



# **The Ashfield Local Plan:**

## **Statement of Community Involvement (SCI)**

**Revised July 2013**

## Foreword

This updated Statement of Community Involvement (SCI) document replaces the earlier adopted version (October 2010). It has been prepared in accordance with the National Planning Policy Framework, the Localism Act 2011 and the Town and Country Planning (Local Planning) (England) Regulations 2012.

Local planning authorities are facing a period of change with the enactment of the Localism Act 2011 and publication of the National Planning Policy Framework 2012, both of which move away from the previous Local Development Framework folder of planning policy documents towards a single local plan structure.

The Statement of Community Involvement is a public document which sets out the Council's policy and approach to public consultation and involvement in the preparation of the Local Plan and the planning applications it determines. We are keen to ensure communities have the opportunity to be involved in the planning process and this document sets out how we will do this.

The Council has increasingly placed greater emphasis on cost effectiveness and value for money, and as a consequence the Council is likely to make greater use of electronic communication for its consultations, where appropriate.

The Statement of Community Involvement has been updated to reflect the above issues.

DRAFT

## Contents

<b>1.0</b>	Introduction	3
<b>2.0</b>	Local Development Documents	5
<b>3.0</b>	Consultation Stages	8
<b>4.0</b>	Consultation Opportunities	10
<b>5.0</b>	Methods of Involvement	13
<b>6.0</b>	Determining Planning Applications	15
<b>7.0</b>	Resources	19
<b>8.0</b>	Monitoring and Review	20
<b>9.0</b>	Contacts	21
<b>APPENDICES</b>		
	<b>Appendix 1: Glossary and Terms and Abbreviations</b>	22
	<b>Appendix 2: Statutory Consultees</b>	25
	<b>Appendix 3: Other Consultees</b>	26
	<b>Appendix 4: Methods of Community Involvement</b>	27

## 1.0 Introduction

- 1.1 The Planning and Compulsory Purchase Act 2004 introduced a system of Local Development Frameworks and Development Plan Documents. Section 18 of the Act required local planning authorities to produce a Statement of Community Involvement (SCI).
- 1.2 The first Ashfield District Council SCI was adopted in November 2006, with an update in October 2010. in line with Government regulations (2008).
- 1.3 There have been more recent changes to the legislation and regulations with the enactment of the Localism Act 2011, issue of the National Planning Policy Framework in March 2012 and the publication of the Town and Country Planning (Local Planning) (England) Regulations 2012. These changes present local planning authorities with the challenge of meeting the Government's aim for every area to have a clear local plan which sets out local people's views of how they wish their community to develop, consistent with the National Planning Policy Framework and against which planning applications for planning permissions will be judged.
- 1.4 In response to the Government's agenda, the Council has agreed to take a new approach and produce a new form of Local Plan which will capture the shift to Localism. The Local Plan has a shorter time frame for delivery with the expectation of an early review enabling neighbourhoods to develop Neighbourhood Plans if they so wish, alongside an early review of the Local Plan.
- 1.5 The Local Plan process still relies and builds on relevant information and comments received from previous Local Development Framework (LDF) consultations as well as updating the content in line with the new approach to planning. The previous public consultations took place as follows:
- Core Strategy Issues and Options Consultation (June/July 2009);
  - Spatial Growth Options consultation (October/November 2009);
  - Core Strategy Preferred Option consultation (March 2010).

These previous three consultations have helped to shape the Local Plan Preferred Approach 2012 document, which sets out how the Council considers the area should develop over the period to 2023.

- 1.6 This SCI document sets out the Council's plans for working with partner organisations, interested parties ('stakeholders'), and the community in the production of the Local Plan. It provides an overview of which documents the Council intends to prepare and when, and also how the Council intends to work with these groups. It also covers the consultation procedures related to planning applications, outlined in Section 6.

### **Main Aims of the Statement of Community Involvement**

- 1.7 Public consultation has always been an important part of the planning process and the Council's methods and approaches have been improved and developed over time in line with good practice. The following four principles are key to our approach:
- Front loading – this means providing opportunities to be involved in planning proposals at the earliest possible stage and before decisions are made, allowing communities to help inform forward plans and future development.
  - Continuous involvement – ensuring communities are engaged throughout the planning process both for plan preparation and where planning applications are amended or revised prior to determination. This should result in a greater understanding of the plan preparation and planning application decision making processes.
  - Transparency – ensuring the reasons why certain planning decisions have been made, and what other options have been considered and why they have been rejected, are available for public scrutiny and consultation.
  - Providing feedback – letting the community know when and why a decision has been made and how their views have been taken into account.
- 1.8 The localism agenda is aimed at maximising the exchange of relevant information between the community and other stakeholders, and the Council. The Council's decisions cannot always reflect the wide range of view of communities and the Council will have to act in accordance with legal requirements and Government policy. However, it will enable all views to be considered and will improve the quality and transparency of the planning process. The SCI will be used by the Council to work towards promoting equal opportunities and good community relations in planning matters and to meet the duty under the Equality Act 2010, which covers the following eight protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 1.9 Throughout the consultation process on all documents, the Council will comply with the minimum level of consultation required by statutory legislation and regulation, and where appropriate may exceed it. Clearly there will be different resource and time implications relevant to different issues ranging from small scale planning applications to major redevelopment proposals for a town centre. This document addresses the ways of involving the public in relation to planning applications separately from those ways in which the Local Plan will be considered.
- 1.10 Resource issues, monitoring and review arrangements for this document are considered in Section 7.

