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02 February 2021

To: All Councillors

As a Member or Substitute of the **Community & Environment Committee**, please treat this as your summons to attend a meeting on **Wednesday 10 February 2021 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](http://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 and Customer Services

## AGENDA

### 1. APOLOGIES/SUBSTITUTES

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

### 2. APPROVAL OF MINUTES OF PREVIOUS MEETING

16 December 2020

### 3. 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](mailto:committee@derbyshiredales.gov.uk)

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

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

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

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

#### **4. 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.

#### **5. QUESTIONS PURSUANT TO RULE OF PROCEDURE NUMBER 15**

To answer questions from Members who have given the appropriate notice.

**Page No.**

#### **6. DERBYSHIRE DALES DISTRICT COUNCIL – LOCAL PLANNING AUTHORITY MONITORING REPORT 2019/2020**

**04 - 15**

To consider approval for publication of the contents, as detailed in Appendix 1, of the District Council's Local Authority Monitoring Report (AMR). The AMR is issued as required under Section 35 of the Planning and Compulsory Purchase Act 2004.

**Appendix 1 - AMR - Published separately**

#### **7. DRAFT CLIMATE CHANGE SUPPLEMENTARY PLANNING DOCUMENT**

**16 - 75**

To receive a report informing Members of the contents of a draft Climate Change Supplementary Planning Document, seeking approval for a six weeks period of public consultation on the contents of the document, to commence in January 2021; if any substantive representations, on the contents of the document, are received during the period of consultation a further report will be presented to this Committee. Furthermore, should no substantive representations be received, approval is sought that delegated authority be given to the Director of Regeneration and Policy and Director of Regulatory Services, in conjunction with the Chair and Vice Chair of this Committee, to adopt the Climate Change Supplementary Planning Document.

**8. DERBYSHIRE DALES STATEMENT OF COMMUNITY INVOLVEMENT 2021 76 - 163**

To note a report on the representations received during the public consultation, as set out in Appendix 1, on the Statement of Community Involvement (SCI). Also to consider adoption of the revised Statement of Community Involvement (SCI) 2021, as set out in Appendix 2, with immediate effect and approval that delegated authority be given to the Director of Regeneration and Policy, to undertake the necessary requirements for the adoption of the Statement of Community Involvement (SCI).

**9. INSTALLATION OF ELECTRIC POINTS FOR ICE-CREAM VENDORS ON DERBYSHIRE DALES DISTRICT COUNCIL'S LAND 164 - 168**

To consider a report seeking approval for an increase of £35,000 to the Revenue Budget, over the financial years 2021/22 and 2022/23 as detailed in the report, for the installation of electric charge points on District Council land.

**10. EXCLUSION OF PUBLIC AND PRESS**

At this point the Committee will consider excluding the public and press from the meeting for the remaining item of business for the reasons shown in italics.

*(The following report is exempt because it contains information relating to individuals and the business affairs of the Council.)*

**11. LOCAL GOVERNMENT OMBUDSMAN REPORT**

To note a report on the findings of the Local Government Ombudsman.

**EXEMPT Report**

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, Sue Burfoot, Neil Buttle, Tom Donnelly, Richard FitzHerbert, Alyson Hill and Peter Slack

COMMUNITY & ENVIRONMENT COMMITTEE  
10<sup>th</sup> FEBRUARY 2021

Report of the Director of Regeneration and Policy

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## **DERBYSHIRE DALES DISTRICT COUNCIL – LOCAL PLANNING AUTHORITY MONITORING REPORT 2019/2020**

### **PURPOSE OF REPORT**

This report advises Members of the requirements under Section 35 of the Planning and Compulsory Purchase Act 2004 to prepare an Authority Monitoring Report (AMR) setting out the extent to which the District Council is meeting the milestones for Local Plan documents as set out in the Local Development Scheme (LDS) and the extent to which the District Council is monitoring the effectiveness of Local Plan policies, in particular those relating to housing and economic development. The Local Planning Authority Monitoring Report covers the period 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020.

### **RECOMMENDATION**

That the contents of the Authority Monitoring Report as set out in Appendix 1 be approved for publication.

### **WARDS AFFECTED**

All outside the Peak District National Park.

### **STRATEGIC LINK**

The Local Planning Authority Monitoring Report contains information on the effectiveness of policies in the Adopted Derbyshire Dales Local Plan (2017), many of which directly contribute towards the achievement of the objectives contained in the District Council's Corporate Plan 2020-2024.

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## **1 BACKGROUND**

- 1.1 The Planning and Compulsory Purchase Act 2004 requires every Local Planning Authority to prepare an Authority Monitoring Report (AMR) containing information on the implementation of the Local Development Scheme (LDS) and the extent to which policies set out within the Local Development Documents are being achieved.
- 1.2 Regulation 34 of the Town and Country Planning (Local Planning) (England) Regulations 2012 ('the Regulations') requires more specifically that the following matters be addressed in the AMR:

- The title of the Local Plan or Supplementary Planning Documents specified in the Local Development Scheme and a review of proposed and actual progress in terms of preparation against the timetable and milestones in the LDS;
  - An assessment of the extent to which policies in Local Development Documents (Local Plan) are being implemented;
  - Where policies specified in a Local Plan are not being implemented, include a statement of the reasons why the local planning authority are not implementing the policy and the steps (if any) that the local planning authority intend to take to secure that the policy is implemented;
  - Where a policy in the local plan specifies an annual number of net additional dwellings or net additional affordable dwellings in any part of the local authority's area, the AMR must specify the relevant number for the part of the local planning authority's area concerned in the period in which the report is made and since the policy was first adopted;
  - Local Planning Authorities may also use the AMR to provide up to date information on the implementation of Neighbourhood Development Plans: report an update with respect of regulation 62 of the Community Infrastructure Levy and activity relating to the Duty to Cooperate.
- 1.3 The Council's AMR is the main mechanism for assessing how effectively the Derbyshire Dales Local Plan is being implemented and for dealing with the risks associated with aspects of its delivery. The AMR identifies which policies and implementation measures are succeeding, and which may need some form of review. if for example, key targets, such as maintenance of a five year housing land supply are not met over a sustained period.

## **2 AUTHORITY MONITORING REPORT 2019 – 2020 KEY FINDINGS**

- 2.1 The Derbyshire Dales Local Planning Authority Monitoring Report (AMR) covers the period 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020 and is set out Appendix 1 for information.
- 2.2 Section 1 sets out the context for the preparation of the AMR and the legislative requirements.
- 2.3 Section 2 outlines progress against key Local Plan milestones included in the Councils Local Development Scheme (LDS) 2020-2023. Section 2 also reports on new Supplementary Planning Documents which have been adopted over the monitoring period or are currently being prepared; and also progress on Neighbourhood Plans being prepared across the District.
- 2.4 Sections 3 – 10 of the AMR reports upon the implementation of planning policies contained within the Adopted Derbyshire Dales Local Plan (2017). From the date of Adoption the District Council has formally monitored the effectiveness of policies in the Local Plan against the indicators and targets set out within Chapter 9. The AMR sets out under key themes how effectively the policies have been used in the determination of planning applications across the local planning authority area. The key findings within the AMR are set out below for consideration:

### **Spatial Strategy**

- 2.5 The Spatial Strategy within the Adopted Derbyshire Dales Local Plan sets out a broad approach to the overall distribution of development across the Plan area and

supports sustainable development by improving the economic, environmental and social conditions of the area wherever possible. The spatial strategy seeks to direct new development towards the most sustainable locations in accordance with the Settlement Hierarchy set out within Policy S2 and within the defined Settlement Boundaries (Policy S3).

- 2.6 The District Council over the monitoring period granted 76% of residential development on sites within the Settlement Development Boundaries of the Tier 1, 2 and 3 settlements over the monitoring period. The District Council has also granted planning permission for residential development for three dwellings within Tier 4 & 5 settlements where they were considered to represent appropriate infill and consolidation development in those locations.

### **Housing Delivery**

- 2.7 Paragraph 73 in the NPPF sets out that local planning authorities should identify and update annually a supply of specific deliverable sites to provide five years' worth of housing against their requirements.
- 2.8 The adopted Local Plan identifies that the housing requirement for the whole of the Derbyshire Dales, including that part of the Peak District National Park that is situated within Derbyshire Dales for the period 2013-2033 is 5,680 dwellings at a rate of 284 dwellings per annum. There were 435 dwellings completed over the monitoring period 2019/20, the highest number of dwellings to be completed annually over the last 30 years. This increase in completions is reflective of the fact that as sites have been allocated for residential development (primarily Greenfield sites) in the adopted Derbyshire Dales Local Plan, landowners and developers have sought to bring sites forward.
- 2.9 At 1<sup>st</sup> April 2020 68 dwellings on allocated sites had the benefit of planning permission, six sites allocated for housing had commenced development with 171 dwellings on those sites under construction during the monitoring period 2019/20. The allocation sites under construction include, Lathkill Drive, Ashbourne (HC2(a)); land off A517 and Dog Lane, Hulland Ward (HC2(s)); Land East of Ardenes ( r)); Land North of Luke lane, Brailsford (HC2(h)) and land at Derby Road, Doveridge (HC2(o) and Land at Cawdor Quarry, Matlock (HC2 (t)).
- 2.10 The 2019/20 housing trajectory sets out how much housing is anticipated to come forward over the Plan period and at what point in the future. The housing trajectory indicates that 1674 dwellings have been completed between 2013 to 2020 (across the whole of the Derbyshire Dales including the Peak District National Park) and a further 4225 dwellings are anticipated to be delivered over the plan period to 2033. The District's housing supply is reliant upon a number of strategic sites allocated within the Local Plan being delivered within a timely manner. It is now anticipated that 845 dwellings will be delivered beyond the Plan period, including 205 dwellings at Middlepeak Quarry, Wirksworth and 640 dwellings at Ashbourne Airfield Phase 2. Whilst there has been slippage in the timetable for some strategic sites, others will be delivered sooner than originally planned, including Cawdor Quarry, Matlock. It is therefore anticipated that the Objectively Assessed Housing Need identified in the adopted Derbyshire Dales Local Plan of 5680 dwellings will be met by 2033. However in the shorter term the AMR confirms that as at 1<sup>st</sup> April 2020 the District

Council does not have five years supply worth of housing, providing only 4.61 years' worth supply of land for housing.

- 2.11 The reasons for the shortfall of housing over the next five years include slippage in the anticipated delivery of some of the strategic allocations, where unforeseen constraints have arisen and additional work was required to ensure that essential infrastructure is in place at key times in the delivery of the sites. The delivery of housing at Ashbourne Airfield has been delayed over the monitoring period to enable the essential infrastructure to be developed and provide access to the development, including the reconfiguration of the planned road from a traffic light system to a roundabout to allow appropriate access to phase 2 of the development. The determination of the planning application for development of Middleton Road, Wirksworth has been delayed due to insufficient viability evidence and further negotiations between the District Council and the landowner. The determination of the planning application at Gritstone Road, Matlock has required the submission of further information in respect of drainage of the site. The District Council has been working closely with the Local Lead Authority, Severn Trent and the developer to ensure that these matters are resolved. The District Council continues to work closely with developers and landowners of allocated sites to ensure that any issues arise are dealt with in timely manner and where feasible at the early stages of the planning application process.
- 2.12 Whilst the District Council, does not currently have five years' worth of supply for housing, it continues to be able satisfy the Government's Housing Delivery Test. In order to ensure that there is an adequate delivery of new homes the Government introduced in 2018 the Housing Delivery Test (HDT). The HDT is a percentage measurement of the number of net homes delivered against the number of homes required over a rolling three year period. The NPPF indicates that where a local planning authority's housing delivery falls below 95% of homes required, it should prepare an Action Plan whose purpose is to assess any causes of under delivery and set out ways in which under-delivery can be improved in the future. The District Council currently has a HDT score of 187% (MHCLG, January 2021).
- 2.13 Although the District Council is not required to prepare and submit to MHCLG a formal Housing Delivery Action Plan, it was agreed that it would be good practice to undertake the preparation of a Housing Delivery Action Plan which was approved by the District Council on 19<sup>th</sup> February 2020.
- 2.14 The AMR indicates that there remains only one entry on the Derbyshire Dales Self and Custom Build Register and that it continues to seek agreement from developers to release land to meet this requirement.

### **Affordable Housing**

- 2.15 There were 35 new affordable dwellings homes completed over the monitoring period. In addition a further 22 affordable homes were secured through the signing of Section 106 agreements to be delivered on site over the monitoring period. During the monitoring period £263,611.10 was secured through Section 106 agreements for affordable housing contributions off site. The District Council received a further £3,020,167.55 contributions from Section 106 agreements which will be allocated to specific projects to provide further affordable dwellings where it can be demonstrated that there is evidence of need. The District Council has approved a Capital

Programme for 2021/22 which allocates £2.843 million from S106 Obligations towards the delivery of affordable homes.

- 2.16 Changes made to the NPPF (2019) sets out that the provision of affordable housing should be sought as part of 'major' residential developments i.e. housing developments, involving 10 or more homes or where the site has an area of 0.5ha or more. As the NPPF was published after the adoption of the Derbyshire Dales Local Plan this supersedes the existing Local Plan threshold within policy HC4 which stipulates an affordable housing contribution on schemes of 11 or more. Monitoring data for 2019/20 indicates that the requirement of 30% affordable housing on developments of 10 or more dwellings completed over the 2019/20 was not met in all instances, however the policy does allow for an element of flexibility if there are other material considerations that warrant a reduced amount to be delivered on site and can be justified through way of a financial appraisal.
- 2.17 In exceptional cases the Local Plan allows for the provision of affordable housing off site by way of a financial contribution to contribute towards achieving the 30% affordable housing target. Development of Land at Asker Lane, Matlock was to provide 25% affordable housing on site and 20% off site, which was agreed with the District Council due to local housing needs evidence at the time of granting of the permission. The amount of on-site affordable housing for development of land at Luke Lane Brailsford and land at East of Bakers Lane, Doveridge were set through the outline permissions on both sites and reflected local needs housing evidence at that time. As these permissions were granted prior the adoption of the Local Plan, little weight was applied to Policy HC4 through determination and a higher offsite S106 contribution towards affordable housing was accepted. However of those sites granted permission for 10 or more dwellings over the monitoring period the District Council has reached the 30% target of affordable housing on site and on three sites even exceeded the target set.
- 2.18 The adopted Derbyshire Dales Local Plan sets out that a minimum of 9 pitches for Gypsy and Travellers should be provided over the plan period. The site allocated in the Local Plan may not now be a deliverable solution due to the policy position adopted by Derbyshire county Council, and as such the District Council has continued to seek a suitable alternative provision. This has included consultation with the public, a call for sites, site assessments and trying to overcome issues such as location, suitability, landownership constraints and costs. Four sites were shortlisted and a detailed assessment of the suitability of each site was carried out. Council on 2<sup>nd</sup> September 2020, resolved that the site at Knabhall Lane, Tansley should be taken forward for development as a permanent Traveller site.
- 2.19 Policy HC11 in the adopted Derbyshire Dales Local Plan sets out that for residential development of 10 dwellings or more they should seek to achieve a mix of smaller housing sizes to meet the anticipated demographics of the District Council in the future. The AMR indicates that over the monitoring period the District Council has not achieved this target on all permissions granted. The analysis of site permissions reveal that there were seven applications granted planning permission for 10 or more dwellings over the monitoring period, of these one was for reserved matters where the prescribed mix had already been approved as part of outline permission prior to the adoption of the Local Plan, two were full permissions, three were outline and 1 was variation to condition.



- 2.20 Where proposals did not provide the required housing mix, the District Council took into account the need to deliver affordable housing and the impact upon the viability of the development. The prescribed housing mix as set out in HC11 for affordable housing is not always being met. However this is often due to compelling more up to date evidence of housing need in particular locations within the District from housing needs registers indicating that a deviation from the policy mix is required. A deviation from the prescribed affordable housing mix set out in policy HC11 for affordable housing can also be justified by the amount of planned development coming forward in a particular location over shorter timescales, sometimes leading to an oversupply of specific types of properties. Whilst the District Council can grant permissions for development, it cannot always control when that development commences, therefore the level of affordable housing need to be occupied by specific families and individuals is a constant changing need and is not always a set prescribed need.
- 2.21 In accordance with Policy HC12, the District Council continues to support the provision of suitable accommodation to support the elderly across the Planning permission was granted for five ancillary dwellings for dependant relative accommodation over the monitoring period, in Hognaston, Doveridge, Matlock, Snelston and Wirksworth. .
- 2.22 Policy HC14 seeks to protect, maintain and enhance existing open spaces and sport and recreational buildings and land. Over the monitoring period the District Council received payment of £60,040.03 from Section 106 contributions for open spaces and parks from Leys Farm development in Ashbourne and Asker Lane development, Matlock. The District Council secured a further £460,625.50 in future Section 106 contributions for parks and open spaces from 7 planning permissions throughout the District for future developments should they proceed. The S106 payments are currently being held in reserve, awaiting suitable schemes to allocate it to. The S106 contributions from Leys Farm have been allocated towards improvements to the Ashbourne Recreation Ground Pavillion.
- 2.23 The Local Plan sets out importance of protecting community facilities. Policy HC15 sets out that development which involves the loss of a community facility should only be granted planning permission for alternative uses when all potential options have been explored and demonstrated that the facility cannot be maintained. Over the monitoring period there were two planning applications in Darley Dale and Ashbourne granted permission for development that would result in the loss of a community facility, including conversion of former Methodist church to dwelling (20/00008/FUL) and the loss of a shop to dwelling (19/01268/FUL). In both cases Officers concluded that the current uses were no longer viable nor required in these locations.

### **Employment Land Delivery**

- 2.24 The adopted Derbyshire Dales Local Plan (2017) sets out that the Council will make provision for at least 24 hectares over the Plan period on new allocated sites. The Local Plan identifies a number of Strategic Sites which will deliver mixed use developments and a proportion of the employment land. The District Council set a target to deliver 0.75 hectares of employment land annually. During the monitoring period 0.8 hectares of employment land were completed, including, 1765m<sup>2</sup> B1(a) uses, 1884m<sup>2</sup> B1 uses; 2050m<sup>2</sup> B2 uses and 2348m<sup>2</sup> B8 uses.

- 2.25 Policy EC2 of the Derbyshire Dales Local Plan allocates eight sites for employment land to be developed up to 2033. The target set for Policy EC2 is for 1 hectare of employment land to be completed per annum on these sites. This target was not achieved over the monitoring period 2019/20 as none of the sites allocated in the adopted Local Plan had commenced development. The District Council is continuing to work with the landowners and developers as well as D2N2 to ensure that the delivery of employment land is achieved in future years. Further detailed information regarding individual site progress over the monitoring period is set out within Chapter 6 of the AMR Report.

### **Retail Development, Town and Local Centres**

- 2.26 Policy EC6: Town & Local Centres requires that the District Council monitors and records the amount of floorspace across each of the town centres to ensure that an appropriate mix of uses is retained. The AMR indicates that the vacancy rates are below national average in Matlock (5%) and Wirksworth (12%) but the vacancy rates in Ashbourne (14%) are above the national average of 12.4%. Although the vacancy rate in Ashbourne remains above the national average, the District Council will, however, seek to retain as much as is feasibly possible retail floorspace in the town centre through the determination of planning applications and where evidence demonstrates there is a demand for the retail in accordance with Policy EC6.

### **Tourism and Holiday Accommodation**

- 2.27 Policy EC8 sets out to support development for tourism accommodation in sustainable locations across the District and requires the District Council to monitor the net change in the number of bed spaces provided in serviced accommodation. The AMR indicates that the District Council has successfully achieved the target of increasing the total number of bed spaces in serviced accommodation. The STEAM data at 2019 shows that there were 19,476 non-serviced bed spaces in the District. This shows a 36% increase in bed spaces since 2009. There were also 3,664 serviced bed spaces across the District, an increase of 3%. (It should be noted that the STEAM data covers the whole of Derbyshire Dales, including that part within the National Park).
- 2.28 Policy EC10 of the Local Plan indicates support for farm diversification schemes in sustainable locations across the District. Over the 2019/20 monitoring period there was only one scheme for a farm diversifications approved. That being for a scheme in Rodsley where the construction of a manege/outdoor school and stables and construction of a car park, was improved as a way of increasing (19/01392/FUL).
- 2.29 The Derbyshire Dales has an important network of cycle routes that provide on and off road routes for a range of journeys across the District that are used by both residents and tourists alike. Policy EC11 of the Local Plan encourages proposals that develop and extend the cycle network. The District Council works in partnership with Derbyshire County Council (DCC) to bring forward improvements to existing and new additional cycle routes across the District. On 16<sup>th</sup> January 2020 DCC Cabinet Members agreed the defined Key Cycle Network (KCN) for Derbyshire. Within this report a number of existing cycle routes (Local Cycle Network (LCN)) were defined as well as a number of routes that proposed to be extended across the County. Within Derbyshire Dales proposed Key Cycle routes include to extend the White

Peak Loop from Matlock railway station to Cromford; Matlock to Beeley Moor; Carlton Lees to Rowsley; Bakewell to Rowsley; Ashbourne to Norbury/ Rocester. Additional LCN's proposed in the District include: Ashbourne to Derby; Ashbourne to Belper; Ecclestone Valley and Minninglow to Brassington.

### **Protecting Derbyshire Dales Character**

- 2.30 The Derbyshire Dales Local Plan (2017) sets out to protect the character and appearance of the area with regard to design, the built and historic environment, biodiversity and landscape character. The Local Plan seeks to reduce the number of properties on the buildings at risk register. At 1<sup>st</sup> April 2020 there were 30 buildings on the District Council's Buildings at Risk Register. Over the monitoring period a outbuilding north to Wadley Manor Farm was removed from the register and the fishing pavilion at Cromford was added to the Register.
- 2.31 The District Council works closely with Derbyshire Wildlife Trust in respect of areas important for biodiversity. Over the monitoring period one of the designated wildlife sites suffered a loss in its quality for biodiversity. The Derbyshire Wildlife Trust estimated loss of 2 hectares of a designated Local Wildlife Site within Cawdor Quarry, Matlock at Harboro Works Slurry Pond (DD193) due to development of the site. Whilst there have been no reported gains in green infrastructure across the District, the Council continues to work in partnership with Derbyshire County Council (DCC) to identify new schemes and initiatives to increase biodiversity in the area, such as the introducing wildflower on road verges across the District and a number of pilot projects have been launched in the north of the District.

### **Climate Change and Flooding**

- 2.32 Policy PD7: Climate Change seeks to encourage new developments to include energy efficiency and low carbon technological design as part of planning applications for commercial developments over 1000m<sup>2</sup>. Whilst there was no development completed above the threshold over the monitoring period, the District Council published a Climate Change Strategy and Action Plan at Council meeting on 8<sup>th</sup> October 2020 with a target to be carbon neutral by 2030. In addition to this the District Council has commissioned consultants to produce a climate change SPD which will provide further guidance to both Officers and developers to include energy efficiency improvements to existing properties and integrate new technologies within new development to support the delivery of Policy PD7.
- 2.33 The Local Plan seeks to protect new development from areas of flooding. Over the monitoring period there were no planning applications granted planning permission contrary to the advice of the EA on flooding or water quality.

### **Infrastructure Delivery Plan**

- 2.34 As part of the Monitoring the Local Plan the District Council is required to report any updates in terms of any significant infrastructure constraints within parts of the District and any new infrastructure provided as part of new developments. The main areas that the Local Plan requires the District Council to report upon are school capacity; GP surgeries health provision and key transport networks. The AMR also provides updates on any other essential infrastructure delivery where projects have been undertaken and key services delivered over the monitoring period.

- 2.35 On 1<sup>st</sup> September 2019, the Community Infrastructure Levy Regulations (CIL) 2010 (as amended) came into force. These Regulations require that Section 106 contribution receiving authorities must produce an annual Infrastructure Funding Statement (IFS), whereby the first was published by 31<sup>st</sup> December 2020 for the period 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020. The Infrastructure Funding Statement provides a summary of all financial and non- financial developer contributions derived from Section 106 Obligations during the reporting year 2019/20. The statement provides the most up to date information on the amount of developer contributions received from new developments and where relevant where such contributions have been spent. It can be viewed [here](#):

### **Brownfield land Register**

- 2.36 The Town and County Planning (Brownfield Land Registers) Regulations 2017 came into force in April 2017, The Regulations required each local planning authority to prepare and publish a Register of Previously Developed Land (Brownfield Land) by 31<sup>st</sup> December 2017, and maintain it annually thereafter. Part 1 of the Brownfield Land Register 2019 recorded 26 sites with potential for 2780 dwellings, and is shown in Appendix 3 of the AMR.
- 2.37 The position with regards to the Brownfield Land Register at 31<sup>st</sup> December 2020 is that it contains 19 sites comprising a total of 2,318 dwellings. A copy of the sites that make up the Brownfield Land register is set out in Appendix 2 to this report. .

### **Neighbourhood Plans and Supplementary Planning Documents**

- 2.38 The AMR sets out an update of progress on the preparation of Neighbourhood Plans in the planning authority area. Darley Dale Neighbourhood Plan was 'made' by the District Council on 19<sup>th</sup> February 2020. The Kirk Ireton Neighbourhood Plans was submitted to the District Council on 3<sup>rd</sup> April 2019 and the examination of the Plan commenced on 18<sup>th</sup> November 2019. On the 12<sup>th</sup> March 2020 the Governance and Resources Committee resolved that the Kirk Ireton Neighbourhood Plan could proceed to a neighbourhood plan referendum. However the effects of the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020 mean that all Neighbourhood Plan Referendums have been postponed until 6<sup>th</sup> May 2021. At the current time it is envisaged that the Referendum on the Kirk Ireton Neighbourhood Plan will be held following 6<sup>th</sup> May 2021 subject to any further revisions to the relevant legislation which will be kept under review.
- 2.39 The Ashbourne Neighbourhood Plan was formally submitted to the District Council 23<sup>rd</sup> January 2019 and following further review consultation on the draft plan was undertaken between 14<sup>th</sup> August and 6<sup>th</sup> November 2020, the examination of the draft plan commenced on the 9<sup>th</sup> November 2020. Public consultation on the Brailsford Neighbourhood Plan was undertaken 9<sup>th</sup> November to 21<sup>st</sup> December 2020 and the examination of the plan is now underway.
- 2.40 Work has been undertaken on the preparation of a climate change SPD over the monitoring period. A report on which is included elsewhere on the agenda for this committee.

