

Chesterfield Borough Council

Statement of Community Involvement

October May 2014



May 2014

ARE WE ACCESSIBLE TO YOU?

If not, ask us

- ✓ We want everyone to be able to understand us.
- ✓ We want everyone to be able to read our written materials.
- ✓ We aim to provide what you need for you to read, talk, and write to us.

On request we will provide free:

- ✓ Language interpreters, including for British Sign Language.
- ✓ Translations of written materials into other languages.
- ✓ Materials in Braille, large print, on tape, in Easy Read.

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1.0 Introduction

- 1.1 The council, as a Local Planning Authority (LPA) is responsible for development planning in Chesterfield Borough. Its planning functions include deciding planning applications and formulating plans and policies to guide development.
- 1.2 Whenever we consider a planning application, or produce plans and policies for our area, we are required to consult and engage with people and organisations to gain their views. This Statement of Community Involvement (SCI) sets out how we will do that and help ensure that there is active, meaningful and continued involvement of local communities and stakeholders throughout both processes.
- 1.3 The current SCI was adopted in 2007. Since that time there have been a number of changes to the planning system.

2.0 Background

- 2.1 The first Statement of Community Involvement was adopted by the Council in February 2007, following a public consultation and review by an independent Planning Inspector.
- 2.2 It is considered necessary to review the Statement of Community Involvement at this time due to a number of changes. These include the 2012 Town and Country Planning Regulations, the Localism Act 2011, the removal of Planning Policy Statements and the introduction of the National Planning Policy Framework (NPPF).
- 2.3 A key change in planning legislation was made with the Town and Country Planning (Local Planning) (England) Regulations 2012 [S.I 2012 No.767] (The Regulations) coming into force. These Regulations set out the minimum requirements for community involvement in local plan making. Accordingly, the SCI must be updated to reflect the requirements outlined within the new Regulations.
- 2.4 There have also been changes to consultation mechanisms within the council and changes with the relationship to other council strategies.
- 2.5 Technological advances have led to the increased use of electronic communication, both in disseminating and receiving information.

3.0 The Planning System

- 3.1 The Planning and Compulsory Purchase Act 2004 required the preparation of new planning documents to replace the previous 'Local Plan' system. This new suite of documents was called the Local Development Framework (LDF). However, following a change of government in 2010, a new set of Town and County Planning (Local Planning) (England) Regulations came into force in 2012 and these revert to the former terminology of a 'Local Plan'.

- 3.2 For Chesterfield borough, the **Local Plan:Core Strategy** (adopted in July 2013) sets out the long-term vision for the Borough and the strategic policies required to deliver that vision, with an accompanying Proposals Map.
- 3.4 At the time of writing this document, the council have commenced preparation of the second part of the Local Plan, the Local Plan: **Sites and Boundaries**. This will allocate areas for specific land-uses including residential, employment, open space and areas to which detailed policies will apply. It also sets out the detailed policies, which will be used in the consideration of all planning applications. An updated Proposals Map will also accompany this document.
- 3.5 The Local Plan **Proposals Map** identifies geographically the adopted policies and proposals of the Development Plan Documents. The adopted proposals map reflects the most up to date spatial plan for the Borough and is revised when new policies and proposals are adopted.
- 3.6 An **Area Action Plan** is a Development Plan Document, which is focused on a specific location, or area subject to conservation or significant change. It focuses on implementation and the delivering development of an appropriate scale, mix and quality for areas of opportunity, change or conservation. The council is currently preparing an Area Action Plan for the Staveley and Rother Valley Corridor.
- 3.7 The recent legislation also allows for the preparation of Neighbourhood Plans. These are led by the local community and cover a specific geographical area. Any Neighbourhood Plans in the borough will be prepared to a separate process set out in legislation and not covered in this SCI, including being subject to a referendum before being adopted.
- 3.8 The **Local Development Scheme (LDS)** is a project planning document which sets out the Local Plan documents that the Council intends to produce, their scope and the timetable for their preparation. This is available on the Council's website. It will be regularly updated.
- 3.9 The Council prepare an **Authorities Monitoring Report (AMR)** which is published annually. This will assess the extent to which policies in Development Plan Documents are being successfully implemented. It also sets out the five year requirement and the housing trajectory.
- 3.10 The Council will undertake **Sustainability Appraisals (SA) and Strategic Environmental Assessments** of Development Plan Documents throughout their preparation. This will test the policies and proposals against sustainability objectives and enable them to be modified where appropriate to mitigate potential adverse effects. The sustainability appraisals will be published for consultation alongside the Development Plan Documents.
- 3.11 The Council is also proposing to prepare a number of **Supplementary Planning Documents (SPD's)** and update others. The SPD's cover a range of issues, specific subjects, or individual sites. They are intended to explain, or provide further detail about policies, or site allocations in a Development Plan Document. SPD's will be subject to community involvement during their preparation, but are not subject to independent examination.