## 2.0 Local Development Documents

### **The Local Development Scheme**

- 2.1 To manage the large number of documents involved in the production of the Local Development Framework, the District Council prepared a Local Development Scheme (LDS). The latest revision of the LDS was undertaken in September 2012.
- 2.2 The LDS represents a public statement of the programme for the preparation of the Local Plan, identifying key milestones and preparation arrangements.
- 2.3 Under the LDS the Council is producing a Local Plan which will replace the existing Ashfield Local Plan Review (November 2002). The Local Plan will identify the overall vision, strategic objectives, strategic policies and Development Management policies. A Policies Map will also be published including any relevant site specific land issues from the Local Plan that need to be shown geographically on a plan.
- 2.4 The context for the Local Plan will be provided by other documents including the National Planning Policy Framework (NPPF), the Council's Sustainable Community Strategy and other related strategies produced by the District and County Councils and other relevant organisations. The Local Plan will be produced in accordance with the NPPF and revised Regulations.

### **Strategic Policies**

- 2.5 These are policies that set out the overall strategy for future development which will affect the District as a whole.

### **Area Policies**

- 2.6 These are policies designed to tackle issues relating to specific parts of Ashfield. Area policies cover:
- Hucknall,
  - Kirkby-in-Ashfield and Sutton-in-Ashfield, and
  - the villages of Selston, Jacksdale and Underwood.

### **Development Management Policies**

- 2.7 These are policies which, consider the land use needs for specific uses and identifies sites for development or protection. They provide the criteria against which planning applications are considered.

### **Policies Map**

- 2.8 The Policies Map is a spatial representation identifying in detail the location of sites on a policy by policy basis.

---

## **Supplementary Planning Guidance and Supplementary Planning Documents**

- 2.9 The Council has produced a Supplementary Planning Guidance and Supplementary Planning Documents (SPDs) covering specific subject areas, which are utilised in determining planning applications.

## **Annual Monitoring Report**

- 2.10 The Council is required to prepare an Annual Monitoring Report (AMR) each year setting out how policies are being delivered. It will also indicate how well the Council is doing in meeting its timescales for the production of the Local Plan.

## **Sustainability Appraisal**

- 2.11 A Sustainability Appraisal (SA) is being carried out alongside the Local Plan as it develops. It is an integral part of the plan making process, which is intended to test and improve sustainability of the proposals. The first stage was a Sustainability Appraisal Scoping Report, which was published alongside the Issues and Options document in 2009.

- 2.12 A Sustainability Appraisal of each stage of the local development framework/local plan has been published.

## **Neighbourhood Planning**

- 2.13 Introduced as part of the Localism Act 2011, neighbourhood planning empowers communities to shape development and growth of their local area. The preparation of a Neighbourhood Plan is led by either a Parish Council or a Neighbourhood Forum. The Council has a duty to support the Parish Council or a Neighbourhood Forum in the preparation of the plan. It will arrange the examination of the Neighbourhood Plan and is legally bound to hold a referendum if the plan is found to meet basic conditions.

- 2.14 The preparation of a Neighbourhood Plan has the potential to provide wider benefits, for example:

- For communities – A Neighbourhood Plan should enhance the role of democratic local bodies, giving them greater responsibility and stimulating local democracy, by accurately articulating local needs and preferences. Ultimately, neighbourhood plans should benefit the wider local community that makes up the district.
- For developers and investors – A Neighbourhood Plan could become a vehicle for developers to work with, and get benefit from, the local community rather than conflicting with them, especially to guide projects in terms of mix of development and a rationale for the use of any Community Infrastructure Levy.
- For planners – If properly prepared a, neighbourhood development plans could benefit the local planning authority by providing detail to strategic policies in the Local Plan using local knowledge and insight.



### 3.0 Consultation Stages

3.1 Early stage involvement helps the Council to consider how issues affect people. Several consultations on key issues and options (as noted in paragraph 1.5) have been undertaken in 2009 and 2010 (previously in respect of the Local Development Framework). Comments received on the Local Development Framework 'Issues and Options', 'Spatial Growth Options' and 'Preferred Option' consultations have informed the content of the Local Plan. A Statement of Consultation, setting out the comments previously received (both formally and informally) has been prepared.

