

# **Statement of Community Involvement**

**Consultation Draft**

**November 2019**

# Statement of Community Involvement

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# 1 Getting Involved In Planning

## What is the Statement of Community Involvement?

- 1.1 The Statement of Community Involvement sets out:
- how the Council will involve the community and other stakeholders in Planning matters including:
    - how and when you can influence new planning policy documents;
    - how and when you can comment on planning applications, as well as other forms of application for development such as Listed Buildings and prior notifications submitted to Selby District Council;
  - the role of elected Councillors, Parish and Town Councils and voluntary and community groups in planning matters;
  - Who you can contact for assistance in planning matters, and
  - What will be expected of you when you make comments.
- 1.2 The Statement of Community Involvement is a statutory planning document and applies to the whole of the Selby District Council area. Selby District Council is the Local Planning Authority for the whole of the District of Selby. North Yorkshire County Council is the Planning Authority for Minerals and Waste. The Ministry for Housing, Communities and Local Government (MHCLG) is the Government department with responsibility for creating great places to live and work, and for giving more power to local people to help shape what happens in their area.
- 1.3 This is the second Statement of Community Involvement that Selby District Council has published.

## Legal Requirements

- 1.4 The legal requirements are set out by the Government in legislation. The [Planning and Compulsory Purchase Act 2004 \(section 18\)](#) (as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017) requires Local Authorities to prepare a statement setting out how it will involve those with an interest in development in the area. The [Town and Country Planning \(Local Planning\) \(England\) \(Amendment\) Regulations 2017](#) amends the Act further by including a duty on Local

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Planning Authorities (LPAs) to review their Statement of Community Involvement every five years. Whilst the [Neighbourhood Planning Act 2017](#) has specifically introduced a requirement on Local Planning Authorities to include within the Statement of Community Involvement the policies for giving advice or assistance on making and modifying Neighbourhood Development Plans and on making Neighbourhood Development Orders.

- 1.5 There is a clear emphasis throughout national policy on encouraging early and consistent community involvement. The [National Planning Policy Framework \(NPPF\)\(2019\)](#) encourages front-loading engagement and co-operation with the community so that Local Plans reflect a collective vision and agreed set of priorities, as well as the importance of early community engagement before planning applications are submitted.
- 1.6 Specifically for plan-making, The [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) sets out the steps for the production of Local Plans and supplementary planning documents. It includes who is to be included at each consultation and which documents are available at each stage of the process.
- 1.7 Similarly for planning applications, The [Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) sets out the procedure to be followed by local planning authorities when processing planning applications: from receipt of the application to the decision being issued and recorded.
- 1.8 The Public Sector Equalities Duty (section 149 of the [Equalities Act 2010](#)) requires local authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010. The Act also encourages participation in public life or in other activities where the participation by people from protected groups is disproportionately low.
- 1.9 If legal requirements alter the participation and engagement requirements for the planning service, any consultation and engagement will be in line with the new legislation until the Statement of Community Involvement is revised.

## Statement of Community Involvement

### What do you mean by “Community”?

- 1.10 By “community” we mean the individuals, groups, organisations, businesses, Parish and Town Councils, Statutory and non-statutory agencies, landowners, developers and agents that live, work, visit, operate or have an interest in Selby District. Being involved in planning allows the “community” to potentially influence the way the District will change over time.

### The Council’s Approach to Community Involvement

- 1.11 The Statement of Community Involvement is a key part of the Council’s overall approach to community engagement and has been updated to reflect the Council priorities of the Council’s [Corporate Plan](#) 2015-20, Making Selby a Great Place....

- to do business
- to enjoy life
- to make a difference.

- 1.12 Key to achieving this is set out in the 2018 Annual update to the [Corporate Plan](#) as:

- the empowering and involving people in decisions about their area and their service
- communicating well with customers to help us (the Council) understand what matters
- to listen and learn
- to help people to access services digitally. This point is further underpinned by the [Selby Customer Strategy](#) which encourages the increased use of electronic communications for people to access information and services.

### Why involve me in Planning?

- 1.13 We believe that everyone should have the opportunity to have their say in shaping their environment at the earliest opportunity. Consultation and engagement with the relevant consultees and any interested parties is an essential part of the planning process for the production of new Planning Policy documents and in the consideration and determination of planning applications submitted to the Council. Planning is an inclusive process. The

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Statement of Community Involvement sets out when and how everyone will have the opportunity to express their views and comments at the relevant and appropriate times.

### How will you involve me?

1.14 Advertising and notification of forthcoming opportunities to be involved is essential. The different methods to be employed for consultation and engagement opportunities are set out in the relevant parts of this document. The Council recognizes that consultees have differing interests, needs, experiences and varying skills for involvement, which could cause conflict and present barriers to effective engagement and consultation. Therefore the approaches used must be tailored to different audiences. In line with the [guidelines](#) produced by the [Royal Town Planning Institute \(RTPI\)](#), the Council will work to identify, acknowledge and overcome barriers to consultation as part of our engagement processes. Barriers may include:

- specific issues or topics;
- a particular method of engagement employed, or
- a particular document and how it relates to a particular group of the community.

### Equalities Impact Assessment

1.15 An assessment under the Equalities Regulations may be appropriate and a requirement for some planning policy documents. Equality Impact Assessments (EQIA) have been developed as a tool for ensuring that equality, social inclusion and community cohesion issues are considered when drawing up policies. For further information on Equalities Impact Assessments and how you can be involved in these please see:

<https://www.selby.gov.uk/equality-impact-assessments-eia>

1.16 An Equalities Impact Assessment accompanies this Statement of Community Involvement.

### Equalities Monitoring

1.17 The Council does not currently request equalities monitoring information when you:



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- submit a planning application
- make comments on Planning Applications or
- are involved in the production of Planning Policy documents.

### Resource Implications

1.18 The obligation to engage and consult with stakeholders and members of the public is greater than ever before, but the Council has a limited level of resources. Every effort will be made to ensure that the best use is made of available staff time and resources. Methods of consultation and engagement will be tailored to the situation. In order to improve efficiency, the Council will make use of electronic communication tools and build upon existing communication channels wherever possible. Subject to resources, the Council will engage, involve and consult on planning matters in line with the latest regulations and guidance as appropriate and relevant.

### Availability of Documents and information

1.19 All relevant documents and information will be made available on the [Council's website](#) in line with the latest regulations and guidance. We encourage you to make use of any electronic formatting facilities available in your software that could assist you in accessing the relevant documents on the Council's website to meet your specific visual requirements. However, the Council will respond to requests for documents and information to be made available in alternative formats upon request.