3.12 **Community Infrastructure Levy (CIL)** is a charge that local authorities can choose to levy on specified new development in their area. The Council must demonstrate an infrastructure funding gap and consult on the proposed charging schedule. The CIL will be submitted to the Secretary of State and subject to a public examination by a Planning Inspector. Once a charging schedule is in place, there will be a requirement for the Council to prepare a CIL Annual Monitoring Report. This will identify the amount of money accrued via CIL and the types of infrastructure it is being spent on.

4.0 The Statement of Community Involvement (SCI)

4.1 The SCI is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended). There is no prescribed method for producing an SCI, however it has been prepared consistent with the Town and Country Planning (Local Planning) (England) Regulations 2012.

4.2 The updated SCI also responds to aspects of the Localism Act 2011, which introduces a number of changes to the planning system, including the duty to cooperate when preparing plans.

4.3 Further, this SCI has been prepared following publication of the National Planning Policy Framework (NPPF). The NPPF sets out the government's planning policies for England and includes guidance on plan-making and deciding planning applications, and therefore is relevant to the SCI.

4.4 In addition to anything set out in the SCI, any consultation or engagement exercise we carry out will also have regard to the Corporate policies and other legislation including :

- Equality Act.
- Human Rights Act,
- Freedom of Information Act, and
- Data Protection Act.

The preparation of the SCI

4.5 This update to the SCI was subject to consultation for a period of six weeks between **Friday 23rd May** to **Monday 7th July**.

5.0 Involvement in the Local Planning Process

5.1 The NPPF highlights that there needs to be 'early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses'.

5.2 The Council intends to maintain a process of ongoing community involvement and aims to encourage early involvement in the preparation of each document so that everybody feels that they have had a chance to influence local policy decisions that are made. The Council intends to let people know about what it is doing, what stage it has reached in the preparation of documents, where documents can be inspected,

how people can be involved and the results of consultations. This information will be continually updated.

- 5.3 The Town and Country Planning Regulations 2012 set out the minimum requirements for public participation in the preparation of a Local Plan Documents.

Methods of Community Involvement

- 5.4 It has been the borough council's standard practice to involve the community both in policy making and in considering planning applications.

- 5.5 A number of different methods will be used depending on the nature of the subject involved, audience and Council resources to ensure effective and wide ranging community involvement.

- 5.6 The following list details some of the methods and activities we will consider using. It is not exhaustive; nor does it represent a list of activities that will be used in every instance. All engagement activities will be published on the Council's website:

- Community Engagement via Community Assemblies and/or Tenant Area Panels
- Press and Media Releases.
- Public Meetings.
- Public Speaking at Planning Committees.
- Chesterfield Borough Council Website- The Council is embracing e-Government and bringing in a raft of new measures to ensure the public are kept up to date and can comment on-line whenever possible.
- Social Media – Facebook and Twitter
- Public Exhibitions.
- Local Partnerships
- Letters to stakeholders, statutory consultees, etc.
- Email
- Leaflets.
- Workshops
- Questionnaires
- Articles regarding consultations to be included in "Your Chesterfield" magazine

- 5.7 The council has an on-line planning service and all documents will be available on the internet enabling comments to be submitted electronically. However, it is considered important that these do not replace other more conventional means of communication entirely. If this happened it might isolate sections of the community with no access to information technology or people with limited IT skills.