3.2 Anyone wishing to be added to the Local Plan database can do so by contacting the Forward Planning Section (contact details can be found on page 21 of this document). A database has been set up to record details of all parties that wish to be involved in the process. This will enable the Council to keep everyone up to date with ongoing developments.

#### **Local Plan Preferred Approach**

3.3 The Preferred Approach document described where new homes, jobs and infrastructure would go, how development would be made to be as sustainable as possible, how growth would benefit our existing communities whilst recognising what is special about Ashfield. This includes the historic environment, the culture and heritage, the town centres and the more rural villages, together with the countryside that surrounds them.

#### **Next Step**

3.4 All comments received during the Preferred Approach consultation have been carefully considered by the Council. The comments have been used to inform the Publication document of the Ashfield Local Plan, which is expected to be published in summer 2013. Whilst all views are taken into account, it is not possible to meet everyone's wishes and aspirations; difficult choices have already been made to arrive at a Local Plan which meets the needs of the area. Accompanying the Publication document will be a report (Statement of Consultation) as to the representations received as part of the Preferred Approach consultation, the key issues raised and the key changes made to inform the Publication document.

3.5 At this stage (based on consultation and evidence), the Publication stage is considered to be sound (see Glossary) by the Council, and major changes to it will only be made in exceptional circumstances. If these changes are material there will be further consultation, and the Local Plan will be submitted to the Secretary of State for independent examination by the Planning Inspectorate. The Planning Inspectorate will then organise a 'hearing' (which will be open to the public). An independent Inspector will then test both the legal compliance and the soundness of the Local Plan. The Inspector will consider who to invite to the examination. Written representations carry equal weight and will also be considered by the Inspector.



- 3.6 Following the Examination, the Inspector will then prepare a report on the Local Plan. (The Inspector's report is not binding on the Council, but the Council would be at risk to disregard it). If the Inspector finds the Local Plan 'sound', then the Council will consider the Inspector's recommendations to determine if changes are required before formal adoption of the Local Plan.

#### **Supplementary Planning Documents**

- 3.7 Consultation on Supplementary Planning Documents (SPDs) is a formal requirement before they can be adopted, although there is no independent examination of the documents. It is anticipated that the Council will bring forward SPDs following the adoption of the Local Plan, although initial work may take place before the Plan is adopted.
- 3.8 There will be informal consultation and discussions in relation to the subject of the SPD with any relevant stakeholders.
- 3.9 The proposed will be published on the Council website, along with a statement of when and where the documents are available for inspection.
- 3.10 A six week formal consultation period on the draft document will be undertaken. The Council will consult with the relevant bodies identified in Appendices 2 and 3 according to the relevant current regulations.
- 3.11 As soon as possible after adoption the Council will make available in accordance with the regulations the SPD and the adoption statement sending a copy of the adoption statement to anyone who has been asked to be. Before adoption, the Council will make copies of the SPD and available during office hours at the main Council offices.

## 4.0 Consultation Opportunities

### Community Consultation – our overall aims

- 4.1 Our overall objectives in relation to community consultation and public involvement for the Local Plan are to ensure that community involvement remains a core activity within the planning process and that communities are encouraged to be continuously involved in how their locality is shaped over time. We will commit to the following aims;
- To make the process as clear and transparent as possible to assist individuals and communities to understand what we do and when, and how they can get involved.
  - To endeavour to create a community involvement process that pays attention to sharing information and establishing common aims and objectives to help move projects forward.
  - To use the ‘front-loading’ principle by discussing proposals at the earliest stage as people can then learn together and be involved throughout the process. We will be clear about any constraints to consultation, such as higher level policies, and explain these from the outset.
  - To building trust with the community by being open and honest, and will expect the same in return. Communication will be based on two-way listening and questioning, with all input being considered.
  - To attempt to include as many interests and groups as possible in order to take the consultation forward and will not favour one group over others.
  - To build a shared responsibility for success with all involved in the consultation process to create confidence and to provide a platform from which we can make further progress.
  - To identify the favoured options from all the ideas ‘brought to the table’. Sustainability appraisals and environmental assessments will also be prepared which can strengthen the overall picture.
  - All printed media will be made available in audio format and large print if required.
- 4.2 Communities can expect the following standards in the level of service to be provided:
- Each Local Plan document will be clearly branded as such.
  - All documents will be written in plain English, with summaries of the larger documents available. Alternative languages and formats will be made available on request, provided it is reasonable to do so, and each Local

Plan document will also be provided in downloadable format on the Council's website.

- We will endeavour to respond to all correspondence requiring acknowledgement within a reasonable period of time.
- The Statement of Community Involvement (SCI) will be reviewed as part of our Annual Monitoring Report (AMR) to assess whether the methods proposed are being successful or not.
- We will seek to ensure that all methods are efficient and effective, in respect of the cost implications of publications and Officer's time.
- At each stage of the process the communities will receive feedback together with a response to any concerns.
- To comply with the Duty set out by the Equality Act 2010.