### How Do I Make My Comments?

1.20 All comments must be made in writing on the Council's consultation portals or by email or by post if they are to be considered. This will generally be by invite if you or your organisation has previously expressed an interest in the matters being discussed or if the Council considers that your input would assist in the consideration of the planning issue or policy formulation.

### What will be expected of me?

1.21 In order to ensure that your involvement is effective you will be expected to:

- comment within the specified time period;

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- provide comments in a clear and succinct format, ensuring that representations relate to the issues and documents being consulted upon;
- be aware that comments will be made publicly available with personal and sensitive information redacted in line with the [General Data Protection Regulations 2018 \(GDPR\)](#);
- be understanding and respectful of alternative views; and
- if you are replying on behalf of a group or organisation, consider how members of the group have been involved in formulating the representation. Ensure that the full range of member views is represented and specify where agreement and disagreement exists.

## What is the Role of the Elected Councillors in the Planning Process?

### Selby District Ward Councillors

- 1.22 The District Ward Councillors represent their respective Wards in Selby and they listen to residents' concerns and views on planning issues. Ward Councillors can voice their support or make objections to planning applications in writing and speak at Committee on behalf of their constituents. Ward Councillors can provide access to the public information that they receive and answer queries of the community in their ward. They can also request in writing (email) that a planning application is considered by the Planning Committee rather than being considered under delegated powers, provided that valid planning reasons are given for this choice.
- 1.23 District Councillors can be accessed through a number of methods which include;
- email
  - ward surgeries
  - public meetings
  - consultations
- 1.24 The role of locally elected Ward Councillors in representing the views and concerns of residents in the planning process is very important. However, your views can only be formally taken into account when you make them in

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writing to the Council within the specified time for a particular Consultation.

You can check the contact details of your local Ward Councillor [here](#).

### North Yorkshire County Councillors

1.25 There are 9 County Divisions in Selby District. For further information on the role of County Councillors see [here](#).

### Parish and Town Councillors

1.26 Parish and Town Councils play a vital role in community involvement. Parish and Town Councillors can comment on particular planning applications or developing policy documents which may affect their area. They may request to speak at Planning Committee with respect to planning applications being considered in their Parish or Town. Parish and Town Councils have an important role when identifying priorities in their areas and also provide a valuable means of sharing information about the planning process to their local community. For more information on your Parish or Town Council including the Code of Conduct of Parish and Town Councillors see the [website](#).

## What is the Role of the Community Engagement Boards and Forums?

1.27 There are five Community Engagement Forums in the Selby District. Each covers different towns and villages. The [Community Engagement Forums](#) are split into two parts:

- an open community forum
  - these are public meetings which provide you with the opportunity to get more involved in what happens in your area and the services provided
  - you can raise any concern or make a comment about what's happening in your area
  - all residents of the Community Engagement Forum area can attend and participate
- a Partnership Board meeting
  - these are open to the public but contributions can only be made at the chair's discretion

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- these meetings are where funding applications are discussed and the direction of the CEF is discussed
- the Partnership Board is made up of district councillors, parish councillors and co-opted members of the community.

### What is the Role of Voluntary and Community Groups?

1.28 We believe that everyone should have the opportunity to be actively involved in decisions which affect them and their community. Voluntary and Community groups are encouraged to be involved in planning matters and can represent their members.

### “Hard to Reach” Groups

1.29 We are aware that some people may be considered ‘hard to reach’. We also understand that particular groups may have specific areas of interest or a limited capacity for involvement. Every opportunity will be taken to add to our knowledge of hard to reach groups, identify issues and policies that are likely to be of particular concern. Documents and information will be made available in alternative formats upon request (see paragraph 1.19).

### Can Planning Officers Help Me?

1.30 Selby District Council employs Planning Officers who are based at the Civic Centre, Doncaster Road, Selby YO8 9FT. They provide specialist professional planning advice to the Council and the community as necessary. They are responsible for:

- producing the Development Plan documents (Local Plan and other planning policy documents)
- providing advice on planning policy
- leading the consultations regarding draft planning documents and the consideration of comments made
- implementing and enforcing requirements under the Community Infrastructure Levy regulations
- providing pre-application advice
- assessing planning applications in accordance with the:
  - adopted Development Plan

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- National Planning Policy
- any other material considerations including consultation responses and representations.
- considering reports of breaches of planning permission
- providing planning enforcement

### Contact the Planning Officers via:

Access Selby Contact Centre: <https://www.selby.gov.uk/contact-us>

By post: Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT

By telephone: 01757-705101

### For specific queries, you can contact the Planning Officers for:

Pre-application advice: [See Guidance and complete a form](#)  
Development Plan and Planning Policy: Email: [localplan@selby.gov.uk](mailto:localplan@selby.gov.uk)  
Planning enforcement: [Complete the Planning Enforcement Complaint form](#)  
or email: [planningenforcement@selby.gov.uk](mailto:planningenforcement@selby.gov.uk)

## Where else can I go for Help?

### Planning Aid England

1.31 Planning Aid England is a voluntary organisation linked to the Royal Town Planning Institute (RTPI). Through its network of volunteers who are Chartered Town Planners it can provide independent and impartial advice. For further information please contact [Planning Aid England](#).

### Other Organisations

1.32 You may want to appoint a planning consultant to act on your behalf when dealing with the Council on planning matters. The planning consultant will act as your agent to submit your planning application or provide comments on a Planning Policy document. The Royal Town Planning Institute (RTPI) maintains a list of [Planning Consultants](#).

## Monitoring and Review of the Statement of Community Involvement

1.33 In line with current Government legislation (The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017), once adopted, the Statement of Community Involvement is intended to be in use for 5 years before a review may be necessary. The need to review the Statement of

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Community Involvement will be considered on an annual basis and will be reported in the annual Authority Monitoring Report.

- 1.34 The need to review will be assessed if there have been any changes to legislation or government advice affecting the Statement of Community Involvement as well as if there has been a particularly low level of community involvement. In this instance, the Statement of Community Involvement will be assessed against the following indicators:
- the number of individuals / groups participating in consultations (including those identified as “hard to reach”)
  - which consultation techniques generate the most effective responses
  - whether any participants suggest any improvements to consultation
- 1.35 Any necessary changes will be incorporated into a future version of the Statement of Community Involvement. This will ensure that the Statement of Community Involvement remains appropriate and effective in involving the community in the various planning processes.

