



ASHFIELD DISTRICT COUNCIL: OFFICER DECISION RECORD

1. Title / Subject Matter: Amendment to the Statement of Community Involvement 2020.

2. Decision Reference No: FP/01/2023

3. Decision Taken: To amend the Statement of Community Involvement to make ensure that it complies with the statutory requirements for publicity.

4. Reasons for the Decision:

The Statement of Community Involvement (SCI) was approved under delegated powers on 24th September 2020. It sets out where and when there are opportunities for the community to engage, contribute and participate in the planning process. This includes local plan preparation and the consideration of specific proposals subject to planning applications and Permission in Principle. It also identifies how the Council will support parish councils or neighbourhood groups in bringing forward neighbourhood plans or orders.

An inconsistency in the SCI has been highlighted in relation to an aspect of Table 4, see below. By including an 'or' at the end of the second and third bullet points, the SCI differs from the Regulations, which require publication on the website, through a newspaper and by a site notice.

Type of Development	Publicity Required
<ul style="list-style-type: none">Applications for major development submitted with an Environmental Statement;Applications involving a departure from the development plan; orDevelopment affecting a Public Right of Way which part 3 of the Wildlife and Countryside Act 1981 (PROW) applies.	<ul style="list-style-type: none">Publication on the Council's website;Publication in a local newspaper (14 days); orBy serving notice on any adjoining owner or occupier; orA site notice will be erected on or near the land for no less than 21 days.

To remove this inconsistency in the SCI the wording of paragraph 5.16 has been amended and Table 4 currently in the SCI will be replaced by the relevant Table set out in Planning Practice Guidance Consultation and Pre-Decision Matters covering publicity. The amendments to the SCI reflect the following:

5.16 "Ashfield District Council is required by statute law (Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015) to give publicity to all planning applications and applications for listed building consent. The Council's Publicity Policy for various categories of planning application is set out below. The statutory publicity requirements for these applications are set out in Table 4. This may be subject to variation through legislation.

Type of development	Site notice	Site notice or neighbour notification letter	Newspaper advertisement	Website
<i>Applications for major development as defined in Article 2 of the Development Management Procedure Order (which are not covered in any other entry)</i>	-	X	X	X
<i>Applications subject to Environmental Impact Assessment which are accompanied by an environmental statement</i>	X	-	X	X
<i>Applications which do not accord with the development plan in force in the area</i>	X	-	X	X
<i>Applications which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies</i>	X	-	X	X
<i>Applications for planning permission not covered in the entries above eg non-major development</i>	-	X	-	X
<i>Applications for listed building consent where works to the exterior of the building are proposed</i>	X	-	X	X
<i>Applications to vary or discharge conditions attached to a listed building consent or involving exterior works to a listed building.</i>	X	-	X	X
<i>Applications for development which would affect the setting of a listed building, or affect the character or appearance of a conservation area.</i>	X	-	X	X

Table Four: Statutory publicity requirements for applications for planning permission and listed building consent

Source: Planning Practice Guidance Consultation and pre-decision matters"

The changes are proposed to ensure that the SCI reflects the statutory publicity requirements.

5. Alternative Options Considered / Rejected:

It is not considered that there is an alternative as the Table should reflect the statutory requirements.

5. Implications

Legal – The amendments utilising the Table from National Planning Practice Guidance should ensure that the Statement of Community Involvement reflects the requirements of the various Regulations relating to the publicity requirements for planning applications and applications for listed building consent. [RLD 23/01/2023]

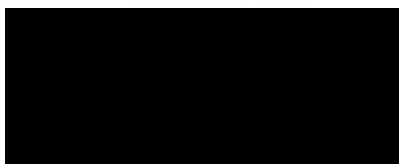
Finance – There are no costs arising from amending the Statement of Community Involvement. [PH 23/01/2023].

Human Resources – No HR matters are reflected in the Report.

Environment / Sustainability – The proposal reflects an amendment to the Statement of Community Involvement and no environmental or sustainability aspect arise from the proposal.

Name / Title of the officer taking the Decision:

Christine Sarris, Assistant Director of Planning and Regulatory Services



Date: 24th January 2023

Name / Title of the relevant Lead Cabinet Member consulted (if appropriate)

N/A

(This decision is not subject to call-in and is circulated for information only). **If a Cabinet Member has a conflict of interest relating to this decision, then this should be declared and a request for dispensation will be considered.**

Date:

Name / Title of the relevant Committee Chairman consulted (if appropriate)

N/A

(for non Executive/Council side function decisions)

Date: