

STATEMENT OF COMMUNITY INVOLVEMENT

2023



High Peak Borough Council

working for our community



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1 Foreword

STATEMENT OF COMMUNITY INVOLVEMENT

Document for Adoption 2023

This Statement of Community Involvement, once adopted will supersede the Council's previous document which was adopted in February 2019.

For further information relating to this document, or for a large print or audio copy, please contact:

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2 About this Statement



What is the Statement of Community Involvement?

2.1 Planning has an impact on all residents' lives, for example the location of the homes we live in, the roads we travel on, where we shop, work and the open spaces we enjoy. These are all as a result of planning decisions. Therefore there is a wide variety of individuals and organisations that potentially have an interest in shaping future development in the High Peak.

2.2 The Statement of Community Involvement (SCI) describes how the Council will seek to engage with residents, businesses and other organisations in decision making on planning policy documents and planning applications in the part of the High Peak outside of the Peak District National Park.

2.3 Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended) requires local planning authorities to produce a Statement of Community Involvement, which should explain how they will engage local communities and other interested parties in producing their Local Plan and determining planning applications.

2.4 There are minimum requirements for consultation on planning policy documents set out in the Town and Country Planning Regulations which the Council must adhere to. Wherever possible, the Council will seek to exceed these minimum requirements to further strengthen community involvement in planning.

2.5 The National Planning Policy Framework (NPPF) also provides guidance on engagement and collaboration with residents, businesses and organisations in the production of planning documents and in the preparation and determination of planning applications.

2.6 The aim of the approach set out in this document is to ensure that all sections of the public, including local groups and organisations, and any "hard to reach" groups traditionally under-represented in the planning process, have the opportunity to be involved. The intention is to focus community involvement at the outset of the plan preparation process, ensuring that residents and other interested parties have the opportunity to be involved at an early stage of the production of each document.

2.7 With these aims in mind, the SCI objectives are as follows:

- To inform members of the public and all other interested parties in a clear fashion how they will be notified about our planning policy consultations and how they can give their views on planning applications;
- To ensure the process of making comments is as straightforward as possible both electronically and on paper;
- To plan consultation carefully to ensure that the opportunity is given for all interested parties to participate in the process, whilst at the same time making the most effective use of Council resources.

2 About this Statement

High Peak's communities

2.8 The High Peak is predominantly rural with the local planning authority area covering land on the edge of the Peak District National Park, with residents living primarily in the main market towns of Glossop, New Mills, Whaley Bridge, Chapel-en-le-Frith and Buxton. These characteristics of the area have to be taken into account when undertaking consultation with residents about planning documents.

2.9 The demographics of the Borough also require consideration. The 2021 Census shows that the High Peak continues to have an ageing population. In the decade between 2011 and 2021 there has been an increase of 27% in people aged 65 years and over (compared with a 20.1% rise across England), a decrease of 5% in people aged 15-64 years and a decrease of 6.8% in children aged under 15 years.

The High Peak SCI

2.10 The Council adopted its Local Plan in April 2016 and has now began the process of reviewing the plan. With this in mind, High Peak has also decided to update its SCI to tie in with the early stages of the plan review and give interested parties the opportunity to have a say on how the Council will consult on the new Local Plan, whilst at the same time reviewing the document to provide minor updates and reflect changing circumstances.

2.11 This updated SCI has been structured to provide a comprehensive guide to the Council's approach whilst at the same time enabling the community to focus on particular areas of interest. The document is split into sections as follows:

- Part 3 provides key background information about how the planning system works, the planning policy documents produced by the Council and the preparation process for these documents. The section also covers other considerations the Council must take into account when preparing its planning policy documents, such as provisions made in the Localism Act 2011.
- Part 4 details methods of engagement to be used during consultation and includes tables setting out who will be consulted at each key stage in plan preparation. This section also includes details as to what happens to comments received by the Council.
- Part 5 covers consultation in the context of the planning applications process.
- Part 6 focuses on how the Council will ensure equal opportunities in consultation by seeking to involve all sections of the community in the process and measures to be used with the aim of achieving this.
- Part 7 details the circumstances under which this SCI will be reviewed.

2.12 This statement is intended as a reference point for members of our community to understand how we can all become involved in planning matters. With this in mind, a glossary has been produced to explain the terms used (**Appendix A**). Further sources of information and advice on planning can be found in **Appendix B**. Details of how consultation may be affected in exceptional circumstances, such as a pandemic, can be found in **Appendix C**. The council's privacy policy

2 About this Statement

setting out how we will treat the personal data of planning customers is reproduced in **Appendix D**. The Protocol on Land Use Planning Matters and Development Control Committee is provided in **Appendix E**.



3 Background

Who is the Community?

3.1 This document has been prepared having first established an understanding of the High Peak community and its stake holders.

3.2 Our community comprises:

- Statutory Consultees (for example utilities companies; public bodies such as Natural England, Historic England, the Environment Agency; and our neighbouring local authorities).
- General Consultation Bodies (voluntary bodies, those representing different racial, ethnic, national and religious groups, local interest groups, those representing the interests of disabled persons and local businesses – as the Local Planning Authority considers appropriate).
- General Public.
- Parish and Town Councils (including those who adjoin the High Peak).
- Local businesses; business organisations such as the Local Enterprise Partnership and East Midlands Chamber; planning agents; house builders; developers.
- Communities or sections of population deemed to be "hard to reach", or who are not currently fully engaged with the planning policy process. These may include people who experience language difficulties, difficulties in accessing information, or may think that service-providers do not care about them, or do not listen to them.

3.3 The Council has considered how its whole community (as described above) can best be represented - at each stage in the preparation of planning policy documents, as well as in the determination of planning applications.

How does the Planning System Work?

3.4 There are two key parts to the planning system - Planning Policy and Development Management.

3.5 Planning Policy is concerned with producing the local planning documents and policies that are used to guide development in the High Peak (outside the Peak District National Park). These documents must conform to relevant Government guidance, and there are specific regulatory procedures which must be followed during their preparation. Planning policy documents cover matters such as where new housing and other types of development will take place and the issues that should be taken into account when assessing a planning application.

3.6 Development Management is responsible for processing and determining planning applications for development, and for other applications such as for advertisements or works to listed buildings. Planning applications may be determined either by officers (under delegated powers) or by the Council's Development Control Committee, depending on the scale and nature of the proposal and comments received.



3 Background

3.7 Anyone is entitled to make comments on a planning policy document or a planning application. It should be noted that policies within the Local Plan are used to determine planning applications, so it is important that those with an interest in the development and future of their local area have their say when policy documents are being prepared.

3.8 Please refer to **Appendix B** for a list of organisations that can provide further information and advice on the planning system.

What Planning Policy Documents are prepared?

3.9 **Figure 1** (below) illustrates the hierarchy of documents within the planning policy system, some of which are prepared by the Council.

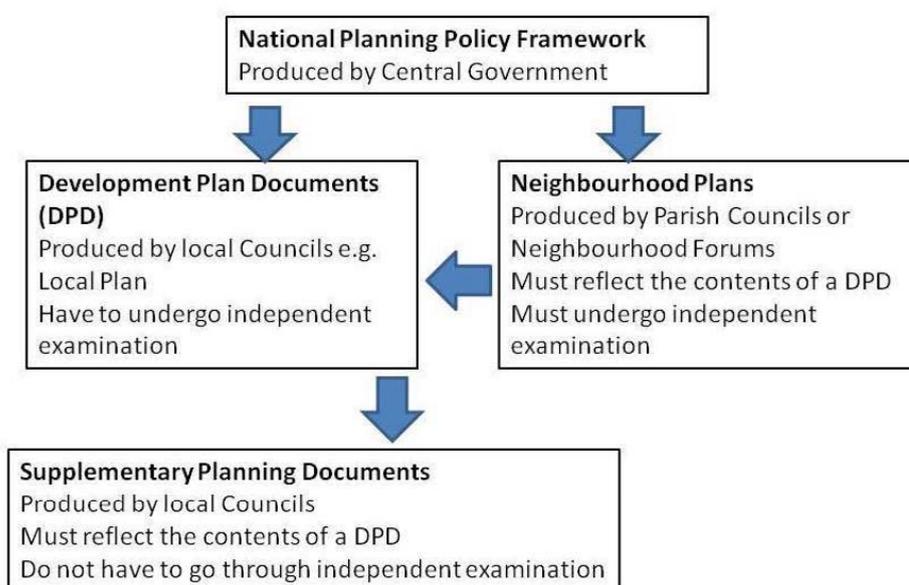


Figure 1 Hierarchy of planning documents

3.10 The High Peak Local Development Scheme (LDS) sets out the documents which the Borough Council will use when exercising its planning functions. The LDS explains what each of these documents are, what areas they cover and how they relate to each other. The Scheme also sets out a timetable for the production of new documents over the next three years or so.

3.11 Planning Policy documents, including the LDS, can be accessed at the following web address:

<https://www.highpeak.gov.uk/article/301/Planning-policy>

Development Plan Documents (DPDs)

3.12 These are the key documents which make up the Local Plan - they contain the local set of planning policies. DPDs all undergo a statutory preparation process including independent examination before they can be adopted by the Council. DPDs in High Peak are:

3 Background

- The High Peak Local Plan (adopted in April 2016)

Neighbourhood Plans

3.13 These are plans prepared by the local community (usually a Parish or Town Council) for a specific area and form part of the development plan for that location. Adopted ("made") Neighbourhood Plans in High Peak are:

- Chapel-en-le-Frith Neighbourhood Development Plan (adopted in August 2015)

Supplementary Planning Documents (SPDs)

3.14 These are a set of documents which provide additional, specific detail about a certain topic or location. The documents do not require independent public examination and cannot make or change policy. SPDs in High Peak are:

- Water in Buxton (adopted December 2021)
- High Peak Design Guide (adopted in February 2018)
- Glossop Design and Place Making Strategy (adopted in March 2012)
- Buxton Design and Place Making Strategy (adopted in December 2009)
- Buxton Station Road Design Framework (adopted in July 2007)
- Housing needs in the High Peak (adopted in November 2007)
- Landscape Character (adopted in March 2006)
- Residential Design (adopted in December 2005)
- Planning Obligations (adopted in December 2005)

3.15 Please note that the lists above are not exhaustive and DPDs and SPDs may be added or updated. Please refer to the Borough Council's website for the most up to date information. The Council is currently preparing a Developer Contributions SPD which, once adopted will supersede the Planning Obligations and Housing Needs in the High Peak SPDs.

What is the Preparation Process for Planning Policy Documents?

3.16 The Council aims to involve the community and other interested parties throughout the preparation of its Development Plan Documents, particularly at the early stages of production. This is intended to help achieve greater local ownership and legitimacy for the policies that will shape future development in the Borough.



3 Background

3.17 The tables below show the current preparation process for DPDs and SPDs based on The Town & Country Planning (Local Planning) (England) Regulations 2012 and guidance set out in the NPPF. Please note that changes to the preparation process could be required by amendments to the Regulations.

