

# **Statement of Community Involvement**

**Version 3**

**July 2023**



Derby City Council



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# 1. Introduction

- 1.1. Most people get involved in the planning system when they submit a planning application for their own project, when they comment on planning applications or when they become involved in the production of the Council's Development Plan.
- 1.2. Derby City Council is the local planning authority for the City, and it is responsible for deciding whether a development, which can be anything from an extension to a house to the construction of a new housing development to the building of a new shopping centre, should go ahead.
- 1.3. The Council is also the authority which produces the Development Plan, in this case the Local Plan which sets out the spatial vision for the City and contains policies which all planning applications will be considered against.
- 1.4. This Statement of Community Involvement (SCI) sets out Derby City Council's policy for community involvement in the planning process: the preparation and review of local planning policy and decisions on planning applications through the Development Management process. The SCI will be the first point of contact for stakeholders and the community to find out when and how they can become involved in the planning process.
- 1.5. This is our third version of the SCI. The original was adopted in 2007 while its replacement was published a decade later in 2017. This version takes into account of the General Data Protection Regulations (GDPR), the increase in the use of social media and 'lessons learnt' from previous consultations.
- 1.6. It is important to note that this SCI does not contain an exhaustive list of all groups and persons who may be consulted. However, this SCI does provide an indication of who the Council intends to engage with within the resources available. New consultation methods may also emerge following the adoption of this revised SCI and any future consultation will take account of these developments.

## What are the principles of community involvement?

- 1.7. A key objective of the [Planning and Compulsory Purchase Act 2004](#) is to encourage meaningful community involvement in the planning process. The mechanisms for achieving this are set out in Section 2 for the Development Plan process and Section 3 for the Development Management process.
- 1.8. A key principle behind improving community involvement in the planning process is the concept of "front-loading." This means getting ideas and options for plans discussed at much earlier stages of preparation. This should enable agreement to be reached between the various parties involved in the process, rather than wasting time and resources resolving conflict.
- 1.9. The [Localism Act](#) enables the local community to get more involved in the planning process. A key thread running through the Act allows communities to have a greater influence on how their area evolves either through engaging in the planning process or by embracing neighbourhood planning.

- 1.10. The Council's corporate policies are important to ensure that it functions efficiently and takes a consistent approach to promoting the Council's aspirations, working with partner organisations and engaging with the community. In this respect, the Council's corporate policies were taken into account as part of the SCI review.

### **The Council's Approach to Consultation**

- 1.11. The Council is committed to carrying out targeted and easily accessible consultation. We recognise that effective consultation will enable the Council to make informed decisions on policy and services and will improve accountability.
- 1.12. Our approach states that all consultation should:
- meet corporate standards
  - be compliant with statutory guidance
  - be economical and effective
  - maximise participation
  - not be susceptible to legal challenge
  - be used safely to inform decisions
  - be trusted and gets the buy-in of consultees
  - meet the Council's equality and diversity responsibilities
- 1.13. This updated SCI reflects this approach and will be amended should the strategy substantially change.

### **What can you get involved in?**

- 1.14. You can become involved in two aspects of the planning system: the Development Plan process and the Development Management process.

#### **The Local Plan**

This includes Sustainability Appraisals, Supplementary Planning Documents or Neighbourhood Planning. The Council's Local Plan sets the framework for development across the City; where new housing and employment can be accommodated, addressing the impact of climate change, the provision of open space and leisure facilities, the protection of the historic environment and ensuring the long-term economic prosperity of Derby. It is against these policies which all planning applications are determined. Consultation is undertaken to help test certain options on the plans strategy, on draft policies and on the final plan before submission to the Secretary of State. Community involvement in this process is discussed in Section 2.

#### **Development Management (planning applications)**

Most types of development require a planning application to be submitted and approved. The Council has procedures to ensure that anyone can view and make comments on an application. Although a final decision is normally made based on policies in the Council's Local Plan, any comments which are deemed to represent a material consideration will also

be considered in the decision-making process. Community involvement in the Development Management process is discussed in Section 3.

### **Our resources**

- 1.15. We are committed to ensuring that all of our consultations are effective, but they must be achieved within finite budget and staffing constraints.

