

DARLEY DALE TOWN COUNCIL

# SHLAA Appendix C — Community Consultation Failure

The Blank Field That Speaks Louder Than Words:

Zero Town & Parish Council Comments Recorded Across All 129 Sites

And: BDP Consultants — Site Identifier and Site Assessor in the Same Process

Prepared by: Darley Dale Town Council | Date: May 2026 | Companion to: SHLAA Consistency Analysis Summary & Full Excel Spreadsheet

## 1. Executive Summary and Core Finding

DDTC has conducted a systematic review of the Town and Parish Council Comments field in all 129 Assessment Review Proformas published in Appendix C of the DDDC Local Plan Committee Report dated 13 May 2026. The finding is unambiguous and cannot be explained by PDF extraction error or formatting anomaly: it has been verified against the raw proforma text of multiple sites across multiple settlements.

### THE CORE FINDING

**The Town and Parish Council Comments field is completely blank on every single one of the 129 SHLAA Assessment Review Proformas in Appendix C. Not one proforma across the entire Derbyshire Dales district records any comment, representation, objection or observation from any town or parish council. The field exists in the template — it is printed in every proforma. It was left blank in every one.**

This is not a matter of DDTC's comments being omitted. No community has any voice in this document. Not Ashbourne, not Wirksworth, not Brailsford, not Matlock — not a single parish or town council anywhere in the district has a word recorded in the evidence base that was put before councillors on 13 May 2026.

<p style="text-align: center;"><b>129</b></p> <p style="text-align: center;">Total proformas in Appendix C</p>	<p style="text-align: center;"><b>129</b></p> <p style="text-align: center;">TC/PC comment field completely blank</p>	<p style="text-align: center;"><b>0</b></p> <p style="text-align: center;">Comments from any community</p>	<p style="text-align: center;"><b>0</b></p> <p style="text-align: center;">DDTC formal requests recorded</p>	<p style="text-align: center;"><b>14</b></p> <p style="text-align: center;">Sites identified by BDP Consultants</p>
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## 2. The Proforma Template and the Blank Field

Every Assessment Review Proforma in Appendix C uses a standard template. That template contains an explicit dedicated section headed 'Town & Parish Council Comments.' It is a formal, named field in the document. Its presence confirms that DDDC and BDP Consultants — who produced the SHLAA — understood that town and parish council input was a required component of the assessment process. The field was included in 129 proformas. It was completed in none.

*"Town & Parish Council Comments [BLANK]"*

The field is followed immediately by the 'Deliverability — Overall RAG Rating' section header. There is no qualifying note such as 'not consulted,' 'no response received,' or 'consultation ongoing.' The field is simply blank — as if the question of community input never arose.

DDTC has verified this finding by examining the raw proforma text for sites across multiple settlements including Ashbourne, Brailsford, Cromford, Darley Dale, Doveridge, Hulland Ward, Matlock, Middleton, Wirksworth, and Yeldersley. In every case the result is the same: blank.

### 3. What the Blank Field Means in Law and Planning Practice

#### 3.1 The statutory duty to take representations into account

The Town and Country Planning (Local Planning) (England) Regulations 2012 (SI 2012/767) establish the legal framework for Local Plan preparation. Regulation 18(3) requires that in preparing a Local Plan, the local planning authority must **'take into account'** any representation made to them in response to consultation invitations. A parish council is a 'general consultation body' under regulation 2 and must be invited to make representations.

The NPPG on Housing and Economic Land Availability Assessments (HELAA) states that the process should involve engagement with local communities and relevant stakeholders. The existence of a dedicated field in the proforma template for town and parish council input is itself an implicit acknowledgement by DDDC that such input was expected and required. Its systematic non-completion across all 129 sites demonstrates that this engagement either did not occur, or occurred but was not recorded — either of which represents a failure of the statutory duty.

#### 3.2 Regulation 22 — the submission statement

When DDDC submits the Local Plan to the Planning Inspectorate at Regulation 19, it must include under Regulation 22(1)(c) a statement setting out: who was invited to make representations; a summary of the main issues raised; and how those representations have been taken into account. A SHLAA evidence base in which the town and parish council comments field is blank on every proforma makes it impossible for DDDC to demonstrate, in the Regulation 22 statement, that parish council representations on individual sites were taken into account — because there is no record that any were sought or received at the proforma stage.