### **3 RISK ASSESSMENT**

#### **3.1 Legal**

The proposals accord with the provisions of the relevant legislation, accordingly the legal risk is low.

#### **3.2 Financial**

There are no financial risk arising from this report.

#### **3.3 Corporate Risk**

The failure to comply with Government policy advice would constitute a strategic risk to the Council. However, the overall degree of risk is considered to be 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**

Claire Francis - Planning Policy Officer  
Email: [claire.francis@derbyshiredales.gov.uk](mailto:claire.francis@derbyshiredales.gov.uk)  
Telephone: 01629 761198

### **6 BACKGROUND PAPERS**

<b>Description</b>	<b>Date</b>	<b>Location</b>
Planning and 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
National Planning Policy Framework and Planning Practice Guidance	24 <sup>th</sup> July 2018	G/5/P2
Derbyshire Dales Local Plan	Adopted December 2017	G/5/P2

### **7 ATTACHMENTS**

1. Appendix 1 – Derbyshire Dales Authority Monitoring Report 2019/20  
(Published separately)
2. Appendix 2 – Summary of Brownfield Land Register December 2020.

**Appendix 2: Brownfield Land Register 2020: as published on the website December 2020: <http://www.derbyshiredales.gov.uk/planning-a-building-control/planning-policy/brownfield-land-register>**

Site & Map	SHLAA reference	Site Area (hectares)	Capacity	Local Plan Allocation	Planning Application	End Date
<a href="#">Land At Ashbourne Airfield, Phase 1</a>	SHLAA266	17.87	367	HC2 (c)	<a href="#">14/00074/OUT</a> <a href="#">19/01274/FUL</a> <a href="#">20/00037/FUL</a>	
<a href="#">Land At Ashbourne Airfield, Phase Two</a>	SHLAA500	58.6	1100*	HC2 (d)		
<a href="#">The Mount, 4 North Avenue, Ashbourne</a>	SHLAA7	0.32	14		<a href="#">09/00496/FUL</a>	
<a href="#">Dairy House, Brailsford</a>	SHLAA584	0.55	19		<a href="#">17/00015/FUL</a>	
<a href="#">Stancliffe Quarry, Darley Dale</a>	SHLAA281	10.16	100***	HC2 (m)		
<a href="#">Old Hall Farm, Marston Montgomery</a>	SHLAA279	0.98	22		<a href="#">16/00182/OUT</a> <a href="#">17/00498/REM</a>	
<a href="#">Land at Cawdor Quarry, Former Permanite Works</a>	SHLAA49/384	16.88	482	HC2 (t) & HC2 (y)	<a href="#">08/00705/FUL</a> <a href="#">16/00923/OUT</a> <a href="#">17/00294/FUL</a>	
<a href="#">Harveydale Quarry, Matlock</a>	SHLAA199	1.16	17		<a href="#">17/00934/OUT</a>	
<a href="#">Land at Halldale Quarry, Matlock</a>	SHLAA435	15.66	220 ***	HC2 (v)	<a href="#">14/00541/OUT</a> <a href="#">14/00541/DCOND</a>	
<a href="#">Trevelyan House, Matlock</a>	SHLAA141	0.98	11		<a href="#">17/00852/FUL</a>	
<a href="#">Dimple Nursery, Matlock</a>	SHLAA617	0.29	12		<a href="#">17/00003/FUL</a>	<a href="#">31/03/2019</a>
<a href="#">Riber Castle, Riber</a>	SHLAA52	2.9	47		<a href="#">04/07/0609</a>	
<a href="#">Whitelea Nursery, Tansley</a>	SHLAA478	1.04	27	HC2 (aa)	<a href="#">17/00850/FUL</a>	
<a href="#">Former Matlock Transport Site, Northwood</a>	SHLAA311	1.31	10		<a href="#">18/01430/OUT</a>	

<a href="#">Chequers Farm, Millers Green, Wirksworth</a>	SHLAA83	3.28	12		<a href="#">19/00455/OUT</a>	
<a href="#">Haarlam Mill, Wirksworth</a>	SHLAA217	3.3	30		<a href="#">15/00395/FUL</a>	
<a href="#">Land at Middleton Road Quarry, Wirksworth</a>	SHLAA269	11.01	151	HC2 (cc)	<a href="#">18/00741/OUT</a>	
<a href="#">Land at Middle Peak Quarry, Wirksworth</a>	SHLAA473	61.51	645**	HC2 (dd)		
<a href="#">The Firs, Wyaston</a>	SHLAA305	2.1	9		<a href="#">16/00340/OUT</a> <a href="#">18/00699/REM</a>	<a href="#">31/03/2020</a>
<a href="#">Mushroom Farm, Rodsley Lane, Yeaveley</a>	SHLAA572	0.62	9		<a href="#">16/00587/FUL</a>	
<a href="#">Dale Lodge, Darley Dale</a>	SHLAA655	1.3	10		<a href="#">18/00960/FUL</a>	
Totals:	21 sites	ha		9 allocated		

\*The development at this site will extend beyond 2033, assumed completion of circa 380 dwellings 2020-2033

\*\*The development at this site will extend beyond 2033, assumed completion of circa 390 dwellings 2020-2033

\*\*\* Development at these sites are recognised as not 'deliverable' as defined by paragraph 5, Schedule 2 of the 2017 Brownfield Land Regulations as 'there is no reasonable prospect that residential development will take place on the land within 5 years of the entry date.

COMMUNITY AND ENVIRONMENT COMMITTEE  
10<sup>th</sup> FEBRUARY 2021

Report of the Director of Regeneration and Policy and the Director of Regulatory Services

## **DRAFT CLIMATE CHANGE SUPPLEMENTARY PLANNING DOCUMENT**

### **PURPOSE OF REPORT**

The purpose of this report is to advise Members of the contents of a draft Climate Change Supplementary Planning Document and to seek Members' approval to undertake a period of six weeks public consultation commencing in January 2021.

### **RECOMMENDATION**

1. That the draft Climate Change Supplementary Planning Document set out in Appendix 1 to this report be approved for a period of six weeks public consultation.
2. That in the event of the receipt of any substantive representations during the six week period of public consultation on the contents of the draft Climate Change Supplementary Planning Document that a further report be presented to this Committee.
3. That in the event that no substantive representations are received during the six week period of public consultation on the contents of the draft Climate Change Supplementary Planning Document that delegated authority be given to the Director of Regeneration and Policy and Director of Regulatory Services in conjunction with the Chair and Vice Chair of this Committee to adopt the Climate Change Supplementary Planning Document.

### **WARDS AFFECTED**

All outside of the Peak District National Park

### **STRATEGIC LINK**

The development of the Climate Change Supplementary Planning Document will support the delivery of the adopted DDLP and assist with the delivery of one the District Councils key priorities of addressing Climate Change in the Corporate Plan 2020-2024.

## **1 BACKGROUND**

- 1.1 Members will recall that the District Council resolved unanimously at its meeting on 30 May 2019 that:

*Climate change is an existential threat. Extreme weather events have caused damage and destruction in this country and have led to deaths and displacement of thousands of people worldwide. Natural habitats, wildlife and biodiversity are in peril, not only from climate change, but they are being adversely affected by human intervention, which in turn is enhancing the effects of climate change. Scientists are warning that we have a little over a decade to implement urgent action to reduce greenhouse gas emissions*



*before we reach a global tipping point. Action is required at international, national, local and individual level to achieve the carbon reduction levels needed.*

1.2 Since the declaration of a Climate Change emergency by the District Council last year a Members Climate Change Working Party identified four priority areas for action:

- Transport;
- Estates;
- Planning Policy;
- Housing Policy.

1.3 At Council on 20<sup>th</sup> January 2020 it was agreed that two elements of the Climate Change Action Plan relating to Planning should include:

- Work with the Council's Place Hub to develop a Supplementary Planning Document to set out the Council's expectations for new development to ensure that it responds proactively to the Climate Change Emergency through appropriate mitigation and adaptation actions
- Ensure that the next review of the Local Plan adequately responds to the Climate Change Emergency

1.4 In taking forward the District Council's Corporate Plan for the period 2020-2024 it was resolved at Council on 5<sup>th</sup> March 2020 that one of the priority actions for taking forward the work on the Climate Change Emergency was:

- Preparing and adopting a Supplementary Planning Document on Climate Change

1.5 In August 2020, following a four week procurement process, which involved the Climate Change Working Party reviewing the tender specification, Land Use Consultants Ltd were appointed to undertake the preparation of a Climate Change Supplementary Planning Document on behalf the District Council.

## **2 DRAFT CLIMATE CHANGE SUPPLEMENTARY PLANNING DOCUMENT**

2.1 The National Planning Practice Guidance sets out in relation to SPDs;

*"Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development."*

2.2 Notwithstanding that Policies S1 – Sustainable Development, PD7-Climate Change and PD8-Flood Risk Management in the adopted Derbyshire Dales Local Plan provide a comprehensive basis for the assessment of development proposals and the extent to which they can mitigate the effects of climate change, the Climate Change Supplementary Planning Document seeks to provide additional guidance on the following key areas:

- Building Design – including density of development and orientation
- Water – including managing flood risk, sustainable drainage systems and the drainage hierarchy

- Energy – including the energy hierarchy, home energy standards and renewable energy systems
- Green Infrastructure – including linkages to parks and open spaces, trees and landscaping, as well as linkages to biodiversity.
- Transport – including walkable and low car neighbourhoods, walking, cycling and public transport. It also includes the facilitation of electric vehicles.

2.3 The contents of the draft Climate Change Supplementary Planning Document have been subject to discussion between the Consultants, Officers and the Climate Change Working Party. As a result of these discussions the consultants have revised the structure and content of the draft Climate Supplementary Planning Document to ensure that it meets the requirements of the National Planning Practice Guidance and Case Law. It is considered that this will provide sufficient detailed guidance that developers will be able to follow in bringing forward proposals, and will enable the District Council to utilise in the determination of planning applications. A copy of the draft Climate Change Supplementary Planning Document is set out in **Appendix 1** for Members consideration.

2.4 Once adopted, the SPD will have statutory weight in the decision making process, and can be used in the determination of planning applications as a “material consideration”.

### **3 PUBLIC CONSULTATION**

3.1 To enable the Draft Climate Change Supplementary Planning Document to have statutory weight and accord with the District Councils Statement of Community Involvement (SCI), it is necessary for it to be subject to a minimum period of four weeks public consultation. This must be accompanied by a consultation statement that sets out the persons consulted, the time period of the consultation, where the documents can be seen and the details of where to send comments. A copy of the draft consultation statement is contained in **Appendix Two**.

3.2 Unlike a Local Plan, there is no requirement for an Examination in Public.

3.3 Given the current Covid-19 pandemic, so as not to disenfranchise anyone from participating, it is recommended that a six week period of public consultation be held from Friday 12th February 2021 to Friday 26<sup>th</sup> March 2021. In accordance with the District Council’s emerging Statement of Community Involvement and Government best practice this consultation will be ‘digital by default’(although hard copies will be available as requested). Targeted contacts on the Local Plan consultation database will be informed by email and comments will be invited via an online survey. All relevant documents will be made available on the District Councils website.

### **4 RISK ASSESSMENT**

#### **4.1 Legal**

The public consultation, and subsequent adoption of the Climate Change Supplementary Planning Document will be undertaken in accordance with the requirements set out within The Town and Country Planning (Local Planning) (England) Regulations 2012. The legal risk is therefore low.

## 4.2 Financial

The costs associated with preparing and adopting the Supplementary Planning Document are contained within current budgets. It is intended that the SPD would be published as an online document with paper versions available on request. The financial risk is, therefore, assessed as low.

## 4.3 Corporate Risk

A failure to comply with the statutory provisions relating to the preparation and adoption of the Supplementary Planning Document could lead to challenge by developers and/or land owners, and constitute a strategic risk to the District Council in using the SPD in the determination of planning applications. Failure to implement the requirements of the draft SPD during the determination of planning applications could result in an under provision of the amount of infrastructure required to support the level of development identified in the adopted Derbyshire Dales Local Plan.

## 5 OTHER CONSIDERATIONS

- 5.1 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.

## 6 CONTACT INFORMATION

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## 7 BACKGROUND PAPERS

The Town and Country Planning  
(Local Planning) (England)  
Regulations 2012 Part 5:  
Supplementary Planning  
Documents

[http://www.legislation.gov.uk/uksi/2012/767/pdfs/uksi\\_20120767\\_en.pdf](http://www.legislation.gov.uk/uksi/2012/767/pdfs/uksi_20120767_en.pdf)

National Planning Policy  
Framework

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/779764/NPPF\\_Feb\\_2019\\_web.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779764/NPPF_Feb_2019_web.pdf)

Derbyshire Dales Local Plan

December  
2017

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

## **8 ATTACHMENTS**

APPENDIX 1 – DRAFT CLIMATE CHANGE SUPPLEMENTARY PLANNING DOCUMENT

APPENDIX 2 – CONSULTATION STATEMENT



# Climate Change

## Supplementary Planning Document

Derbyshire Dales District Council





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# 1.0

## Introduction





# 1.0 Introduction

## Background

Climate change is leading to more extreme weather events, such as wildfires, droughts and flooding. It will have major implications for the District's natural and the built environment, the economy, and people's health and wellbeing.

Along with many other local authorities, the Council has declared a Climate Emergency<sup>1</sup>. This included pledges to:

- Make Derbyshire Dales District Council carbon neutral by 2030.
- Call on the UK Government to provide the powers and resources to make the 2030 target possible.
- Work with partners across the county and region to deliver this new goal through all relevant strategies.

The Council has subsequently published a Climate Change Strategy and Action Plan, 2020 to 2030, which details how the Council will attain net carbon zero status by 2030 or significantly earlier.

## Purpose and structure of this Supplementary Planning Document (SPD)

This SPD is part of the Council's response to the climate emergency. It supports the current **Derbyshire Dales Local Plan**, which sets out the overall visions, objectives, and policies for the future development of the parts of the Derbyshire Dales that lie outside the Peak District National Park.

The Local Plan policies most relevant to climate change mitigation and adaptation are:

- **Policy PD7 Climate Change**, which sets out requirements for development in order to move to a low carbon future and promotes a development strategy that seeks to mitigate and adapt to climate change.
- **Policy PD8 Flood Risk Management and Water Quality**, which sets out a number of criteria including requirements to give priority to the use of Sustainable Drainage Systems and to manage flood risk.

The SPD provides guidance on the implementation of these policies. It is structured around five key objectives that relate to Policies PD 7 and PD8:

- Securing enhanced green infrastructure (Chapter 2)
- Managing drainage, flood risk and water conserving water (Chapter 3)

- Using less energy, increasing energy efficiency and promoting renewable energy (Chapter 4)
- Reducing the need to travel and promoting sustainable transport (Chapter 5)
- Improving building design and layout to meet the objectives (Chapter 6).

Following a description of the local context, each Chapter sets out the links to Local Plan Policies PD7 and PD 8. It then outlines how the policy requirements can be met.

**Appendix A** provides **checklists** for applicants which should be used to inform a climate change statement to be submitted with the planning application, either as part of a Design & Access Statement, or standalone:

**Checklist 1 for new build dwellings and non-residential developments**

**Checklist 2 for changes of use**

**Checklist 3 for householder developments involving the addition of floorspace**

<sup>1</sup> <https://www.derbyshiredales.gov.uk/environment-and-waste/energy-advice-2>



A landscape photograph showing a wide, grassy field in the foreground. In the middle ground, there is a dense line of trees. In the background, a hill rises with a large, stone castle or ruin on its summit. The sky is filled with heavy, grey clouds.

# 2.0

## Securing enhanced green infrastructure



## 2.0 Securing enhanced green infrastructure

Green infrastructure, such as parks, open spaces and green roofs, is central to the District's resilience to climate change. It can improve the resilience of habitats and vulnerable species and help to reduce flood risk. Green infrastructure can also deliver a range of related benefits by improving opportunities to walk and cycle, which in turn reduces carbon emissions, and improving the health and well-being of local communities.

Although the District has a high quality strategic green infrastructure network, there are considerable opportunities to strengthen this further by connecting new development to existing and planned cycle and walking networks, such as the West Derbyshire Greenway Strategy and the Matlock to Buxton Cycle Trail (The White Peak Loop).

Space for people to grow their own food is a particular issue in the District as the demand for allotments has not been met with sufficient increases in supply.

### Link to Key Local Plan Policy Criteria

#### ■ Policy PD7: Climate Change

- Requires new development to be designed to contribute to achieving national greenhouse gas emissions targets by using landform, layout, building orientation, tree planting, massing and landscaping to reduce likely energy consumption and resilience to increased temperatures.
- Promotes the use of sustainable design and construction techniques (including flood resistance/resilient measures).
- Encourages the use of green infrastructure to help mitigate the effects of climate change and ensure climate change adaptation and resilience.



Figure 1: Benefits of Green Infrastructure

## 2.0 Securing enhanced green infrastructure

### Guidance on how to apply policy

#### Trees, Landscaping and Green Infrastructure

- Green infrastructure should be considered at the earliest stages of design. Applicants should liaise and collaborate with representative stakeholders to identify, appraise and agree actions for the project that will optimise the benefits of green infrastructure [Fig. 1].
- Policy PD3 requires new development and changes of use to achieve a net gain in biodiversity value where possible. This is expected to become mandatory for major developments upon royal assent of the Environment Bill in 2021. Ecological consultants will therefore need to ensure that data collected in 2020 and thereafter is suitable for use within the DEFRA 2.0 Biodiversity Metric calculator<sup>2</sup>.
- Applicants should integrate existing and new natural features into a multifunctional green infrastructure network. Green corridors in particular can be used to extend and enhance existing ecosystems.
- Proposals for green infrastructure should ensure that the location, materials, scale and use of green infrastructure is sympathetic and complements the District's landscape character. For example, increasing the mosaic of habitats, including grasslands and woodland, is supported. Applicants should prioritise native planting that provides habitat for local wildlife. Where possible, transitional habitats should be created between woodland and grasslands to increase the diversity of microclimates and habitats for species, an important feature for climate change adaptation.



Figure 2: Examples of green infrastructure within a residential street

<sup>2</sup> <http://publications.naturalengland.org.uk/publication/5850908674228224>



## 2.0 Securing enhanced green infrastructure

- Consideration should be given to the Landscape Character and Design SPD (2018)<sup>3</sup> and the location, landscape character and heritage significance of conservation areas, historic parks and gardens, archaeological features and important trees and hedgerows<sup>4</sup>.
- Green infrastructure will require sustainable management and maintenance if it is to provide benefits and services in the long term. Arrangements for funding need to be identified as early as possible, and factored into the design and implementation, balancing the costs with the benefits.
- Applicants should seek to enhance green cover and ensure it is integral to planning the layout and design of new buildings and developments [Fig. 4].
- Deciduous trees should be planted to provide shade to buildings, helping to limit solar gain in the summer months.
- Public open space and outdoor seating areas should be provided with trees for shade. Small trees should be planted in private gardens to provide shading.
- Street trees and other street planting should be planted to soften the impact of car parking, help improve air quality and contribute to biodiversity [Fig. 3].
- Other forms of multi-functional green infrastructure could include the provision of natural play areas alongside SuDS and the use of formal hedging instead of fences or walls, for example around play and picnic table areas.

### Providing Local Food Growing Opportunities

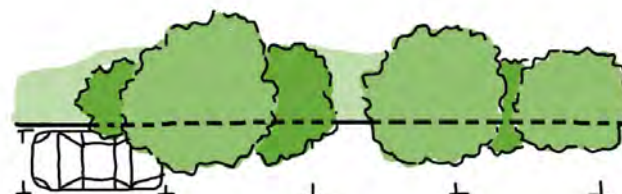
Policy HC14 requires an allotment space of 0.17 hectares per 1,000 people or 3.94 square metres per dwelling for new residential developments of 11 dwellings or more. Applicants are also encouraged to provide growing space within private gardens and communal growing spaces, such as community-managed raised beds.

The typical growing space areas (found in Table 1 in **Appendix B**) provide an indication of the amount of space which may be appropriate. Suitable management and maintenance arrangements should be put into place for communal growing spaces.

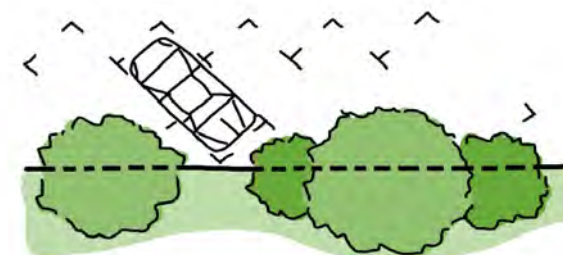
Central reservation



In line with pavement



Angled to with parking spaces



Housing square



Figure 3: Incorporating green infrastructure into parking

<sup>3</sup> [https://www.derbyshiredales.gov.uk/images/S/SPD\\_Landscape\\_Character\\_and\\_Design\\_September\\_2018.pdf](https://www.derbyshiredales.gov.uk/images/S/SPD_Landscape_Character_and_Design_September_2018.pdf)

<sup>4</sup> Further information on the Derbyshire Dales' historic landscape features at: <https://www.derbyshiredales.gov.uk/planning-a-building-control/conservation>

## 2.0 Securing enhanced green infrastructure

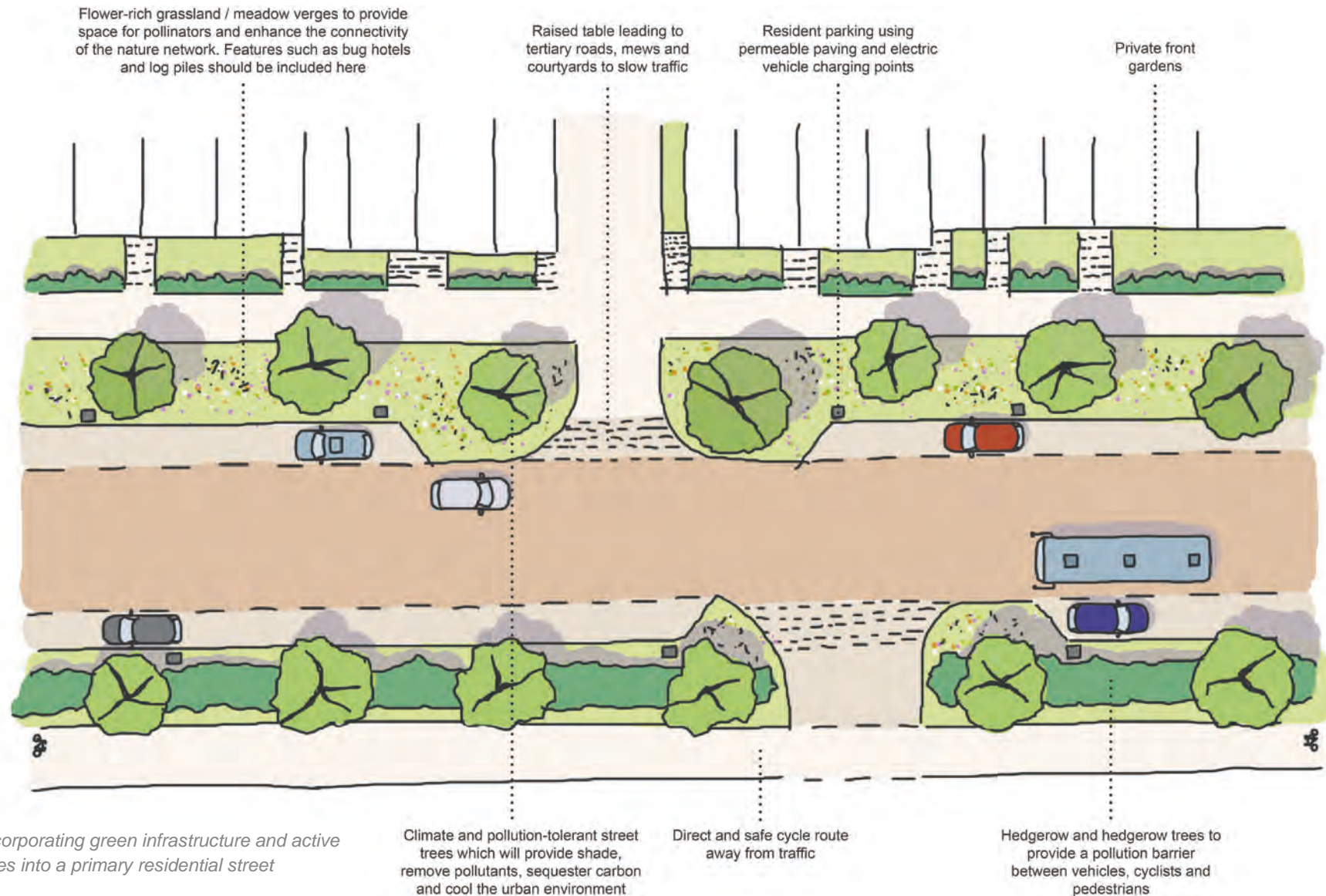


Figure 4: Incorporating green infrastructure and active travel features into a primary residential street



## 2.0 Securing enhanced green infrastructure



Figure 5: Landscape masterplan of enhancements at Spend Lane, Ashbourne

- |                                 |   |                                   |
|---------------------------------|---|-----------------------------------|
| 1. Restored landscape pattern   | 2. Reinforced woodland character          | 3. Preserved historic features    |
| 4. Conserved lane character     | 5. Restoration of field ponds and ditches | 6. Pine copse enhancement         |
| 7. Restored hedgerow network    | 8. Hedgerow tree succession               | 9. Woodland enhancement           |
| 10. Wetland habitat enhancement | 11. Species-rich flowering grassland      | 12. Improved public access        |
| 13. Sustainable drainage        | 14. Rural access conserved                | Biosecurity and species selection |

### Local Example

#### New Dwelling House and Landscape Enhancements, Spend Lane, Ashbourne

The development of a new dwelling at Spend Lane in Ashbourne includes significant enhancement of the surrounding landscape and net gains in biodiversity. The following benefits are to be delivered as part of the Biodiversity Enhancement and Landscape Management Plan:

- Restoration of the hedgerow network and enhancement of species richness.
- Creation and enhancement of species-rich flowering grasslands and diversification of this habitat to extend foraging and shelter opportunities for wildlife.
- Restoration of the historic field ponds, with an increase in extent and diversity of wetland habitats and new hibernacula.
- Sensitive preservation and enhancement of historic geological and ecological features, including safeguarding 'Ridge and Furrow' features.
- Extension of native woodland belts to enhance ecological connectivity and reinforce landscape cohesiveness and character.