The Stages of Consultation

- 5.8 The main stages in the preparation of the Local Plan Documents are detailed below:

- 5.9 The Council will publish details on the website of the timetable for the preparation of Local Plan Documents and will regularly update this. Documents that have been adopted will also be set out on the website together with supporting evidence studies.

Preparation and Public Participation

- 5.10 Survey and evidence gathering to understand the main issues to be addressed in the document. Collating up to date information on social, environmental and economic matters.
- 5.11 Initial Equality Analysis will take place at this point and if appropriate an Equality Impact Assessment. This assessment will be revisited at key stages throughout the process.

Consultation on the Draft Document

- 5.12 This consultation stage is a statutory requirement. There will be a minimum six week consultation period for a Local Plan document and a four to six week consultation for a Supplementary Planning Document. This is an opportunity for the community, statutory consultees and other stakeholders to submit representations on the document and raise concerns. It is also an opportunity to set out alternative options to those being proposed. The Council will publish the document electronically and in a hard format. A Sustainability Appraisal must be integrated at this stage to shape the document from a sustainability perspective.

Duty to Co-operate

- 5.13 The Localism Act and the National Planning Policy Framework (NPPF) places a duty on local planning authorities and other bodies to cooperate with each other to address strategic issues relevant to their areas. The duty requires ongoing constructive and active engagement on the preparation of development plan documents and other activities relating to the sustainable development and use of land, in particular in connection with strategic infrastructure.

Production/Publication

- 5.14 After considering the responses to the previous draft document publication, the Council will publish, what it considers should be the final version of the document called the Submission Document. This will contain finalised policies and proposals. The Council will publish the document electronically and in a hard format.
- 5.15 It will be submitted to the Secretary of State and published for formal consultation for six weeks. This will be accompanied by a document that sets out how representations have been dealt with in accordance with the Statement of Community Involvement. A Statement of Compliance with 'Duty to Cooperate' will be prepared by Chesterfield Borough Council, as Local Planning Authority to demonstrate that it has complied with the 'duty to co-operate' in the preparation of the Local Plan Documents. The outcomes of such co-operation will be tested against the evidence at examination.
- 5.16 The way in which representations are made at this stage will become more formal. Representations can only relate to whether it has been prepared in accordance with the Duty to Cooperate, the relevant legal and procedural requirements, and whether it is considered to be 'sound'. The tests of soundness are set out in paragraph 182 of the NPPF. As such representations at this stage should only make reference to these matters.

- 5.17 At the same time the Sustainability Appraisal Report will be published together with other supporting documents.
- 5.18 For Supplementary Planning Documents the Council will consider representations made to the draft document, make any changes that are appropriate and then adopt it.

Public Examination

- 5.19 Copies of all representations received during the period for consultation on the Submission Development Plan Document together with a summary of previous issues and how they were dealt with, will be forwarded to Secretary of State who will appoint an Inspector to carry out the examination into the soundness of the document. The tests of soundness are set out below:
- 5.20 The NPPF sets out the following tests of soundness:
- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
 - **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
 - **Effective** – the plan should be deliverable over its period and based on effective joint working on cross boundary strategic priorities; and
 - **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the framework.
- 5.21 The Council will appoint a Programme Officer who will notify consultees of the convening of a pre examination meeting (if required) and the public examination itself. A notice will also be published in the local press detailing the time and place where the examination will be held and the name of Inspector.
- 5.22 Following this examination the Inspector will produce a report setting out recommendations to changes that he/she feels necessary for the plan to be considered sound. The Inspector's Report is no longer binding on the Council, but cannot be ignored as an unsound document cannot be formally adopted and therefore could not be used in the determination of planning applications. The Council can also suggest their own modifications to the Inspector on submission or during the examination, as well as making minor non- material changes themselves.
- 5.23 Examinations are not required for Supplementary Planning Documents, or the Statement of Community Involvement.

Adoption

- Modification stage
- 5.24 Following receipt of the Inspector's report the Council will make the necessary changes to the document and then adopt and publish the document together with its

sustainability appraisal. This will be advertised and made available at Council offices and public libraries in the borough. It will also be available on the Council's website.