Preparation of Development Plan Documents

Stage	Preparation activities
<p>1: Involve and consult:</p> <p>Preparation (including early engagement)</p>	<ul style="list-style-type: none"> • Normally would include two consultations: options and preferred options, and in certain circumstances there may be a need for further consultation prior to publication. Any such consultations are expected to be for a minimum of six weeks. • Gather evidence from a variety of sources. • Notify and consult with the local community, groups and organisations about the content of the proposed plan (required by Regulations). • Consider issues and alternatives. • Consider comments made and alternative approaches. • Prepare initial Sustainability Appraisal and Habitats Regulations Assessment. • Prepare content of draft document. • Prepare part 1 of Consultation Statement (required by Regulations) outlining who was consulted at this stage and how, a summary of the main issues raised and how these have been taken into account. Also demonstrate how requirements of SCI have been met at this stage.
<p>2: Invite comment:</p> <p>Publication</p>	<ul style="list-style-type: none"> • Six week (minimum) formal period to comment on soundness of plan, sustainability appraisal, Habitats Regulations Assessment and supporting evidence. • Notify and invite representations from bodies required by Regulations. • Documents made available for inspection at Council offices and other appropriate locations and published on the Council's website. • Prepare part 2 of Consultation Statement (required by Regulations) outlining who was consulted at this stage and how, the number of representations made and a summary of the main issues raised and how these have been taken into account. Also demonstrate how requirements of SCI have been met at this stage.

3 Background

Stage	Preparation activities
3: Inspection: Submission for Independent Examination	<ul style="list-style-type: none"> • Development Plan Document submitted to Secretary of State for independent examination. • Publicise examination. • Notify those involved of procedures for examination. • Independent examination. • Planning inspector issues report.
4: Adopt	<ul style="list-style-type: none"> • Adopted by Council if considered to be 'sound' by inspector with modifications if recommended.
5: Notify	<ul style="list-style-type: none"> • Notify anyone who has requested to be kept informed about the publication of the Inspector's report and the adoption of the document.
6: Monitor	<ul style="list-style-type: none"> • Final plan is regularly monitored, where possible, to make sure plan is achieving its aims. • Plan may be reviewed, where necessary.

Table 1 Preparation Process for Development Plan Documents

Preparation of Supplementary Planning Documents

Stage	Preparation Activities
1: Involve and consult: Preparation (including early engagement)	<ul style="list-style-type: none"> • Gather evidence from a variety of sources. • Notify and consult with relevant individuals and organisations (required by Regulations). Any such consultations are expected to be for a minimum of six weeks. • Consider issues and alternatives. • Consider need for an initial Sustainability Appraisal (this is not required by Regulations but considered to be good practice where applicable). • Prepare content of draft document. • Prepare Consultation Statement (required by Regulations) setting out who was consulted when preparing SPD, a summary of the main issues raised and how those issues have been addressed in the SPD.

3 Background



Stage	Preparation Activities
2: Invite comment: Publication	<ul style="list-style-type: none"> • Four week (minimum) formal period for anyone to comment on plan, consultation statement, sustainability appraisal (where applicable) and any supporting evidence. • Documents made available for inspection at Council offices and other appropriate locations and published on the Council's website.
3: Adopt	<ul style="list-style-type: none"> • Document adopted by the Council.
4: Notify	<ul style="list-style-type: none"> • Notify anyone who has requested to be kept informed about the adoption of the document.
5: Monitor	<ul style="list-style-type: none"> • Final document is regularly monitored, where possible, to make sure plan is achieving its aims. • Document may be reviewed, where necessary.

Table 2 Preparation Process for Supplementary Planning Documents

3.18 The approach when preparing all planning policy documents will be one which focuses on early involvement in the process with the most intensive consultation taking place at Stage 1, the preparation stage, with the aim of maximising the involvement of individuals and organisations in shaping the contents of the document. This approach reflects the 2012 Regulations and the guidance in the NPPF.

3.19 Stage 2 is a formal representation stage seeking comments on whether the plan proposed for submission for examination is sound (in the case of DPDs) or suitable for adoption (in the case of SPDs).

Sustainability Appraisals (SAs)

3.20 It is a statutory requirement ⁽ⁱ⁾ that the Council produces a Sustainability Appraisal (SA) in order to assess the economic, environmental, and social effects of a plan from the outset of the preparation process. This helps to inform policy and allows decisions to be made that accord with sustainable development. The SA documents are also subject to consultation alongside the plan and inform changes at each stage in the plan production process.

i The Planning White Paper published in 2020 suggested that the sustainability appraisal system would be abolished and replaced with a simplified process for assessing the environmental impact of plans. New legislation in the form of the Levelling up and Regeneration Bill is currently progressing through parliament but at the time of writing a change in legislation has not yet taken place.

3 Background

3.21 At the beginning of the plan preparation process an SA Scoping Report will be produced, setting out a baseline picture of the Borough, with reference to both sustainability objectives and indicators. The report will identify the scope and level of detail of information to be included in the main SA. For the scoping report the Council will consult only certain bodies and statutory consultees, as required under the regulations, as well as various other organisations and representative interests as deemed appropriate.

3.22 An initial SA is produced at Stage 1: "Involve". Full consultation on this document takes place with a wider audience, alongside consultation on the DPD / SPD, as preparation of both is intrinsically linked. The SA can also be amended to reflect comments received if appropriate.

3.23 A further SA report is produced at Stage 2: "Invite Comment" alongside the DPD / SPD. Anyone is able to make comments on it and amendments can be made. In the case of preparing a DPD, both the SA and the DPD (along with other related documents) are submitted to the Secretary of State for independent examination. A final version of the SA will be published alongside the adopted plan.

3.24 Understanding the specific environmental impacts of the DPD / SPD also needs to be considered when creating a new plan. This can be achieved by incorporating a Strategic Environmental Assessment (SEA) into the Sustainability Appraisal, as is required under the Strategic Environmental Assessment Directive (2001/42/EC).

3.25 It should be noted that production of a Sustainability Appraisal for a Supplementary Planning Document is not a statutory requirement. However, the Borough Council will review the need on a case by case basis, as preparation of an SA is considered to be good practice and useful in informing the production of the plan.

3.26 Habitats Regulations Assessment (HRA) is also required to be undertaken if the contents of the plan are considered to be capable of affecting the designated interest features of European nature conservation sites. Special Protection Areas are designated under the Birds Directive to protect wild birds and their habitats. Special Areas of Conservation are designated under the Habitats Directive to conserve habitats and species other than birds that are important in their own right. The Habitats Regulations Assessment will be made available as a supporting document to accompany the plan alongside other evidence.

What else must the Council consider when preparing its Planning Policy Documents?

National Planning Policy Framework (NPPF)

3.27 The Ministry of Housing, Communities and Local Government published the most recent revised National Planning Policy Framework (NPPF) in July 2021. The NPPF is considered to be a vital tool to help ensure that we get planning for the right homes built in the right places of the right quality, at the same time as protecting our environment. Local planning authorities are required to follow the guidance within it when creating new planning policy and determining planning applications in their area. The NPPF recognises that early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses and the community is essential.

3 Background

Localism Act 2011

3.28 The Localism Act introduced new elements into the planning process including a "duty to co-operate" and neighbourhood planning.

Duty to Co-operate

3.29 Duty to Co-operate ⁽ⁱⁱ⁾ requires neighbouring local authorities, including County Councils and other public bodies, to engage constructively, actively and on an on-going basis on cross boundary matters (such as levels of housing, employment, road links, Green Belt, school place planning provision, Green Infrastructure, and public health). The relevant neighbouring Local Authorities for High Peak are Derbyshire County Council, Peak District National Park Authority, Derbyshire Dales District Council, Tameside Metropolitan Borough Council, Stockport Metropolitan Borough Council, Manchester City Council, Cheshire East Council, Sheffield City Council, Staffordshire Moorlands District Council, Oldham Metropolitan Borough Council, Barnsley Council and Kirklees Metropolitan Borough Council.

3.30 The Strategic Housing Market Assessment (2014) recommended that due to the overlapping nature of housing market areas, migration and commuting patterns, the Council should focus its efforts for cooperation on housing matters with Stockport, Tameside, Cheshire East, Derbyshire Dales and Sheffield.

3.31 The Employment Land Review (2014) indicated that cooperation on employment issues would be particularly relevant with authorities including Manchester, Tameside and Stockport, due to the extent of out-commuting from High Peak to these areas.

3.32 The "prescribed bodies" which the Council has a duty to co-operate with are set out in the Town & Country Planning (Local Planning) (England) Regulations 2012 as amended by The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013. In addition to Local Planning Authorities, those relevant to High Peak Borough Council are:

- Environment Agency
- Historic England
- Natural England
- Civil Aviation Authority
- Homes England
- North Derbyshire Clinical Commissioning Group and Tameside and Glossop Clinical Commissioning Group

ii The Planning White Paper published in 2020 suggested that Duty to Co-operate would be abolished. New legislation in the form of the Levelling up and Regeneration Bill is currently progressing through parliament but at the time of writing a change in legislation has not yet taken place.

3 Background

- National Health Service Commissioning Board
- Office of Rail Regulation
- Transport for Greater Manchester
- National Highways and Derbyshire County Council Highways

3.33 Whilst Local Enterprise Partnerships and Local Nature Partnerships are not subject to the Duty to Cooperate, local planning authorities should have regard to their activities.

3.34 (Please note that the above list is subject to change as new regulations are issued or bodies change their name and / or function.)

3.35 Local Councils are required to demonstrate compliance with the duty to co-operate as part of the examination of Local Plans. If a Council cannot adequately demonstrate that it has complied with the duty, its Local Plan will fail the independent examination.

Neighbourhood Planning

3.36 Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided, and grant planning permission for the new buildings they want to see go ahead.

3.37 Preparation of a Neighbourhood Plan enables communities to play a much stronger role in shaping the areas in which they live and work and in supporting new development proposals. This is because unlike the parish, village or town plans that communities may have prepared, a Neighbourhood Plan forms part of the development plan and sits alongside the Local Plan prepared by the local planning authority. Decisions on planning applications will be made using both the Local Plan and the Neighbourhood Plan, and any other material considerations.

3.38 Preparation of a Neighbourhood Development Plan is subject to a series of statutory steps set out in Regulations, and shown in Figure 2 below. The Local Planning Authority will organise an independent examination of the Plan and a community referendum that is held at the end of the process.

3.39 Neighbourhood Development Orders allow planning permission to be granted in relation to a particular neighbourhood area for certain types of development. It allows communities to permit the development they wish to see either in full or outline without the need for planning applications. The planning permission can vary from a number of homes on a specified site to a blanket consent, such as extensions to residential properties across the defined neighbourhood area. Exclusions do apply such as minerals and waste development, types of development which need Environmental Impact Assessment and nationally significant infrastructure projects. Again, the process for creating a neighbourhood development order is statutory and very similar to the process for creating a neighbourhood plan.

3 Background

3.40 Community Right to Build Orders are made by a community organisation (set up as a body which is established to further the social, economic and environmental well-being of individuals living in a particular area) or the Parish / Town Council allowing them to bring forward a small development for purposes such as new homes, businesses or community facilities. It is a site specific application limited to the development site.

3.41 The consultation bodies for Neighbourhood Development Plans are set out in Schedule 1 of The Neighbourhood Planning (General) Regulations 2012 (as amended).

3.42 Please note that consultation bodies vary for Neighbourhood Development Orders and Community Right to Build Orders so current legislation should be referred to.

Other Planning Documents we will consult on

Neighbourhood Plans

3.43 Neighbourhood Plans are prepared by Town or Parish Councils, where these exist, or by a neighbourhood forum, not by the Borough Council. Plan preparation has to follow a statutory process including consultation with, and participation by, the public, independent examination and the holding of a referendum.

3.44 **Figure 2** below sets out the process for creating a Neighbourhood Plan.