A scenic landscape featuring a river flowing through a lush green field. The river is bordered by dense trees on the left and a stone wall in the foreground. The sky is overcast with grey clouds. The text "3.0" is displayed in the top right corner.

3.0

## Managing drainage, flood risk and conserving water



## 3.0 Managing drainage, flood risk and conserving water

The catchments of the River Wye and the River Derwent cover the east of the District whilst the River Dove acts as a western boundary. The District contains a number of watercourses and riverside meadows which are characteristic in the local landscape. The District also contains a number of aquifers that provide high quality water which requires little treatment prior to use.

Large areas within the District lie within Flood Zones 2 and 3, most of which are based along the River Derwent and River Dove. As the climate changes, the District is expected to experience increased flooding, including flash-flooding from increased rainfall on higher land.

### Link to Key Local Plan Policy Criteria

#### ■ Policy PD7: Climate Change

- Promoting the use of sustainable design and construction techniques (including flood resistance / resilient measures).
- Supporting development that promotes water efficiency measures and incorporates water conservation techniques, including rainwater harvesting and grey water recycling.

#### ■ Policy PD8: Flood Risk Management and Water Quality

- The District Council will support development proposals that avoid areas of current or future flood risk, and which do not increase the risk of flooding elsewhere, where this is viable and compatible with other policies aimed at achieving a sustainable pattern of development.

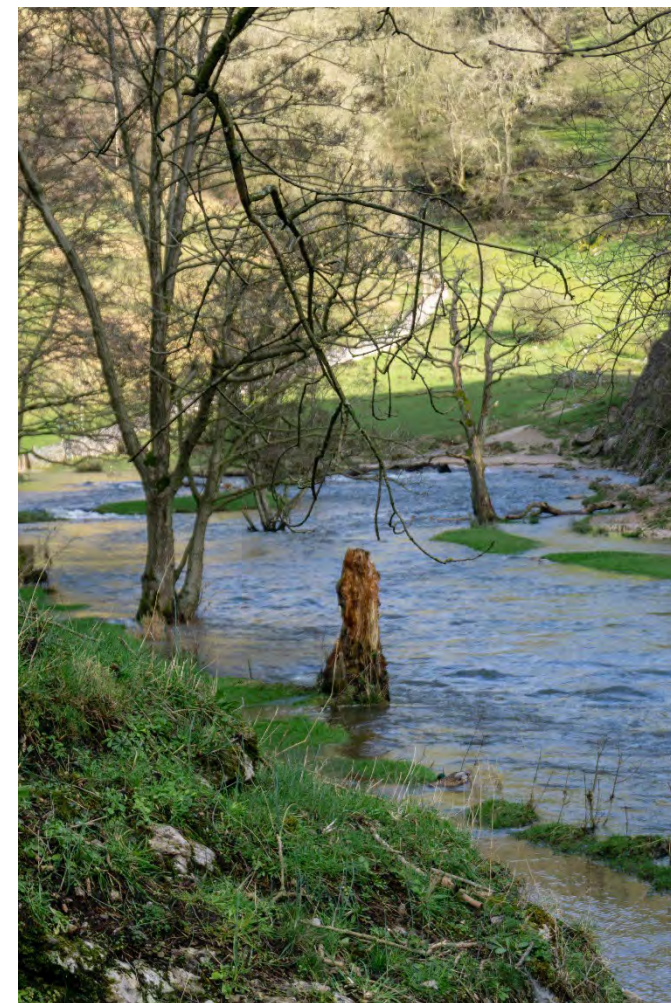
- New developments shall incorporate appropriate Sustainable Drainage Measures (SuDs) in accordance with National Standards for Sustainable Drainage Systems.

### Guidance on how to apply policy

#### Managing Flood Risk

As required by local and national policy, the main planning aim should be to manage flood risk by directing development to areas with the lowest risk and to ensure that development does not increase the risk of flooding elsewhere. The following additional guidance is provided:

- Where site-specific flood risk assessments are required, they should consider all current and future sources of flooding and the impacts of climate change. Typical allowances for climate changes are found in EA guidance<sup>5</sup>.
- In line with national policy, the first preference should be to avoid development in flood risk areas. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere, and buildings and their surroundings should be constructed to avoid being flooded (e.g. by raising it above the design flood level). Flood resistance and resilience measures should not, however, be used to justify development in inappropriate locations, as set out in the Planning Practice Guidance<sup>6</sup>



*The River Dove*

<sup>5</sup> <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

<sup>6</sup> <https://www.gov.uk/guidance/flood-risk-and-coastal-change#flood-zone-and-flood-risk-tables>



## 3.0 Managing drainage, flood risk and conserving water

- To increase the resilience and resistance of the development to flooding, the following should be achieved:
  - The ground level of all habitable parts of the home and access to both the site and homes, are designed so that they are at least a 600mm<sup>7</sup> threshold above the design flood level of the flood zone in which the development site is located.
  - The design of the building and the wider site reflects the recommendations made by an appropriately qualified professional in accordance with BS 8552000:2015<sup>8</sup>.
- Flood-resistant construction can prevent entry of water or minimise the amount that may enter a building where there is short duration flooding outside with water depths of 0.6 metres or less. This form of construction should be used with caution and accompanied by resilience measures.<sup>9</sup>
- The Department for Communities and Local Government *Improving the Flood Performance of New Buildings: flood resilient construction* (2007)<sup>10</sup> shows how to improve the resilience of new properties in low or residual flood risk areas using suitable materials and construction methods. A general principle for flood resilient design where predicted flood water depths are high is to provide durable materials that will not be affected by water, and use construction methods and materials that promote easy draining and drying. The site drainage system and the management of surface water runoff are important considerations in reducing the

flood risk to people and property. Boundary walls and fencing can also be designed to create flood resistant barriers. Options include solid gates with discreet waterproof seals and where possible, integral drains, or fencing where the lower elements are constructed to be more resistant to flooding. An appropriate avoidance measure would be to ensure the threshold levels into a property are above the design flood level, as can be seen in Figure 6. In addition, careful layout of internal space can be an effective measure to minimise the impact of floods. Living accommodation, essential services, storage space for key provisions and equipment should be designed to be located above predicted flood level.<sup>11</sup>

- Impermeable surfacing can have a substantial cumulative impact on surface water flood risk. Developments should prioritise permeable over impermeable surfaces to allow infiltration and reduce the amount of surface water runoff, for example driveways [Fig. 6].
- A Landscape Management Plan should be provided on all large-scale developments as part of the planning application. They should also be delivered in any development which hosts important habitats, has areas of public greenspace or are public-facing. The adoption of land management practices to improve water infiltration into the soil should be applied, therefore reducing surface run-off and diffuse pollution from agricultural practices entering watercourses after excessive rainfall.

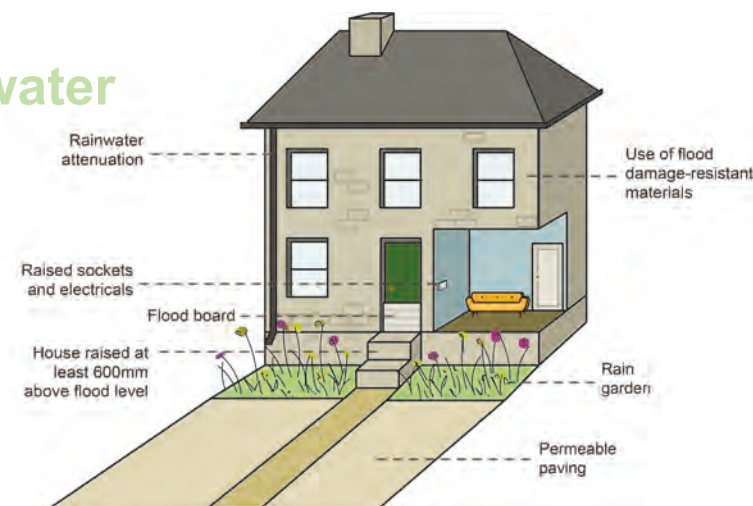


Figure 6: Flood resilient dwelling

- There may also be opportunities to reduce the overall level of flood risk in the area and beyond. This can be achieved, for example, through the drainage hierarchy approach (see below), layout and form of development, safeguarding land for flood risk management and designing off-site works required to protect and support development in ways that benefit the area more generally.
- Traditional buildings in flood-risk areas are often constructed with permeable materials which absorb and release water but need to be able to dry out slowly. Most historic materials and finishes can be retained after flooding, if treated carefully. Care must be taken not to introduce inappropriate retrofitted measures which would prevent effective drying and shorten the life of the building, such as impermeable cement-based coatings or injected damp-proof courses.<sup>12</sup>

<sup>7</sup> Environment Agency (EA) guidance.

<sup>8</sup> Home Quality Mark (2018) Technical Manual <https://www.homequalitymark.com/wp-content/uploads/2018/09/HQM-ONE-Technical-Manual-England.pdf>

<sup>9</sup> Planning Practice Guidance Paragraph: 059 Reference ID: 7-059-20140306

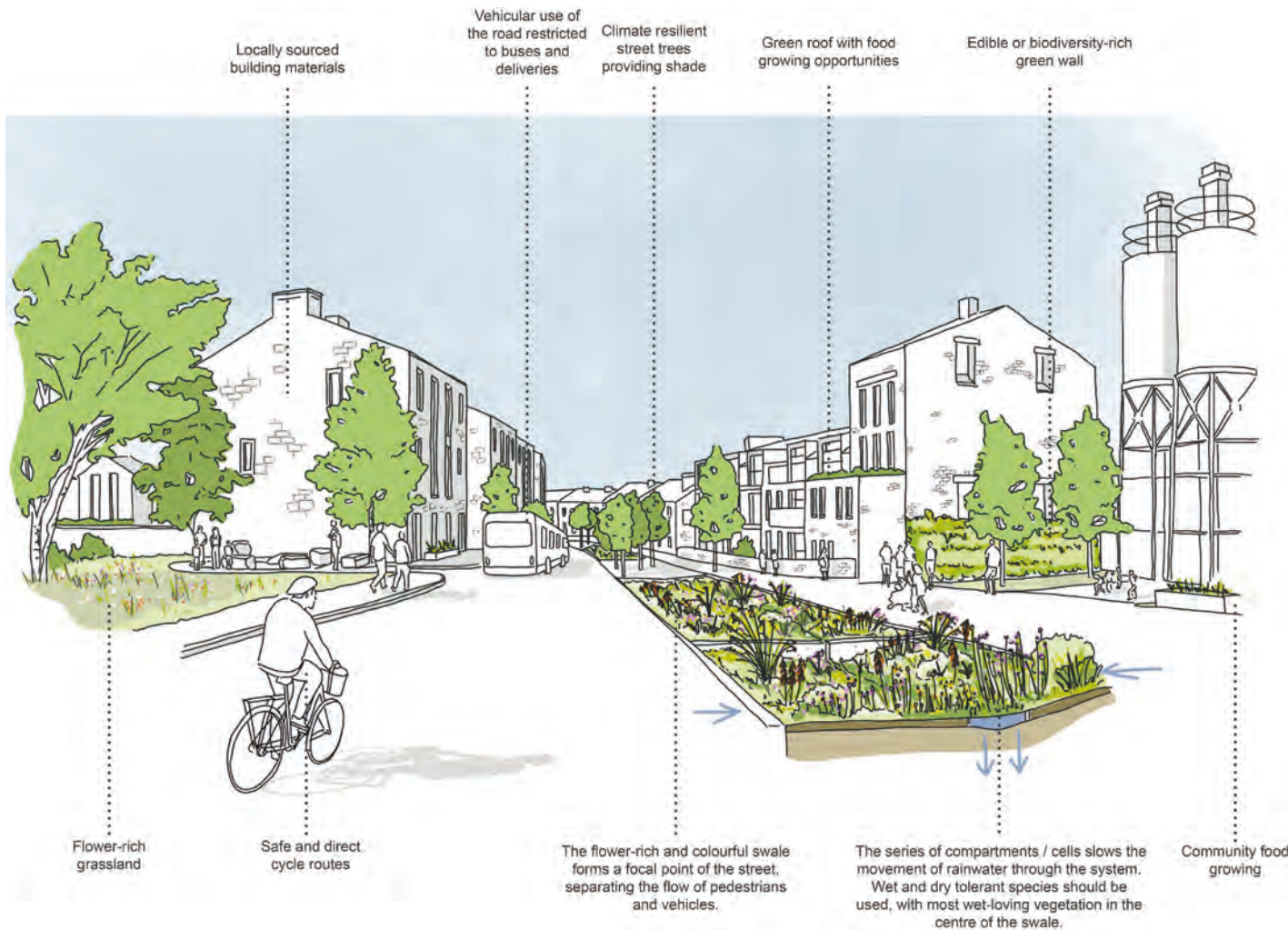
<sup>10</sup> <https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

<sup>11</sup> Environment Agency (2007) Improving the flood performance of new buildings [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7730/flood\\_performance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7730/flood_performance.pdf)

<sup>12</sup> Historic England 2015, *Flooding and Historic Buildings*:

<https://historicengland.org.uk/images-books/publications/flooding-and-historic-buildings-2ednrev/eaq017-flooding-and-historic-buildings/>

## 3.0 Managing drainage, flood risk and conserving water



### Blue Infrastructure

Blue Infrastructure, such as rivers, canals and open water, forms an essential part of a functional and valuable green infrastructure network, providing a range of benefits. When incorporated properly into the network, watercourses can act as valuable corridors for recreation and wildlife. However, blue infrastructure which is not planned appropriately can form barriers to movement or be culverted beneath the built environment.

As a general principle, developments should protect existing blue infrastructure and especially riverside meadows within the District, which provide water storage in times of flood and protect water quality. Applicants are also encouraged to reinstate areas of floodplains and riverside meadows, restoring the natural course of rivers and promoting green corridors where opportunities exist.

### Sustainable Drainage Systems (SuDS)

Traditionally, development has sought to take water off site as quickly as possible through a series of pipes, often causing flash flooding as the volume of water reaches a watercourse in a very short period of time. SuDS try to mimic natural drainage systems and retain water on or near the site, reducing the rate of surface water run-off even at times of peak rainfall. SuDS also promote ground water recharge, improve water quality, provide amenity and can help to reduce the frequency of floods that occur when the capacity of sewers is exceeded. A suitably designed SuDS scheme can also enhance biodiversity by broadening the range of habitats within a development. The variety of SuDS techniques available means that virtually any development can make use of them, as seen in Figure 7.

Figure 7: Applying sustainable drainage principles to new streets in development

## 3.0 Managing drainage, flood risk and conserving water

### The Drainage Hierarchy

- Policy PD8 requires development to incorporate SuDS in accordance with National Standards for Sustainable Drainage Systems.
- Applicants are encouraged to achieve greenfield run-off rates and manage surface water run-off as close to its source as possible, in line with the following drainage hierarchy [Fig. 8]:

1. Rainwater used as a resource (for example rainwater harvesting, blue roofs for irrigation).
2. Rainwater infiltration to ground at or close to source.
3. Rainwater attenuation in green infrastructure features for gradual release (for example green roofs, rain gardens, swales).
4. Rainwater discharge direct to a watercourse (unless not appropriate).
5. Controlled rainwater discharge to a surface water sewer or drain.
6. Controlled rainwater discharge to a combined sewer.

- To protect the water quality of watercourses receiving surface water and ground water, appropriate pollution prevention and treatment measures should be designed and installed in drainage systems in accordance with C753 The SuDS Manual and the National Standards for Sustainable Drainage Systems. Examples of SuDS include swales, permeable surfaces, wetlands, rainwater harvesting systems and green roofs.

- Where developments incorporate rainwater or greywater recycling systems, the system should aim to provide sufficient water to offset the total demand in the new development.

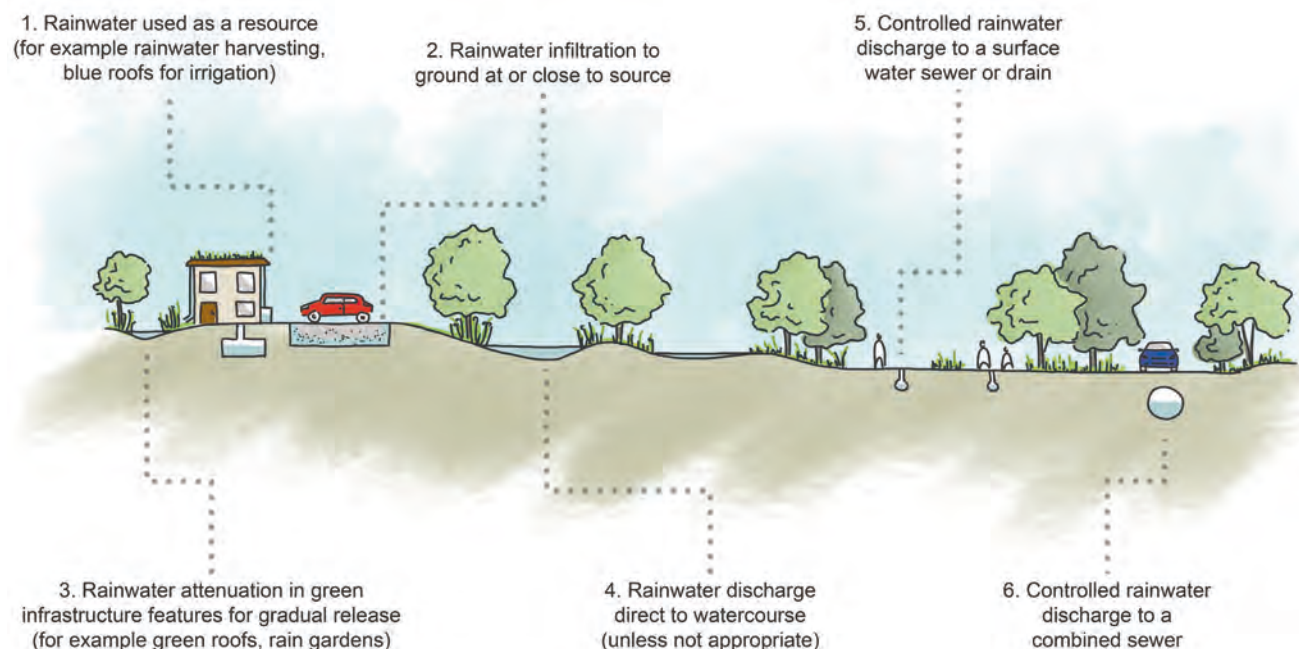


Figure 8: The Drainage Hierarchy



## 3.0 Managing drainage, flood risk and conserving water

### Applying the Drainage Hierarchy in practice

Figure 9 provides an example of incorporating large-scale retention basins into the public open space adjacent to residential development. Although a large proportion of the area is taken up by sustainable drainage features variety of recreation and ecosystem services are provided whilst also ensuring the new development is climate resilient.



Figure 9: How large-scale retention basins can be incorporated into the design of residential schemes

## 3.0 Managing drainage, flood risk and conserving water



Figure 10: Masterplan of development at Porter Lane

### Local Example

#### Porter Lane, Middleton-By-Wirksworth

A 47 home residential development at Porter Lane successfully introduced multifunctional SuDS through a network of drainage basins and swales as an integral part of the site's landscape treatment. The drainage basins formed a network of communal gardens and amenity areas which provide aesthetic value, open space and biodiversity gain. A swale was designed as a stream-like form at the edge of site and provided a transition between the built development and the surrounding landscape.



Attenuation basin integrated with the communal gardens



Attenuation basin, native hedgerows and new tree planting



A photograph of a rural landscape. In the foreground, a rustic stone wall made of grey, irregular stones runs across the bottom. Behind the wall is a lush green field filled with numerous small yellow wildflowers. To the left, a large, leafy green tree stands prominently. In the background, there are more trees and a distant horizon under a sky filled with soft, white and grey clouds. The overall scene is peaceful and natural.

4.0

Using less energy, increasing  
efficiency and promoting renewables



## 4.0 Using less energy, increasing efficiency and promoting renewables

Housing is currently responsible for around 14% of UK carbon emissions. In 2018, emissions from the District's housing were estimated at 130,000 tCO<sub>2</sub>e in 2018<sup>13</sup>. Industry and commercial buildings account for a greater proportion of the District's carbon emissions, estimated at 222,000 tCO<sub>2</sub>e in 2018.

Around 20% of homes in England were built before 1919 in traditional materials and techniques which perform differently from modern materials. The proportion is likely to be higher in Derbyshire Dales and traditional buildings make up the vast majority of the District's listed buildings, buildings in conservation areas and unlisted, traditional buildings.

### Link to Key Local Plan Policy Criteria

#### ■ Policy PD7: Climate Change

- Requiring new development to be designed to contribute to achieving national targets to reduce greenhouse gas emissions by using landform, layout, building orientation, tree planting, massing and landscaping to reduce likely energy consumption and resilience to increased temperatures.
- Supporting the generation of energy from renewable or low-carbon sources provided that the installation would not have significant adverse impact (either alone or cumulatively).
- Securing energy efficiency through building design.
- Unless it can be demonstrated that it would not be technically feasible or financially viable, requiring

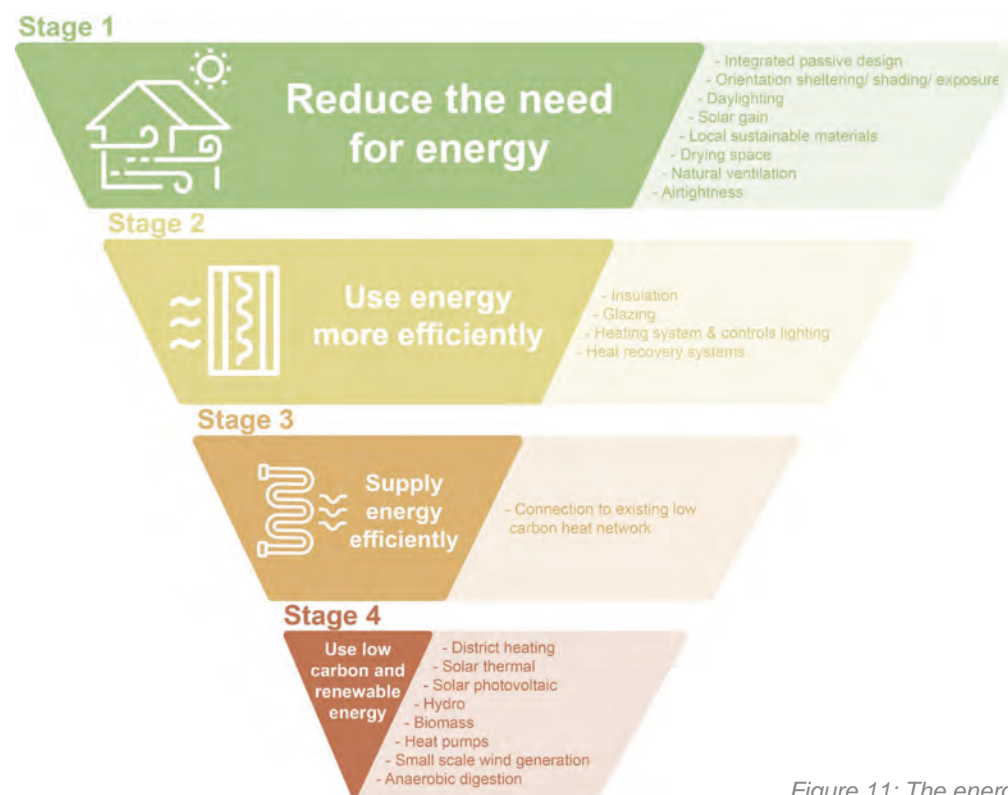
commercial developments over 1000m<sup>2</sup> to be designed to achieve Building Research Establishment Environmental Assessment Method (BREEAM) very good standard as a minimum. Pre-assessment (design stage) certificates will be required to be submitted accordingly.

- Promoting energy and water efficiency and the use of renewable / low carbon energy in new development and through retrofitting or refurbishment of existing buildings.

### Guidance on how to apply policy

#### Energy Hierarchy

The approach in the adopted Local Plan is to apply the energy hierarchy, encouraging new development to reduce carbon emissions by adopting energy efficient standards and generating energy from renewable resources. The stages of the energy hierarchy [Fig. 11] are as follows:



<sup>13</sup> UK local authority and regional carbon dioxide emissions national statistics: 2005 to 2018 (BEIS, 2020)

## 4.0 Using less energy, increasing efficiency and promoting renewables

### Reducing Carbon Emissions

In October 2019, the Government proposed changes<sup>14</sup> to Building Regulations in order to make progress towards meeting the 2025 Future Homes Standard and the UK's 2050 net zero target. The proposals would require homes built from 2020 to produce 20-31% less carbon dioxide than a home built to the 2013 Part L Building Regulations and for homes built from 2025 to require around 75-80% less carbon dioxide emissions than 2013 Part L.