# 2 Influencing the Local Plan and Planning Policy

- 2.1 This section explains how and when you can be involved in influencing and informing the production of the Development Plan and other planning policy documents in Selby District. Planning applications are determined in accordance with the Development Plan and national planning policies. Legislation sets out which development plan documents need to be in place, the processes for the production of those documents, the opportunities for involvement in their production and the processes for that engagement.
- 2.2 Selby District Council is responsible for producing the following Development Plan Documents:
- Local Plan documents including the Policies Map
  - Supplementary Planning Documents
  - Development Briefs
  - Guidance Notes
- 2.3 Selby District Council supports the production and development of:
- Neighbourhood Plans (led by Parish and Town Councils)
- 2.4 In line with the legislation as the Development Plan is prepared, various supporting and evidence documents may need to be produced by the District Council to inform the policy direction. These can include:
- Sustainability Appraisal / Habitats Regulations Assessment
  - Duty to Co-operate Statement
  - Infrastructure Delivery Plan
  - Equalities Monitoring Assessment
  - Technical studies to provide detail for the policy direction
  - Consultation Statement
- 2.5 The Development Plan also has to be produced in line with the following procedural documents:
- Local Development Scheme (the timetable for document production)
  - Statement of Community Involvement (the engagement and involvement procedures to be undertaken)
- 2.6 The Council is also responsible for the implementation of the Community Infrastructure Levy (CIL).

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### When Will You Involve Me In Preparing Planning Policy Documents?

2.7 The key stages for involvement in the production of planning policy documents are set out by the Government in planning legislation and guidance. This is to ensure that the planning process is inclusive, open and transparent. The opportunities to be involved and provide comments are dependent on the type of planning policy document being produced. However, the stages for involvement are designed to ensure that you can be involved from the earliest opportunity of planning policy preparation. These stages can provide you with various opportunities to be involved and potentially influence the content and direction of a planning policy document.

### How will I know when I can be Involved?

2.8 In line with the latest legislation and guidance, and depending on the stage of production of the policy document, the Council will use various methods of advertising the opportunities to provide comments and the opportunities to be involved:

- announcements on the council website
- notifications for those registered on the [Planning Policy Consultation Portal](#). This is the most reliable method of ensuring that you are made aware of opportunities to provide comments and be involved in the production of planning policy documents.

2.9 In addition to the statutory requirements set out in legislation, the Council may use the following methods of advertisement:

- announcements in the local press - public notices section
- announcements on social media
- features in the local press
- posters on Notice Boards and at community meeting places
- leaflets

2.10 You can also check the reports presented to the [Council's Executive](#) for progress on the production of the various Local Plan and planning policy documents.



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### How Will You Contact Me?

2.11 The Council will notify those registered on the Planning Policy Consultation Portal. Once you are registered on the [Planning Policy Consultation Portal](#) you can choose how you want to be contacted by the Council on planning policy matters. You will be notified by your chosen method of contact at the relevant times. The quickest and easiest method is by email, but you may prefer a letter in the post or to be informed through emerging digital technologies (e.g. social media). To be registered for notifications of opportunities to be involved please click [here](#). Or alternatively you can contact the Council via:

- email at: [localplan@selby.gov.uk](mailto:localplan@selby.gov.uk)
- post at: Civic Centre, Doncaster Road, Selby, North Yorkshire, YO8 9FT
- phone: 01757 705101

### Availability of Documents and Information

2.12 All relevant documents and information will be made available on the [Council's website](#) in line with the latest regulations and guidance. Once registered, you are encouraged to access and view the available documentation via the Planning Policy Consultation Portal. The Council is aware that some people may prefer a paper copy, this service is available but it may incur a charge. For more details you can contact the Council at: [localplan@selby.gov.uk](mailto:localplan@selby.gov.uk)

### How do I make my Comments?

2.13 Accessing the documentation via the Planning Policy Consultation Portal will permit you to respond directly to specific questions or provide comments on text in the relevant document(s). You can still make your comments by downloading, completing and submitting a comment form attached to an email or letter. You can email or post them to the address above, but we would prefer you to use the Planning Policy Consultation Portal as this helps us to respond quicker.

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### How will you respond to me?

- 2.14 Receipt of your comments on planning policy documents will be acknowledged via the planning policy consultation portal. The Council will not respond individually and directly to any points you make, unless it is to clarify or seek further information. A report of consultation will be produced and will be available on the Council's website in line with the guidance available. The consultation statement will set out the Council's consideration and responses to the various comments made. It will also set out how the document has been amended to take on board relevant comments.
- 2.15 All correspondence on the Local Plan will be in line with our corporate service standards and any regulations that guide the Local Plan and planning policy document process.

### What are the Local Plan and Planning Policy Documents?

- 2.16 For the most up to date Development Plan Documents please see the [Council's planning policy webpages](#).

### How will I know when there are Opportunities to be Involved?

- 2.17 The [Authority Monitoring Report](#) will set out any emerging trends and highlight if consideration needs to be made to revising a planning policy document to meet changing circumstances or new legislation, or if it is considered appropriate to produce a new planning policy document. The Local Development Scheme, which is set out within the Authority Monitoring Report, will then set out the timetable for their production.

