

**Schedule of responses to representations made on the Updated Statement of Community Involvement Consultation Document**

<b>Respondents</b>	<b>Support/ Object/ Comment</b>	<b>Summary of Comments</b>	<b>Council Response</b>	<b>Changes to the SCI</b>
T Hockin	Support	Well thought out and professionally produced policy document	Noted	None
B Merry Chesterfield & NE Derbyshire Group of the Ramblers'	Object	Expected The Ramblers' to be contacted on all planning applications affecting or adjacent to Public Rights of Way	In terms of consulting on planning applications, this is already a requirement of the relevant regulations and is not repeated in the SCI. Consultations regarding Local Plans, The Ramblers would be included as a general consultation body as set out in appendix 2 of the SCI.	None
D Sellers	Support	Fully agree with the contents of the SCI	Noted	None
Natural England	Support	Supportive of the principle of engagement with the community in local planning matters and determining planning applications. Copy of their standing guidance provided.	Noted	None
HOW Planning LLP (on behalf of Chesterfield Waterside)			DM	
Highways Agency	Support	Welcomes the opportunity to comment on the Revised SCI and has very limited comments. It welcomes the Council's commitment to engaging with communities, businesses and other organisations in the development of the Borough. The Agency understands that the previous SCI, which was published in 2007, needs to be updated to reflect the significant changes to the planning system which have come into practice since the SCI's initial inception.  Welcome the variety of consultation methods which the	Noted	None

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		<p>Council intends to use to inform and consult as set out in the SCI. This should ensure that the entire cross-section of the community will be involved (if desired) in the consultation process.</p> <p>Notes the Council's reference to the 'Duty to Co-operate' which requires LPAs to engage with neighbouring authorities and other statutory bodies to consider joint approaches to plan-making and the Agency welcomes the Council's intention to meet this duty. The list of Duty to Co-operate bodies is set out in Appendix 2 of the SCI and the Agency considers this to be a comprehensive list of consultees.</p>		
Woodland Trust	Comment	Appendix 2 identifies a variety of specific duty to co-operate consultation bodies, such as Natural England, the Woodland Trust should also be included as it is a key stakeholder to engage with during your Local Plan development.	Noted, Appendix A lists by name only those organisations that the Council is legally required to consult with. Criterion a) of other general consultation bodies covers all voluntary bodies, including the Woodland Trust. It is not proposed to include a full list of voluntary bodies in the SCI.	None
		Pleased to see that the SCI also takes neighbourhood planning into account. We would ask that the SCI could take the opportunity to and integrate neighbourhood plan aspirations with the wider environmental concerns in the Local Plan and the NPPF for example flood risk, biodiversity and climate change. We would also like to take the opportunity to signpost you to our own work on neighbourhood planning to help communities recognise how woods and trees can make a positive contribution to their own aspirations.	Noted. As set out in paragraph 3.7, any Neighbourhood Plans in the borough must be in accordance with the Local Plan and NPPF and will be prepared to a separate process set out in legislation.	None
R Davenport	Object	Local residents who may be affected or who live in the general area/neighbourhood involved must be notified	Developers and land owners are free to approach the council for pre-	None

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		<p>as soon as a significant project is mooted; Planning departments must not engage with developers and subsequently present a 'fait accompli' to the local population. This is especially important with major, larger scale, projects and also those projects such as wind turbines which affect a large area.</p>	<p>application advice regarding development issues, and any such engagement is subject to the provisions of the Freedom of Information and Data Protection Acts . All planning applications are publicly available on the planning register . The formulation of Local Plans or the inclusion of land to be considered for development as part of the Local Plan process, will involve consultation with the public.</p>	
	object	<p>Everything in the public interest should be disclosed: that a developer wishes to develop a site, that they wish to develop on a maximum housing density basis, any levies and payments payable to local authorities/public officials/elected official and their interests.</p>	<p>See above.          Additionally any contributions relating to S106 are public documents.          When a Council has approved a CIL Charging Schedule and begins collecting CIL, there is a requirement under the Community Infrastructure Regulations (regulation 62) to prepare an annual report which sets out how CIL has been collected and how it has been spent, hence the report, amongst other things, will include total CIL receipts, total CIL expenditure and what type of infrastructure CIL has funded. The Council will be required to publish the report on its website and make it publically available.          Officer and Elected Member's external interests are already publicly recorded and subject to clear legislation and guidance, as well as relevant provisions of the Council's Constitution.</p>	

