

Mansfield District Council

Statement of Community Involvement (SCI) 2017

July 2017

www.mansfield.gov.uk



Mansfield
District Council

Page intentionally blank

Contents

1.0	Introduction	1
	Why get involved?	1
	How does it make a difference?	1
	Independent support and information	2
2.0	Shaping the new Local Plan	3
	Consulting on the Local Plan	3
	Local Plan timetable	4
	Access to consultation documents	4
	Target groups	5
	Consultation methods to be used during the preparation of the Local Plan	5
	Publicising consultation events	6
	Public meetings	6
	Internet-based consultation and the use of social media	7
	How to make your views known	7
	Providing feedback	7
	Further information	8
3.0	Strategic Environmental Assessment	8
4.0	Consultation on Supplementary Planning Documents	9
5.0	Consultation on any Future Community Infrastructure Levy (CIL)	10
6.0	Neighbourhood Planning	10
	Conformity with the Council's emerging Local Plan	12
	Who can prepare a Neighbourhood Plan or order?	12
	What support is available to Local Communities thinking of preparing Neighbourhood Plan or order?	12
	Further Information	13
7.0	Other planning documents	14
8.0	Duty to Co-operate	15
9.0	Community involvement in Development Management	16
	Pre-application stage	16
	Planning application stage	17
	Neighbour notification	18
	Site notices	18
	Public notices	18
	Finding out more information on planning applications	18
	Making comments on planning applications	18

Appeals	20
Planning performance agreements	21
Statutory and non-statutory consultees	21
Enforcement.....	21
10.0 Monitoring and Review	22

Glossary

1.0 Introduction

- 1.1 This Statement of Community Involvement (SCI) has been produced, in accordance with the Planning and Compulsory Purchase Act 2004 Section 18.
- 1.2 The planning system has a vital role in shaping our neighbourhoods and the district as a whole. By following sustainable development principles planning seeks to ensure that there are adequate jobs, homes, shops, parks and other social and physical infrastructure available to everyone, while at the same time protecting and improving the environment.
- 1.3 The National Planning Policy Framework (NPPF) paragraph 69 states that ‘...local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions’.
- 1.4 The council recognise that it is essential that communities and businesses within Mansfield should have the opportunity to contribute to the preparation of plans and policies. It is equally important for communities and businesses to be involved in the process of development management (which deals with planning applications).
- 1.5 This document explains how you can get involved in the planning system, including the emerging Local plan (and other possible Development Plan Documents), other planning policy documents including Supplementary Planning Documents, and the development management process. It also explains the council’s commitment to assisting communities who want to pursue new Neighbourhood Planning options

Why get involved?

- 1.6 Getting involved gives you the chance to tell us how you think the district should change and develop over the coming years; or how a planning application should be considered and what important aspects should be taken account of.
- 1.7 It means that you can give your views about planning matters and how a piece of land is used. If you decide to leave it for someone else to say, it may never be said.
- 1.8 We want to ensure that we really do involve you in local decisions, not just by notifying you of decisions being taken, but by consulting and involving you in the decision-making process.

How does it make a difference?

- 1.9 We will consider all comments received as part of any consultation exercise that takes place and will always appreciate the fact that people have made the effort to let us know their views. Your comments can help inform good and responsible decision-making and ensure that, as far as possible, those decisions properly reflect and respond to the needs of our town and its people.

Independent support and information

- 1.10 Further information may be obtained through the planning portal at <http://www.planningportal.gov.uk>. This web site explains how the planning system works in a clear and concise way.
- 1.11 Further advice is available from Planning Aid which is an independent voluntary service offering free, independent and professional planning advice to community groups and individuals who cannot afford to employ a planning consultant. It aims to give people the confidence to deal with the planning system and to become involved in wider planning issues. Planning Aid is not part of the council; it is a separate service that complements the advice given by local planning authorities. Contact details are as follows: Planning Aid: <http://www.rtpi.org.uk/planning-aid/> Tel: 0330 123 9244 Email: advice@planningaid.rtpi.org.uk
- 1.12 In undertaking our statutory duties, we will also meet the requirements of the Equality Act 2010.

2.0 Shaping the new Local Plan

- 2.1 The council is preparing a new Local Plan which will replace “saved policies” from the adopted 1998 Local Plan. The Local Plan will guide new employment, housing and retail development across the district and once adopted provides local policies against which planning applications will be determined.

