



NEIGHBOURHOOD PLANNING GUIDANCE

A guide for local communities

March 2020



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Aim of this document

This guidance note is aimed at local communities who wish to develop a Neighbourhood Plan for their area and to provide support and guidance on the processes involved.

What is Neighbourhood Planning?

Neighbourhood Planning was introduced by the Localism Act in 2011 and gives local communities new rights to shape and plan their neighbourhoods.

There are two main parts to neighbourhood planning: Neighbourhood Plans and Neighbourhood Development Orders (including Community Right to Build Orders). This document will focus on the production of Neighbourhood Plans.

Why prepare a Neighbourhood Plan?

A Neighbourhood Plan sets out planning policies to guide future development and gives communities direct power to develop a shared vision for their area.

A Neighbourhood Plan allows a community to set out where they want new homes, shops and offices built; have their say on what those new buildings should look like; and determine what infrastructure should be provided.

Neighbourhood Plans provide a powerful set of tools for local people to ensure that they get the right types of development for their community.

Who is involved?

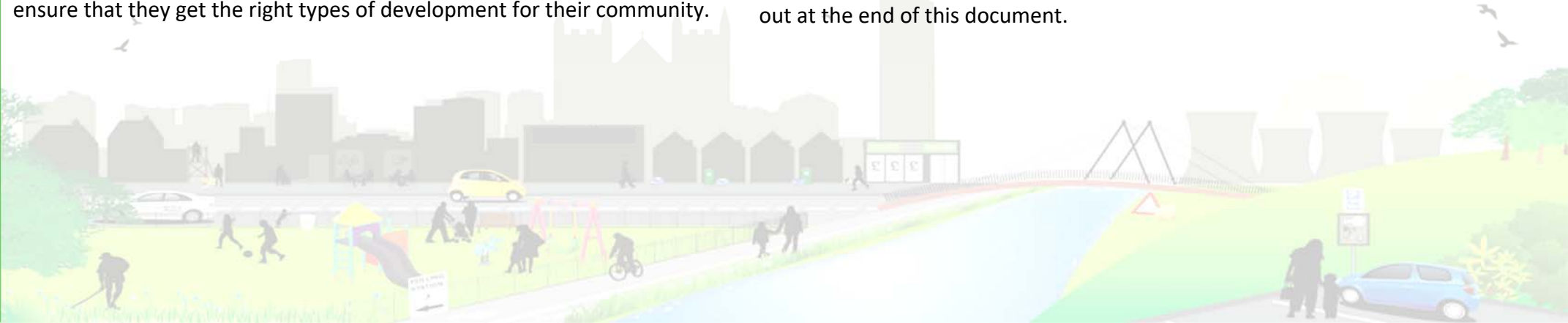
Parish or Town Councils will initiate and lead on a Neighbourhood Plan and will need to involve a wide variety of interests in the preparation of a plan, including:

- Residents
- Elected members
- Community groups
- Landowners
- Businesses
- Developers
- Special interest groups
- Others as required

The Council have a duty to support Parish and Town Councils who prepare a Neighbourhood Plan and will seek to build an open and constructive working relationship. Further details are set out on pages 5 & 6 of this document.

Costs

There will be costs associated with preparing a Neighbourhood Plan. Costs will vary depending on the complexity and size of the Neighbourhood Area. Costs can be incurred through the hiring of rooms for meetings and consultation events, publicity, professional fees and the development of an up-to-date evidence base. Details of organisations which may be able to assist in the costs associated with preparing a Neighbourhood Plan are set out at the end of this document.



The Development Plan for Selby

All Neighbourhood Plans must meet the 'basic conditions' set out in planning law. This will be tested through an independent examination. The basic conditions state Neighbourhood Plans must:

- Have regard to national policy;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies in the Development Plan for the local area; and
- Be compatible with EU obligations.

