



North East Derbyshire
District Council

NORTH EAST DERBYSHIRE DISTRICT COUNCIL

Statement of Community Involvement

June 2023

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1. Introduction

- 1.1 This Statement of Community Involvement (SCI) sets out how North East Derbyshire District Council will involve the public and stakeholders in plan making and in the consideration of planning applications. It sets out who, how and when we will engage with the public and stakeholders in carrying out our planning functions.
- 1.2 Our *Council Plan 2019-2023* sets out that we are committed to engaging with people and ensuring that the consultations we undertake are fair, open and accessible. This approach is taken forward through our *Communications Strategy 2020* which establishes our commitment to:
 - keeping everyone informed and up-to-date;
 - reaching all sections of the community;
 - improving customer satisfaction levels; and
 - engaging with and informing our partners.
- 1.3 This SCI aims to build upon these corporate aims and seeks to encourage the local community to engage in planning. To this end we will work positively and pro-actively to ensure that you are fully informed; involved in the planning process and have meaningful opportunities to have your say.
- 1.4 Community involvement is an important part of preparing the SCI and the Draft SCI was made available for a 6 week consultation period from 15th February to 29th March 2023. All comments received through the consultation have been taken into account and any necessary changes made to the document. This is the adopted version of the SCI and the Council will carry out consultation on the Local Plan and planning applications in line with the processes it sets out.

2. Getting Involved in Planning Policy

Development Plan & Other Documents

- 2.1 This part of the SCI deals with planning policy and work of the Planning Policy and Environment Team. It explains how we will engage with communities and how you can get involved in the preparation of planning policy documents. The figures below show the documents that make up the Development Plan for our area together with other supporting documents we produce.

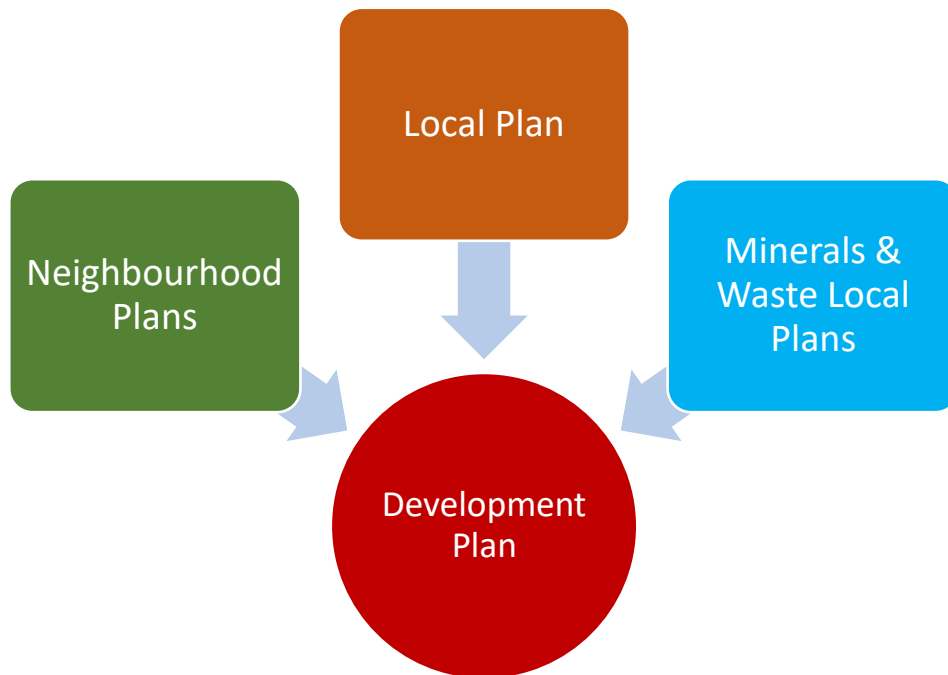


Figure 1: Components of the Development Plan



Figure 2: Other supporting documents

- 2.2 The current Development Plan includes the North East Derbyshire Local Plan 2014-2034 which sets out the strategy and policies to guide development in the area. There are a number of ‘made’ Neighbourhood Plans produced by Parish and Town Councils which form part of the Development Plan for our area as do the Minerals and Waste Local Plans produced by Derbyshire County Council.
- 2.3 The Planning Policy and Environment Team is responsible for producing the Local Plan and for providing advice and assistance to Parish and Town Councils’ in preparing their Neighbourhood Plans. Development Plan Documents are the starting point for making decisions on planning applications – see Part 3 of this SCI.
- 2.4 Supplementary Planning Documents (SPDs) can also be produced to provide further detail on the implementation of the policies set out in a Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues such as design. Once adopted SPDs are a relevant material consideration when making decisions on planning applications.
- 2.5 We produce other documents including this Statement of Community Involvement (SCI), the Local Development Scheme (LDS), which is essentially a project plan setting out a timeline for preparing the new Local Plan, and the Authority Monitoring Report (AMR) which monitors our progress on plan preparation and the implementation of plan policies.
- 2.6 Government regulations require us to review the Local Plan at least once every five years from its adoption date. This means that we will need to have carried out a review of the current Local Plan to see whether some or all of its policies require updating by November 2026. Following this review we will set out a timeline for an update to the Local Plan, (if required) in the Local Development Scheme and publish this on the Council’s website so you can see when we anticipate you can get involved in the process of preparing the new Local Plan.