3 Background

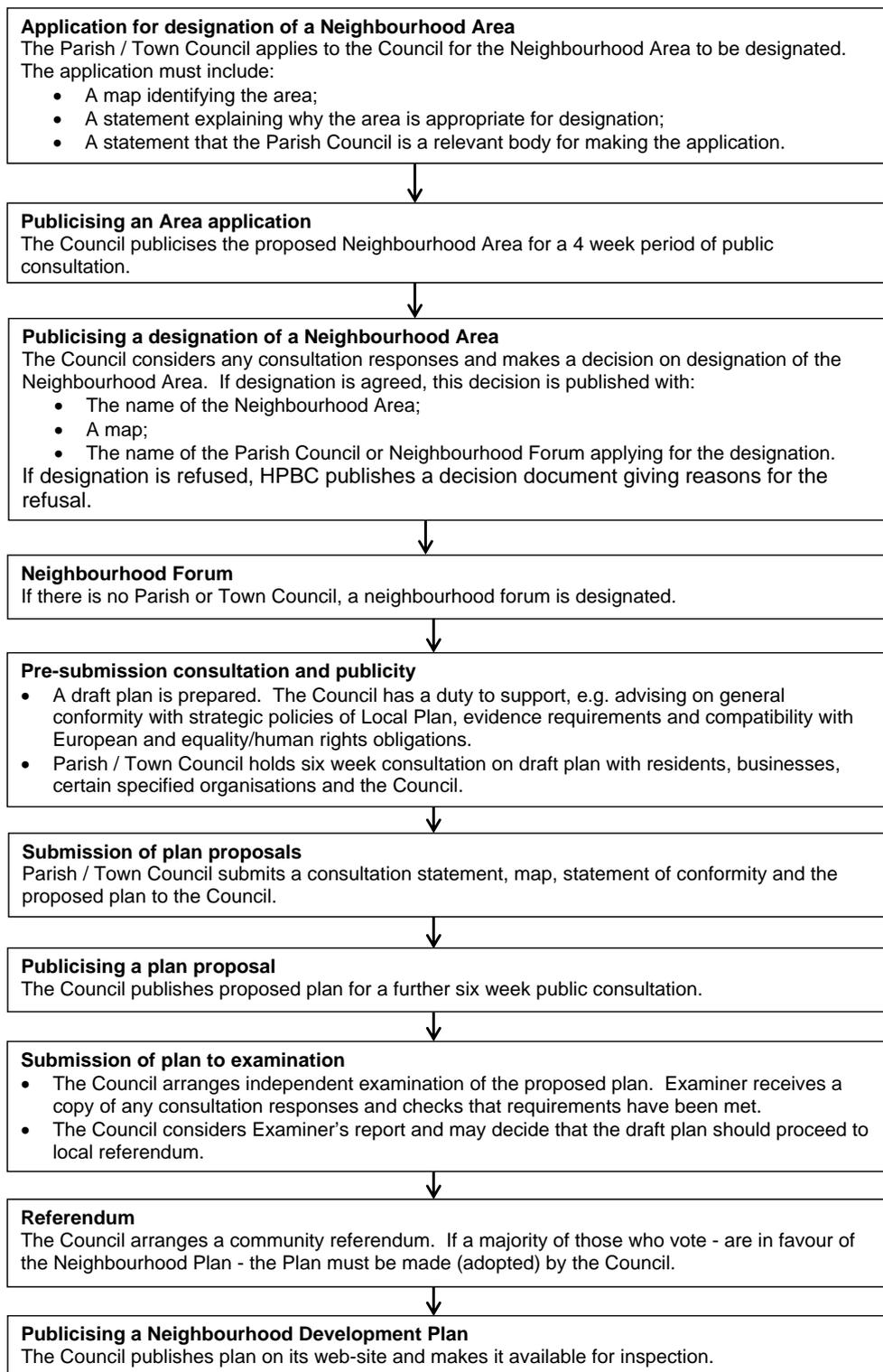


Figure 2 Neighbourhood Plan preparation process

3 Background

3.45 There are a range of approaches the Council could take in order to fulfil its statutory duty to support and advise during the neighbourhood planning process, with various levels of involvement. If a Neighbourhood Plan is proposed in the High Peak, the level of support provided will be considered on a case by case basis, depending on the resources available to the Council at that time.

Developer Contributions - Infrastructure Levy

3.46 A new non-negotiable locally determined Infrastructure Levy (IL) system is proposed to be rolled out gradually across England. Once further details of the consultation process are known they will be included in a future version of the SCI.

Statement of Community Involvement (SCI)

3.47 The Council is required to have an up to date Statement of Community Involvement (SCI) setting out how it will involve the community in plan making and when considering planning applications. The SCI will help to ensure that local communities have greater involvement in local planning decisions and are better able to shape the places where they live.

3.48 The Council's previous SCI was adopted in February 2019. This document will replace that version. It has been prepared to take into account new legislation and to incorporate new ideas, both aimed at increasing public involvement.

3.49 When updating a SCI, a consultation draft will be subject to public consultation for a minimum of six weeks, giving the opportunity for interested parties to suggest amendments, before being presented to Council for adoption.

Local Development Scheme (LDS)

3.50 The LDS sets out a work programme for producing planning documents. This shows the key consultation periods when public involvement is sought. The document is reviewed on a regular basis and the most up to date version is available on the Council's website.

4 How can you get involved in influencing the Content of Planning Policy Documents?

How we will consult

4.1 There are a wide range of techniques which can be used to involve individuals and organisations in planning matters. The following methods (set out in the table below) may be used as engagement and notification methods at various stages in the preparation of planning policy. Please note that the Council does not undertake to use all of the methods listed, at all consultation stages, or for all planning documents. Details of which methods may be used, when, along with a target audience is set out in Tables 4 and 5.

4.2 It should be noted that methods used by the Council for community engagement will be continually reviewed. As a result, some consultation activities used may not be set out in the Statement of Community Involvement as they may be specific to the circumstances of the consultation, or reflect new opportunities and best practice. Similarly, some of the engagement methods listed may cease to exist or be superseded over time.

4.3 The Council will aim to make the most effective use of resources in its methods of engagement. This may mean employing external facilitators; liaising with other service areas of the Council or County Council; and combining participation exercises with other appropriate community initiatives. In order to make effective use of resources there will also be an emphasis on the use of online methods of notification about consultation and for undertaking the consultation itself.

4.4 The COVID-19 pandemic has demonstrated that there may be some circumstances, such as the national lockdown, that are beyond the Council's control. During these circumstances, the Council will at all times remain committed to involving the community as much as is practicable, but it may be necessary to vary the main consultation methods set out within this document (subject to any Regulations in place at the time). Refer to **Appendix C** for further details.

4.5 Effective engagement between Borough Councillors and Council Officers is also extremely important when creating new planning policy documents. As the legislative process for the creation of policy documents is constantly changing, provision of training to consider the Council's statutory requirements at an early stage in the process will help to ensure that elected members are able to make informed decisions on the content of their Council policy documents.



4 How can you get involved in influencing the Content of Planning Policy Documents?

METHOD	HOW IT WILL WORK	TYPE OF INVOLVEMENT
<p>Borough Council's Website</p>	<p>The Council's website will display up-to-date information on the various stages of consultation as well as all documentation relating to the plan – this is required by Regulations.</p> <p>Details of the website address will be included in each publication. Shortened links will be used wherever possible to make it easier to access information.</p> <p>A link from the home page of the Council's website to the consultation page will be used where possible to help ensure that interested parties are able to easily find documents.</p>	<p>Providing information and raising awareness</p>
<p>Social Media e.g. Facebook, Twitter</p>	<p>Social media such as the Council's Facebook page will be used for notification about key events such as planning policy preparation or consultation dates - sign posting to the information on the website.</p> <p>The Council also has a Twitter account and regularly sends tweets to its followers. Please note that comments made on the council's social media platforms will not be considered. Online comments should be made on the Council's online portal.</p>	<p>Raising awareness</p>
<p>Questionnaires and Response Forms (electronic and paper)</p>	<p>This method will be delivered primarily through the Council's online consultation portal. Types of questions used may differ according to the stage of policy preparation, for example questions could be broad and open at earlier stages of production, or multiple choice format in relation to a particular topic at a later stage.</p> <p>A paper based version of questionnaires / response forms will be made available for those who cannot, or prefer not to, use the online consultation portal.</p> <p>The use of response forms (online and paper) by the Borough Council is well established. As well as being preferred by the Planning Inspectorate (for those documents which undergo independent examination), they tend to be quicker and easier for the Council to process, and provide a structure within which the participant can respond to specific</p>	<p>Gathering opinion</p>

4 How can you get involved in influencing the Content of Planning Policy Documents?

METHOD	HOW IT WILL WORK	TYPE OF INVOLVEMENT
	<p>parts of a plan. However the Council also accepts comments made by letter or email outside this questionnaire format. Formal forms based on a model form from the Planning Inspectorate are used by the Council at publication stage of a development plan document and supplementary planning document.</p> <p>Please note that the Council will not accept any inappropriate / abusive comments in response to consultations.</p>	
<p>Consultation Portal (the Council's preferred method for consultation responses)</p>	<p>The Council uses an online portal to publish its planning policy documents and to manage consultation responses. The advantages include that users are required to register onto the system and thus enter their contact details directly, reducing data entry errors. Users can also read all comments submitted by other consultees. The system facilitates preparation of reports to analyse the comments made and automatic generation of emails to users facilitates sending notifications and receipts.</p> <p>The Council encourages individuals and organisations to use its consultation portal and publishes a step by step guidance note to support this.</p>	<p>Gathering opinion</p>
<p>Paper copies of consultation material</p>	<p>Paper copies of consultation documents will normally be available to view at Council Offices and libraries in line with Regulations. Please note that during exceptional circumstances such as a pandemic, paper copies may not be able to be made available to view. Refer to Appendix C for further details.</p> <p>The scope of some documents may be restricted to specific parts of the Borough and in these cases only appropriately located venues will be used.</p>	<p>Providing information and raising awareness</p>



4 How can you get involved in influencing the Content of Planning Policy Documents?

METHOD	HOW IT WILL WORK	TYPE OF INVOLVEMENT
Neighbour notifications	<p>Early in the process of the preparation of planning policy documents considered by the Council likely to be of high public interest, such as site allocations policies, the Council will, wherever possible, seek to raise awareness of its proposals through letters or direct mail shots / leaflets to any neighbours (both business and residential) whose properties in the Council's opinion immediately adjoin a proposed site allocation.</p> <p>Mailshots are useful in raising awareness, however the geographical coverage of such mail shots will depend on the nature of the proposals.</p> <p>Statutory consultees will receive direct notification of all key consultation stages by email or through the post in line with Regulations.</p>	Providing information and raising awareness
Consultation Database	<p>The Council maintains a database of contact details for those individuals / organisations who have made comments on planning policy documents, registered their own details on the consultation portal, or who have otherwise requested to be kept updated with progress on planning policy. The database also includes contact details for those organisations listed in the Regulations that the Council is required to consult.</p> <p>The EU General Data Protection Regulation (GDPR) 2018 expands the rights of individuals to control how their personal data is collected and processed, and places a range of obligations on organisations to be more accountable for data protection. In managing the information on its database the Council adheres to the six data protection principles. Personal data will be:</p> <ol style="list-style-type: none"> 1. Processed lawfully, fairly and transparently. 2. Collected only for specific legitimate purposes. 3. Adequate, relevant and limited to what is necessary. 4. Accurate and kept up to date. 	Providing information and raising awareness