Consulting on the Local Plan

- 2.2 The process for preparing a Local Plan or its full or partial review will include at least one formal consultation stage before Submission to the Secretary of State for Examination in Public. This is explained further in Table 1 below:

Table 1: Key Local Plan (or Development Plan Document) Preparation Stages

Stage 1: Preparation of Evidence Base
<p>This stage involves the council in producing a range of evidence to support the preparation of the Local Plan and other development plan documents. This can include information on housing and employment needs, strategic flood risk assessment and other relevant information. Developing the evidence base may include informal engagement with appropriate stakeholders such as Nottingham County Council, the Environment Agency, neighbouring authorities, landowners and developers, Duty to Cooperate Bodies and where appropriate the local community.</p> <p>This stage may continue and overlap with subsequent stages as further evidence requirements arise or updates are required to ensure that the final plan is based on up to date relevant information.</p>
Stage 2: Preparation of a Local Plan (or Local Development Plan Document)
<p>This stage (Regulation 18) involves the council notifying certain consultation bodies and others it considers appropriate that it proposes to prepare or revise a Local Plan. It will also invite them to make comments on what it ought to contain (scoping). Local residents, community groups, businesses and developers may also be informed and invited to comment. The council will maintain an up to date database of stakeholders who wish to be kept informed of the production of development plan documents and plan making. Early engagement of the community may involve consultation on draft version/s of the document and or preferred options. Consultation on other elements of the emerging plan including key evidence may also be undertaken.</p> <p>We will publish details of how representations can be made and provide feedback in the form of a Consultation Statement. This will identify the key issues raised and how the council intend to respond to inform the preparation of the plan.</p>

Stage 3: Publication of a Local Plan (or Local Development Document)
<p>The council will use any comments it has received in stage 2 alongside national and local planning policy and other supporting evidence to develop the local plan or development plan document. We will then publish it (Regulations 19 & 20) in what we think should be the final version (Draft Submission Plan).</p> <p>Before the plan is submitted we will publish the plan together with associated documents for representations to be made for a period of not less than 6 weeks. The council will invite interested parties to make formal representations at this stage.</p> <p>Any representations received at Stage 3 will be passed to the Inspector and will feed into the independent examination of the Local Plan (Stage 4) Minor changes will be made if required. If there are significant issues, we may withdraw the document and re-consult on a revised version.</p>
Stage 4: Examination and adoption
<p>Once the council is satisfied with the document, it will be submitted (Submission Plan) to the Secretary of State to be examined (together with relevant supporting information) (Regulation 22). An Inspector appointed by the Government will carry out an examination in public into its “soundness”. Whilst there will be public notification of the submission of the Local Plan in accordance with the Regulations, there is no consultation period as such.</p> <p>Objectors to the document may be allowed to appear in front of the Inspector in person.</p> <p>The Inspector will report back to the council and may recommend modifications if asked to do so. The council can also suggest their own modifications to the inspector during the examination, as well as making non material changes themselves. The council is then free to choose to accept the Inspector’s modifications and adopt the plan, or resubmit a new plan.</p>

Local Plan timetable

- 2.3 The timetable for producing the Local Plan is set out within the Local Development Scheme. See <http://www.mansfield.gov.uk/CHttpHandler.ashx?id=8085&p=0>

Access to consultation documents

- 2.4 We will make information available and consultation documents available through a number of methods:

- On our website <http://www.mansfield.gov.uk/article/5804/Planning-policies>
- Documents will be available for inspection at the Civic Centre Chesterfield Road South, Mansfield NG19 7BH, and local libraries during the set consultation period. The documents will provide details of how and when people can make representations.
- Upon request, we can make the information available in Braille, large print, translated into another language, or in audio version;
- We will seek to ensure that venues chosen for events are accessible and seek where possible to ensure that events are held at times which maximise the ability for people to find out the information they need, ask questions and provide comments.
- We will promote all events via our website and social media as well as promoting them with press releases.

Anyone who wants to be notified when we consult on the Local Plan or other policy related issues can register their details on our Consultation Portal by visiting: <http://mansfield.objective.co.uk/portal> or email us at: lp@mansfield.gov.uk.

Target groups

- 2.5 We will target a wide variety of groups during consultations including Warsop Parish Council; any future Neighbourhood Forums; businesses organisations; developers/agents/landowners; prescribed bodies; central and local government, including neighbouring authorities; and other interested bodies.
- 2.6 We are required by law to consult certain statutory consultees. These are clearly identified in planning regulations and guidance and are mostly made up of public bodies which may have an interest in the local plan.
- 2.7 We will try to engage 'hard to reach' or 'easy to overlook' groups in planning issues and will continue to expand our consultation techniques to seek views. We will use social media for example (e.g. Facebook, Twitter and You Tube) where possible to help access these groups in particular.