Who we consult

- 2.7 We want to give everyone the chance to have their say on the Local Plan and other planning policy documents that we produce. We are committed to encouraging community involvement with a wide range of groups, organisations, and individuals in our plan making.
- 2.8 Government Regulations require us to consult with Specific Consultation Bodies, General Consultation Bodies and residents and businesses during the Local Plan process. Specific Consultation Bodies (sometimes known as statutory consultees) include public organisations such as the Environment Agency, Historic England and Natural England, neighbouring Planning Authorities and Derbyshire County Council. A full list of Specific Consultation Bodies is provided in Appendix A.

2.9 General Consultation Bodies are defined in the Regulations as follows:

- voluntary bodies whose activities (some or all) benefit any part of the local planning authority area;
- bodies representing the interests of different racial, ethnic or national groups in the local planning authority area;
- bodies which represent the interests of different religious groups in the local planning authority area;
- bodies representing the interests of disabled people in the local planning authority area; and,
- bodies representing the interests of people carrying on business in the local planning authority area.

2.10 A full list of General Consultation Bodies is maintained as part of the Local Plan preparation process and included in the Consultation Statements which are published on the Council's website at each public consultation stage.

2.11 In addition to these organisations, we strongly encourage all residents, businesses and other interested parties to sign up to our Planning Policy Consultation Platform to keep informed about consultations and progress on planning policy documents. You can sign up in the following ways:

- By accessing the [consultation platform](#)¹
- By emailing: local.plan@ne-derbyshire.gov.uk; or
- by writing to us at:
Planning Policy,
North East Derbyshire District Council,
2013 Mill Lane,
Wingerworth,
Chesterfield,
Derbyshire,
S42 6NG.

2.12 You can also sign up to the [Council's general email update service](#)² and register your interest in receiving updates on planning information including progress on the preparation of the Local Plan and other planning policy documents.

How we engage

2.13 We will use a variety of methods to engage and consult with the public and stakeholders in preparing planning policy documents. The scope of the planning policy document and the stage of the process will influence the type of consultation we will undertake. We may communicate using the following methods:

¹ <https://bolsover.oc2.uk/>

² <https://public.govdelivery.com/accounts/UKNEDDC/subscribers/qualify>

Website – to report progress on producing planning policy documents and to ensure consultation documents are available to view.

Document deposit locations – to make paper copies of consultation documents available for inspection at the Council's main office, and at local libraries within the district.

Posters and Site Notices – to notify stakeholders of the opportunity to comment on consultation documents by displaying posters in public buildings such as libraries and leisure centres and / or by placing site notices around sites identified as potential site allocations for residential and commercial development.

Direct notification – to notify by email those bodies, organisations or individuals who have informed us of their interest in our planning policy documents; or are required to be consulted according to relevant legislation. We will only notify you by letter if you have not provided us with an email address.

Face-to-face consultation – to share information, discuss proposals and encourage engagement with interested parties through information events, public exhibitions and drop in sessions. Where appropriate, more targeted consultation methods may include bespoke meetings of representative groups, workshops or focus group sessions where a specific issue needs more in-depth discussion.

Digital Engagement – to share information, discuss proposals and encourage engagement such as through online surveys and polls, webinars, and hosting virtual exhibitions, video conferences, and other digital methods of engagement.

Media publicity – to notify stakeholders of the opportunity to comment on planning policy documents using press releases and the Council's social media accounts such as Twitter and Facebook, and newsletters such as 'The News' where timely to do so. We will only use social media to share information and will not enter into dialogue on these platforms; or take account of any comments received on social media or non-word based actions such as post likes, shares or retweets.

2.14 At any stage of the process, we will always comply with the minimum legal requirements when publicising public consultation on the Local Plan and Supplementary Planning Documents. In addition, we will consider using any combination of the consultation methods as described above to encourage community involvement in the creation of planning policy.

2.15 We will always try and communicate in plain English and fully explain any technical language or acronyms. Documents may also be produced in different languages or formats (such as large print or Braille) if requested.

2.16 In case of a national emergency, such as a pandemic where social distancing or other public safety measures have been put in place, it may be necessary to carry out consultation in different ways. If so, we will carefully consider whether it is safe, feasible and appropriate to carry out consultation in a way that does not prejudice the ability of people to be engaged in terms of fairness and equality. Where appropriate to continue with consultation we will take the following approach:

Website - the primary method for consultation will continue to be focussed on the Council's website.

Access to Documents - hard copies of key consultation documents and material will be made available and posted out where possible (free of charge) on request to those individuals that are unable to view the consultation documents online and are unable to view hard copies at local deposit venues, either due to the closure of those venues, or due to social distancing/shielding restrictions.

Making Representations - should anyone be unable to submit a response online or by email and be unable to leave their home to post a response, the Council will consider bespoke measures on a case by case basis to enable people to respond, including arranging for the collection of the response.

Consultation Timescales - consideration will be given to extending the time period for accessing documents and responding, with arrangements kept under review throughout the consultation period.

Information - The facilities related to 'access to documents' and 'making representations' will be communicated in consultation material and on the Council's website.

When we will engage

2.17 [Government regulations](#)³ set out the various stages for preparing a Local Plan and Supplementary Planning Documents and when and for how long we must formally publish the documents for comment. These requirements will be met. We will engage with the community at the early stages of preparing planning documents when there is greatest opportunity to influence the direction of strategies and policies.

Local Plan

2.18 The production of a local plan is an iterative process developed through two statutory stages in consultation with the public and key stakeholders. These are formally known as Plan Preparation (regulation 18), and Plan Publication (regulation 19).

³ The Town and Country Planning (Local Planning) (England) Regulations 2012
<https://www.legislation.gov.uk/uksi/2012/767/contents/made>

2.19 There is also an Examination of the Local Plan that is led by an Independent Inspector (regulation 24) where people can attend and may be invited to participate in hearing sessions if they have made comments during the Plan Publication stage.

2.20 The stages in preparing the Local Plan and the opportunities for community involvement are set out in Appendix B.

Supplementary Planning Documents

2.21 Supplementary Planning Documents (SPDs) provide further detailed guidance on the implementation of policies in the Local Plan. They do not form part of the Development Plan and are not subject to independent Examination. The consultation process involved with the preparation of an SPD is less stringent than preparing a Local Plan, and the level and scope of consultation can vary according to the nature of the SPD being produced.

2.22 The stages in preparing an SPD and the opportunities for community involvement are set out in Appendix C.

How you can make comments

2.23 We would prefer to receive your comments electronically through our web based Planning Policy Consultation Platform as this is the easiest and quickest way for us to record and respond to any comments you make. More information on how to register and use the on-line platform can be found on our [Planning Policy's "Get Involved" webpage](#).⁴

2.24 In order to guide feedback we may issue questionnaires or publish Representation Forms that can be filled out on-line or in paper format. We will also accept comments by email or letter, but if you do write to us in this way we may need to contact you to clarify which part of the planning policy document your comment relates to, or identify the relevant part ourselves, if this is in any way unclear.

2.25 We would prefer that you also provide a short summary, so that we can ensure that we identify the most relevant elements of your comments and we do not misunderstand your main points. Where no summary has been provided, we will summarise the comments.

2.26 We will always set out the ways you can respond, and the timescales for submitting comments in the consultation material we publish alongside the policy document. Comments must always be made in writing. If you need support submitting any comments please get in touch with a member of the Planning Policy and Environment Team.

⁴ <https://www.ne-derbyshire.gov.uk/planning-and-local-plan/planning-policy-and-local-plan/get-involved>

What will happen to your comments

- 2.27 We will acknowledge receipt of your comments as soon as possible. This will confirm the part(s) of the planning policy document your comments have been assigned to, and the summary of the comments. You will have the opportunity to amend this, within appropriate timescales, should you wish.
- 2.28 We will record all written comments made on planning policy documents and take them into account in the further preparation of the relevant planning policy document. Typically, we receive a large volume of comments and it is not possible to respond to each one individually. We will therefore group comments together and respond to the main issues raised.
- 2.29 We will publish all comments received along with our responses through the on-line consultation system and Consultation Statements where appropriate. Copies of all comments received will be made available for the public to view and cannot be treated as confidential. Personal data will however be processed and held in accordance with the General Protection Regulation (GDPR) 2018 and Data Protection Act 2018. The Council assumes that by making comments to planning policy documents, you opt-in to receiving further updates from the Council about future planning policy documents. If you no longer wish to receive updates, you can opt-out of receiving these by contacting the Council's Planning Policy and Environment Team. The Council will keep Local Plan comments and personal data on record in line with the retention schedule. Please view the [Council's Planning Privacy Statement](#) for further information⁵.

Neighbourhood Planning

- 2.30 Neighbourhood planning was introduced by the Localism Act 2011. It allows local communities to plan for their local area by preparing their own Neighbourhood Plans. Through the preparation of a neighbourhood plan communities can have a direct role in developing a collective local vision and local planning policies for their area including identifying where new homes and other new development should be built. Those communities will ultimately be asked to vote on the final draft of the Neighbourhood Plan in a referendum.
- 2.31 Although Neighbourhood Plans form part of the Development Plan once 'made' (i.e. agreed through referendum), the plans are not produced or written by us. They are produced by Parish or Town Councils or by designated neighbourhood forums and cover a specific area usually a Parish.
- 2.32 The Council's role is mainly to provide advice and support to Parish or Town Councils developing a Neighbourhood Plan. At the start of the process we play an administrative role in designating the area to be covered by the plan, we then review and comment on draft plans in our role as statutory consultee, and at the submission stage have responsibility for appointing an independent Examiner and undertaking the Referendum, before the Plan can be 'Made'.

