

South Derbyshire District Council
Draft Statement of Community
Involvement
May 2018

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1. What is the Statement of Community Involvement?

- 1.1 The main purpose of the Statement of Community Involvement (SCI) is to set out how the community, businesses and other organisations with an interest in the development of the District can engage with the planning system.
- 1.2 South Derbyshire District Council is the Local Planning Authority (LPA) for the South Derbyshire area, and as such is responsible for producing planning policy documents and determining planning applications. This document sets out the procedures and methods that will be used to consult when preparing new local plan related documents, Supplementary Planning Documents (SPDs) and when processing planning applications. How the Council will support the production of neighbourhood development plans is set out under Section 2 below.
- 1.3 This document will replace the SCI that was adopted by the Council in March 2006. There have been several changes to the Planning legislation since that time, and experience of producing a local plan under this new legislation, as well as the rise of the internet's role in community consultation and publicity, have informed the revised version of the SCI.
- 1.4 The SCI no longer has the same production procedure under national planning regulations as was originally the case. The Council is therefore able to adopt its own SCI without it being submitted to the Secretary of State for independent examination.
- 1.5 The requirement for the Council to produce an SCI is contained in Section 18 of the Planning and Compulsory Purchase Act 2004.

South Derbyshire Local Plan: Current Context

- 1.6 At the time of the adoption of the 2006 SCI the approach to the production of local planning documents was the Local Development Framework system. This was to consist of a Local Development Scheme, a Statement of Community Involvement, an Annual Monitoring Report and a portfolio of Development Plan Documents (DPDs) (including a Core Strategy) and Supplementary Planning Documents (SPDs) which would provide local planning policies and advice against which planning proposals would be considered.
- 1.7 The National Planning Policy Framework (NPPF) subsequently indicated that LPAs should produce a Local Plan for their areas which could be reviewed in whole or in part to allow for a flexible response to changing circumstances. Revised Local Plan Regulations reflected this change, such as The Town and Country Planning (Local Planning) (England) Regulations 2012 which made new provisions and amendments to take account of the changes made by the Localism Act 2011 and The Neighbourhood Planning (General) (Amendment) Regulations 2015 which made further provision in relation to the designation of neighbourhood areas and the submission of neighbourhood development plan proposals to local planning authorities.

- 1.8 The South Derbyshire Local Plan Part 1 was adopted in June 2016. The Plan sets out a plan for growth for the District to 2028 including strategic housing and employment allocations and environmental and infrastructure policies. The Local Plan Part 2 was adopted in November 2017; this Plan includes non-strategic housing allocations, development management policies and redefined settlement boundaries.
- 1.9 Two Supplementary Planning Documents (SPDs) have been adopted following the adoption of the Local Plans Part 1 and 2. These are the South Derbyshire Design Guide SPD and the Affordable Housing SPD.

The Local Development Scheme

- 1.10 The LPA is required to produce and regularly update a Local Development Scheme (LDS) setting out how the Council will progress the local plan and its associated documents over a 3 year period. A Local Development Scheme is required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).
- 1.11 The LDS assists those interested in the development of the area by informing them of the anticipated timescale for the production of each document. The LDS sets out the programme for the management of the Local Plan. It is a public statement identifying the timetable for the production of Local Plan documents and is reviewed annually. It is the starting point for the community and stakeholders to find out more about which future planning policies will apply to a particular place or issue and their status.
- 1.12 It is not intended to go into the details of the current LDS for South Derbyshire in this document as the LDS will change over time following annual updates. The current Local Development Scheme is available to view on the Council's website via www.south-derbys.gov.uk

Duty to Co-operate

- 1.13 Section 110 of the Localism Act 2011 sets out a 'Duty to Co-operate' for LPAs, County Councils and other bodies with statutory functions, to co-operate with each other. Co-operation includes constructive and active engagement as part of an ongoing process to maximise effective working on the preparation of local planning documents. The draft revised NPPF seeks to strengthen the requirements under the Duty to Co-operate.
- 1.14 The Council has, for a number of years, worked in partnership with other local planning authorities and partnership organisations when producing planning documents. The Derby Housing Market Area, comprising Amber Valley, Derby City and South Derbyshire Councils, has a particularly close relationship, established through the production of their respective Local Plans. It is intended that this approach will continue, both within the Derby HMA and beyond, and that the Council will meet fully its obligations under the Duty to Co-operate.
- 1.15 The list of Duty to Co-operate prescribed bodies are specified in The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

2. Documents subject to Public Consultation

Local Plans

- 2.1 Local Plan documents set out the planning strategy, policies and proposals for a Local Planning Authority area. These documents are prepared with involvement from the community, stakeholders and bodies specified by regulation. They must be examined by an Independent Inspector and found “sound” before they can be adopted by the Council.
- 2.2 The current context for local plan consultations is outlined in section 5 below.