Consultation methods to be used during the preparation of the Local Plan

- 2.8 We recognise that there will be varying degrees to which you will wish to become involved in the Local Plan. We also recognise that there are differing needs depending upon knowledge and experience of the planning system which will require a targeted and, at the same time, flexible approach to consultation.

Publicising consultation events

- 2.9 We will publicise all consultations relating to the production of the Local Plan including details of how and where to view documents, when events are to be held and how to make representations. The following methods may be used:
- The council website <http://www.mansfield.gov.uk/article/5804/Planning-policies>
 - Direct emails (if you have requested to be kept informed on the progress of the Local Plan)
 - Social media: Social media can be an effective way to spread news-stories to a wide audience. We will use a range of social media techniques to raise the awareness of consultation events and document available through for example the use of Facebook, Twitter and You Tube.
 - “My Mansfield”: My Mansfield magazine is produced and published by Mansfield District Council for all residents of the district. My Mansfield is usually delivered to all households four times a year - March, June/July, September and November. - See more at: <http://www.mansfield.gov.uk/mymansfield#sthash.Qaib3pOV.dpuf>

My Mansfield may be used to provide information about the Local Plan preparation process, emerging issues and consultation events.
 - Press and media releases: we will inform the community of key consultation dates during the production of the Local Plan by releasing appropriate and timely press and media releases.
 - Leaflets /postcards/posters- this could be a good way of informing local residents about the local plan. Leaflets and posters could be made available at the Council Offices, libraries, leisure centres and health centres as well as a range of venues frequented by people such as supermarkets.

Public meetings

- 2.10 Although public meetings can help deliver immediate discussion and feedback, some people find them intimidating and are reluctant to participate. Therefore public meetings will only be used in conjunction with other techniques where appropriate.
- 2.11 For key stages of the early Local Plan preparation process we may arrange one or more “walk in” informal events and exhibitions attended by officers. We may also or alternatively arrange for temporary unattended static exhibitions.
- 2.12 Information on how to make representations will be available at these events and exhibitions.

Internet-based consultation and the use of social media

- 2.13 In order to improve how we involve you we will undertake web-based consultation on all emerging documents using our website consultation pages. We believe that the internet provides quick and efficient opportunities for interested individuals and parties to engage in the planning process. Whilst names are published, to protect your privacy, all other personal information you provide when registering will not be open to public view.

How to make your views known

- 2.14 We welcome your views either by letter or email at: lp@mansfield.gov.uk at any stage of preparation of the local plan. However, during specific consultation periods we encourage you to send us your views and ideas online, via our interactive website, using our consultation web page <http://mansfield.objective.co.uk/portal>. We believe this method will save you time and it will allow us to process and consider your comments more quickly.
- 2.15 We will publish details of how representations can be made at each stage of Local Plan preparation and the date by which they must be received.

Providing feedback

- 2.16 After the end of each consultation period we will process all of the representations we have received and ensure that the views of respondents are fully considered before any decision is taken. In order to ensure transparency, a 'Consultation Statement' will be prepared setting out representations received and the Council's response. Where large numbers of representations are received it may not be possible to provide detailed responses to each, and it may be necessary to identify key issues and provide responses to these. The Consultation Statement will be made available on the council's web site to inform any subsequent consultations.
- 2.17 Depending upon the nature and significance of representations we will sometimes need to arrange for further consultation to ensure we have fully captured the relevant issues.
- 2.18 Representations received at Stage 3 (Draft Submission Plan) will be summarised and passed to the Inspector. A summary of the representations received in the preparation of the plan (Stage 2-Regulation 18 stage) together with how they have been taken into account will be included in the Consultation Statement which will be submitted at the same time as the final Submission Plan (Stage 4-Regulation 22)

Further Information

If you are interested in the Local Plan or other planning policy documents and want to be kept up to date with what is happening the best approach is to:-

- Visit the Planning Policy page on Mansfield District Council's website at: <http://www.mansfield.gov.uk/planningpolicy>
- Register your details on our Local Plan Consultation Portal for an automatic email every time we consult on the Local Plan or a new guidance note, by visiting: <http://mansfield.objective.co.uk/portal>
- Phone us on 01623 463195 / 463322/ 463182, or email us at lp@mansfield.gov.uk.