#### 3.3 The DDTC position specifically

DDTC submitted three formal written requests to DDDC in April 2026:

- A request to widen the PD10 policy map boundary to include the Hackney hillside; sent 7<sup>th</sup> April 26
- A request that Darley Dale's Tier 2 settlement hierarchy designation be formally reviewed; sent 4<sup>th</sup> April 26 and
- A request for a Drainage Impact Assessment given STW's confirmation that the Darley Dale network is hydraulically constrained, sent on 18<sup>th</sup> April.

None of these requests has been answered. And now it is confirmed that none appears in any Darley Dale proforma. This is not merely a failure to respond to DDTC — it is evidence that the SHLAA process was conducted entirely without reference to parish council input of any kind, and that the evidence base placed before councillors on 13 May 2026 was built on a foundation from which community voice had been completely excluded.

#### 3.4 The seven-day publication window

The SHLAA Appendix C was released to councillors approximately one week before the Local Plan Committee meeting of 13 May 2026. Even if parish councils had wished to provide input at the proforma stage after publication, the seven-day window between publication and vote made meaningful engagement structurally impossible. This confirms what the blank fields already demonstrate: community consultation on individual SHLAA site proformas was not a feature of this process at any stage.

## 4. The BDP Consultants Conflict of Interest

### 4.1 BDP Consultants: assessor and site identifier

DDDC commissioned BDP Consultants to produce the SHLAA Appendix C assessments. BDP's role was to objectively assess sites submitted through the Call for Sites process against the defined assessment criteria. However, a review of the Source field in the proformas reveals that BDP Consultants were not solely the assessors — they also identified 14 sites themselves, submitting those sites into the SHLAA process independently of the Call for Sites mechanism.

*"Source: BDP Consultants suggestion"*

This appears against 14 proformas — spread across Ashbourne, Brailsford, Cromford, Doveridge, Hulland Ward, Matlock, Middleton, Northwood, Wirksworth and Yeldersley. BDP Consultants both identified these sites as potential housing allocations and then assessed them against the planning criteria.

This is a structural conflict of interest in the assessment process.

### 4.2 The 14 BDP-identified sites

SHLAA Ref	Settlement	Conclusion
SHLAA906	Ashbourne	Developable
SHLAA908	Brailsford	Undevelopable
SHLAA894	Cromford	Undevelopable
SHLAA909	Doveridge	Undevelopable
SHLAA975	Doveridge	Undevelopable
SHLAA895	Hulland Ward	Undevelopable
SHLAA904	Hulland Ward	Undevelopable
SHLAA903	Matlock	Undevelopable
SHLAA910	Matlock	Undevelopable
SHLAA902	Middleton	Undevelopable
SHLAA896	Northwood	Undevelopable
SHLAA897	Wirksworth	Undevelopable
SHLAA892	Yeldersley	Undevelopable
SHLAA978	Yeldersley	Undevelopable
	<b>13 of 14 BDP-identified sites: Undevelopable</b>	<b>1 of 14: Developable (SHLAA906 Ashbourne)</b>

### 4.3 Why this conflict of interest matters

The conflict of interest arising from BDP both identifying and assessing sites matters for the following specific reasons:

- **Objectivity of assessment:** where an assessor has identified a site, they may well have already formed a view of its potential. The subsequent assessment of that site by the same individual or organisation cannot be fully independent. The assessor's prior judgment — that this land has development potential — necessarily colours the assessment.

- **Consistency of treatment:** the 14 BDP-identified sites should have been assessed by a different assessor, or subject to an independent peer review, to ensure that they received the same critical scrutiny as sites submitted through the standard Call for Sites process. There is no evidence that any such peer review occurred.
- **Transparency:** neither the proformas themselves nor the covering report published with the Local Plan Committee papers on 13 May 2026 discloses that BDP both identified and assessed 14 sites. Councillors who voted on those sites were not informed of this dual role. This is a transparency failure in the decision-making process.
- **The Nolan Principles:** the Seven Principles of Public Life (Nolan Principles) — adopted as the ethical framework for all public officeholders and those carrying out public functions — require objectivity, accountability and openness. A planning consultant acting both as site identifier and site assessor, without disclosure, does not in our view meet these standards in a public planning process.