⁵ <https://www.ne-derbyshire.gov.uk/about-the-council/data-protection-and-foi/privacy-statements>

2.33 We encourage groups considering making a Neighbourhood Plan to get in touch with the Planning Policy and Environment Team at the outset of the process to help ensure smooth running of the project. There are materials available for those interested in preparing a Neighbourhood Plan, including the government's National Planning Practice Guidance, which we recommend as a useful starting point:

<https://locality.org.uk/neighbourhood-planning>

<https://www.gov.uk/guidance/neighbourhood-planning--2>

<https://historicengland.org.uk/advice/planning/improve-your-neighbourhood/>

2.34 The key stages of the process in preparing a Neighbourhood Plan and when you can get involved are set out in Appendix D.

3.0 Getting Involved in Planning and Other Applications

Planning Applications

- 3.1 The Development Management team is responsible for assessing all planning and associated applications, advising the Planning Committee on applications, determining planning applications under delegated powers, defending planning appeals, providing advice on development proposals and dealing with unauthorised development in the district.
- 3.2 All decisions taken on planning applications must be made in accordance with the Development Plan (See Section 2 Getting Involved in Planning Policy), unless material considerations indicate otherwise. The term 'material consideration' is explained in Appendix E.

Getting involved in planning applications

- 3.3 The minimum publicity procedures to be followed on planning applications are laid down in [Government regulations](#)⁶. The Council will meet these requirements and may also publicise wider when appropriate to maximise opportunities for community involvement.
- 3.4 For all planning applications and applications for Listed Building consent and any application to undertake works to trees covered by Tree Preservation Orders the following protocol will be followed;
 - Letters will be sent to neighbouring properties. This is defined as all properties (other than vacant, open or agricultural land) whose boundary adjoins the application site. However, if the dwelling to an adjoining property is over 90 metres from the site boundary that property will not be notified;
 - or
 - At least one site notice will be placed in a location easy to view by the public and close to the application site.
- 3.5 As required by Regulations, the following applications will also be advertised in a local newspaper:
 - Those located within a Conservation Area
 - Those to or affecting the setting of a Listed Building
 - Those comprised of Major Development
 - Those accompanied by an Environmental Impact Assessment
 - Those constituting a Departure from the Development Plan
 - Those affecting a Public Right of Way

⁶ Section 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 <https://www.legislation.gov.uk/uksi/2015/595/article/15/made>

Other applications

- 3.6 Other applications include the following submissions:
- to discharge planning conditions,
 - for a non-material amendment to a planning application,
 - to display advertisements
 - for a Certificate of Lawful Use or Development,
 - giving notice of works to trees within Conservation Areas,
 - for prior approval for all/any works permitted by The Town and Country Planning (General Permitted Development) Order 2015 ("the Order").
- 3.7 No publicity will be undertaken for a submission made to discharge planning conditions, or for a non-material amendment. In the remaining cases publicity will be carried out as per the requirements of the Order or any other relevant regulations.

General information on consultations

- 3.8 Planning applications, supporting documents, plans and drawings, can be viewed [online](#)⁷. If you are unable to view the application online please contact the Planning Support Team on 01246 217159 or 01246 217172 or by email at developmentcontrol@ne-derbyshire.gov.uk and we will be able to provide assistance.
- 3.9 Planning Officers are available at the District Council Offices to give advice on current and proposed applications. However, you will need to make an appointment if you wish to speak to a particular Officer.
- 3.10 Comments on planning applications should be made in writing within 21 days from the date of our notification letter to you, or within 21 days from the date of a press or site notice.
- 3.11 Comments submitted after the 21 day publicity period will not be accepted if a decision has already been made on the planning application.
- 3.12 You will not receive an acknowledgement that your comments have been received and there might not be any further consultation. All comments made on an application can be viewed online. Additionally, consultee responses and amended drawings can be viewed online. If you want to monitor an application's progress and amendments that might be made this can also be done online. You are entitled to make further comments on an application, provide additional information and amendments even without direct contact from us on them.

⁷ <https://planapps-online.ne-derbyshire.gov.uk/online-applications/>

- 3.13 Where new information is received a decision on any application will only be taken after at least 5 working days of its publication to allow further comments to be submitted. For instructions on how to monitor an application's progress online and receive direct notification of any status updates to it, please see our [Public Access Guide](#)⁸.
- 3.14 Comments made on a determined application will not be carried forward if a new application for the site is made. A new consultation will be carried out and new representations will need to be submitted.
- 3.15 You can make comments;
- Online at: <https://planapps-online.ne-derbyshire.gov.uk/online-applications/>
 - By email: developmentcontrol@ne-derbyshire.gov.uk (Please quote the application number); or
 - By post to:
Development Management,
North East Derbyshire District Council,
2013 Mill Lane,
Wingerworth,
Chesterfield,
Derbyshire,
S42 6NG.