Supplementary Planning Documents

- 2.3 Supplementary Planning Documents (SPDs) are non-statutory documents intended to expand upon the policies and proposals in Local Plan documents. SPDs can be area or issue based. Whilst SPDs are not the subject of an independent examination, they undergo public consultation at draft stage(s) and are adopted by receiving the endorsement of the elected members of the Council.

Neighbourhood Plans

- 2.4 There is now an opportunity for communities to become involved in the planning process and shape development within their own local area. [The Localism Act 2011](#) introduced new rights and powers. Using these rights and powers communities are able to produce neighbourhood development plans and under certain circumstances are able to grant Neighbourhood Development Orders or progress development under Community Right to Build Orders. The Act identifies that community participation has to be through an appropriate qualifying body – parish councils or neighbourhood forum.
- 2.5 The key theme is using local knowledge and research to develop policies and orders to support development of the built environment within local communities.
- 2.6 Through detailed consultation undertaken by local qualifying bodies communities can become involved in the production of neighbourhood development plans. These plans provide an opportunity for local communities to develop a vision and specific planning policies for their neighbourhood area. Local knowledge and understanding provides much greater detail of the neighbourhood area than that included within the [Local Plan](#).
- 2.7 Local community involvement allows neighbourhood development plans to be shaped to include policies and aspirations around:
- where new homes, shops and offices should go
 - which green spaces should be protected
 - what new development should look like
 - new infrastructure requirements.
- 2.8 Neighbourhood Development Plans (NDPs) provide the chance to be positive about the changes you would like to see happen in your area. It is important to note that these are development plans and will need to:
- have regard to national planning policy
 - be in general conformity with strategic policies within the Local Plan
 - be compatible with EU obligations and human rights requirements.

- 2.9 Guidance on Neighbourhood Plans is set out in the NPPG which is available via www.gov.uk. Further guidance for communities is available from the Planning Advisory Service via www.local.gov.uk/pas and the Planning Portal via www.planningportal.co.uk. Below is an extract from the Planning Portal's website¹:

"Neighbourhood planning can be taken forward by two types of body - town and parish councils or 'neighbourhood forums'. Neighbourhood forums are community groups that are designated to take forward neighbourhood planning in areas without parishes. It is the role of the local planning authority to agree who should be the neighbourhood forum for the neighbourhood area.

The criteria for establishing neighbourhood forums are being kept as simple as possible to encourage new and existing residents' organisations, voluntary and community groups to put themselves forward.

Neighbourhood forums and parish councils can use new neighbourhood planning powers to establish general planning policies for the development and use of land in a neighbourhood. These are described legally as '**neighbourhood development plans**.'

In an important change to the planning system communities can use neighbourhood planning to **permit** the development they want to see - in full or in outline - without the need for planning applications. These are called '**neighbourhood development orders**.'

Local councils will continue to produce development plans that will set the strategic context within which neighbourhood development plans will sit.

Neighbourhood development plans or orders do not take effect unless there is a majority of support in a referendum of the neighbourhood.

They also have to meet a number of conditions before they can be put to a community referendum and legally come into force. These conditions are to ensure plans are legally compliant and take account of wider policy considerations (e.g. national policy).

An independent qualified person then checks that a neighbourhood development plan or order appropriately meets the conditions before it can be voted on in a local referendum. This is to make sure that referendums only take place when proposals are workable and of a decent quality.

Proposed neighbourhood development plans or orders need to gain the approval of a majority of voters of the neighbourhood to come into force. If proposals pass the referendum, the local planning authority is under a legal duty to bring them into force."

¹ https://www.planningportal.co.uk/info/200130/common_projects/42/neighbourhood_planning

- 2.10 Under the Town and Country Planning Act 1990 (as amended) the Council has a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6, Chapter 3) sets out the Local Planning Authority's responsibilities as:
- Designating a forum
 - Designating the area of the NDP
 - Advising or assisting communities in the preparation of a NDP
 - Checking a submitted plan meets the legal requirements
 - Arranging for the independent examination of the NDP
 - Determining whether the NDP meets the basic conditions and other legal requirements
 - Subject to the results of the referendum/s, bringing the NDP into force.
- 2.11 The basic conditions to be met by a draft NDP are set out in Schedule 4B of the Town and Country Planning Act 1990 (inserted by the Localism Act 2011) and are as follows:
- 1) Has regard to national policy and guidance from the Secretary of State
 - 2) Contributes to sustainable development
 - 3) General conformity with the strategic policy of the development plan for the area or any part of that area
 - 4) Doesn't breach or is otherwise compatible with EU obligations – this includes SEA Directive of 2001/42/EC

How you and your community can become involved in putting a neighbourhood development plan in place...

- 2.12 If you live in a parished area you will need to approach your parish council and ask them to consider producing a neighbourhood development plan as the qualifying body.
- 2.13 If you live in an area that is not parished it will be necessary to set up a neighbourhood forum. This will take time and commitment from the community.
- 2.14 While it may seem daunting there is help and funding available. Whilst the plan's development will take time and effort South Derbyshire District Council can support the process. If your parish or local community wishes to consider creating a neighbourhood development plan, the first point of contact at the District Council is the Community Partnership Officer (see below for contact details).

Sustainability Appraisal and Strategic Environmental Assessment

- 2.15 Sustainability Appraisal (SA) is a method designed to help planning authorities contribute to the aim of achieving sustainable development in preparing plans and policies. It is a mandatory requirement under the Planning and Compulsory Purchase Act 2004 for local authorities to undertake the SA of documents that comprise their Local Plan.

- 2.16 An SA report will be produced and consulted upon alongside each Local Plan document that the Council publishes. The process of SA fully incorporates the requirements of Strategic Environmental Assessment (SEA) in relation to plans and programmes, as required under the European SEA Directive (2001/42/EC) and the Environmental Assessment of Plans and Programmes Regulations 2004.

3 Who will be Involved

- 3.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 ('the Regulations')² set out the legal requirements for consultation and public participation in respect of local planning documents. It is our intention to meet, and where possible exceed, the requirements of the regulations.

Specific Consultation Bodies

- 3.2 The Regulations specify that we must consult the "specific consultation bodies" if it is considered that the body will be affected by what is proposed to be covered in a Local Plan. The specific consultation bodies are specified in the Regulations and include organisations such as the Environment Agency, Highways England and Historic England.

General Consultation Bodies

- 3.3 In addition to the Specific Consultation Bodies we will also consult with General Consultation Bodies to seek their views. The Regulations indicate General Consultation Bodies should include:
- Voluntary bodies some or all of whose activities benefit any part of South Derbyshire;
 - Bodies which represent the interests of different racial, ethnic, or national groups in South Derbyshire;
 - Bodies which represent the interests of different religious groups in South Derbyshire;
 - Bodies which represent the interests of disabled persons in South Derbyshire; and
 - Bodies which represent the interests of persons carrying on business in South Derbyshire.

Individual Members of the Community and Businesses

- 3.4 Since 2009 the District Council has compiled a Local Plan Consultation Database, actively promoting the Database as the best way to be kept informed of progress on the Local Plan. This Database is being refreshed following the natural break that the adoption of the Local Plans Part 1 and 2 has facilitated, which has timed well with the change in Data Protection Act rules. Those wishing to remain on the Database will continue to be notified of all local plan related consultations and significant events.
- 3.5 General Consultation Bodies and Specific Consultation Bodies are consulted at the same time as those on the Local Plan Consultation Database. However, certain groups and organisations may have specialist knowledge or technical expertise with regard to particular subject areas. Where it is pragmatic and possible to do so, the District Council will use its knowledge of these local groups and organisations to identify which to engage with at an earlier stage.

