provide further detail to policies in an adopted Development Plan Document. SPDs have statutory weight and once adopted formally by the District Council are material considerations in the determination of planning applications. The preparation process for an SPD is described in more detail below. At all times the District Council will take a 'digital by default' approach to the preparation and engagement of each Supplementary Planning Document.

Commencement of Preparation Process

- 5.19 At this stage the Council is primarily concerned with gathering evidence that it can use to prepare the SPD. Although much work at this stage will involve gathering technical data and information from a variety of sources, it will also involve liaison with the community and key stakeholders about the issues the document should contain.

Public Participation on Draft SPD

- 5.20 The Town and Country Planning (Local Planning) (England) Regulations 2012 allow for a period of formal consultation of at least four weeks on draft SPDs. In order to maximise community involvement in the process, the Council will undertake a minimum four-week period of consultation on any SPD. This timescale for consultation will allow the community and other stakeholders to formally express their views and preferences on the contents of a draft SPD. The Council will consider the comments made and take them into account in deciding how to take the SPD forward.

Consideration of Responses, Modification & Adoption

- 5.21 The District Council will consider each representation received during the formal public participation stage on the draft SPD, and decide whether any changes are necessary prior to adoption.
- 5.22 Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations (2012) requires a consultation statement to be produced alongside the adoption of any SPD. This should outline the persons consulted on the document, a summary of the main issues raised and how those issues have been addressed in the SPD.
- 5.23 Copies of the draft SPD and consultation statement will be made available online on the District Council's website www.derbyshiredales.gov.uk and if safe and appropriate to do so at the District Council's offices and at Matlock, Ashbourne and Wirksworth library during normal office hours.
- 5.24 The main concern at this stage is to ensure that interested parties are kept informed of the Council's views on any representations they may have made and of the progress towards adoption.
- 5.25 Copies of the adopted SPDs and other relevant documents will be made available online on the District Council's website www.derbyshiredales.gov.uk and if safe and appropriate to do so at the District Council's offices and at Matlock, Ashbourne and Wirksworth library during normal office hours.
- 5.26 Regulation 14 of the Act above also requires an adoption statement to be produced upon adoption of a SPD. This is required to set out when the document was adopted, if applicable any modifications made in accordance with section 23(1) on the Act. The adoption statement will be sent to anyone who has requested notification of adoption of the SPD and made available online on the District Council's website www.derbyshiredales.gov.uk and if safe and appropriate to do so at the District

Council's offices and at Matlock, Ashbourne and Wirksworth library during normal office hours.

- 5.27 All draft and adopted SPD's will also be available on the Council's website:
<http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/local-plan/supplementary-planning-documents>
- 5.28 Appendix 3 sets out which consultation methods the District Council will use at the various stages of the preparation of the Derbyshire Dales Local Plan and any Supplementary Planning Documents.

Sustainability Appraisal and Habitat Regulations Assessment

- 5.29 Carrying out a Sustainability Appraisal (SA) is an essential and statutory part of the plan making process. The purpose of the SA is to appraise the social, economic and environmental effects of the emerging Local Plan and inform the plan preparation process. It is a continual process which is embedded throughout the preparation of the Local Plan.
- 5.30 Consultation will be undertaken on the initial Scoping report, which provides baseline information on the environmental, social and economic characteristics of the plan area, including the likely evolution of the baseline within the plan.
- 5.31 Regulations 12 and 13 of the Environmental Assessment of Plans and Programmes Regulations 2004 require the Council to make the SA report available alongside the Local Plan. An electronic copy will be sent to each consultation body and appropriate steps taken to ensure the SA report is brought to the attention of those who are affected, likely to be affected or have an interest in the decisions involved in the assessment and adoption of the plan. Consultees will be advised of the location and website at which the document will be available and invited to make comment on the document. Consultees will be advised of the time period within which comments must be made. Comments from consultation bodies should be received within 5 weeks of receiving an invitation to engage in consultation.
- 5.32 The Derbyshire Dales Local Plan, as a plan or project which may have a significant effect on a European site (Special Protection Areas (SPAs) and Special Areas of Conservation (SACs)), will be subject to a Habitats Regulations Assessment (HRA) as required under the EU Habitats Directive (92/43/EEC). Its purpose being to determine whether or not any significant effects are likely to be generated and to identify ways in which they can be avoided. This will be published alongside the SA report and consultation with the appropriate natural conservation body will be consulted under requirement from Regulation 102 of the Conservation of Habitats and Species Regulations 2010

Duty to Cooperate

- 5.33 Local planning authorities have a statutory requirement to cooperate with other planning authorities, County Councils and prescribed bodies on development plan documents including Local Plans under section 110 of the Localism Act 2011. This is to ensure that strategic planning matters are adequately addressed. In doing so local

planning authorities are required to engage with one another “constructively, actively and on an ongoing basis” and have regard to activities of people of specified bodies or of a prescribed description so far as they are relevant.

- 5.34 The NPPF provides further information on the specific requirements for Local Plans, stating “local planning authorities are under a duty to cooperate with each other, and with prescribed bodies on strategic matters that cross administrative boundaries” (paragraph 24 NPPF). The NPPF further emphasises that “effective and on-going joint working between strategic policy making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy” (Paragraph 26 NPPF). In order to demonstrate effective and ongoing joint working, strategic policy making authorities are required to prepare statements of common ground, documenting cross boundary matters being addressed. The National Planning Practice Guidance provides further advice as to how such statements of common ground should be prepared, maintained, kept up to date and made publically available.
- 5.35 The District Council will work together with other neighbouring authorities on areas of common interest in order to achieve mutual benefits. The District Council will also cooperate with Derbyshire County Council on relevant issues, for example the provision of new and improved infrastructure to support development such as schools, roads and green infrastructure, and work in consultation with Local Enterprise Partnerships, Sheffield City Region, D2N2 and both the Peak District Local Nature Partnership and the Lowland Derbyshire and Nottinghamshire Local Nature Partnership. In addition the District Council will work collaboratively with private sector bodies, utility and infrastructure providers.
- 5.36 The District Council will seek to ensure that strategic priorities across local authority boundaries are properly co-ordinated and clearly reflected in the Local Plan.
- 5.37 The District Council will also seek to utilise the Duty to Cooperate to address any matters relating to the extent of the strategic Housing Market Area and the overall development needs of the area.
- 5.38 As part of the submission of the Derbyshire Dales Local Plan the District Council will produce evidence of the extent to which there has been effective cooperation on issues with cross-boundary significance. This must demonstrate that a continuous process of engagement, has been undertaken.

6.0 NEIGHBOURHOOD PLANNING

6.1 The Localism Act 2011 and Neighbourhood Planning Regulations 2012 empowered communities to shape the development and growth of their local area through Neighbourhood Planning. This provides the opportunity for communities to decide the future of the places where they live and work. The key aim is to use local knowledge and evidence to develop policies and proposals to support development of the built environment within local communities. Using these rights, communities are able to produce Neighbourhood Development Plans, Neighbourhood Development Orders; or progress development under Community Right to Build Orders:

- **Neighbourhood Development Plans** – Communities can write a plan which if 'adopted', becomes part of the statutory planning framework for the area
- **Neighbourhood Development Orders** – Can enable the community to grant planning permission for new buildings they want to see go ahead and allow new homes and offices to be built without developers having to apply for separate planning permission
- **Community Right to Build** – enables community organisations to progress new local developments without the need to go through the normal planning application process, as long as the proposals meet certain criteria and there is community backing in a local referendum.

6.2 As is the case with Local Plans and Development Plan Documents, regulations govern the preparation of a Neighbourhood Plans and Neighbourhood Development Orders. Both include consultation requirements, examination and referendum. The Localism Act identifies that community participation has to be brought forward through an appropriate qualifying body, either a Parish Council or Neighbourhood Forum. Up until the submission of a Neighbourhood Plan to a local planning authority, under Regulation 16 of the Neighbourhood Planning Regulations, it is the qualifying bodies' responsibility to undertake public consultation and engagement.

6.3 Local community involvement in Neighbourhood Planning allows Plans to be prepared which include policies and reflect aspirations around where new homes, shops and office should be located, which green spaces should be protected, what new development should look like. It allows opportunities for a local community to be positive about how an area may change in the future.

6.4 Under the provisions of the Town and Country Planning Act 1990 (as amended) the District Council has a statutory duty to assist communities in the preparation of Neighbourhood Development Plans and Orders and take such documents through a process of examination and referendum. The Localism Act 2001 (Part 6 Chapter 3) sets out the Local Planning Authorities responsibilities as:

- Designating Neighbourhood Forums
- Designating Neighbourhood Areas
- Advising or assisting communities in the preparation of a Neighbourhood Development Plan
- Checking a submitted Neighbourhood Plan meets the legal requirements
- Arranging for the independent examination of the Neighbourhood Development Plan

- Determining whether the Neighbourhood Development Plan meets the basic conditions and other legal requirements
- Subject to the results of the referendums, bringing the Neighbourhood Development Plan into force.