Applicant initiated consultations

- 3.16 Dependent upon the scale, nature and potential impact of the development proposal, prospective applicants may carry out their own public consultation. Some planning applications will need to be accompanied by their own Statement of Community Involvement.
- 3.17 These applicant consultations should be carried out at an early stage in the process, to enable community views to be considered and if appropriate, incorporated into the submitted planning application. The form of consultation should be tailored to suit the particular circumstances of the site, proposal and locality. The Council can provide advice on what would be appropriate. This may include a public meeting, exhibition, or other forms of community involvement.
- 3.18 The consultation statement submitted with an application should include:
- the houses, businesses and local community groups consulted;
 - the methods and timing of consultation;
 - the feedback, and
 - information on how the views were addressed in the development proposal.

⁸ <https://www.ne-derbyshire.gov.uk/documents/public-access-guide-pdf-1-83mb/download>

Decision Making and Planning Committee

- 3.19 In line with the [Council's Constitution](#)⁹, most planning applications are determined under delegated powers by Officers. The Council's Planning Committee makes decisions on the other applications.
- 3.20 For planning applications determined by the Planning Committee, the Council allows public speaking at the meeting. These procedures can be found in our [online guide](#)¹⁰. [Planning Committee Agendas](#)¹¹ are published on our website five working days prior to Committee Meetings. Any late information is published the day before Committee.

Notification once decisions are taken

- 3.21 Decision notices shall be posted on the website when the decision is made. All interested parties can read, print or download the decision notices should they require them. Formal letters or emails will not be sent in addition to this to notify people of the decision.
- 3.22 The Council also compiles a [weekly and monthly list](#)¹² of the planning decisions taken by Officers under delegated powers. These are available to view on the Council's website.
- 3.23 The weekly list can also be emailed out weekly on request. If you do not have access to the internet please contact the Planning Support Team on 01246 217159 or 01246 217172 and we will be able to provide further assistance.

Planning Appeals

- 3.24 Planning appeals are determined by the Planning Inspectorate and not by the Council.
- 3.25 Letters notifying interested parties of appeals against planning decisions will be sent to those who were notified of the original application and others who submitted comments on the application. This will provide the opportunity to make representations directly to the Planning Inspectorate. These representations should not be made to the Council.
- 3.26 Exceptions to this are appeals submitted against decisions on householder applications. In these cases there is no opportunity to make further representations. Representations relating to the original planning application will be forwarded to the Planning Inspectorate by the Council.

⁹ <https://democracy.ne-derbyshire.gov.uk/documents/s17155/The%20Constitution%20of%20the%20Council%20Revised%20July%202021.pdf>

¹⁰ <https://democracy.ne-derbyshire.gov.uk/mgCommitteeDetails.aspx?ID=1141>

¹¹ <https://democracy.ne-derbyshire.gov.uk/ieListMeetings.aspx?Cid=1141&Year=0>

¹² <https://planapps-online.ne-derbyshire.gov.uk/online-applications/>

- 3.27 A site notice will only be posted in the case of appeals being heard at a public inquiry.
- 3.28 Please refer to the [Planning Inspectorate website](#)¹³ for further information of the appeal process.
- 3.29 Appeal decisions are reported to Planning Committee and are published on our website

Other Information

- 3.30 In addition to managing the system for determining applications, the Development Management team can provide advice to householders, businesses and others considering development projects; and the Council's Conservation Officer can provide advice in relation to development affecting a Listed Building. For other consents that may be needed before any work may start, such as Scheduled Monument Consent, Felling Licences or Wildlife Licences you will need to contact the relevant consenting body. Further information can be obtained on these from the Council's [Planning webpages](#); ¹⁴ or alternatively, you can telephone 01246 217159 or email developmentcontrol@ne-derbyshire.gov.uk for advice.
- 3.31 The team also investigates alleged breaches of planning control. Matters brought to our attention are dealt with in accordance with the Local Enforcement Plan. To report an issue to our Planning Enforcement team please use our [online form](#)¹⁵.
- 3.32 For further information including access to our Local Enforcement Plan please see our [Planning Enforcement webpages](#).¹⁶ Alternatively you can telephone 01246 217182 or email enforcement@ne-derbyshire.gov.uk for advice.