#### **Stakeholders**

- 4.3 The Council has identified bodies that will be consulted as the Council consider appropriate, set out in Appendix 3. This may take the form of regular notification or general discussions in relation to issues, as may be appropriate. Should appropriate additional group or bodies be identified following adoption of the SCI, these can be recorded separately by the Council and consulted along with the listed general consultation bodies.

#### **Statutory Consultees**

- 4.4 The Council must at least conform to the minimum requirements for consultation set out by Government. The Council has identified the specific statutory consultation bodies that must be included at various stages of the involvement process and these are set out in Appendix 2.

#### **Groups Representative of the Protected Characteristics**

- 4.5 The Council is committed to promoting equality, valuing diversity and combating unfair treatment and will work to identify and engage with hard-to-reach groups, such as ethnic minorities, gypsies and travelling show people and elderly or young persons and their representatives. The success or otherwise of these engagement methods will be regularly monitored to gauge their effectiveness through the Equality Impact Assessment.

#### **Duty to Co-operate**

- 4.6 The Localism Act 2011 introduced a new Duty to Co-operate which places a requirement for all local planning authorities, national park authorities, county councils and a number of other public organisations to engage with one another and consider joint approaches as part of the preparation of their local plans.
- 4.7 The Duty to Co-operate forms part of the 'Tests of Soundness' against which an independent inspector will assess the documents during a Public

Examination. It is considered essential that the Council can demonstrate effective collaborative working with neighbouring authorities, key stakeholders and other organisations during the preparation of both its Local Plan and the evidence base that supports it.

- 4.8 There are a number of issues that have impacts that cross borough boundaries, including transport, flood risk, housing and employment. The Council will explore appropriate approaches to these issues, jointly with neighbouring authorities and public bodies, to ensure that strategic priorities are reflected in the Local Plan.

DRAFT

## 5.0 Methods of Involvement

### Preferred Approach

- 5.1 The Council will use a variety of methods for conducting consultation sessions with the community. Throughout the Local Plan process we will continue to make use of the local media to advertise the publication of documents and meetings and to inform the community of any issues being discussed, how they can access this information and how they can get involved. The Council will also look towards poster advertisements in doctors' surgeries, shops, libraries and other public buildings as a useful way of reaching local communities. We will also ensure that good use is made of the Council's website, with all available documents being placed on the site as well as using the site as a contact and general information point.
- 5.2 Listed below are the consultation methods which were undertaken as part of the Local Plan Preferred Approach Consultation stage (six weeks).
- Making all relevant consultation documents available for inspection at the four Council Offices and all four major libraries throughout the District (Hucknall, Kirkby, Sutton and Selston) for the duration of the consultation period;
  - Making full use of the media and community publications including adverts and articles in newsletters, radio interviews and press releases;
  - Letters informing those individuals, companies and groups registered on the Local Plan Consultation Database of public consultation;
  - Placing unmanned displays at Council Offices and libraries;
  - Undertaking presentations and questions and answer sessions to community groups and key stakeholders including Parish Councils ensuring that these are timed to get the maximum attendance (i.e. evenings) – details provided in the table below;
  - Circulating posters across the District to community centres, post offices, libraries, doctors surgeries and shopping centres;
  - Utilise an online consultation tool, allowing the public to comment on an interactive version of the document;
  - Undertaking internal meetings to present the Local Plan Preferred Approach to various sections of the Council to ensure joint working;

### Publication Document

- 5.3 The Council will carry out formal consultation on what it considers to be the final version of the plan. A Sustainability Appraisal report and a Policies Map will also be published for consultation. The consultation will run for six weeks.
- 5.4 At this stage of the Local Plan preparation consideration is specific to the 'soundness' of the document with respect to the key tests set out in the National Planning Policy Framework, 2012 (NPPF).
- 5.5 The Town and Country Planning Local Planning) (England) Regulations 2012, Regulation 35 states that:

“(1) A document is to be taken to be made available by a local planning authority when -  
(a) made available for inspection, at their principal office and at such other places within their area as the local planning authority consider appropriate, during normal office hours, and  
(b) published on the local planning authority’s website.”

5.6 Listed below are the consultation methods which will be undertaken as part of the Local Plan Publication consultation.

- Making all relevant consultation documents available for inspection at the four Council Offices and all four major libraries throughout the District (Hucknall, Kirkby, Sutton and Selston) for the duration of the consultation period;
- Making appropriate use of the media;
- Letters Informing those individuals, companies and groups registered on the Local Plan Consultation Database of public consultation;
- Utilise an online consultation tool, allowing the public to comment on an interactive version of the document.