Until the Future Homes Standard is introduced, new residential developments will be encouraged to achieve as a minimum the equivalent of Code for Sustainable Homes level 4 – a 19% improvement on the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the Building Regulations. Non-residential developments of 1,000 square metres or more should, as a minimum, meet carbon emissions reductions demanded by the BREEAM 'Very Good' standard, as required by Policy PD7. Figure 12 sets out a number of energy efficient measures that may be implemented in new development to meet carbon emissions targets.

- |                               |                               |                                  |
|-------------------------------|-------------------------------|----------------------------------|
| 1 Thick curtains              | 9 Chimney balloon             | 17 Under floor insulation        |
| 2 Double/ triple glazing      | 10 Wood burner/biomass boiler | 18 Smart meter and boiler        |
| 3 Draught strips on doors     | 11 Loft and roof insulation   | 19 A+++ white goods and boiler   |
| 4 Rain garden                 | 12 Solar hot water panels     | 20 Cavity wall insulation        |
| 5 Permeable paving            | 13 Sun pipe                   | 21 Heat pump                     |
| 6 Electric car charging point | 14 Heat exchanger             | 22 Hot water cylinder insulation |
| 7 Motion sensor lighting      | 15 Low flow toilet            | 23 Solar photovoltaic panels     |
| 8 Low energy lighting         | 16 Rainwater harvesting       | 24 Sustainable food growth       |

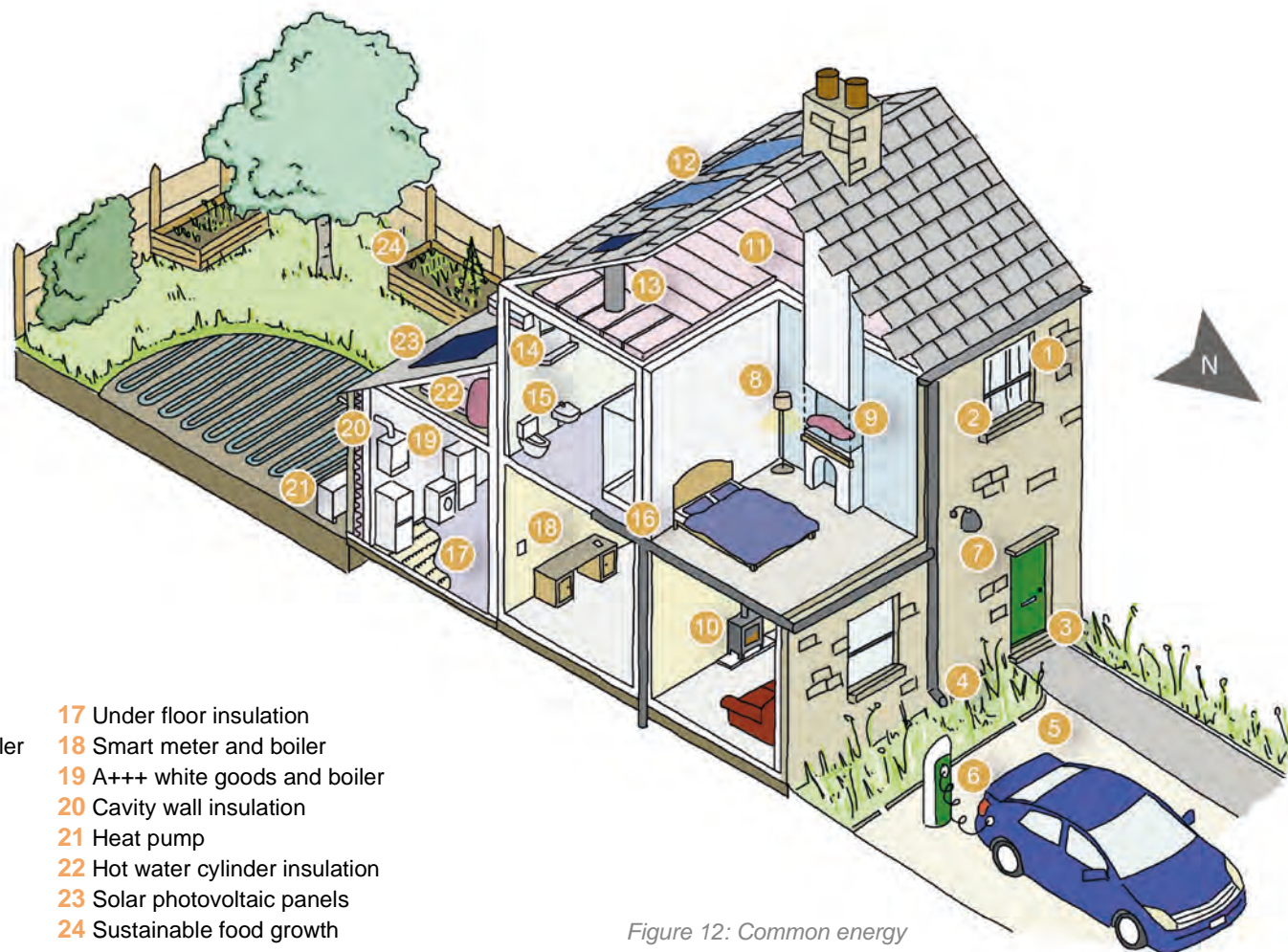


Figure 12: Common energy efficient measures in new development

<sup>14</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/852605/Future\\_Homes\\_Standard\\_2019\\_Consultation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/852605/Future_Homes_Standard_2019_Consultation.pdf) The consultation seeks views on two options for an uplift to the energy efficiency standards in Part L (Conservation of

Fuel and Power) and Part 6 of the Building Regulations. The first option is a 20% improvement on carbon dioxide emissions predominantly through an increased fabric standard. The second option would result in a 31% improvement on carbon dioxide

emissions, which would typically be delivered through a more minor increase to fabric standards, alongside use of low-carbon heating and/or renewables, such as photovoltaic (solar) panels.



## 4.0 Using less energy, increasing efficiency and promoting renewables

### Heating and Power

**District heat networks** – District heating is the supply of heat to a number of buildings from a central heat source (energy centre) through a network of insulated pipes and heat exchangers. Where possible, homes and buildings should connect to an existing or planned local carbon district heat network. One of the main constraints to district heating is the need to identify a sufficient heat demand density. District heating schemes are however more viable in new developments due to the lower cost of civil works on new sites. Depending on the heat source technology, this can be a carbon efficient means of energy supply, compared to individual heating systems. The most efficient heat source technologies include combined heat and power engines (CHP), biomass boilers or heat pumps. District heating is beneficial for new development sites and in areas where there is a high energy demand. However, consideration needs to be given to the installation of the pipe networks and the potential impact on local landscape and biodiversity.

### Renewable Energy

The District would encourage the use of renewable energy technologies in appropriate circumstances and in accordance with the energy hierarchy approach. The opportunities for renewable and low-carbon technologies within the District have been assessed as part of the Local Plan evidence base. The high landscape quality of the region is generally a constraint to renewable energy developments, in particular to large scale wind turbine developments and bioenergy crops. However, there is likely to be some potential for solar thermal and photo voltaic, heat pumps, small scale wind technologies and some medium wind technology in Derbyshire Dales.

**Solar technologies** - Solar technologies such as photovoltaic (PV) panels and solar thermal units can be easily installed on new and existing buildings across the Derbyshire Dales, though care must be taken to minimise their visual impact. PV panels produce electricity from sunlight and can either be mounted or integrated into the roofs or façades of buildings or used freestanding on the ground (e.g. PV farms). Solar thermal units heat liquid which is transferred to a building's hot water system using a heat exchanger.

**Heat pumps** – A heat pump transfers energy in the form of heat from one place to another. This can be from either the air, ground or water. Air Source Heat Pumps require a heat exchanger to be located on the outside of a building. This will need to be carefully considered in terms of impact on listed buildings and conservation areas, and also impact of noise on neighbours. Ground Source Heat Pumps require pipes to be buried horizontally or vertically in the ground by at least 2m. These need to be carefully considered in relation to potential impact on the local landscape and biodiversity. Water Source Heat Pumps are less common but can obtain heat energy from the bottom of a pond or reservoir. Again, the impacts on biodiversity need to be carefully considered.

**Wind turbines** – Wind turbines use the wind to rotate blades and generate electricity and usually comprise a tower, blades, a generator and a transformer. Small-scale turbines can be mounted to new and existing buildings. Consideration should be given to available wind speed and direction, as well as impacts in terms of noise, trees, local ecology and impact on local landscape and historic environment.

**Hydropower** – Hydropower is energy harnessed from falling or fast-flowing water. Opportunities exist wherever a stream runs down a hillside, a river passes over a waterfall or weir, or a reservoir discharges back into the river. Careful

consideration should be given to the impact of a hydropower development on the local landscape, ecology and historic environment.

**Biomass boilers** – Biomass boilers and wood fuelled heating systems use logs, woodchip and wood pellets as a fuel alternative to oil and gas. Consideration needs to be given to potential disturbance to protected species (e.g. bats in chimneys/roofs), the impact of chimneys or flues, storage of fuel, and the impact on local air quality.

**Anaerobic digestion** – Anaerobic digestion is the process where natural matter (e.g. agricultural manure and crops) decomposes in a sealed tank to produce biofuel which can then be used as a fuel for heating or to generate electricity. Key considerations are access, storage of natural matter, and the potential for impacts on landscape, ecology and the historic environment.



Wind farm, Brassington

Source: Google Streetview

## 4.0 Using less energy, increasing efficiency and promoting renewables

### Existing Buildings

Some energy efficiency and micro-generation technology may be installed without the need for planning permission. Guidance relating to permitted development rights can be found via the Planning Portal<sup>15</sup> and assistance may also be provided via the Council's Planning Service in this respect. However, the renovation of existing buildings often forms part of a larger redevelopment which requires planning permission, particularly where existing buildings have a degree of historic significance. Works to listed buildings may require listed building consent and / or planning permission. Applicants should discuss plans with the Council's Conservation Team.

For traditional buildings, a 'whole building approach' to energy efficiency should be taken to make sure improvements are effective and do not result in harm to the building or its occupants' health, or in wasted money and effort<sup>16</sup>. Traditional buildings do not necessarily need expensive or intrusive measures to improve their performance. Low cost measures, likely to be compatible with most buildings of traditional construction<sup>17</sup> include:

- **Understanding** the building's original heating, cooling and ventilation measures before additional measures are considered.
- Addressing damp and draught problems with **good maintenance or repair** using appropriate materials to keep traditional building elements dry and in good working order.



- **Reducing energy demand** by optimising natural lighting, bringing rooms into better use, and through the use of curtains, blinds, carpets etc.
- **Draft proofing** in suspended timber floors, open chimneys and gaps around windows and doors will also help to minimise heat loss and reduce energy demand.

Further measures, such as wall and floor insulation, roof insulation above or between rafters, thermal renders and plasters, or secondary glazing, may be suitable in some buildings but must be considered carefully to achieve a balance of effectiveness without harming heritage significance.

### Local Example - Hillside Smallholding, Kirk Ireton

Hillside Smallholding is a new dwelling within an existing Farm at Kirk Ireton. A sustainable approach was taken throughout the design process, resulting in the incorporation of the following features:

- Orientation and detailing of the buildings to minimise summer solar gain.
- Air-tight building with controlled whole-house ventilation.
- Use of energy-efficient fixtures and lighting.
- Electricity generation from PV panels and storage of electricity using battery technologies.

<sup>15</sup> [https://www.planningportal.co.uk/info/200187/your\\_responsibilities/37/planning\\_permission/2](https://www.planningportal.co.uk/info/200187/your_responsibilities/37/planning_permission/2) and [https://www.planningportal.co.uk/info/200140/greener\\_homes](https://www.planningportal.co.uk/info/200140/greener_homes)

<sup>16</sup> Historic England, Energy Efficiency and Older Houses: <https://historicengland.org.uk/advice/your-home/saving-energy/energy-efficiency/>

<sup>17</sup> Historic England list a series of actions to improve thermal performance, rated low, medium and high-risk depending on their likely suitability for historic buildings in Historic England 2018, *Energy Efficiency and Historic Buildings*, p.25: [https://historicengland.org.uk/images-](https://historicengland.org.uk/images-books/publications/eehb-how-to-improve-energy-efficiency/heag094-how-to-improve-energy-efficiency/)

[books/publications/eehb-how-to-improve-energy-efficiency/heag094-how-to-improve-energy-efficiency/](https://historicengland.org.uk/images-books/publications/eehb-how-to-improve-energy-efficiency/heag094-how-to-improve-energy-efficiency/)





5.0

Reducing the need to travel  
and promoting sustainable transport



## 5.0 Reducing the need to travel and promoting sustainable transport

The ability to travel safely and reliably is essential for the economy and health and well-being. However, transport produces 42% of carbon emissions in the Derbyshire Dales, up from 30% in 2005. Transport related carbon emissions are also 170% higher per person in the District than the England average<sup>18</sup>.

While the rural nature of the District means that the residents need to travel further, nearly a quarter of all trips are less than 2km, with around half being less than 10km in length. As such, there is a potential within the District for more regular trips to be made by bike or, where viable, public transport under the right conditions.

Many of these conditions can be created in new developments, helping to create high quality and resilient places with reduced carbon emissions. Given the geography of the District, private cars are likely to remain the dominant mode of travel for longer journeys. Ensuring these can be made in the least carbon-intensive way possible, requires a significant shift to electric vehicle use.

### Link to Key Local Plan Policy Criteria

- **Policy PD7: Climate Change**
  - Supporting a pattern of development that facilitates the use of sustainable modes of transport.

### Guidance on how to apply policy

#### Density and Mixed Use

The density and mix of land uses plays a critical role in providing opportunities for walking and cycling and physical

exercise. Compact, mixed use developments where local facilities are within walking or cycling distance typically help to reduce reliance on the car for everyday journeys.

The appropriate residential density depends on the context, accessibility and character of the development. Higher densities are generally more appropriate at key transport nodes in the centre of existing towns or as part of strategic housing and employment developments.

Major residential development should include a mix of complementary uses that support everyday activities, such as residential, community, and leisure uses on the development site or in close proximity within a particular area, where such facilities can be supported.

The inclusion of housing in mixed use schemes is encouraged where housing can be accommodated in an acceptable manner without compromising other planning objectives. Within individual buildings, a horizontal and vertical mix of uses within blocks should be included where consistent with other planning policies.

#### Walkable and Low Car Neighbourhoods

The town of Poundbury, Dorset, achieves much higher rates of walking than most comparable new-builds (32% of all trips<sup>19</sup>) through providing varied land-uses and high-quality public realm. Car parking is sensitively incorporated into street designs, and traffic engineering is light touch and integrated within the layout and form of development.



Figure 13: Facilities which should be included within a 15-minute neighbourhood

<sup>18</sup> <https://www.gov.uk/government/statistics/uk-local-authority-and-regional-carbon-dioxide-emissions-national-statistics-2005-to-2018>

<sup>19</sup> <http://www.transportfornewhomes.org.uk/wp-content/uploads/2018/07/transport-for-new-homes-summary-web.pdf>

## 5.0 Reducing the need to travel and promoting sustainable transport



Figure 14: Walkable streets in traditional local towns/villages  
(Source: Google Streetview)

1. Brassington
2. Wirksworth

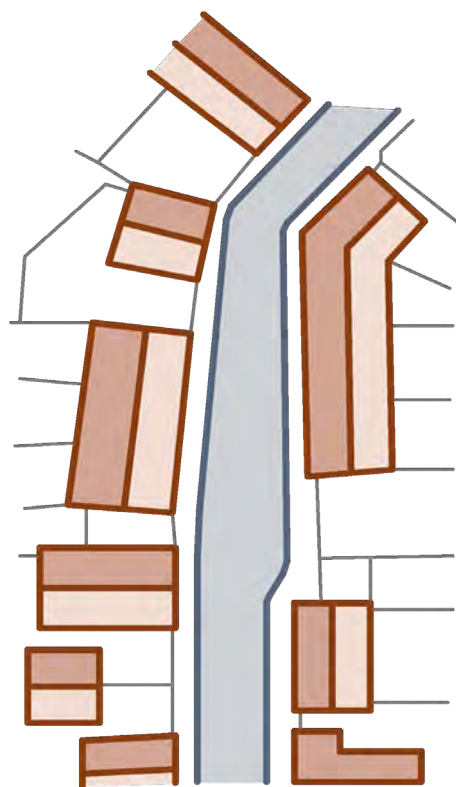


Figure 15: Creating a traffic-calmed street through a shortened street length which responds to building lines, reducing forward visibility and visual narrowing of the carriageway

In the Derbyshire Dales, development could reduce car use and therefore carbon emissions by:

- Delivering 15-minute neighbourhoods, where all day-to-day facilities (such as convenience shops, education and health) are within a 15-minute walk or cycle along attractive traffic-free, or traffic-calmed routes [Fig. 13].
- Avoiding the need for traditional traffic engineering measures by drawing inspiration from the narrow, terraced and attractive streets in towns and villages across the District [Fig. 14 and 15]. This will provide locally distinctive and naturally traffic calmed streets making use of a mixture of:
  - Constrained street widths consistent with Manual for Streets.
  - Short street lengths, responding to changes in building line.
  - Reduced forward visibility through arrangement of streets.
  - Visual narrowing of carriageways through edge treatments.
  - Buildings close to footway, without large setbacks.
- Avoiding cul-de-sacs and providing well connected and legible streets with designs that respond to their function.
- Providing car clubs and reduced levels of car parking in locations where car ownership may be low, as per Appendix 2 of the Local Plan.



## 5.0 Reducing the need to travel and promoting sustainable transport

### Prioritising Walking, Cycling and Public Transport

All too often, new developments (particularly where built on greenfield sites) are designed primarily with car-use in mind. Car parking and roads tend to be planned first, to the detriment of routes for other travel options and quality of the public realm. This locks in high levels of carbon-intensive car use.

In the new town of Houten, in the Netherlands, sustainable travel options have been prioritised alongside restricted through-highway movements. As a result, walking and cycling are the most direct and convenient options for most local journeys, resulting in nearly 60% of trips being by these modes, despite car ownership being comparable to UK levels<sup>20</sup>.

Figure 16:  
Incorporating  
green bus stops  
and cycle parking  
into development

Greening bus stops  
with green roofs,  
planters and green  
pillars to enhance  
the user experience

Prioritising the use of  
sustainable public  
transport within new  
developments

Safe, secure and  
convenient cycle  
parking in key  
destinations and  
transport hubs



In the Derbyshire Dales development could reduce car use and therefore carbon emissions by:

- Incorporating 'no-through streets' for cars in all residential areas, with prioritised access for people walking and cycling [Fig. 17].
- Providing dedicated traffic-free walk and cycle routes to key destinations such as schools, shops and leisure facilities (see minimum standards for cycle lanes and tracks set out in LTN 1/20 with extract below provided indicatively only).
- Providing safe, secure and convenient cycle parking in residential development, as well as in key destinations (see minimum standards for cycle set out in LTN 1/20 with extract below provided indicatively only). Particular consideration should be given to the need for secure storage of electric bikes (E-bikes) [Fig. 16].
- Supporting enhanced bus frequencies and off-site priority measures, such as priority at signals and bus lanes, from day one of occupation.
- Delivering bus priority within sites, and work with bus operators to ensure the geometry of routes is suitable and stops are well located and designed [Fig. 16].
- Suggested standards for the delivery of cycle parking and cycle lane widths can be found in **Appendix B**.

<sup>20</sup> Folette, N. and Henderson, J. (2016). *Low Car(bon) Communities: Inspiring car-free and car-lite urban futures*. Routeledge

## 5.0 Reducing the need to travel and promoting sustainable transport

### Facilitating Electric Vehicles

Recent data suggest strong growth in pure electric cars, with new registrations growing by over 250% in the first half of 2020<sup>21</sup>. Given that petrol, diesel and hybrid cars will no longer be sold from 2035, the ability to charge vehicles quickly is essential to future proof development.

In the Derbyshire Dales, the Council encourages Applicants to provide the following electric parking infrastructure:

- Electric vehicle (EV) charge points of at least 7kw and a universal socket for 20% of all parking spaces within new residential development and passive provision (e.g. cable routing) for the remaining spaces [Fig. 17].
- EV charging points of at least 22kw and a universal socket for 10% of all parking spaces and passive provision (e.g. cable routing) for the remaining spaces at key destinations and in communal parking areas.
- Investing in electrical supply infrastructure (e.g. substations) to ensure parallel charging of EVs is practically possible alongside day-day uses.
- Providing off-site contributions to EV charge points in town and village centres.

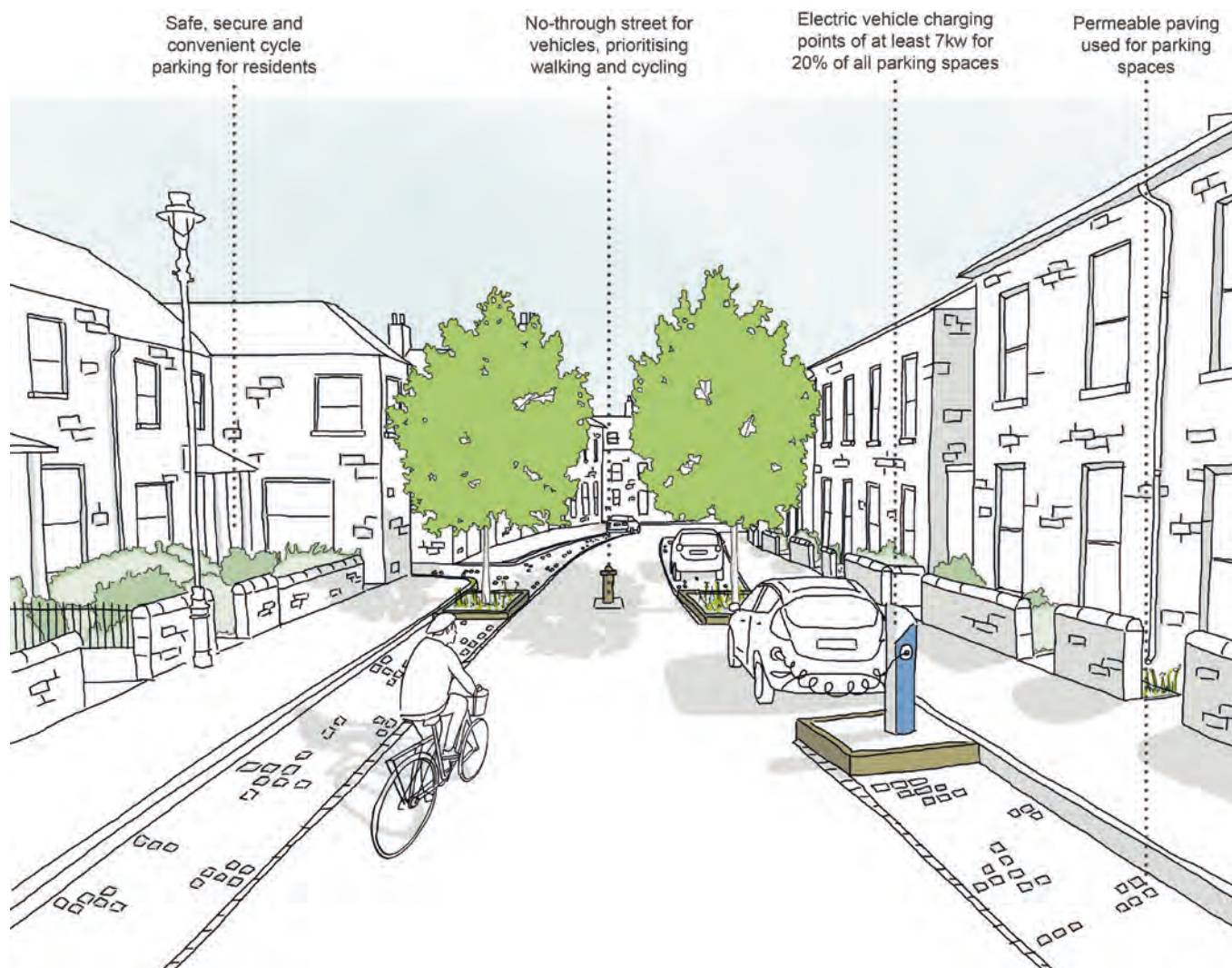


Figure 17: Example of a street which incorporates good design features, including EV charge points

<sup>21</sup> <https://www.nextgreencar.com/electric-cars/statistics/>



A scenic view of a village with stone buildings along a river under a cloudy sky. The foreground shows a calm river reflecting the sky and the buildings. On the left, there are lush green trees. The middle ground features a row of traditional stone houses with dark roofs. To the right, a larger stone building with arched windows is visible. The background shows a rolling green hill covered in trees. The sky is filled with heavy, grey clouds.

# 6.0

## Improving building design and layout to meet the objectives



## 6.0 Improving building design and layout to meet the objectives

Both within and outside the National Park, the District is renowned for the high-quality built and natural environment, which includes:

- Over 1,330 listed buildings of special architectural or historic interest.
- 33 Conservation Areas.
- Historic parks and gardens, including nine on the Register of Parks and Gardens of Special Historic Interest.
- Archaeological sites with 4,484 archaeological and heritage features.
- The UNESCO World Heritage Site of Derwent Valley Mills.

Whilst developments should protect, conserve and enhance the natural and historic environment, they should also be designed to mitigate and adapt to climate change.

### Link to Key Local Plan Policy Criteria

- **Policy PD7: Climate Change**
  - Requiring new development to be designed to contribute to achieving national targets to reduce greenhouse gas emissions by using landform, layout, building orientation, tree planting, massing and landscaping to reduce likely energy consumption and resilience to increased temperatures.
  - Promoting the use of sustainable design and construction techniques (including flood resistance / resilient measures).

- Securing energy efficiency through building design.
- Promoting energy and water efficiency and the use of renewable / low carbon energy in new development and through retrofitting or refurbishment of existing buildings.
- Supporting the re-use of buildings wherever possible and desirable to do so.
- Supporting the use of sustainable design and construction techniques through the re-use of buildings, use of recycled materials in construction, and, where appropriate, the local or on-site sourcing of these building materials.
- Supporting development that promotes water efficiency measures and incorporates water conservation techniques, including rainwater harvesting and grey water recycling.