4 How can you get involved in influencing the Content of Planning Policy Documents?

METHOD	HOW IT WILL WORK	TYPE OF INVOLVEMENT
	<p>5. Stored only as long as is necessary.</p> <p>6. Managed to ensure appropriate security, integrity and confidentiality.</p> <p>Details of the data privacy statement can be found on the Council's website: https://www.highpeak.gov.uk/article/3875/Planning-and-Privacy-notice</p> <p>or in Appendix D.</p> <p>The Council's preference is to communicate with interested parties electronically, as this is quicker and more cost effective. E-mail alerts of forthcoming consultations and other notifications will be sent out to those with an e-mail address on the Consultation Database. Postal communications will also take place at appropriate times with those who do not have an e-mail address registered on the database.</p> <p>A review of the records held will be conducted from time to time to ensure that those on the database would still like to be included. For convenience, an opportunity to opt out of receiving consultations on planning policy documents will be given when consultation notifications are sent out.</p>	
Availability of documents in alternative formats	<p>The Council's accessibility statement is published on the website and states that any new PDFs or Word documents we publish will meet accessibility standards. The Council will produce documents in alternative formats on request; this includes large print and audio. The Council will include information about this service in its consultation documentation and on its website. The Council will publish documents in English only, unless it can be demonstrated that the integration and cost benefit of doing so is outweighed by any disadvantage.</p>	Providing information and raising awareness



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METHOD	HOW IT WILL WORK	TYPE OF INVOLVEMENT
Site Notices	<p>Site notices may be used to draw attention to proposed development site allocations at an appropriate stage in the plan preparation process. This is considered to be an effective way of raising awareness of proposals, in particular notifying interested parties living and / or working close to potential development site options.</p> <p>If these site notices are removed by any third parties during the consultation period, the Council cannot be held responsible and there is no guarantee that notices will be replaced.</p>	Providing information and raising awareness
Posters	<p>Publicity posters are a useful mechanism to let a community know about planning policy consultations. When the Council considers that it would be beneficial, assistance from Parish / Town Councils will be requested to display notices relating to planning policy consultations and / or posters will be displayed in Council buildings at appropriate stages during plan preparation.</p>	Raising awareness
Media Releases	<p>The Council issues news releases to local, regional and (if appropriate) national, print, broadcast and online media outlets. However, clearly the Council cannot control whether the press choose to feature the releases.</p>	Providing information and raising awareness
Parish and Town Council engagement	<p>There is an established network of Parish and Town Councils throughout the Borough which will continue to be consulted on planning policy documents and planning applications relevant to their areas. Parish and Town Councils which border the High Peak are also consulted on planning policy documents where relevant.</p> <p>In particular, the Council is committed to involving relevant Parish / Town Councils at an early stage in the preparation of documents, where those document's proposals may significantly affect their Parish. For example proposed allocation of sites for development in the Local Plan. Appropriate methods of such early engagement, subject to available resources, may include the offer of individual meetings to discuss initial options and / or attendance at Parish Forum meetings.</p>	Gathering opinion. Providing information and raising awareness

4 How can you get involved in influencing the Content of Planning Policy Documents?

METHOD	HOW IT WILL WORK	TYPE OF INVOLVEMENT
Public exhibitions / Drop-in sessions	Public exhibitions and drop in sessions, where members of the public can discuss issues with Planning Officers, will be held at key consultation stages early in the plan making process to assist the public in understanding and responding to proposals. Such sessions will be held at a number of venues throughout the Borough and both within and outside office hours to help ensure all interested parties are presented with a reasonable opportunity to attend.	Gathering opinion. Providing information and raising awareness
Meetings / correspondence with statutory bodies and local interest groups	As resources permit, the Council will meet and / or correspond with statutory consultees and principal local interest groups where this will help to address particular specialist issues in more depth. Meetings may take place in person or virtually on Microsoft Teams (or equivalent).	Gathering opinion
Engagement with communities or sections of population deemed to be "hard to reach", or not currently fully engaged with the planning policy process.	The Council is committed to ensuring equality in its planning policy consultations so will take steps to engage with communities or sections of population deemed to be "hard to reach", or not currently fully engaged with the planning policy process. The Council will take advice from any individuals / organisations considered to represent such communities or sections of population as to the best way of doing this at the time. The particular sections of population and the level of work undertaken will be commensurate with the nature of the document being produced, the likely impact that proposals within the document will have on that population section, and available resources.	Gathering opinion

Table 3 Methods the Council may use to Engage with the Community



4 How can you get involved in influencing the Content of Planning Policy Documents?

4.6 It should be noted that the techniques listed in the table above are not exhaustive. New consultation opportunities may become available and the Council may choose to use methods in addition to those listed.

Who we will consult

4.7 The Council will target consultation towards those groups and individuals likely to have an interest in any particular document. The Council has limited resources and therefore has to be realistic in considering who to consult, when to consult, and how to do so most effectively. Careful consideration of who we consult makes best use of Council resources and will also help to avoid “consultation fatigue”, where too much consultation with non-interested parties can risk apathy.

4.8 The Council will, where practicable and sensible, make use of existing consultation networks and opportunities to gain further reach as well as better value for money.

4.9 The Regulations⁽ⁱⁱⁱ⁾ set out three main stages of plan production where consultation is required. These are:

- Preparation of a Development Plan Document (Regulation 18).
- Publication of a Development Plan Document (Regulations 19 and 20).
- Submission of a Development Plan Document to the Secretary of State (Regulation 22).

4.10 Where Supplementary Planning Documents (SPDs) are prepared to add further detail to the policies and proposals contained within development plan documents, the regulations set out two stages of plan production where some consultation is required. These are:

- Publication stage (Regulations 12 and 13).
- Adoption (Regulation 14).

4.11 Regulations govern a minimum level of public involvement that the Council must meet, and lists bodies that must be consulted when preparing Local Plans. These bodies are referred to as “general consultation bodies” and “specific consultation bodies” (the statutory consultees). The bodies have not been listed within this document as they are subject to change.

4.12 Tables 4 and 5 below identify consultation arrangements for the preparation of Development Plan Documents and Supplementary Planning Documents, identifying who will be consulted, when and how.

4.13 Please note that the tables contain an overview of awareness raising / consultation methods available for each stage of Local Plan preparation. Not all methods will be used in each case, but those most suitable and appropriate given the scale and nature of the consultation will be used.

iii The Town and Country Planning (Local Planning) (England) Regulations 2012

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Stage	Preparation	Who	How
Preparation of a Local Plan (Regulation 18)	Evidence gathering. Scope of the Plan. Preferred Options.	Specific and general consultation bodies. Town and Parish Councils. Developers / land owners / agents. Any residents or other persons carrying on business in the area from which the Council considers it appropriate to invite representations.	The following methods of raising awareness / consultation may be used in so far as they are appropriate: Web-site, on-line portal, letter, e-mail, press release, social media, exhibitions / drop-in sessions, deposit at Council buildings, response forms (paper and electronic), meetings as appropriate, neighbour notification and site notices as appropriate
Publication of a local plan (Regulations 19 and 20)	Consult on proposed submission document	Specific and general consultation bodies. Those registered on the Council's database. Any other residents or other persons carrying out business in the area from which the Council considers it appropriate to invite representations.	Web-site, on-line portal, letter, e-mail, press release, social media, deposit at Council buildings, response forms (paper and electronic)
Submission of documents and information to the Secretary of State (Regulation 22)	Submission to the Secretary of State of Local Plan and all associated documents	Specific and general consultation bodies. Any others who have requested to be notified of submission.	Web-site, letter, e-mail, social media, deposit at Council buildings
Independent examination (Regulation 24)	Independent examination of plan by an appointed Inspector	All those who made representations in accordance with Regulation 20.	Web-site, letter, e-mail, deposit at Council buildings
Adoption (Regulation 26)	Adoption of the plan by the Borough Council	Any person who has asked to be notified of adoption.	Web-site, letter, e-mail, social media, deposit at Council buildings
Monitoring (Regulation 34)	Following adoption of the Plan	Any interested party.	Web-site, deposit at Council buildings

Table 4 Consultation on Development Plan Documents



4 How can you get involved in influencing the Content of Planning Policy Documents?

Stage	Preparation	Who	How
Preparation	Evidence gathering Preparing Draft SPD	Any of the specific and general consultation bodies that the Council considers may have an interest in the subject of the proposed plan or otherwise considers appropriate. Residents or other persons carrying on business in the area from which the Council considers it appropriate to invite representations.	The following methods of raising awareness / consultation may be used in so far as they are appropriate: Web-site, letter, e-mail, social media, on-line portal, meetings as appropriate
Public participation (Regulations 12 and 13)	Consult on Draft SPD	Specific and general consultation bodies Those who have participated in the earlier stages of plan preparation. Any other residents or other persons carrying on business in the area from which the Council considers it appropriate to invite representations.	Web-site, letter, e-mail, press release, social media, deposit at Council buildings
Adoption (Regulation 14)	Adoption of the plan by the Borough Council	Any person who has asked to be notified of adoption.	Web-site, letter, e-mail, social media, deposit at Council buildings
Monitoring (Regulation 34)	Following adoption of the Plan	Any interested party.	Web-site, deposit at Council buildings

Table 5 Consultation on Supplementary Planning Documents

How are comments / representations treated?

Anonymous / Late Representations

4.14 The Council will not accept anonymous representations and late representations will only be accepted with the Council's agreement. Comments made at earlier rounds of consultation on a document will not normally be carried forward unless additional consultation is being undertaken. Any outstanding issues must be re-submitted in order to be considered.

Petitions

4.15 Petitions will be accepted provided that they meet the requirements set out by the Council. Information about this can be found on the website using the following link: <https://www.highpeak.gov.uk/article/1412/>

4.16 The Council will take the views expressed in the petition into account as part of the Local Plan process. Only the petition organiser will be added to the Council's database to be individually notified about future consultations/outcomes (subject to them giving their permission). All other

4 How can you get involved in influencing the Content of Planning Policy Documents?

signatories will not be added to the Council's database to be individually notified of future consultations. Petitions will be reported to committee in the form of issue(s) raised and how many individuals have signed the petition. A single response to the issue(s) raised will be given, rather than an individual response to everyone who signed the petition. This would not be the best use of Council resources as petitions are often signed by hundreds of individuals.

Inspection of Representations

4.17 Copies of representations will be made available for inspection on the Council's web-site. Representations displayed on the web-site will have signatures and contact details of residents redacted. Although every effort will be made to post these online as soon as possible, if large numbers are received then it may take several weeks for this to happen.

Consideration of Representations

4.18 Comments received from all community engagement will be carefully considered, and the changes proposed to a Local Plan or Supplementary Planning Document as a result, will be reported to the appropriate Council meeting. Documents for submission to the Secretary of State, as well as the final version of an SPD proposed for adoption will be approved by a meeting of the full Council.

4.19 The comments / representations (usually presented to Councillors in summary form due to their number and length) form part of the "evidence base" provided to Councillors when they are asked to make decisions. The evidence base consists of a range of information, all of which is given due consideration in reaching a decision. Other evidence may include national guidance and studies and other research. It will be for the Councillors to judge the weight to be given to specific comments made and to balance those comments with other relevant sources of information on the matter.

Consultation Statement

4.20 The Council is required to prepare a consultation statement setting out who was consulted and how; a summary of the main issues raised by respondents and how these issues have been taken into account for Local Plan documents and SPDs. The Council must then make a copy of this statement available for comment (along with the document being prepared) during statutory consultation periods. The Consultation Statement is submitted to the Secretary of State (for Local Plan documents undergoing independent examination) as evidence that the Council has met the contents of its SCI, as well as its statutory consultation requirements.

5 How can you get involved in the Decision Making Process on Planning Applications?

5.1 High Peak Borough Council is committed to informing and engaging with the community on planning applications. It is important that a balance is struck between providing the community with a genuine opportunity to comment and determining applications within the statutory determination period.

5.2 Anyone can respond to a planning consultation. In addition to individuals who might be directly affected by a planning application, community groups and specific interest groups (national as well as local in some cases) may wish to provide representations on planning applications.