6.5 Whilst the District Council does not lead the preparation of Neighbourhood Plans, the District Council has welcomed their principle and will continue to provide technical advice and support to communities. This may include for instance making evidence available as well as undertaking procedural checks of the plan against legislation and regulations. This will also include undertaking a 'screening' exercise to determine if the Neighbourhood Plan requires a Strategic Environmental Assessment. The District Council will assist with neighbourhood planning in the following ways:

- Initial advice regarding the suitability of preparing a neighbourhood plan or order, including attendance at suitable meetings or providing briefings.
- On-going advice, including technical input into each key stage. The focus of any advice will be on the conformity of the Neighbourhood Plan/Order with the existing national and local planning framework but guidance will also be provided to ensure that the plan is fit for purpose and deliverable.
- Provision of guidance on key issues including timetabling, the role of the qualifying body, community engagement and undertaking consultation and relevant legislation including SEA
- Practical assistance such as mapping, IT advice and printing where appropriate.
- Relevant contact information for consultation including statutory consultees and local interest groups and bodies. Advice on undertaking consultation, publicity and engagement.
- Ensuring the suitable involvement of local Councillors and other interested parties to enable timely decision making at key stages

6.6 Any communities wishing to consider Neighbourhood Planning should contact the District Council's Policy Manager in the first instance. Further information is available on the District Council's website at:

<http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/1275-neighbourhood-planning>

6.7 Additional guidance and advice on Neighbourhood Planning is set out within the National Planning Practice Guidance, which is available here:

<https://www.gov.uk/government/collections/planning-practice-guidance>

Further guidance for communities on Neighbourhood Planning is available from the Planning Advisory Service via <https://local.gov.uk/pas/pas-topics/neighbourhood-plans> and the Planning Portal <https://www.planningportal.co.uk/>

7.0 PLANNING APPLICATIONS

- 7.1 The Council encourages the community to be involved in all the different types, and scale of applications for planning permission for which it is the local planning authority. Any comments and representations received on an individual planning application are taken into account in its determination. This does not, however, extend to applications for planning permission within the Peak District National Park, as these are the responsibility of the Peak District National Park Authority. Similarly the Council does not deal with minerals and waste applications, as these are the responsibility of Derbyshire County Council.
- 7.2 The District Council's Development Management Section seeks to exercise planning control in the public interest and is committed to publicising and consulting more widely on planning applications than the statutory minimum.
- 7.3 The District Council has to consider any application it receives, and can only consider the application on the basis of information that is submitted. Whilst the District Council encourages applicants to engage with its pre-application advice service in advance of making a formal submission, many applications are submitted without any prior discussion. Once an application is submitted, we adopt a neutral position until all relevant consultations have been taken into account and the merits of the case have been fully evaluated against national and local planning policies and other material considerations. We adopt exactly the same position for the District Council's own applications as those of private applicants.
- 7.4 The Development Management Service is responsible for the assessment of planning applications; its Mission Statement being:
- "Through the provision of an efficient, professional, and responsive service, we aim to protect and enhance the quality of the District's built and natural environment whilst balancing the needs of current and future generations".*
- 7.5 A list of the planning applications that the District Council receives each week including applications under the Planning (Listed Buildings and Conservation Areas) Act 1990 can be viewed on the Council's website, along with associated plans, supporting information and any consultation responses and representations received.
- 7.6 In the interests of reaching/notifying as many people as possible the Development Management Team publicises weekly lists of applications received on social media. The published weekly list reflect applications received two weeks prior to its publication date as this allows for planning applications to satisfy the validation process.

Consultation and Pre-Decision Matters

- 7.7 When the District Council receives a valid planning application, it will undertake a period of consultation where views on the proposed development can be expressed. The formal consultation period will normally last for 21 days, and the local planning authority will identify and consult a number of different groups. The District Council will seek to undertake this electronically with statutory consultees and will publicise applications using the District Council's Social Media platforms.

- 7.8 The Town and Country Planning (Local Authority Consultations Etc.) (England) Order 2018 extends periods of public consultation before decisions are made to grant planning permission, permission in principle, listed building consent and certain prior approvals for development which is the subject of permitted development rights, by one day for each bank or public holiday which occurs during specified periods.
- 7.9 The main types of consultation are:
- Public Consultation - involving notifying neighbours of receipt of an application;
 - Statutory Consultees - those which there is a legal requirement to consult a specific body who are then under a duty to respond;
 - Consultation required by a direction where further, locally specific statutory consultation is required, and;
 - Non-statutory Consultees - those where although there are no legal requirements circumstances warrants the engagement of other consultees who are likely to have an interest in the proposed development.
- 7.10 Where, following the initial period of consultation an application has been amended it is up to the District Council to decide whether further publicity and consultation is necessary. In deciding whether this is necessary the following considerations will apply where relevant:
- were objections or reservations raised in the original consultation stage substantial and, in the view of the District Council, enough to justify further publicity?
 - are the proposed changes significant?
 - did earlier views cover the issues raised by the proposed changes?
 - are the issues raised by the proposed changes likely to be of concern to parties not previously notified?
- 7.11 Where the District Council decides that re-consultation is necessary, such consultation may be for a period of less than 21 days. In all cases, the District Council will balance the need for consultees to be given sufficient time to consider the issue that is being re-consulted upon and respond, against the need for efficient and timely decision making processes. When consultation has been concluded the District Council will consider any representation made by consultees and proceed to decide on the application.

Current Practice- How the Council Publicises Planning Applications

- 7.12 Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 specifies the requirements for the publicity of applications for planning permission. A summary of how the District Council currently undertakes publicity for the differing type and scale of planning applications is set out in Appendix 4.
- 7.13 Within the Derbyshire Dales, all planning applications are publicised either by using the District Council's Social Media platforms, by means of press advertisement, site notices or individual neighbour notification with the following exceptions:

- Applications where the determining authority is not Derbyshire Dales District Council will not be subject to any of the three methods of publicity referred to above;
- Discharge of conditions applications;
- Prior Notification Applications (where the Council does not deem that its Prior Approval is required), and;
- Certificate of Lawful Existing or Proposed Use or Development Applications (unless it is considered a worthwhile exercise to ascertain relevant information about the content of a specific application from sources such as neighbours or Parish / Town Councils).

Neighbour Notification

- 7.14 Neighbour notification will take the form of a standard letter generated from the District Council's mapping system and delivered by post within 10 working days of the valid date of the application to occupiers of properties affected by the development.
- 7.15 The **minimum** requirement currently adopted by the District Council is to notify any neighbouring occupiers whose property lies within 10 metres of the application site boundary (red edge). Property points within 10m of a development site are automatically identified by the Council's Geographic Information System (GIS).
- 7.16 Where the proposed development falls within the following categories, the **minimum** requirement is to notify occupiers whose property lies within 20 metres of the application site boundary (red edge):
- the erection of 10 or more dwellings;
 - an outline application with a site area of 0.5 ha or more;
 - non-residential development where the floor space to be created is 1,000 square metres or more;
 - development which is likely to cause nuisance through noise, smell, dust etc;
 - development which would significantly increase the number of people or the amount of traffic coming into a residential area;
 - development involving significant activity during unsociable hours;
 - development introducing significant visual changes to a neighbourhood;
 - buildings of over three storeys;
 - development affecting the character of an ancient monument, archaeological site or historic building;
 - proposals having a significant effect on trees that are the subject of a Tree Preservation Order.
- 7.17 A clear written record of the addresses to which neighbour notification letters have been sent and the date is kept on the paper and the application file in the form of a consultation checklist. This is in accordance with the Council's data protection policies.

Site Notices

- 7.18 A summary of how the District Council undertakes publicity, including the erection of site notices, for the differing type and scale of planning applications is set out in Appendix 4. Where there is a statutory reason for its display this will be specified on the site notice. Site notices will be posted within 10 working days of the receipt of a valid planning application.
- 7.19 The notice will be displayed where it is visible from a public highway that forms the frontage to the application site. Where there is another frontage to a public highway or footpath, discretion will be used as to whether further site notices will be erected.
- 7.20 The site notice will be erected where possible on a gate, door, post, wall or fence which forms the boundary of the site. If this is not possible, then a lamp post or telegraph pole on the frontage of the site will be used, providing it is within 10 metres of the site boundary. Where it is impossible to comply with the above requirements, the site notice will be displayed as near to the site as is practically possible.
- 7.21 A clear record in the form of an annotated Ordnance Survey plan will be kept on the application file to identify the position where the site notice was erected and the date it was erected. A photograph will also be taken as evidence of its erection.

Press Advertisements

- 7.22 A summary of how the District Council undertakes publicity, including by means of press advertisement is set out in Appendix 4. Applications received will normally be advertised in the appropriate local newspaper on a fortnightly basis. Applications in the Central area will be advertised in the Peak Advertiser and applications in the Southern area will be advertised in the Ashbourne News Telegraph.
- 7.23 The dates on site notices and press advertisements give the same minimum period of 21 days for representations to be made (unless the application involves Environmental Impact Assessment Development in which case 30 days will be given).

Planning Website and Social Media

- 7.24 The Derbyshire Dales Planning Service website provides comprehensive access to forms, guidance notes, planning applications and decision notices. It allows the submission of representations online for those wishing to make representations and applicants to monitor the progress of applications. Details of the District Councils weekly list of planning applications are also made available on the District Council Social Media platforms.

Representations Received

- 7.25 All neighbour notification letters will give a minimum period of 21 days (30 days in the case of EIA applications) for representations to be submitted to the Case Officer. For technical reasons, this period will not necessarily coincide with the site notices and press advertisement.

- 7.26 All representations received by the District Council will be identified in the Officers report in respect of decisions made under delegated authority and where appropriate brought to the attention of the Planning Committee. An update sheet will be circulated to Members of the Planning Committee at the meeting detailing any late representations received. Alternatively for those items being considered at Committee, Members may be provided with a verbal update on representations received.
- 7.27 The District Council's practice is to only negotiate minor improvements to applications, in order to add value/improve the quality of the development. Any significant amendments required to make a proposal that would otherwise be regarded as unacceptable, acceptable, should be established at the pre-application stage so as to not undermine this service and ensure timely decision making.
- 7.28 Where those making representations are re-consulted a further period of up to 10 working days will normally be allowed for further representations to be made. Further Publicity will be carried out where additional information is received which affects the likely impacts of the development on the environment in the case of Environmental Impact Assessment Development.
- 7.29 Persons making representations are able to view their comments (to note that they have been received) and monitor the progress of applications online, using the District Councils Public Access module on its website.
- 7.30 In the event of an appeal being made to the Planning Inspectorate by the applicant, individuals who have previously made comments on the planning application will be advised of such an appeal. Furthermore they will also have the opportunity to make further representations to the Planning Inspector dealing with the appeal. Lists of decisions and appeals are published and a register of planning decisions can be inspected at the Town Hall, Matlock or via our online planning register.