¹³ <https://www.gov.uk/government/organisations/planning-inspectorate>

¹⁴ <https://www.ne-derbyshire.gov.uk/planning-and-local-plan/planning-permission>

¹⁵ https://myselfservice.ne-derbyshire.gov.uk/service/I_Want_to_Report_a_Planning_Enforcement_Issue

¹⁶ <https://www.ne-derbyshire.gov.uk/planning-and-local-plan/planning-enforcement>

Appendix A: Specific Consultation Bodies for a Local Plan

- The Coal Authority
- The Environment Agency
- The Historic Buildings and Monument Commission for England (known as Historic England)
- The Marine Management Organisation
- Natural England
- Network Rail Infrastructure Limited
- The Highways Agency (now National Highways)
- Telecommunications Companies
- Primary Care Trust (now Integrated Care Boards)
- Electricity Companies
- Gas Companies
- Sewerage Companies
- Water Companies
- The Homes and Communities Agency
- A relevant authority any part of whose area is in or adjoins North East Derbyshire district, these include:
 - Amber Valley Borough Council
 - Bolsover District Council
 - Chesterfield Borough Council
 - Derbyshire Dales District Council
 - Peak District National Park Authority
 - Rotherham Metropolitan Borough Council;
 - Sheffield City Council
 - Derbyshire County Council
 - any Parish Council whose area is in or adjoins North East Derbyshire district
 - the local policing bodies

Appendix B – Key stages of Local Plan preparation

Key stages of preparation	What we will do	Your opportunities for involvement
Stage 1 – Public participation (Regulation 18)	<ul style="list-style-type: none"> Place details on the Council’s website on the subject matter of the Local Plan. Notify people on the local plan consultation database to inform them of the commencement of the Local Plan and invite representations on what issues / topics the local plan should address. Make copies of any consultation documents, available to view on the Council’s website, at the Council’s main office, and at local libraries in the district. Collate information from individuals / groups / organisations on the subject of the Local Plan. This will involve using the most appropriate methods of community involvement as set out in this SCI, proportionate to the geographic area and topic of the Local Plan as appropriate. This Regulation 18 stage may involve a number of consultation exercises on issues and options, more detailed options for the content of the plan, or on a full draft plan including policy wording as appropriate. Record all representations made in response to consultations we hold and publish summaries of the main issues raised and our responses on the Council’s website. 	<ul style="list-style-type: none"> Register your contact details to be placed on the Council’s consultation database to be kept informed of the preparation of the Local Plan. Attend any events we may hold on the Local Plan as appropriate. Give us your comments on the consultation documents we prepare on the Local Plan including what you think the document should contain. View our responses to the main issues raised in representations to the consultations we undertake on the Local Plan.
Stage 2 – Preparation of the Local Plan	<ul style="list-style-type: none"> Using the information and views gathered in Stage 1 above, we will prepare the ‘Publication Draft Local Plan’ including a submission Policies Map if a new one is needed, a Sustainability Appraisal, and a statement setting out full details of the consultation undertaken so far, and our response to the main issues raised to date. 	This is not a consultation stage.
Stage 3 – Publication of the Local Plan (Regulation 19)	<ul style="list-style-type: none"> Publish the Local Plan, in what we expect to be the final version, together with any associated documents, including the Sustainability Appraisal, Policies Map, and details of consultation undertaken so far and our response to the main issues raised to date. Email or send a letter to people on the Local Plan database and let them know about the public consultation on the plan. Hold a formal public consultation on the Publication Draft Local Plan of not less than 6 weeks. Issue a press release setting out details of when and where the draft plan and associated documents can be viewed. 	<ul style="list-style-type: none"> You may get in touch with us to discuss any issues before making your formal response to the plan. Make a representation on the plan using the online consultation system, a Representation Form, or by email or letter. You should be specific as to why you consider the Plan to be unsound, what change(s) you are seeking and why it would make the document sound.

Key stages of preparation	What we will do	Your opportunities for involvement
	<ul style="list-style-type: none"> • Make copies of the plan and associated documents available to view on the Council's website; at the Council's main office; and at local libraries in the district. • Issue a Representation Form that people can use to make representations on the plan. 	<ul style="list-style-type: none"> • Let us know if you would like to be notified: <ol style="list-style-type: none"> i. When the plan is submitted for examination; ii. When the recommendations of the Inspector are published; iii. When the plan is adopted by the Council.
Stage 4 – Consideration of the main issues raised in representations at the Publication Stage	<ul style="list-style-type: none"> • We will consider all of the representations made by everyone who responded to the consultation and prepare a response to the main issues raised in the representations, and set this out in a Statement of Consultation. • If we consider there is a need to make changes to the plan we may prepare an addendum to the plan containing the proposed changes and consult on these before we submit the plan to the Secretary of State. If so, we will consult on these proposed changes in the same way as at stage 3. • Alternatively, we may submit to the examination a list of proposed changes to the published draft plan that have not been subject of consultation. The Inspector will not treat these proposed changes as part of the plan to be examined, but may consider it appropriate for some or all of the proposed changes to be discussed at the Hearing sessions – see stage 6. 	<p>This is not a consultation stage.</p>
Stage 5 – Submission of the Local plan to the Secretary of State (Regulation 22)	<ul style="list-style-type: none"> • Submit the plan, together with the Sustainability Appraisal and Policies Map, to the Secretary of State. • Also submit a statement of: who has been consulted; how they were consulted; the main issues raised; and how representations made have been taken into account; and how the requirements of this Statement of Community Involvement have been met. • Make copies of the submission documents available on the Council's website; at the Council's office; and at local libraries in the district. • Send a letter or email to the people on the Local Plan database and let them know that the documents have been submitted, and where they can access copies of them. • Inform people who asked to be notified of the submission of the plan to the Secretary of State that the plan has been submitted. 	<ul style="list-style-type: none"> • View the submitted plan and associated documents.
Stage 6 – Independent Examination and Public Hearing (Regulation 24)	<ul style="list-style-type: none"> • Publish on the Council's website, and make available at the Council's office and at local libraries in the district, details of the date, time and place of the Hearing, together with the name of the Inspector. 	<ul style="list-style-type: none"> • If you made written comments about the plan at stage 3, you can upon invitation from the Inspector appear at the Hearing to speak in support or against the policies of the plan.

Key stages of preparation	What we will do	Your opportunities for involvement
	<ul style="list-style-type: none"> • Notify anyone who made representations under stage 3 and has not withdrawn them of details of the examination. • We may ask the Inspector to recommend main modifications to the plan where necessary to make the plan sound and legally compliant. We will publicise, notify and consult on any proposed main modifications and associated documents in the same way as at stage 3 – Publication of the Local Plan. 	<p>Selected participants will receive a programme for the hearing sessions including matters, issues and questions from the Inspector.</p> <ul style="list-style-type: none"> • If you aren't participating in the Hearings you can still attend and observe the sessions as they are open to the public. You will also be able to view the Hearing sessions online through the Council's Youtube channel. • If, following the Hearings, we publish any proposed main modifications you can make a representation on these using the online consultation system, a representation form, or by email or letter. You should note that comments can only be made on the proposed modification, not about any part of the Plan that is not proposed to be changed.
Stage 7 - Publication of the Inspector's Report (Regulation 25)	<ul style="list-style-type: none"> • Publish the Inspector's report on the Council's website and make copies available at the Council's main office and at local libraries in the district. • Notify anyone who asked to be notified of the publication of the Inspector's report. 	<ul style="list-style-type: none"> • View the Inspector's report.
Stage 8 – Adoption (Regulation 26)	<ul style="list-style-type: none"> • Following adoption, we will make available on the Council's website, and Council's main office and at local libraries in the district, the Local Plan, adoption statement, Sustainability Appraisal Report and details of where the Local Plan is available for inspection and the places and times at which the documents can be inspected. • Send a copy of the adoption statement to any person who has asked to be notified • Send a copy of the adoption statement to the Secretary of State. 	<ul style="list-style-type: none"> • View the adopted plan and associated documents.
Stage 9 – Monitor the Local Plan	<ul style="list-style-type: none"> • Monitor the performance of the plan's policies to see if they are successful in guiding development. • Publish our results of monitoring through an annual authority monitoring report and make this available on the Council's website. 	<ul style="list-style-type: none"> • View the authority monitoring report on our website to see what the plan is achieving for your community, and how the plan is performing.

Appendix C – Key stages of Supplementary Planning Document preparation

Key stages of preparation	What we will do	Your opportunities for involvement
Stage 1 - Early community involvement and evidence gathering (Regulation 12)	<ul style="list-style-type: none"> Place details on the Council's website on the subject matter of the SPD. Gather information, including recent studies to create up to date evidence on the topic and publish these on the Council's website. Collate information from people / groups / organisations on the subject of the SPD. This will involve using the most appropriate methods of community involvement as set out in this SCI proportionate to the geographic area and topic of the SPD as appropriate. Consider whether a Strategic Environmental Assessment (SEA) of the SPD is required and record the outcome of this process. 	<ul style="list-style-type: none"> Register your contact details to be placed on the Council's Planning Policy Consultation Platform to be kept informed of the preparation of the SPD. Attend any consultation events we may hold on the SPD as appropriate. Give us your comments on the topic of the SPD and what you think the document should contain.
Stage 2 – Preparation of a draft SPD	<ul style="list-style-type: none"> Using the information and views gathered in Stage 1 above, we will prepare a draft SPD and a statement of consultation setting out who we have consulted and the main issues raised and how these have been addressed in the SPD. 	This is not a consultation stage.
Stage 3 - Consultation on draft SPD (Regulations 12 & 13)	<ul style="list-style-type: none"> Undertake a formal public consultation on a draft SPD for at least 4 weeks. Make the draft SPD and associated documents including the Statement of Consultation available to view on the Council's website, at the main Council office, and at local libraries within the district. Notify people / groups / organisations who have registered an interest in the topic(s) of the SPD. 	<ul style="list-style-type: none"> Register your contact details to be placed on the Planning Policy Consultation Platform to be kept informed of the preparation of the SPD. Attend any consultation events we may hold on the SPD as appropriate. Give us your comments on the draft SPD.
Stage 4 – Consideration of the points made in representations	<ul style="list-style-type: none"> Consider all the points made in representations and make any necessary amendments to the draft SPD. If there are significant changes we may go back to Stage 3 and re-consult on a revised draft SPD. 	This is not a consultation stage.
Stage 5 – Adoption of SPD (Regulation 14)	<ul style="list-style-type: none"> Adopt the final SPD Make the adopted SPD together with an adoption statement available on the Council's website, at the main council office, and at local libraries within the district. Notify anyone who asked to be notified of the adoption of the SPD. 	This is not a consultation stage.