5.3 Opportunities exist for the community and or stakeholders to be informed and consulted on development proposals at each of the following stages:

- Planning application
- Planning appeal

5.4 Community involvement in planning applications not only involves the local community, but also statutory and non-statutory consultees, depending on the nature and location of the proposals.

Statutory Consultees

5.5 Planning law prescribes circumstances where consultation must be undertaken with statutory bodies on a planning application. These organisations are under a duty to respond to consultations within 21 days ^(iv), or such longer period as may be specified in other legislation, and must provide a substantive response to the application.

5.6 A list of statutory consultees on applications for planning permission is available via the National Planning Practice Guidance published on the Government's web-site.^(v)

Non-Statutory Consultees

5.7 Where there are planning reasons, other non-statutory consultees who may have an interest in a proposed development may be consulted on planning applications, even though they are not designated in law. Non-statutory consultees should respond within 21 days of being notified of the application.

5.8 A list of the organisations identified in national policy and guidance who may have an interest in development and may be consulted as non-statutory consultees are identified in the National Planning Practice Guidance published on the Government's web-site ^(vi).

iv The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

v www.gov.uk/guidance/consultation-and-pre-decision-matters#Statutory-consultees-on-applications

vi www.gov.uk/guidance/consultation-and-pre-decision-matters#table-3-Non-statutory-consultees

5 How can you get involved in the Decision Making Process on Planning Applications?

Developer led pre-application consultation

5.9 Developer led pre-application engagement with the community is encouraged where it will add value to the process and the outcome. For very large-scale development, pre-application consultation is a requirement under the Localism Act 2011. It is mandatory to carry out pre-application consultation with the local community for planning applications for wind turbine development involving more than two turbines or where the hub height of any turbine exceeds 15 metres.

5.10 Effective pre-application consultation provides an early opportunity for applicants and developers to find out the views of local residents on a development proposal. Where a local community's suggestions can be taken into account in preparing a scheme, this can help to build local support, help address any early design and development issues, and help to ensure submission of a successful planning application.

5.11 The Council expects applicants to carry out their own pre-application consultation. The level of community consultation at this stage should be appropriate and proportionate to the scale of the application. Potential methods of pre-application consultation on proposals for major development could include public meetings and exhibitions, workshops, websites, leaflets, social and other media.

5.12 It is helpful if an applicant notifies the Council of any pre-application consultation before the consultation commences.

5.13 Any pre-application consultation undertaken should be documented in a "Statement of Community Involvement" to be submitted alongside a proposal. This document should describe in detail the pre-application consultation that has been undertaken by the applicant, as well as demonstrating how comments have been addressed in progressing the proposal.

Planning Application stage

5.14 It is important that all relevant planning issues associated with a proposed development are identified and considered in the determination of a planning application. The Council is required to undertake a formal period of consultation, so therefore publicises applications that are submitted and invites comments from the local community and other consultees and stakeholders. Anyone can respond to a planning consultation.

5.15 Consultees may be able to offer particular insights or detailed information which is relevant to the consideration of the application, and comments made that are addressing "material considerations" will be taken into account in the determination of the application.

5.16 There are significant amounts of information relating to planning applications on the Council's website and residents are encouraged to find out information on proposals using this method where possible.

5 How can you get involved in the Decision Making Process on Planning Applications?

5.17 It is important to note that whilst comments addressing material considerations will be taken into account in determining the application, consultation responses are unlikely to be the only factor under consideration and may not prove to be the determining factor. Local or national policy, or other material considerations, may lead to a decision that is contrary to views expressed during consultation.

5.18 Article 15 of the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)^(vii) sets out the minimum requirements for publicising and consulting on planning applications. The requirements vary according to the type of development proposed, and further details are set out in National Planning Practice Guidance^(viii).

5.19 The deadline for submitting comments on a planning application will be set out in the publicity accompanying the planning application. This is generally not less than 21 days, unless the nature of the application requires no publicity, for example a discharge of conditions or non material amendment. The Council is under no obligation to consider comments submitted after the deadline.

5.20 The methods that the Council uses to publicise applications and consult the community, which exceed these minimum requirements, are as follows:

Neighbour Notification Letters

5.21 The Council will notify any neighbours immediately adjoining a development proposal by letter or email. The letter provides details of the planning application, where to view plans, how to make comments and by what date. Any consultation wider than this will be on a case by case basis and at the discretion of the case officer.

Site Notice

5.22 Site notices are displayed on or near to the application site. Site notices provide details of the planning application, where to view plans, how to make comments and by what date.

Publication on the Council's website

5.23 Weekly lists of applications received and decisions made are available on the Council's website. All planning applications that have been or are being processed, including appeals, are also available.

Inspection of Plans

5.24 As well as being publicised on the Council's web-site, planning applications are also available for inspection electronically at the Town Hall in Buxton, or Glossop Municipal Buildings during opening hours. An appointment to view plans is only required if the plans are old (and thus only available on microfiche), or if discussion of the plans with an officer is requested.

vii The Town and Country Planning (Local Authority Consultations etc. (England) Order 2018

viii www.gov.uk/guidance/consultation-and-pre-decision-matters#statutory-publicity-requirements

5 How can you get involved in the Decision Making Process on Planning Applications?

Public Notice

5.25 A Public Notice is placed in a local newspaper for certain types of planning applications. For example, major or significant development proposals, departures from local policy or where there is a statutory requirement such as for Listed Building Consent.

Town and Parish Councils

5.26 Town and parish councils are sent details of all current planning applications within their area for information and comment. Town and parish councils whose areas adjoin High Peak may also be sent details of planning applications which are considered likely to have an impact on their areas. This will be applied at the discretion of the Council, but applies in all cases for wind turbine applications.

Re-consultation following amendments to an application

5.27 Where an application is amended after it has been submitted, further consultation may be undertaken if the proposed changes are significant. Any representations received subject to any round of consultation will be taken into account in evaluating the merits of the application. Any representation received outside of the consultation period may not be fully considered. The time-frame for responses to re-consultation will be decided on a case-by-case basis.

5.28 If a new planning application is required, this will be subject to new public consultation.

Development Control Committee

5.29 Most planning applications are determined by planning officers under powers delegated to them by the Council.

5.30 Some planning applications, mainly the larger or more contentious ones, are considered by the Borough Council Development Control Committee. Applicants, residents and other interested parties are able to address the Committee. Everyone who has made a representation on an application to be considered by the Committee is contacted by letter, with detail of the next steps should they wish to attend and / or speak at Committee.

5.31 Members of the public may also contact members of the Development Control Committee with regard to their concerns, however committee members may not be able to respond until they have heard all of the evidence provided at Committee.

5.32 Details of committee meeting dates and times are publicised on the Council's website ^(ix). The agendas, including the time and location of the meeting are published a week before the meeting.

5.33 Various reports into standards of conduct in public life and the subsequent ethical guidance introduced under Part III of the Local Government Act 2000 and the Localism Act 2011 have emphasised the need for high standards in all aspects of local authority business, including planning matters. It is essential that all persons having contact with the Council in relation to these matters should have confidence that the conduct of Councillors and officers is consistent and fair to all

ix <https://democracy.highpeak.gov.uk/mgCommitteeDetails.aspx?ID=146>

5 How can you get involved in the Decision Making Process on Planning Applications?

parties. It is also essential that all Councillors and officers involved in the planning process are clear on the standards which are expected of them. These issues are set out in more detail in High Peak's Protocol on Land Use Planning Matters and Development Control Committee^(x).

Permission in Principle

5.34 Permission in principle may be granted for housing-led development (this can include mixed development but must primarily be housing). The legislation is set out in the Town and Country Planning (Permission in Principle) (Amendment) Order 2017^(xi) and came into force on 1st June 2018.

5.35 On receipt of an application for permission in principle, the Council will consult bodies identified in Schedule 4 to the Town and Country Planning (Development Management Procedure) (England) Order 2015 and take in to account any responses received.

5.36 The Council will also consult any body that would have been required to have been consulted in relation to an application for planning permission. Where consultation is required, the Council will provide a statutory body with any relevant information it holds about the site in question.

5.37 Applications for Technical Details Consent based on a granted Permission in Principle should be submitted as an application for Full Planning Permission (with details of the related Permission in Principle provided) and will be treated by the Council in accordance with procedures for a full planning permission submission.

Appeals

5.38 Details of appeals, including relevant appeal documents, are publicised on the Council's web-site.

5.39 When a planning application is refused, the applicant may lodge an appeal against the decision with the Planning Inspectorate. An appeal may also be submitted when the applicant considers any conditions of approval to be unacceptable, or in the event that an application is not determined by the relevant deadline.

5.40 Only the applicant can appeal against a planning decision. There is no "third party" right of appeal for other people who disagree with the Council's decision. However, anyone can challenge a planning decision in the courts if they have evidence that the decision was not made following the proper procedures. Legal challenges cannot take into account whether the decision was right or not in planning terms, only whether regulations and conventions about making decisions were properly followed.

5.41 All those who were notified of the original application or submitted comments will be informed if an appeal is made. There is then an opportunity for additional comments to be submitted directly to the Planning Inspectorate, who will determine the appeal, either through written representations, an informal hearing or a public inquiry, depending on the nature and scale of the application.

x <https://www.highpeak.gov.uk/article/1295/The-Constitution>

xi S.I 2017/1309

5 How can you get involved in the Decision Making Process on Planning Applications?

Where is it decided that the appeal should be determined by informal hearing or public inquiry, interested parties are also given the opportunity to appear before the Inspector at the hearing or inquiry.

5.42 The Inspector will consider the evidence and decide whether the Council's decision was correct. The Inspector's decision is binding on the Council, although it can be challenged by anyone on a point of law in the High Court.

Householder appeals service

5.43 An appeal in connection with refusal of a householder application ("a householder appeal") will normally proceed by written representations. This is considered to be an expedited process and there is no opportunity for others to submit comments. However all the representations made on the application are forwarded to the Planning Inspectorate and the appellant. These are considered by the Inspector when determining the appeal.

6 Ensuring Equal Opportunities in Consultation



Our community

6.1 It is important that the views of a wide range of people within our community are represented when shaping future planning policy in the High Peak.

Age and gender

6.2 In the 2021 census the population of High Peak was reported as 90,900, just eight more residents than 2011. This is comprised of approximately 49% males and 51% females the same proportion as 2011.

6.3 Analysis of Census 2021 information indicates that 21.9% of the population in the Borough is aged over 65 years. This is up from 17% in 2011 and 15.5% in 2001.

Health and care

6.4 According to the 2021 Census 4,300 people in High Peak are providing 1 - 19 hours unpaid care a week; over 1,400 people are providing between 20 and 49 hours and around 2,100 people are providing 50 or more hours unpaid care each week.

6.5 According to the 2011 census (note Data from the 2021 Census was not available for this topic at the time of writing) 18% of people in High Peak have a limiting long-term illness. Of people resident in High Peak, 34% reported that they were in good health and 47% said they were in very good health. 4% were in bad health and 1% considered they were in very bad health.

6.6 Whilst information about specific disabilities is not collected at Borough level, using national percentages and population statistics, it is estimated that over 7,200 people in High Peak will have mobility difficulties. Approximately 13,500 people in the Borough will have impaired hearing and there may be around 900 people with profound hearing loss. There are an estimated 260 blind people and a further 280 partially sighted people living in the Borough.

6.7 Information about mental health is again not available at Borough level, but using County information on a pro-rata basis, it is estimated that around 24,000 people in High Peak may have a mental health problem at any one time. There is likely to be around 700 people in High Peak with dementia.

6.8 The estimated total number of people with a learning disability of working age, living in High Peak, is 2,150.

Sexuality and religion

6.9 Stonewall and Government estimates that between 5 and 7% of the population is lesbian, gay and bisexual. This is about 5,500 lesbian, gay and bisexual people living in High Peak.