² www.legislation.gov.uk/uksi/2012/767/contents/made

Seldom-Heard Groups

- 3.6 It is recognised that some sectors of the community may be more difficult to engage in the participation process. Examples of these seldom-heard groups include disabled people, elderly people, young people and those who have recently moved into the District. The Council will actively seek to engage with these groups in order to ensure they can make a contribution to planning the future of South Derbyshire.
- 3.7 The Council's Local Plan Consultation Database includes the contact details of many organisations and individuals representing or in contact with, seldom-heard groups. The District Council will be proactive in taking the opportunity to invite new contacts onto the Local Plan Consultation Database.

4 Possible Methods of Community Involvement

- 4.1 There are several potential methods of community involvement. These will vary in how they reach people and in terms of resource requirements. A range of involvement methods is set out in the table below. The table is not intended to be definitive and additional methods may be used where appropriate. Alternative methods suggested by the community or stakeholders will also be considered.
- 4.2 The type of methods employed will be tailored to suit the subject area of each document or type of planning application, and the resources available to us. It is recognised that some groups in the community are in a better position to participate than others, and that to be successful community involvement should be inclusive.
- 4.3 This Statement of Community Involvement recognises the limits of the District Council's resources and it attempts to make the most effective use of the resources available; it is inevitable that more consultation can always be done when resources are not finite. Where the need arises for more focused, resource-intensive methods then the District Council will, subject to the availability of resources, seek to utilise these methods in conjunction with local groups and stakeholders. However the inclusion of these potential methods in the SCI should not be considered as an undertaking that all methods will be available on demand during the production of each document produced.
- 4.4 Potential methods of community consultation and involvement include:

Method	Detail	Requirement Level
Local Plan Consultation Database	To contact all of those on the Local Plan consultation database, either by email or letter, informing them of the consultation	Compulsory
Correspondence with Statutory Bodies	To contact the Statutory Body, usually via email, to inform them of the consultation.	Compulsory
Hard copies of documents	Documents available at the District Council Offices and libraries within the District	Compulsory
Website	All live consultation documents will be made available on the District Council's website and a direct link to the relevant webpage will be included in consultation material.	Compulsory
Press Releases/Articles	Details of local plan consultations and drop-in events may be issued in a press release or in articles for local publications.	Used where practicable

Method	Detail	Requirement Level
Local Media	The District Council's communications team will advise on relevant local media contacts, including local community websites, and where appropriate, notify of any press releases.	Used where practicable
Social Media	Facebook and Twitter may be used to publicise consultations and public drop-in events. This is particularly useful for some seldom-heard groups in the District, such as young people.	Used where practicable
Area Forums	These are quarterly community-based meetings held in six area-based locations across the District. Can be particularly useful when discussing topics which fall wholly within a local area.	Used where practicable
Drop-in events, workshops and focus groups	Usually held in various locations across the District, drop-in events allow the public to discuss consultation proposals in detail and face to face with Officers. Where necessary, particularly relevant groups, stakeholders or individuals may be invited to take part in a focus group discussion or workshop.	Arranged where beneficial
Questionnaire	It is usual for a questionnaire to accompany a consultation, available both electronically and in hard copy format.	Produced where beneficial
Leaflets	Summary leaflets are usually produced to accompany a consultation. The leaflet is available online, at locations where hard copies of the documents are available for inspection and at drop-in events. It is, however, too expensive to produce a hard copy for each household within the District.	Produced where beneficial

Method	Detail	Requirement Level
Steering Group	From time to time, specific steering groups are established, often with elected Members, to engage with and address specific issues.	Arranged where beneficial
Sustainable Development Group	A sub-group of the Local Strategic Partnership meeting quarterly, incorporating a variety of local agencies.	Used where practicable

5 When consultation takes place in the production of Local Plan documents

5.1 There are three stages of Local Plan production where the Regulations require some form of consultation:

1. Preparation of a Local Plan - Regulation 18: Requires that certain specific and general consultation bodies (see section 3 above) are invited to make representations about what a Local Plan ought to contain.

2. Publication of a Local Plan - Regulation 19: Copies of a proposed Local Plan and associated documents are made available for inspection for 6 weeks. The Council invites interested parties (in addition to the specific and general consultation bodies) to make formal representations at this stage. This stage of consultation involves communities, businesses, Parish Councils, developers and other interested parties. This is effectively the final stage when formal representations can be made to the Council.