3.0 Strategic Environmental Assessment

- 3.1 Legislation requires a Local Plan to go through a process of Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA). This assesses a plan's impact on the environment, economy and society and is intended to promote more sustainable development. When required, an SA/SEA will be consulted on throughout the plan-making process, at the same time as the document itself. Relevant stakeholders will also be consulted on the 'scope' of the SA/SEA at the start of the document preparation.

4.0 Consultation on Supplementary Planning Documents

- 4.1 Supplementary Planning Documents add further detail to the policies in a statutory development plan. The council will prepare or revise SPDs where they help applicants make successful applications or aid infrastructure delivery, and where they will not add unnecessarily to the financial burdens on development. The preparation of a new or revised Supplementary Planning Document will involve the stages in Table 2:

Table 2: Supplementary planning document (SPD) process

Stage 1: Preparation of evidence base
This stage involves the council in producing a range of evidence to support the preparation of the SPD and may include informal engagement with appropriate stakeholders and interested parties to identify and address the issues to be addressed.
Stage 2: Consultation when preparing the SPD
<p>The council will consult certain consultation bodies and others it considers appropriate when preparing the document. This may involve inviting them to make comments on what it ought to contain as well consultation on a draft document.</p> <p>When seeking representations on the draft document (under Regulation 13) the council will provide a consultation statement setting out who has been consulted and how the council has responded to representations received.</p>
Stage 3: Adoption
<p>Once the council is satisfied with the document, it will be adopted. The council will then make available on its web site:</p> <ul style="list-style-type: none"> • the supplementary planning document • an adoption statement <p>The council will also send a copy of the adoption statement to any person who has asked to be notified of the adoption of the supplementary planning document. (Regulation 14)</p>

5.0 Consultation on any Future Community Infrastructure Levy (CIL)

- 5.1 The Community Infrastructure Levy (CIL) is a charge which allows councils to raise funds from new developments to fund key infrastructure required to support. If such an approach is adopted in the future then the process would be as follows

Table 3: Community Infrastructure Levy process

Stage 1: Preparation of evidence base
During this stage the council will collect relevant evidence and may undertake specific evidence studies to inform the preparation of the CIL charging schedule. This may include informal consultation with relevant stakeholders and interested parties such as developers and other service providers on matters relating setting the CIL.
Stage 2: Consultation on a charging schedule
<p>The council will consult on a preliminary draft charging schedule report informed by the evidence collected. Stakeholders, interested bodies and where appropriate, the wider community will be consulted. Any representation received will be considered and amendments made to the charging schedule if appropriate. A consultation statement will be prepared setting out who has been consulted and how the council has responded to representations received.</p> <p>The council will then publish a final draft charging schedule report for consultation. Comments raised by the consultation will be considered and a further consultation statement prepared. Minor changes will be made if required.</p>
Stage 3: Examination and adoption
Once the Council is satisfied with the CIL (including its charging schedule) it will be sent together with relevant supporting information to be examined. An independent Examiner will carry out an assessment into its "soundness". Objectors to the document may be allowed to appear at the Examination in person. Any recommendations suggested in the Examiner's Report will be binding on the Council. If there are significant matters raised the Council may withdraw the charging schedule and resubmit a revised version to a new examination.

6.0 Neighbourhood Planning

- 6.1 The Localism Act 2011 introduced the Neighbourhood Planning process which is designed to give communities a greater degree of control over how their local area is to be developed in the future. There are three components of Neighbourhood Planning:

- Neighbourhood Development Plans (or Neighbourhood Plans)

A Neighbourhood Plan is a planning document which establishes general policies for development and use of land in a neighbourhood, including the location of new homes and offices, and what they should look like.

- Neighbourhood Development Orders

A Neighbourhood Development Order means that Town and Parish Councils can grant permission for certain types of development without the need for people to apply to the council. These could include, for example, all house extensions in a defined area, changes of use, or development on a particular site. Certain types of development are excluded, such as minerals and waste developments, certain public and private environmental projects, and nationally significant infrastructure.

- Community Right to Build Orders

A Community Right to Build Order enables small scale development in neighbourhoods, such as housing or community facilities. As above, certain types of development are excluded.

6.2 Once a Neighbourhood Plan or Neighbourhood Development Order has been agreed by a local referendum, it attains the same legal status as the Local Plan and becomes part of the Development Plan.