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	object	The council must attempt to reach all of the population affected by a scheme. For something as big and as important as the [Local Plan] the Council must consider leafleting every house in the borough. This can be achieved at relatively little extra cost by circulating a leaflet with the council produced 'newspaper' – which leaflet should be <i>separate</i> to the newspaper but delivered with it to save cost.	Agree. Should the timing of a consultation be in line with the publication of the Council's magazine "Your Chesterfield" an article could be included to advertise any forthcoming consultations. This would only be applicable if the distribution dates coincided with the timetable of the consultations.	Insert as a bullet point at paragraph 5.6 <ul style="list-style-type: none"> <li>Articles regarding consultation to be included in "Your Chesterfield" magazine</li> </ul>
	Comment	Community Assemblies are not representative of the general population. Those few attending (who are not councillors or party activists) are mainly those with some local involvement (such as the Poolsbrook Park or Walking for Health) rather than the ordinary public. In particular the ordinary public who are house owners are badly represented	The Community Assemblies are open to anyone to attend.	None
	Comment	It is noted that both the St. Gobain development and HS2 held public consultations at the Speedwell Rooms Staveley including at times when those who work could attend. For major developments similar exhibitions should be held at suitable locations around Chesterfield.	As set out in paragraph 5.6 of the SCI, Public Exhibitions are one of the engagement activities that the council will consider using if appropriate. Public Exhibitions were undertaken as part of the Core Strategy and the Sites and Boundaries Issues and Options stage.	None
	Object	Generally speaking the Council should not use questionnaires in planning matters as it does not know how to fairly take a sample, fairly ask questions or fairly interpret the result.	Agree in part. It is not always appropriate to use questionnaires for some planning related matters. However questionnaires are mentioned in paragraph 5.6 as a method that the council will consider using if it is appropriate to do so.	None

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	Object	<p>The Council cannot rely on the website for disseminating information. The public access the website for information that they already expect to be there and cannot be expected to search the site for information about a consultation which they don't know is happening.</p> <p>The Council must not rely on using the website to inform people. Documents should also be sent to stakeholders via email – they might not know that they are now on the website.</p> <p>[Evidence gathering] should include the involvement of local inhabitants and where applicable, Staveley Town Council and Brimington Parish Council.</p> <p><b>'Other bodies'</b> should include local residents.</p>	<p>The website is not the only method of disseminating information. Consultations involve sending letters and emails out to the consultees listed in Appendix 2 of the SCI (which include Staveley Town Council and Brimington Parish Council). The correspondence would include a link to the document on the website. Hard copies are always available on request. Hard copies are also to be made available at various locations throughout the borough, which include Customer Contact Centre, Staveley Housing Office, Central Library, Brimington Library, Staveley Library, Old Whittington Library, Newbold Library.</p> <p>The reference to <b>'other bodies'</b> in Appendix 2 relates to the consultation bodies as set out in the regulations and not CBC interpretation of other bodies.</p> <p>However as set out in the main document, paragraph 5.28, local residents are consulted if they wish to be included on the consultee database.</p>	None.
	Comment	<p>Personal experience has shown that planners can dismiss valid points by making spurious and often misleading statements which may not be spotted by those without intimate knowledge of the area resulting in a bad planning decision.</p> <p>Those <b>who have made representations</b> must be allowed to respond to what the planners have said about their comments otherwise it leaves the town</p>	<p>This is the objector's personal opinion. In terms of plan formulation, Planning Officers never produce plans without the involvement of councillors who are democratically elected to represent the borough's residents.</p>	