#### **East Midlands Planning Aid Service**

5.7 Recognising that the 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 East Midlands Planning Aid Service (EMPAS). EMPAS provides a free and independent advice service on all planning related matters for individuals and community groups who cannot afford consultant's fees. The service offers assistance via a helpline and through a proactive community planning programme. Both services are supported by a caseworker, community planners and a network of professional volunteers. For further information on the service telephone 0330 1239244, email [advice@planningaid.rtpi.org.uk](mailto:advice@planningaid.rtpi.org.uk).

## 6.0 Determining Planning Applications

- 6.1 Planning decisions can often be controversial. There will often be good reasons for and against any development and the Council must apply planning criteria in a reasonable manner. The important issue is to make the decision making process as clear, transparent and inclusive as possible. It is important to realise that the number of objections to a proposal is not a determining factor and applications can only be refused for clear planning related reasons.
- 6.2 This Statement of Community Involvement (SCI) sets out the Council's policy for consulting the community on planning applications, setting out what we will do and when.
- 6.3 Ashfield District Council is not responsible for determining all planning applications within the District. The County Council are in control of certain categories of applications such as waste and minerals developments and in these cases they will be responsible for any consultation.
- 6.4 At all stages of the planning application process we will;
- Supply general advice and guidance to the public
  - Provide pre-application discussions for all enquiries
  - Maintain a rota system to ensure all administrative, procedural and technical enquiries can be dealt with by an appropriately qualified and experienced officer during normal office opening hours
- Pre-Application Stage**
- 6.5 The National Planning Policy Framework (paragraphs 189 – 190) stresses that although developers are not required to engage with local authorities before submitting planning applications, early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties and should therefore be encouraged.
- 6.6 The Localism Act 2001 introduced a new requirement for applicants/developers to consult local communities before submitting planning applications for certain developments. The details about what applicants will be required to do and which applications it will be applied to are still awaited. However in the interim applicants are being encouraged to follow good practice guidance set out by the Planning Advisory Service (PAS). It is likely that it will only relate to very large scale proposals, probably development with a floor area of 10,000m<sup>2</sup> or more or where the site area is 2 hectares or more. Applications will need to be accompanied by details of how the applicant has complied with the consultation obligations, including publicity given to the proposal and responses received. The Act then imposes a duty on the applicant to have regards to the responses when deciding whether to amend the application prior to submission.
- 6.7 The Council welcomes the opportunity to have pre-application discussions as it offers an opportunity to guide development positively and highlight areas for improvement.



- 6.8 Early intervention can save time and money later on. Pre-application advice incurs a cost for the Council and Section 93 of the Local Government Act 2003 allows Local Planning Authorities to charge for offering a service of pre-application advice. From May 2013 a fee will be required for the processing of pre-application enquiries. This is in line with practice in other parts of Nottinghamshire. The required fee and type of information that will be provided in any response is set out on the Council's website.

### Publicity Arrangements

- 6.9 Ashfield District Council is required by law (Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2010) to give publicity to all planning applications. The Council's Publicity Policy for various categories of applications is set out in the following table and currently forms part of the Council's Code of Conduct.

Type of Development	Publicity Required
Application for major development submitted with an Environmental Statement; Applications involving a departure from the development plan; or Development affecting a public right of way which part 3 of the Wildlife and Countryside Act 1981 (PROW) applies	A site notice on or near the land for not less than 21 days; Publication in a local newspaper (14 days); Publication on the Councils website
Other applications for major development	Publication on the Councils website; A site notice on or near the land for not less than 21 days; Publication in a local newspaper (14 days); By serving notice on any adjoining owner or occupier
Listed Buildings and Development in Conservation Areas	A site notice on or near the land for not less than 21 days; Publication in a local newspaper (14 days);
Other applications	Publication on the Councils website; A site notice on or near the land for not less than 21 days; By serving notice on any adjoining owner or occupier
Appeals	People who have previously commented will be notified by letter as well as all original consultees

### **Neighbour Notification**

- 6.10 To notify neighbours of all applications the Council will either erect a site notice or notify adjoining owners/occupiers by letter. Neighbour notification is considered by the Council to be the most effective method where small numbers of residents are likely to be affected by a development.
- 6.11 Adjoining businesses, schools and institutions are notified where appropriate.
- 6.12 Parish Councils are notified on individual applications in their areas.
- 6.13 All forms of notification will include contact details.

### **Period of Notice**

- 6.14 After the initial newspaper publication, display of notice or delivery of notification letter, Statutory Consultees have 21 days in which to respond, whilst residents also get 21 days (or 28 days in the case of a planning application potentially affecting a Site of Special Scientific Interest or in a SSSI consultation area). After that period a decision may be taken, but any comment received before the application is decided will be considered.