The Development Plan for the Selby District comprises of the following:

- Selby District Core Strategy Local Plan (2013)
- The 'saved' policies from the Selby District Local Plan (2005)
- The 'saved' policies from the North Yorkshire Waste Local Plan (2006)
- The 'saved' policies from the North Yorkshire Minerals Local Plan (1997)
- East Inshore and East Offshore Marine Plan (2014)

Core Strategy 2013

The Core Strategy was adopted in 2013 and sets out the long-term strategic vision for how the District will be shaped by setting out a number of broad policies to guide development to 2027.

Selby District Local Plan 2005

The Selby District Local Plan was adopted in 2005 and provides detailed policies for managing development across the District. A number of policies have since expired or have been replaced by Core Strategy policies. However, the remaining 'saved' policies continue to be used in making planning decisions until such time that they are replaced by new policies.

New Selby District Local Plan

Selby District are currently preparing a new Local Plan which will help to ensure that the Council has a development plan for the whole district, in line with current national planning guidance, which properly reflects its Economic Strategy and Corporate Priorities.

Consultation on the initial "Issues and Options" was undertaken in early 2020 which asked for comments on key issues and alternative options for growth. The plan is expected to be adopted in 2023 and will replace both the Core Strategy and the 'saved' policies in the 2005 SDLP.

The development plan documents listed above are available to view on our website: www.selby.gov.uk/planning-policy



Support from Selby District Council

Working Relationship

We will seek to build an open and constructive working relationship with the Town/Parish Council as the qualifying Neighbourhood Plan body, to ensure we:

- Respect each other's views, and where different, ensure proper understanding of the reasons for such differences
- Have a 'no surprises' policy, based on early involvement at specific stages
- Minimise duplication of activity wherever possible

Support and advice

In addition to undertaking our statutory obligations on Neighbourhood Planning, we will make the following provision for advice and assistance (where reasonable):

- Provide a named officer as first point of contact for advice and technical support
- Provide mapping services, access to GIS datasets and printing services
- Provide advice on general conformity with the Local Plan and national planning policy
- Provide electronic access to policy and evidence base documents
- Signpost to other sources of assistance, such as funding sources and relevant regulations

Furthermore, we will attend your Neighbourhood Plan stakeholder meetings, specifically where officer input is required. Please note it is not anticipated that Selby District Council officers will attend every meeting.

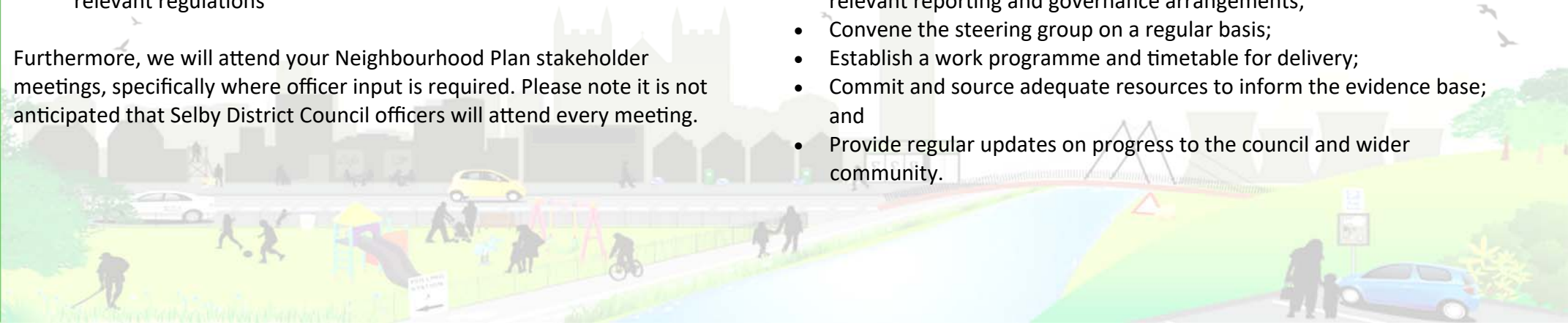
Whilst the Council will work with communities to support them through the Neighbourhood Planning process, they will not:

- Write documents
- Undertake survey work
- Attend every meeting
- Attend every consultation event
- Provide direct financial support
- Provide legal advice
- Provide secretarial services