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		planners as designer, judge and jury over their own plans		
		The Council must not suggest modifications [to Local Plan documents] which have not been put out to public consultation first.	It is normal practice for modifications to a plan to be suggested as part of a Local Plan examination, usually in response to objections received. Modifications can be suggested by the Local Planning Authority as well as by objectors and members of the public. All proposed modifications to a plan are then subjected to a period of public consultation before they are considered by the Planning Inspectorate in order to meet requirements of the Local Plan Regulations.	None
		The local population should be regarded as an important stakeholder at the earliest stage and included in consultations. At the moment it seems that developers, land owners, other local authorities and other public (and quasi-public) bodies are all consulted first and only after this are the public informed, usually in the form of being told what is going to happen to them	Developers and land owners are free to approach the council for pre-application advice regarding development issues, and any such engagement is subject to the provisions of the Freedom of Information and Data Protection Acts. However should a planning application be submitted or the inclusion of land to be considered for development as part of the Local Plan process, the public are consulted.	None
		Agree with paragraph, however a member of the public has to know what is going on before he can ask to be added to any list; if he is not properly informed he will never get on the list.	The various methods of community engagement, as set out in paragraph 5.6, are aimed to involve people in the consultation process.	

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			From these activities people can be added to the consultee database, if requested.	
		Representations should be recorded exactly as made and not summarised by the council officers. The object of this is that summaries can be adjusted to dilute or otherwise misrepresent the original representation. Where clarification is needed this should be agreed with the representee.	The Town and Country Planning (Local Planning) (England) Regulations 2012 part 22 c (iii) set out that in preparing a Local Plan a summary of the main issues raised by the representations is adequate.	
		<b>Development Management Comments</b>	<b>PS</b>	
	Comment	This basically says that "Everything in the garden is rosy" and "The council planners master plan is more important than what the public want and we reserve the right to ignore them giving the excuse of non available staff time/resources an excuse which we know is impossible for the public to easily disprove"	This is the representee's opinion. . As set out in the document, the statutory consultation procedures will always be undertaken as an absolute minimum, but additional consultation will be carried, appropriate to the scale of consultation and availability of resources.	None
	Comment	<p>This appears to be the council planners 'get out clause' and in effect is the council saying that we don't really want to engage with the public, they are just a nuisance (and we – the planners - are always right), how dare the public criticise what we are doing to their town, we the planners will restrict ourselves to the absolute minimum that we can get away with.</p> <p>Planners don't like public consultation and if enacted this clause would ensure that in every case the absolute minimum of public consultation would follow.</p> <p>The danger is that they will ignore valuable local knowledge which would make decisions better and they</p>	This is the representee's opinion. Contrary to Mr Davenport's opinion, the council welcomes and encourages public involvement. As set out in the document, the statutory consultation procedures will always be undertaken as an absolute minimum, but additional consultation will be carried, appropriate to the scale of consultation and availability of resources.	None.

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		<p>will never carry the public with them (but this does not matter to a public servant – its the councillors who get voted out).</p> <p>From the public perception the residents will be delighted to know that the Council cannot be bothered with them and simply fuel the perceptions that the public express to me about their frustrations with the system.</p>		
	Comment	Chesterfield Borough Council need to consult with HS2 over the proposed high speed line routed through eastern Chesterfield and the maintenance service depot with its branch therefore HS2 should be added to Appendix 2.	HS2 is a national infrastructure project which lies outside of the normal planning process and is channelled through the parliamentary process, meaning that it is subject to very different consultation and decision making procedures to other planning proposals. The District Council's role is therefore that of a consultee, rather than a decision maker in the process but we will undertake consultation with HS2 on any matters which relate to the proposed route. (See other consultation bodies (e) ).	None
	Comment	The range and scope of the public being informed about any planning application should be commensurate with the impact of that which is being planned and the area which it would affect	Agree in principle. The consultation scope and methods (neighbour notification letters, site notices etc) are determined on the basis of applications, however it is difficult to identify hard and fast rules for this and it must reflect the availability of resources. (see table 2, page 10 of SCI)	None
	Comment	All those affected should be consulted, not just the 'local population' who happen to be adjacent. In the case of wind turbines this could include ancient monuments and historic sites from which the turbine could be seen, road users who may be distracted by the windmill turning, all	The consultation scope and methods (neighbour notification letters, site notices etc) are determined on the basis of applications, however it is difficult to	None

