



## Selby Local Plan

### Pre-Submission Revised Publication Consultation – March 2024

#### Guidance notes to help people making representations at the Pre-Submission Revised Publication stage

#### Introduction

North Yorkshire Council (the Council) as the Local Planning Authority is publishing the revised Selby Local Plan to allow formal representations to be made before it is formally submitted to the Secretary of State for examination.

The purpose of these guidance notes is to help people making representations at this Pre-Submission Revised Publication stage because representations at this stage must relate to specific aspects of the Selby Local Plan explained below.

Representations should be made using the dedicated online consultation website at: <https://selby-consult.objective.co.uk/kse>. If you need any help accessing the portal or submitting your representations on the online consultation portal please contact us using the details at the end of these guidance notes.

These guidance notes are based on the Planning Inspectorate's advice available on their website at: <https://www.gov.uk/government/publications/model-representation-form-for-local-plans/model-representation-letter-for-local-plans>.

The Council plan to submit the Selby Local Plan later this year, to the Secretary of State for independent examination by a planning inspector. The Planning and Compulsory Purchase Act 2004 (as amended) states that the purpose of the examination is to consider whether the Selby Local Plan complies with the relevant legal requirements, including the duty to co-operate, and is sound.

The planning inspector will consider all representations on the Selby Local Plan that are made within the period 8 March 2024 to 4:30pm on 19 April 2024, as set by the Local Planning Authority.

To ensure an effective and fair examination, it is important that the inspector and all other participants in the examination process are able to know who has made the representations on the Selby Local Plan. The Local Planning Authority will therefore ensure that the names of those making representations can be made available (including publication on the Local Planning Authority's website) and taken into account by the inspector.

#### Legal Compliance and Duty to Co-operate

The inspector will first check that the Selby Local Plan meets the legal requirements under s20(5)(a) and the duty to co-operate under s20(5)(c) of the Planning and Compulsory Purchase Act 2004 (as amended) before moving on to test for soundness.

#### Legal Compliance

You should consider the following before making a representation on legal compliance:

The Selby Local Plan should be included in the current Local Development Scheme and the key stages should have been followed. The Local Development Scheme is effectively a programme of work prepared by the Local Planning Authority, setting out the plans it proposes to produce. It will set out the key stages in the production of any plans which the Local Planning Authority proposes to bring forward for



examination. If the Selby Local Plan is not in the current Local Development Scheme it should not have been published for representations. The Local Development Scheme should be on the Local Planning Authority's website and available at its main offices.

The Selby Local Plan is contained within the North Yorkshire Local Development Scheme. The North Yorkshire Local Development Scheme (LDS) for the period 2024 to 2028 came into effect on 7 February 2024 by resolution of the Executive. The LDS sets out the timetable for the Selby Local Plan.

The North Yorkshire (LDS) is available to view on the Council's website at:

<https://www.northyorks.gov.uk/planning-and-conservation/planning-policy/north-yorkshire-local-plan>.

The process of community involvement for the Selby Local Plan in question should be in general accordance with the Local Planning Authority's Statement of Community Involvement. The Statement of Community Involvement sets out the Local Planning Authority's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications.

The North Yorkshire Statement of Community Involvement is available to view on the Council's website at:

<https://www.northyorks.gov.uk/planning-and-conservation/planning-policy>

The Selby Local Plan should comply with all other relevant requirements of the Planning and Compulsory Purchase Act 2004 and the Town and County Planning (Local Planning) (England) Regulations 2012, as amended (the Regulations): <http://www.legislation.gov.uk/uksi/2012/767/contents/made>.

On publication, the Local Planning Authority must publish the documents prescribed in the Regulations and make them available at its principal offices and on its website. The prescribed documents are available to view:

- On the Council's website at: [www.northyorks.gov.uk/selbylocalplan](http://www.northyorks.gov.uk/selbylocalplan) and
- The Council's consultation portal at <https://selby-consult.objective.co.uk/kse> and
- At North Yorkshire Council's principal offices during office hours:
  - Selby Office, Civic Centre, Doncaster Road, Selby, YO8 9FT and
  - County Hall, Racecourse Lane, Northallerton DL7 8AD.

