

Statement setting out the general information on Town and Country Planning (including Neighbourhood Planning) and the Referendum.

The Planning System

Planning ensures that the right development happens in the right place at the right time, benefiting communities and the economy. It plays a critical role in identifying what development is needed and where, what areas need to be protected or enhanced and in assessing whether proposed development is suitable.

Selby District Council, as the local planning authority, is responsible for deciding whether a development should be permitted within the District¹.

National Planning Policy Framework (NPPF)

The NPPF was published in February 2019. It sets out the Government's planning policies for England and how these are expected to be taken into account by communities when preparing neighbourhood plans and by local councils when drawing up local plans and making decisions on planning applications. At the heart of the NPPF is a presumption in favour of sustainable development and this has to be reflected in plans, both at a district level and a neighbourhood level.

Local Plan

Local Planning Authorities must prepare a local plan for their administrative area which sets out the opportunities for development and clear policies on what will or will not be permitted and where. They must be positively prepared, justified, effective and consistent with the NPPF. As part of the development plan, local plans are very important when deciding planning applications.

In Selby District the Local Plan currently comprises:

- **Selby District Core Strategy Local Plan (2013)**

The Core Strategy sets out the overall planning strategy for Selby and the strategic policies to guide development and shape the growth of the District.

- **Selby District Local Plan (SDLP) (2005)**

The SDLP contains a number of 'saved' detailed policies (which were not replaced, or amended by, policies in the Core Strategy) which remain part of the Council's planning policies until replaced.

Other Development Plan Documents

- **Minerals Local Plan (1997) and Waste Local Plan (2006)**

These are prepared by North Yorkshire County Council and the policies have been 'saved' until they are replaced by a new Minerals and Waste Local Plan which is currently in preparation.

- **East Inshore and East Offshore Marine Plan (2014)**

¹ Other than minerals and waste development which is the responsibility of North Yorkshire County Council.

These are prepared by the Marine Management Organisation.

- **Policy E8 of the North Yorkshire Structure Plan**

This is the saved policy relating to the designation of the York Green Belt.

- **Community Infrastructure Levy**

A charging schedule for new development adopted by Selby District Council.

- **Adopted Neighbourhood Plans**

Any “Made” Neighbourhood Plans in the District.

Neighbourhood Planning

Neighbourhood planning was introduced under the Localism Act (2011) to give members of the community a more hands on role in the planning of their neighbourhoods. When adopted by the Local Planning Authority, a neighbourhood plan is part of the Development Plan.

Parish Councils or neighbourhood forums (community groups that are designated to take forward neighbourhood planning in areas without parishes) can now use neighbourhood planning powers to establish general planning policies for the development and use of land through the preparation of a neighbourhood plan (sometimes referred to legally as ‘Neighbourhood Development Plans’).

As part of the legislation governing neighbourhood plans, there is a requirement that neighbourhood plans meet a number of ‘Basic Conditions’ to ensure they are legally compliant and take account of wider policy considerations.

The Basic Conditions state a plan must:

- Have regard to national policy and guidance from the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policy of the development plan (i.e. Core Strategy) for the local plan area; and
- Be compatible with EU obligations and human rights requirements.

Once drafted, a neighbourhood plan is required to undergo an independent examination. The appointed examiner will check that the neighbourhood development plan meets the basic conditions before recommending that it proceeds to a local Referendum. This ensures that Referendums take place when proposals are clear, deliverable and sustainable.

Church Fenton Neighbourhood Development Plan 2020-2027

The Church Fenton Neighbourhood Development Plan (CFNDP) was produced by the Parish Council (as the qualifying body), in consultation with the local community for the whole of the Parish of Church Fenton.

The CFNDP Submission Draft (2020) underwent a period of consultation and was submitted for examination. An Independent Examiner was appointed (Mr Andrew Ashcroft) by the Council, in agreement with the Parish Council.

Selby District Council received the Examiner's Report on the CFNDP on 5 May 2021. The Examiner concluded in his report that the CFNDP met the Basic Conditions and other legal requirements and recommended that the CFNDP, subject to a number of recommended modifications, should proceed to Referendum.

The Examiner also considered whether the referendum area should be extended beyond the designated area to which the CFNDP relates. The Examiner states that the CFNDP as modified has no policy or proposals which are considered significant enough to have an impact beyond the designated neighbourhood plan boundary, requiring the referendum to extend to areas beyond the CFNDP boundary.

Following receipt of the Examiner's Report Selby District Council, as the local planning authority, must outline what action to take in response to the recommendations of an examiner and proceed to Referendum. For the reasons given by the Examiner the Council is satisfied that the CFNDP meets the Basic Conditions and have agreed to accept the Examiner's recommendations and progress the CFNDP to Referendum.

Referendum

The CFNDP will be subject to a Referendum which is to be held on 3 August 2021. Those who are registered electors in the neighbourhood plan area will be entitled to vote in the Referendum and will receive a Poll Card shortly. Further information on the conduct of the Referendum, including deadlines for registration, postal and proxy votes can be found on the 'Notice of Referendum'.

If the CFNDP receives a 'Yes' from more than 50% of those eligible to vote, the CFNDP will be 'made' (or brought into effect) by Selby District Council as soon as practicable. The CFNDP will then become part of the Development Plan and together with the adopted Core Strategy (and remaining saved SDLP policies) will be the starting point for the determination of planning applications in the Parish of Church Fenton.

The Referendum will pose the following question:

'Do you want Selby District Council to use the Church Fenton Neighbourhood Development Plan to help it decide planning applications in the Church Fenton Neighbourhood Area?'