- 5.25 The different Local Plan documents will need to be consistent with one another and national legislation. This means that there may be some policies or proposals in a document that it will not be possible to change without breaching the need for conformity. When undertaking community involvement the Council will make the constraints clear and identify what can and cannot be influenced by the public.

People to be consulted

- 5.26 The council, in preparing Local Plan documents and in dealing with major planning applications, will aim to involve a wide range of different stakeholders at the earliest opportunity. It is the principles of *early* and *continuous* community and stakeholder representation that underpin this SCI. In line with best practice the council will seek to follow a process of information, consultation, participation and feedback.
- 5.27 In accordance with the Town and Country Planning Regulations 2012, Appendix 2. lists the 'Specific Consultation Bodies' - organisations and other bodies that that we are legally required to consult and involve in preparing planning documents.
- 5.28 The council has a database with all known consultees and interested parties and if further groups or members of the public express an interest they can be added to the consultee list.

Procedures for making comments (or "representations") during Formal Consultation:

- 5.29 The period for formal community involvement will last 6 weeks. Comments (or 'representations') should be made in writing, either by letter or email and should be accompanied by the standard comment form relating to the document (a statutory requirement). This will also be available on the councils' website. Sending representations in an electronic format greatly improves the administration process.
- 5.30 If an objection is to the wording of a document then the council will welcome any suggestions for an alternative form of wording.

How the Council will Consider Representations

- 5.31 All representations received will be acknowledged and recorded in a database (subject to the requirements of the data protection act). Where clarification is necessary the council officers may contact representees again, but otherwise representations will be reported to the appropriate committee, with recommendations about how the council should respond.

6.0 Involvement in Development Management

- 6.1 The area of planning that most people are engaged with is in connection with planning applications. This is known as Development Management and is the process that Local Planning Authorities determine planning applications for new development¹.
- 6.2 Planning applications can relate to the need for planning permission on a whole range of activities² including; advertisement consent, listed building consent, change of use or alterations and extensions which have to accord with The Town and Country Planning (Development Management Procedure) (England) Order 2010.
- 6.3 Government performance targets are that the majority of planning applications should be determined within 8 weeks; however major applications should be determined within 13 weeks and those accompanied by an Environmental Statement 16 weeks.
- 6.4 Chesterfield Borough Council is part of a two-tier local government system, which means that the majority of planning applications are dealt with at CBC, whilst Derbyshire County Council deals with applications for education, minerals and waste disposal.
- 6.5 Pre-application Consultation
- 6.5.1 Chesterfield Borough Council encourages applicants to enter into pre-application discussions as this improves the efficiency and effectiveness of the planning application system by; promoting collaborative working; and improves the quality of application submissions with improved outcomes for the community. This is endorsed by the National Planning Policy Framework³ and the Localism Act⁴.
- 6.5.2 As part of this new legislation, one of the aims of central government is to make the planning system transparent, clearer, more democratic and more effective. To achieve this aim, legislation requires developers to consult local communities before submitting planning applications for certain types of development (e.g. wind turbines), with the aim of giving local people genuine scope to influence future development proposals.
- 6.5.3 Chesterfield Borough Council actively promotes pre-application discussions particularly with major development, however this is not restricted to major applications and any pre-application discussions will be encouraged. A typical pre-application process for a major development proposal will aim to follow the process set out in Table 1.

¹ 'Development' as defined in the Town and Country Planning Act 1990, Section 55 may take two forms, namely 'the carrying out of building, engineering, mining or other operations in, on, over or under land' or 'the making of any material change in the use of any building or other land'.

² All relevant application types/forms can be found on the Council's website: <http://www.chesterfield.gov.uk/Planning-Application-Forms-622.html>

³ National Planning Policy Framework (March 2012) paragraph 188-189

⁴ The Localism Act (2011) Section 122

6.5.4 Where there is a subsequent application for planning permission, the applicant will be encouraged to submit a statement with their application setting out the steps that were undertaken at the pre-application stage. This is a standard question on the planning application form and the local planning authority is required to set out as part of the decision notice the way in which it has worked in a positive and proactive way with the applicant to demonstrate how CBC has adhered to the requirements of the Town and County Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012 with respect to the decision making in line with the National Planning Policy Framework⁵.