**Overheating** – Natural shading, such as through building overhangs, balconies, grouping and trees, should be encouraged to minimise overheating during the summer and heat loss in the winter. Internal blinds and curtains can also be used as a secondary measure.

**Density** – The density of development should be maximised whilst respecting other measures in this SPD such as passive solar design, green infrastructure and the need to respect the context, accessibility and character of the development, therefore helping to facilitate walking and cycling, as set out in Section 5.0 (Density and Mixed Use).

### Guidance on how to apply policy

#### Optimising Development Orientation and Density

**Passive solar design** – Buildings should be orientated to maximise solar gain during the high summer and low winter sun angles on southern exposures whilst minimising excessive solar gain on east and west exposures from low sun angles. This can significantly reduce the overall energy consumption of a building [Fig. 18].

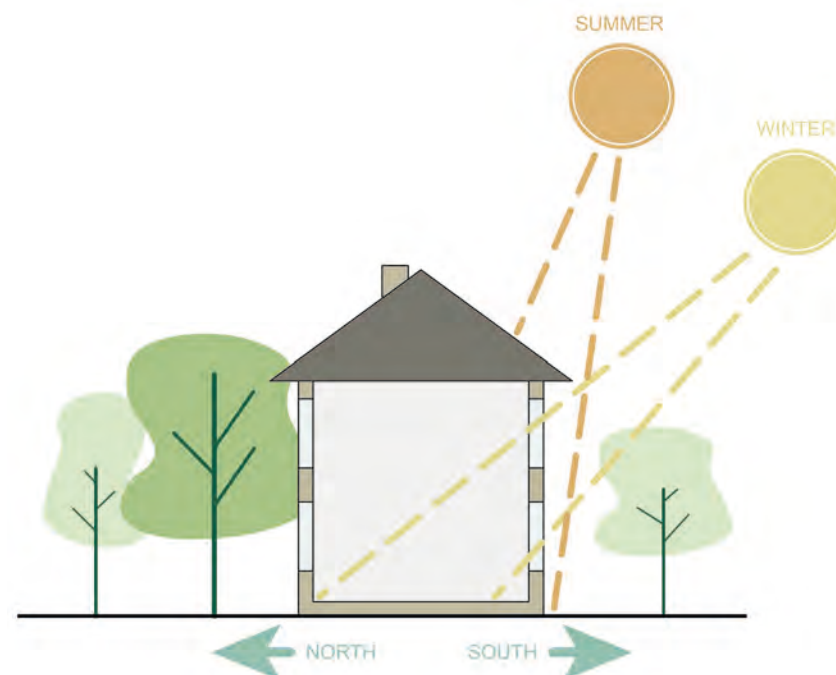


Figure 18: Solar gain and shading

## 6.0 Improving building design and layout to meet the objectives

### Managing Waste and Using Sustainable Materials

The demolition of buildings should be minimised as far as possible to make the best use of 'embodied energy'. Materials derived from any demolition should be re-used, such as crushed concrete and hardcore as aggregate in the new foundations.

A Site Waste Management Plan should be adopted for construction to minimise the production of waste and to divert waste diverted from landfill as far as possible. This will be secured by planning condition, where appropriate.

The use of locally sourced and sustainable building materials not only helps to maintain local character of the District, but also reduces the carbon impacts of transport over longer distances and are strongly encouraged. Guidance on locally appropriate materials can be found in conservation area character appraisals<sup>22</sup> and the Landscape Character and Design SPD (2018)<sup>23</sup>.

Building materials should also be chosen to be resilient and withstand the expected changes in climate, including warmer summers and wetter winters. Resilient building materials will minimise the need to replace materials, thus reducing embodied carbon and reducing waste.

The principles of a 'circular economy' should be considered. These include:

- Conserving resources, increasing resource efficiency and sustainable sourcing.
- Designing to eliminate waste and for ease of maintenance.

- Managing waste sustainably and at the highest value.

Considering development lifecycle, including how buildings can be adapted to meet changing community needs and how materials can be recycled at the end of their lifetime, will help to reduce embodied carbon and waste in the long-term.

Modular construction, where structures are built using prefabricated parts and manufactured offsite, can result in more efficient use of materials and more control over the quality of elements such as insulation. It is also easier to control energy use in a factory setting than in an open construction site. Modular construction techniques are now able to incorporate materials which complement traditional settings.

All buildings should incorporate the necessary space to facilitate recycling, including glass, cans, cardboard, paper, plastics, aerosols, cartons and batteries, in accordance with Derbyshire Dales waste collection service. This also includes food and garden waste for households. This can be accomplished by:

- Adopting community composting schemes.
- Providing in-built compost heaps within the gardens of individual properties or shared amenity space.
- In larger developments, disposing food waste via an on-site small-scale anaerobic digestion facility.

### Adaptable Buildings and External Space

Buildings should be adaptable, to meet the changing needs of their users over time. This includes changes in the health and

mobility of the user, lifestyle and technologies, such as use of electric vehicles (see '**5.0 Transport**'), and home working.

External spaces should also be designed to be flexible and adaptable over time; for example, to provide for recreation or local food growing.

### Water Efficiency

The Building Regulations (Part G) has a mandatory standard of 125 litres/person/day for all new homes. To reduce water demand further and the carbon emissions from the treatment of water, the District Council will encourage the use of additional water efficiency measures in new developments. Rainwater collection facilities such as communal rainwater tanks and water butts could be installed in residential development where appropriate. For non-residential developments of 1,000sq metres or more, the BREEAM 'Very Good' standard demanded by the Local Plan requires a minimum level of water consumption improvements over baseline usage.

### Home Working

All new dwellings should be designed to accommodate the space and services necessary for comfortable home working. This will reduce the need to travel. As a guide, a suitable home office would include:

- A high-speed internet connection.
- A room with a wall length of at least 1.8m, capable of accommodating a desk and shelving.
- Good internal daylight, reducing the need for artificial lighting.

<sup>22</sup> Derbyshire Dales Conservation Areas: <https://www.derbyshiredales.gov.uk/planning-a-building-control/conservation/conservation-areas>

<sup>23</sup> [https://www.derbyshiredales.gov.uk/images/S/SPD\\_Landscape\\_Character\\_and\\_Design\\_September\\_2018.pdf](https://www.derbyshiredales.gov.uk/images/S/SPD_Landscape_Character_and_Design_September_2018.pdf)

## 6.0 Improving building design and layout to meet the objectives

### Local Example - Cawdor Quarry, Matlock Spa

The development of 420 new homes, office space and a shop and café at the former Cawdor Quarry achieves many of the objectives set out within this SPD:

- The development includes a mixture of uses including homes, employment space, a shop and café and is within walking distance of existing facilities and railway station in Matlock Spa.
- Pathways and roads are designed to encourage walking and cycling, connecting the development to Matlock town centre and to the network of footpaths and cycle ways around the site.
- Homes are built to Lifetime Homes standards, for a wide range of ages and income levels.
- Existing lakes and the open fields of the flood plain are retained within the scheme to provide access to green space and a Site of Special Scientific Interest within the site will be enhanced.
- There are no gas boilers and homes are insulated and sealed to standards that exceed current Building Regulations. Appliances are high efficiency, and air-source heat pumps and recycled materials are used extensively.
- The commercial buildings utilise grass roofs and solar panels.
- The recycling of waste is encouraged in the design of the houses and the development includes communal recycling facilities.
- A variety of off-site, pre-fabrication techniques were applied to different phases and each phase will make a step towards the zero-net carbon target.



*Concealed carports and regular planting reduce the dominance of cars on the shared streets*



*The development responds to the surrounding green space and enhances the existing biodiversity value*



*Pathways and roads are designed to encourage active travel by making walking and cycling the easiest option*



## 6.0 Improving building design and layout to meet the objectives

### Local Example

#### Boothby Meadow Centre, Queen Elizabeth's Grammar School

The Boothby Meadow Centre at Queen Elizabeth's Grammar School adopted a sustainable construction methodology and where possible will use:

- Sustainable materials and systems including recycled and recyclable products.
- Materials with a lower embodied energy.
- Locally or UK produced materials.
- Energy efficient fittings and white goods.
- Windows to incorporate glass with a suitable G-value to control daylight transmission rates.

The project will also re-use an existing building.



# Appendix A Climate Change Checklists

The aim of the District Council to work with developers to maximise the opportunities for climate change mitigation and adaptation. The purpose of the checklist is to help developers consider the potential measures and improve planning applications.

Climate change policies and especially Local Plan Policy PD7 will be given high priority when considering site specific proposals. However, it is acknowledged that in some cases, development may not fully comply and in these circumstances, for example listed buildings. The Council will consider what is feasible on a case-by-case basis.

**Checklist 1** relates new build residential and non-residential developments.

**Checklist 2** relates to changes of use. This includes, for example, conversion of residential to commercial and vice versa.

**Checklist 3** relates to householder developments.

Applicants are encouraged to maximise the number of measures set out in the relevant checklist in order to maximise climate change mitigation and adaptation.

An 'other' category has been added to each topic area to allow for appropriate emerging or alternative technological solutions to mitigate and adapt to climate change.

Measures that are incorporated into developments are required to be appropriately managed and maintained and may be controlled through the use of planning conditions and/or Section 106 Agreements.



## Checklist 1: New build dwellings and non-residential developments

Relevant Local Plan Policy	Topic	Measures	Has this been considered in the planning application submission? (Yes/No/ Not Applicable) If No or Not Applicable (N/A) please state reasons for this	If Yes please signpost to relevant information within planning application submission (e.g. Layout Plans, Planning Statement with paragraph/page/ plan reference)
<b>Objective: Securing enhanced green infrastructure (Chapter 2)</b>				
PD7 Climate Change	<b>Trees, Landscaping and Green Infrastructure</b>	Integrate existing and new natural features.		
		Green infrastructure in private outdoor space – e.g. trees, hedges, green/brown roofs, vertical climbers and landscaping.		
		Tree planting to provide shade to buildings in the summer.		
		Green/brown roofs and climbers.		
		Public open space and outdoor seating areas should be provided with trees for shade.		
		Provide food growing space within private gardens and communal growing spaces, such as community-managed raised beds (See typical growing space areas in Table 1, <b>Appendix B</b> ).		
		Green spaces within blocks, green verges and pocket parks.		
		Restore old hedgerows and plant new formal hedgerows instead of fencing or walls.		
		Sustainable management and maintenance of the green infrastructure.		
		Provide a net gain in biodiversity, where possible.		
		At least one of the following: bird/bat boxes/ amphibian kerbs/ hibernacula/hedgehog holes/ hedgehog homes/garden ponds.		
		Other (please state):		

Relevant Local Plan Policy	Topic	Measures	Has this been considered in the planning application submission? (Yes/No/ Not Applicable) If No or Not Applicable (N/A) please state reasons for this	If Yes please signpost to relevant information within planning application submission (e.g. Layout Plans, Planning Statement with paragraph/page/ plan reference)
<b>Managing drainage, flood risk and water conserving water (Chapter 3)</b>				
PD7 Climate Change PD8 Flood Risk Management and Water Quality	<b>Managing Flood Risk</b>	Direct development to areas with the lowest risk		
		Development does not increase the risk of flooding elsewhere.		
		Use the latest climate change allowance for the time period in Flood Risk Assessments.		
		Where development is appropriate in flood risk areas, incorporation of flood resilience and resistance measures within new buildings.		
		Adoption of land management practices to improve water infiltration into the soil.		
		Use of permeable surfaces for roads, car parking areas, hard surfacing and pavements.		
		Other (please state):		
	<b>Blue Infrastructure</b>	Protect and where possible enhance existing blue infrastructure, such as watercourses and water bodies.		
		Reinstate areas of floodplains and riverside meadows, restoring the natural course of rivers.		
		Other (please state):		

Relevant Local Plan Policy	Topic	Measures	Has this been considered in the planning application submission? (Yes/No/ Not Applicable) If No or Not Applicable (N/A) please state reasons for this	If Yes please signpost to relevant information within planning application submission (e.g. Layout Plans, Planning Statement with paragraph/page/ plan reference)
	Sustainable Drainage Systems (SuDS)	Achieve greenfield run-off rates and manage surface water run-off as close to its source as possible, in line with the drainage hierarchy.		
		Use of blue roofs and rainwater harvesting including private and communal rainwater collection and reuse points/water butts.		
		Use of soakaways.		
		Use of landscape features - swales, wetlands, raingardens.		
		Use of natural water courses (unless not appropriate).		
		Other (please state):		
Using less energy, increasing energy efficiency and promoting renewable energy (Chapter 4)				
PD7 Climate Change	Energy Hierarchy	Adherence to the energy hierarchy.		
		Other (please state):		
	Reducing Carbon Emissions	Residential developments to achieve as a minimum the equivalent of Code for Sustainable Homes level 4 – a 19% improvement on the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the Building Regulations.		
		Non-residential developments of 1,000 square metres or more should, as a minimum, meet carbon		



Relevant Local Plan Policy	Topic	Measures	Has this been considered in the planning application submission? (Yes/No/ Not Applicable) If No or Not Applicable (N/A) please state reasons for this	If Yes please signpost to relevant information within planning application submission (e.g. Layout Plans, Planning Statement with paragraph/page/ plan reference)
		emissions reductions demanded by the BREEAM 'Very Good' standard, as required by Policy PD7.		
		Plot and block orientation to maximise solar gain.		
		Window positioning to maximise solar gain.		
		Clothes drying space.		
		Use of local sustainable materials.		
		Natural ventilation and easy to regulate ventilation (airtight when needed).		
		Solar/low energy internal and external lighting (e.g. LED lightbulbs).		
		Using a higher level of roof and wall insulation than required by Building Regulations.		
		High R-value glazing.		
		Use of heavy curtains, blinds and/or carpets.		
		Draft proofing.		
		Heating system & controls.		
		Heat recovery systems.		
		Connection to existing low carbon heat network.		
		Use of low carbon and renewable energy.		
		Other (please state):		
Reducing the need to travel and promoting sustainable transport (Chapter 5)				

Relevant Local Plan Policy	Topic	Measures	Has this been considered in the planning application submission? (Yes/No/ Not Applicable) If No or Not Applicable (N/A) please state reasons for this	If Yes please signpost to relevant information within planning application submission (e.g. Layout Plans, Planning Statement with paragraph/page/ plan reference)
PD7 Climate Change	<b>Density and Mixed Use</b>	Higher densities and mixed uses in sustainable locations and at key transport nodes.		
		Horizontal and vertical mix of uses within blocks where appropriate.		
		Active frontages/edges with opportunities for natural surveillance.		
		Other (please state):		
	<b>Walkable and Low Car Neighbourhoods</b>	Local facilities accessible through walking/cycling (within 15 minute walk or cycle of new developments).		
		Traffic calming using a mixture of: <ul style="list-style-type: none"> <li>■ Constrained street widths consistent with Manual for Streets.</li> <li>■ Short street lengths, responding to changes in building line.</li> <li>■ Reduced forward visibility through arrangement of streets.</li> <li>■ Visual narrowing of carriageways through edge treatments.</li> <li>■ Buildings close to footway, without large setbacks.</li> </ul>		
		Maximising the number of internal pedestrian routes through the site and avoiding cul-de-sacs.		
		Maximising the number of pedestrian external routes in and out of the site linking to the wider area.		
		Appropriate crossings for pedestrians and cyclists.		
		Signposting to active travel routes and local facilities.		

Relevant Local Plan Policy	Topic	Measures	Has this been considered in the planning application submission? (Yes/No/ Not Applicable) If No or Not Applicable (N/A) please state reasons for this	If Yes please signpost to relevant information within planning application submission (e.g. Layout Plans, Planning Statement with paragraph/page/ plan reference)
		Car Clubs.		
		Reduced levels of car parking, where car ownership is low.		
		Other (please state):		
	<b>Prioritising Walking, Cycling and Public Transport</b>	Incorporating 'no-through streets' for cars in all residential areas, with prioritised access for people walking and cycling.		
		Dedicated traffic-free walk and cycle routes to local facilities.		
		Cycle routes linking to wider area.		
		Short cuts for cyclists.		
		Cyclist priority at junctions.		
		Safe, secure and convenient cycle parking in accordance with secure storage of electric bikes (E-bikes), see Table 3 in <b>Appendix B</b> .		
		Shower facilities provided in non-residential developments.		
		Easy access to a range of transport modes.		
		Easy transition from cycling and walking to public transport.		
		Enhanced bus frequencies and off-site priority measures, such as priority at signals and bus lanes, from day one of occupation.		
		Bus priority within sites, and work with bus operators to ensure the geometry of routes is suitable and stops are well located and designed.		



Relevant Local Plan Policy	Topic	Measures	Has this been considered in the planning application submission? (Yes/No/ Not Applicable) If No or Not Applicable (N/A) please state reasons for this	If Yes please signpost to relevant information within planning application submission (e.g. Layout Plans, Planning Statement with paragraph/page/ plan reference)
		Education/promotion campaigns to residents.		
		Other (please state):		
	<b>Facilitating Electric Vehicles</b>	Electric vehicle (EV) charge points for 20% of all parking spaces within new residential development and passive provision (e.g. cable routeing) for the remaining spaces.		
		EV charging points of at least 22kw and a universal socket for 10% of all parking spaces and passive provision (e.g. cable routeing) for the remaining spaces at key destinations and in communal parking areas.		
		Other (please state):		
<b>Improving building design and layout to meet these and other relevant objectives (Chapter 6)</b>				
PD7 Climate Change	<b>Optimising Development Orientation</b>	Buildings orientated to maximise solar gain.		
		Natural shading, such as through building overhangs, balconies, grouping and trees.		
		Other (please state):		
	<b>Managing Waste and Using Sustainable Materials</b>	Retention and re-use of existing buildings.		

Relevant Local Plan Policy	Topic	Measures	Has this been considered in the planning application submission? (Yes/No/ Not Applicable) If No or Not Applicable (N/A) please state reasons for this	If Yes please signpost to relevant information within planning application submission (e.g. Layout Plans, Planning Statement with paragraph/page/ plan reference)
		Use of locally sourced and sustainable building materials.		
		Use of climate resilient building materials.		
		Use of materials that can be recycled at the end of their lifetime.		
		Use of modular construction techniques.		
		Incorporate the necessary space to facilitate recycling, including glass, cans, cardboard, paper, plastics, aerosols, cartons and batteries, in accordance with Derbyshire Dales waste collection service.		
		Adopting community composting schemes.		
		Providing in-built compost heaps within the gardens of individual properties or shared amenity space.		
		Disposing food waste via an on-site small-scale anaerobic digestion facility.		
		Other (please state):		
	<b>Adaptable Buildings and External Space</b>	Design to allow for changes in the health, lifestyle and mobility of the user, and technologies, such as use of electric vehicles.		
		External spaces to be flexible and adaptable over time; for example, to provide for recreation or local food growing.		
		Other (please state):		

Relevant Local Plan Policy	Topic	Measures	Has this been considered in the planning application submission? (Yes/No/ Not Applicable) If No or Not Applicable (N/A) please state reasons for this	If Yes please signpost to relevant information within planning application submission (e.g. Layout Plans, Planning Statement with paragraph/page/ plan reference)
	<b>Water Efficiency</b>	Rainwater collection facilities such as communal rainwater tanks and water butts.		
		Use of water efficiency measures in new developments to exceed Building Regulations (Part G) requirements.		
		Meeting or exceeding the water consumption standards in BREEAM 'Very Good'.		
		Other (please state):		
	<b>Home Working</b>	A room with a wall length of at least 1.8m, capable of accommodating a desk and shelving.		
		Good internal daylight, reducing the need for artificial lighting.		
		Adequate ventilation, ideally natural through an openable window.		
		Other (please state):		



## Checklist 2: Changes of use

Relevant Local Plan Policy	Topic	Measures	Has this been considered in the planning application submission? (Yes/No/ Not Applicable) If No or Not Applicable (N/A) please state reasons for this	If Yes please signpost to relevant information within planning application submission (e.g. Layout Plans, Planning Statement with paragraph/page/ plan reference)
Securing enhanced green infrastructure (Chapter 2)				
PD7 Climate Change	Trees, Landscaping and Green Infrastructure	Green infrastructure in private outdoor space – e.g. trees, hedges, green/brown roofs, vertical climbers and landscaping		
		Tree planting to provide shade to buildings in the summer.		
		Green/brown roofs and climbers		
		Provide a net gain in biodiversity, where possible.		
		At least one of the following: bird/bat boxes/ amphibian kerbs/ hibernacula/hedgehog holes/ hedgehog homes/garden ponds.		
		Other (please state):		
Managing drainage, flood risk and water conserving water (Chapter 3)				
PD7 Climate Change  PD8 Flood Risk Management and Water Quality	Reducing Flood Risk	Use of permeable surfaces for roads, car parking areas, hard surfacing and pavements.		
	Sustainable Drainage Systems (SuDS)	Use of blue roofs and rainwater harvesting including private and communal rainwater collection and reuse points/water butts.		
		Use of soakaways.		

Relevant Local Plan Policy	Topic	Measures	Has this been considered in the planning application submission? (Yes/No/ Not Applicable) If No or Not Applicable (N/A) please state reasons for this	If Yes please signpost to relevant information within planning application submission (e.g. Layout Plans, Planning Statement with paragraph/page/ plan reference)
		Use of landscape features - swales, wetlands, raingardens.		
		Use of natural water courses (unless not appropriate).		
		Other (please state):		
<b>Using less energy, increasing energy efficiency and promoting renewable energy (Chapter 4)</b>				
PD7 Climate Change	<b>Reducing Carbon Emissions</b>	Window positioning to maximise solar gain.		
		Clothes drying space.		
		Natural ventilation and easy to regulate ventilation (airtight when needed).		
		Solar/low energy internal and external lighting (e.g. LED lightbulbs).		
		Using a higher level of roof and wall insulation than required by Building Regulations.		
		High R-value glazing.		
		Use of heavy curtains, blinds and carpets etc.		
		Draft proofing.		
		Heating system & controls.		
		Heat recovery systems.		
		Connection to existing low carbon heat network.		
		Use of low carbon and renewable energy.		

Relevant Local Plan Policy	Topic	Measures	Has this been considered in the planning application submission? (Yes/No/ Not Applicable) If No or Not Applicable (N/A) please state reasons for this	If Yes please signpost to relevant information within planning application submission (e.g. Layout Plans, Planning Statement with paragraph/page/ plan reference)
		Other (please state):		
<b>Reducing the need to travel and promoting sustainable transport (Chapter 5)</b>				
PD7 Climate Change	<b>Density and Mixed Use</b>	Higher densities and mixed uses in sustainable locations and at key transport nodes.		
		Horizontal and vertical mix of uses within blocks where appropriate.		
		Active frontages/edges with opportunities for natural surveillance.		
		Other (please state):		
	<b>Prioritising Walking, Cycling and Public Transport</b>	Safe, secure and convenient cycle parking I accordance with secure storage of electric bikes (E-bikes), see Table 3 in <b>Appendix B</b> .		
		Shower facilities provided in non-residential developments.		
		Education/promotion campaigns to residents.		
		Other (please state):		
	<b>Facilitating Electric Vehicles</b>	Electric vehicle (EV) charge points for 20% of all parking spaces within new residential development and passive provision (e.g. cable routing) for the remaining spaces.		
		EV charging points of at least 22kw and a universal socket for 10% of all parking spaces and		



Relevant Local Plan Policy	Topic	Measures	Has this been considered in the planning application submission? (Yes/No/ Not Applicable) If No or Not Applicable (N/A) please state reasons for this	If Yes please signpost to relevant information within planning application submission (e.g. Layout Plans, Planning Statement with paragraph/page/ plan reference)
		passive provision (e.g. cable routeing) for the remaining spaces at key destinations and in communal parking areas.		
		Other (please state):		
<b>Improving building design and layout to meet the objectives (Chapter 6)</b>				
PD7 Climate Change	<b>Managing Waste and Using Sustainable Materials</b>	Retention and re-use of existing buildings.		
		Incorporate the necessary space to facilitate recycling, including glass, cans, cardboard, paper, plastics, aerosols, cartons and batteries, in accordance with Derbyshire Dales waste collection service.		
		Adopting community composting schemes.		
		Providing in-built compost heaps within the gardens of individual properties or shared amenity space.		
		Other (please state):		
	<b>Adaptable Buildings and External Space</b>	Design to allow for changes in the health, lifestyle and mobility of the user, and technologies, such as use of electric vehicles.		
		External spaces to be flexible and adaptable over time; for example, to provide for recreation or local food growing.		
		Other (please state):		

Relevant Local Plan Policy	Topic	Measures	Has this been considered in the planning application submission? (Yes/No/ Not Applicable) If No or Not Applicable (N/A) please state reasons for this	If Yes please signpost to relevant information within planning application submission (e.g. Layout Plans, Planning Statement with paragraph/page/ plan reference)
	<b>Water Efficiency</b>	Rainwater collection facilities such as communal rainwater tanks and water butts.		
		Use of water efficiency measures in new developments to exceed Building Regulations (Part G) requirements.		
		Meeting or exceeding the water consumption standards in BREEAM 'Very Good'.		
		Other (please state):		
	<b>Home Working</b>	A high-speed internet connection.		
		A room with a wall length of at least 1.8m, capable of accommodating a desk and shelving.		
		Good internal daylight, reducing the need for artificial lighting.		
		Adequate ventilation, ideally natural through an openable window.		
		Other (please state):		

## Checklist 3: Householder developments involving the addition of floorspace

Relevant Local Plan Policy	Topic	Measures	Has this been considered in the planning application submission? (Yes/No/ Not Applicable) If No or Not Applicable (N/A) please state reasons for this	If Yes please signpost to relevant information within planning application submission (e.g. Layout Plans, Planning Statement with paragraph/page/ plan reference)
Securing enhanced green infrastructure (Chapter 2)				
PD7 Climate Change	Trees, Landscaping and Green Infrastructure	Replacement tree planting where trees are to be removed.		
		Green/brown roofs and wall climbers.		
		At least one of the following: bird/bat boxes/hibernacula/ hedgehog holes/ hedgehog homes/garden ponds.		
		Other (please state):		
Managing drainage, flood risk and water conserving water (Chapter 3)				
PD7 Climate Change PD8 Flood Risk Management and Water Quality	Sustainable Drainage Systems (SuDS)	Use of raingardens.		
		Use of permeable surfaces for roads, car parking areas, hard surfacing and pavements.		
		Use of soakaways.		
		Planting e.g. green/brown roofs, walls and green verges, blue roofs.		
		Other (please state):		



Relevant Local Plan Policy	Topic	Measures	Has this been considered in the planning application submission? (Yes/No/ Not Applicable) If No or Not Applicable (N/A) please state reasons for this	If Yes please signpost to relevant information within planning application submission (e.g. Layout Plans, Planning Statement with paragraph/page/ plan reference)
Using less energy, increasing energy efficiency and promoting renewable energy (Chapter 4)				
PD7 Climate Change	Reducing Carbon Emissions	Window positioning to maximise solar gain.		
		Natural ventilation and easy to regulate ventilation (airtight when needed).		
		Solar/low energy internal and external lighting (e.g. LED lightbulbs).		
		Using a higher level of roof and wall insulation than required by Building Regulations.		
		High R-value glazing.		
		Other (please state):		
Reducing the need to travel and promoting sustainable transport (Chapter 5)				
PD7 Climate Change	Prioritising Walking, Cycling and Public Transport	Provision of habitable rooms facing the street at ground floor level with appropriate windows and doors to provide activity and allow for natural surveillance.		
		Safe, secure and convenient cycle parking in accordance with secure storage of electric bikes (E-bikes), see Table 3 in <b>Appendix B</b> .		
		Other (please state):		
	Facilitating Electric Vehicles	Electric vehicle charging.		
		Other (please state):		

Relevant Local Plan Policy	Topic	Measures	Has this been considered in the planning application submission? (Yes/No/ Not Applicable) If No or Not Applicable (N/A) please state reasons for this	If Yes please signpost to relevant information within planning application submission (e.g. Layout Plans, Planning Statement with paragraph/page/ plan reference)
<b>Improving building design and layout to meet these and other relevant objectives (Chapter 6)</b>				
PD7 Climate Change	<b>Optimising Development Orientation</b>	Buildings orientated to maximise solar gain.		
		Natural shading, such as through building overhangs, balconies, grouping and trees.		
		Other (please state):		
	<b>Managing Waste and Using Sustainable Materials</b>	Retention and re-use of existing buildings.		
		Use of locally sourced and sustainable building materials.		
		Use of climate resilient building materials.		
		Use of materials that can be recycled at the end of their lifetime.		
		Other (please state):		
	<b>Adaptable Buildings and External Space</b>	Design to allow for changes in the health, lifestyle and mobility of the user, and technologies, such as use of electric vehicles.		
		External spaces to be flexible and adaptable over time; for example, to provide for recreation or local food growing.		