### How Can I get Involved in the Preparation of a Local Plan?

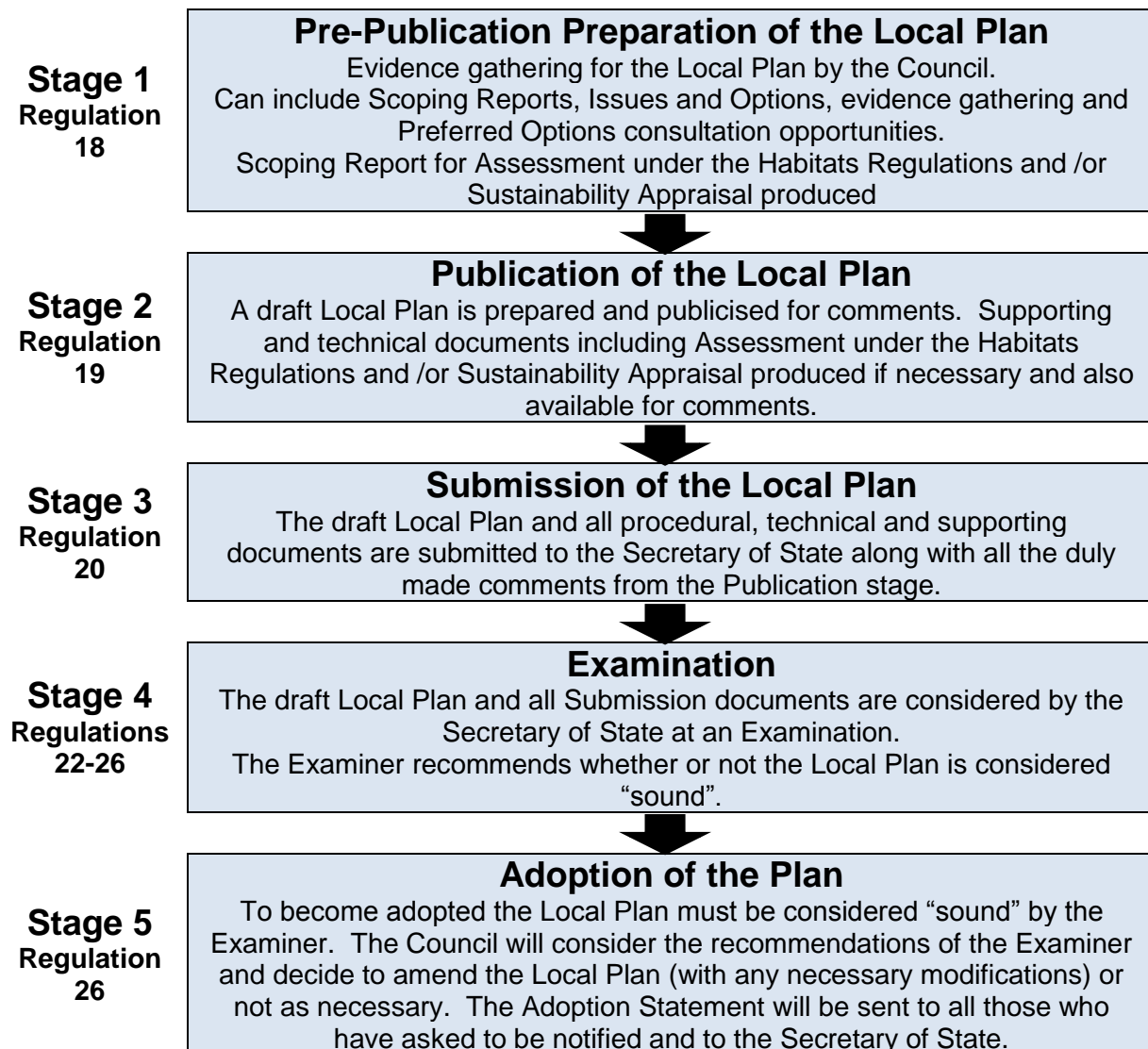
- 2.18 There are prescribed stages for when a Local Plan is available for comments to be made. For more detail please see Figure 1 and the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#). The timetable for a new emerging Local Plan or an amendment / revision to a Local Plan will be set out in the Local Development Scheme within the [Authority Monitoring Report](#). You can become involved in the preparation of a Local Plan at any stage, but you have more opportunities to influence its policy direction at the pre-publication preparation stage.

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### Pre-publication Preparation

2.19 At this stage, the Council will undertake a period of research that will form the evidence base. Pre-preparation can include scoping reports, issues & emerging options, further evidence, and preferred options. All of these may not be necessary to be undertaken in the preparation of all Local Plan documents. The Council will consider all relevant comments and prepare a draft document.

**Figure 1 - Key Stages of Local Plan Preparation**



### Publication of a Local Plan

2.20 This is the first formal stage and is when a draft of the emerging Local Plan is first available for comments. The Council will notify and invite all stakeholders to comment at this stage by the published deadline in line with the Regulations. Local Plans and spatial development strategies are examined to

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assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Comments, or Representations as they are known at this stage, must be made in relation to these legal and procedural requirements and the Government’s “Tests of Soundness” as set out in Table 1 to ensure that the Local Plan on adoption is considered to be “Sound”.

**Table 1 – Legal and Procedural Requirements and the Tests of Soundness**

<b>Legal and Procedural Requirements</b>	
The Local Plan is prepared in compliance with:	Duty to Co-operate (under section 33A of the Planning and Compulsory Purchase Act)
	the Town and County Planning (Local Planning) (England) Regulations 2012
	the Statement of Community Involvement
	the Local Development Scheme
The Local Plan is published accompanied by a Sustainability Appraisal Report	
<b>Tests of Soundness</b>	
<b>Positively prepared</b>	The Local Plan provides a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development
<b>Justified</b>	The Local Plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence
<b>Effective</b>	The Local Plan Policies are deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground
<b>Consistent with national policy</b>	The Local Plan enables the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework
Sources: <a href="#">National Planning Policy Framework (2019)</a> paragraph 35 and The Planning Inspectorate (2019) <a href="#">Procedure Guide for Local Plan Examinations</a>	

2.21 All relevant and duly made comments received within the published timescale will be considered by the Council. Late comments may not be considered. The Council may propose amendments to the draft Local Plan in response to comments made.

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### Submission of a Local Plan

2.22 The Council must then submit the Publication draft of the Local Plan, a statement of how the draft Publication Local Plan is to be amended by the Council to take on board (or not) the comments received, the supporting information and all the comments received at the Publication stage to the Secretary of State. No further comments can be made at this stage.

### Examination

2.23 All comments / representations made at the formal Publication draft stage will be considered at the Examination by a Planning Inspector appointed by the Secretary of State. If you, your organisation or your representative has made a formal representation you are given the opportunity to be present at the formal hearing sessions.

2.24 Following the close of the Examination hearings, the Planning Inspector will prepare a report and recommendations which may suggest changes to make the draft Local Plan “sound” for adoption. Plans are only considered ‘sound’ if the Inspector considers it meets all the legal and procedural requirements and the Tests of Soundness in Table 1.

### Adoption

2.25 The Council will consider the recommendations of the Planning Inspector and decide to amend the Local Plan (with any necessary modifications) or not as necessary. The Adoption Statement will be sent to all those who have asked to be notified and to the Secretary of State. Further guidance and information regarding the Examination process is available on the Planning Inspectorate [website](#).