3. Submission of a Local Plan to the Secretary of State - Regulation 22: The proposed Local Plan and associated documents are submitted to the Secretary of State for examination. An Independent Inspector is subsequently appointed to examine the soundness of the plan. The Council provides the Independent Inspector with the formal representations made at the previous stages. At this stage, the Council cannot consider new formal representations, although opportunities exist for additional statements to be made to the Inspector to elaborate on representations previously made.

5.2 The regulatory stages outlined above may not always allow sufficient participation in the production of planning policy documents to fully examine the issues and potential options available. Therefore the Council would wish to retain the option of inserting an additional stage into the process after Regulation 18. This would allow for a period of public consultation to get feedback on the issues identified and likely preferred options for addressing these issues.

5.3 The following table gives an indication of the main stages in the production of a Local Plan document and outlines where involvement opportunities are available.

Main Local Plan Production Stages		
Regulatory Stage	What is involved	Who is involved
No regulation	Evidence Gathering	Selected stakeholders, groups, or organisations

Main Local Plan Production Stages		
Regulatory Stage	What is involved	Who is involved
Regulation 18	Notification of appropriate bodies and persons that a Local Plan document is being prepared and seek their views on what the document should contain.	Specific Consultation Bodies. Appropriate General Consultation Bodies. Local Plan Consultation Database
No regulation	Consultation on draft document examining issues and potential options.	Specific Consultation Bodies Appropriate General Consultation Bodies Local Plan Consultation Database
Regulation 19	Consultation on the Local Plan document that the Council intends to submit to the Secretary of State. Regulations require a minimum consultation period of 6 weeks.	Specific Consultation Bodies General Consultation Bodies Local Plan Consultation Database
Regulation 22	Submission of the proposed Local Plan document to the Secretary of State along with the Sustainability Appraisal, supporting evidence documents and copies of all representations to the Local Plan.	This is not a consultation stage. Notification of the submission of the Local Plan to the Secretary of State is given to Specific and General Consultation Bodies previously consulted in the Local Plan's production, those on the Local Plan Consultation Database and others who request to be notified.

Main Local Plan Production Stages		
Regulatory Stage	What is involved	Who is involved
Regulation 24	<p>Public examination of the Local Plan by an independently appointed Inspector. The Inspector will consider the issues raised through the representations and determine whether the plan is legally compliant and meets the tests of soundness, namely:</p> <ul style="list-style-type: none"> ▪ Positively Prepared ▪ Justified ▪ Effective ▪ Consistent with National Policy 	<p>All those who made representations</p> <p>Others who may wish to attend the examination sessions</p>
Regulation 26	Adoption of the local plan document by the Council.	All those who made representations or who requested to be notified of the adoption.

6 When consultation takes place in the production of Supplementary Planning Documents

- 6.1 Supplementary Planning Documents (SPDs) are intended to expand upon policies in local plan documents, providing further detail. They are not subject to an independent examination but are produced with community involvement and are subject to a period of formal public participation.
- 6.2 Regulations do not stipulate specific requirements on who should be involved with and informed of the production of an SPD. The opportunity will be taken for targeted consultation and engagement with relevant bodies in the production of an SPD, dependent on the subject matter. A consultation will also take place that invites representations from all general and specific consultees, as well as those on the Local Plan Consultation Database.

7 Involvement in Planning Applications

- 7.1 This Statement of Community Involvement also outlines how the community will be involved in the process of submitting and deciding individual planning applications. The definition of a planning application is set out in Appendix B.

Minimum requirements

- 7.2 We are already required to notify the local community on most planning applications submitted. We are also required to consult certain organisations if it is considered that their interests would be affected by the planning application. The specific organisations are specified in the Procedure Order³ and include organisations such as the Environment Agency, Highways England and Historic England.

Towards good practice

- 7.3 It is recognised that, in some cases, it will be beneficial and appropriate to involve more people and/or include them earlier in the process. Set out below are the additional actions we may take prior to and during the application stage. Also set out below are the actions to be taken following a decision.

Pre-application

- Actively encourage pre-application discussions with developers.
- Actively encourage developers of larger schemes to inform and involve the community in shaping their proposals.
- For smaller applications, actively encourage applicants to discuss their plans with neighbours prior to submitting their application.

