

# Planning Service Parishes Bulletin 19

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*April 2018*

## Reminder about the consultation on Statement of Community Involvement (SCI)

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In last month's bulletin I included the link to the consultation page for the SCI. The consultation closes on **4 May 2018**, so there is still time to submit comment. The document does include how the PDNP engages with parishes. The link to the consultation can be found on the website at <http://www.peakdistrict.gov.uk/looking-after/about-us/have-your-say/consultations/current-consultations/revised-statement-of-community-involvement-consultation>

## Topic of the month – Retrospective Planning Applications

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This month's topic is on the submission of a retrospective planning application. It is important to bear in mind that development carried out without permission is not automatically classed as unlawful. It may comply with Planning Policy and be acceptable. Carrying out development without the necessary planning permission is not illegal – it only becomes so when an enforcement notice has been served, comes into effect and has not been complied with. However, carrying out works to a listed building or erecting advertisements without the necessary consents is unlawful. The majority of retrospective applications are submitted with the aim of regularising development where the land owner did not understand that planning permission was required. Where there is development without consent, there can be issues for the owner of the land if they wish to sell, or on some occasions to insure the land. Sometimes the need for planning permission is not identified until this point.

When a retrospective planning application is submitted, it does not mean that planning permission will automatically be granted. The application will be treated in the same way as any other application. This gives statutory consultees, including parishes an opportunity to comment on the application. Those comments will receive the same weight as any other planning application. If the retrospective application is refused, the Authority can issue an enforcement notice which requires the applicant to put things back as they were or to carry out remedial works.

A person who has undertaken unauthorised development only has one opportunity to obtain planning permission after the event. This can either be by means of a retrospective planning application (under [section 73A of the Town and Country Planning Act 1990](#)) or by means of an appeal against an enforcement notice on ground that planning permission should be granted or the condition or limitation concerned should be discharged.

Further information about this topic is available online at <https://www.gov.uk/guidance/ensuring-effective-enforcement> There is also information contained within the Authorities Local Enforcement Plan at <http://www.peakdistrict.gov.uk/planning/planning-enforcement>

# Commencement of Hearing Sessions into the Development Management Policies document

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You may recall from previous bulletins that the PDNPA was preparing the draft Development Management policies. Following the submission of the Development Management Policies document to the Secretary of State, the appointed Inspector (Mr. Nick Palmer BA (HONS) BPI MRTPI) has confirmed that the **hearing sessions will commence on Tuesday 22 May 2018** and are expected to continue until Wednesday 30 May 2018.

**The hearing sessions will take place in the Board Room at Aldern House (main offices of the Peak District National Park Authority) in Bakewell, DE45 1AE.**

The Inspector has advised that any member of the public can attend this hearing; however the right to participate in the hearing extends only to those who have responded to the previous consultation stages with proposed changes to the Plan, in order to make it sound and legally compliant. The Inspector has been in touch with these respondents to ask whether they wish to put their views across at the hearing.

Further information regarding this Examination process can be found <http://www.peakdistrict.gov.uk/planning/how-we-work/policies-and-guides/development-management-policies>

## Heritage and the Built Environment Parish Councillor Training

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The Parish Councillor training event held on 18 April was well attended with positive feedback from delegates. The slides from the training session will follow. If you have any questions about the training, or want further information about the slides, please do let me know.

If there are topics that Parish Councillors would like to see covered in a training session, please do let me know. The next event planned is Parishes Day on 29 September. Full details of the day will be circulated nearer the time.

## Mend our Mountains campaign

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The Peak District National Park is working with the British Mountaineering Council (BMC) and other UK national parks in the Mend Our Mountains: Make One Million campaign, which aims to raise £1 million for vital path-repair projects across the UK.

In the Peak District National Park, £140,000 is needed to fund path repairs on the Great Ridge, between Mam Tor and Lose Hill, and a further £70,000 for a stretch of the Cut Gate bridleway – known as the Bog of Doom - on the Derwent moors. Information on the BMC campaign in the Peak District can be found at <http://mendmountains.thebmc.co.uk/portfolio-item/great-ridge/>

### PDNPA Planning Twitter Feed @PDNPAPlanning



You can now follow us on Twitter @PDNPAPlanning; We tweet details of the Planning Committee Agenda and share other relevant and useful Planning or PDNPA information.

**If you have any queries about this bulletin please contact the Planning Liaison officer [fiona.todd@peakdistrict.gov.uk](mailto:fiona.todd@peakdistrict.gov.uk) or 01629 816328**