### How Can I get Involved in the Preparation of Other Planning Policy Documents?

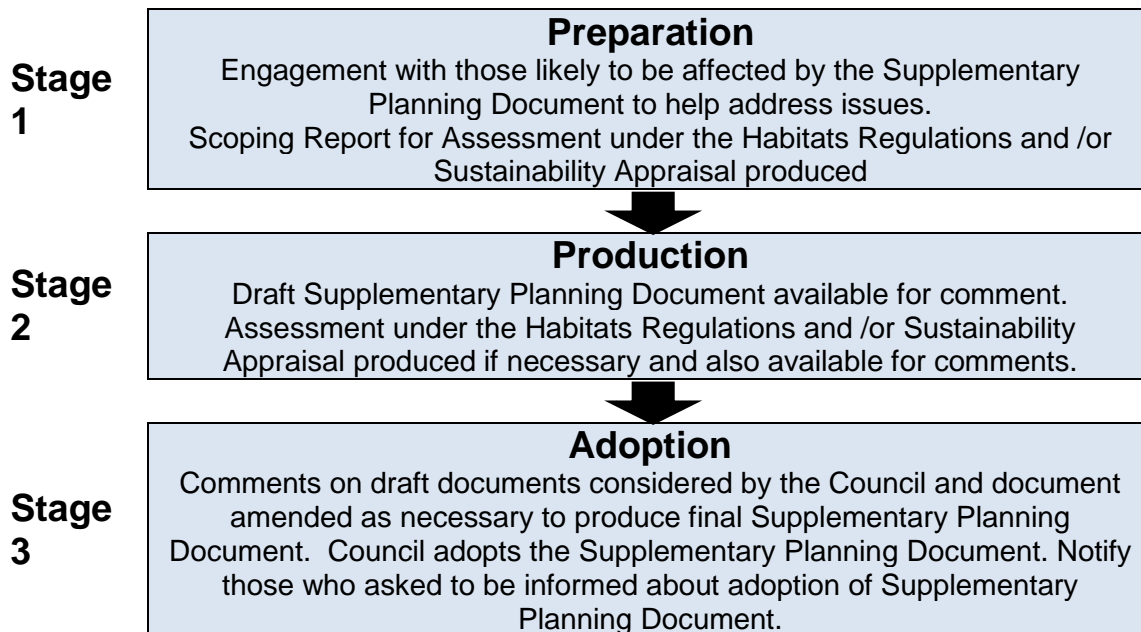
2.26 The Council produces other Planning Policy documents. You can be notified and involved in their preparation if you have indicated on the Planning Policy Consultation Portal that you wish to be notified of opportunities to be involved. Other Planning Policy Documents include Supplementary Planning Documents.

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### Supplementary Planning Documents

2.27 The key stages of the production of Supplementary Planning Documents are set out in Figure 2. Opportunities to be involved are at the preparation stage of policy formulation, are usually for those potentially affected by the implementation of the Supplementary Planning Document, or for those with a specialist interest in the subject of the Supplementary Planning Document.

**Figure 2 - Key Stages of Supplementary Planning Document Production**



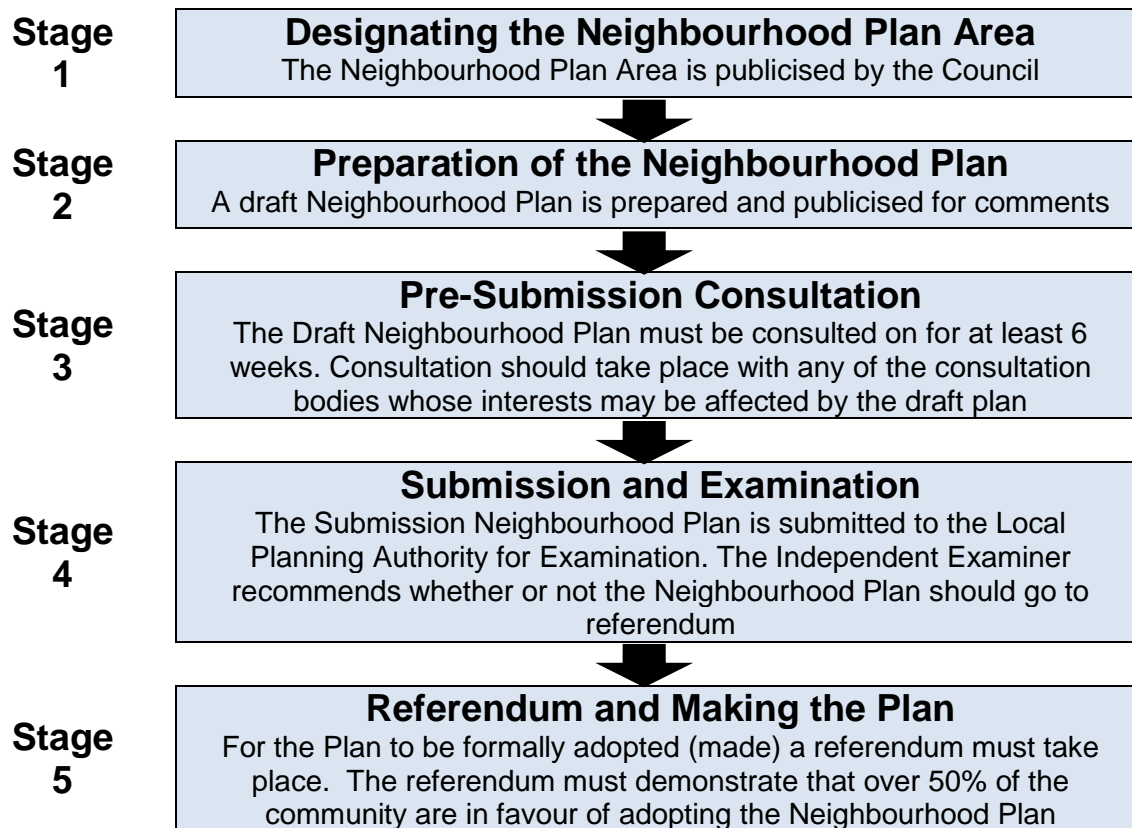
### Neighbourhood Plans

2.28 A Neighbourhood Plan gives local communities direct power to shape the development and growth of their local area by building upon the policies in the Local Plan. Communities can choose where the new homes, shops, offices and other facilities are to be built in their neighbourhood, what the new buildings should look like and what infrastructure should be provided.

2.29 Introduced under the Localism Act (2011), the Parish or Town Council will lead the production of the Neighbourhood Plan in your area with support and guidance from Selby District Council. More information about Neighbourhood Planning can be viewed [here](#). The key stages in the production of a Neighbourhood Plan are set out in Figure 3.

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Figure 3 - Key Stages of Neighbourhood Plan Preparation



### Planning Policy Documents not Prepared by Selby District Council

A number of statutory planning policy documents are produced by other Planning Authorities and organisations. These will be reviewed as necessary and opportunities for involvement in their production will be advertised on the lead authority or organisation website. These include:

- Minerals and Waste Local Plans
- Marine Plans
- National Strategic Infrastructure Projects

### 3 Influencing Planning Applications

- 3.1 This section explains how you can get involved with planning applications that have been submitted to the Council. It sets out the ways in which you can comment on planning applications, as well as other forms of consent such as for listed buildings. This section also details what to do if you suspect breaches of planning permission.

#### What Planning Applications does Selby District Council determine?

- 3.2 The Council is responsible for assessing and making decisions on land use planning applications submitted to Selby District Council. The Council's Planning Officers advise the Council's Planning Committee on "Major" and certain other types of applications. They also provide advice on development proposals and deal with any unauthorised development in the District.
- 3.3 The Planning Officers determine around 1500 applications each year. The process of determining a planning application involves important stages of consultation and community involvement, which are described in the following paragraphs. Some planning applications are "delegated"<sup>1</sup> which means that the Planning Officer decides the outcome, whilst "Major" and certain other applications are determined by the Planning Committee.