How the District Council Consults on Planning Applications

- 7.31 During the 21 days (30 days in the case of EIA applications) following the registration of the planning application the views of other statutory consultees or interested organisations will also be sought. The only exceptions to these arrangements are applications where the determining authority is not Derbyshire Dales District Council, applications for power lines, applications for certificates of lawful use or development and prior notifications. Such bodies as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation.
- 7.32 The register of planning applications can be inspected online and, via the Self-Serve PC at the Town Hall, Matlock when open.
- 7.33 The published weekly list of planning applications is sent electronically to all relevant Town/Parish Councils and local Ward Members for information. Application documentation is also made available for public inspection online or via the self-serve PC at the Town Hall, Matlock when open. Paper copies of application documentation may be purchased (subject to copyright provisions) and will be provided either directly

by the District Council or via the applicant/agent on payment of appropriate copying charges.

How to Comment on Planning Applications

- 7.34 The details of the Case Officer for each application can be found with the application details and documents on the District Councils website. Case Officers can be contacted during normal office hours by telephone or by email at planning@derbyshiredales.gov.uk and will help members of the public understand the details of an individual planning application and/or provide clarification of any issues as well as explain how to make representations.
- 7.35 Comments may be submitted by anyone, regardless of whether they were formally consulted by us. We welcome any comments, either in support of, or objecting to proposals. Any representations of objection will however, need to be based upon valid planning considerations if they are to influence the decision making process.
- 7.36 An advice note called Making Effective Planning Representations is available to view on the Councils website to assist individuals in the formulation of Planning representations¹.
- 7.37 In the case of decisions delegated to officers the District Council will take into account representations received prior to a decision being taken. Comments should be submitted in writing as soon as possible and within the time period specified in any publicity (site notice, neighbour notification, press advertisement etc.) carried out to avoid any representations the public wish to make not being taken into consideration. The Council accepts comments/representations by email, through the Council's website or by letter. These should be addressed to the Development Management Team, Regulatory Services, Derbyshire Dales District Council, Town Hall, Bank Road, Matlock, DE4 3NN and if submitted by email directed to planning@derbyshiredales.gov.uk

The Decision Making Process

- 7.38 The District Council normally has 8 weeks from the date of validation in which to make a decision in the case of minor applications, 13 weeks for major applications and 16 weeks for Environmental Impact Assessment development, unless an extension of time has been agreed with the applicant. The vast majority of planning applications are determined by the District Council's Development Manager in accordance with the Council's scheme of delegation, which was adopted in 2015.
- 7.39 The names and contact details of Ward Members can be found in the 'Your Council' section of the District Council's website at www.derbyshiredales.gov.uk/your-council. Ward Member contact details for specific applications can be viewed by clicking on the 'contact' tab when viewing applications through Public Access.

¹ <http://www.derbyshiredales.gov.uk/images/documents/P/Planning%20Advice%20Note%202%20-%20Making%20Representations%20on%20Planning%20Applications.pdf>

Public Participation at Planning Meetings

- 7.40 Under Regulations made under the Coronavirus Act 2020, public participation at planning committee meetings as provided for in the Constitution, was temporarily suspended in May 2020 and replaced by an alternative mechanism for the public to bring matters to the committees attention in respect of planning applications to be considered.
- 7.41 In October 2020 the District Council resolved to re-introduce public participation at Planning and Other Committees, both at virtual meetings and those where attendance occurs in person. The provisions of the Council's Constitution require the public to give notice by midday on the working day prior to the meeting of their intention to participate. At this time they will be asked to indicate to which item of business their representation relates, whether they are supporting or opposing the proposal and whether they are representing a town or parish council, a local resident or interested party
- 7.42 When such notice is given, the Committee Team will provide members of the public with instructions on how to join a virtual meeting through Zoom. Guidance will be provide on how to download the application and the way in which they will be admitted to the meeting. They will also be provided with a link to the Council's YouTube channel in order to continue viewing the meeting after they had concluded their participation in the meeting.
- 7.43 Where it has been decided by the Council that a planning application will be dealt with by the Planning Committee, the applicant (or agent) and anyone who has made representations will be notified of the time and date of the Committee meeting.
- 7.44 An agenda listing the items to be discussed at meetings of the Planning Committee and the Local Plan Advisory Group will be posted on the District Council's web site and if feasible at the offices of the Town Hall, Matlock, 5 clear days before the meeting.
- 7.45 During the meeting, those members of the public attending to participate will be admitted from the beginning of the meeting and the Chairman will invite them to confirm that they are present. At the appropriate point in the meeting, the Chairman will invite them to unmute and participate in the meeting by making a statement, asking a question or presenting a petition.
- 7.46 Public Participation will be limited to one hour per meeting, with the discretion to extend exercised by the Committee Chairman (in consultation) in advance of the meeting. Online information points will make that clear in advance of registration to speak.
- 7.47 Where more than 2 people are making similar representations, the Committee Clerk will seek to minimise duplication, for instance, by establishing if those present are willing to nominate a single spokesperson or otherwise co-operate in the presentation of their representations.

7.48 Representations will only be allowed in respect of applications or items which are scheduled for debate at the relevant Committee meeting

7.49 Those making representations will be invited to do so in the following order, after the case officer has introduced any new information received following publication of the agenda and immediately before the relevant item of business is discussed. The following time limits will apply:

Town and Parish Councils	3 minutes
Objectors	3 minutes
Ward Members	5 minutes
Supporters	3 minutes
Agent or Applicant	5 minutes

7.50 At the Chair's discretion, the time limits above in Para 7.49 may be reduced to keep within the one hour time limit per meeting for Public Participation.

7.51 After the presentation it will be for the Chairman to decide whether any points need further elaboration or whether any questions which have been raised need to be dealt with by Officers

7.52 The relevant Committee Chairman shall exercise discretion during the meeting to rule out immediately any comments by participants that are not directed to genuine planning considerations.

7.53 Those making representations are not allowed to share their screens or circulate any photos or written material to the Committee.

7.54 At Planning Committee, applicants or their agents, objectors, supporters and town and parish councils will have the opportunity to remain in the virtual meeting for the duration of the matter for which they are present. At Council and other committee meeting, the Chairman or Committee Clerk will remove the member of the public following the conclusion of the public participation agenda item.

7.55 Where inappropriate remarks are made or inappropriate images are shown by a member of the public, the Chairman will ask the Committee Clerk to remove the individual immediately from the meeting in accordance with Council Procedure Rule 23.1 which concerns the removal of a member of the public from a meeting. Any inappropriate remarks or images will be removed from the recording of the meeting before publication on the Council's YouTube channel.

Notification of the Decision

7.56 Only the applicant (or agent if they have appointed one) will be notified and issued with a paper copy of the final decision. Anyone else wishing to be notified of the decision should use the tracking facility on our online application system.

- 7.57 Only an applicant can appeal against the District Council's decision. In the event of an appeal being made by the applicant, individuals who have previously made comments on the appeal application will be informed and they will have the opportunity to make further representations to the Planning Inspector appointed to consider the appeal.
- 7.58 Lists of decisions and appeals are published and a register of planning decisions can be inspected (during opening hours) via the Self-Serve PC at the Town Hall, Matlock, the Leisure Centre, Ashbourne or via our Online Planning Register.

Appeals Against Decisions

- 7.59 Planning applicants can appeal to the Department for Communities and Local Government, against any the refusal of planning permission or against the imposition of any conditions attached to an approval. There is no right of appeal for a third party under any circumstances.
- 7.60 An appeal is intended to be a last resort where submitting a fresh application is unlikely to be a satisfactory solution. Normally, a revised application of similar nature and description made within 1 year of the decision does not attract a further fee.
- 7.61 Appeals, which are handled by The Planning Inspectorate, may be dealt with by:
- An exchange of written representations;
 - At a local hearing (in which case no advocates are allowed);
 - At a full Local Inquiry (a quasi-legal situation).
- 7.62 An appeal can be made against any of the conditions attached to an approval. There is, however, a risk to an applicant because it is possible that the whole permission may need to be withdrawn if an appeal is dismissed.
- 7.63 If an appeal is to be determined at a Local Inquiry or a local hearing there is a risk of costs being awarded to either party, but costs can only be awarded where there has been unreasonable behaviour. Examples of unreasonable behaviour at the decision making stage could include an application that has been refused for reasons which cannot be substantiated in planning terms or if the Authority fails to provide reasonable evidence to substantiate the harm cited in the reasons for refusal (this particularly applies to subjective opinions given as part of a refusal).
- 7.64 Planning decisions made by the Local Planning Authority or the Planning Inspectorate can be challenged in the courts, within 6 weeks from the date of the decision, if there is evidence that the process by which the decision was made was unlawful.

Towards Good Practice in Community Involvement and Development Management

- 7.65 The District Council continually monitors and reviews its performance, policies and procedures in order to ensure that they operate in the best interests of the community. The District Council recognises that current practice in relation to community involvement in the consideration and determination of planning applications can be

improved. To ensure greater and earlier public involvement in the process the following initiative has been introduced by the Council:

Pre-application Consultation & Discussion

- 7.66 Good practice suggests that local planning authorities should actively encourage developers of major schemes to inform and involve the community in shaping their proposals. The Council will therefore encourage developers to undertake this type of engagement prior to the submission of planning applications.
- 7.67 Similarly for smaller applications, such as residential extensions, the District Council will actively encourage applicants to discuss their plans with neighbours prior to submitting their application.

8.0 MANAGING THE PROCESS

- 8.1 The information obtained through community involvement will be collated and used to inform the decision-making process and/or shape the contents of any documents being prepared. A summary report will be produced outlining the responses received, along with information on how the responses were used to inform the decision-making or the content of documents. The link between responses received and the District Council's decision or action will be made transparent. This will also involve an explanation of the reasons why specific actions may not have been pursued. This report will be available upon request from the District Council and will also be made available on the District Council's website.
- 8.2 The Local Plan and any Supplementary Planning Documents will be accompanied by a 'consultation statement'. This will outline how the SCI has been followed and how community engagement has benefited the preparation of the relevant documents. Copies of all formal representations made in accordance with provisions of the Town and Country Planning (Local Planning) (England) Regulations 2012 will be made available for public inspection at the Council's Offices and at Matlock, Ashbourne and Wirksworth libraries during normal office hours. They will also be available on the District Council's website www.derbyshiredales.gov.uk. A summary of the outcomes and details of specific decisions will be provided directly to all those who have been involved in the process and its specific activities. Further feedback will also be made available on the District Council's website or from the District Council Offices on request.
- 8.3 Increased community involvement may require additional time and resources, particularly where capacity may need to be developed within the community itself. The District Council is committed to enhanced community engagement and in this regard, budgetary provision has been made to ensure that sufficient resources are available to meet our obligations. At all times the District Council will seek to ensure that resources are utilised as efficiently and effectively as possible.
- 8.4 This will be achieved by:
- Clearly defining the roles of the different individuals and groups involved;
 - Learning from and, where possible, utilising the skills of other organisations e.g. LSP, Health Trusts and Planning Aid; and
 - Wherever appropriate, combining and integrating involvement activities to ensure that the community is not subject to "consultation fatigue".

Council Officers - Officers will be responsible for the delivery of the majority of the activities set out in this SCI. Where necessary, support will be drawn from across the Council. Capabilities will be kept under review and gaps filled as appropriate through the existing programme of training and development.

Consultants - Where a process would benefit from additional support or expertise, for example in facilitating more interactive sessions, the use of consultants will be considered. Any such decision will have regard to a comprehensive cost and benefit analysis.

Equipment and Material - The District Council is already well equipped to undertake the activities outlined in this SCI.

Venues and Other Costs – District Council facilities will be used wherever (and whenever feasible taking account of the current pandemic) possible having regard to accessibility and practical considerations. Where possible, activities will be combined with other initiatives to ensure that processes are efficient and costs are minimised. In circumstances where it is not feasible to utilise District Council venues for the purposes of public consultation opportunities to set up virtual venues will be explored.

- 8.5 There are a number of different individuals and groups who have a role to play in achieving effective community involvement in planning.

Planning Officers - provide professional advice on planning matters and formulate draft policies and plans for Council approval. Officers will also be responsible for delivering community involvement activities.

Members - make formal decisions regarding planning matters in accordance with the Council's rules and procedures.

Parish/Town Councils and Other Community Networks - provide comment on individual planning applications and development proposals that have implications for their area. These organisations will also be invited to represent community interests in involvement activities.

Developers - promote specific sites for development and, where appropriate, undertake extensive community involvement requirements to the highest standard.

The Community - raise concerns and/or state support for proposals in order to ensure that development takes place in an acceptable manner. The Council actively encourage all members of the community, including the business community, to get involved in policy development as it directly affects the area in which they live and/or work.

Planning Aid

- 8.6 Council Officers are not always best placed to work with community groups, particularly where individuals seek independent advice. The District Council therefore support and promote the Planning Aid England service. This service provides free, independent and professional advice to communities and individuals who cannot afford to pay fees to a planning consultants. It complements the work of local planning authorities, but is wholly independent of them.
- 8.7 A Planning Aid service in England was launched on the 13 June 2011. Planning Aid is more than giving advice, it engages communities positively in the planning process to help them manage changes to their neighbourhood areas.
- 8.8 Two main services are provided:
- **A single national Planning Advice Line on 0330 123 9244** where all callers will receive 15 minutes of free, independent and professional advice. In addition, some

callers may be eligible for further assistance from a professional volunteer. Other callers will be guided to the website and sign-posted to other organisations.

- **A neighbourhood planning service** will also be provided to support people and communities in gaining knowledge about the planning system and how they can be involved. A team of community outreach co-ordinators have been recruited to support volunteers to work within target communities to build their own plans for the neighbourhoods in which they live.

8.9 Planning Aid England can help people to:

- Understand and take part in the planning system.
- Take part in the preparation of plans.
- Comment on planning applications.
- Apply for planning permission or appeal against refusal of permission (however Planning Aid do not draw plans).
- Represent themselves at appeals or public inquiries.

8.10 Planning Aid helps to meet one of the key aims of the government's planning reform agenda, which is to place community engagement at the heart of the planning system. Planning Aid is part of the Royal Town Planning Institute.

8.11 The Planning Aid contact for the East Midlands can be reached on advice@planningaid.rtpi.org.uk

9.0 MONITORING AND REVIEW

- 9.1 To ensure the effectiveness of this SCI, the District Council must monitor its value both in informing and shaping the Local Plan and providing people in the Derbyshire Dales with the opportunity to be more effectively involved in the planning process. It is therefore essential that the content of the SCI is continually monitored and reviewed.
- 9.2 Progress on the development and implementation of the Local Plan and other development plan documents and neighbourhood planning will be reviewed and set out in an Authority Monitoring Report (AMR).
- 9.3 The Town and Country Planning (Local Planning) (England) Regulations (2012) set out the specific requirements for Authority Monitoring Reports. Details of any local plan or supplementary documents should be included within the Local Development Scheme setting out the stage the document has reached in the statutory process and if it is behind the timetable specified in the LDS any reason for this. Any documents specified within the LDS which have been adopted will also need be specified within the AMR.
- 9.4 A review of the Statement of Community Involvement will be completed every five years, starting from the date of adoption, in accordance with s23 of the Act and the Town and County Planning (Local Planning) (England)(Amendment) Regulations 2017.
- 9.5 In evaluating consultation initiatives, both the outcomes and process will be reviewed. Key questions that will be addressed as part of the review process will be:
- Was consultation carried out according to the policies set out in this statement?
 - Did all members of the target audience have an opportunity for involvement in the preparation of Local Plan Documents?
 - Were there groups of the target audience who made no responses to the consultation – if so why?
 - Was the overall response rate high enough to give reliable results?
 - Were the results disseminated to consultees, the wider public and partner organisations?
 - Did community involvement directly shape the preparation of the Local Plan and inform decisions on planning applications?

APPENDIX 1
LIST OF CONSULTEES

It should be noted that this list is not exhaustive and also relates to successor bodies when reorganisations occur. It is recognised that organisations may change, regulations that set out who should be consulted may also change before the next review of the SCI. The District Council will consult with the most appropriate bodies, in accordance with the Regulations at the point in time that the consultation occurs.

Statutory Stakeholders

Adjoining Councils
Derbyshire County Council
Town and Parish Councils (within and adjoining Derbyshire Dales)

D2N2 Local Enterprise Partnership
Highways England
Integrated Transport Authority
Natural England
NHS-North Derbyshire Clinical Commissioning Group
NHS-Southern Derbyshire Clinical Commissioning Group
NHS-East Staffordshire Derbyshire Clinical Commissioning Group
Sheffield City Region Mayoral Combined Authority
The Environment Agency
The Historic Buildings and Monument Commission for England (Known as Historic England)
The Civil Aviation Authority
The Homes and Communities Agency
The National Health Service Commissioning Board
The Office of Rail Regulation

Government Departments

Department for Business, Energy and Industrial Strategy
Department for Digital Culture Media and Sport
Department for Education
Department for Environment, Food and Rural Affairs
Department for Transport
Department for Work and Pensions
Ministry of Housing, Communities and Local Government
Ministry of Defence

Other Stakeholders

Age Concern
Campaign to Protect Rural England (CPRE)
Coal Authority
Commission for Architecture and the Built Environment
Derbyshire Wildlife Trust
Derbyshire Dales District Council (Internal Consultation)
East Midlands Chamber (Derbyshire, Nottinghamshire, Leicestershire)
Education and Skills Funding Agency
Environmental, Heritage and Wildlife Organisations e.g. Derbyshire Wildlife Trust,
Equality & Human Rights Commission

Fields in Trust
Garden History Society,
Health & Safety Executive
Help the Aged
Local Nature Partnership
Mobile UK
National Association of Local Councils
National Grid
Network Rail Infrastructure Ltd
Rural Action Derbyshire
Severn Trent (water and sewerage undertaker)
Sport England
Voluntary Organisations and Council for Voluntary Services
Western Power Distribution
Woodland Trust
Yorkshire Water (water and sewerage undertaker)

Additional relevant gas, electricity and electronic communications network
infrastructure providers
Other bodies which represent the interests of different groups within the community
(e.g. racial, ethnic, religious, disability).

Service Providers

Health Trusts
Health Services
Derbyshire Fire & Rescue Service
Derbyshire Ambulance Service NHS Trust
Derbyshire Constabulary
Transport providers (air, road, rail, water as appropriate)
Education Establishments
Sports Organisations

Business Sector

Business, Trade and Industry Associations/Federations
Chambers of Trade and Commerce
Economic Development Organisations
Employment Organisations
Larger and multi-national businesses
Retail outlets
Small and medium sized businesses
Tourism Organisations
Town & Shopping Centre Management

Local Communities

Community Development Organisations
Community Groups (interest, activity and belief)

Community Forums (Area Meetings)
Individual residents and tenants
Local Civic Associations
Peak District Partnership
Residents Associations
NFU
Wardens Service
Other organisations for specific community groups (e.g. youth, women)

Developers and Landowners

Crown Estates
Defence Estates
The Home Builders Federation Ltd
National Trust
Post Office Property Holdings
Individual Developers
Development and Building Companies
Regeneration Companies/ Organisations

It should be noted that the lists at Appendix 1 are not exhaustive and also relate to successor bodies when reorganisations occur