6.3 A Neighbourhood Plan or Order should:

- Be used positively to plan for future development and support growth reflect and build on the strategic needs set out in the Local Plan and be in conformity with the National Planning Policy Framework.
- A Neighbourhood Plan or Order is not a process that can be used to prevent development or promote a lower level of development than is set out in a Local Plan

6.4 Although they are to be prepared by the local community, the council, in its role as local planning authority, has a statutory duty to support and enable the process. It is important that communities considering or preparing Neighbourhood Plans or Orders engage with the council at an early stage and throughout the plan or order making process.

6.5 Local communities should first consider the issues which it thinks are important to address through the planning system and consider the best approach to take. This may be to follow one of the options set out above or by preparing a traditional parish plan, a village design statement or relying on the new Local Plan to address planning issues in the area.

6.6 The council wants to establish close links with community groups to ensure that their proposals are in accordance with current policy, are deliverable, and that they are incorporated into the council's own future planning.

Conformity with the council's emerging Local Plan

- 6.7 It is important to note that whilst Neighbourhood Plans will allow local communities to make their own decisions on how their area will change or develop they must conform with the strategic policies of the Local Plan. For instance, the Neighbourhood Plan will not be able to be able to reduce the amount of new housing or employment which the new Local Plan has allocated for a particular settlement. However, it could potentially increase the amount of development and influence its location.

Who can prepare a Neighbourhood Plan or order?

- 6.8 In an area with a Town or Parish Council (or a 'parished area'), Neighbourhood Plans or orders can be only prepared by a Town or Parish Council.
- 6.9 Where there is no Town or Parish Council (a 'non-parished' area), a group or organisation can apply to the Council to be designated as a Neighbourhood Forum

What support is available to Local Communities thinking of preparing Neighbourhood Plan or order?

- 6.10 There are a number of fixed technical steps on which you must engage the council when preparing a Neighbourhood Plan. The council is happy to help you consider the first steps and other help may be available depending on the number of groups seeking advice and availability of officers during key stages during the preparation of the emerging Local Plan, which will be dealt with as a priority.
- 6.11 There are number of excellent web based resources are available which explain the process on how to get established and progress with a plan or order.
- The national communities network Locality has published a straightforward guide to Neighbourhood Plans and orders, called the Roadmap Guide: <http://locality.org.uk/resources/neighbourhood-planning-roadmap-guide/>
 - Planning Aid offers web-based guidance and templates: www.ourneighbourhoodplanning.org.uk/
 - A new programme of government funding is available to help communities prepare community-led plans. Groups can currently apply for a grant of between £1,000 and £8,000, with up to an extra £6,000 available for complex initiatives. Find out more at: mycommunity.org.uk/programme/neighbourhood-planning/?_a=funding
- 6.12 You may also employ a planning consultancy, and some Neighbourhood Plans are being produced in this way. This approach may relieve the group's workload and speed up the process, but can add significantly to costs if additional studies are needed.

Further Information

If you would like more information about Neighbourhood Plans or orders please
Phone us on 01623 463195 / 463322/ 463182, or email us at
lp@mansfield.gov.uk.

7.0 Other planning documents

- 7.1 The council may also approve other planning guidance, urban design frameworks and development briefs for specific sites. These are not statutory but are intended to help people apply adopted policies. These often involve dialogue from relevant stakeholders such as service providers during their preparation. Occasionally they may be published for public consultation before approval.

8.0 Duty to Cooperate

- 8.1 The planning system requires Local Planning Authorities and other prescribed bodies to engage constructively, actively and on an ongoing basis on strategic matters when producing their Local Plans. Strategic matters can include providing for homes and jobs needed in the area, the provision of infrastructure for transport, wastewater and flood risk and provision of facilities for education and health. This may need a Local Plan document being prepared jointly with other local planning authorities. Subsequent consultation on these would follow the processes described above to ensure all communities are appropriately engaged.

9.0 Community involvement in Development Management

- 9.1 Development Management is the term used for the process of deciding whether to grant or refuse planning permission and other related consents. This includes Listed Building consent and applications for works to protected trees.
- 9.2 The council makes thousands of decisions every year on planning applications for development ranging from household extensions and single homes to major new housing schemes and employment premises. Each of these decisions contributes to shaping our neighbourhoods and collectively the district as a whole and there are important opportunities for communities, stakeholders and individuals to be informed and have their say.
- 9.3 Legislation sets out the minimum requirements for publicising and consulting the community and stakeholders on planning applications for development at various stages of the development plan process as explained below.
- 9.4 However, it is important to note that not all building works or changes of use of buildings require planning permission. The main exemptions include:
- Minor works which are not considered to be development such as small repairs to walls or gates. Some extensions or alterations to properties which are already allowed for as 'Permitted Development'¹.
 - Changes of use which do not require permission as the new use is so similar, such as a change of use from a shoe shop to a dress shop.²
- 9.5 The council can advise on whether planning permission is required; you can visit the website at <http://www.mansfield.gov.uk/planning> for further details. When planning permission is not required we do not carry out any consultation.