Application Stage (minimum)

- Circulate details to the relevant Parish Council;
- Circulate details to the relevant Neighbourhood Planning Body;
- Circulate details to the relevant amenity groups, where it has been previously agreed those groups will be notified;
- Notify neighbours in accordance with our neighbour notification policy (Appendix A).

Application Stage (additional)

- Publish a list of applications received on the website⁴.
- Publish amendments to the application received before a decision is made.
- Accept comments after the minimum period where the decision has not yet been made under delegated powers or the planning officer's report not been published on a planning committee agenda.

³ www.legislation.gov.uk/ukxi/2015/595/contents/made

⁴ www.planning.south-derbys.gov.uk

Decision

- Place decision notices (and any associated legal agreements, Non-material Amendments and Approval of Conditions, where relevant) on the website along with the officer's report.
- Concerns about applications that may not have been implemented as approved can be raised with our enforcement team for investigation by completing the relevant form⁵.

⁵ www.south-derbys.gov.uk/our-services/planning-and-building-control/planning/report-works-or-activity

8 Managing the process

Feeding information into plan and decision making

- 8.1 The information obtained through community involvement will be collated and used to inform our decisions (as with the determination of planning applications, see section 7 above) and/or shape any documents the District Council produces.

Feeding back to those involved

- 8.2 Each local plan document will require a *Consultation Statement* to be produced alongside it. This must outline how the Statement of Community Involvement has been followed and how doing so has benefited document production. This will provide some indication of the benefits of the community's involvement. We aim to make the link between responses and the Council's decision or action clear.

Our feedback commitment

- 8.3 We aim to provide feedback on any participatory activities or consultation processes associated with local development documents within 10 weeks of their completion. Comments received by email will receive an acknowledgement email by return. The Local Plan Consultation Database will be used to keep interested parties informed of the progress on local development documents.

How will the processes be resourced?

- 8.4 It is clear that community involvement requires resources and time, particularly for activities such as the drop-in events. The Planning Authority receives funds through the Planning Services Budget from the Council and funds such as the New Homes Bonus from the Government.
- 8.5 The District Council will seek to optimise resource efficiency. This will be done 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. Local Strategic Partnership, Clinical Commissioning Groups and Planning Aid.
 - Wherever appropriate, combining and integrating involvement activities to ensure we do not over-consult people, thereby making more efficient use of time and resources.

Staff - Officers will be responsible for the delivery of the majority of the activities set out in this Statement of Community Involvement. Where needed, support will be sought from other Council departments. Furthermore we will review staff capabilities and work to fill any gaps as appropriate e.g. through training.

Consultants - Where it is felt that a process would benefit from additional support or expertise, for example in facilitating more interactive sessions, we will consider employing consultants. The decision to do so will be informed by a full review of the potential costs and benefits.

Equipment and material - We already have in place much of the equipment and material needed to undertake the activities outlined. Resources held by other Council departments can be utilised where needed.

Venues and other costs - Council facilities which are available free of charge will be utilised wherever possible. Where appropriate we will hire accessible, local venues that offer value for money. Where possible, activities will be combined with those of other Council departments to ensure that processes are efficient and costs are minimised.

Roles and responsibilities

- 8.6 There are a number of different individuals and groups who have a role to play in achieving effective community involvement in planning:
- **Role of developers** – to promote specific sites for development and, if appropriate for the development, fulfil community involvement requirements to the highest standard.
 - **Role of the community** - to raise concerns and/or state support for proposals in order to ensure that development takes place in an acceptable manner. We 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.
 - **Role of Parish Councils and other community networks** – to provide comment on individual planning applications and development proposals that have implications for their area. These organisations are also likely to be invited to represent community interests in involvement activities.
 - **Statutory consultees / specialist bodies** - provide information and comment on specialist matters.
 - **Role of officers** – to 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.
 - **Role of members** – to make formal decisions regarding planning matters in accordance with the Council's rules and procedures, having taken full account of consultation responses.