(See: <https://www.northyorks.gov.uk/your-council/get-touch/local-offices> for opening times)

There are also many more supporting documents available on the websites outlined above.

In addition, the prescribed documents and some other key documents are available to inspect at the following locations during their opening hours:

- Barlby Library and Community Hub, Howden Road, Barlby YO8 5JE
- Selby Library, 62 Micklegate, Selby YO8 4EQ
- Sherburn in Elmet and Villages Community Library, Finkle Hill, Sherburn in Elmet LS25 6EA
- Supermobile Library
- Tadcaster Community Library, Station Road, Tadcaster LS24 9JG

(See: <https://www.northyorks.gov.uk/leisure-tourism-and-culture/libraries/local-libraries> for opening times)

The Local Planning Authority must also notify the various persons and organisations set out in the Regulations and any persons who have requested to be notified.



The Selby District Local Plan Statement of Consultation sets out who was notified at what stage of plan preparation and how they were notified as well as a summary of the comments / representations received and how the Selby Local Plan was altered as necessary. The Selby District Local Plan Statement of Consultation is available to view on the consultation portal: <https://selby-consult.objective.co.uk/kse>

The Local Planning Authority is required to provide a Sustainability Appraisal (SA) Report when it publishes a local plan. This should identify the process by which the SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. SA is a tool for assessing the extent to which the Selby Local Plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.

The Selby District SA is available to view at the Council offices and libraries listed above and on the consultation portal and the Council's website [www.northyorks.gov.uk/selbylocalplan](http://www.northyorks.gov.uk/selbylocalplan). The Council has also undertaken a Habitats Regulations Assessment of the Plan, and the report is available at the same locations as the Sustainability Appraisal.

### ***Duty to Co-operate***

You should consider the following before making a representation on compliance with the duty to co-operate:

Section 33 of the Planning and Compulsory Purchase Act 2004 (as amended) requires the Local Planning Authority to engage constructively, actively and on an ongoing basis with other planning areas and other prescribed bodies on any strategic matters affecting more than one planning area, during the preparation of the Selby Local Plan. The Local Planning Authority will be expected to provide evidence of how they have complied with the duty. Compliance with the duty to co-operate cannot be rectified after the submission of the Selby Local Plan. Therefore, the inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the inspector cannot recommend adoption of the Selby Local Plan. The Selby Duty to Co-operate statement which sets out how it has complied with the duty is available to view on the consultation portal at: <https://selby-consult.objective.co.uk/kse>

### **Soundness**

The Tests of Soundness are set out in paragraph 35 of the National Planning Policy Framework (2023). Local plans are sound if they are:

- i. ***Positively prepared***: providing a strategy which, as a minimum, seeks to 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;
- ii. ***Justified***: an appropriate strategy taking into account the reasonable alternatives, and based on proportionate evidence;
- iii. ***Effective***: 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; and
- iv. ***Consistent with national policy***: enabling the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework and other statements of national planning policy, where relevant.



If you think the content of the Selby Local Plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy?
- Is the issue with which you are concerned already covered by another policy in this plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

### General advice

If you wish to make a representation seeking a modification to a Selby Local Plan policy or other part of the Plan you should set out clearly in what way you consider the Selby Local Plan or part of the Plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria above.

Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the Selby Local Plan should be modified. You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the Selby Local Plan has been submitted for examination may only be made if invited by the inspector, based on the matters and issues they identify.

Where groups or individuals share a common view on the Selby Local Plan, it would be very helpful if they would make a single representation which represents the view, rather than a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

Only those seeking a change to the Selby Local Plan within the deadline set by the Council for Revised Publication responses (4.30pm on 19 April 2024) have a right to appear and be heard at a hearing session(s). In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process. Attendance and participation at the examination is at the invitation of the inspector.

The Planning Inspectorate have provided guidance and advice on taking part in local examinations. Please see the Planning Inspectorate website for further information: <https://www.gov.uk/guidance/taking-part-in-local-plan-examinations>.

### Further Information and Help

If you have any further questions or need any help with submitting representations on the online consultation portal at: <https://selby-consult.objective.co.uk/kse>

please contact the Planning Policy Team at:

<https://www.northyorks.gov.uk/your-council/get-touch/contact-us>

or telephone: 0300 131 2 131.