6.10 There is a diverse range of religions and beliefs held and practiced in High Peak Borough. At the time of the 2021 Census there were people who were Buddhists, Muslims, Sikhs, Hindus and Jews, but the largest percentage (48.5%), were Christians and 44.5% reported having 'no religion'.

6 Ensuring Equal Opportunities in Consultation

Poverty and social exclusion

6.11 According to the Indices of Multiple Deprivation (IMD2019), two Gamesley (Gamesley S & Gamesley N Melandra) and one Stone Bench (Fairfield SW Granby Road) Lower Super Output Areas (LSOAs) are among England's most deprived 10% of LSOAs.

6.12 Of the different domains which make up the Indices of Multiple Deprivation, High Peak Borough is affected as follows:

- Income deprivation – the Gamesley LSOAs are the fourth and fifth most income deprived in Derbyshire and in the top 4% most income deprived in the country.
- Employment deprivation - Gamesley S is the fifth most employment deprived area in Derbyshire and in the top 3% most employment deprived in the country.
- Health deprivation and disability – Gamesley S is the 14th most deprived area in Derbyshire for health inequalities and in the top 4% most health deprived in the country.
- Education, skills and training – Gamesley N (Melandra) has the highest level of deprivation in Derbyshire and is in the top 1% in the country. Fairfield SW and Gamesley S are sixth and seventh most deprived in Derbyshire and in the top 2% in the country.
- Crime – Buxton Central N (Market Place) is the fifteenth most deprived area for crime in Derbyshire and is in the top 32% in the country.
- Barriers to housing and services – Wormhill Green, Farifield has the eighth highest level of deprivation in Derbyshire and is in the top 6% in the country.
- Living environment - Peak Forest Castleton W Edale Hope Woodlands Derwent is the third most deprived area in Derbyshire and is in the top 4% in the country.

Ensuring equal opportunities

6.13 The public sector Equality Duty came into force in April 2011. It means that public bodies have to consider all individuals when carrying out their day-to-day work – in shaping policy, in delivering services and in relation to their own employees.

6.14 It also requires that public bodies:

- have due regard to the need to eliminate discrimination;
- advance equality of opportunity;
- foster good relations between different people when carrying out their activities.

6.15 The Council will be mindful of this when undertaking consultation.

6.16 Particular efforts will be made to engage with communities or sections of population deemed to be "hard to reach", or who are not currently fully engaged with the planning policy process. For example, arrangements can be made for copies of documents to be made available in large print or audio.

6.17 Consultation methods will be tailored to increase the participation of communities or sections of population deemed to be "hard to reach" wherever possible, for example:

6 Ensuring Equal Opportunities in Consultation



- Attending local meetings / forums representing groups where these exist and where resources allow;
- The use of interactive web-site links;
- Use of social media such as Facebook and Twitter;
- The production of planning policy documents and any related literature in alternative formats on request. The Council will add accessibility tags to PDF files to make sure that people who use screen readers and other assistive technologies can read and navigate a document. Refer to the accessibility information on the website for further details <https://www.highpeak.gov.uk/article/6174/Accessibility-Statement>; and
- Ensuring all venues for events are accessible.



7 Review

7.1 A review of this document will be completed at least every five years, starting from the date of its adoption, in accordance with section 23 of the Planning and Compulsory Purchase Act 2004 (adoption of local development documents).

8 Appendix A Glossary of Terms Used



Authority Monitoring Report (AMR)

Authority report monitoring the implementation of the Local Development Scheme and the extent to which policies in the Local Plan are being achieved, produced on an annual basis.

Community Right to Build Order

Introduced in the Localism Act 2011, these are made by a community organisation (set up as a body which is established to further the social, economic and environmental well-being of individuals living in a particular area) or the Parish/Town Council allowing them to bring forward a small development for purposes such as new homes, businesses or community facilities. It is a site specific application limited to the development site.

Development Plan Documents

Planning policy documents which make up the Local Plan. They help to guide development within a local planning authority area by setting out the detailed planning policies, which planning officers use to make their decisions on planning applications.

Duty to Co-operate

A statutory requirement that neighbouring local authorities, including County Councils and other public bodies, engage constructively, actively and on an on-going basis on cross boundary matters (e.g. levels of housing, employment, road links etc).

General Consultation Body

A voluntary body, some or all of whose activities benefit the local area, for example a body representing the interests of racial, ethnic, national or religious groups, local interest groups, those representing the interests of disabled persons or local businesses – as the Local Planning Authority considers appropriate to consult.

Habitats Regulations Assessment (HRA)

An assessment in accordance with the Habitats Regulations (The Conservation of Habitats and Species Regulations 2010 as amended) to ascertain the significance of potential impacts of a plan on relevant European sites. The assessment determines whether a plan would adversely affect the integrity of the sites in terms of nature conservation objectives. Where negative effects are identified, other options should be examined to avoid any potential for damaging effects. (HRA can also refer to Housing Revenue Account, but not in the context of this document.)

Hard to Reach

Communities or sections of population deemed to be "hard to reach", are considered to be not currently fully engaged with the planning process.

Local Development Scheme

A public statement of the Council's programme for the preparation of its planning policy documents.

8 Appendix A Glossary of Terms Used

Masterplan

A comprehensive plan of a particular area providing a framework for future development often adopted by Councils as Supplementary Planning Documents.

National Planning Policy Framework

Sets out national planning policies and how these are expected to be applied.

Neighbourhood Development Order

Allows planning permission to be granted in relation to a particular neighbourhood area for certain types of development. The planning permission can vary from a number of homes on a specified site to blanket consent, such as extensions to residential properties across the defined neighbourhood area, though exclusions do apply.

Neighbourhood Planning

Introduced in the Localism Act 2011 to enable communities to get more involved in planning for their areas – specifically around creating plans and policies to guide new development.

Representations

Responses made to consultations on planning policy documents during statutory consultations.

Statement of Community Involvement

Sets out the standards which authorities will achieve with regard to involving local communities in the preparation of Local Plan documents, supplementary planning documents and development control decisions.

Site Allocations

The inclusion of sites for future development in a Local Plan. This could be for a variety of uses such as housing, employment, retail, leisure or a mixture of these, for example.

Specific Consultation Body

A list of organisations set out in Planning Regulations who must be consulted during the production and publication of planning policy documents for example Natural England, Historic England, Environment Agency.

Supplementary Planning Documents

Build upon and provide more detailed guidance about policies in the Local Plan.

8 Appendix A Glossary of Terms Used



Sustainability Appraisal

A systematic process that must be carried out during the preparation of a Local Plan. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives. Optional for Supplementary Planning Documents – depends on the subject matter.

9 Appendix B Sources of Information & Advice on Planning

The Planning Portal

The Planning Portal is the Government's online 'one-stop-shop' for planning and building services. It provides information on the planning system, allows you to submit a planning application, find out about development in your area, appeal against a decision and research government policy.

Website: <https://www.planningportal.co.uk/>

Department for Levelling Up, Housing and Communities (DLUHC)

The DLUHC provides general information on the planning system including the latest national planning policy, decisions on planning appeals, research and statistics and reform of the planning system.

Website:

<https://www.gov.uk/government/organisations/department-for-levelling-up-housing-and-communities>

Planning Aid England (PAE)

Planning Aid England provides free, independent and professional planning advice to communities and individuals who cannot afford to pay professional fees. It is provided by the Royal Town Planning Institute.

Website: <https://www.rtpi.org.uk/planning-aid/about-planning-aid/>

The Planning Inspectorate

The Planning Inspectorate's job is to make decisions and provide recommendations and advice on a range of land use planning-related issues across England and Wales. The Planning Inspectorate deals with planning appeals, national infrastructure planning applications, examinations of local plans and other planning-related and specialist casework in England and Wales.

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



10 Appendix C Consultation in Exceptional Circumstances

10.1 The restrictions put in place by the Government during the COVID-19 pandemic in 2020 and 2021 meant that the Council was limited on how consultation on planning matters could take place during this period. Not all of the methods typically used by the Council to consult and engage people could be carried out but the Council still had to meet the requirements of the adopted Statement of Community Involvement (SCI).

10.2 This appendix includes details of how you could expect to get involved in planning matters if the country is once again put under restrictions which may restrict our ability to carry out traditional forms of planning consultation. *Please note that any consultation activities and other statutory processes would need to comply with any Regulations in place at that time.*

How could planning policy be affected?

- Hard copies of planning policy documents may not be available to view at the Council Offices, or at the public libraries within the Borough as usual, or there may be some occasions when hard copy documents are only available to view by pre-arranged appointment.
- Paper copies of questionnaires and response forms may be unavailable or availability may be restricted.
- The displaying of site notices may not be possible.
- Physical consultation events – like drop-in sessions - may not be possible so we may have to rely more heavily on digital (online) consultation methods. (We will endeavour to use non-digital consultation methods where possible.)
- Face-to-face meetings may not be possible and may be virtual instead.
- The relevant Committee meetings may be held in a virtual forum.
- The circulation of petitions could be problematic; there are a number of online tools that could be utilised instead.
- Neighbourhood plan referendums may need to be postponed.

How could development management be affected?

Meetings:

10.3 Face-to-face meetings with planning officers may not be able to take place so if meetings are considered necessary they could be conducted over the telephone or virtually or alternatively by email exchange.

Officer site visits:

10.4 As an example, The Council had the following measures in place during the COVID-19 pandemic, so something similar could be necessary. Please visit the Council's website for the most up to date details:

10.5 As part of the assessment of your planning application it will be necessary for the Planning Case Officer to visit your application site.

10.6 In order to comply with Government requirements on social distancing, if officers require access to the grounds of a home or business before visiting the site, the Case Officer will contact you.

10 Appendix C Consultation in Exceptional Circumstances

10.7 They will:

- Tell you approximately what time they intend to visit
- Make sure that they can access the site without going inside your property. (If they cannot do this the visit will need to be postponed until restrictions are lifted further)
- Explain that they will not be knocking on the door to announce their arrival, entering inside the property or engaging in any discussions
- Ask you to leave any gates etc. open so that they can access the site without touching any handles etc. (Again if this cannot be done the visit will need to be postponed)
- Confirm that nobody at the property has COVID-19 or is self-isolating (If they are the visit will again need to be postponed.)
- If you see the Case Officer on site please do not engage them in discussion and observe the 2m social distancing rules at all times. If social distancing is not observed the Case Officer may need to terminate the site visit. At the site visit stage it is usually too early in the process in any event for the case officer to give any indication of the likely decision. If you wish to discuss your application with the Case Officer then please contact them by telephone or email.
- You can help us by making sure that you provide us with your contact telephone number. If you are the agent for an application please pass this information onto the applicant and provide us with the applicants telephone number.

10.8 By following the above social distancing requirements you can help to keep our Officers, yourselves and other customers safe and help to avoid any delays in dealing with your application.

Planning Committee Site Visits

10.9 In-person committee site visits may not be able to take place in which case they will be replaced by alternatives such as the use of videos, photographs and/or other suitable methods.

Decision Making

10.10 The Planning Committee may be held virtually, as it was for part of 2020/21.

Planning Appeals

10.11 The Planning Inspectorate produced the following guidance for COVID 19:

- <https://www.gov.uk/guidance/coronavirus-covid-19-planning-inspectorate-guidance>

11 Appendix D Development Services / Policy Privacy Statement for GDPR



Planning and Planning Policy

11.1 Please note that this wording is current at the time of writing. It may be amended from time to time so it is recommended that you check the Council's website for the most up to date version <https://www.highpeak.gov.uk/article/3875/Planning-and-Planning-Policy-privacy-notice>

11.2 More details on how we use information when considering planning applications and developing planning policy is given below.