APPENDIX 2
METHODS OF COMMUNITY INVOLVEMENT

Method	Issues	Information	Consultation	Involvement
Newsletters & leaflets (including those produced by stakeholders)	Can provide up to date information, but can be costly. Can also reach large numbers but it is not possible to guarantee that it will be read	Yes	No	No
Media (local press/TV/radio)	Can reach large numbers of people but adverts can be costly. It is not possible to guarantee how the information will be reported.	Yes	No	No
Exhibitions & displays	Can be more interesting and interactive but requires people to attend. It is possible to display information in places such as supermarkets but audience may not be representative.	Yes	Yes/No	No
Online Workshops and Presentations	Can be very resource efficient and convenient, particularly for organisations, however not everyone has access to a computer	Yes	Yes	Yes
Website and Social Media	Can be very resource efficient and convenient, particularly for organisations, however not everyone has access to a computer	Yes	Yes/no	No
Questionnaires and Surveys	Can be effective in gaining a large number of responses but is often viewed as boring and many people do not reply. Not effective for complex issues which need to be explained.	Yes	Yes	No
Online Panel	Already exists and is available for use in relation to planning documents. Would need to consider how representative the panel is.	Yes	Yes	No
Public meetings & surgeries	Can be relatively inexpensive and can be effective. But can suffer low attendance and attendees may not be representative. Could use existing meetings such as Area Forums	Yes	Yes	No
Focus Groups	Can be used to actively involve hard to reach or specific interest groups but can be costly and time consuming. Expertise is required.	Yes	Yes	Yes/No
Workshops	Can be effective for complex issues and can involve a large number of people at one event. Expertise is required and significant planning is required.	Yes	Yes	Yes
Participative Planning Activities	Can be more tailored and interesting to those people who do not usually get involved but can be difficult to organise and facilitate	Yes	Yes	Yes
Community forums or liaison groups	Allows ongoing/regular involvement at a more informal level. Groups gain in-depth understanding of issues and are able to contribute in more detail. Can help to overcome conflict but can be costly.	Yes	Yes	Yes

APPENDIX 3
PROPOSED CONSULTATION METHODS
DEVELOPMENT PLAN DOCUMENTS
&
SUPPLEMENTARY PLANNING DOCUMENTS

LOCAL PLAN DOCUMENTS

Stage	Document Type	Initial Preparatory Stage (Regulation 18)	Draft Local Plan (Regulations 19 and 35)	Submission to Sec of State (Regulation 22)	Examination (Regulation 24)	Report & Adoption (Regulations 25 and 26)
Method						
Making documents available for review at Council offices and libraries	Local Plan	√	√	√	√	√
Newsletter or leaflet available	Local Plan	√	√			
Information sent to existing network of organisations and their newsletters	Local Plan		√	√	√	
Information sent to organisations and individuals who asked to be notified	Local Plan					√
Press releases /articles in press	Local Plan		√			
Online Workshop & Exhibition	Local Plan	?	?			
Exhibition/display in local area(s)	Local Plan		√			
Information and documents on website	Local Plan	√	√	√		√
Questionnaire survey	Local Plan		√			
Public meeting/ surgery	Local Plan	√	√			
Focus group with representatives of specific issue area	Local Plan		√			
Workshop with representatives of range of issue or interest areas	Local Plan	√	√			
Participative planning activities	Local Plan		√			
Community liaison group	Local Plan		√			

KEY √ Consultation Method will be employed
 ? Consultation Method may be employed depending upon issue/topic

SUPPLEMENTARY PLANNING DOCUMENTS

Stage	Start – scoping	Draft SPD Consultation (Regulation 12 & 13)	Consideration of Responses (Regulation 12)	Adoption (Regulation 11 & 14)
Method				
Making documents available for review at Council offices and libraries		√	√	√
Newsletter or leaflet available				
Information sent to existing network of organisations and their newsletters	?	√	?	?
Information sent to organisations and individuals who asked to be notified				√
Press releases /articles in press	?	√	?	?
Exhibition/display in local area(s)				
Online Workshop & Exhibition	?	?		
Information and documents on website	?	√	√	√
Questionnaire survey	?	√		
Public meeting/surgery				
Focus group with representatives of specific issue area	?	?		
Workshop with representatives of range of issue or interest areas	?	?		
Participative planning activities				
Community liaison group				

KEY √ Consultation Method will be employed
 ? Consultation Method may be employed depending upon issue/topic

APPENDIX 4
STATUTORY PUBLICITY REQUIREMENTS
& DERBYSHIRE DALES PRACTICE

Publicity requirements for Planning Applications

The following are the statutory requirements for publicising planning applications:

	Site Notice	Site Notice or neighbour letter	Press	Website²
Major applications		X	X	X
EIA dev with environmental statement	X		X	X
Departure (i.e. Applications which do not accord with the development plan in force in the area)	X		X	X
Development Affecting a Public Right of Way	X		X	X
Non-major		X		X
LB with exterior works	X		X	X
Variation or discharge of condition attached to LBC or CAC or involving works to exterior of listed building	X		X	X
Applications for development which would affect the setting of a listed building, or affect the character or appearance of a conservation area.	X		X	X

The following is the practice currently adopted by DDDC:

	Site Notice and neighbour letter 20 m	Site Notice and neighbour letter 10 m	Press	Website
Major applications	X		X	X
EIA dev with environmental statement	X		X	X
Departure	X		X	X
Development Affecting a Public Right of Way		X	X	X
Non-major	(X ³)	X		X
LB with exterior works listed building		X	X	X
Variation or discharge of condition attached to LBC or CAC or involving works to exterior of listed building		X	X	X
Applications for development which would affect the setting of a listed building, or affect the character or appearance of a conservation area.		X	X	X

² In addition to the above the District Council publicises weekly lists of applications received on social media, using the District Councils Facebook page. The weekly lists reflect applications received two weeks prior to publication, to factor in the planning validation process

³ In accordance with the criteria set out at paragraph 7.15.

COMMUNITY & ENVIRONMENT COMMITTEE
2 NOVEMBER 2020

Report of the Director of Regeneration and Policy

DERBYSHIRE DALES LOCAL DEVELOPMENT SCHEME 2020 - 2023

PURPOSE OF REPORT

This report seeks approval for the immediate publication of a revised Local Development Scheme (LDS) on the District Council's website.

RECOMMENDATION

That the Derbyshire Dales Local Development Scheme 2020-2023 as set out in Appendix 1 to this report be approved and brought into immediate effect.

WARDS AFFECTED

All Wards outside the Peak District National Park.

STRATEGIC LINK

The Local Development Scheme sets out the programme for the review and preparation of the Derbyshire Dales Local Plan. The Derbyshire Dales District Council Local Plan will be a pivotal tool in the delivery of the Council's Corporate Plan.

1. BACKGROUND

- 1.1 Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by Section 111 of the Localism Act) requires that local planning authorities prepare a Local Development Scheme (LDS), which sets out the Council's programme for the preparation and adoption of Local Development Documents over a three year period.
- 1.2 The National Planning Policy Framework (NPPF) requires that the planning system should be plan-led, with an up to date plan providing a positive vision for the future of the area that sets out a framework for addressing housing needs, economic, social and environmental priorities. The National Planning Practice Guidance states that local planning authorities must keep communities informed of plan making activity, by publicising and keeping up to date their timetable for producing their Local Plan in a Local Development Scheme (LDS). The LDS should be published on the authority's web site.
- 1.3 Following changes in legislation there is no longer a requirement for local planning authorities to specify the timetables for producing other planning

documents such as a Community Infrastructure Levy, Supplementary Planning Documents (SPDs) and the Statement of Community Involvement (SCI) in the LDS. However, the advice is that where being prepared, details of these documents, and their timetable for preparation should be set out on the Council's website. Local planning authorities are encouraged to include within their Local Development Schemes details of other documents which form (or will form) part of the development plan for the area, such as Neighbourhood Plans.

2. THE DERBYSHIRE DALES LOCAL DEVELOPMENT SCHEME 2020-2023

- 2.1 The current Local Development Scheme was brought into effect on 13th September 2018 and covers the period 2018-2021¹ This version was prepared, taking into account changes in legislation and to reflect the adoption of the Derbyshire Dales Local Plan in December 2017.
- 2.2 The current version of the LDS sets out that as the Derbyshire Dales Local Plan had recently been adopted there was little evidence to suggest that an early review of the Plan would be required over the three year period of the revised Local Development Scheme (2018-2021). It goes on to say that in the event that evidence demonstrates that a review of the Derbyshire Dales Local Plan is required during the period 2018-2021, the District Council would prepare a further revised Local Development Scheme.
- 2.3 In light of the proposals to undertake a review of the Derbyshire Dales Local Plan over the next three years as set out in a report elsewhere on the agenda of this meeting, it is considered appropriate to undertake a review of the Local Development Scheme to take it forward for the period to 2020 -2023.
- 2.4 Revisions to the Local Development Scheme have been prepared to cover the period 2020 to 2023. The revised LDS sets out the timetable for the review and preparation of the Derbyshire Dales Local Plan, the resources required to take the Plan forward, and the risks associated with its preparation. At this time the LDS envisages that the review process could be completed by late 2021, and (taking account of previous timescales for the preparation of the current Derbyshire Dales Local Plan) the adoption of a new revised Local Plan being achieved by mid-2023. A copy of the revised LDS is set out in Appendix 1 to this report.
- 2.5 Members are recommended to approve the Derbyshire Dales Local Development Scheme, as set out in Appendix 1, and for the LDS to be brought into immediate effect and published on the District Councils website as soon as practically possible.

3 RISK ASSESSMENT

3.1 Legal

This is a statutory requirement and the proposals accord with the provisions of the relevant legislation. Therefore the legal risk at this current time attributed to this report is low.

¹ <https://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/local-development-scheme>

3.2 Financial

All costs associated with the review and preparation of the Local Development Scheme can be contained within existing budgets and the District Councils Medium Term Financial Strategy. The financial risk is therefore low.