Planning Aid

- 8.7 Recognising that Council officers are not always best placed to work with community groups and that some people prefer to seek independent advice, the Council will seek to ensure that people within the District are made aware of the role of the Planning Aid Service. It provides a free and independent advice service on all planning-related matters for individuals and community groups who cannot afford consultant's fees. Further information on Planning Aid is available at www.rtpi.org.uk/planning-aid/.

Making improvements

- 8.8 To make sure the Statement of Community Involvement is effective the District Council will monitor its value both in informing and shaping local plan documents and providing people in South Derbyshire with the opportunity to be more meaningfully involved in the planning process. The Statement of Community Involvement will be modified as lessons are learnt.
- 8.9 Progress on the local plan will be reviewed annually, and the District Council will continue to produce an Annual Monitoring Report.
- 8.10 This Statement of Community Involvement will be reviewed every two years to provide an opportunity to build on the commitments made and learn from our ongoing experience. If appropriate the document will be updated to reflect changing priorities. It will also be important to review each individual involvement activity or process. We aim to evaluate community involvement activities according to:
- the usefulness of the information produced in informing the document or decision
 - the usefulness of the process of involvement, for example in raising awareness, overcoming conflict or building ownership
 - how worthwhile the participants felt the process or activity to be.

For more information...

Our website

The South Derbyshire District Council planning pages contain information on the planning policy and development management processes and documents. You can view this at www.south-derbys.gov.uk.

Government Policy and Guidance

The Government has published a National Planning Policy Framework and associated Planning Practice Guidance. These are available at www.gov.uk.

Planning Portal

The Planning Portal aims to make information and services simpler and more accessible for those involved in the process, be they applicants, agents or local authorities. See www.planningportal.co.uk.

Planning Aid

A free and independent advice service on all planning-related matters for individuals and community groups who cannot afford consultant's fees. See www.rtpi.org.uk/planning-aid/.

Contact us

Planning Policy Team

For more information about the preparation of the local plan and this Statement of Community Involvement, please contact the Planning Policy Team:

Email: planning.policy@south-derbys.gov.uk

Write to: South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH

Development Management Team (planning applications)

For more information about Development Control and decisions made on planning applications, please contact the Development Management Team at the same address as above or:

Email: planning@south-derbys.gov.uk

Neighbourhood Planning

If your parish or local community wishes to consider creating a Neighbourhood Development Plan, the first point of contact at the District Council is the Community Partnership Officer:

Email: ian.hey@south-derbys.gov.uk

Write to: South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH

Tel: 01283 228741

Appendix A - Neighbour Notification Policy

(1) The Council is committed to the appropriate publicity, and will notify neighbours of planning applications as defined in the glossary.

(2) In all cases the principal means of notifying neighbours will be by letter to neighbours whose property lies closer than 4 metres from the application site boundary and upon whom the proposal(s) can reasonably be said to impinge in a detrimental fashion. This can include (but is not limited to)⁶:

- discrepancy with the Council's adopted planning policies;
- loss of privacy, light or sunlight;
- overbearing effects;
- visual intrusion;
- loss of character of the building or street scene;
- noise disturbance or other pollution;
- traffic generation;
- adequacy of access;
- adequacy of public services;
- loss of important site features.

The above rule will be applied as follows:

Any road less than 20 metres width will be discounted as if it was not there and the neighbour opposite consulted. Where a road is greater than 20 metres wide then the neighbour on the opposite side of the road is unlikely to be consulted unless the planning officer, on visiting the site, considers it appropriate to do so based on the nature of the proposed development. The distance of 4 metres (other than where there is a road) is sufficient to identify all neighbours immediately adjoining the site. At the discretion of the officer visiting, the site neighbours further away may be consulted if it appears that they might be unduly affected. In all cases:

- Measurement on site will be approximate by visual assessment;
- Notification will not be undertaken in the case of agricultural, unoccupied, or open land;
- Notification on proposals for erection of telecommunication masts will include schools and colleges within 400 metres of the site;
- Notification will not be undertaken in the case of other non-residential premises unless the planning officer considers it appropriate to do so.