#### 4.4 Note on the outcome of BDP-identified sites

It should be noted that 13 of the 14 BDP-identified sites are classified as Undevelopable — which may suggest that the identification was made on the basis of thorough assessment rather than advocacy. However, this does not resolve the structural conflict of interest. The issue is not the outcome in these specific cases but the principle: an assessor who identifies a site has a conflict of interest in assessing it, regardless of the conclusion reached. Moreover, if the one BDP-identified site classified as Developable (SHLAA906, Ashbourne) is subsequently challenged, the fact that the site was both identified and assessed by BDP will be a relevant consideration for the Planning Inspector.

### 5. Site Source Analysis — The Voice of Communities Was Never Invited

A review of the Source field across all 129 proformas reveals the complete picture of how sites entered the SHLAA process:

Site Source	Number of Sites	Observation
Call for Sites (landowner/developer submission)	112	Sites submitted through DDDC's Call for Sites exercise by landowners and developers promoting their land for residential development. Communities had no role in this submission process.
BDP Consultants (DDDC's planning consultant)	14	Sites identified by the same consultants commissioned to assess them — a structural conflict of interest. No community input sought or recorded.
Existing Allocation (adopted Local Plan)	1	A site already allocated in the 2017 Local Plan, carried forward. Any previous parish council comments relate to the 2017 process, not the current SHLAA review.
Existing Employment Allocation (adopted Local Plan)	1	As above — a carry-forward from the 2017 process. Current community input not sought or recorded.
<b>Parish or Town Council submission</b>	<b>0</b>	<i>Not a single site in the entire Derbyshire Dales SHLAA was submitted by or on behalf of a parish or town council. Community bodies had no role in identifying the sites that were assessed.</i>

The picture that emerges is stark. The sites assessed in this SHLAA were identified entirely by landowners, developers, and DDDC's own consultant. Not one site was identified by a community body. And the Town & Parish Council Comments field — the only mechanism in the proforma template for recording community input — was left blank in every case. The community of Derbyshire Dales had no meaningful role in either identifying or commenting on the sites assessed in this document.

## 6. Settlement-by-Settlement Confirmation

The table below confirms the community consultation position for every settlement covered by the SHLAA Appendix C. In every settlement, without exception, the Town & Parish Council Comments field is blank in every proforma.

Settlement	Total Sites	Developable	BDP-sourced Sites	TC/PC Comment in ANY Proforma
Ashbourne	12	10	1	BLANK — no comments recorded
Bonsall	1	0	—	BLANK — no comments recorded
Brailsford	8	2	1	BLANK — no comments recorded
Carsington	1	0	—	BLANK — no comments recorded
Clifton	5	1	—	BLANK — no comments recorded
Cromford	4	2	1	BLANK — no comments recorded
<b>Darley Dale</b>	16	5	—	BLANK — no comments recorded
<b>Darley Moor Airfield</b>	1	1	—	BLANK — no comments recorded
Doveridge	11	5	2	BLANK — no comments recorded
Ednaston	1	1	—	BLANK — no comments recorded
Hales Green	1	1	—	BLANK — no comments recorded
Hulland Ward	7	2	2	BLANK — no comments recorded
Kniveton	1	0	—	BLANK — no comments recorded
Marston Montgomery	3	0	—	BLANK — no comments recorded
Matlock	15	3	2	BLANK — no comments recorded
Matlock Bath	1	0	—	BLANK — no comments recorded
Middleton	3	2	1	BLANK — no comments recorded
Northwood	4	1	1	BLANK — no comments recorded
Northwood and Tinkersley	1	0	—	BLANK — no comments recorded
Osmaston	1	0	—	BLANK — no comments recorded
Shirley	3	0	—	BLANK — no comments recorded
<b>South Darley</b>	1	0	—	BLANK — no comments recorded
Sudbury	2	1	—	BLANK — no comments recorded
Tansley	7	2	—	BLANK — no comments recorded
Two Dales	2	0	—	BLANK — no comments recorded
Wirksworth	13	3	1	BLANK — no comments recorded
Yeaveley	2	0	—	BLANK — no comments recorded
Yeldersley	2	0	2	BLANK — no comments recorded

## 7. DDTC's Formal Position and Requirements

DDTC formally submits the following requirements arising from the findings in this report. All are required before the Regulation 19 plan is submitted to the Planning Inspectorate.