Relevant Local Plan Policy	Topic	Measures	Has this been considered in the planning application submission? (Yes/No/ Not Applicable) If No or Not Applicable (N/A) please state reasons for this	If Yes please signpost to relevant information within planning application submission (e.g. Layout Plans, Planning Statement with paragraph/page/ plan reference)
		Other (please state):		



# Appendix B Indicative Standards

Table 1: Amount of private and communal growing space which is recommended for different property types.

	Home type	Amount of growing space <sup>1</sup>
<b>Private growing space</b>	Flat or apartment	At least 1.5m <sup>2</sup> is provided (per home)
	Houses: Town or Urban	At least 5m <sup>2</sup> is provided (per home)
	Houses: Other	At least 6m <sup>2</sup> is provided (per home)
<b>Communal growing space (a minimum of 50m<sup>2</sup> must be provided)</b>	Flat or apartment: Town or Urban	3% of the total gross development area
	Flat or apartment: Other	7.5% of the total gross development area
	Houses: Town or Urban	5% of the total gross development area
	Houses: Other	10% of the total gross development area

Table 2: Cycle lane and track widths. Source DfT LTN 1/20

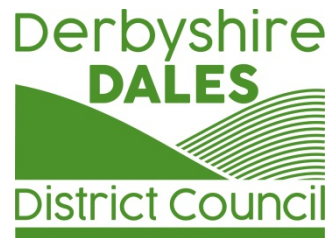
Cycle route type	Direction	Peak hour cycle flow	Desirable minimum width* (m)	Absolute minimum width (m)
<b>Protected space for cycling (including light segregation, stepped and kerbed cycle track)</b>	1 way	<200	2.0	1.5
		200-800	2.2	2.0
		>800	2.5	2.0
	2 way	<300	3.0	2.0
		>300-1,000	3.0	2.5
		>1,000	4.0	3.0
<b>Cycle lane</b>	1 way	All	2.0	1.5

*\*based on a saturation flow of one cyclist per second per metre of space. For user comfort a lower density is generally desirable*

# Appendix B Indicative Standards

Table 3: Suggested cycle parking capacity for different types of land use. Source DfT LTN 1/20

Land use type	Sub-category	Short stay requirements (obvious, easily accessed and close to destination)	Long stay requirement (secure and ideally covered)
<b>All</b>	Parking for adapted cycling for disabled people	5% of total capacity co-located with disabled car parking	5% of total capacity co-located with disabled car parking
<b>Retail</b>	Small (<200m <sup>2</sup> )	1 per 100m <sup>2</sup>	1 per 100m <sup>2</sup>
	Medium (200-1,000m <sup>2</sup> )	1 per 200m <sup>2</sup>	1 per 200m <sup>2</sup>
	>1,000m <sup>2</sup>	1 per 250m <sup>2</sup>	1 per 500m <sup>2</sup>
<b>Employment</b>	Office/Finance (A2/B1)	1 per 1,000m <sup>2</sup>	1 per 200m <sup>2</sup>
	Industrial/Warehousing (B2/B8)	1 per 1,000m <sup>2</sup>	1 per 500m <sup>2</sup>
<b>Leisure and Institutions</b>	Leisure centres, assembly halls, hospitals and healthcare	1 per 50m <sup>2</sup> or 1 per 30 seats/ capacity	1 per 5 employees
	Educational institutions	-	Based on Travel Plan targets Separate staff and student provisions with minimum: Staff: 1 per 20 staff Students: 1 per 10 students
<b>Residential</b>	All except sheltered/ elderly	-	1 per bedroom
	Sheltered/ elderly housing	0.05 per residential unit	0.05 per residential unit
<b>Public transport interchange</b>	Standard stop	Upon own merit	-
	Major interchange	1 per 200 daily users	-



## **Consultation Statement**

### **Draft Supplementary Planning Document: Climate Change February 2021**

#### **REGULATION 12 - TOWN AND COUNTRY PLANNING (LOCAL PLANNING) (ENGLAND) REGULATIONS 2012**

1. This consultation statement has been prepared in accordance with Regulation 12(a) of the Town and Country Planning (Local Planning) (England) Regulations 2012, which states that before a local planning authority adopts a supplementary planning document it must prepare a statement setting out:

- I. The persons the local planning authority consulted when preparing the supplementary planning document;
- II. A summary of the main issues raised by those persons; and
- III. How those issues have been addressed in the supplementary planning document.

2. This statement sets out who was consulted in the preparation of the draft Supplementary Planning Document: Climate Change (January 2021), how they were consulted, what issues were raised and how those issues influenced the preparation of the document.

3. The Council has prepared and adopted a Statement of Community Involvement (SCI) (January 2019) which sets out how it will involve the community in its planning and policy making processes. This document can be viewed on the Council's website. The Climate Change SPD has been prepared in accordance with the steps outlined within the SCI.

4. Supplementary Planning Documents seek to expand on existing planning policy, to provide detail and depth that may not be possible in a Local Plan. The purpose of the Climate Change SPD is to set out guidance on the implementation of the key Climate Change policies in the adopted Derbyshire Dales Local Plan. It covers topics related to Building Design, Water, Energy, Green Infrastructure and transport. The SPD does not create new policy.

5. Once adopted the SPD will be a material consideration in the determination of planning applications, alongside the Local Plan and other planning policies.

#### **Consultation: Stage One**

6. The draft Climate Change Supplementary Planning Document was subject to consultation, with the following:



- Development Management Team
- Regeneration and Policy Team
- Climate Change Working Group

This took the form of discussions and meetings with individual officers and correspondence via email. Detailed comments were received on the scope and content of the SPD and in particular on the delivery of more energy efficient developments. .

**Consultation Process**

7. A six week consultation period will run from 12<sup>th</sup> February 2021 to 26<sup>th</sup> March 2021. An email or letter will be sent to targeted contacts contained on the Council's Local Plan consultation database. This includes statutory consultees, Parish and Town Councils, neighbouring authorities, agents and developers and landowners.

8. In addition, the consultation documents will be available online on the District Councils website People will be invited to submit comments online or in writing to ensure that representations can be registered and considered by the Council. See [www.derbyshiredales.gov.uk/climatechangespd](http://www.derbyshiredales.gov.uk/climatechangespd)

9. In accordance with the Derbyshire Dales District Council Statement of Community Involvement a press release will be issued regarding the consultation.

10. All representations received will be recorded, analysed and recommendations made about how they should be taken into account to inform the final SPD. In the event that substantive representations are received then a report will be presented to a meeting of the Community and Environment Committee of the Council for consideration prior to adoption.

**February 2021**

COMMUNITY & ENVIRONMENT COMMITTEE  
10<sup>th</sup> FEBRUARY 2021

Report of the Director of Regeneration and Policy

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## **DERBYSHIRE DALES STATEMENT OF COMMUNITY INVOLVEMENT 2021**

### **PURPOSE OF REPORT**

This report outlines the representations received during the public consultation exercise undertaken in respect of the Derbyshire Dales Statement of Community Involvement (SCI). It also recommends revisions to the content of the SCI and seeks approval for its adoption with immediate effect.

### **RECOMMENDATION**

1. That the representations received during the public consultation on the Statement of Community Involvement (SCI) as set out Appendix 1 are noted.
2. That the revised Statement of Community Involvement (SCI) 2021 as set out in Appendix 2 is adopted with immediate effect.
3. That delegated authority be given to the Director of Regeneration and Policy to undertake the necessary requirements for the adoption of the Statement of Community Involvement (SCI).

### **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.

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## **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) 2019<sup>1</sup> was adopted at a meeting of the Community and Environment Committee on 10<sup>th</sup> 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 made by Government. Temporary changes in 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. On 13<sup>th</sup> 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. The revised Statement of Community Involvement seeks to address these changes to publicity and involvement in planning matters.
- 2.3 The revised Statement of Community Involvement also satisfies the requirement under Regulation 10A of the Town and Country Planning (Local

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<sup>1</sup> [https://www.derbyshiredales.gov.uk/images/documents/S/FINAL\\_SCI\\_2019.pdf](https://www.derbyshiredales.gov.uk/images/documents/S/FINAL_SCI_2019.pdf)



Planning) (England) Regulations 2012 (as amended) that requires the review of an Statement of Community Involvement to be undertaken within five years from adoption.

- 2.4 Members will recall that a draft revised Statement of Community Involvement was presented to the Community and Environment Committee on 2<sup>nd</sup> November 2020. At that meeting Members resolved that a revised Statement of Community Involvement be subject to a period of public consultation and that a report outlining any representations received be presented to committee (Minute 125/20).
- 2.5 Public consultation was undertaken on the revised Statement of Community Involvement for a period of seven weeks from 23<sup>rd</sup> November 2020 to 11<sup>th</sup> January 2021. During this time the SCI was made available on the District Councils website and consultees were encouraged to complete an online consultation survey questionnaire. The public consultation also allowed for comments to be submitted by letter and email. Targeted contacts on the Local Plan consultation database were informed of the revised Statement of Community Involvement and how to submit representations.

### **3 RESULTS OF PUBLIC CONSULTATION**

- 3.1 During the seven weeks public consultation period a total of 8 completed responses were made using the online consultation survey, with an additional 11 responses received by email. Representations were received from members of the public and organisations including the Environment Agency, Natural England, Highways England, Derby and Derbyshire Clinical Commissioning Group, Derbyshire County Council, Matlock Town Council and Ashbourne Town Council.
- 3.2 The statutory consultees and organisations who responded on the whole welcomed the document and suggested a number of minor changes. The individuals who responded mainly took a view that the document does not reflect the Council's consultation practice. The main areas of concern raised in the representations include:
- The SCI sets out a commitment to increased community engagement, The District Councils resources should be increased to support this objective.
  - The District Council should listen and respond to comments raised by residents in respect of planning applications. Public comments are not genuinely considered and developments are granted, merely meeting government targets.
  - The revised draft should highlight the changes from the previous SCI to make it clearer to identify the changes and an executive summary should be added.
  - Further revisions may be needed to the SCI following the outcomes of the Planning White Paper recommendations.
  - Increased engagement with local Parish and Town Councils and local groups should be emphasised.

- Council surveys are ‘too closed’ with not enough space for free comments to be submitted
  - Specific comments raised regarding the determination and processing of individual planning applications and the Local Plan preparation process, with concerns stating that consultation is not comprehensively undertaken or its outcomes given due consideration, and therefore not in accordance with the sentiments of the SCI.
  - Involvement of the Derby and Derbyshire Clinical Commissioning Group should be referenced in the SCI.
  - The effectiveness of community engagement and consultation should be more thoroughly monitored and lead to the review and improvement of practice.
  - Relevant statutory consultees to be engaged at the pre application stage.
- 3.3 A summary of the comments received during consultation, Officer Comments and where appropriate, recommended modifications to the SCI are set out in Appendix 1.
- 3.4 The revised SCI is contained within Appendix 2. Members are recommended to approve the revised Statement of Community Involvement as set out in Appendix 2, and for the SCI to be brought into immediate effect and published on the District Councils website as soon as practically possible.

## **4 RISK ASSESSMENT**

### **4.1 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.

### **4.2 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.

## **5 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 2.

## 5 CONTACT INFORMATION

Esther Lindley - Senior Planning Policy Officer  
 Email: [esther.lindley@derbyshiredales.gov.uk](mailto: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 <sup>th</sup> 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 Consultation Responses and Officer Comments – February 2021

Appendix 2 – Revised Statement of Community Involvement February 2021



## Appendix 1: Summary of Representations

Suggested additions and alterations to the SCI are shown underlined, deletions are shown ~~crossed out~~.

Representor	Section	Summary of comments	Officer Comments
Hognaston Parish Council	General	The Statement of Community Involvement could be improved by adding an Executive Summary to the document.	Comments noted, it is recommended that an Executive Summary is added the start of the Statement of Community Involvement to provide clarity for the reader. <u>Executive Summary added to the document.</u>
Derbyshire County Council	Appendix 1	Thank you for consulting Derbyshire County Council (DCC) on the draft Derbyshire Dales Statement of Community Involvement 2020. Whilst DCC has no comments to make on the substantive parts of the document, it would suggest that following the merger of Erewash, Hardwick, North Derbyshire and Southern Derbyshire NHS Clinical Commissioning Groups in March 2019 (see link below), the list of 'Statutory Stakeholders' in Appendix 1: List of Consultees, should be amended such that the three references to NHS-North Derbyshire, NHS-Southern Derbyshire, and NHS-East Staffordshire Derbyshire (a misprint?) Clinical Commissioning Groups should be replaced by a single reference to the new 'NHS Derby and Derbyshire Clinical Commissioning Group'. <a href="https://www.derbyandderbyshireccg.nhs.uk/news/new-s-articles-2019/derbyshires-clinical-commissioning-groups-officially-merge/">https://www.derbyandderbyshireccg.nhs.uk/news/new-s-articles-2019/derbyshires-clinical-commissioning-groups-officially-merge/</a>	Comments relating to the merger of Erewash, Hardwick, North Derbyshire and Southern Derbyshire NHS Clinical Commissioning Groups in 2019 are noted. Recommended that the reference to Clinical Commissioning Group in Appendix 1 is amended as follows:  Amend list of Statutory Consultees: <del>NHS-North Derbyshire Clinical Commissioning Group</del> <del>NHS-Southern Derbyshire Clinical Commissioning Group</del> <del>NHS-East Staffordshire Derbyshire Clinical Commissioning Group</del> <u>NHS Derby and Derbyshire Clinical Commissioning Group.</u>
Severn Trent	General	Thank you for giving Severn Trent Water the opportunity to comment on the Statement for Community Involvement. Support for the principles contained within the document and request to be kept informed as plans develop and when appropriate to be able to offer a more detailed response.	Comments noted. Severn Trent will continue to be notified on the development of planning policy documents and planning application where relevant.
Derby and Derbyshire	General	Many thanks for your consultation on the Local Plan Statement of Community Involvement. And thank you	Comments noted, no change necessary.

<b>Representor</b>	<b>Section</b>	<b>Summary of comments</b>	<b>Officer Comments</b>
Clinical Commissioning Group (DDCCG)		for your ongoing consultation and communications with Derby and Derbyshire Clinical Commissioning Group (DDCCG) relating to both the Local Planning process and individual Planning Applications.	
Derby and Derbyshire Clinical Commissioning Group (DDCCG)	Section 2	There is little mention in the Derbyshire Dales District Council's Statement of Community Involvement of the NHS service as a key Public Service provider in Derbyshire, and therefore key stakeholder. However it is appreciated that the existence of various local NHS bodies does make it difficult to link in to one Derbyshire wide public services strategy. It is important to share that there are plans for the Derby and Derbyshire Clinical Commissioning Group to form part of a new Derby and Derbyshire Integrated Care Service (ICS) from April 2021, with government consultation currently taking place to make these new ICS entities statutory, local NHS bodies by April 2022.	<p>Comments from the DDCCG are noted. The SCI seeks to set out the District Councils policy on how to involve interested parties and stakeholders in matters relating to development in their area. The role of the NHS service and Clinical Commissioning Groups is welcomed and referenced within Appendix 1 to the SCI which lists key Consultees and Stakeholders to be engaged with on all planning related matters.</p> <p>The forthcoming creation of the Derbyshire and Derbyshire Integrated Care Service from April 21 is noted. The District Council are committed to engaging with DDCCG on planning proposals and planning policy documents. Paragraph 4.7 of the SCI currently states "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."</p> <p>Furthermore text within Appendix 1 which lists consultees states "It should be noted that this list is not exhaustive and also relates to successor bodies when reorganisations occur. It is recognised that</p>

Representor	Section	Summary of comments	Officer Comments
			<p>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.”</p> <p>Accordingly as the existing text in the SCI addresses updates to consultees and organisations should they be superseded or change that no further revisions are necessary to the SCI.</p>
Derby and Derbyshire Clinical Commissioning Group (DDCCG)	Section 5	It would be useful for timescales for the whole Local Plan preparation process and for each of the 4 key separate stages (as detailed on p11), to be clearly indicated somewhere in the SCI document.	<p>Comments in respect of adding timescales for the preparation of the Local Plan are noted. However as referenced in paragraph 4.9 of the SCI the District Council has prepared a Local Development Scheme which sets out the Councils key planning documents and the timetable for their preparation. A copy of the LDS can be downloaded from the District Councils website <a href="http://www.derbyshiredales.gov.uk/LDS">www.derbyshiredales.gov.uk/LDS</a> It is the role of the LDS to set out timescales for the preparation of Local Development Documents and will be updated regularly to reflect any amendments to the timescales for the Local Plan review. No change considered necessary.</p>
Derby and Derbyshire Clinical Commissioning Group (DDCCG)	Section 7	Derbyshire Dales District Council currently consult the Derby and Derbyshire Clinical Commissioning Group directly, as a non-statutory consultee (local consultee), on planning applications for housing developments. It is important for DDCCG to continue being consulted on such applications going forwards.	Comments welcoming the District Councils consultation with the DDCCG on planning applications are noted. The District Council is committed to continuing ongoing consultation with the DDCCG on planning matters and in accordance with the DDCCG adopted Primary Care Estates

Representor	Section	Summary of comments	Officer Comments
		The DDCCG current policy approach is to submit S106 funding requests in respect of planning applications for housing developments of 30 dwellings and over. S106 funding requests are made in line with the DDCCG adopted Primary Care Estates Strategy to help fund improvement of local NHS services premises, to accommodate population growth in localities and associated increase in health service demands. The Primary Care Estates Strategy 2020 will be shared with District Councils in the very near future.	Strategy. The Adopted Developer Contributions Supplementary Planning Document sets out the circumstances upon which the DDCCG will be consulted, stating “The Derby and Derbyshire Clinical Commissioning Group (CCG) will be consulted on all major planning applications submitted to the Local Authority, and as a general rule the District Council will seek developer financial contributions towards the provision of healthcare infrastructure provision for schemes of 50 dwellings or more. There may, however, be instances where requests towards health care provision may be made from smaller schemes were it may be linked to one particular premises project” No Change considered necessary.
Derby and Derbyshire Clinical Commissioning Group (DDCCG)	Appendix 1 – List of Consultees	The list includes NHS North Derbyshire CCG and NHS South Derbyshire CCG as ‘statutory stakeholder’ (no mention of NHS Hardwick CCG or NHS Erewash CCG). However, all four former Derbyshire CCGs have now merged and currently form a single body which is the NHS Derby and Derbyshire Clinical Commissioning Group.	Comments relating to the merger of Erewash, Hardwick, North Derbyshire and Southern Derbyshire NHS Clinical Commissioning Groups in 2019 are noted. Recommended that the reference to Clinical Commissioning Group in Appendix 1 is amended as follows:  Amend list of Statutory Consultees: <del>NHS North Derbyshire Clinical Commissioning Group</del> <del>NHS Southern Derbyshire Clinical Commissioning Group</del> <del>NHS East Staffordshire Derbyshire Clinical Commissioning Group</del> <u>NHS Derby and Derbyshire Clinical Commissioning Group.</u>
Bakewell Town Council	General	The Town Council considered the DDDC Statement of Community Involvement at its December meeting where it was resolved to thank the Authority for advising the Town Council and to accept the reasons for change and the need to update.	Comments and support from Bakewell Town Council welcomed and noted.



Representor	Section	Summary of comments	Officer Comments
Highways England	Appendix 1	We note that Highways England is listed in Appendix A as one of the statutory stakeholders which shall be consulted through the Local Plan process, and engaged with, where relevant on planning applications and development management.	Comments noted and welcomed.
Highways England	Section 7	<p>Regarding the pre-application consultation process, we note that the Draft SCI states that developers will be encouraged to actively engage with the community. We would also encourage that the relevant statutory stakeholders be engaged at this early stage to provide advice which can support the application process.</p> <p>Highways England has produced a document titled <i>The Strategic Road Network: Planning for the Future</i> which is a guide to working with Highways England on planning matters. Where relevant, Derbyshire Dales District Council should guide applicants to this document at the earliest possible opportunity. It can be found in the following location:  <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227 -  Highways England Planning Document FINAL-lo.pdf</a></p>	<p>The SCI seeks to set out the process by which consultation will be undertaken on planning matters with Paragraph 7.66 of the SCI stating that local planning authorities should actively encourage developers of major schemes to inform and involve the community in shaping their proposals. It is not considered necessary to signpost every document that may be beneficial to applicants/developers at the pre application stage within the SCI. The pre application process undertaken by the Councils development management team seeks to ensure that all relevant information is made available to those engaging in pre application discussions.</p> <p>No change to the SCI considered necessary.</p>
Matlock Civic Association	Section 4	<p>Thank you for notifying Matlock Civic Association on the draft Statement of Community Involvement (SCI).I have been requested to respond. We have no objections.</p> <p>We welcome the aim of the Council in paragraph 4.5 to seek to <i>“involve people at an early stage in the Local Plan preparation process .....to provide a genuine opportunity for people to influence plan content.</i></p>	Comments and no objections to the SCI are welcomed and noted.
Matlock Civic Association	Appendix 1	We are in the current list of consultees at Appendix 1, and are grateful that we will continue to be consulted	Comments noted, Matlock Civic Association will continue to be consulted on planning applications

Representor	Section	Summary of comments	Officer Comments
		on Local Plan Documents and Supplementary Planning Guidance.	and planning policy documents as relevant. No change considered necessary.
Matlock Civic Association	Section 7	We note in paragraph 7.26 that all representations received by the District Council will be identified in the Officer's report in respect of decisions made under delegated authority and, where appropriate, brought to the attention of the Planning Committee. We are also pleased that you felt able to respond positively in the last year or so to our request to report our responses under the heading of "Matlock Civic Association", and would be grateful if you are able to continue this practice.	Comments relating to the way in which the representations from Matlock Civic Association are reported to Planning Committee and within Delegated Officer reports are noted and welcomed. The District Council will continue to consult with Matlock Civic Association and report comments received accordingly. No change considered necessary.
Environment Agency	General	<p>Thank you for consulting us on the Statement of Community Involvement for Derbyshire Dales District Council. We have the following general comments for your information.</p> <p>We wish to highlight that the Environment Agency now charges for advice requested outside of the statutory duty to respond to planning applications and strategic documents. Therefore if an applicant or the Local Authority would like advice or Environment Agency involvement in any application or strategic document outside of the statutory process, we would ask that they contact the Environment Agency directly at <a href="mailto:planning.trentside@environment-agency.gov.uk">planning.trentside@environment-agency.gov.uk</a>. We will be able to offer details on what we offer and the costs associated with this.</p> <p>We would also highlight that the consultations for strategic documents should also be sent to our team inbox. Please could these consultations be sent to <a href="mailto:planning.trentside@environment-agency.gov.uk">planning.trentside@environment-agency.gov.uk</a> and addressed to the Sustainable Places team. This will</p>	Comments referring to charges for pre-application advice are noted, however such information is available in the Environment Agency's website and applications would be advised of such charges through pre-application discussions with the District Councils Development Management Team. Noted, no change is necessary.