Table 1: An Example of the pre-application process for major development proposals (minimum 10 weeks).

Applicant identifies site boundaries and proposed development type
<p>Initial Meeting</p> <ul style="list-style-type: none"> • Establish whether the proposed development is likely to be acceptable in principle • Identify key practical and policy issues to be addressed • CBC identifies Development Team and key consultees including community groups • Timetable for pre-application discussions and submission of planning application agreed
<ul style="list-style-type: none"> • Applicant prepares draft proposals for discussion <p>Progress Meeting(s)</p> <ul style="list-style-type: none"> • Agree project plan for further pre-application discussions • Emerging scheme discussed with Development Team • Main features of development proposal agreed • Screening opinion sought on need for Environmental Statement if appropriate • Information required to support planning application agreed • Section 106 planning obligation requirements discussed • Community Infrastructure Levy (CIL) requirement discussed • CBC confirms information, Section 106 and CIL requirement in writing
<ul style="list-style-type: none"> • Applicant prepares draft supporting technical reports and submits for comments • Draft reports circulated to Development Team and relevant external consultees and community groups for informal comments (21 day period) • CBC prepares project plan for handling planning application • Applicant submits draft Section 106 Heads of Terms for discussion • CIL requirements is a fixed, non negotiable charging

⁵ Paragraph 186 and 187 of the NPPF

schedule
<p>Final Meeting</p> <ul style="list-style-type: none"> • CBC provides feedback to draft reports on Section 106 draft Heads of Terms • Agree project plan for handling planning application • Applicant prepares any agreed amendments
Submit Planning Application

6.6 Planning Applications

- 6.6.1 Chesterfield Borough Council receives approximately 800 planning applications per year. As part of this process, consultation with the community and, statutory and non statutory consultees is a fundamental part of the Council's assessment of applications to ensure that an informed decision making process is in place.
- 6.6.2 Consultation on planning applications is carried out in accordance with the requirements of Government Legislation⁶; National⁷ and Local⁸ Planning Policy.
- 6.6.3 Chesterfield Borough Council's aim is to make full information about planning applications publically available to as wide an audience as possible. One of the easiest ways to view planning applications is on the Council's website where application details can be viewed via a 'public access' link. This enables members of the community to view applications, check on the progress of applications as well as make representations. The website also provides guidance and details on the Development Management process and services provided.
- 6.6.4 Planning applications can also be viewed at the Customer Service Centre in New Square, Chesterfield between the hours of 8.30 am – 5.00pm Monday; Tuesday; Thursday: 10.00am – 5.00pm Wednesday: and 8.30am – 4.30pm Friday.
- 6.6.5 Alternatively, members of the public can arrange to have a member of the Development Management Team discuss any queries on an application by contacting the Customer Service Centre on 01246 345811.
- 6.6.6 Chesterfield Borough Council currently has a number of procedures in place to involve the community in planning application decisions and these are as follows:

Table 2: Procedures of notification on planning applications

⁶ Town and County Planning (General Development Procedure) (Order 1995) (and amendments); The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (and amendments); Advertisement Consent; and Planning and Compulsory Purchase Act 2004 (S.18)

⁷ National Planning Policy Framework (2012)

⁸ Chesterfield Borough Council Local Plan Core Strategy (2013)

Type of notification	Procedure undertaken
Neighbour Notification	Individual consultation letters or e mails are sent to those properties which are most likely to be affected by the proposal. This means at least those properties which immediately adjoin the site and share a common boundary with the site (ignoring any highway) receive details of the proposals. The Case Officer may request that additional letters are sent where it is considered appropriate. This type of notification is most commonly used in cases involving domestic extensions or development within residential areas.
Site Notices	A Site Notice is normally posted for applications where the adjoining landowner is not known; where a proposal affects a wider area; or where Regulation specifies. This may well be the only means of notification for development within a none residential area.
Weekly List	The Council produces a list of all applications received and this can be viewed on the Council's website at: http://www.chesterfield.gov.uk/Current-Weeks-Applications-748.html . This process of notification is used for councillors
Advertisement	Under the Regulations, the Council is required to publish details of certain types of applications for example, all major planning applications; development that would be a departure from the Development Plan; listed building consent or conservation areas. These are published in the Derbyshire Times.
Statutory and Non-Statutory Consultees including Parish councils	The Council consults a range of statutory and non-statutory consultees and a list is enclosed in Appendix 7. It should be noted that not all those on the list would be consulted on each application, as this will vary with the nature and scale of the proposal. Consultees are notified in writing or by email and have 21 days in which to respond (bodies such as Natural England will be allowed a longer period of time to comment where this is prescribed by legislation)