### **Reviewing the Statement of Community Involvement**

- 1.16. In line with the requirements of the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017, this SCI will be reviewed every five years.
- 1.17. Members of Planning Control Committee will be kept apprised of the revisions to the [SCI / LDS] by way of regular Member training sessions undertaken directly before each planning committee meeting. This training is open to all members to attend alongside annual Planning training for all Members each May and the subsequent corporate member training in June.

## **2. Community Involvement in the Local Plan Process**

- 2.1. We are required to produce documents which set out the spatial strategy for Derby which, in this instance, is the Council's Local Plan. This document allocates land for development and includes policies which inform decisions on planning applications. Consultation is primarily undertaken on draft policies and, on some occasions, on the evidence base which informs specific policies.
- 2.2. We will also seek your views on the Sustainability Appraisal which supports the Local Plan and Supplementary Planning Documents which provide further information and detail on our Local Plan policies.
- 2.3. There will be occasions, in the preparation of our Local Plan, where we will work with Amber Valley Borough Council, South Derbyshire District Council and Derbyshire County Council (our Housing Market Area Partners) along with Erewash Borough Council who also adjoin the city. Opportunities will be taken where other external partners or community organisations can assist with event organisation or venue provision.
- 2.4. There may be occasions where we undertake joint consultations with our HMA partners. On these occasions, we will implicitly state that we may share information, including contact details, but only where comments have implications for our partners.
- 2.5. Where it is appropriate and resources allow, external companies will be employed to carry out consultations, surveys or other forms of community involvement. If the Council commission consultants, any consultation undertaken will have regard to this SCI.

### **Duty to Co-Operate**

- 2.6. Section 110 of the [Localism Act](#) and paragraph 24 of the [National Planning Policy Framework](#) (NPPF) create a 'duty' on all local planning authorities and other bodies to cooperate with each other to address strategic issues, these bodies are listed in Appendix 1. Both the Act and the NPPF highlight the importance of joint working to meet development requirements that cannot be wholly met within a single local planning area, through either

joint policies or informal strategies such as infrastructure and investment plans. Further clarification is provided in the [Planning Practice Guidance](#).

- 2.7. The 'Duty to Co-operate' requires on-going constructive and active engagement throughout the plan preparation process and associated activities relating to sustainable development and the use of land, in particular in connection with strategic infrastructure.

### **Statements of Common Ground**

- 2.8. Under the Duty to Co-Operate, the Council has the option to produce Statements of Common Ground. The NPPF, paragraph 27 states that:
- 2.9. In order to demonstrate effective and on-going joint working, strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance and be made publicly available throughout the plan-making process to provide transparency.
- 2.10. The City Council, along with its HMA partners, are committed to prepare a Statement of Common Ground. In addition, the Council will consider preparing a Statement of Common Ground with infrastructure providers, partner organisations and developers to provide evidence, and certainty to the Inspector, that meaningful discussions have been held and that there is certainty that strategic allocations can be delivered.

### **Stages in the Preparation of the Local Plan**

- 2.11. There are five stages of community involvement and consultation which take the Local Plan from the testing of ideas through to formal adoption. In all cases, each consultation will last for a minimum of six weeks, where appropriate the consultation will also have regard to the Council's Corporate Consultation Strategy which suggests a minimum of 12 weeks. The Council will endeavour to ensure that no consultation clashes with a public holiday. Where it does occur, the Council will seek to ensure that the consultation period is extended.

#### **Stage 1: Evidence Gathering/Issues and Options**

There will be instances in the early stages of the Local Plan process where we will need to gather information, establish an evidence base and explore various issues. In these stages we will have regard to the consultation methods set out later in this section. However, given the nature of the work, the disparate subjects and the varying organisations and bodies interested in a subject, any consultation will be tailored to the subject.

#### **Stage 2: Draft Local Plan**

Following the earlier evidence gathering consultations, this stage will provide people the opportunity to comment on the draft Local Plan. This will be undertaken in accordance with the requirements of Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. In conjunction with the draft Local Plan, the Council will publish a draft version of the Sustainability Appraisal.



### **Stage 3: Pre-Submission Local Plan**

This stage will follow the requirements of Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. This stage will see the publication of the final version of the Local Plan, the final Sustainability Appraisal (SA), a document outlining any proposed changes to the Proposals Map and a Statement of Consultation which sets out how we undertook previous consultations, the responses we received and how we responded to those comments. This illustrates how we have met the requirements of the regulations, this SCI and how representations have shaped the development of the Local Plan.