### **Access to Information and Commenting on Applications**

- 6.15 Planning applications are available for inspection (on request) at the Ashfield District Council offices at Kirkby in Ashfield during office hours, and online at the following web address: [www.ashfield-dc.gov.uk/planning/dac/index.shtml](http://www.ashfield-dc.gov.uk/planning/dac/index.shtml).
- 6.16 Officers from the Development and Building Control section will be available, by prior appointment, to offer advice or answer questions.
- 6.17 Applications can also be viewed online in the relative Council Offices at Watnall Road (Hucknall) and Fox Street (Sutton in Ashfield). Hard copies of applications relating to Selston, Underwood and Jacksdale can be viewed in the Council Offices at Nottingham Road, Selston
- 6.18 Any comments received will be placed on the application file. This file is also available for public inspection although background papers can only be viewed once a report is prepared in relation to Planning Committee decisions and post decision when the case is dealt with under the Council's Delegation Arrangements. Comments on a planning application should be made in writing or by email within the 21 day period of notice.
- 6.19 All representations will be acknowledged and taken into account when the decision is made, except for anonymous letters and verbal comments.

### **The Decision**

- 6.20 The Council decides many of the less contentious planning applications under a scheme of delegation. The Service Director – Economy or designated officers determine the majority of applications. The more complex proposals and applications that cannot be considered under the scheme of delegation are referred to the Planning Committee, which meets every 4 weeks for a decision by

Councillors. Councillors can also request applications to be referred to the Planning Committee. In these circumstances a report will be prepared by the case officer along with a recommendation. The Council provides an opportunity for the public to speak on those applications determined by the Planning Committee.

- 6.21 The applicant or any resident who has written to the Council about an application will be informed, in writing, if a particular application is to be considered at a Planning Committee. There will normally be about a weeks notice of the Committee meeting. Anyone wishing to speak will need to register with a Committee Clerk by telephoning 01623 457316 by 4pm on the Tuesday before the Thursday Committee. Alternatively, requests can be e-mailed to [speakplanning@ashfield-dc.gov.uk](mailto:speakplanning@ashfield-dc.gov.uk)
- 6.22 Only one registered speaker is allowed in support and one in opposition of any proposal. Each registered speaker will be allowed a maximum of 5 minutes and this will be carefully controlled by an Officer of the Council.

#### **Consideration of Applications**

- 6.23 The Council can only consider "material considerations" when deciding planning applications. Examples of these are planning policies in the Ashfield Local Plan Review (2002) (to be replaced by the Local Plan), Government advice and policy, the impact on residential amenity, highway safety and traffic, noise and disturbance, smell, design and external appearance, the impact on Listed Buildings, Conservation Areas and trees etc. Reference should not be made to non-planning issues such as private property rights, covenants, competition, moral issues, loss of view and property value, as these cannot be taken account of.
- 6.24 Planning Committee meetings are usually held on a Thursday in the Council Chamber, Kirkby-in-Ashfield and start at 6.30pm.

#### **After the Decision**

- 6.25 The Council will inform each person who commented on an application of the decision. The applicant/agent will receive a decision notice detailing conditions and reasons for approval or reasons for refusal. A copy of the decision notice is kept on file and is available for viewing at the Council Offices as well as the website.
- 6.26 Any appeal by the applicant needs to be made within 8 weeks (Advertisement Consent), 12 Weeks (Householder planning applications) and six months (other planning applications) of the decision. Person who were consulted and/or responded to the original application will be informed and given the opportunity to make a further representation to the Planning Inspector dealing with the case.

## 7.0 Resources

- 7.1 There are currently adequate resources to carry out the consultation as laid out in the Statement of Community Involvement.
- 7.2 Work on community engagement for Local Plan documents will be carried out mainly from within the Forward Planning team.
- 7.3 Participation on significant planning applications and Supplementary Planning Documents will be carried out by staff in the Development Management section.
- 7.4 Successful community engagement will to a large extent be reliant on partners/other stakeholder active participation in the process.
- 7.5 The resources issue will be kept under review as part of the Local Development Scheme and the Annual Monitoring Report.

DRAFT

## 8.0 Monitoring and Review

- 8.1 Ashfield District Council will monitor the success of community involvement methods and use the results to review the techniques used in the future.
- 8.2 Feedback will be gathered after consultations to gauge how the participants felt it went and whether or not any improvements should be made. This feedback can also be used to analyse who attended the meetings and if there are any groups that were not reached.
- 8.3 As part of this approach the Council will carefully consider the resource implications of all of the methods used to try to ensure that the most effective use is made of the resources available for this work. The Council recognises that good quality community engagement has significant costs in terms of time and financial resources.
- 8.4 It is also clear that the Council may not be able to meet all of the aspirations for engagement that the community may wish to promote due to time and resource limitations. However, the Council will strive for transparency at all stages and will seek to ensure that views can be put forward whenever possible. Methods of community involvement that provide the best results in terms of the quality and quantity of involvement, for the best cost, will be utilised more regularly where appropriate.