Town/Parish Council responsibilities

As the qualifying body, the Town or Parish council will initiate and lead the Neighbourhood Plan process. It is important that a Neighbourhood Plan is not prepared in isolation and the wider community must be involved throughout the process. Engagement will need to cover all residents, including community groups, relevant statutory agencies (North Yorkshire Highways, Environment Agency etc.), local businesses, landowners and any other potentially interested party who may live or work within the area. Furthermore, it is important to engage with 'hard-to-reach' groups who may have specific needs which should be reflected in the plan. The qualifying body will be expected to:

- Establish a steering group to develop the Neighbourhood Plan with relevant reporting and governance arrangements;
- Convene the steering group on a regular basis;
- Establish a work programme and timetable for delivery;
- Commit and source adequate resources to inform the evidence base; and
- Provide regular updates on progress to the council and wider community.



Key responsibilities and working together

Selby District Council Key responsibilities and support

Responsibilities

- 'Duty to support' Parish/Town Council
- Designate Neighbourhood Area and undertake consultation
- Publicise documents in line with regulations
- Provide advice on compliance with statutory and EU regulations (Development Plan, SEA/HRA requirements)
- Provide examiner with representations
- Fund and arrange independent examination
- Consider examiner's recommendations
- Fund and organise referendum.
- 'Make' (adopt) the Plan

Support

- Provide a named officer as first point of contact for advise and technical support
- Attend and advise at steering group meetings a required
- Provide links to funding and support
- Provide access to Local Plan evidence base documents
- Provide mapping services

Working together

- Cooperation
- Support
- Transparency
- Face-to-face contact
- Plain English
- Building trust
- Understanding
- Learning lessons
- Solution-focussed

Parish/Town Council Neighbourhood Plan Group Key responsibilities

- Identify need to undertake a Neighbourhood Plan
- Identify key issues and establish vision
- Submit neighbourhood area application
- Consult with local community, businesses and other interested parties
- Prepare evidence base to support approach and proposed policies
- Undertake pre-submission consultation in line with relevant regulation
- Ensure compliance with relevant statutory and EU regulations
- Submit draft plan to Council for independent examination

Neighbourhood Plan Process

There are 3 main stages to producing a neighbourhood plan. These are:

Stage 1: Getting established

- Designation of the Neighbourhood Area
- Building an evidence base
- Publicity and early engagement

Stage 2: Preparing the plan

- Drafting the plan
- Meeting the basic conditions
- Pre-submission consultation

Stage 3: Submission and 'making' the plan

- Submission
- Publicity
- Independent examination
- Referendum & 'making' the plan

We want to build strong links with Town and Parish Councils wishing to undertake a Neighbourhood Plan and would strongly advise a number of meetings are held with ourselves prior to submitting an application.

STAGE 1: GETTING ESTABLISHED

Selby District contains no non-parish areas and as such all Neighbourhood Plans will be led by the relevant Town or Parish Council, as the qualifying body.

Designation of a Neighbourhood Area

The first step for a Town or Parish Council wanting to proceed with a Neighbourhood Plan is to submit the proposed Neighbourhood Area to the Council for designation. The Neighbourhood Area must be one that includes the whole, or any part of the area, of the parish. It is possible to work with neighbouring parishes to produce a plan for a wider area covering two or more parishes. However the lead Town or Parish council is only authorised to prepare a plan if the other Town or Parish Council(s) have given their consent.

In making a Neighbourhood Area application, the following must be provided:

- A plan showing the boundary of the proposed Neighbourhood Area;
- A statement that explains why the community consider that their proposed area is appropriate to be a Neighbourhood Plan area; and
- A statement that the organisation making the area application is a relevant body.

Neighbourhood Area Application guidance

To assist Town and Parish Councils wishing to make an application to be designated a Neighbourhood Area we have prepared a guidance note to support your submission which is available to download on our website.

- <https://www.selby.gov.uk/neighbourhood-planning>

Once a Neighbourhood Area submission has been made to the council we will advertise the submission for a 6 week period.