### **Stage 4: The Examination**

The Local Plan will be examined by an independent Government Inspector who will test its 'soundness', alongside all other related documents (including the SA). At this stage it is the Inspector, with the assistance of the Programme Officer, who will determine the arrangements for the examination, including all correspondence. Based on the responses received through Stage 3, it is the Inspector who decides who can participate in the hearings. It should be noted that all representations are treated the same by the Inspector, irrespective of whether you're invited to participate in the hearing sessions.

If requested by the Council, the Inspector may recommend modifications to the plan to make it 'sound'. If this happens, a further consultation, in-line with the requirements of Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, will be undertaken on those modifications.

### **Stage 5: Receipt of the Inspector's report and adoption**

Upon receipt of the Inspector's report, we have two weeks to fact check it to ensure that there are no factual errors or inconsistencies. After this has been completed the final Inspector's report will be sent to the Council and we will inform everyone who made representations of its receipt and publish the report on our website.

Receipt of the final report concludes the examination process and we will go through the Council's own internal process to formally adopt the plan.

Following the adoption of the Local Plan we will publish an Adoption Statement which sets out where the Local Plan and the Sustainability Appraisal can be inspected; the Statement will be sent to everyone on our database and the Secretary of State.

The adopted Local Plan, the Sustainability Appraisal and the Adoption Statement will also be published on our website.

## **Methods of Engagement in the Preparation of the Council's Local Plan**

2.12. The Council will aim to consult members of the community and other stakeholders who have a clear interest in the documents being prepared. For instance, consultation on documents affecting the city as a whole will need to be wider and broader in scope than consultation affecting only a small local area. There are, however, a number of key things we will aim to achieve at all stages of the preparation of all documents. These are:

- we will comply with statutory requirements

- we will comply, where possible with the Council’s Corporate Consultation Strategy. However, the requirements of the regulations will take priority when determining the length of any consultation
  - we will reply to letters, emails and telephone calls in-line with the Council’s current policies
  - we will be available to talk to you if you wish to discuss concerns or have issues explained to you
  - we will make copies of the main documents available in large print, in braille, in Easy Read format and in different languages on request
  - we will develop and maintain a database of members of community groups and other stakeholders which we shall use to decide who to consult on individual documents. Your name will be added to the database when you submit comments to us. You will be able to request your name to be added to this database by contacting the Spatial Planning Team at the Council House, Corporation Street, Derby, DE1 2FS, by telephoning 01332 64 0807, minicom 01332 640 666 or by emailing [planningpolicy@derby.gov.uk](mailto:planningpolicy@derby.gov.uk).
  - you will be able to send us comments and representations either by letter, email or by electronic forms which can be downloaded from our website during consultation periods we will process and hold data in accordance with the General Data Protection Regulations.
- 2.13. Planning officers will work closely with both the Council’s Corporate Communications Team and the Equality and Diversity Team to ensure that we reach a broad range of people, groups and organisations. We will seek to engage with groups and their representatives, such as ethnic communities, gypsies and travellers, faith communities, disabled people, young people, LGBTQ+ people, older people and women.
- 2.14. We may use the following methods of consultation in the preparation of our Local Plan.
- Provide the contact details for the Planning Policy Team
  - Place information and documents on the Council’s website
  - Send stakeholder notifications by letter or email
  - Make information and documents available for inspection at the Council House and other publicly accessible locations where practicable
  - Place adverts or statutory notice in the Derby Telegraph
  - Put posters in public buildings
  - Publish articles in the Derby Newsroom
  - Hold exhibitions or drop-in events in publicly accessible buildings
  - Hold workshops and meetings with community groups and other stakeholders
  - Hold face-to-Face meetings
  - Use the Council’s internal communications network

- Use on-line consultation platforms such as Let's Talk Derby
  - Engage with groups we need to reach out to
  - Internal engagement within Derby City Council
  - Publicise through the Council's external partners
  - Use social media such as Facebook and Twitter
- 2.15. The Council acknowledges that not everyone has access to the Internet and so free access is provided in all of Derby's libraries. Non-cardholders can also gain access if they provide personal identification.