DRAFT

## 9.0 Contacts

9.1 If you wish to know more about the Statement of Community Involvement, Supplementary Planning Documents or any aspect of the Local Plan you can contact us in a number of ways;

- Write to us at: Forward Planning Team, Ashfield District Council, Urban Road, Kirkby-in-Ashfield, Nottingham, NG17 8DA.
- Visit the website: [www.ashfield-dc.gov.uk](http://www.ashfield-dc.gov.uk)
- E-Mail us at: [localplan@ashfield-dc.gov.uk](mailto:localplan@ashfield-dc.gov.uk)
- Telephone us at: 01623 457381 or 457382 or 457383

9.2 If you wish to know more about Planning Applications then please;

- Write to us at: Development Management Team, Ashfield District Council, Urban Road, Kirkby-in Ashfield, Nottingham, NG17 8DA.
- Visit the website: [www.ashfield-dc.gov.uk](http://www.ashfield-dc.gov.uk)
- E-mail us at: [planning.admin@ashfield-dc.gov.uk](mailto:planning.admin@ashfield-dc.gov.uk)
- Telephone us at: 01623 457172

## Appendices

### Appendix 1: Glossary of Terms and Abbreviations

**Adopted Policies Map:** A map of the local planning authority's area based on an Ordnance Survey map including an explanation of any symbol or notation and illustrating geographically the application of the policies in the adopted local plan.

**Adoption:** The approval, after independent examination of the final version of a Local Plan by a local authority for future planning policy and decision making.

**Ashfield Local Plan Review (ALPR):** The current Local Plan adopted in November 2002 with a timescale to 2011.

**Annual Monitoring Report (AMR):** A report which is produced annually to establish what is happening now and what may happen in the future and compare trends against LDF policies to determine if changes need to be made.

**Community Strategy (CS):** Council document which aims to enhance the quality of life of local communities and contribute to the achievement of sustainable development.

**Duty to Cooperate:** This duty requires local authorities and other public bodies to work together on planning issues in the preparation of the Local Plan.

**Evidence Base:** The Local Plan should be based on adequate, up-to-date and relevant evidence about the economics, social and environmental characteristics and prospects of the area.

**Inspector:** Independent Inspector appointed by the Secretary of State to carry out the public examination of the Local Plan.

**Local Development Framework (LDF):** 'Portfolio' of local development documents which collectively deliver the spatial planning strategy for the local planning authority's area.

**Local Development Scheme (LDS):** Statement detailing the timescales and arrangements for the preparation of local development documents.

**Localism Act 2011:** The Localism Act introduced changes to the planning system including making provision for the revocation of Regional Spatial Strategies, and introducing the Duty to Cooperate and Neighbourhood Planning.

**Local Plan:** Comprises a Written Statement and a Policies Map. The Written Statement includes the Authority's detailed policies and proposals for the development and use of land together with reasoned justification for these proposals.

**Material Consideration:** Must be genuine planning considerations i.e. they must be related to the development and use of land in the public interest.



**National Planning Policy Framework (NPPF):** Sets out the Government's planning policies for England and how these are expected to be applied. Providing a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, reflecting the needs and priorities of their communities.

**Neighbourhood Plan:** Gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.

**Planning & Compulsory Purchase Act 2004:** This Act updated the 1990 Town & Country Planning Act. The Planning and Compulsory Purchase Act 2004 introduced a new statutory system of regional and local planning and has since been amended by the Localism Act 2011.

**Planning Inspectorate:** The Government body responsible for providing independent inspectors for planning inquiries and for examinations of development plan.

**Planning Policy Statement (PPS):** Replacement for PPG with the aim of being more accessible and simpler to use by having greater clarity.

**Protected characteristics:** The Equality Act 2010 covers nine protected characteristics on the grounds upon which discrimination is unlawful:

- Age - referring to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).
- Disability - a person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.
- Gender reassignment - the process of transitioning from one gender to another
- Marriage and civil partnership - marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.
- Pregnancy and maternity - pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.
- Race - refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.
- Religion or belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.
- Sex - a reference to a man or to a woman
- Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

**Public Examination:** Local Plan will be examined by an independent Inspector whose role it is to assess whether the plan has been prepared in accordance with the Duty To Co-operate, legal and procedural requirements and whether it is sound.

**Regulations:** This means “The Town and Country Planning (Local Planning) (England) Regulations 2012” unless indicated otherwise. Planning authorities must follow these when preparing Local Plans.

**Saved Policies:** Policies in the current Local Plan which have been safeguarded and then reused in other documents.

**Secretary of State:** Sets policy on supporting Local Government, communities and neighbourhoods, regeneration, housing, planning, building and the environment.

**Sustainability Appraisal (SA):** Appraise the social, environmental and economic effects of the strategies and policies in local development documents from the outset of the preparation process.

**Statement of Community Involvement (SCI):** Local authority’s policy for involving the community in the preparation of local development documents and for consulting on planning applications.