(3) In addition to (2) above, site notices will be posted in exceptional cases at the discretion of the planning officer having regard to the widespread effect of the proposal on affected residential or commercial properties beyond the 4 metre threshold in the light of the above criteria. Appropriate cases would normally include:

1. Hot food takeaways.
2. Airfield developments.

⁶ These are known as material planning considerations. More information can be viewed at www.planningportal.co.uk/faqs/faq/4/what_are_material_considerations

3. Marinas.
4. Golf courses and golf driving ranges.
5. Haulage yards and plant depots.
6. Livestock units.
7. Proposals for roads, railway and bus stations.
8. Motorway/Trunk road service stations.
9. Private hire/taxi businesses.
10. Mobile Phone Masts.

Site notices will be posted on or near the site. In the case of telecommunication masts, this will extend to each public highway within a 50 metre radius of the site.

(4) Neighbours will be given a minimum of 21 days (excluding bank holidays) within which to respond in writing, but responses received after the minimum period will be taken into account provided a decision has not been made under delegated powers or the officer's report has not been published on a planning committee agenda.

(5) Amendments to applications before a decision is made may be publicised further at the discretion of the planning officer responsible where, in their professional opinion, neighbours are likely to experience an increased or new adverse effect from the amended proposal. Normally 10 days will be allowed for further written comments.

(6) Decisions and the planning officer's report will be posted on the website.

(7) Non-material amendments to a planning permission after a decision has been made will be considered by the planning officer having regard to the significance of the amendment and its effect on those matters listed under (2) above. Notification of such applications will not be carried out as a matter of course. The amendments and any decision made will be published on the website.

Appendix B - Glossary

Adopted Local Plan	The South Derbyshire Local Plan, currently comprised of two parts. Part 1 was adopted in June 2016 and Part 2 adopted in November 2017
AMR (Annual Monitoring Report)	This charts progress of producing and implementing the policies and proposals making up the local plan (sometimes referred to as the Local Development Framework).
Approval of Conditions	Applications which seek approval of pre-commencement or pre-occupation conditions attached to a planning permission.
DP (Development Plan)	The statutory policy framework for considering planning applications, comprising strategic plans, local plan documents and neighbourhood plans
DPD (Development Plan Document)	A local policy document produced by the Council which makes up part or all of the Development Plan
Larger Schemes	Planning applications which meet the definition of a major application as set out in the Procedure Order
Local Development Framework (LDF)	A portfolio of documents and maps which set out the Council's planning policy framework
Neighbourhood Planning Body	A parish or town council or a neighbourhood forum (where there is no town or parish council) who is empowered to lead the neighbourhood planning process in a designated neighbourhood area.
Non-material Amendment	An application made under section 96A of the Town and Country Planning Act 1990 to amend an existing planning permission in a manner which, in the opinion of the Council, would not have material impacts on planning matters (as set out at paragraph 2 of Appendix A)
NPPF (National Planning Policy Framework)	The Government's policy on planning matters
Permitted Development	Development which already benefits for a general permission under the Town and Country Planning (General Permitted Development) (England) Order 2015
Planning applications	Full, outline and reserved matters applications; applications for removal or variation of conditions made under section 73 of the Town and Country Planning Act 1990; applications for Prior Approval made under Permitted Development allowances; applications for advertisement, listed building and relevant demolition consent; and notifications to carry out work to trees in Conservation Areas or protected by Tree Preservation Orders.

Policies Map	A map which identifies those areas to which specific policies apply
PPG (Planning Practice Guidance)	The Government's guidance on planning matters and the NPPF
Prior Approval	An application where the principle of development is already established through legislation and the Council is asked to consider the impact of certain matters, such as highway safety or flood risk. These are distinct from applications for Prior Notification where there is no duty for the Council to consult
Prior Notification	A notification to the Council where it is intended to use Permitted Development for certain developments
Procedure Order	The Town and Country Planning (Development Management Procedure) (England) Order 2015
Regulations	The Town and Country Planning (Local Development) (England) Regulations 2012
SA (Sustainability Appraisal)	A tool to ensure that policies in all LDDs reflect sustainable development principles
SCI (Statement of Community Involvement)	A statement which sets out how the Council will consult the community and stakeholders on the preparation of planning documents and the determination of planning applications
SEA (Strategic Environmental Assessment)	An EU requirement which applies to plans and policies where impacts will be of a strategic nature
SPD (Supplementary Planning Document)	A document which provides additional detailed guidance to support policies in Development Plan Documents
The Act	The Planning & Compulsory Purchase Act 2004