## **Methods of Engagement in the Preparation of a Supplementary Planning Document**

- 2.16. Supplementary Planning Documents (SPDs) provide additional detail and guidance on policies and proposals established in the Council's Development Plan. An SPD could focus on certain topics such as planning obligations, affordable housing, walking, cycling, nature conservation and design or cover a specific site.
- 2.17. The preparation of an SPD must follow the requirements of [Part 5 of The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#). In-line with the requirements of the regulations, consultations will not be less than four weeks.
- 2.18. The preparation of an SPD follows a slightly different route to the Development Plan; the following stages sets out the minimum process the Council will undertake in developing an SPD. Additional stages may be considered.

### **Stage 1: Preparation of a draft SPD**

Consultation at this stage will focus on groups and individuals with an interest in the topic being covered by the SPD. In particular, the Council will seek to engage groups with particular knowledge and expertise of the topic and groups likely to use the LP policy and the SPD and those likely to be most affected by it. Stakeholders involved with the development of the relevant LP policy will be included in consultation at this stage. Once a draft document has been prepared, we will seek to reach a wider section of the community as a whole, whilst focussing on those groups likely to be most affected by the contents of the document.

### **Stage 2: Prepare the final SPD**

Any representation made during the previous stage will be considered and, if necessary, appropriate amendments will be made to the draft SPD.

### **Stage 3: Adoption of the SPD**

The final SPD will be adopted in-line with the requirements of Regulation 14 of The Town and Country Planning (Local Planning) (England) Regulations 2012.

- 2.19. We may use the following methods of consultation in the preparation of an SPD:
- Provide the contact details for the relevant team

- Place information and documents on the Council’s website
- Make information and documents available for inspection at the Council House and other publicly accessible locations where necessary
- Send stakeholder notifications by letter or email
- Place adverts or statutory notice in the Derby Telegraph
- Display posters in public buildings
- Publish articles in the Derby Newsroom
- Hold exhibitions or drop-in events in publicly accessible buildings
- Use the Council’s internal communications network
- Engage with groups we need to reach out to
- Internal consultation within Derby City Council
- Use on-line consultation platforms such as Let’s Talk Derby
- Publicise through the Council’s external partners
- Use social media such as Facebook and Twitter

## **Neighbourhood Planning**

- 2.20. The Localism Act introduced an additional facet to spatial planning devolving more powers to local communities by giving them more control over housing and planning decisions. These powers include rights to prepare Neighbourhood Plans, Neighbourhood Development Orders and Community Right to Buy Orders. It is anticipated that the SCI will be a key consideration when the Council undertakes any community consultation.
- 2.21. We will be involved in consulting with the public at the following stages at the start and at the end of the process:
- The designation of a Neighbourhood Area for the purposes of producing a Neighbourhood Plan
  - The approval of a specific group who will prepare a Neighbourhood Plan for a specific area
  - Consultation on a draft Neighbourhood Plan prior to submitting the document for independent examination
  - Publication of the examiner’s report
  - Decision on whether to accept (Make) or refuse a plan
  - Publicising the decision to “Make” the neighbourhood plan
- 2.22. In all cases we are required to ensure that everyone who lives, works or has a business in the neighbourhood area has the opportunity to make comments

- 2.23. Given that a Neighbourhood Area can cover a ward, part of a ward, a specific district in the City and even extend into a neighbouring local authority, any consultation will be specifically tailored to each individual area.
- 2.24. We may use the following methods of consultation when the Council becomes involved in the preparation of a neighbourhood plan.
- Provide the contact details for the Policy Team
  - Place information and documents on the Council's website
  - Make information and documents available for inspection at the Council House and other publicly accessible locations where necessary
  - Place adverts or statutory notice in the Derby Telegraph
  - Publish articles in the Derby Newsroom
  - Display posters in public buildings
  - Use the Council's internal communications network
  - Use on-line consultation platforms such as Let's Talk Derby
  - Engage with groups we need to reach out to
  - Publicise through the Council's external partners
  - Publicise through organisations and local groups operating in the area
  - Use social media such as Facebook and Twitter
  - Contact the specific and general consultation bodies
  - Contact any person who asked to be notified