Appendix D – Key stages of Neighbourhood Plan preparation

Neighbourhood Area Application (Regulation 6)

An area application is made by the qualifying body i.e. town or parish council to us. It is to apply for designation of the boundary of the proposed neighbourhood area to which the Neighbourhood Plan relates.

This stage includes public consultation for at least four weeks (unless the application relates to more than one parish / town area, then the period for representations must be at least six weeks). Any comments you wish to make on the area application must be made to us within the prescribed consultation period.

Pre-submission Consultation (Regulation 14)

This stage consists of a public consultation for a minimum of six weeks on the draft neighbourhood plan. This consultation is run by the qualifying body i.e. the Parish or Town Council. Any comments on the draft neighbourhood plan should be sent to the Parish or Town Council. They may amend the plan in the light of comments received during the consultation before submission to us.

Publication of Neighbourhood Plan (Regulation 16)

This stage consists of a public consultation for a minimum of six weeks on the neighbourhood plan. Any comments on the neighbourhood plan should be sent to us within the prescribed consultation period. The neighbourhood plan and any associated documents including the representations made during this consultation will then be sent to an independent examiner.

Examination of the Neighbourhood Plan

The plan is examined by an independent examiner. During the examination process the examiner will review the comments submitted during the Regulation 16 consultation. The examination process will be determined by the Inspector and may include hearing sessions if necessary. You can only participate in these if you made comments at the Regulation 16 consultation stage and you are invited to do so by the Inspector.

Referendum on the Neighbourhood Plan

Subject to consideration of the findings of the Examiner's Report on the neighbourhood plan a local referendum will be held where eligible voters can decide whether they wish to support the neighbourhood plan. More than half of the voters must vote 'yes' for the plan to be 'made' i.e. adopted by the Council.

Appendix E - What is a Material Consideration?

When a decision is made on a planning application, only certain issues can be taken into account; these are often referred to as 'material considerations'.

Material considerations can include (but are not limited to):

- Local, strategic and national planning policies, most notably the policies of the Development Plan
- Emerging new plans and policies
- Previous appeal decisions
- Principles of Case Law established through the Courts
- Amenity issues
- Highway issues: traffic generation, vehicular access, highway safety
- Noise or disturbance resulting from a use
- Smells and fumes
- Capacity of utilities infrastructure, e.g. drainage or water systems
- Impacts on social infrastructure, e.g. schools and health facilities
- Storage and handling of hazardous materials
- Impacts from contaminated land
- Impact on nature conservation interests & biodiversity
- Effect on listed buildings and conservation areas
- Design, layout and appearance.
- Landscaping and means of enclosure

The weight attached to material considerations in reaching a decision is a matter of judgement for the decision-taker. However, the decision-taker is required to demonstrate that in reaching that decision that they have considered all relevant matters.

Greater weight is attached to issues supported by evidence. If a problem can be dealt with by a condition in a planning permission the Local Planning Authority is required do this instead of refusing an application.

What is not a Material Consideration?

The following issues cannot be given weight in making decisions on planning applications. (This list is not exhaustive.)

- Matters controlled under Building Regulations or other regulatory systems.
- Private issues between neighbours, such as land/boundary disputes, damage to property, covenant, private rights of access, etc.

- Opposition to the principle of development when this has already been determined by an outline planning permission.
- Applicant's personal circumstances (unless exceptionally and clearly relevant e.g. provision of a facility essential for the support of someone with special needs)
- Opposition to business competition
- Loss of property value
- Loss of view



Equalities and Access for All Statement

North East Derbyshire District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society.

You can request this document or information in another format such as large print or **language** or contact us by:

- **Phone** - [01246 231111](tel:01246231111)
- **Email** - connectne@ne-derbyshire.gov.uk
- **Text** - [07800 00 24 25](tel:07800002425)
- **BSL Video Call** – a three way video call with us and a BSL interpreter. It is free to call North East Derbyshire District Council with Sign Solutions, you just need wifi or mobile data to make the video call, or call into the offices at Wingerworth.
- Call with [Relay UK](#) – it is a free phone service provided by BT for anyone who has difficulty hearing or speaking. It's a way to have a real time conversation with us by text.
- **Visiting** our [offices](#) at Wingerworth – 2013 Mill lane, [S42 6NG](#)