- 6.6.7 Notwithstanding the standard 21 day consultation period, any comments received prior to the decision deadline will normally be taken into account as part of the decision making process however there is a risk that comments made after the 21 days will not be taken into consideration if the decision has already been taken.
- 6.6.8 Whilst Chesterfield Borough Council encourages comments to be made by email: planning@chesterfield.gov.uk; comments can also be sent by letter or by facsimile.
- 6.6.9 Planning applications are required to be dealt with in accordance with local development plan policies; other material considerations and national planning policy.

6.6.10 Under the agreed delegation scheme, the majority of decisions are made by Officers via the Development Management & Conservation Manager (approximately 90%). Only the most controversial of proposals and/or major planning applications are decided by the Planning Committee (approximately 10%).

Table 3: An Example of the application process for a major development proposals (minimum 13 weeks).

PLANNING APPLICATION SUBMITTED
<ul style="list-style-type: none"> Application checked for validity against pre-application discussions by Case Officer. <i>Valid applications registered, invalid applications</i> are subject to correspondence to resolve validation requirements
<ul style="list-style-type: none"> 21 day consultation period commences Legal Services instructed to draft S106 agreement from submitted Heads of Terms
<ul style="list-style-type: none"> Letter to applicant identifying any clarifications required (<i>14 days to submit further information</i>)
<ul style="list-style-type: none"> End of statutory consultation period Submission of outstanding information from applicant
<ul style="list-style-type: none"> Letter to applicant detailing minor amendments/further information required in response to consultations/appraisal (<i>10 days to respond</i>)
<ul style="list-style-type: none"> Submission of minor amendments / further information by applicant Section 106 planning obligation details agreed Carry out any re-consultations necessary as a result of minor amendments / further information (<i>14 days</i>)
<ul style="list-style-type: none"> Finalise recommendation for Planning Committee
<ul style="list-style-type: none"> Final consultation responses received Committee report finalised
<ul style="list-style-type: none"> Planning Committee consider application, draft Section 106 agreement, complete agreement, complete CIL contributions and officer report
<ul style="list-style-type: none"> If application approved with conditions / refused, issue decision notice If application approved subject to complete of S106 agreement, complete agreement and prepare decision notice
<ul style="list-style-type: none"> Last day for completion of S106 agreement Last day for issue of decision notice
PLANNING APPLICATION RESOLVED

6.6.11 The Planning Committee consisting of 17 members meet every three weeks throughout the year to consider the more complex, controversial and major planning applications submitted. Details of the dates of meetings and agendas can be found on the Council's website at:
<http://www.chesterfield.gov.uk/Planning-Committee-615.html>

6.6.12 Members of public are given the opportunity to speak at the committee meeting, with procedures in place on the process that has to be followed and the committee procedures. Information of this process is sent out with all notifications of the proposed development (as per Table 2) and is also referred to on site notices and in press adverts.

6.6.13 When an application has been determined, all those who made comments are notified in writing of the decision. A copy of the delegation report, setting out the issues taken into consideration is also sent out to all parties. In addition, all Decision Notices are also placed onto the Council's website.

6.7 Appeals

6.7.1 Applicants have a right of appeal if the application is refused or they do not agree with a condition attached to the permission.

6.7.2 Applicants also have the right to appeal if their application is not dealt with in the statutory period (known as non-determination).

6.7.3 Anyone who made comments on the application will be notified of the appeal and will receive information on how to make their views known and continue to be involved.

6.7.4 It is important to note that appeals are outside the Council's control and are conducted by the Planning Inspectorate. Further details on this process can be found: www.gov.uk/pins

6.8 Post Decision on a Planning Application

6.8.1 In some instances, applicants wish to make changes to their development after planning permission has been granted. Although Chesterfield Borough Council recognises that for many reasons, changes are often necessary once more detailed information on a scheme is prepared. The Council has to ensure that all interested parties are not disadvantaged by the proposed changes and to ensure that the development remains 'lawful.

6.8.2 Any changes to proposals that are considered to be more than none material will need to be considered through a new planning application involving further consultation with affected parties.

6.9 Enforcement

6.9.1 Development that has been carried out without planning permission; listed building consent; or the failure to comply with conditions, can result in the Council serving a formal notice.

6.9.2 If anyone suspects that unauthorised development has taken place, they should contact the Council's Enforcement Team on 01246 345783/345784 or email: planning@chesterfield.gov.uk

6.9.3 Chesterfield Borough Council has a dedicated team of enforcement officers who will investigate where a breach occurs and allow the opportunity for the

matter to be rectified informally. However where this is not possible the Council has recourse to formal powers to issue notices to secure satisfactory remedy.

6.10 Trees and Hedgerows

6.10.1 Proposals that affect trees which are covered by Tree Preservation Orders (TPOs) are controlled by Planning Regulations. Any proposals that affect trees in the Conservation Areas are also controlled by the Conservation Area Regulations.

6.10.2 Chesterfield Borough Council has an Officer dedicated to trees and hedgerows. To find out if a tree is protected by a tree preservation order and if so the details of the order, information is available for inspection by contacting the Council's Tree Officer: 01246 345791.

6.10.3 Further advice and guidance relating to Trees and Hedgerows can be found on the Council's website at: <http://www.chesterfield.gov.uk/Trees-and-Development-1213.html>

7.0 Resources and Risks

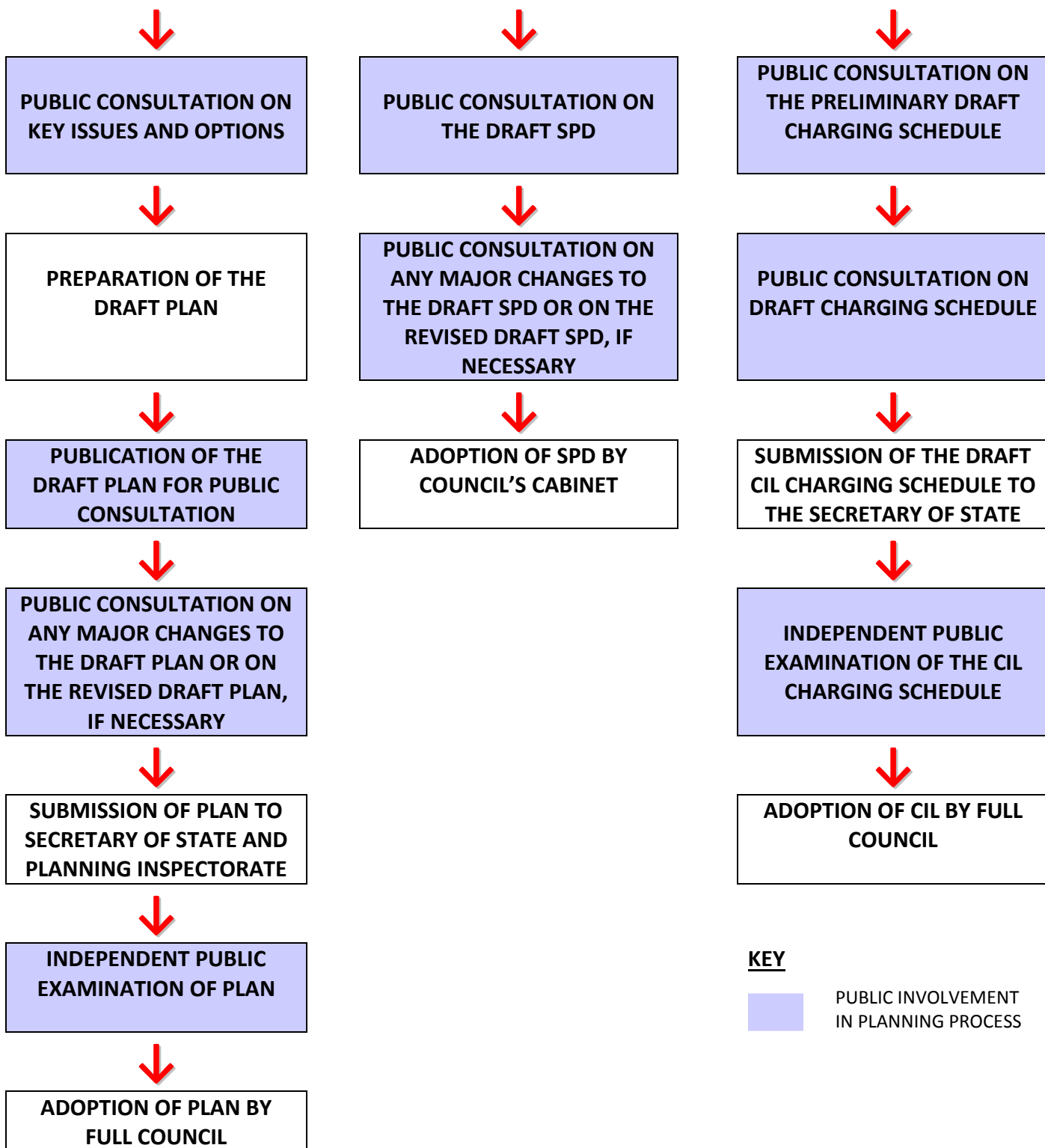
- 7.1 The production of Local Plan documents is a continuous process and resources need to be planned on this basis to ensure that the milestones set out in the LDS are met. The methods of community involvement set out within the SCI are realistic and based on current practice. In certain cases there may be capacity to do more, where time and resources allow.
- 7.2 The Strategic Planning and Key Sites team in the Planning Service of the Council is responsible for the production of Local Plan documents. With careful prioritisation, the existing budget and staff numbers (if at full strength) should provide sufficient resources to meet the consultation procedures set out above. However given the current financial pressures facing Local Government it is possible that circumstances could lead to the council only consulting to the minimum required standards. Staff shortages, whatever their cause, could also reduce the council's capacity to engage extensively with the public. However, the council must and will always meet the consultation requirements as laid out in the regulations.