#### **Advice and Assistance to support Neighbourhood Planning**

- 2.25. The Council is committed to support any local group who wishes to undertake neighbourhood planning in the city. Planning officers will be available to discuss the requirements and implications of undertaking neighbourhood planning with any prospective groups in Derby.
- 2.26. In the preparation of a Neighbourhood Plans, officers will provide some support through the whole process. The level of support will vary, dependent on the needs and experience of each specific group.
- 2.27. We will provide advice on:
- legal procedures and the requirements of legislation such as the Human Rights Act, the Habitats Regulations and Environmental Assessments
  - National planning policy and the Council's Core Strategy/Local Plan
  - How to engage with specific consultation bodies
  - Consultation and community engagement methods

- Potential delivery partners

2.28. We will provide:

- Authority Monitoring Report data for the last five years
- List of planning applications made in the last five years
- The Local Plan Evidence Base and access to base data
- Maps showing constraints data
- Up-to-date information on any grant funding available
- Ordnance Survey base maps for the area and the preparation of the final policies map
- Guidance on policy writing
- Links to research data
- Links to any relevant and up-to-date information about Neighbourhood Planning

2.29. For the Draft Neighbourhood Development Plan, the Council will provide advice and assistance on:

- Conformity of the plan and whether in their view it meets the basic conditions
- Suitability of the Consultation Statement
- Suitability of any Environmental Assessment or Habitats Regulations Assessments undertaken
- Conformity with other legislative requirements
- Ordnance Survey mapping requirements

### **Taking your views on board**

2.30. It is vital that the comments we receive are considered and the outcomes reported back to all stakeholders and Members following the completion of a consultation.

2.31. After every consultation undertaken, we will produce a report which will demonstrate how the consultation was carried out, the issues raised by those who contributed and, where necessary, how the comments have been considered and influenced changes to the document in question.

2.32. Where possible, we will publish the consultation report and it will be made available for public viewing on the Council's website and publicly accessible buildings.

### **Joint Minerals and Waste Local Plans**

2.33. These are documents produced jointly by the City and County Councils. In both cases, the County Council will devise and undertake all public consultation and we will be guided by their approach. Consultation within the City will aim to direct people to the County Council's web site.

### 3. Community Involvement in the Development Management Process

- 3.1. It is important that interested parties are able to have their say on development management decisions; decisions which will help shape the character of the City.
- 3.2. Most people become involved in the planning system when they put in planning applications for their own projects or when they make comments on proposals.
- 3.3. Generally, the Development Management process can be split into three distinct stages:

#### Pre-application stage

- 3.4. The Council advocates pre-application discussions with applicants at an early stage of the development process. This is a formal process and subject to a [scale of charges](#).
- 3.5. We strongly encourage both applicants and developers to undertake their own consultation at an early pre-application stage to inform the application process and allow for areas of conflict or objection to be addressed before submitting a planning application to the Council.
- 3.6. The consultation method carried out by applicants and developers will vary depending on the scale and nature of the proposal. For smaller developments such as household extensions, this may involve applicants talking to their neighbours and showing them draft plans to ascertain their views. On larger schemes, developers may wish to consider undertaking wider public consultation by means of public meetings or exhibitions, development briefs or leaflets, and presentations to the Council's Neighbourhood Forums. It is expected that public meetings and exhibitions are made accessible to everyone in terms of their location and timing and should be held as near to the application site as possible.
- 3.7. Applicants and developers for major proposals are strongly encouraged to notify the Council of any publicity or consultation events planned prior to them occurring.
- 3.8. Developers are also encouraged to engage at an early stage with statutory consultees such as, for example, National Highways and the Environment Agency.
- 3.9. It is recommended that, where an application is submitted, the applicant or developer should include a statement setting out what consultation has been undertaken with stakeholders and the local community.
- 3.10. Unless the applicant wishes otherwise, early dialogue with the Council will be confidential to reflect the sensitive nature of pre-application discussions. Pre-application discussions can help identify key issues which will need to be addressed in any formal submission and allows the informal views of Council Officers and other interested parties to be made known at an early stage. It is a useful way of resolving early design and development issues; reducing the likelihood of future objections and helping to ensure that higher quality applications (that can be fully validated) are lodged overall.