Representor	Section	Summary of comments	Officer Comments
		ensure consultations on strategic documents are not sent to people who have subsequently left the team.	
Wirksworth & District Community Sports Group	General	<p>Overall, the document is comprehensive in its approach in relation to consultations on Draft Planning Documents and Planning Applications and we have had input to both in the past. Your approach has been related to National Planning Policy requiring early and consistent Community Involvement and that is welcome.</p> <p>Our own Constituted Group is pleased to have involvement of the District Council particularly through input and attendance by Becky Bryan for Leisure Services, Sport &amp; Recreation which is much appreciated to help create good understanding on Issues and Projects.</p> <p>The main emphasis in your draft document on Plan Process and Planning Applications is clearly stated and we certainly look forward to ongoing input to Local Plan and Supplementary Planning Document consultations please, and indeed the linked Wirksworth Neighbourhood Plan and reviews.</p> <p>We ask if the Leisure Strategy/Plan produced by the Council in consultation with our Group and other interests will be reviewed in the near future following changes like the management arrangements for Leisure Centres and Playing Fields?</p> <p>Our involvement in consultations is assumed to be under the heading of "Other Bodies" and we look forward to that.</p>	<p>Comments and support for the SCI noted and welcomed. No changes considered necessary. The District Council will continue to consult with Wirksworth and District Community Sports Group when relevant. No Change considered necessary.</p> <p>In respect of comments about the timetable for updating the Leisure Strategy/Plan, the responsibility for reviewing this strategy falls outside the remit of the Statement of Community Involvement. This representation has been sent to Community Development Manager for further comments.</p>

Representor	Section	Summary of comments	Officer Comments
Natural England	General	We are supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.	Noted, no changes are necessary
Matlock Town Council	General	<p>The Draft statement of the above document appears primarily to reflect the temporary changes associated the COVID-19 pandemic in respect of Planning Matters. Key elements of Covid-19, established much earlier this year, were confirmation of the first cases of the virus at the end of January 2020 and the announcement by the World Health Organisation in early March 2020 stating the virus can be characterised as a pandemic.</p> <p>It is pleasing to note the District Council have already taken steps to allow the public to have a degree of participation in the Planning processes after closing the Town Hall, limitation of contact at Meetings and staff being furloughed and other emerging Government Regulations – before this Consultation Document was commenced. Matlock Town Council believe such steps were necessary to maintain the democratic participation of the public in the Planning process.</p>	Comments and support for the processes and procedures implemented by the District Council in light of the COVID-19 Pandemic noted and welcomed. No changes considered necessary.
Matlock Town Council	General	The Town Council's responses to the White Paper Consultation (copied to the District Council) make clear reference to matters of major significant concerns regarding the proposals in the Planning for	Comments noted in respect of the forthcoming implications of the Planning White Paper. The purpose of the SCI is to set out how the District Council will consult and engage with the local



Representor	Section	Summary of comments	Officer Comments
		the Future documents. The content of the SCI 2020 document also examples aspects of the inability of the current Planning process to deal with major issues of buildability, deliverability and residual impacts for some proposed housing development sites. For Matlock these sites are the major (designated) housing development sites in Matlock and the group of (windfall) housing development sites1 adjacent to the A632 Chesterfield Road.	community and stakeholders on planning applications and the development of planning policy documents and assist with the preparation of neighbourhood plans. The SCI can inform and influence how consultation on planning applications for housing development should be undertaken, but it is unable to effect the deliverability of housing development sites nor the identification of windfall sites. Comments noted no changes considered necessary.
Matlock Town Council	General	<p>The SCI 2020, in consideration of Community Involvement, also gives the outline basis of the Planning Process from Local Plan preparation to Planning Applications and beyond. As Local Planning Authority the District Council's remit, scope and direction is limited by this defined Planning Process. The defined current Planning Process does not deal directly with the need for more detailed consideration when likely major works, infrastructure, transportation, flooding issues etc. are being noted. These matters are clearly over and above those for the more normal housing development sites. In some cases this has been apparent as early as during the Local Plan preparation stage. The emerging Town Council's view has been the Local Planning Authority does not have the remit nor the capability for dealing with the complexities and issues which are being found on such housing development sites referred to above. (These are often within the remit and scope of such as the Statutory Consultees and other bodies**)</p> <p>** Whilst the final determination of the Planning Application is for the District Council to make, however the role of such as the Statutory Consultees etc is often crucial in such cases and their responses</p>	<p>The purpose of the SCI is to set out the processes and mechanisms through which the District Council will consult and engage with local communities and stakeholders both for the preparation of planning policy documents and the determination of planning applications. It is not intended to review specific events or applications through the consultation on the SCI. There are processes and procedures in place as set out through the SCI to ensure that Matlock Town Council and other stakeholders and consultees can fully engage in the plan making and planning application process. Such procedures also ensure that all aspects of the planning proposals are considered thoroughly and where required reviewed by an independent inspector.</p>

Representor	Section	Summary of comments	Officer Comments
		<p>must be not just been given consideration but actually used to determine the outcome. Note: Such issues should not be dealt with by the use of Condition clauses. (It is noted that possibly due to the 'pressure' of Government to deliver the set housing programme and/or the ramifications of not granting a Planning Application, leading to the likely consequences of the Appeals Procedure, there is a degree of reluctance for either party to reject a Planning Application).</p> <p>Given the above, put simply, the following question arises in such circumstances:-          'Why is it the Planning Authority, who determines the outcome of the Planning Application, thereby granting permission for the Developer to commence work when key aspects of the works known to be necessary are outside the remit of the Planning Authority' ? (When it is quite clear such necessary crucial matters, affecting other bodies, such as Statutory Consultees etc are within their remit and not that of the Planning Authority).          It is also clear that on reaching the Planning Application stage that Developers have taken advantage of the current Planning Process to attempt to 'side line' many such crucial issues (by a variety of means) found on such sites.</p>	
Matlock Town Council	General	<p>It is now clear there have been problems on individual sites during the construction period, serious defects in some of the as built houses and gardens have occurred, in one case an outcome of particularly unattractive appearance and usage with one Developer abandoned the site during construction. There still remains an overall matter for these sites with serious repercussions for one Statutory</p>	<p>Comments noted. The purpose of the SCI is to set out the processes and mechanisms through which the District Council will consult and engage with local communities and stakeholders both for the preparation of planning policy documents and the determination of planning applications. It is not intended to review specific events or applications through the consultation on the SCI. The planning system includes means by</p>

Representor	Section	Summary of comments	Officer Comments
		<p>Consultee. These events, a matter of record, do not inspire confidence in Developers abilities to successfully deal with known problems likely to occur in such areas of Matlock.</p> <p>Awaiting the determination of a Planning Application, one major (designated) greenfield housing development site (the most contentious development in Matlock – Gritstone Road Pinewood Road) has created significant opposition from the time when it was first introduced into the current Local Plan preparation.</p>	<p>which decisions on individual planning applications and the development plan preparation process can be independently reviewed and examined. Principally through the appeal process, judicial review and ombudsman for planning applications and the examination in public process for Local Plan preparation.</p>
Matlock Town Council	General	<p>No further explanation is needed – the responses to the various Consultations, Public Meetings, letters and Objections to the Planning Application are voluminous and a matter of record. The responses from individual residents, groups of residents and others – not just with local knowledge but also some with expertise and experience of various matters of concern has led to many well founded, factual statements. These are held in list of Objections held by the District Council, listed in files and one records of Meetings. Many of these Objections have been copied to other bodies, primarily the County Council as they are within the remit of a Statutory Consultee etc – not the Planning Authority.</p> <p>The importance of such Community Involvement cannot be overlooked but the Developer does not appear to have considered or responded when such matters have been raised with him by the party to whom the Objection was sent. This has resulted in many serious shortcomings in the submitted proposals presented by the Developer. Many of these responses, do not inspire confidence in Developers</p>	<p>The SCI sets out the mechanisms, methods and process of consultation in planning. The District Council seeks to ensure that comprehensive consultation is undertaken.</p> <p>The District Council follows the processes set out in the planning regulations and National Planning Policy Guidance. In terms of Local Plan making this involves considering all comments made and at some stages of local plan making setting out responses to comments received. In terms of planning applications all comments received are considered as part of the planning application assessment. Accordingly the District Council records representations to both Local Plan preparation and planning applications in accordance with national guidance and regulations. As set out in paragraph 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</p>

Representor	Section	Summary of comments	Officer Comments
		<p>abilities to successfully deal with known problems likely to occur in this known area of Matlock.</p>	<p>of engagement prior to the submission of planning applications.</p> <p>It is not intended to review specific applications or events through the consultation of the SCI. The comments made by Matlock Town Council relate to decisions that have been made and scrutinised in public. Should the District Council not comply with the requirements of the SCI then there are opportunities for stakeholders and members of the public to challenge this approach through representations to an independent inspector appointed to undertake the examination of the Local Plan, or to an inspector appointed to review individual planning applications through the appeal process. No changes considered necessary.</p>
Matlock Town Council	Section 7	<p>In the context of the Draft SCI 2020 the foregoing can be encapsulated by the following statements:- (particularly regarding Gritstone Road Pinewood Road Development Site)</p> <p>i. Public Meetings: Local Plan. At many Public Meetings representations of valid fact based objections by members of the public have been rebutted by the District Council verbally by stating “The appropriate time for raising this matter is at the Planning Application Stage” (or similar). These statements are a matter of record and were used frequently in the preparation of the current Local Plan and later in the process.</p> <p>ii. SCI 2020: Planning Applications.</p>	<p>The SCI sets out the processes and mechanisms for consultation on planning matters. Consultation on the Derbyshire Dales Local was undertaken in accordance with the adopted SCI at the time and government regulations and guidance. As part of the Independent Examination of the Local Plan the Inspectors Report (November 2017) states at paragraph 15 in respect of consultation undertaken during the preparation of the Derbyshire Dales Local Plan “The Council has exceeded the requirements of the Local Plan Regulations and complied with its own Statement of Community Involvement.” The representations received throughout the preparation of the Local Plan were considered by an Independent Inspector as part of the Local Plan Examination process, during which the principle of the development strategy was found to be sound</p>



Representor	Section	Summary of comments	Officer Comments
		<p>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. - - - -</p> <p>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. - - - - "</p> <p>It is suggested above statement i) is completely inappropriate for taking a decision regarding the inclusion of any such housing development site (as described in the foregoing) in a Local Plan. It has led directly to the consequences now seen at the Planning Application Stage.</p> <p>Statement ii) is similarly completely inappropriate – with documentation both presented by the Developer or not even supplied - has revealed shortcomings both in his approach and of many details supplied. Satisfactory acceptable proposals to satisfy various Statutory Consultees, especially for the many serious aspects identified, have yet to be dealt with by the Developer.</p> <p>The prolongation of the decision making process to determine such Planning Applications will surely be incompatible with the changes likely to be made in the Government White Paper.</p> <p>Matlock Town Council does not want or need further greenfield major development sites with a significant preponderance of unnecessary large 4-5 bedroom detached houses, but rather the needed smaller 1-2 bedroom houses for such as younger first time buyers and the provision of such as bungalows for the</p>	<p>and adopted, with detailed site specific matters to be considered at the planning application stage.</p> <p>All housing and employment land allocations within the Adopted Derbyshire Dales Local Plan were subject to independent examination and scrutiny, this will continue to be the case should any new sites for development be identified in the future through the review of the Local Plan. In respect of decisions on individual planning applications the District Council is obliged to take into account all of the relevant information and material considerations prior to making a balanced decision. The omission of data and information to address specific issues does sometimes arise and lead to a delay in the determination of planning applications. However the community is best served if all available information is subject to detailed scrutiny and used to inform the decision making process. It is not appropriate to review specific cases or applications through the consultation on a revised SCI. No changes considered necessary.</p>

Representor	Section	Summary of comments	Officer Comments
		<p>ageing population. This is a matter that occurs in many Developer proposals for many housing development sites and over which the Planning Authority appears to have little control – when even the NPPF has stated a minimum percentage. Little has been provided to encourage either business, retail or industry into Matlock to provide opportunities for employment locally – the addition housing only adding to the already overstretched infrastructure of the Town.</p>	
Matlock Town Council	General	<p>It has viewed the use of the current Planning Process, particularly for such as the Gritstone Road Pinewood Road site, is completely inadequate from an early stage with the site being very close to not being included in the current Local Plan allocation. It has now reached the Planning Application stage (despite the continuing objections for further considerations prior to that stage (as more and more major issues were being found) rejected by the District Council). The scope and magnitude of many of these significant required works - found necessary to provide an acceptable deliverable outcome - have been brought forward in clear detailed factual evidenced statements. These, in Planning Terms, are suggested to be Matters of Material Consideration and are a matter of record.</p> <p>The apparent reticence to provide requested information, much of which has sparse evidence - even flawed on occasion - does not inspire confidence in the Developers abilities to successfully deal with the major problems found on this site – already known to exist on this hillside area of Matlock. These have been in the main submitted by members of the Public with both Local knowledge and</p>	<p>The SCI sets out the processes and mechanisms for consultation on planning matters, including the preparation of planning applications and planning policy documents. Comments are noted, however it is not considered appropriate to review specific cases or applications through the consultation on a revised SCI. The SCI sets out the principles for consultation that the District Council will seek to implement in planning matters. The District Council follows the processes set out in the planning regulations and National Planning Policy Guidance. In terms of Local Plan making this involves considering all comments made and at some stages of local plan making setting out responses to comments received. In terms of planning applications all comments received are considered as part of the planning application assessment. The planning system includes means by which decisions on individual planning applications and the development plan preparation process can be independently reviewed and examined. Principally through the appeal process, judicial review and ombudsman for planning applications and the examination in public process for Local Plan</p>

Representor	Section	Summary of comments	Officer Comments
		<p>accredited qualifications and experience. The latest issue to emerge, regarding the capacity the Environment Agency Pumping Station in Matlock, is considered to have worsened the prospects of a satisfactory acceptable outcome. It is suggested the Planning Process and the resolution of other outstanding issues will be further delayed.</p> <p>The Town Council is extremely concerned as to the future residual effects in Matlock of the above development site and any future major housing allocation on the Town, its residents, businesses and visitors.</p>	<p>preparation. Furthermore any concerns may be raised with the individual Case Officer, Manager or Director should a complaint be deemed necessary. No changes considered necessary.</p>
Respondent 1	Section 2	There seems to be very little community involvement	<p>The SCI sets out the mechanisms, methods and process of consultation in planning. The District Council seeks to ensure that comprehensive consultation is undertaken.</p> <p>The District Council follows the processes set out in the planning regulations and National Planning Policy Guidance. In terms of Local Plan making this involves considering all comments made and at some stages of local plan making setting out responses to comments received. In terms of planning applications all comments received are considered as part of the planning application assessment. No change is necessary</p>
Respondent 1	Section 5	No notice is taken of community opinions	<p>The SCI sets out the mechanisms, methods and process of consultation on all planning matters. Representations received both in respect of planning applications and the preparation of planning policy documents are considered in accordance with the processes set out in Planning Regulations, Planning Policy Framework and Planning Practice Guidance. All comments received</p>

Representor	Section	Summary of comments	Officer Comments
			are subject to scrutiny and reported to Members who have to make decisions on planning applications. In some instances this may necessitate coming to a balanced judgement and putting popular views aside. No change is necessary.
Respondent 1	General	It seems that any comment given to the council is ignored if it doesn't fit with what they've already decided!	The SCI sets out the mechanisms, methods and process of consultation on all planning matters. Representations received both in respect of planning applications and the preparation of planning policy documents are considered in accordance with the processes set out in Planning Regulations, Planning Policy Framework and Planning Practice Guidance. Planning Law requires that applications for planning permission are determined in accordance with the Development Plan, unless material considerations indicate otherwise and agreed the statutory timescales (unless a longer period is agreed). Representations and comments on planning applications and proposals are considered and reported to Members (where required) to ensure that the decision making process is transparent and accords with the provisions of the SCI. No change is necessary.
Respondent 2	Section 2	I am not aware DDDC ever truly involve communities with any meaningful consultation	The SCI sets out the mechanisms, methods and process of consultation on all planning matters. Representations received both in respect of planning applications and the preparation of planning policy documents are considered in accordance with the processes set out in Planning Regulations, Planning Policy Framework and Planning Practice Guidance. Planning Law requires that applications for planning permission are determined in accordance with the Development Plan, unless material considerations indicate



Representor	Section	Summary of comments	Officer Comments
			otherwise and agreed the statutory timescales (unless a longer period is agreed). Representations and comments on planning applications and proposals are considered and reported to Members (where required) to ensure that the decision making process is transparent and accords with the provisions of the SCI. No change is necessary.
Respondent 2	Section 4	Much can be written in documentation However we are wasting tax payers money As DDDC prove time and time again they do not consult	The SCI sets out the mechanisms, methods and process of consultation on all planning matters. Representations received both in respect of planning applications and the preparation of planning policy documents are considered in accordance with the processes set out in Planning Regulations, Planning Policy Framework and Planning Practice Guidance. Planning Law requires that applications for planning permission are determined in accordance with the Development Plan, unless material considerations indicate otherwise and agreed the statutory timescales (unless a longer period is agreed). Representations and comments on planning applications and proposals are considered and reported to Members (where required) to ensure that the decision making process is transparent and accords with the provisions of the SCI. No change is necessary.
Respondent 2	Section 5	No doubt they will come in a shiny new cover, All top dressing and no genuine concern for ensuring we all live in sustainable communities, no concern about outdated infrastructure	The SCI sets out the mechanisms, methods and process of consultation on all planning matters. Representations received both in respect of planning applications and the preparation of planning policy documents are considered in accordance with the processes set out in Planning Regulations, Planning Policy Framework and Planning Practice Guidance. No change is necessary.

Representor	Section	Summary of comments	Officer Comments
			In respect of the comment relating to infrastructure provision, the District Council consults with infrastructure providers as part of the planning application determination process. As part of the Local Plan process the District Council liaises with infrastructure providers, preparing and Infrastructure Delivery Plan to ensure that appropriate infrastructure is delivered to support new proposed development.
Respondent 2	Section 6	Why bother with wasting tax payers money We have to adhere to Local Plan policies So No choice more window dressing	The SCI sets out the mechanisms, methods and process of consultation on all planning matters. Representations received both in respect of planning applications and the preparation of planning policy documents are considered in accordance with the processes set out in Planning Regulations, Planning Policy Framework and Planning Practice Guidance. No change is necessary.
Respondent 2	Section 7	Valid concerns are given Planners ignore them Prime example being dozens of red brick houses in a Victorian Hydro town built predominantly of stone.. no trust	The SCI sets out the mechanisms, methods and process of consultation on all planning matters. Representations received both in respect of planning applications and the preparation of planning policy documents are considered in accordance with the processes set out in Planning Regulations, Planning Policy Framework and Planning Practice Guidance. It is not intended to review specific events or planning decisions. No change is necessary.
Respondent 2	Section 8 & 9	DDDC do not appear to Monitor anything	The District Council has a number of mechanisms through which it monitors the planning process, notably through the evaluation of key performance

Representor	Section	Summary of comments	Officer Comments
			indicators in relation to the determination of planning decisions which are reported to the Council on a regular basis, and also through the preparation of the Authority Monitoring Report. The Authority Monitoring Report is prepared annually and reports on the implementation of Local Plan policies. It is considered that the current mechanisms for review and monitoring set out in section 9 of the SCI are comprehensive, no change necessary.
Respondent 3	Section 2	<p>More details about HOW views of residents etc. are/will be used to improve the council's decisions should be included. This is not clear to anyone. The 'Have Your Say' surveys should be broader in scope. They leave too little space for free comment, steering people down prescribed routes. I often find that the questions I really want to have the answers to are not on these surveys. You could involve residents more in drawing up the surveys in the first place. At present the surveys often seem geared to obtaining a particular predetermined result. Part of the problem is that communities are involved too late down the line. The report also says that the district council will "increase its efforts to understand what local communities are saying and aims to help communities to help themselves by 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." This has not been the case in my locality, where the district council secretly grabbed land for its own purposes without any consultation or warning whatsoever. - ref Knabhall Lane, Tansley, wanted by residents for allotments but earmarked by DDDC as a site for Gypsies &amp; Travellers. Absolutely no</p>	<p>Comments relating to the design of surveys and questionnaires are noted and will be borne in mind in the future preparation of such consultations. The District Council Consultation and Engagement Strategy 2014-2019 sets out the methods by which the Council will consult with local communities and stakeholders. Furthermore the Council Communications and Marketing Strategy aims to ensure that District Council Communications are appropriate and effective. In this regard no changes are recommended to the SCI.</p> <p>In respect of the comments about the process of identifying land at Tansley for a Gypsy and Traveller site, these relate to a specific case and it is not considered appropriate to review this through the consultation on the SCI document. Should a planning application be submitted for development of the site at Knabhall Lane then this will be subject to consultation in accordance with the SCI, notably Section 7. The purpose of the SCI is to set out the mechanisms, methods and process of consultation on all planning matters. 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 and decision making process in regard to planning applications.</p>

Representor	Section	Summary of comments	Officer Comments
		<p>consultation on this. No contact with Parish Council. No transparency. DDDC's actions make a mockery of its stated commitments to community involvement. The fact that Gypsy &amp; Travellers sites are sensitive issues is no excuse for secrecy and lack of consultation. The way this has been handled has undermined trust in DDDC. As a result, Tansley residents now perceive the council as all talk and no action. Having policies in place is meaningless if they are subsequently ignored in practice. Who is monitoring all this?</p> <p>As reported, Tansley Parish Council requested a Community Asset Transfer of the land at Knabhall Lane to create allotments but the district council intends to submit a planning application to turn it into a Gypsy &amp; Traveller site.</p>	
Respondent 3	Section 4	<p>Communities should be involved from the beginning but for such involvement to be meaningful DDDC needs to look closely at its methods of obtaining residents' views. Too often these methods look like tick-box exercises. Surveys can appear daunting to some. They should be accompanied by more explanation in simple terminology, not just by long and complicated jargon-filled reports.</p>	<p>The SCI sets out the processes and methods through which the District Council will consult on planning matters. Comments regarding use of language, consultation timing and language are noted. The District Council Communications and Marketing Strategy seeks to ensure that consultation is broad ranging and engages with all consultees. In respect of the preparation of planning policy documents the stages and timing of consultation are set out in Regulations, similarly consultation on planning application is carried out in accordance with the Development Management Procedure Order. Comments noted, no changes considered necessary.</p>
Respondent 3	Section 5	<p>The report says: "Carrying out a Sustainability Appraisal (SA) is an essential and statutory part of the plan making process." Why then is Knabhall Lane,</p>	<p>Paragraph 5.29 of the SCI states that a Sustainability Appraisal and Habitats Regulations Assessment is required to support the plan</p>



Representor	Section	Summary of comments	Officer Comments
		<p>Tansley -- a plot of land deemed unsustainable by planning officers -- being put forward by DDDC as a site for Gypsies &amp; Travellers? This site was not in the Local Plan, nor should it have been. Clearly, it was chosen for political considerations and is likely to be a white elephant -- expensive, unsustainable and unused. Not a good advert for DDDC processes. So, I would say it is not so much the carrying out of the sustainability appraisal that matters but the taking note of the results of that appraisal. Still no public access to the officer report and recommendations for the 2nd September 2020 DDDC meeting where Knabhall was chosen. Why not? How can DDDC be trusted or its stated policies be believed when it is so lacking in transparency?</p>	<p>preparation process. In respect of planning applications the overarching principles of sustainable development (social, economic and environmental) will be assessed as part of the application process as material considerations. In respect of requiring a Habitats Regulations Assessment to inform a planning application National Planning Practice Guidance states "If a proposed plan or project is considered likely to have a significant effect on a protected habitats site (either individually or in combination with other plans or projects) then an appropriate assessment of the implications for the site, in view of the site's conservation objectives, must be undertaken (Part 6 of the Conservation of Habitats and Species Regulations 2017)." (NPPG 002 Reference ID: 65-002-20190722).</p> <p>In respect of the comments about the process of identifying land at Tansley for a Gypsy and Traveller site, these relate to a specific case and it is not considered appropriate to review this through the consultation on the SCI document. The purpose of the SCI is to set out the mechanisms, methods and process of consultation on all planning matters. 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 and decision making process in regard to planning applications. No changes considered necessary to the SCI.</p>
Respondent 3	Section 7	<p>Re pre-application consultation and discussion, I see that DDDC says it "recognises that current practice in relation to community involvement in the consideration and determination of planning</p>	<p>In respect of the comments about the process of identifying land at Tansley for a Gypsy and Traveller site, these relate to a specific case and it is not considered appropriate to review this through the</p>

Representor	Section	Summary of comments	Officer Comments
		<p>applications can be improved.” It undertakes to actively encourage applicants to engage in pre-application consultation and discussion. DDDC should follow the same rules it sets out here for private developers. It blatantly did not do this before its rushed into choosing Knabhall Lane as a site for Gypsies &amp; Travellers. The fact that this issue is a sensitive one is no excuse for the district council to exclude the local community from the pre-planning stage. The decision to do so impacts negatively on residents' perception of the council and is contrary to objectives in the SCI "to promote the image of the council as an effective, efficient and listening organisation focused on the public and their needs."</p>	<p>consultation on the SCI document. The purpose of the SCI is to set out the mechanisms, methods and process of consultation on all planning matters. 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 and decision making process in regard to planning applications. No changes considered necessary to the SCI.</p>
Respondent 3	General	<p>DDDC should address the gap between its stated objectives and optimal working practices and what actually happens. I am not convinced that the monitoring process is working as it should.</p>	<p>The SCI sets out the mechanisms, methods and process of consultation on all planning matters. Representations received both in respect of planning applications and the preparation of planning policy documents are considered in accordance with the processes set out in Planning Regulations, Planning Policy Framework and Planning Practice Guidance.</p> <p>In respect of Monitoring, the District Council has a number of mechanisms through which it monitors the planning process, notably through the evaluation of key performance indicators, in relation to the determination of planning decisions which are reported to the Council on a regular basis, and also through the preparation of the Authority Monitoring Report. The Authority Monitoring Report is prepared annually and reports on the implementation of Local Plan policies. It is considered that the current mechanisms for review and monitoring set out in</p>