Following this consultation period the council will determine the application within the following timescales:

- 8 weeks - where the proposed Neighbourhood Area is the whole of the town/parish area;
- 20 weeks - where the proposed Neighbourhood Area falls within the areas of 2 or more local planning authorities; or
- 13 weeks - in all other cases (such as where the proposed Neighbourhood Area falls within 2 or more parishes).

The above timescales commence from the date the area application is first publicised for consultation by the Council.

Building an Evidence Base

Once you have a designated Neighbourhood Area the Neighbourhood Plan group can progress with developing the plan.

You will be expected to support the approaches or policies proposed in a Neighbourhood Plan with a robust evidence base. While there are prescribed documents that must be submitted with a Neighbourhood Plan there is no 'tick-box' list of evidence required. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft Neighbourhood Plan.

To support the preparation of your plan, we will be proactive in providing you with information about neighbourhood planning and access to our Local Plan evidence base.

Publicity & Early Engagement

The key principle of neighbourhood planning is that proposals are supported by local people. You will be expected to demonstrate that those who live, work or carry out business in the area have had a good opportunity to influence the content of the plan.

In order to make the process as open and transparent as possible and to ensure wide community involvement, it is advisable to begin with publicity and awareness raising activities, to let people know that a Neighbourhood Plan is proposed. The aim should be to make sure that everyone knows about the plan and has an opportunity to participate.

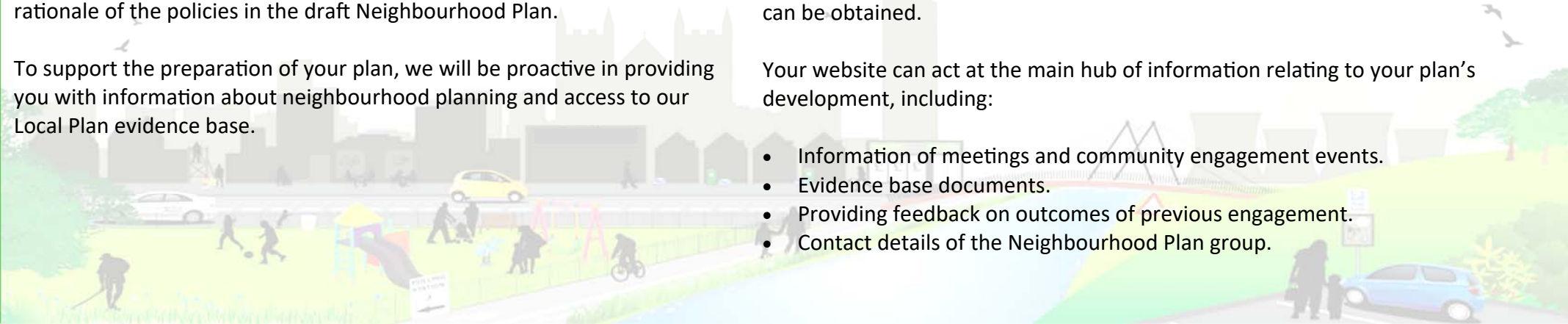
As with evidence gathering, publicity and community engagement should commence from the earliest stage, and will continue throughout the development of your plan.

It is also useful to identify and approach key local stakeholders and any potential partners. There are various reasons why partnership working is useful. Some partners may agree to become part of your Neighbourhood Plan working group. Others may wish to work closely with your group and can help provide information and advice or contribute to the evidence base. Some local groups may help in publicising the plan and getting local people involved, especially minority and hard-to-reach groups.

It is important to create and maintain a Neighbourhood Plan website where all relevant information relating to the progress of your Neighbourhood Plan can be obtained.

Your website can act as the main hub of information relating to your plan's development, including:

- Information of meetings and community engagement events.
- Evidence base documents.
- Providing feedback on outcomes of previous engagement.
- Contact details of the Neighbourhood Plan group.



STAGE 2: Preparing the plan

Drafting the plan

Legislation does not prescribe what a Neighbourhood Plan should look like. It could be a comprehensive document or instead one that focuses on one or two key issues. It could be detailed, or simply set general principles to guide new development. This will depend on the wishes of the community, but will also be influenced by existing policies in the Selby Development Plan.