## Application stage

- 3.11. To ensure a consistent approach to planning application publicity and consultation arrangements the Council will follow the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Council has previously used its own range of publicity arrangements that are above and beyond the statutory level outlined by central government. To simplify arrangements, it has been decided to follow the statutory publicity requirements for the various application categories. The publicity and notification arrangements are shown in Appendix 2.
- 3.12. When most small-scale applications are registered and validated, individual notification letters will be sent to the occupiers of property or land which immediately abut the application site (as identified on the submitted plans and drawings). The notification letter will state a timescale for comments to be submitted (normally 21 days) and details of where the application can be inspected, which is normally on the Council's website. In some situations, the notification letters will also be accompanied by a site notice displayed near to the application site. In other situations, a site notice may be the sole means of publicity.
- 3.13. For larger developments, individual notification letters will also be sent to the occupiers of property or land which immediately abut the application site (as identified on the submitted plans and drawings). The notification letter will state a timescale for comments to be submitted (normally 21 days) and details of where the application can be inspected which is normally on the Council's website. These applications will also be publicised by a site notice displayed near to the application site and an advertisement in the local press will be published.
- 3.14. Please note that the individual notification letters are sent to 'the occupier' of individual properties and the Council relies on the Royal Mail (or any other postal carrier as necessary) to deliver individual letters across the city. When letters are returned to the Council by the postal carrier, for example if an address is inaccessible, the Council will make reasonable endeavours to re-notify the occupier(s) concerned.
- 3.15. Please note the above is not an exhaustive list of publicity arrangements for all application types. Please refer to the appended tabulated list of application types and their individual publicity arrangements (Appendix 2).
- 3.16. The Council will also consult with statutory and non-statutory bodies such as, National Highways, Natural England, the Environment Agency, the Council's Conservation and Heritage Advisory Committee and various departments within the Council, including Environmental Health, Land Drainage and Highways where appropriate.
- 3.17. There are other types of application under the Planning (Listed Buildings and Conservation Area) Act 1990, which have their own statutory publicity requirements. These include applications for:
- Listed Building Consent; and
  - Certificate of Lawfulness of Proposed Works to a listed building
- 3.18. Planning applications, including plans, elevation drawings and any supporting information provided by the applicant, will be available to view on the Council's website. You can also find out what applications the Council receive by subscribing to our weekly list which



provides a list of applications received by the Council over a certain period. To sign up, please send your contact details to [developmentcontrol@derby.gov.uk](mailto:developmentcontrol@derby.gov.uk).

- 3.19. In some instances, applications may be amended, or additional supplementary information submitted to the Council during the life of the application. Where this happens and it materially alters a proposal, the Council may undertake a further consultation and notification exercise, commensurate with the type and size of amendments or the level of information submitted. Any additional publicity on changes to an application will be at the discretion of the case officer and will depend on the degree of change from the original submission. If an application is reduced in scale or form from the original submission, it is likely that no additional publicity will be carried out. Any additional information received will be placed on the Council's website.

### **Making comments on applications**

- 3.20. Comments or representations on planning applications have to be sent in writing by post, email or via the Council's e-planning system. People writing in their representations should state:

- their name and address
- the planning application reference number
- their concerns about the proposal based on relevant planning matters. A definition and some examples of relevant planning matters, or "material considerations," are given in the Glossary of Terms in Appendix 3.

- 3.21. People will normally have 21 days to write to the Council about planning applications. External bodies such as National Highways will be allowed a longer period of time to comment on applications where this is prescribed by legislation.

- 3.22. The Council allows interested parties to speak at Planning Control Committee. Anyone wishing to speak needs to:

- tell the Council their intentions at least 5 working days in advance of the meeting
- inform the Council of the date of the meeting they want to speak at, the matter on which they are speaking and their contact details.

- 3.23. At the Committee meeting people are allowed three minutes to make statements about the application but not to ask questions of the councillors or Council officers.

### **Finding out the result of an application**

- 3.24. The Council's committee reports and decisions will be displayed on our website, along with the decision notice.

- 3.25. People who have commented on planning applications are directed to the Council's website to find out the Council's decision.

- 3.26. Applicants have a right to appeal against refusal of an application or against any conditions imposed on a permission to the Planning Inspectorate. However, there is no third-party right of appeal.

## Appendix 1: Specific and General Consultation Bodies

The Town and Country Planning (Local Planning) (England) Regulations 2012, Regulation 4 require the Council to engage with the following bodies to meet the Duty to Co-operate.