Pre-application stage

- 9.6 Applicants for 'major developments' are encouraged by the council to involve the community at an early stage. Arranging public exhibitions and encouraging discussions before a formal application is submitted can help to avoid objections being made at the application stage. For very large scale developments pre-application consultation is required under the Localism Act 2011.

¹ The Town and Country Planning (General Permitted Development) Order 1995 (as amended) defines development that can take place without a formal planning permission being required

² The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes', within which changes of use are not considered to be development

- 9.7 'Major development' means development involving any one or more of the following:
- a. the winning and working of minerals or the use of land for mineral-working deposits;
 - b. waste development;
 - c. the provision of dwelling houses where —
 - i. the number of dwelling houses to be provided is 10 or more; or
 - ii. the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);
 - d. the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
 - e. development carried out on a site having an area of 1 hectare or more.
- 9.8 Pre-application consultation provides an opportunity for applicants and developers to find out the views of local residents about their development proposals, and allows the local community to make suggestions which can then be taken into account by the developer in finalising their planning application. This process can help to reduce local opposition, help resolve early design and development problems and ensure that high quality planning applications are received.
- 9.9 The council expects applicants to carry out their own pre-application consultation. This should be effective in bringing draft proposals to the attention of the public, Warsop Parish Council (where appropriate) and other affected parties and provide opportunities to make comments. Planning Officers can provide advice on appropriate engagement methods, the target audience and venues. Any consultation that is undertaken is the responsibility of the developer.
- 9.10 Details of the consultation event/s and outcomes including how responses have influenced the design proposals should be submitted with the planning application. The council will consider this information when making a decision. Further information on pre-application engagement can be found within Planning Practice Guidance at <https://www.gov.uk/guidance/before-submitting-an-application>

Planning application stage

For further information on statutory notification methods please see: www.gov.uk/guidance/consultation-and-pre-decision-matters#Statutory-consultees-on-applications (Table 1)

Neighbour notification

- 9.11 The council will usually notify any neighbours immediately adjoining a development proposal by letter or email. Statutory bodies (for example, the Environment Agency) are also consulted as well as other organisations that may want to comment on the application.

Site notices

- 9.12 In most cases site notices are also displayed on or near to the application site. Notification letters and site notices include details of the planning application, where to view plans, how to make comments and by what date. In most instances consultees have 21 days to make written comments. If amended plans are received which have the potential to lead to new or different views being made, a further 7-14 days (depending on nature of the amendment) may be given for additional comments. If a new planning application is required, this will be subject to new public consultation.

Public notices

- 9.13 A public notice is placed in The Chad, 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

Finding out more information on planning applications

- 9.14 Details of all planning applications are available to view at <https://planning.mansfield.gov.uk/online-applications/>
- 9.15 You can use the site to:
- Follow the progress of an application view associated plans and documents make comments on an application
 - Search a weekly/ monthly lists of applications and decisions
 - Register to track applications and receive notifications when the status of an application changes view the application report and decision notice
 - See if appeals have been lodged and any decisions made
 - See recent planning history and property details, including maps and constraints, and search enforcement cases.

Making comments on planning applications

- 9.16 Anyone can comment on any application. This may be positive or negative, depending on how you feel about a development proposal. Individuals who might be directly affected by a planning application, community groups and specific interest groups (national, regional or local) may wish to provide representations.

- 9.17 Comments should be made in writing, by e-mail, letter or fax. In exceptional circumstances where people are unable to provide written comments, verbal comments will be accepted and recorded.

If you wish to comment on an application you can do this by:-

- Visiting the Planning page on Mansfield District Council's website at: <http://www.mansfield.gov.uk/planning>
- Email pbc@mansfield.gov.uk
- Phone 01623 463207 and explain what your interest is so that you can be put in contact with the relevant officer.