Who we are

We are the planning department for High Peak Borough Council. This privacy notice explains how we use information in the course of our work as a local planning authority. This work includes:

- Making decisions and providing advice on planning applications
- Making planning policies
- Working with neighbourhoods on their plans
- Working with neighbouring authorities on strategic policies
- Responding to allegations of unlawful development
- Monitoring development
- Entering legal agreements, serving notices and promoting the best use of land

If you have questions about data or privacy you can contact our Data Protection Officer by email: DPO@highpeak.gov.uk

Or by post: Data Protection Officer, Buxton Town Hall, Market Place, BUXTON SK17 6EL

How we get your information

We get applicant information in two ways - it is supplied to us directly (or via a planning agent on their behalf) or we receive it from a third party website that provides a transaction service. This includes the Planning Portal.

We also receive comments, representations, allegations and questions in relation to planning applications and planning policy via email, letter, and through our online platform(s). This includes the Objective online consultation system for planning policy consultations. Stakeholders may request to be added to our planning policy consultation database to be notified of future planning policy consultations or register their details on the database themselves on our website.

What we do with your information

Planning Applications

To allow us to make decisions on their applications individuals must provide us with some personal data (e.g. name, address, contact details). In a small number of circumstances individuals will provide us with "special category data" in support of their application (e.g. evidence of medical history).

11 Appendix D Development Services / Policy Privacy Statement for GDPR

We use the information provided to us to make decisions about the use of land in the public interest. This is known as a "public task" and is why we do not need you to "opt in" to allow your information to be used.

Some information provided to us we are obliged under the regulations to make available on planning registers. This is a permanent record of our planning decisions that form part of the planning history of a site, along with other facts that form part of the "land search". Data provided in support of planning applications will be published on our website to allow us to consult the public on proposals and in order to maintain a public record of our decisions and the evidence behind them.

If you make a comment, this must be put on public file by law and will be placed on our online planning register. We operate a policy where we routinely redact personal information before making these available online, this includes email addresses, telephone numbers and signatures as well as Special [Category](#) Data (e.g. supporting statements or comments or information about health conditions or ethnic origin). We won't reuse any information you provide, but this does mean:

- your comment, name and address will form part of the planning application and will be viewable online
- your comment, name and address will form part of the planning application documents and will be viewable online

Planning Policy

Copies of consultation responses and the name and organisation of the persons making representations will be made publically available on our website. The Council considers consultation responses in order to help shape planning policy documents such as the Local Plan, neighbourhood plans or Supplementary Planning Documents. Anonymous responses to planning policy consultations are not accepted.

How we share your information

We do not sell your information to other organisations. We do not move your information beyond the UK. We do not use your information for automated decision making.

We will make details of planning applications and planning policy consultations available online so that people can contribute their comments. We will sometimes need to share the information we have with other services of the council. Contractors may also support the Council in processing representations.

At the appropriate stage in the process, representations relating to planning policy will be submitted to planning inspector or independent examiner for examination purposes.

We also send out a follow-up "how did we do?" survey to people using our service to see how we can improve it.

Redaction ('blinking things out')

We operate a policy where we routinely redact the following details before making forms, documents and representations available online:

11 Appendix D Development Services / Policy Privacy Statement for GDPR

- Personal contact details for the applicant - e.g. telephone numbers, email addresses
- Personal contact details (excluding the address) on third party comments, neighbours, objectors, supporters received on a planning application - e.g. telephone numbers, email addresses
- Signatures
- Special Category Data - e.g. supporting statements that include information about health conditions or ethnic origin
- Information agreed to be confidential

Sometimes we might decide it is necessary, justified and lawful to disclose data that appears in the list above. In these circumstances we will let you know of our intention before we publish anything.

If you are submitting supporting information with your planning application which you would like to be treated confidentially or wish to be specifically withheld from the public register, please let us know as soon as you can - ideally in advance of submitting the application. The best way to contact us about this issue is planning@highpeak.gov.uk

Retention ('how long we keep your information for')

We process many different types of information according to our retention policy.

Complaints and problems

Making decisions on planning matters is a public task and you do not have the right to withdraw consent. However if you think we have got something wrong or there is a reason you would prefer for something to not be disclosed please contact us as soon as possible. If you are concerned about the way that we are handling your information then you should contact our Data Protection Officer. Contact details are provided in this notice.

We will investigate your concerns and respond to you within 28 calendar days.

If you are still unhappy after receiving our response then you can raise your concerns with the Information Commissioner's Office (ICO). More information about raising concerns, including how to contact the ICO, is provided on the ICO website.

11.3 <https://ico.org.uk/for-the-public/raising-concerns/>

12 Appendix E Protocol on Land Use Planning Matters and Planning Committee

1. Introduction

1.1. Various reports into standards of conduct in public life and the subsequent ethical guidance introduced under Part III of the Local Government Act 2000 and the Localism Act 2011 have emphasised the need for high standards in all aspects of local authority business, including planning matters. It is essential that all persons having contact with the Council in relation to these matters should have confidence that the conduct of Councillors and officers is consistent and fair to all parties. It is also essential that all Councillors and officers involved in the planning process are clear on the standards which are expected of them.

1.2. The role of the Planning Committee in determining applications is a formal administrative process and decisions taken by Councillors can be challenged in law. It is therefore particularly important that guidelines are agreed as there can be far-reaching consequences for the Council and for individual Councillors and officers, if correct procedures are not followed. Members of the Committee must be seen to determine applications fairly having regard to national and local planning policies, the statutory development plan and other material planning considerations.

1.3. All actions of Councillors and officers should be based (where appropriate) on the Council's Code of Conduct, the Royal Town Planning Institute's Code of Professional Conduct and other advice issued by, the Local Government Association and the Local Government Ombudsman.

1.4. The purpose of this protocol is to give guidance on some of the issues which most commonly arise. It is not intended to cover every eventuality. Any Councillor or officer in any doubt as to their position should in the first instance contact the Monitoring Officer.

1.5. This protocol should be followed in respect of all planning matters. A failure to follow any part of the protocol could have a significant impact on the Council's ability to defend its actions in the case of legal challenge or a charge of maladministration.

1.6. Failure to follow the protocol could also lead to a complaint to the Council's Standards Committee that a Councillor has brought the Council into disrepute or, in relation to an officer, disciplinary proceedings.

COUNCILLORS' CODE

2. Training and Conflicts of Interest

2.1. No Councillor may serve (as a member or substitute) on the Planning Committee or on any committee or sub-committee involved in formulating local plan policy unless they have undertaken at least one course of training in planning principles in the last year. Such training to be undertaken annually thereafter.

2.2. Councillors considering membership of the Development Control Committee should carefully consider the potential for conflict of interest, having regard to the Code of Conduct and to this advice. Councillors who may be, or are closely associated with, local builders, estate agents, land owners or other people likely to be interested in the use or development of land will need to consider whether they can effectively perform their role in the light of such interests.

12 Appendix E Protocol on Land Use Planning Matters and Planning Committee



3. Pre-Application Discussions

3.1. Local planning authorities are encouraged to enter into pre-application discussions with potential applicants. In addition, negotiations and discussions are likely to continue after an application has been submitted. Such discussions can often be interpreted by the public, and especially objectors, as prejudicing the planning decision making process.

3.2. In order to allay such perceptions, pre-application discussions should take place within clear guidelines as follows:

3.2.1. Pre-application discussions should generally be conducted at officer level. In the case of major planning applications, a Ward Councillor who is not a member of the Planning Committee may be invited to participate. If the application site is within a single Councillor ward, and that ward Councillor sits on the Development Control Committee, and that Councillor intends to participate in debate concerning the application at the Development Control Committee, then that Councillor shall be entitled to appoint an alternative Councillor to take their place in such discussions but shall not themselves take part.

3.2.2. It will always be made clear at the outset that any discussions are on a without prejudice basis and that any views expressed by officers are personal and provisional.

4. Lobbying and Predetermination

4.1. Lobbying, or seeking to influence a decision, is a normal part of the political process. However, where lobbying takes place in respect of planning applications to be determined by the Development Control Committee it can lead to the impartiality of members of that committee being brought into question and may as such give rise to a ground of challenge in the High Court. Members of the Development Control Committee should, therefore, be aware of any attempt which may be made to influence their decision by way of lobbying and should at all times follow the guidelines set out in 4.3 below. There is always a clear need for members of the Development Control Committee to declare at the appropriate meeting when lobbying or an attempt at lobbying has taken place on an item. Examples of persons or groups who may indulge in lobbying include developers and professional groups, unrepresented applicants, landowners, objectors and action groups.

4.2. Predetermination occurs when a decision maker prejudices an application before the matter is debated at the Development Control Committee. Predetermination may also give rise to a ground of challenge. In view of the decision making role of the Development Control Committee, no Committee member should indicate support or opposition to a specific development proposal or particular planning application, or declare their voting intention, before the meeting at which a decision is to be taken. To do so without all relevant information and views may well be viewed as unfair and prejudicial and may amount to predetermination.

4.3. In general terms, the following guidelines should be followed:

4.3.1. Members of the Development Control Committee should avoid giving guidance to any applicant or potential applicant for planning permission and should refer the applicant to the Planning Applications Manager if further information or advice is needed.

12 Appendix E Protocol on Land Use Planning Matters and Planning Committee

4.3.2. Councillors and officers may be asked to express an opinion on a planning proposal, but care should be taken in so doing. Members of the Development Control Committee should avoid discussions with applicants and should not declare how they will vote on a matter as they are required to keep an open mind until all the facts are known and they have considered all relevant advice and the result of consultation. Any person lobbying, either for or against an application, should be advised to write to the Planning Applications Manager so that their representations can be included in any officer's report.

4.3.3. If a site visit is deemed necessary then it is recommended that all Members of the Development Control Committee shall make every effort to attend that site visit. If they are unable to do so then they may view the site themselves only if they can do so from a public vantage point and without contact with the applicant.

4.3.4. Members of the Development Control Committee must not organise support or opposition (internally or externally) to a planning application as this will make it difficult for a Councillor to argue convincingly when the decision is to be taken at Committee that they have carefully weighed the arguments and evidence presented.

4.3.5. Applications must be determined on their merits at the Committee in the light of all relevant information. For example, a political group meeting must not be used to decide how Councillors should vote on a planning application.

4.3.6. Any members of the Development Control Committee individually receiving late written representations in respect of an application must pass these immediately on receipt to the Chair/Planning Applications Manager so that these may be taken into account during consideration of the application.

4.3.7. Members of the Development Control Committee should not generally accept personal invitations from applicants, developers and agents to attend meetings and presentations to promote major development proposals. If, notwithstanding this advice, Councillors decide that they are going to accept such an invitation they should first request the attendance of an officer. If an officer is not available a Councillor should not attend alone.

4.3.8. Members of the Development Control Committee should not allow themselves to be lobbied by any applicant or other persons before or during Committee meetings or during any breaks or adjournments in such meetings.

5. Declarations of Interest

5.1. Councillors must always declare any interest they (or their spouse, partner or other relative or friend) have, of which they are aware, in relation to any matter under discussion and should withdraw from the meeting prior to the consideration of that item if the interest is a disclosable pecuniary interest or an interest which may be viewed as prejudicial.

5.2. Members of the Development Control Committee must not favour any particular person, company or group, nor put themselves in a position where they appear to do so.