#### What Planning Applications does North Yorkshire County Council determine?

- 3.4 As part of a two-tier system of Local Government, North Yorkshire County Council is responsible for dealing with planning applications concerning mineral extraction, the disposal of waste, and for applications relating to its own land and buildings. More detail on those is available on the County Council's [website](#).

#### What are the Different types of Planning Application?

- 3.5 Planning applications are split into three basic types defined by the Ministry for Housing, Communities and Local Government (MHCLG) as set out in

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<sup>1</sup> Decisions delegated to officers are set out in Part 3 section 3.9.9 of the Council's Constitution <https://www.selby.gov.uk/sites/default/files/Documents/Committees/Other/Part%203%20Responsibility%20for%20functions%20v5%20July%202018.pdf>



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Table 2. Major and Minor applications can be submitted as either an Outline followed by Reserved Matters Applications, or as a Full Application from the start. For more details including guidance and the relevant forms to be used for the many different types of applications determined by Selby District Council, please see [here](#).

**Table 2 – Planning Application Types**

Application Type	Description	
<b>Major</b>	Residential developments of 10 or more dwellings, or a site area of 0.5 hectares or more.  For other proposals, where the floor space being constructed is 1,000 square metres or more, or for a site area of 1 hectare or more.	Applications can be submitted as: <ul style="list-style-type: none"> <li>• Outline</li> <li>• Reserved Matters</li> <li>• Full</li> <li>• Section 73</li> </ul>
<b>Minor</b>	Smaller applications, which do not fall into the category of ‘Other Applications’ for example residential developments of 1-9 dwellings or a site less than 0.5 hectares.	
<b>Other</b>	There are many different other applications which include: <ul style="list-style-type: none"> <li>• householder applications</li> <li>• change of use</li> <li>• work to Listed Buildings</li> <li>• works to trees that are the subject of protection order or in a Conservation Area</li> <li>• advertisements</li> <li>• certificates of Lawfulness</li> <li>• minor amendments</li> <li>• discharge of conditions</li> <li>• Prior Notifications.</li> </ul> See <a href="#">here</a> for the full range of applications.	Prior notification applications follow a different procedure to that of other planning applications, as the case officer is required to give comments on the proposal, rather than to make a formal decision.

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3.6 Planning applications are decided in line with National Planning Policy, the Development Plan for Selby District and relevant material considerations.

### Material Considerations

3.7 A material consideration is a matter that should be taken into account in deciding a planning application. Material considerations can include (but are not limited to):

- Government Policy (such as the National Planning Policy Framework)
- A 5-year supply of housing figure
- overlooking/loss of privacy
- loss of light or overshadowing
- impact on the environment
- effect on listed building or conservation area
- nature conservation
- non-designated heritage assets
- parking
- highway safety
- traffic
- noise
- layout and density of building
- the appearance of a proposal
- disabled persons' access
- other proposals
- other Council priorities
- previous planning decisions (including appeal decisions)

3.8 Some matters cannot be taken into account as they are not planning issues such as:

- the loss of property value
- private disputes between neighbours
- the loss of a private view
- the impact of construction work or business competition.

3.9 These lists are not exhaustive and there may be matters that have not been mentioned.

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### Planning Performance Agreements

- 3.10 A Planning Performance Agreement (PPA) is an agreement between a local planning authority and an applicant to provide a project management framework for handling a major planning application.
- 3.11 The key aims of entering into a Planning Performance Agreement are as follows:
- facilitate development
  - solve problems
  - achieve a high quality development

### What is a Nationally Significant Infrastructure Project (NSIP)?

- 3.12 Nationally Significant Infrastructure Projects are projects that meet certain national thresholds and will be determined by the Planning Inspectorate, not the council. The key stages in the process for determining such applications are explained on the National Infrastructure Planning [website](#)
- 3.13 This process requires the developer to carry out extensive consultation on their proposals before submitting an application, including asking the council to comment on the adequacy of the developer's intended consultation arrangements as set out in their 'Statement of Community Consultation'.

### Making and Submitting a Planning Application

- 3.14 The process of making a planning application is set out in detail on the [Planning Portal](#). The Council's [website](#) sets out advice, guidance and the relevant forms to use when making and submitting a planning application or an application for other types of development.

### Pre-Application Advice

- 3.15 You can also obtain Pre-Application advice from Planning Officers. The benefits of this are:
- a clearer understanding of how national, regional and local policies may influence proposals.
  - an opportunity to improve schemes at an early stage
  - identifying need for specialist input at an early stage

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- a shared understanding of constraints and opportunities
  - agreeing information requirements
  - establishing timescales and explaining administrative processes
  - reducing delays
  - ascertaining if your proposed development is permitted development
- 3.16 Advice on this service and the relevant fees are available [here](#).
- Householders and residents can book appointments to meet Planning Officers at the Access Selby Contact Centre, opening times are located [here](#).
  - Developers of larger schemes need to complete a pre-application advice request form and pay the appropriate fee available [here](#).

### Pre-Application Community Involvement

- 3.17 All applicants are encouraged to do some form of consultation with the public such as neighbouring and nearby properties before they submit a planning application.

#### Encouraging early involvement with neighbours for small scale proposals

- 3.18 For smaller applications, for example house extensions, applicants are encouraged to speak with their neighbours and show them the proposed plans. In their planning application they should include any comments from their neighbours and any changes made to the proposal as a result. There are benefits to early engagement as it can reduce conflict later on in the planning process. These discussions will not affect consultations that the Council may be required to undertake but it could potentially reduce the time taken to gain planning permission.

#### Developer Pre-Application Discussions

- 3.19 Dependent upon the nature and potential impact of a development proposal on the local community, applicants making major proposals, or those likely to have any significant impacts, will need to carry out their own pre-application public consultation.
- 3.20 Planning applications for these proposals will need to be accompanied by a Consultation Statement. Examples of such proposals include:

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- major developments, applications for large scale wind turbines or “windfarms”
  - developments requiring Environmental Impact Assessment which are accompanied by an Environment Statement
  - proposals which depart from the Development Plan
  - any development proposals, which the Council thinks, will have significant implications for planning policy.
- 3.21 The form of consultation needs to be tailored to suit the circumstances of the site, proposal and locality. Developers should discuss and agree with the Council the exact nature of consultation in advance, allowing sufficient time for Planning Officers to comment on the proposed events and appropriate changes that are needed to be made. It is important to note that all pre-application discussions with the Council will be kept strictly **confidential**.
- 3.22 Developers need to be clear and up front with the community about the progress of the application as well as the constraints the proposal will occur.
- 3.23 It is expected that consultations are carried out at an early stage in the design process to allow sufficient time for public consultation comments before the submission of the application.
- 3.24 The type of methods to be employed by potential developers could include the following:
- press adverts
  - community meetings
  - exhibitions (opening hours to include out of office hours)
  - information on village and parish notice boards
  - delivery of explanatory leaflets
- 3.25 The Council expects communities to be offered genuine choice and a real opportunity to influence proposals in these consultation exercises. The Council has been set demanding targets by the Government in determining planning applications within strict timescales. Where developers have submitted significant proposals without undertaking any consultation with the community, the onus will be on them to resolve any public objections within

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the timescale that the Council has to determine the application. Failure to consult may reduce the weight the Council gives to the Consultation Statement and be material to the determination of the application.