- the Environment Agency (EA)
- the Historic Buildings and Monuments Commission for England (known as Historic England)
- Natural England
- the Civil Aviation Authority
- the Homes and Communities Agency (HCA)
- each clinical commissioning group established under section 14D of the National Health Service Act 2006
- the Office of Rail Regulation
- each 'Integrated Transport Authority' (National Highways)
- each highway authority within the meaning of Section 1 of the Highways Act 1980 (including the Secretary of State, where the Secretary of State is the highways authority)
- Designated Neighbourhood Forums

Although listed as 'Prescribed Bodies', the following are not relevant to Derby:

- Mayor of London
- Transport for London
- Marine Management Organisation

## Appendix 2: Publicity and Notification Arrangements

In broad accordance with statutory requirements the Council will publicise the application types listed below as follows:

### 1. Applications for 'major' development (including all applications for waste development)

- By site notice and/or neighbour notification letter
- By press advertisement
- On the Council's website

### 2. Applications subject to Environmental Impact Assessment (EIA) which are accompanied by an Environmental Statement (ES)

- By site notice and neighbour notification letter – only when individual neighbour notification is deemed necessary
- By press advertisement
- On the Council's website

### 3. Applications which do not accord with the development plan (frequently known as 'departures')

- By site notice and neighbour notification letter – only when individual neighbour notification is deemed necessary
- By press advertisement
- On the Council's website

### 4. Applications which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies

- By site notice
- By press advertisement
- On the Council's website

### 5. Applications for planning permission not covered under 1 to 4 above, for example 'non-major' development

- By site notice and/or neighbour notification letter
- On the Council's website

Under this category the following exceptions apply, which do not require publicity. However, the Council reserve the right to publicise individual applications in this 'exceptions list' subject to an individual assessment of the applications in question:

- Hedgerow removal notices
- High hedge complaints

- Prior notification applications
- Certificates of lawfulness for proposed use or development
- Section 211 Notices (works to trees in Conservation Areas)
- Discharge of condition applications (aside from those in category 8 below)
- Non-material amendment applications
- Applications for express advertisement consent
- Tree Preservation Orders

**6. Applications for listed building consent where works to the exterior of the building are proposed**

- By site notice
- By press advertisement
- On the Council's website

**7. Applications for listed building consent where only works to the interior of the building are proposed**

- By site notice
- On the Council's website

**8. Applications to vary or discharge conditions attached to a listed building consent, or involving interior works to a listed building**

- By site notice
- By press advertisement
- On the Council's website

[Consultation and pre-decision matters - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

**Please note that, where specified above, the Council will send individual neighbour notification letters. These letters will be sent to the occupiers of property or land which immediately abut the application site (as identified on the submitted plans and drawings). The notification letter will state a timescale for comments to be submitted (normally 21 days) and details of where the application can be inspected, which is normally on the Council's website.**

**In some cases, the Council may decide to write to people who do not immediately abut the application site. This will be at the sole discretion of the Council and the decision to carry out wider publicity will be based on the careful consideration of the use or development and any previous interest/involvement from people in that particular use or development.**

## **Appendix 3: Glossary of Terms**

### **Consultation Statement**

The document describes the consultations undertaken, outlines who was consulted, how they were consulted and presents a summary of the main issues raised and explains how they have shaped the Local Plan.

### **Development Management**

The process of reviewing planning applications submitted by development companies, homeowners or businesses. The decision will normally be made in accordance with the development plan, central government guidance and advice, and any other 'material considerations'. If the application is successful, planning permission will be granted, sometimes with conditions and the development may go ahead.

### **Examination**

Formal examination of the Local Plan and supporting documents by an independent inspector appointed by the Secretary of State to consider if the plan is sound and legal.

### **Local Development Scheme (LDS)**

Sets out the Council's programme for preparing Local Development Documents.

### **Local Plan**

A Development Plan Document, which plans for the future development within an administrative area, drawn up by local planning authorities in consultation with communities and other stakeholders.

### **Major Applications**

Residential development 10 or more dwellings or site area of 0.5 ha or more. For other proposals 1000sqm floorspace or site area of one hectare or more.

### **Material Considerations/ Relevant Planning Matters**

Factors that will be taken into account when reaching a decision on a planning application or appeal. Any consideration which relates to the use or development of land is capable of being a material consideration. Examples are traffic and access, impact on street scene.