- 9.18 All comments which are received before a decision is issued will be taken into consideration regardless of the time that has passed since the original consultation. However, we may determine an application once a consultation period has come to an end. To make sure your comments are taken into account it is important to have them in before the statutory deadline.
- 9.19 The best advice is to say what you think, as honestly and plainly as possible. However, you should be aware that your letter could be seen by other people, including the applicant, as all letters received are open to inspection by the public.
- 9.20 All comments made on a planning application will be acknowledged and displayed or summarised on our website. You should be aware that part of the government initiative for planning services on-line, is a requirement to provide on-line tracking. This means that your address will be displayed on the council's planning web site as a formal consultee on this planning application. Anonymous, confidential or malicious comments cannot be taken into account.
- 9.21 The council has targets for the time taken to determine planning applications. These are currently 13 weeks (or 16 weeks where the application requires an Environmental Impact Assessment) for major applications and 8 weeks for all others. This time can be extended by agreement with the applicant. In some cases, usually large complex applications, the council will enter into a Planning Performance Agreement which will set out the timetable for consideration of an application. Before a decision is made, the case officer will prepare a report with a recommendation.
- 9.22 The recommendation will take into account the council's adopted planning policy documents, Government planning advice as well as any comments made. However, the council can only take into account comments relating to material planning considerations.
- 9.23 These include such matters as:
- a. Overshadowing or loss of light

- b. Vehicle access and highway safety
 - c. Design and impact within the streetscene
 - d. Loss of important open space
- 9.24 The following issues cannot normally be considered in making planning decisions:
- a. Reduction in property values
 - b. Loss of a private view over land
 - c. Commercial competition.
 - d. Personal disputes with the applicant.
- 9.25 The council will consider all comments submitted based on the relevance and justification, not on how many people have made the same type of comment.
- 9.26 Where an application has been amended significantly, we will re-consult on the proposal.
- 9.27 The majority of planning applications are determined by officers under delegated powers. A small number of applications are decided by the Council's Planning Committee. Applications presented to the Planning Committee will be accompanied by a written report and officer recommendation. Objectors and supporters can speak at the Planning Committee meeting. Please visit <http://www.mansfield.gov.uk/index.aspx?articleid=1413> for more information
- 9.28 Once a planning application has been decided, the full text of the officer report and the decision notice, including conditions and reasons for refusal where appropriate, are published on the council's website.

Appeals

- 9.29 An appeal may be submitted by the applicant where permission has been refused, or permitted with conditions which the applicant considers to be unacceptable. There is also a right of appeal if the application has not been determined within the appropriate time limit. All those who were notified of the original application or submitted comments will be informed if an appeal is made. They also have the opportunity to make further written comments, except in the case of Householder Appeals where the Inspector makes the decision based solely on all the information on the original application file.
- 9.30 For appeals decided by informal hearing or public inquiry, interested parties are also given the opportunity to appear before the Inspector at the hearing or inquiry. 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. Third parties do not have the right to appeal decisions.

Planning performance agreements

- 9.31 The council may enter into planning performance agreements (PPA) when dealing with large scale or complex major planning applications. This is an agreement between the council and applicants to provide a project management framework for major applications that are expected to exceed the government's determination target of 13 weeks. The PPA will set out the commitments of both parties for the gathering of information, consideration of options and the formulation of design proposals, for the effective processing of the planning application. It will also clarify the means of engagement and consultation with the local community, in line with the SCI.

Statutory and non-statutory consultees

- 9.32 There are a range of consultees that we are required to consult on certain applications:

Statutory consultees: where there is a requirement set out in law to consult a specific body, who are then under a duty to respond providing advice on the proposal in question. These are clearly identified in various regulations and guidance and are made up of mostly public bodies which may have an interest in the proposal.

Non-statutory consultees: where there are planning policy reasons to engage other consultees who, whilst not designated in law, are likely to have an interest in a proposed development. These may be local organisations that we know have specific interests in certain matters.

- 9.33 Further information can be found in the national planning practice web pages <https://www.gov.uk/guidance/consultation-and-pre-decision-matters#Statutory-consultees-on-applications> Tables 2 & 3.

Enforcement

- 9.34 Sometimes development is carried out without planning permission or planning conditions are breached. Further details about breaches of planning and how you can report this to us can be found at: <http://www.mansfield.gov.uk/article/5812/Planning-and-building-enforcement>.

10.0 Monitoring and review

- 10.1 The council will monitor the effectiveness of the consultation methods set out in this document and will publish future reviews as necessary. The council will also review the SCI to take account of any changes to legislation or government guidance. The council may update the SCI to make minor changes such as changes to web site addresses without formal consultation.

Glossary

A

Adoption - The final confirmation of a development plan or Local Development Document as having statutory status by a Local Planning Authority (LPA).