5.3. Examples where other interests may be prejudicial include:

12 Appendix E Protocol on Land Use Planning Matters and Planning Committee

- Close personal friendship with an applicant for planning permission or an objector, or person with an interest.
- Membership of the same club or organisation as some other person, which common membership the Councillor is aware of and which is such that close acquaintanceship might reasonably be inferred.
- Regular and close business dealings with a person involved in the application.
- Living or running a business in close proximity to a particular site such that you might be affected by any proposals for that site (other than an interest shared with other members of the public generally as a Council Tax payer or inhabitant of the area).

Note: This list of examples is not exhaustive and ultimately the responsibility for declaring any interest lies with the Councillor.

5.4. Councillors who have a prejudicial interest should refrain from discussing the matter with other Councillors or with officers. Further, a Councillor with a prejudicial interest in a matter, may not take part in any discussion concerning that matter, nor be present in the public gallery while any discussions take place.

5.5 Councillors with a prejudicial interest may make their views known in writing to the Planning Applications Manager. The nature of the prejudicial interest should be made known. Councillors may also appoint an agent or other person to speak on their behalf. Councillors should refer to the guidance issued by the Department for Communities and Local Government in such cases and seek the advice of the Council's Monitoring Officer.

6. Development Control Committee Procedures

6.1. All planning matters considered by the Council or one of its committees will have a full written report from officers including a reasoned assessment of the issues under consideration and a recommendation from the relevant officers.

6.2. Councillors must read all reports before the Development Control Committee meeting and any issues that are likely to delay the decision making process should be raised with officers before the meeting, e.g. requirement for a site visit, inaccurate plans or information or any legal issues, so that they can be dealt with prior to the meeting.

6.3. Councillors should respect the role of officers to make their recommendation and not put pressure on individual officers to secure a particular recommendation in any particular case.

6.4. If an individual Councillor wishes their views to be considered and reported as part of the officers report, representations must be made in writing to the Planning Applications Manager .

6.5. Any new issues arising between the date when an agenda has been circulated and the date of the meeting will be put in a written report on the day of the meeting. Exceptionally, where this is not possible, any late information will be recorded in the Minutes of the meeting. Applicants and objectors attending Development Control Committee will not be permitted to hand out information at the meeting.

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6.6. Applicants and objectors may address the Development Control Committee personally or through an agent prior to consideration of the application by Councillors. Where the County Council, or as Highway Authority, has raised objections on a planning matter, and has indicated that it wishes to address a Committee, its representative will be invited to the meeting and will be heard before a decision is taken.

6.7. Speakers, other than members of the Development Control Committee and ward councillors, will be allowed to speak for 3 minutes, objectors first, followed by ward councillors then applicant/supporters. Where there is more than one objector or applicant they will be asked to appoint a spokesperson or be restricted to 3 minutes between them. At the discretion of the Chair, on very large/unusual applications arrangements will be made to ensure that objectors and applicants get equal opportunity to put their case. Ward councillors may speak for up to 5 minutes.

6.8. Once a third party has put their case they may not speak again unless, at the discretion of the Chair, they are asked to clarify a matter of fact.

6.9. All participants at the Development Control Committee; Councillors, Officers, applicants and other third parties are entitled to be treated with respect. Planning applications are of immense importance to applicants and to those who are likely to be affected by them, feelings can often run high. Councillors should pay close attention to speakers at the Committee and no person should speak when another person is speaking.

6.10. A Councillor who wishes to propose a decision be taken contrary to officer advice should make clear his/her planning reasons for doing so at the time of making the proposal, with officer advice if necessary. Those reasons will form the basis for the Committee's decision and shall be noted in the minutes of the meeting. At the discretion of the Chair, if necessary, the Committee may take a short adjournment to allow officers to clarify the position and to assist in formulating the detailed reasons for refusal.

6.11. Where a proposal has been made and seconded to take a decision contrary to officer advice, the Chair will allow the Senior Planning Officer present at the meeting to respond before the vote is taken. If necessary, Councillors can debate the officer's advice further before taking the vote.

6.12. Except in exceptional circumstances and at the discretion of the Chair, non Development Control Committee members may only speak at the Committee on applications that are within their ward or directly affecting their ward. Those Councillors who do speak should confine themselves to planning matters. They may not participate in the debate.

7. Committee Site Inspections

7.1. Site visits will normally be held on the day of the Development Control Committee before consideration of the Planning Applications Manager report.

7.2. The purpose of the site visit is to obtain additional information or clarification about a proposal and to view it in context, where it is difficult to assess the impact of the application from the submitted descriptions and drawings. The reasons for the site visit will be recorded on the site visit itinerary issued to Committee members.

12 Appendix E Protocol on Land Use Planning Matters and Planning Committee



7.3. Items which are to be the subject of site visits will be decided by the Officers. If after receiving the committee agenda for the meeting when the provisional site visit itinerary has been drawn up any member of the Council would like the Committee to visit additional sites, they should inform the Planning Applications Manager by noon on the Friday preceding the meeting.

7.4. Because of the need to determine planning applications within the statutory eight-week period, there will be a strong presumption that planning matters will not be deferred to a future meeting to enable a site visit to take place.

7.5. Site visits are scheduled to allow for approximately 5 - 10 minutes per site unless the issues are complex, the site is very large or a particular vantage point is required as to need more time.

7.6. Members of the Committee will usually travel together by minibus but may meet at the site if they wish. Local ward Councillors who are not members of the Committee are invited to attend the site inspection but must make their own travel arrangements. Officers will attend the site visit to advise members.

7.7. Where possible the site will be inspected from a vantage point without the need to enter private property. If it is necessary to enter private property to view the site officers will make appropriate arrangements.

7.8. Site visits will not be used to discuss a planning matter with developers or objectors, who will not therefore be allowed to address the Councillors present. They will have an opportunity to do so at the Development Control Committee if they so choose.

7.9. The business of the visit is conducted in the following manner:

- a) the officer will outline the application and the issues particularly those that have generated the site visit.
- b) Councillors are invited to ask questions about the site and request any other information.
- c) no other persons are permitted to address the Committee, although any persons, if present, are permitted to listen.
- d) in the event of a question of fact being asked that an officer is unable to answer, the information may be obtained from an attendee at the meeting by an officer and reported back to the Development Control Committee.

8. Role of Committee Chair and Vice-Chair

8.1. In order to aid the smooth running of Committee business, a briefing will be held for the Chair and Vice-Chair once the agenda has been published.

8.2. The order of the Committee agenda may be changed at the discretion of the Chair. Where in advance of the Committee it is known that an item is to be deferred or that the order of the Agenda is to be altered, the Chair will advise of this prior to the commencement of the meeting.

9. Role of Local Councillor

12 Appendix E Protocol on Land Use Planning Matters and Planning Committee

9.1. Councillors have access to lists of all planning applications received and determined on the intranet (also available on the internet) and are informed of all applications made in their wards. Any Councillor may request in writing that any application should be referred to the Committee for determination if there are sound planning reasons for doing so which must be specified in writing to the Planning Applications Manager within 3 weeks of an application being received. In the event of a dispute as to whether sound planning reasons have been given by the Councillor seeking to refer an application to the Committee for determination, the Planning Applications Manager shall discuss the matter with the Committee Chair and Vice-Chair with a view to agreement being reached on whether the application should be referred to Committee. In the absence of agreement, the majority view of the Planning Applications Manager, Chair and Vice-Chair shall prevail.

9.2. If a Councillor (other than the Committee Chair or Vice-Chair) who is not the local ward Councillor is asked to become involved in a planning matter, he/she should first endeavour to inform the local ward Councillor(s) before attending any meeting or site visit, or taking any other action.

9.3. In determining planning applications at Committee, Councillors must not base their decision purely on local issues. All decisions should be based only on relevant material planning considerations, local and national planning policies.

OFFICERS' CODE

10. Conduct of Planning Officers

10.1. Officers who are Chartered Town Planners are guided by the Royal Town Planning Institute's (RTPI) Code of Professional Conduct. Breaches of this Code may be subject to disciplinary action by the Institute and/or by the Council. Similar standards of professional conduct will be expected of any Planning Officers who are not members of the RTPI and such officers may be subject to disciplinary action by the Council if these standards are not maintained.

10.2. All Planning Officers must give professional and independent recommendations and care must be taken not to give advice which may fetter the Committee's decision making role.

10.3. Planning Officers who work closely with Councillors, applicants or objectors, have to ensure that their professional judgement is not compromised by the nature of their relationships with such persons.

10.4. It should always be made clear that advice given by Planning Officers may be subject to review and may change in the light of any additional relevant information that might come forward.

10.5. Advice given should be consistent and based upon the current Development Plan, planning policy guidance and any other relevant material considerations.

10.6. A written note should be made and kept on file of all meetings with developers, agents, and interested third parties, and of any other meetings or telephone calls relating to an application.

12 Appendix E Protocol on Land Use Planning Matters and Planning Committee

10.7. Officers should also be aware that sometimes Committees decisions may go against officer recommendations and when that happens officers should try to help to carry out the Committees decisions subject to avoiding contradiction of their professional advice.

10.8. Interests of Officers

10.8.1. Care should always be taken to ensure that officer's recommendations are not influenced by improper motives or seen to be so influenced.

10.8.2. Officers should always comply with the Council's Employee Code of Conduct. Officers that have an interest (i.e. similar to those which apply to Councillors under the Council's Code of Conduct) should immediately inform the Chief Executive in writing. A register has been set up for recording such Officer's interests.

10.8.3. If any person believes that an officer may have acted improperly, they should contact the Chief Executive without delay who will carry out an investigation in conjunction with the relevant Executive Director.

11. **Development Proposals Submitted by Councillors and Officers**

11.1. Councillors and officers ought not to act as agents (formally or informally) for people pursuing a planning matter with the Council. Should a Councillor or officer submit their own proposals to the Council they should declare a Disclosable Pecuniary Interest. Officers should register their interest with the Monitoring Officer

11.2. After consultation with the Council's Monitoring Officer an Officer with a Disclosable Pecuniary Interest may speak at Development Control Committee as a member of the public, i.e. notice must be given of the intention to speak, time limited to 3 minutes and sharing of time if more than one speaker. The declaration of interest should be given before speaking. Once representations have been made and any questions answered then the Officer must immediately leave the room.

11.3. Proposals which do involve an officer or Councillor will always be determined by the Committee and not dealt with under delegated powers.

11.4. The fact that a declaration of interest has been recorded should be identified on the relevant planning files and in the appropriate Register of Interests held by the Monitoring Officer.

12. **Social Contacts with Developers and Agents**

12.1. Planning Officers should decline any gifts or other hospitality offered by people with an interest in a planning proposal or who are likely to be involved in planning proposals in the future.

12.2. Members of the Development Control Committee should decline any gifts or other hospitality offered by people with an interest in a planning proposal. In the event of a Councillor who does not sit on the Development Control Committee being offered a gift or other hospitality, this must be declared promptly as an attempt at lobbying, in accordance with Rule 4 of this Protocol.

12 Appendix E Protocol on Land Use Planning Matters and Planning Committee

12.3. Planning Officers and members of the Development Control Committee should, so far as possible, avoid social contacts with known developers and agents, particularly when new developments are being considered or planning applications put forward.

12.4. In the event of a Planning Officer or Councillor having significant social contact with a developer or agent, he/she should declare an interest which may be viewed as prejudicial in accordance with guidance set out in this protocol.

13. Public Access to Information

13.1. Open and transparent decision making is central to the planning process. Virtually all planning matters coming before the Committee should be considered in open session, the principal exceptions to this being situations where it is necessary to give the Committee confidential legal advice or in other circumstances which are regarded as confidential or exempt by law.

13.2. All planning application files are open to public inspection. Members of the public requiring extensive information on a particular matter are encouraged to make a prior arrangement with the relevant Planning Officer for a file to be made available at a particular time.