4 OTHER CONSIDERATIONS

In preparing this report the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

5 CONTACT INFORMATION

Esther Lindley, Senior Planning Policy Officer

Email: esther.lindley@derbyshiredales.gov.uk

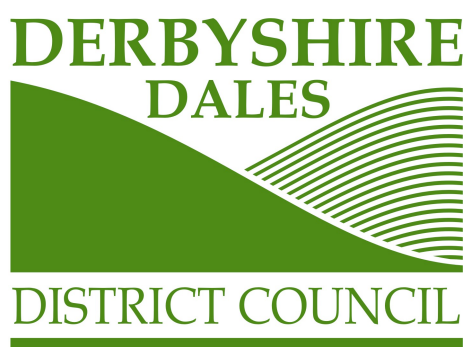
Tel: 01629 761241

6 BACKGROUND PAPERS

Description	Date	Location
Localism Act 2011	15 th November 2011	https://www.legislation.gov.uk/ukpga/2011/20/contents/enacted
Town and Country Planning (Local Development) (England) Regulations 2012	6th April 2012	https://www.legislation.gov.uk/uksi/2012/767/contents/made
National Planning Policy Framework and Planning Practice Guidance	19 th February 2019	https://www.gov.uk/government/publications/national-planning-policy-framework--2 https://www.gov.uk/government/collections/planning-practice-guidance
Derbyshire Dales Local Plan	Adopted December 2017	https://www.derbyshiredales.gov.uk/planning-a-building-control/local-plan-2015-16
Derbyshire Dales Local Development Scheme 2018-2021	September 2018	https://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/local-development-scheme

7 ATTACHMENTS

Appendix 1 - DDDC Local Development Scheme 2020-2023



DERBYSHIRE DALES DISTRICT COUNCIL

LOCAL DEVELOPMENT SCHEME

2020-2023

DRAFT

OCTOBER 2020

DERBYSHIRE DALES DISTRICT COUNCIL

LOCAL DEVELOPMENT SCHEME

2020-2023

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1. INTRODUCTION

Localism Act 2011

- 1.1 The Local Development Scheme (LDS) is a three year project plan which sets out the timescales for the preparation and review of Local Development Documents within Derbyshire Dales. A LDS is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The LDS must specify:
- The local development documents which are to be development plan documents;
 - The subject matter and geographical area to which each development plan document is to relate;
 - Which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
 - Any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee;
 - The timetable for the preparation and revision of the development plan documents; and
 - Such other matters as are prescribed.
- 1.2 The LDS must set out (among other matters) the documents which, when prepared will comprise the Development Plan for the area. It must be made publically available and kept up to date. In order to enable local communities and interested parties to keep track of progress the District Council has prepared this Local Development Scheme (LDS) which sets out the Councils programme for the review and preparation of the Derbyshire Dales Local Plan and covers the period 2020-2023.
- 1.3 This LDS supersedes the previous version of the LDS covering the period 2018-2021 published in September 2018.

Local Plan Regulations

- 1.4 The Town and Country (Local Planning) (England) Regulations 2012 came into force on 6 April 2012. These Regulations prescribe the form and content of a Local Plan and Policies Map and set out the procedural arrangements for preparing Local Plans. They also list the prescribed bodies in relation to the Duty to Co-operate, the requirements in relation to the Authority Monitoring Report (AMR), and set out how information should be made available for inspection.
- 1.5 Following changes in legislation there is no longer a requirement for local planning authorities to specify the timetable for the production of other planning documents, such as Supplementary Planning Documents (SPDs), the Community Infrastructure Levy (CIL) and the Statement of Community Involvement (SCI) in the LDS. However, it is considered good practice, that where these are being prepared their details and timetable for preparation are set out on the local planning authority website.

Neighbourhood Planning Regulations

- 1.5 Town and Parish Councils can prepare *Neighbourhood Development Plans*. These can set out the vision and planning policies for the use and development of land in a particular designated neighbourhood area. Neighbourhood Plans, must, however, be in general conformity with the National Planning Policy Framework and the local planning authority's strategic planning policies. When a Neighbourhood Development Plan is approved by an independent examiner and agreed through a local referendum, the local planning authority must adopt it as part of its Development Plan and take it into account when making decisions on planning applications in the area.
- 1.6 As Neighbourhood Development Plans are not prepared by the District Council and their timetables are dependent on the progress made by the respective communities, they are not required to be included in the LDS. However to reflect good practice, information on neighbourhood planning activity and 'made' Neighbourhood Plans in the Derbyshire Dales is included in this LDS. More detailed information is however, available on the District Council's website¹.

The National Planning Policy Framework

- 1.7 A revised National Planning Policy Framework (NPPF) was published in February 2019. It commits the Government to the principle of a plan-led system where decisions on planning applications are made in accordance with the development plan unless material considerations indicate otherwise. The NPPF sets out the importance of Local Plans as being key to delivering sustainable development that reflects the vision and aspirations of local communities.
- 1.8 Various strategic priorities must be addressed in a Local Plan, including policies to deliver the homes and jobs needed together with any necessary retail, leisure and other commercial development. The NPPF stresses that plans must be based on adequate, up to date and relevant evidence. National planning policy sets out clear expectations about how a Local Plan must be developed in order to be justified, effective, consistent with national policy and positively prepared to deliver sustainable development that meets local needs and national priorities.

The National Planning Practice Guidance

- 1.8 The National Planning Practice Guidance (NPPG) provides complementary guidance for local planning authorities on the production, preparation and deliverability of Local Plans. The NPPG reiterates the key role of Local Plans in delivering sustainable development that reflects the vision and aspirations of local communities. It advocates the role of the Local Plan as an important tool in guiding decisions on development proposals, and acting as the starting point for decision making.
- 1.9 The NPPG sets out that the Local Plan should make clear what is intended to happen in the area over the life of the Plan, where and when this will occur and how it will be delivered. A key diagram and policies map must also be included to indicate the geographic application of the policies in the plan. The NPPG also

¹ <http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/neighbourhood-planning>

indicates the type of documents which should form the appropriate and proportionate evidence base to support the preparation of a Local Plan.

2. PROPOSED LOCAL DEVELOPMENT SCHEME

The Development Plan

2.1 The 'Development Plan' comprises one or more 'adopted development plan documents'. The Local Plan is the main document produced by the District Council which sets out the policies and proposals for the use and development of land for the period up to 2033. This is one of the documents that make up the 'Development Plan' for Derbyshire Dales. Planning applications have to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The following documents currently comprise the statutory Development Plan for Derbyshire Dales;

- **The Derbyshire Dales Local Plan** – Adopted December 2017; sets out up to 2033 the overall vision, objectives and policies for the future development of those parts of the Derbyshire Dales that lie outside the Peak District National Park. The Local Plan provides a strategy for the spatial development of the Derbyshire Dales and provides a framework for promoting and controlling development. The Plan allocates sites for housing and employment development and provides development management policies for use in the determination of planning applications. The Adopted Derbyshire Dales Local Plan and Policies Map can be viewed using the following link:

www.derbyshiredales.gov.uk/derbyshiredaleslocalplan

- **Saved policies of the Derby and Derbyshire Minerals Local Plan²** (2000 – partly revised in 2002) – guides decisions on planning applications for the extraction of minerals and associated works in the area.
- **Saved policies of the Derby and Derbyshire Waste Local Plan³** – 2005 – guides decisions on planning applications for developments associated with the management of waste material in the area.
- **Neighbourhood Development Plans** – The Localism Act 2011 introduced the right for communities to prepare their own Neighbourhood Development Plans. Neighbourhood Development Plans in order to become part of the Development Plan and used in the determination of planning applications have to follow a formal statutory process for preparation and consultation, and be examined by an appointed person. When adopted, the 'made' Neighbourhood Plan' is used to assess and determine planning applications within the Plans designated area.

There are currently three 'made' Neighbourhood Plans in Derbyshire Dales, Wirksworth Neighbourhood Plan⁴ which was brought into effect on 25th June

² <https://www.derbyshire.gov.uk/environment/planning/planning-policy/minerals-waste-development-framework/minerals-and-waste-planning-policy.aspx>

³ <https://www.derbyshire.gov.uk/site-elements/documents/pdf/environment/planning/planning-policy/minerals-waste-development-framework/derby-and-derbyshire-waste-local-plan.pdf>

⁴ <http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/neighbourhood-planning/wirksworth-neighbourhood-plan>

2015, Doveridge Neighbourhood Plan⁵ which was brought into effect on 26th July 2018 and Darley Dale Neighbourhood Plan⁶ which was brought into effect on 19th February 2020. The examination of the Kirk Ireton Neighbourhood Plan⁷ was concluded on 7th February 2020, however, because of the Coronavirus pandemic the referendum on the Kirk Ireton Neighbourhood Plan has been postponed until May 2021. Other areas that have been designated as neighbourhood areas include:

- Ashbourne
- Boylestone
- Brailsford
- Middleton By Wirksworth
- Shirley

Other Policies Material to Decision Making

2.2 Development Plan Documents carry the most weight in the determination of planning applications; however there are other documents that complement DPDs, and provide detailed guidance that can assist in the determination of planning applications.

➤ **Supplementary Planning Documents (SPD's)** – provide supplementary advice and guidance and are material considerations in the determination of planning applications. SPD's are not subject to independent examination but are subject to public consultation in accordance with the Regulations and the District Council's Statement of Community Involvement. The District Council had a number of SPD's that were prepared to support policies in the 2005 Local Plan. The following SPDs have been updated to reflect policies in the adopted Derbyshire Dales Local Plan 2017⁸;

- Conversion of Farm Buildings
www.derbyshiredales.gov.uk/farmbuildingsspd
- Landscape Character and Design
www.derbyshiredales.gov.uk/landscape&designspd
- Shopfronts and Commercial Properties
www.derbyshiredales.gov.uk/shopfrontsspd

A SPD on Developer Contributions⁹ was adopted by the District Council in February 2020. This sets out the basis of the calculation for financial contributions and obligations to be sought from development for the provision of infrastructure necessary to support development, including affordable housing, open space,

⁵ <http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/neighbourhood-planning/doveridge-neighbourhood-plan>

⁶ <https://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/neighbourhood-planning/darley-dale-neighbourhood-plan>

⁷ <https://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/neighbourhood-planning/kirk-ireton-neighbourhood-plan>

⁸ <http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/supplementary-planning-documents>

⁹ <https://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/supplementary-planning-documents/developer-contributions>

community facilities including for sport and recreation, education, health care, traffic and transportation and broadband.

- Developer Contributions
www.derbyshiredales.gov.uk/developercontributionsspd

- 2.3 The implementation and performance of policy documents and progress in delivering the LDS is reviewed annually through the Authority Monitoring Report (AMR)¹⁰. Other documents produced by the District Council include the Statement of Community Involvement (SCI)¹¹. This sets out the standards that the local community can expect in undertaking consultation of the development of local planning policy and on planning applications.