Req.	Requirement
1	DDDC must explain, in writing, when and how town and parish councils across Derbyshire Dales were invited to make representations on individual SHLAA sites during the preparation of the SHLAA Appendix C. If they were invited, DDDC must identify the mechanism, the date, and where the responses are recorded. If they were not invited, DDDC must explain how it intends to discharge its Regulation 18(3) duty to take parish council representations into account before the Regulation 19 consultation commences.
2	DDDC must confirm how it will demonstrate, in the Regulation 22(1)(c) statement accompanying the Local Plan submission, that town and parish council representations on individual SHLAA sites have been sought and taken into account — given that the proforma record contains no evidence of any such representations.
3	DDTC's three formal written requests (PD10 boundary, Tier 2 hierarchy review, and Drainage Impact Assessment) must be formally acknowledged, entered into the Local Plan evidence base, and substantively answered before Regulation 19 submission. These requests represent DDTC's representations on SHLAA sites in Darley Dale and must be recorded and considered in accordance with Regulation 18(3).
4	DDDC must confirm whether BDP Consultants were subject to any conflict of interest declaration or management procedure in respect of the 14 sites they both identified and assessed. DDDC must confirm whether those 14 assessments were subject to independent peer review, and if not, explain why not.
5	The fact that BDP Consultants both identified and assessed 14 sites must be disclosed to the Planning Inspector at Regulation 19 examination. DDTC will draw this to the Inspector's attention if DDDC does not proactively disclose it.
6	DDTC formally requests that a period of dedicated parish and town council consultation on the individual SHLAA site proformas be conducted before the Regulation 19 plan is finalised — specifically to complete the blank Town & Parish Council Comments field in every proforma for each relevant settlement, providing communities with a genuine opportunity to comment on sites proposed for allocation in their area.
7	This report and its findings must be entered into the DDDC Local Plan evidence base in full. DDTC reserves all rights to rely upon these findings before the Planning Inspector at Regulation 19 examination, and specifically to draw the Inspector's attention to the complete absence of community consultation input from the SHLAA evidence base that was placed before councillors on 13 May 2026.

## 8. Specific Questions DDTC Requires DDDC to Answer in Writing

In addition to the formal requirements above, DDTC formally requires DDDC to answer the following specific questions within ten working days of receipt of this document:

### Questions for DDDC

1. At what stage in the preparation of the SHLAA Appendix C were town and parish councils invited to make representations on individual sites, and by what mechanism?
2. Where are any town and parish council representations received during the SHLAA preparation process recorded, given that they do not appear in the proformas?
3. Was BDP Consultants' dual role as both site identifier and site assessor declared to DDDC? Was it disclosed to the Local Plan Committee? If not, why not?
4. Were the 14 sites identified by BDP Consultants subject to any independent peer review of the assessment? If so, by whom and when?
5. How does DDDC intend to complete the blank Town & Parish Council Comments field in the proformas before Regulation 19 submission, and what consultation process will it conduct to enable communities to contribute to this field?

#### **Darley Dale Town Council | Formal Evidence Base Submission | May 2026**

*This document forms the third part of DDTC's SHLAA analysis series, to be read alongside the SHLAA Full Consistency Analysis Excel spreadsheet and the SHLAA Consistency Analysis Summary Word document. All three documents should be entered into the DDDC Local Plan evidence base in full. DDTC reserves all rights to rely upon all three documents at Regulation 19 consultation and at examination before the Planning Inspector, including specifically the finding that no town or parish council comment of any kind appears in any of the 129 SHLAA proformas placed before councillors on 13 May 2026.*