APPENDIX 1. Stages of Preparation for Local Plan Documents

KEY STAGES IN PREPARING LOCAL PLAN DOCUMENTS

KEY STAGES IN PREPARING SUPPLEMENTARY PLANNING DOCUMENTS (SPD)

KEY STAGES IN PREPARING THE COMMUNITY INFRASTRUCTURE LEVY (CIL)



Appendix 2. Consultees

Specific and Duty to Co-operate consultation bodies include the following;

- Neighbouring Local Planning Authorities:
 - Bolsover District Council
 - North East Derbyshire Borough Council
 - Derbyshire County Council

- Town or Parish Councils within or adjoining Chesterfield Borough

- Civil Aviation Authority
- Coal Authority
- Derbyshire Chamber Of Commerce & Industry
- Derbyshire Wildlife Trust
- English Heritage (the Historic Buildings and Monuments Commission for England)
- Environment Agency
- Homes and Communities Agency
- Natural England
- Network Rail Infrastructure Ltd
- National Grid
- Highways Agency
- NHS North Derbyshire Clinical Commissioning Group
- Local Enterprise Partnerships
- Severn Trent (water and sewerage undertaker)
- Sport England
- Yorkshire Water (water and sewerage undertaker)
- Western Power Distribution
- Marine Management Organisation
- Plus other relevant gas, electricity and electronic communications network infrastructure providers

Other 'General' consultation bodies include the following;

(a) voluntary bodies some or all of whose activities benefit any part of the local planning authority's area,

(b) bodies which represent the interests of different racial, ethnic or national groups in the local planning authority's area,

(c) bodies which represent the interests of different religious groups in the local planning authority's area,

(d) bodies which represent the interests of disabled persons in the local planning authority's area,

(e) bodies which represent the interests of persons carrying on business in the local planning authority's area;