<b>Representor</b>	<b>Section</b>	<b>Summary of comments</b>	<b>Officer Comments</b>
			section 9 of the SCI are comprehensive, no change necessary.
Respondent 4	Section 2	Community Involvement needs to be active and the views of the community taken seriously. This is especially true in Planning applications. Also decisions need to be open and without prejudice with vested interests	The SCI sets out the mechanisms, methods and process of consultation on all planning matters. Representations received both in respect of planning applications and the preparation of planning policy documents are considered in accordance with the processes set out in Planning Regulations, Planning Policy Framework and Planning Practice Guidance. Comments noted no change considered necessary.
Respondent 4	Section 5	The views of our local area were completely ignored in the preparation of the local plan	The SCI sets out the mechanisms, methods and process of consultation on all planning matters. Representations received in the preparation of planning policy documents are considered in accordance with the processes set out in Planning Regulations, Planning Policy Framework and Planning Practice Guidance. The District Council follows the processes set out in the planning regulations and National Planning Policy Guidance. In terms of Local Plan making this involves considering all comments made and at some stages of local plan making setting out responses to comments received. In terms of planning applications all comments received are considered as part of the planning application assessment. No change is necessary.
Respondent 4	Section 6	You need active engagement with the local Parish Council	The District Council seeks to engage and consult with Town and Parish Councils on both the preparation of planning policy documents and the determination of individual planning applications. The SCI sets out the Parish Councils will be invited

Representor	Section	Summary of comments	Officer Comments
			to Parish and Town Council conferences and Area Community Forums, consulted on planning applications and also invited to represent community interests in involvement activities. Parish Councils area also able to attend and speak at committee meetings. Comments noted, no changes are recommended to the SCI.
Respondent 5	Section 2	They don't know or want to know what this means	Noted.
Respondent 5	Section 4	They ask for this(because by law they have to) make good noises then totally ignore the public	The SCI sets out the mechanisms, methods and process of consultation on all planning matters. Representations received both in respect of planning applications and the preparation of planning policy documents are considered in accordance with the processes set out in Planning Regulations, Planning Policy Framework and Planning Practice Guidance. No change is necessary.
Respondent 5	Section 5	Cannot see the point no one listens	The SCI sets out the mechanisms, methods and process of consultation on all planning matters. Representations received both in respect of planning applications and the preparation of planning policy documents are considered in accordance with the processes set out in Planning Regulations, Planning Policy Framework and Planning Practice Guidance. No change is necessary.
Respondent 5	General	Yes I have a lot but saving my breath as if my opinion is different from theirs I believe this will go straight into the spam box	The SCI sets out the mechanisms, methods and process of consultation on all planning matters. Representations received both in respect of planning applications and the preparation of planning policy documents are considered in accordance with the processes set out in Planning Regulations, Planning Policy Framework and



Representor	Section	Summary of comments	Officer Comments
			Planning Practice Guidance. No change is necessary.
Respondent 6	Section 2	Yes I feel all too often local residents views are not taken into account. In recent years I feel very disappointed with decisions taken by DDDC for my community - Tansley. Passing way too many new proposed developments of green land.	The SCI sets out the mechanisms, methods and process of consultation on all planning matters. Representations received both in respect of planning applications and the preparation of planning policy documents are considered in accordance with the processes set out in Planning Regulations, Planning Policy Framework and Planning Practice Guidance. It is not intended to review specific events or planning decisions. No change is necessary.
Respondent 6	Section 4	District councils are all too often focussed on Government targets and numbers. Once green land is gone. It's gone forever.	The SCI sets out the mechanisms, methods and process of consultation on all planning matters. It is not intended to review specific events or individual planning matters. The District Council has a requirement to meet the housing and economic development needs of its area through the Local Plan preparation process. The SCI sets out how community engagement will be undertaken on the review of the Local Plan and planning applications. No change is necessary.
Respondent 6	Section 5	I feel as a resident of Tansley for 30 years and in my wife's case 54 years - There are far too many proposed developments for our small village infrastructure.	Comments on scale and location of development within Tansley noted, it is not intended to review specific cases or applications within the consultation on the SCI. The SCI sets out the processes by which the District Council will consult on planning matters. The Derbyshire Dales Local Plan sets the overall level and distribution for residential development through the spatial strategy. The Local Plan was prepared in accordance with the adopted SCI at the time and subject to independent examination. No change considered necessary.

<b>Representor</b>	<b>Section</b>	<b>Summary of comments</b>	<b>Officer Comments</b>
Respondent 6	Section 6	The Council are not listening to our local community. And seem intent on meeting Government targets only.	The District Council follows the processes set out in the planning regulations and National Planning Policy Guidance in terms of preparing a sound Local Plan that meets the future needs of the District. The Local Plan is subject to Examination by an Independent Examiner. Comments noted no change to SCI considered necessary.
Respondent 6	Section 7	I currently have an objection to an unsuitable major house and land redevelopment next door to me. Holly Tree Cottage Gold Hill Tansley. So I have to see how this is dealt with, before I comment on this area?	The District Council publicises and consults on planning applications in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 which specifies the requirements for the publicity of applications for planning permission. 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. As stated in paragraph 7.29 of the SCI 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 the District Councils website. Comments noted no changes required to the SCI.
Respondent 6	Section 8 and 9	There is a big concern with what appears to be a "Pre determined" planning decision and what appeared to many who witnessed the seemingly, very undemocratic and at times farcical meeting reference the Knabhall Lane Travellers site.	The SCI sets out the processes and mechanisms through which the District Council will consult upon planning matters. Each application submitted to the Local Planning Authority is considered in accordance with the relevant regulations and guidance, with each application appraised upon its own merits. It is not intended to review specific cases through the consultation on the SCI. Should any subsequent application be submitted for development at Knabhall Lane it will be assessed

Representor	Section	Summary of comments	Officer Comments
			upon its own merits and consultation undertaken in accordance with the principles set out within the SCI. No changes considered necessary to the SCI.
Respondent 6	General	<p>Yes - I am concerned that Tansley has become very over developed and is getting worse! We are a small village with very narrow and already overused roads. Plus we do not have anywhere near the infrastructure or roads required for what currently are around 100 extra houses (A minimum of 200 plus cars) in this small village. DDDC have seemed to pass every major development in the Tansley area in recent years leaving way too many houses for a tiny community. All of these will be built on green fields. Taking the green field away from all corners of this village. I believe due to past success of development applications, the same and other new developers will continue to target Tansley due to the very high success rates of planning applications passed in Tansley by DDDC. Many in this community believe enough is enough! NO more housing developments on green fields in and around Tansley please. Also I feel as many do in Tansley, the decision on the Knabhall Lane site was a ridiculous "shoe in". And the Knabhall Lane site is totally unsuitable and not fit for purpose for the travellers or the local community. All this leads to the question, is someone involved in the DDDC planning process unfairly weighting planning decisions in Tansley and the surrounding green areas?</p>	<p>The SCI sets out the processes and methods through which the District Council will consult on planning matters. It is not intended to review specific cases through the consultation on the SCI. Should any subsequent application be submitted for development at Knabhall Lane it will be assessed upon its own merits and consultation undertaken in accordance with the principles set out within the SCI. No changes considered necessary to the SCI.</p>
Respondent 7 (Ashbourne Town Council)	Section 2	Ashbourne town council welcomes the commitment of the district council to adopt the statement of community involvement, building on the regulations 2012 setting out the minimum requirements for local Authorities In terms of community involvement and	Comments of support for the SCI and community involvement therein welcomed and noted. No changes considered necessary.

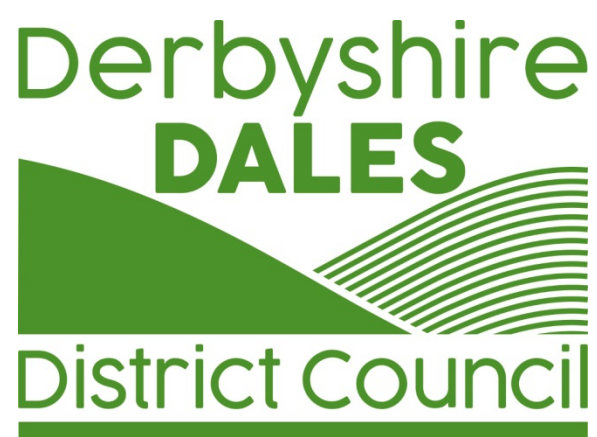
Representor	Section	Summary of comments	Officer Comments
		their commitment to working in partnership with local communities, businesses and residents and being open and transparent as defined @ 1.3 of this document, The Localism Act 2011 placing greater emphasis upon community involvement by empowering local communities to get involved in the plan making process in their area.	
Respondent 7 (Ashbourne Town Council)	Section 4	Commitment to community involvement appendix 2 2.7 sets out clearly how the engagement with local residents, service users, local businesses, voluntary and community sector organisations, partners and other stakeholders will be sought and listened to and how the results are to be used to improve the Council's decisions. 2.8 emphasises a range of methods the District council uses to consult with various members of the public and statutory bodies, • 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. With Ashbourne parish and the surrounding area receiving a high percentage of the Districts residential an industrial building in the near future there needs to be a coherent strategic plan of engagement with local interested parties using all of the above methods to gain a full cross section of views to all stakeholders including those set out in 2.10 Section 4 – Welcome the inclusion of Town Councils as part of the process of plan-making.	The Statement of Community Involvement sets out the processes and mechanisms through which public consultation and engagement will be undertaken both on individual planning applications and also for the preparation of development plan documents. The SCI provides the framework for future consultation on development proposals in and around Ashbourne and where appropriate the mechanisms listed within the SCI will be employed to consult with local residents, stakeholders and consultees.
Respondent 7	Section 6	Section 6 – Recent experience appears to show the difficulty DDDC has in acting both as an enabler in	Under the provisions of the Town and Country Planning Act 1990 (as amended) the District Council



Representor	Section	Summary of comments	Officer Comments
(Ashbourne Town Council)		the Neighbourhood Plan process and an objector to specific aspects of our draft NP before, during, and after, its development, submission, and move to final consultation. There were lengthy delays in moving to final consultation which in themselves have raised issues about relevance of cited documentation – some of which are DDDC’s own documents. DDDC needs to consider the balance between help and hinder in Neighbourhood Plan development prior to the final consultation phase.	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 District Council seeks to provide technical advice and support to communities, with paragraph 6.5 of the SCI setting out the means by which the District Council can assist with the Neighbourhood Planning process. It is not intended to review specific events and in the case of Ashbourne Neighbourhood Plan the District Council has sought to support plan development and preparation as comprehensively and expediently as possible given resources and competing properties. Consultation on the Ashbourne Neighbourhood Plan was undertaken in accordance with the appropriate Regulations and provisions of the SCI. It is acknowledged that the consultation on the Draft Neighbourhood Plan required additional time to complete, however this has not had a material impact on progress of the Plan or its final adoption, which has been additionally effected by the COVID-19 pandemic. Comments noted, no changes to the SCI considered necessary.
Respondent 7 (Ashbourne Town Council)	Section 7	Section 7 planning applications Section 8.3 points out that ‘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. Will this mean that a planning application timeline will be extended or that	As set out within the SCI the District Council is committed to consultation on planning matters. Paragraph 7.31 states that “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.” A list of all new planning applications received the preceding week is forwarded to all relevant Town/Parish Councils and local Ward Members for information. The District Council aims to validate applications and consult with stakeholders as expediently as possible. It is not intended to extend the

Representor	Section	Summary of comments	Officer Comments
		application to Ashbourne town council will be received in a time fitting for a response.	timeframe for consultation responses to planning applications, the processes implemented by the District Council comply with the Development Management Procedure Order (2015) and associated regulations. As set out in paragraph 47 of the National Planning Policy Framework "Decisions on planning application should be made as quickly as possible and within statutory timescales, unless a longer period has been agreed by the applicant in writing." Extensions to the timeframe for the determination of planning applications are only sought where deemed necessary to do so and in agreement with the applicant. No change considered necessary.
	General	a) Draft SCI says that there are only a few modifications from the earlier version. It would have made this exercise much more efficient if those modifications had been flagged up. b) Some of the aspects in the SCI will need to be revisited should the raft of Planning-related White Papers make it to statute	Suggestion that a 'track changes' version of the document with highlighted changes could be provided is noted. The approach will be considered in the future should further review and update of the SCI be required. The SCI may need to be reviewed in the short to medium term dependent upon the outcomes of the Planning White Paper. The District Council is committed to ensuring that the SCI is update and will review and update the document accordingly. No changes necessary at this time.
Respondent 8	Section 2	Community should be involved	The SCI sets out the mechanisms, methods and process of consultation in planning. The District Council seeks to consult with and engage with the local community and stakeholders on planning matters. No change is necessary.
Respondent 8	Section 5	Listen to local people regarding any planning for more homes	The District Council follows the processes set out in the planning regulations, National Planning Policy Framework and National Planning Policy Guidance. In terms of Local Plan making this involves considering comments made and at some stages of local plan making setting out a response to

Representor	Section	Summary of comments	Officer Comments
			<p>comments received. In terms of planning applications all comments received are considered as part of the planning application assessment. In terms of the review of the Local Plan and housing allocation sites, consultation in accordance with government guidance and the principles established in the SCI will be undertaken No change is necessary.</p>
Respondent 8	General	Listen to the people of Matlock and what they want	<p>The District Council follows the processes set out in the planning regulations, National Planning Policy Framework and National Planning Policy Guidance. In terms of Local Plan making this involves considering comments made and at some stages of local plan making setting out a response to comments received. In terms of planning applications all comments received are considered as part of the planning application assessment. It is not intended to review specific events No change is necessary.</p>



**DERBYSHIRE DALES**  
**STATEMENT OF COMMUNITY INVOLVEMENT**  
**FEBRUARY 2021**



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# **DERBYSHIRE DALES STATEMENT OF COMMUNITY INVOLVEMENT**

## **EXECUTIVE SUMMARY**

### **INTRODUCTION**

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).

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. The SCI defines the standards to be met by the District Council in terms of community involvement and stakeholder engagement.

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). 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).

The previous SCI was adopted in 2019 following the adoption of the Derbyshire Dales Local Plan on 7<sup>th</sup> 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.

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

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 made by Government, indicating that Local Planning Authorities should adapt their consultation arrangements to enable public consultation to be undertaken, making documents available as digital by default. The revised Statement of Community Involvement seeks to address these changes to publicity and involvement in planning matters.

### **OUR COMMITMENT TO COMMUNITY INVOLVEMENT**

The District Council 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) and Derbyshire Community Engagement Group. 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).

## **GETTING INVOLVED IN PLANNING**

This section of the Statement of Community Involvement 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.

## **THE ROLE OF COMMUNITY INVOLVEMENT IN PLAN MAKING**

Various planning policy documents are prepared by the District Council, all with requirements for preparation, public involvement and consultation. 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.

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 and Supplementary Planning Documents.

The District Council will seek to involve people at an early stage in the Local Plan preparation process. 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)

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.

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. A long list of the groups the District Council proposes to involve in plan making is set out in Appendix 1 to the SCI. This is not a definitive list and the District Council will seek to ensure that organisation contact details are kept up to date.

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 of the SCI.

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

Appendix 3 of the SCI 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.

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. 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.

## **NEIGHBOURHOOD PLANNING**

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 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

## **PLANNING APPLICATIONS**

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. 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.

### **Consultation and Pre-Decision Matters**

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. 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.

### **Current Practice- How the Council Publicises Planning Applications**

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 of the SCI. 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 (subject to exceptions).

The SCI sets out the District Councils approach to neighbour notifications on planning applications, the display of site notices, use of press advertisement's and use of the District Council's planning website and social media.

### **Representations Received**

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. 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. 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.

### **How the District Council Consults on Planning Applications**

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 register of planning applications can be inspected online and, via the Self-Serve PC at the Town Hall, Matlock when open.

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.

### **How to Comment on Planning Applications**

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. Comments should be submitted in writing and the Council accepts comments/representations by email, through the Council's website or by letter.

### **The Decision Making Process**

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.

### **Public Participation at Planning Meetings**

The Coronavirus pandemic has had implications for public participation at planning meetings. 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. 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.

### **Notification of the Decision**

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. Lists of decisions and appeals are published and a register of planning decisions and 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.

### **Pre-application Consultation & Discussion**

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. 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.

## **MANAGING THE PROCESS**

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. The link between responses received and the District Council's decision or action will be made transparent. 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.

Council Officers are not always best placed to work with community groups, particularly where individuals seek independent advice. The District Council therefore supports 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.

## **MONITORING AND REVIEW**

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. Progress on the development and implementation of the Local Plan and other policy documents will be set out in the Authority Monitoring Report and Local Development Scheme.

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.

## 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 13<sup>th</sup> 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](http://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 7<sup>th</sup> 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](http://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](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 Equality, Consultation and Engagement Plan can be found at: [http://www.derbyshiredales.gov.uk/images/documents/C/Consultation and Engagement Strategy 2014-2019.pdf](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](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: <https://www.derbyshiredales.gov.uk/your-council/equalities/equality-consultation-engagement-plan>

## **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](mailto: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](http://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](http://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](http://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](http://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](http://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](mailto: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 representations<sup>1</sup>.
- 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](mailto: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](http://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.

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<sup>1</sup> <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](http://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](mailto: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 Country 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 Derby and 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)
<b>Method</b>						
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)
<b>Method</b>				
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:

	<b>Site Notice</b>	<b>Site Notice or neighbour letter</b>	<b>Press</b>	<b>Website<sup>2</sup></b>
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:

	<b>Site Notice and neighbour letter 20 m</b>	<b>Site Notice and neighbour letter 10 m</b>	<b>Press</b>	<b>Website</b>
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 <sup>3</sup> )	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

<sup>2</sup> 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

<sup>3</sup> In accordance with the criteria set out at paragraph 7.15.



**COMMUNITY & ENVIRONMENT COMMITTEE**  
**10<sup>th</sup> FEBRUARY 2021**

Report of the Director of Community & Environmental Services

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**INSATALLATION OF ELECTRIC POINTS FOR ICE-CREAM VENDORS ON  
DERBYSHIRE DALES DISTRICT COUNCIL'S LAND**

**PURPOSE OF REPORT**

This report aims to reduce carbon emissions by only permitting environmental friendly ice cream vans to operate on Derbyshire Dales District Council owned land as part of the Councils Climate Change agenda and our ambition to become carbon neutral by 2030. The report stipulates that in future tender documents, ice cream vendors must operate in a climate friendly way. In order to achieve this, approval from members is required to increase the revenue budget by £35,000 over two financial years in order to install electric points at the locations highlighted in the report below.

**RECOMMENDATION**

1. That £21,500 be incorporated into the 2021/22 revenue budget for work to be undertaken to install electric facilities for ice cream vendors to use at the following locations – Matlock Bath Station Car Park, Hall Ley's Park (Park Head), Hall Ley's Park (Boating Lake), Granby Road Bakewell and Bakewell Recreation Ground.
2. That £13,500 be incorporated into the 2022/23 revenue budget for work to be undertaken to install electric facilities for ice cream vendors to use at the following locations once a contract has been awarded to a successful tender return – Monsal Head (long stay car park), Derwent Garden's (Matlock Bath), Shawcroft Car Park and Artist Corner.
3. That for the 2021/22 season Ice Cream Vendors will be managed on an event licence for each position across the District, which will be administered by the events team.
4. That the schedule under paragraph 2.5 of this report which aims to have all Ice Cream Vendors operating in a more environmentally friendly way by 31 August 2023 be noted.

**WARDS AFFECTED**

All Wards

**STRATEGIC LINK**

This report supports the Council's Priorities, Place – Keeping the Derbyshire Dales Clean, Green and Safe and Climate Emergency target of becoming carbon neutral by 2030.

## 1 BACKGROUND

- 1.1 The Council allows private operators to sell ice cream from designated locations on Council land, subject to an agreement and a fee being paid to the Council. Currently Ice Cream vans operating on District Council land (mainly parks and car parks) operate whilst the engine is idling in order to power the van. These fumes contain a number of harmful gasses including Carbon Dioxide, which is bad for the environment and contributes towards climate change, as well as a range of other harmful gasses including nitrogen dioxide, carbon monoxide and hydro carbons which are linked to asthma and other lung diseases.
- 1.2 The three year Ice Cream Concessions agreements were due to be renewed in April 2020. As with most hospitality businesses the ice cream trade has been impacted hugely by the Covid-19 pandemic.
- 1.3 Ice Cream van contracts on District Council land had a total value of £108,500 per annum in 2019. This amount would have been impacted long term by reduced bids if a tender process was undertaken during the pandemic.
- 1.4 Importantly, the District Council has declared a Climate Emergency and has a target of becoming carbon neutral by 2030. Most ice-cream vans, particularly older models, use diesel engines which are kept running to operate the refrigerated equipment. These produce harmful emission, including black carbon, when left idling.

## 2 REPORT

- 2.1 There are nine sites which have been included previously in a tender process for ice cream vendors.

Location
Monsal Head (Long Stay) Car Park
Derwent Gardens, Matlock Bath
Matlock Bath Station car park
Artists Corner car park
Hall Leys Park (Park Head)
Hall Leys Park (Boating Lake)
Bakewell Recreation Ground
Shawcroft car park
Granby Road car park

- 2.2 Ice Cream vans stand in a variety of locations on District Council Land, the amount of CO2 emissions from a diesel van idling is approximately 4.5kg per hour. This figure does not apply to all vans operating in Derbyshire Dales as the newer vehicles will be more environmentally friendly than the older vehicles. The District Council has vans ranging from 1992 to 2017 models currently operating in the area. A result of introducing electric points for ice cream vans and the eventual move to 100% green energy could amount to an estimated reduction of 28.6 tons in CO2 emissions.
- 2.3 To facilitate the new environmentally friendly ice-cream vehicles, electrical supply and charging points will need to be installed at each site. Initial quotes have been

obtained from Derwent Treescapes (supply) and Overton Electrical Services (charge points).

Costs to install an electricity supply and charging point to each site:

<b>Location</b>	<b>Cost (£) + VAT 20%</b>
Monsal Head (Long Stay) car park	4759.27
Derwent Gardens	2726.51
Matlock Bath Station car park	3378.59
Artists Corner	3234.81
Hall Leys Park (Park Head)	4111.81
Hall Leys Park (Boating Lake)	4759.27
Bakewell Recreation	3819.81
Shawcroft car park	592.55
Granby Road car park	2759.27
<b>Total</b>	<b>30,141.89</b>
Contingency	4,858.11
<b>Project Total</b>	<b>£35,000</b>

- 2.4 It's proposed that these costs are added to the revenue budget and split across the financial years 2021/22 (£21,500) & 2022/23 (13,500). The total amount of £35,000 includes a small amount of contingency costs as current quotes may vary once work is approved.
- 2.5 The sites highlighted yellow in the table at paragraph 2.2, are the areas for work to be carried out during 2021/22, these positions had contracts in place at time of expiry in March 2020. Work at the remaining sites will be carried out during 2022/23 once a successful contract has been awarded through the tender process. This also allows the Council to spread the cost over two financial years.
- 2.6 The following timetable shows the timescales that officers aim to follow subject to any continuing delays caused by the pandemic.

<b>Action</b>	<b>Date</b>
CLT initial report	January 2021
Committee approval for revenue budget	February 2021
Engagement	February 2021 – April 2021
Ice Cream Vendors on Events Licence	April 2021 – March 2022
Tender process for new 3 year contracts	October 2021 – January 2022
Contract awarded	January 2022
Contract Start date	April 2022
All sites operating environmentally friendly	Midway through 3 year contract (August 2023)

- 2.7 Officers aim to have all sites where ice cream vendors are in place using electric points by August 2023, halfway through the 3 year contact. Doing this allows the District Council the opportunity to work with the successful vendor on achieving these timescales.

- 2.8 Officers have already had preliminary discussions with ice cream vendors regarding upgrading their vehicles to be more environmentally friendly and initial discussions were mostly positive.
- 2.9 The project team will aim to engage with all relevant partners on the project including the ice cream vendors and Town or Parish Councils and will work closely with the District Council's Climate Change working group.
- 2.10 Officers have looked into options for Ice Cream vans to be upgraded to electric vehicles. There are two known companies who currently carry out this work specifically for ice cream vans. This work can be done on all ice cream vehicles built since 2006 at a cost of up to £6,500. Officers expect that this cost may affect the initial value of the 3 year contract as tender returns take this additional cost into account.

### **3 CONSULTATION**

- 3.1 The relevant Ward Members and Town/ Parish Councils will be included in the project.

### **4 OTHER EXPRESSIONS OF INTEREST**

- 4.1 None received

### **5 RISK ASSESSMENT**

- 5.1 Legal

The installation of the charging points are in line with the Council's aim to reduce carbon emissions and therefore the legal risk is low. Event license agreement for ice cream vans will need to be reviewed in order to cover the requirement to use the charging points and the cost of the electricity.

- 5.2 Financial

There is no current revenue budget for the additional cost of installing electric points. The estimated costs (£35,000 over two financial years) will be included in the draft budget for 2021/22 and in the Medium Term Financial Plan (2022/23 costs), which are due to be considered at the Council meeting on 4 March 2021.

The reduction in income in 2020/21 and 2021/22 will be reflected in the revised estimates for 2020/21 and the draft budget for 2021/22. For 2022/23 onwards, the Medium Term Financial Plan will include a slightly lower level of income than was received in 2019/20, to reflect the additional costs of vehicle conversions that ice cream vendors will face.

The financial risk is assessed as 'medium'.

### **6 OTHER CONSIDERATIONS**

- 6.1 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.

## **7 CONTACT INFORMATION**

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## **8 BACKGROUND PAPERS**

8.1 None

## **9 ATTACHMENTS**

9.1 None

**BACK TO AGENDA**