**Soundness:** Under the National Planning Policy Framework 2012 paragraph 182 a local planning authority should submit a plan for examination which it considers is “sound” – namely that it is:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

**Supplementary Planning Document (SPD):** Provides supplementary information in respect of the policies in Development Plan Documents. They do not form part of the Development Plan and are not subject to independent examination.

**Supplementary Planning Guidance (SPG):** Non-statutory local authority approved guidance which is a material consideration in terms of determining planning applications. Will be replaced by SPD.

---

## Appendix 2: Statutory Consultees

### Specific Consultation Bodies (as set out in the Town and Country Planning (Local Development) (England) Regulations 2012)

- All local planning authorities (adjoining the District)
- Nottinghamshire County Council (including education and highways)
- Parish Councils both in and adjoining the District
- Nottinghamshire Police & Crime Commissioner
- Derbyshire Police & Crime Commissioner
- The Coal Authority
- Natural England
- Environment Agency
- Historic Buildings and Monuments Commission for England (English Heritage)
- The Highways Agency
- Network Rail Infrastructure Limited
- any person—
  - i) to whom the electronic communications code applies by virtue of a direction given under section 106(3)(a) of the Communications Act 2003, and
  - ii) who owns or controls electronic communications apparatus situated in any part of the local planning authority's area,
- if it exercises functions in any part of the local planning authority's area—
  - i) a Primary Care Trust established under section 18 of the National Health Service Act 2006 or continued in existence by virtue of that section;
  - ii) a person to whom a licence has been granted under section 6(1)(b) or (c) of the Electricity Act 1989;
  - iii) a person to whom a licence has been granted under section 7(2) of the Gas Act 1986;
  - iv) a sewerage undertaker; and
  - v) a water undertaker;
- Homes and Communities Agency

### Under the Town and Country Planning (Local Development) (England) Regulations 2012) Duty to Cooperate

- The Environment Agency;
- The Historic Buildings and Monuments Commission for England (known as English Heritage);
- Natural England;
- The Civil Aviation Authority;
- The Homes and Communities Agency;
- Each Primary Care Trust established under section 18 of the National Health Service Act 2006 or continued in existence by virtue of that section;
- The Office of Rail Regulation;
- Integrated Transport Authority;
- The Highway Authority;
- The local enterprise partnership;
- The local nature partnership.

Where bodies listed cease to exist, successor bodies will be consulted.

DRAFT

### **Appendix 3: Other Consultees - General Consultation Bodies**

- Representational Groups - e.g. Age Concern, Ethnic, Disabled and Youth Groups
- Relevant Community and Resident Groups
- Conservation, Heritage and Amenity Groups
- Emergency Services (Police, Fire and Ambulance)
- Chambers of Trade
- Business Forums
- Home Builder's Federation
- Registered Social Landlords (RSLs)
- Environmental bodies – E.g. CPRE, RSPB, Wildlife Trust, Greenwood, and Woodland Trust
- Developers and Landowners
- NHS Nottinghamshire County (Primary Care Trust)
- Nottinghamshire Healthcare NHS Trust
- Sport England and relevant local sports groups and bodies
- Housing Corporation
- Bus Operators
- Regional Housing Body
- Sub-Regional Strategic Partnerships
- Relevant Government Departments

Where bodies listed cease to exist, successor bodies will be consulted.

DRAFT

## Appendix 4: Methods of Community Involvement

	Method	Benefits	Disadvantages	Resource Implications
1	Documents/Leaflets at Council Offices and Libraries	Documents available locally and can be studied. Targets public with no usual involvement in planning.	Limited to office hours. Some of the community do not visit council offices and libraries.	Staff time.
2	Letters	Can target specific groups and reach the whole District and Consultees.	Database needs to be continually updated. Some interested parties may be outside the District and are therefore excluded.	Staff time and Postage
3	E-mail/Website	Can access at home/work. Appeals to young people, can target people further a field.	Disadvantages the less computer literate. Website needs to be kept updated.	Staff time.
4	On-line Forum	Ease of access	Disadvantages the less computer literate.	Staff time.
5	Press Releases/Press Adverts	Good information source. Covers a wide cross section of people.	Different newspapers for different areas, limited space and not everyone reads the local press.	Cost of notices.
6	Public Exhibition/Road shows	Staff can answer queries. Covers more remote areas. Visual information	Suitable venues are hard to find. May be difficult for some people to access. Resource intensive.	Room hire and Staff costs.
7	Workshops/Forums	Useful for specific topics. Face-to-face questions and answers.	Resource intensive.	Room hire and Staff costs.
8	Information Stand	Less staff resources needed.	Limited feedback. Finding suitable venues.	Cost of exhibition material.
9	Questionnaires/Surveys	Could be on-line or postal adaptable.	Feedback needs analysing. Time delay.	Staff time. Cost of Software Packages.
10	Planning Aid	Useful for hard to reach groups.	Time consuming for Planning Aid. Doesn't reach all groups.	Time consuming for Planning Aid

DRAFT