Derbyshire Dales Local Plan Review Programme

- 2.4 Government guidance emphasises the requirement for the preparation and review of policies to be underpinned by relevant, proportionate and up to date evidence. The District Council will continue to undertake studies and research as appropriate to support the preparation of Development Plan Documents. The evidence base to support the preparation and adoption of the Derbyshire Dales Local Plan consists of a wide range of studies, plans and strategies, produced by a wide range of organisations, not just the District Council. A significant amount of evidence has been prepared and can be found on the District Council's website.¹² As the review of the Derbyshire Dales Local Plan commences further updated evidence base studies will be prepared and published on the District Council's website.
- 2.5 The Derbyshire Dales Local Plan was adopted on 7th December 2017. Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires Local Planning Authorities to review Local Plans at least once every five years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community. To comply with this requirement a review of the Derbyshire Dales Local Plan must be completed by 2022. The review process is a method to ensure that a Plan and the policies therein remain effective at managing the use and development of land in the future.
- 2.6 This LDS has been prepared to inform the preparation and review of the adopted Derbyshire Dales Local Plan over the next three years for the period 2020-2023. This LDS sets out the timetable for the review of the Local Plan, the resources required to take the Plan forward and the risks associated with its preparation.
- 2.7 The advice in the National Planning Practice Guidance (NPPG) is that Local Plan reviews should be proportionate to the issues in hand. The guidance also suggests that policies age at different rates according to local circumstances and a plan does not become out-of-date automatically after 5 years. The review process is a method

¹⁰ <http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/authority-monitoring-report>

¹¹ <https://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/statement-of-community-involvement>

¹² <http://www.derbyshiredales.gov.uk/planning-a-building-control/local-plan-2015-16/evidence-base>

to ensure that a plan and the policies within remains effective at managing the use and development of land in the future.

- 2.8 The Programme for the Review of the Derbyshire Dales Local Plan set out within Section 3 envisages that the review process will be completed by late 2021, and taking account of previous timescales for the preparation of the current Derbyshire Dales Local Plan the adoption of a new revised Local Plan by mid-2023.

Derbyshire Dales Local Plan Review – Evidence Base

- 2.9 In accordance with the National Planning Policy Framework and Planning Practice Guidance the review of the Derbyshire Dales Local Plan must be based on robust and credible evidence. This evidence will consist of a wide range of studies, plans and strategies produced by a wide range of organisations, not just the District Council.
- 2.10 The initial stages of the Local Plan review process will require the collation of evidence to support the future development of policies and proposals in a revised Local Plan. At this time it is envisaged that the following issues will be the focus of the Local Plan review and have informed the preparation of the LDS:
- Overall housing requirements for the period up to 2040 – including amounts, and types of both market and affordable housing
 - Housing allocations to meet the outstanding housing requirements
 - Extent to which current policies in the adopted Derbyshire Dales Local Plan remain in conformity with the NPPF/NPPG and valid for the use in the determination of planning applications
 - The extent of which policies are considered sufficient to address matters relating to Climate change
 - The level of residential development in the National Park
 - The necessity or otherwise for a new village to accommodate the future housing requirements
 - Gypsy and Traveller provision; and
 - Infrastructure Capacity and Future Requirements
- 2.11 The following evidence base studies are therefore envisaged to inform the review of the Local Plan:
- Strategic Housing Requirements 2017-2040
 - Employment Land and Retail Capacity 2017-2040
 - Infrastructure and Whole Plan Viability
 - Strategic Flood Risk Assessment Update
 - Strategic Environmental Assessment and Habitats Regulations Assessment
- 2.12 Dependent upon the outcome of the initial review of the Local Plan further evidence base studies may be required on matters such as the feasibility of a new village, strategic traffic and transportation infrastructure, and an update the Landscape Sensitivity study produced to inform the adopted Derbyshire Dales Local Plan.

Derbyshire Dales Local Plan Review - Consultation

- 2.13 The National Planning Policy Framework requires that Plan making should be shaped by early, proportionate and effective engagement between plan makers, communities, local organisations, business, infrastructure providers and operators and statutory consultees (paragraph 16 NPPF). Local Planning Authorities are required to set out in their Statement of Community Involvement how they intend to engage with communities and stakeholders during plan making and how they will be involved in the preparation, alteration and review of Local Plans and also in the determination of planning applications. The District Councils Statement of Community Involvement is available to view on the District Councils website¹³.

Monitoring

- 2.14 Up to date and accessible reporting on the Local Development Scheme is set out in the District Councils Authority Monitoring Report and is an important way in which local communities and stakeholders can be kept informed of plan making activity. The AMR monitors the implementation of the adopted Derbyshire Dales Local Plan and progress of the LDS on an annual basis, reporting in December each year. The latest AMR covers the period 2018-2019 and is available on the District Councils website.¹⁴
- 2.15 The AMR will monitor the delivery of policies in the Local Plan when they have been adopted as well as referring to the Council's five year housing land supply; Neighbourhood plans; Infrastructure Delivery; projects and programmes in relation to the Duty to Co-operate and targets and indicators have been identified for the policies within Local Plan.

¹³ <https://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/statement-of-community-involvement>

¹⁴ <https://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/authority-monitoring-report>

Programme for Derbyshire Dales Local Plan Review – 2020-2023

Derbyshire Dales Local Plan Review LDS Timetable 2020-2023												
Derbyshire Dales Local Plan	2020		2021				2022				2023	
	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
Local Plan Review Identification of Key Issues												
Preparation of Draft Plan												
Public Consultation Draft Plan												
Draft Submission Plan												
Public Consultation Submission Plan												
Examination in Public												
Main Modifications												
Inspectors Report												
Adoption by Council												

Table 1: Derbyshire Dales Local Plan LDS Timetable 2020-2023

- 3.1 Further explanation of the key milestone which are set out in the LDS timetable presented in Table 1 are set out below:
- 3.2 **Local Plan Review Identification of Key Issues** – The Council will undertake a review of the existing adopted Derbyshire Dales Local Plan. This will entail a review policies and proposals and collation of a proportionate evidence base to support the review process.
- 3.3 **Preparation of Draft Plan** – The Council will prepare a Draft Plan, which will include an initial development strategy and policies intended to address the strategic priorities of the plan area and provide guidance to the development management process in the determination of planning applications.
- 3.4 **Public Consultation on Draft Plan** – Consultation on the Draft Local Plan will be undertaken, this will entail consultation on the draft strategy for the Local Plan, policies and relevant site allocations.
- 3.5 **Draft Submission Plan** – Review representations to consultation on Draft Local Plan and any additional evidence and modify Local Plan accordingly, producing a Draft Submission Plan.
- 3.6 **Public Consultation on Draft Submission Plan** – consultation on the version of the Local Plan that the Council intends to submit to the Secretary of State for Examination will be undertaken, with representation sought on the soundness and legal compliance of the Plan.
- 3.7 **Submission to Secretary of State** – once the Council has chosen its strategy or policies, it will prepare the suite of Local Plan documents and submit to the Secretary of State. At this time the District Council will contact the Planning Inspectorate to arrange an independent examination of the document to be held.
- 3.8 **Examination in Public** – the policies in the Derbyshire Dales Local Plan will be tested thoroughly during the independent examination to determine whether it satisfies the statutory requirements for the preparation of the plan, it is in general conformity with the National Planning Policy Framework and the document is sound.
- 3.9 **Main Modifications** – proposed modifications to the Plan may be identified through the examination process and will be subject to a consultation.

- 3.10 **Inspectors Report** – After the examination, the Inspector will produce a report with recommendations that will be binding upon the Council. The report will set out precise recommendations for how the Local Plan and adopted proposals/policies maps will need to be changed.
- 3.11 **Adoption by Council** – Once the Council has received the Inspectors binding recommendations it will revise the document accordingly and formally adopt the Plan.

Derbyshire Dales Local Plan

Overview

Role & Subject	Review of adopted Derbyshire Dales Local Plan (2017). Set out vision, objectives and spatial development strategy to 2040 within the context of the Derbyshire Dales. It will include land allocations and a suite of strategic and development control policies that will be utilised to deliver the overall vision and spatial development strategy.
Coverage	Local Planning Authority Area.
Status	Development Plan Document.
Conformity	NPPF/NPPG

Timetable

Stage	Dates
Commencement of Preparation Process	October 2020
Commence Identification of Key Issues	January 2021
Commence Preparation of Draft Plan	November 2021
Public Participation Draft Plan	April 2022
Commence Preparation of Draft Submission Plan	June 2022
Public Participation Draft Submission Plan	October 2022
Submission to Secretary of State	December 2022
Examination in Public Commences	December 2022
Main Modifications	May 2023
Receipt of Inspector's Report	June 2023
Adoption	June 2023

Arrangements for Production

Organisational Lead	Director of Regeneration and Policy & Policy Manager
Political Management	Local Plan Working Group & Council.
Internal Resources	Derbyshire Dales Planning Policy Section
External Resources	Peak District Partnership; Derbyshire County Council; Appointed Consultants, Local Enterprise Partnerships; key Stakeholders
Community & Stakeholder Involvement	In accordance with the Town and Country Planning (Local Development) (England) Regulations 2004 as amended by the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012 and the strategy set out in the Statement of Community Involvement.

Post Production

Monitoring and Review	The Local Plan sets out a number of Key Performance Indicators that will be monitored on an annual basis through the Authorities Monitoring Report, and changes will be made to the Local Plan as necessary.
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Development Plan Policies to be replaced

Derbyshire Dales
Local Plan Adopted
(2017)

4 Delivery and Implementation

Resources

- 4.1 All work undertaken in connection with the preparation of the Derbyshire Dales Local Plan will be managed by the District Council's Policy Manager. Staff resources will be drawn mainly from the Planning Policy section. The Planning Policy section consists of 2.55 full-time equivalent (FTE) posts, consisting of Policy Manager, Senior Planning Policy Officer, Planning Policy Officer and Administrative Assistant. If required, a Programme Officer will be appointed to assist the Inspector through any future examination of the Derbyshire Dales Local Plan. Other sections from within the District Council will be drawn upon for extra resources when required to provide support to the Planning Policy team, such as the Business Support Unit and Officers from the Regulatory Services Department.
- 4.2 Advice will be sought from Council Officers in other sections and departments including the Development Manager; Head of Housing Services; and Director of Regeneration and Policy. Advice on traffic and transportation matters will be obtained from Derbyshire County Council. External advice will be sought on matters such as nature conservation from Natural England and the Derbyshire Wildlife Trust and Historic England on the historic environment for instance.
- 4.3 The District Council has sufficient budget to support the preparation of Local Plan, including the Examination in Public.