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		of those who can see the turbine from their property, and those who may be affected by side issues such as access roads and service power lines visible on the horizon.	identify hard and fast rules for this and it must reflect the availability of resources. (see table 2, page 10 of SCI)	
	Comment	For major and intrusive projects the public should be informed in principle as soon as the draft proposals are known about.	This is done on some schemes (eg Dema glass development) and applicants are encouraged to undertake community consultation. However it is not always practical to undertake consultation on pre-application proposals and there is no requirement (or resources) to do so on all applications	None
	Comment	All developments should be linked to the relevant ward within the borough [on the council's website] so if any member of the public access the ward site they can see what is being proposed	It is already possible to search for planning applications on the council's website by ward. The council does not operate ward specific sites.	None
	Comment	The case officer should not be the arbiter of how widely [a planning application] is notified except for local issues such as loft conversions and minor house extensions which affect only near neighbours. More properly the planning committee should decide this for all significant developments including all commercial wind turbines (and the decision would be contained in the planning committee minutes). This puts the responsibility onto elected officials which is where it should lie. Major developments needing widespread public involvement are rather rare events so the planning committee would not be flooded out with requests to decide.	Planning applications must be advertised within specific timescales of receipt. The current planning committee cycle would not allow for timely decisions on the extent of notification. Officers have clear delegated powers for such issues as consultation decisions.	None
	Comment	Proposals likely to affect the wider public than just those few houses next to the site must be more widely advertised including leaflets and posters as necessary sent to the affected population plus, where appropriate, a public meeting before this issue goes for approval to the planning committee. There may be a case where the effect of the proposal crosses borough boundaries	The consultation scope and methods (neighbour notification letters, site notices etc) are determined on the basis of applications, however it is difficult to identify hard and fast rules for this and it must reflect the availability of	None

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		and those affected outside the borough must be allowed to participate.	resources. (see table 2, page 10 of SCI)	
	Comment	Involve the public properly and you will tap into that local knowledge that you do not have and get a much better result	Agreed, this is the aim of public consultation and of the SCI and the Council's Community Engagement Strategy	None
	Comment	Planning departments must be even handed – there cannot be one law for their own favoured or own engineered projects where the public are excluded as much as possible and a different law for schemes favoured by the public	All planning applications are assessed and determined on their own merits	None
	Comment	Town planners must be fully open about developments. This information must be available to those who are entitled to know – Borough Councillors, relevant Town/Parish councillors and the public alike.	All information related to planning applications is publicly available. Pre-application discussions are subject to the provisions of the Freedom of Information and Data Protection legislation.	None
	Comment	A better way of information would be a two-sided fact sheet prominently printed, separate but circulated with the Chesterfield newspaper (but still in time for the public to make objections)	This would not be practical or achievable with the resources available. Summarising complex applications in this way would increase the risk of consultees reaching a view without the relevant information	None
	Comment	In all cases appropriate and affected members of the public should be advised of planning applications received. There should be a proper review of the application. Especially where there are other factors there should be a referral to planning committee. Local Authority planners should not just ignore the public and where plans are approved reasons for the approval (or disapproval should be stated.	The consultation scope and methods (neighbour notification letters, site notices etc) are determined on the basis of applications, however it is difficult to identify hard and fast rules for this and it must reflect the availability of resources. (see table 2, page 10 of SCI) There is proper review of all planning applications and a clear delegation scheme for when applications should be referred to	None

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			<p>planning committee. Reasons for approval and refusal must be given for planning decisions as a matter of course and recorded as part of the Decision Notice</p>	
	Comment	<p>There should be a process where citizen applicants (not companies or other bodies) can refer decisions back to the planning committee but they must state their reasons and which part of the decision (which would have been solely made by officers) they are contesting.</p>	<p>There is an existing process of appeal through the planning inspectorate. Applicants can, through members, ask that decisions be taken by planning committee. The legislation does not currently allow for a third party right of appeal.</p>	None
	Comment	<p>The public should be properly consulted; allowed to express their views in a fully and wide ranging manner; and listened to. This will result in better planning decisions.</p>	<p>Agreed, the SCI and the Council's Community Engagement Strategy are intended to achieve this within the context of the available resources.</p>	None
	Comment	<p>The number of objectors who can be heard should be in relation to the project as evidenced by the written objections already submitted</p>		