- 3.26 For probity reasons (ensuring that decisions are taken in a fair and open manner), the Council's Planning Officers would not normally participate in these public meetings or exhibitions other than to provide background information.
- 3.27 As a minimum, the Consultation Statement submitted with the application should include:
- the residents businesses and local community groups consulted
  - methods and timing of consultation
  - a copy of the consultation details
  - evidence of use of open questions, flexible plans and a range of genuinely different options and choices, including alternative sites
  - a summary of all responses received
  - explanation of how public comments have influenced the design of the proposals
  - evidence of how developers have provided feedback to the Town and Parish Councils, community groups and ward members following their responses
  - explanation of what changes have been made as a result of all community comments
  - where suggestions have not influenced the proposed development the developer should state why these suggestions have not led to a change and information on how this was addressed in the development proposal.

### How do I Submit a Planning Application?

- 3.28 Applicants can submit plans and application forms electronically by:
- using the Council's website link to the [Planning Portal](#)
  - email to [ppu@selby.gov.uk](mailto:ppu@selby.gov.uk)
  - or by using iApply at <https://iapply.co.uk/>

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or by post to: Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT.

- 3.29 The Council will check the information and documents submitted. If all is correct, including the relevant fee, the application will be valid and the applicant or their representative notified. This will then trigger the start of the various consultations to be carried out before the application is considered and the Decision Notice issued. If the planning application is not valid, the Council will inform the applicant, or their representative, of the additional information or correct fee to be provided as necessary to make the application valid.

### How do I find out about Planning Applications in my area?

- 3.30 The Council must follow the statutory publicity requirements for advertising the availability of valid planning applications. Table 3 sets out the type of development and what type of publicity the Council must undertake.

**Table 3 – Statutory publicity requirements for planning and heritage applications**

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

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Type of development	Site notice	Newspaper advertisement	Website
Applications for development which would affect the setting of a listed building, or affect the character or appearance of a conservation area.	X	X	X

Source: <https://www.gov.uk/guidance/consultation-and-pre-decision-matters>

### Site Notices and Neighbour Notification

3.31 Planning Applications are advertised at the site using a luminous yellow A4 sized notice positioned in a visible location, adjacent or close to the site to which it applies.

### Weekly List

3.32 You can view on Public Access a weekly list of planning applications as well as a monthly list of planning decisions [here](#)

### Press Advertisement

3.33 An advert will be placed in a local newspaper appropriate to the location of the planning application.

### Further Information

3.34 For further information see:

- [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015.](#)
- the Government [website](#):

### How do I view Planning Applications?

3.35 You can use the [Public Access](#) to view a planning application and to comment on a planning application. It is a dynamic system constantly being updated with incoming information including plans, technical reports, and responses from consultees, comments from the general public, full details of the Council's ultimate decision and details of any appeal to the Secretary of State.

- You can also see all other comments made on an application on [Public Access](#)
- You can view the details of all current planning applications with supporting documents



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- You can view the details of historic planning applications from 1984, but supporting documentation is only available for those from 2006
- You can also visit our [Customer Contact Centre](#) to look at applications.

### Customer Contact Centre

3.36 Planning Officers offer a Planning Surgery for householder and permitted development queries only at the [Customer Contact Centre](#). The Planning Officer will aim to answer your query verbally and will provide you with written confirmation of the advice given. More information can be found on how to book appointments [here](#).

### What if I can't get access to view a Planning Application?

3.37 We are aware that some people may have difficulty accessing and seeing the planning applications. We encourage you to visit the Customer Contact Centre to view the documents online. Planning application information can also be viewed online at the following libraries:

- Selby Library
- Tadcaster Community Library
- Sherburn and Villages Community Library
- Barlby Library and Community Hub

For further information see [here](#)

### How long do I have to comment?

3.38 All comments on a planning application must be made in writing to us within 21 days from the date of a press notice or site notice appearing. Please be aware that any comments submitted after the 21 day publicity period may not be considered because a decision may have already been made on the planning application.

### How and where do I Comment on a Planning Application?

3.39 You can make comments on planning applications in the following ways:

- Whilst viewing the details of an application through [Public Access](#).
- You will need to register and login before you are able to leave comments and/or receive updates. Your session may "time out" without warning, so for longer messages you may need to compose your comments outside

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the webpage and then copy and paste when you are ready to submit.

Please include the submission date at the end of your comment.

- By e mail to [planningcomments@selby.gov.uk](mailto:planningcomments@selby.gov.uk)
- By post to Development Management, Selby District Council, Civic Centre, Doncaster Road, Selby, North Yorkshire, YO8 9FT

3.40 Submitting your comments via Public Access will ensure that certain key pieces of information are automatically provided. However, if you submit your comments by e mail or post please include the following:

- your name
- your contact address
- the reference number of the application and/or address of the property to which your comments relate

3.41 Please note that we are unable to send an acknowledgement for comments submitted by email or post.

### Does it matter what I think?

3.42 **Yes.** The Council represents all of the community. In knowing your opinions, whether you support or object to the application or whether you just want to make comments, your views can influence the decision of the application. However, planning applications tend to attract a variety of comments. The planning officers can only take account of things that are relevant to planning and the application itself.

3.43 All comments made can be viewed on [Public Access](#)

### Who else does the Council consult with?

3.44 The Council is required to consult with a range of stakeholders as part of the planning application process. These include the general public and statutory consultees. These are set out in the following table:

- **Statutory Consultees on applications for Planning Permission**

Table 2 of <https://www.gov.uk/guidance/consultation-and-pre-decision-matters>

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### What if the Application is Amended, Can I still Comment?

- 3.45 Depending on the scale of the amendments the Planning Officer will decide whether it is necessary to re-advertise and re-consult on the amended plans. Any amended plans will be available to view and comments made on [Public Access](#).