Risk Assessment and Management

- 4.4 As part of the review of the Derbyshire Dales Local Plan a Risk Assessment has been undertaken which considers the possible risks to the Local Plan preparation process and degree of impact. A copy of this risk assessment is set out within Appendix 1.
- 4.5 Table 2 below identifies a range of potential risks, their impact and likelihood of occurrence, together with contingency and mitigation measures.

Risk	Likelihood	Impact	Contingency	Mitigation
Staff Recruitment & Retention A member of staff leaves or is off sick	High	High	Spread knowledge of the Local Plan and issues amongst team members, Manager and Head of Service.	Possibly pull in extra resources from the Policy and Regeneration Team, re-deploy staff or in the case of loss of staff, re-appoint as soon as possible if budgets permit
New National legislation	Medium	Medium	The National Planning Policy Framework, National Planning Practice Guidance and the Localism Act have reformed the planning system.	Review timescales and where necessary extend to some degree to incorporate changes to policy formulation work.

Risk	Likelihood	Impact	Contingency	Mitigation
			<p>Delays in the delivery of plans may occur in terms of compliance with the NPPF as a result of challenges on local interpretation and providing sufficient justification for decisions taken</p> <p>Further changes to regulations at later stages may lead to further modifications to the Local Plan being made prior to Adoption.</p> <p>Unanticipated significant changes to planning policy guidance including legislative changes.</p>	<p>Contact other Local Authorities to gain better understanding of the implications of changes if necessary.</p> <p>Ensure contingency measures are put in place to address revised policy guidance and discuss with MHCLG realistic solutions.</p>
Legal Challenge	Medium	Medium	Post adoption of a Local Plan, there is a six week challenge period.	To reduce the risk of challenge, ensure that the Local Plan is legally compliant and is based upon robust evidence
Compliance with the Duty to Co-operate , with DTC agreement cannot be reached with adjacent Local Planning Authorities	High	High	Close working with prescribed authorities and Members to detect issues early in the process. Ensure all discussions are documented in writing and formally agreed.	Commence discussions with neighbouring Local Planning Authorities early to ensure agreement can be reached in a timely manner. Continuing discussions with neighbouring authorities.
Local Plan not being found sound	Medium	Medium	Seek advice from PINS at key stages. Develop a sound evidence base and ensure that all policy decisions can be thoroughly justified.	Develop a sound and robust evidence base and ensure there are no gaps in the evidence to support the Local Plan. Ensure all evidence is regularly updated to reflect the latest information available.
Programme Slippage	Medium	High	Ensure that timescales are achievable and offer a degree of flexibility. For ensure delays in the preparation of the evidence base, delays in securing eternal procurement, evidence being	Ensure sufficient resources are available to complete all the required work and future stages of the Local Plan process are achievable. Ensure all the team is involved in the preparation process and extend timescales if necessary. Utilises online

Risk	Likelihood	Impact	Contingency	Mitigation
			unable to be gathered in time e.g. due to COVID, public consultation results in an overwhelming number of representations.	survey to help assist with analysis of representations, close project management of external consultants. Keep human resources under review to ensure there is adequate staffing to complete project within timescales.
Provision of Infrastructure	Medium	Medium	Discussions with infrastructure providers to focus on the preparation of the Infrastructure Delivery Plan (IDP) including various workshops and meetings. Ensure emerging and updated regulations relating to CIL and Planning Obligations are taken into account and addressed through policy and IDP.	Continuing engagement with infrastructure providers and development of the IDP will ensure timely consideration prior to submission of Local Plan to the Secretary of State
Council does not agree Draft Submission Plan or the adoption of the Local Plan	Medium	High	Early and continuous engagement with Members to ensure support for Plan and proposals.	Ensure Council Members are kept up to date on the Local Plan preparation process and emerging Plan and policies.
Inspectors Report delayed and/or includes recommendations the Council find hard to accept	Medium	Medium	Close liaison with PINS and identify any contingency measures to address any possible delays. The Council will need to consider all recommendations if it wishes to have an up to date development plan in place as required by the NPPF.	Keep Council Members up to date on issues arising and likely recommendations, and allow for delegation arrangements were necessary to deal with difficult issues.
Unforeseen additional work	Medium	Medium	Timetabled work programmes and top priorities clearly set out, overall programme management of all areas of work is essential to delivering targets and deadlines	Ensure that a degree of flexibility is added into current work programmes to accommodate unforeseen work. Draw on additional resources within the Policy and Regeneration Department where required to meet deadlines.

Risk	Likelihood	Impact	Contingency	Mitigation
Financial Risk	Low	High	The cost of preparing the Derbyshire Dales Local Plan is contained within the Council's budget.	Ensure that budgets are managed and updated. Ensure efficient working practices. A specific budget exists to cover the costs of the EIP .

Table 2: Derbyshire Dales Local Plan Risks, Contingencies and Mitigation Measure

APPENDIX 1 – DERBYSHIRE DALES LOCAL PLAN REVIEW RISK ASSESSMENT

Project Name	Local Plan Review
Project Manager	Mike Hase
Project End Date	May-23
Risk Register Version	v2
Date prepared	14/08/2020

Scoring system key

Likelihood	5	Highly likely
	4	Likely
	3	Forseeable
	2	Unlikely
	1	Rare occurrence

Impact	5	Catastrophic
	4	Severe
	3	Moderate
	2	Minor
	1	Negligible

		Impact				
		1	2	3	4	5
Likelihood	1	1	2	3	4	5
	2	2	4	6	8	10
	3	3	6	9	12	15
	4	4	8	12	16	20
	5	5	10	15	20	25

1-4 =
Low
risk

5-9 =
Medium
risk

10-16 =
High
risk
20-25 =
High
risk

			Pre-mitigation			Post-mitigation			
Risk category	Risk ID	Risk	Likelihood (L)	Impact (I)	Risk	Mitigation	Likelihood (L)	Impact (I)	Risk
		Min score	1	1	1	Min score	1	1	1
		Max score	5	5	25	Max score	5	5	25
External Procurement	P1	Preparation of Specifications not completed on time as a result of Coronavirus	3	3	9	Ensure that whole team involved in the preparation process	2	2	4
	P2	Tender Submissions - Not Returned within timescales	3	3	9	Extend Timescales or provide sufficient time based upon discussions with consultants	2	2	4
	P3	Tender Submission - Significantly Exceed Budgetary	2	3	6	Utilise more of Local Plan Reserve	1	2	2

		Estimates							
	P4	Tender Submissions - Consultants cannot complete within timescales envisaged	3	3	9	Ensure that Specifications are appropriate to needs of the Local Plan Review	2	2	4
Internal Review Process & Statutory Requirements	IR1	Sites not accessible for site visits	3	3	9	Site Assessment work undertaken as desktop exercise	2	2	4
	IR2	Insufficient sites identified to meeting future housing requirement	2	4	8	Duty to Co-operate engaged - adjacent local planning authorities contacted to see if they have capacity.	2	2	4
	IR3	If Engaged Duty to Co-operate agreement cannot be reached with adjacent local planning authorities	3	4	12	Commence early discussions with relevant local planning authorities to ensure that agreement can be reached in a timely manner	2	3	6
	IR4	Delayed delivery of laptops to replenish staff	3	4	12	Requisition of other staff's laptops to meet Planning Policy priorities	2	2	4
Plan Preparation	PP1	Delay in preparation of evidence base	3	3	9	Project Management of Consultants to ensure preparation timetable adhered to	2	2	4
	PP2	Delay in preparation of LDS & SCI	3	3	9	Keep human resources under review	2	2	4

					to ensure that there is adequate staffing to complete within timescales			
PP3	LPWG does not agree to recommend LDS & SCI for approval to Council	3	4	12	Early engagement with Members prior to LPWG	2	3	6
PP4	Council does not agree LPWG Recommendations on LDS & SCI	3	4	12	Early engagement with Members prior to Council	2	3	6
PP5	Unanticipated Significant Changes to Planning Policy Guidance and/legislative changes	2	4	8	Ensure that there are contingency measures in place - discuss with MHCLG realistic solutions	2	2	4
PP6	Public Consultation results in over whelming number of representations at all stages	3	3	9	Utilise online resource such as Survey Monkey to assist with the analysis of representations and enter manual representations as received	2	3	6
PP7	Delay in preparation of Pre Submission Draft	3	3	9	Keep human resources under review to ensure that there is adequate staffing to complete within timescales	2	3	6
PP8	LPWG & Council do not agree contents of Pre Submission Draft	3	4	12	Early engagement with Members before LPWG &	2	3	6

	Local Plan				Council			
PP9	Delay in commencement of Public Consultation on Pre Submission Draft Local Plan	2	4	8	Ensure that there are contingency measures in place - discuss with MHCLG realistic solutions	2	2	4
PP10	Delay in preparation of Draft Submission Plan	3	4	12	Keep human resources under review to ensure that there is adequate staffing to complete within timescales	2	3	6
PP11	Council does not agree to submission of Local Plan	3	5	15	Early engagement with Members prior to Council	3	3	9
PP12	Inspector does not agree DTC been met - plan review is delayed	3	5	15	Ensure timely preparation of DTC Statement with all relevant local planning authorities	3	3	9
PP13	Examination in Public Delayed by unforeseen circumstances	3	3	9	Identify with PINS contingency measures - if not already in place.	2	3	6
PP14	Mutiple & Complex Main Modifications require additional time to prepare	3	3	9	Liaise with Inspector throughout the EIP to ensure no hidden surprises in the modifications	2	2	4
PP15	Council does not agree to Adoption of Local Plan	3	5	15	Early engagement with Members prior to Council	2	3	6