Appeal - The process whereby an applicant can challenge a decision on an application by means of written representations, an informal hearing or formal inquiry proceedings. Appeals can also be made against the failure of the planning authority to issue a decision, against conditions attached to a permission and against the issue of an enforcement notice.

C

Community Infrastructure Levy (CIL) - is a levy that local authorities can charge on new developments in their area. The money can be used to support development by funding infrastructure that the council, local community and neighbourhoods want.

Conditions - Stipulations attached to a planning permission to limit or direct the manner in which a development is carried out.

Conservation Area - Areas of special architectural or historic interest, the character, appearance or setting of which it is desirable to preserve or enhance.

Consultation - Procedures for assessing public opinion about a plan or major development proposal, or in the case of a planning application, the means of obtaining the views of affected neighbours or others with an interest in the proposal.

Consultation Draft - A pre-submission consultation stage of the Local Plan with the objective of gaining public consensus over proposals ahead of submission to Government for independent examination.

Consultation Statement / Statement of Compliance - A report or statement issued by local planning authorities explaining how they have complied with their SCI during consultation on Local Development Documents.

D

Development - Development is defined under the 1990 Town and Country Planning Act as "the carrying out of building, engineering, mining or other operation in, on, over or under land, or the making of any material change in the use of any building or other land." Most forms of development require planning permission (see also "permitted development").

Development management - The process whereby a local planning authority manages, shapes, and considers the merits of a planning application and whether it should be given permission with regard to the development plan.

Development Plan - A document setting out the local planning authority's policies and proposals for the development and use of land and buildings in the authority's area. In Mansfield, this is the 'Local Plan'.

Development Plan Documents - Development Plan Documents (DPDs) are 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.

E

Examination in Public (EIP) - A term given to the examination of the Local Plan.

H

Highway Authority - For Mansfield District, this is Nottinghamshire County Council Highways Department.

I

Local Development Scheme (LDS) - The LDS sets out the programme for preparing the LDDs.

Local Plan - A development plan prepared by District and other Local Planning Authorities. The Mansfield District Local Plan came into effect in November 1998. We are currently working on its replacement.

Local Planning Authority - The local authority or council that is empowered by law to exercise planning functions. This is Mansfield District Council for most matters, except for minerals and waste planning, when it is Nottinghamshire County Council.

N

National Planning Policy Framework (NPPF) - Government national planning policy, which our policies and decisions should be in accordance with.

National Planning Practice Guidance (NPPG) - Guidance produced by the Government to provide further details to the NPPF.

P

Planning permission - Formal approval sought from a Council, often granted with conditions, allowing a proposed development to proceed. Permission may be sought in principle through outline plans, or be sought in detail through full plans.

Publication Draft - A pre-submission consultation stage of the Local Plan with the objective of gaining public consensus over proposals ahead of submission to Government for independent examination.

S

Saved Policies / Saved Plan - Policies within Unitary Development Plans and Local Plans that are saved for a time period during replacement production of Local Development Documents.

Soundness - A term referring to the justification of a Development Plan Document. A DPD is considered “sound” if it is positively prepared, justified, effective and consistent with national policy.

Statement of Community Involvement (SCI) - Document explaining to stakeholders and the community, how and when they will be involved in the preparation of the Local Plan and other planning related activity, and the steps that will be taken to facilitate this involvement.

Statutory - Required by law (statute), usually through an Act of Parliament.

Statutory Undertakers/Statutory Utilities - Providers of essential services such as gas, electricity, water or telecommunications.

Submission Document - A Development Plan Document submitted to the Secretary of State for independent examination by a Government appointed Planning Inspector.

Supplementary Planning Document (SPD) - SPDs are intended to expand upon development plan policies, but do not have their status. They do not include standards in their own right.

Sustainable Development - A widely used definition drawn up by the World Commission on Environment and Development in 1987: "development that meets the needs of the present without compromising the ability of future generations to meet their own needs". The Government has set out four aims for sustainable development in its strategy “A Better Quality of Life, a Strategy for Sustainable Development in the UK”. The four aims, to be achieved at the same time, are: social progress which recognises the needs of everyone; effective protection of the environment; the prudent use of natural resources; and maintenance of high and stable levels of economic growth and employment.

W

Written representations - A procedure by which representations on development plans and DPDs can be dealt with without the need for a full public enquiry or independent examination.

Prepared by the Mansfield District Council Planning Policy Group (01623) 463195 / 463182 / 463322

E-mail: lp@mansfield.gov.uk **Website:** <http://www.mansfield.gov.uk>