The task for the Parish or Town Council is to lead and co-ordinate the process of producing a Neighbourhood Plan and to decide how to undertake the work. Although there are no rules about how you organise neighbourhood planning in your area it is good practice to:

- **Establish a steering group to lead in the preparation of the plan**
This would likely comprise people who live, work or do business in your community, such as residents, community organisation representatives, businesses, landowners and local councillors.
- **Establish a working group who can be responsible for drafting the plan and managing engagement with the community and others**
- **Consider who can help with your plan preparation.**
Look at what particular skills could be utilised from those involved (e.g. minute taking, website design, report writing etc.)
- **Establish a work programme**
This will consider what needs to be undertaken at each stage of the process, what resources will be required and timescales for undertaking activities and tasks.
- **Establish a communications strategy from the outset and how engagement will happen with the wider community**

The following are suggestions for the possible structure and content of your plan:

Introduction: Sets out the status and purpose of the plan.

Vision and Aims: Sets out the overall vision for your area and should include overall aims for the area's future development.

Evidence of the area: An overview of the Neighbourhood Area to provide a useful context for the policies of the Neighbourhood Plan.

Summary of community engagement: Sets out a brief overview of the community engagement undertaken and the key outcomes and issues.

Site allocations: Your plan may allocate sites for specific kinds of development, such as housing, retail, employment or mixed use developments. Alternatively your plan may define areas with which certain development may be located.

Designations: Your plan may look to designate certain assets such as Local Green Space.

Planning policies: A Neighbourhood Plan, once successful at referendum, will form part of the statutory development plan for the area. Planning applications will be determined in accordance with Neighbourhood Plan policies unless other material considerations indicate otherwise. Policies should provide a clear indication of how a decision maker should react to a development proposal. Supporting text that explains the intention behind the policy is helpful.

Proposals Map: It is recommended that a 'Proposals Map' is included in your Neighbourhood Plan which shows areas of land which have been allocated for development (and linked to policies in your plan)

Matters outside of the scope of the neighbourhood plan: A non-statutory part of the plan could be added, perhaps as an annex, describing proposed actions and projects.

Meeting the 'Basic Conditions'

Neighbourhood Plans must meet certain basic conditions before they can come into force. These are tested through independent examination, before a Neighbourhood Plan can proceed to referendum. *The basic conditions are set out in [paragraph 8\(2\) of Schedule 4B to the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.*

To ensure compliance with the 'basic conditions' the following requirements must be met:

- Your plan must be in general conformity with local and national planning policies - *links to the development plan are set out in The Further Support section on page 12;*
- And be in line with relevant laws and legislation (and must not breach and be compatible with EU obligations) and must comply with any specific publicity and consultation requirements;
- If an area is identified in the local plan as a area for growth, neighbourhood plans are unlikely to be supported or make it through the examination process if they are used to block the building of new homes or commercial development. Neighbourhood plans can, however be used to influence the type, design, location and mix of new development;
- All plans must contribute to sustainable development, as set out in the National Planning Policy Framework (NPPF).

Pre-submission consultation

Before the final draft of the plan is submitted to the Council, you are required to consult on the plan for a period of no less than 6 weeks and provide details of where and when the draft plan can be inspected and how representations can be made. You will be required to demonstrate that people who live, work and do business in your neighbourhood have been given an opportunity to comment.

The following bodies must be consulted, if you consider that the plan proposes development that could affect their interests:

- The Coal Authority
- The Homes and Communities Agency
- Natural England
- The Environment Agency
- English Heritage
- Network Rail
- The Highways Agency
- The Marine Management Organisation
- Selby District Council, along with neighbouring local authorities and parish councils

Following the consultation period, all comments received should be analysed and amendments to the plan should be made before submission to Selby District Council.



STAGE 3: SUBMISSION & MAKING THE PLAN

Submission

When you submit your draft Neighbourhood Plan to Selby District Council, the following documents are required to be submitted alongside the plan:

- A map or statement which identifies the area which the proposed Neighbourhood Plan relates to
- A consultation statement, setting out how people have been engaged, what comments have been received and how they have been dealt with
- A statement setting out that the proposed Neighbourhood Plan is in general conformity with national policies and the Selby District Development Plan; that it is compatible with European Union obligations; has special regard to the desirability of preserving any listed building or conservation area; and that it contributes to the achievement of sustainable development.