### **National Planning Policy Framework (NPPF)**

The NPPF replaces the majority of national planning policy documents (PPG/PPS) and many circulars, streamlining them all into one document. It sets out the Government's planning policies for England and how these are expected to be applied. It provides a framework within which local and neighbourhood plans can be produced reflecting the needs and priorities of the local area.

### **Neighbourhood Development Plan**

The Localism Act 2011 gave communities the power to establish general planning policies for the development and use of land in a neighbourhood such as where new homes and offices should be built and what they should look like (within Neighbourhood Development Plan).

### **Planning Inspector**

A Planning Inspector is a person appointed on behalf of the Planning Inspectorate (itself an executive agency of Government) to conduct the planning appeals for individual planning applications and examines Local Plans (and other Development Plan Documents) to ensure they are Sound.

### **Planning Permission**

A written consent to the carrying out of "Development" issued by a local planning authority or, on appeal, by a Planning Inspector or the Secretary of State. The permission is normally subject to conditions and will lapse if the development is not started within a stated period of time. Planning permission for buildings may be in outline where the principle is approved, subject to the later submission of further applications for the approval of reserved matters.

### **Soundness**

A Development Plan Document is considered sound if it is based upon good evidence and has been prepared in accordance with all the necessary procedures including the measures set out in the authority's Statement of Community Involvement.

### **Spatial Planning**

Spatial planning goes beyond traditional land use planning to bring together and integrate policies for the development and use of land with other policies and programmes which influence the nature of places and how they function.

This will include policies which can impact on land use by influencing the demands on, or needs for, development, but which are not capable of being delivered solely or mainly through the granting or refusal of planning permission and which may be implemented by other means.

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

Sets out the standards that authorities will achieve with regard to involving local communities in the preparation of Local Development Documents and Development Management decisions.

### **Supplementary Planning Document (SPD)**

Forms part of the Local Development Framework and provides detail on policies in the Development Plan Documents. They are not subject to independent examination and are not part of the statutory development plan.

### **Sustainability Appraisal (SA)**

A tool for appraising policies to ensure they reflect sustainable development objectives (such as social, environmental and economic factors) and required in the Act to be undertaken for all Development Plan Documents. The SA incorporates the requirements of the Strategic Environmental Assessment Directive.



We can give you this information in any other way, style or language that will help you access it. Please contact us on **01332 640807** or **[derby.gov.uk/signing-service/](http://derby.gov.uk/signing-service/)**

### **Punjabi**

ਇਹ ਜਾਣਕਾਰੀ ਅਸੀਂ ਤੁਹਾਨੂੰ ਕਿਸੇ ਵੀ ਹੋਰ ਤਰੀਕੇ ਨਾਲ, ਕਿਸੇ ਵੀ ਹੋਰ ਰੂਪ ਜਾਂ ਬੋਲੀ ਵਿੱਚ ਦੇ ਸਕਦੇ ਹਾਂ, ਜਿਹੜੀ ਇਸ ਤੱਕ ਪਹੁੰਚ ਕਰਨ ਵਿੱਚ ਤੁਹਾਡੀ ਸਹਾਇਤਾ ਕਰ ਸਕਦੀ ਹੋਵੇ। ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ ਇੱਥੇ ਸੰਪਰਕ ਕਰੋ: **01332 640807** ਜਾਂ **[derby.gov.uk/signing-service/](http://derby.gov.uk/signing-service/)**

### **Polish**

Aby ułatwić Państwu dostęp do tych informacji, możemy je Państwu przekazać w innym formacie, stylu lub języku. Prosimy o kontakt: **01332 640807** lub **[derby.gov.uk/signing-service/](http://derby.gov.uk/signing-service/)**

### **Slovak**

Túto informáciu vám môžeme poskytnúť iným spôsobom, štýlom alebo v inom jazyku, ktorý vám pomôže k jej sprístupneniu. Prosím, kontaktujte nás na tel. č.: **01332 640807** alebo na stránke **[derby.gov.uk/signing-service/](http://derby.gov.uk/signing-service/)**

### **Urdu**

یہ معلومات ہم آپ کو کسی دیگر ایسے طریقے، انداز اور زبان میں مہیا کر سکتے ہیں جو اس تک رسائی میں آپ کی مدد کرے۔ براہ کرم **01332 640807** یا **[derby.gov.uk/signing-service/](http://derby.gov.uk/signing-service/)** پر ہم سے رابطہ کریں