### Why do some Planning Applications go to Planning Committee and others do not?

- 3.46 Officers make many of the decisions on planning applications. This is known as a **delegated decision**. However if there are particular sensitivities the application will then be decided at the Planning Committee. You can view the Council's Scheme of Delegation [here](#). All views will be included in the report for the Planning Committee to consider in deciding the application. An officer report will be provided for each planning application whether it is to be determined by Planning Committee or the decision is delegated to the Planning Officer.
- 3.47 The agenda for the Planning Committee is published five working days before the Committee meeting. The schedule of meetings, agendas and reports are available [here](#). These meetings are held in public every four weeks at the Civic Centre, Doncaster Road, Selby, North Yorkshire, YO8 9FT

### Can I address the Planning Committee?

- 3.48 If an application is to be determined at the Planning Committee, the Council allows those (or their representative) who have made a written representation who have also indicated that they wish to speak at the Committee, to speak at the meeting. However, this is usually ONE speaker representing all the objectors. They will be allowed no more than 5 minutes to speak. The Town or Parish Council as well as the ward member and the applicant also have the right to address the Planning Committee.
- 3.49 The applicant or their representative will also be given no more than 5 minutes to present their views verbally to the Planning Committee. They may use this time to respond verbally to any objection made at the Committee. For

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further information regarding the format for speaking at planning Committee, please see the [Code of Practice for Dealing with Planning Matters](#).

- 3.50 As part of the Council's commitment to keep the planning process transparent and open, the [Code of Conduct](#) for Members and Officers dealing with Planning Matters ensures that decisions are sound on a planning basis.

### What If there is a Site Visit?

- 3.51 In determining some applications, a site visit by the Planning Committee may take place. This is usually held if the Planning Development Manager or Head of Planning in consultation with the Chair of the Planning Committee considers it would assist Councillors in reaching a decision. The procedures for attending and participating at the site visit are set out in the [Code of Practice for Members and Officers](#). Members of the Planning Committee can not engage in open discussions with the applicant or their representative or with any other people present.

### How do I find out the Decision?

- 3.52 We publish decisions about applications when they are made. You can find out if an application has been accepted or refused. We also publish the reasons why. All of this information is included on [Public Access](#)
- 3.53 If the planning application was considered at Committee, you may also see the decision in the [published minutes](#) for Planning Committee.

### What if there is an Appeal?

- 3.54 Appeals can be made by the applicant against a refusal of planning permission or other consent, the conditions attached to the application, for non-determination of the application by the Council or for costs. <https://www.gov.uk/topic/planning-development/planning-permission-appeals>
- The applicant has the right to appeal to the Secretary of State. There is no third party right of appeal against refusals of planning permission or other consents. The Council will notify any individual or organisation originally consulted, or who has made any comments or objections by email (if provided) or by post when an appeal is lodged. All comments and objections

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are passed on to the appointed Inspector for their consideration. This is a separate process. More information relating to the appeals process and how to be involved can be found on the [Government website](#) and the [Planning Inspectorate website](#).

### Discharge of Conditions

3.55 Conditions may be attached to a Notice of Planning Permission. An application for approval of the details reserved by such a condition will be necessary for a specified aspect of the development which was not fully described in the original application. These details need to be submitted for approval as set out in the Notice of Planning Permission. As such, an application for approval of details reserved by a condition is not an application for planning permission or listed building consent so there is no opportunity for further comment. Applications for approval of details reserved by a condition in a planning permission should be made in writing. Further details can be found [here](#).

### Section 73 Applications

3.56 Section 73 of the Town and Country planning Act 1990 allows for applications to be made for permission to develop without complying with a condition(s) imposed. Section 73 also provides for retrospective planning applications to be made with respect to development that has already taken place without planning permission and for applications to authorise development which has been carried out without complying with a condition(s). There will be opportunity to comment on Section 73 Applications. Further details can be found [here](#).

### Non-Material Changes

3.57 Sometimes following the granting of planning permission it may be necessary to make some changes. Whether or not a proposed amendment is non-material will depend on the circumstances of the case – a change which may be non-material in one case could be material in another. There is no statutory definition of non-material, but the Local Planning Authority must be satisfied that the amendment sought is non-material in order to grant an

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application. If you are uncertain, as a developer, you may wish to seek [pre-application advice](#). There are no opportunities for commenting on non-material amendments applications.

### What if I think something has been built or someone is carrying out an activity without planning permission?

- 3.58 When a person or developer carries out development without planning permission the Council has a duty to consider what action is needed.
- 3.59 As a local planning authority, we have the power to take action against breaches of planning control if development has occurred without the necessary planning permissions. We also have the power to take action against unauthorised works to a protected tree or a tree in a conservation area.
- 3.60 We will investigate whether there is a breach, establish what harm is caused as a result of it and then how the situation can be remedied. Immediate enforcement action is sometimes necessary, however in most cases planning authorities allow a person reasonable time to remedy the situation. This may mean submitting a retrospective planning application, removing an unauthorised structure or stopping any unauthorised use. For further information on the Planning Enforcement service please see the [Planning Enforcement Management Plan 2018](#).
- 3.61 A breach may also occur if planning permission has been granted, but the conditions attached to the permission are not being complied with. This is a breach of condition.

#### What we can investigate:

- unauthorised building
- unauthorised changes of use
- unauthorised works to a listed building
- display of unauthorised advertisements/signage
- untidy land
- unauthorised works to protected trees
- unauthorised works to trees in a conservation area

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- breach of conditions
- high hedge issues

### What we cannot investigate:

3.62 Selby will investigate most disputes however the following cannot be investigated by enforcement:

- breaches occurring on or within a public highway. Please contact [North Yorkshire Highways](#) on 01609 780780
- boundary disputes
- internal alterations to houses (unless it is a Listed Building). Please contact the [North Yorkshire Building Control Partnership](#) on 01347 822703

### Making a complaint about a Breach of Planning Control

3.63 If you would like to make a complaint regarding a possible breach of planning control, fill in our [enforcement complaint form](#) or download a [complaint form](#), returning it to either:

- email: [planningenforcement@selby.gov.uk](mailto:planningenforcement@selby.gov.uk)
- or by mail to:  
Selby District Council, Planning Enforcement, Civic Centre, Doncaster Road, Selby, YO8 9FT

ALL COMPLAINANT DETAILS ARE KEPT STRICTLY **CONFIDENTIAL**

### Can I Appeal against an Enforcement Notice?

3.64 You can appeal to the Secretary of State against an Enforcement Notice served on you or your business. All details regarding the Enforcement Notice are passed on to the appointed Inspector for their consideration. This is a separate process. More information relating to the appeals process can be found on the planning Inspectorate [website](#).