Publicity

After receiving the submission Neighbourhood Plan, Selby District Council will publicise the plan on its website and through an advertisement which will be placed in a local newspaper. This consultation period will last a minimum of 6 weeks and provides a further opportunity for those that live, work or carry out business in the area to have their say. Comments received by Selby District Council will be passed onto the independent examiner.

Independent Examination

Selby District Council will fund and facilitate the examination of the plan and the independent examiner will be appointed in agreement with yourselves.

The purpose of the examination is to ensure that the plan conforms with the Local Plan, neighbouring plans and national guidance provided in the National Planning Policy Framework (NPPF). It will also check that the plan conforms with European Directives on international nature conservation designations, sustainability, human rights and equalities; and national and international designations (such as Listed Buildings and Conservation Areas)

The examination will also consider comments received during consultation on the plan.

Following the examination, the examiner will publish a report which will propose to Selby District Council one of the following recommendations:

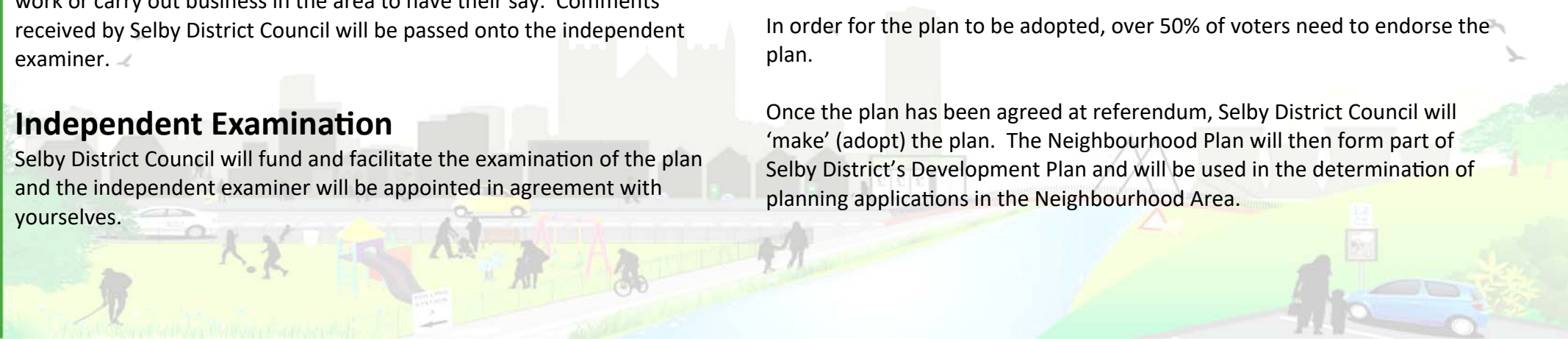
- That the draft plan should proceed to referendum; or
- That it should proceed to referendum, subject to amendments; or
- That the proposed plan should be refused.

Referendum & 'making' the plan

Selby District Council will organise and fund the local referendum on the Neighbourhood Plan. The referendum will normally be open to those that live in the parish area, although in some circumstances it may be extended to a wider area.

In order for the plan to be adopted, over 50% of voters need to endorse the plan.

Once the plan has been agreed at referendum, Selby District Council will 'make' (adopt) the plan. The Neighbourhood Plan will then form part of Selby District's Development Plan and will be used in the determination of planning applications in the Neighbourhood Area.



FURTHER SUPPORT

Selby District Council

localplan@selby.gov.uk

01757 292034

<https://www.selby.gov.uk/neighbourhood-planning>

Development Plan

- Selby District Local Plan 2005
- Core Strategy Local Plan 2013

Available at: <https://www.selby.gov.uk/development-plan>

Planning Advisory Service

<https://www.local.gov.uk/pas/pas-topics/neighbourhood-plans>

Locality

<https://neighbourhoodplanning.org/>

