



# Involving People in Planning

## Statement of Community Involvement

This statement explains how the Authority's commitment to involving people, communities and organisations in its development of planning policies and making of decisions on applications for planning consent.

**[Interim Version - April 2020]**

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## Note on Interim Statement of Community Involvement - April 2020 Version

This interim Statement of Community Involvement [SCI] was approved by the Authority Planning Committee on 9 April 2020. It has been prepared following the Government's announcement on 23 March that all non-essential workers should stay at home to help avoid the spread of the corona virus. This means for the period of the corona virus outbreak the Authority's planning function will be undertaken along the principle of '**100% E-Planning.**'

This has meant some changes to the decision-making roles and consultation methods used by the Authority. In summary:

- **Decision-making.** All decisions on planning applications will be delegated to the Director of Planning and Chief Executive for the period 9<sup>th</sup> April – June 5<sup>th</sup>. There is an expectation to hold a virtual remote full planning committee on the scheduled date of 21<sup>st</sup> May with IT enabled public participation including public speaking on planning applications.
- **Contact.** Pre-application discussions or discussion on submitted planning applications will be carried out by email, video link, or phone only. Applicants and the general public phoning the office will hear an automated message asking them to contact the Authority by email to ask whether they wish to be contacted by planning officers by email or phone;
- **Parish Councils.** Notification of planning applications to Parish Councils will be by email only;
- **Local consultation.** No neighbour notifications by direct letter will take place over this temporary period.
- **Site notices.** These will be sent to agents or applicants who will be expected to display them prominently. The Authority will request photographic proof that this has been done. Site Notices will also be sent to Parish Councils asking them to be displayed on village notice boards and sent to any relevant party.
- **Site visits.** Only external site visits will be carried out, where possible, by officers, with the prior agreement of the site owner. Officers will obey social distancing principles and it will be at the discretion of both the officer and applicant/owner as to whether a visit can be completed. The overriding factor in this decision is the health and safety of both the officer and the applicant/site owner;
- **Payments.** These must be made electronically via the BACS system.
- **Planning Policy Consultation.** The Authority will not carry out any new public consultation events whilst the social isolation rules are in place.

The Authority will do its utmost to continue to run an efficient planning service during these difficult times, and we ask for the co-operation of applicants and all those participating in the planning process in assisting the Authority to achieve this.

The Authority's Planning Committee also resolved on 9 April that once movement restrictions have lifted the Authority will revert to using the December 2018 version of its Statement of Community Involvement.

'**Tracked changes**' through the remainder of this document show how interim arrangements will operate.



# 1. Introduction

- 1.1 As a National Park Authority we are strongly committed to public involvement in all of our work. We believe that involving residents, businesses and communities is not only right in itself but also leads to a better planning process and better-informed decisions.
- 1.2 The Statement is not intended to set out rigid procedures or fixed processes but rather to describe our approach and suggest appropriate ways in which people and communities may be involved at different stages. We will use it at all times as a guide in preparing planning policy and considering planning applications.
- 1.3 This Interim Statement of Community Involvement was published in April 2020 to temporarily replace the previous version updated in 2018 in order to reflect new legislation brought in by the Neighbourhood Planning Act 2017. ~~It~~ which replaced the previous version published in 2014. This was is not a completely new document, but focused changes in response to the Act. Changes are predominantly within the 'Neighbourhood Development Plans' section (Section 4), where the Authority must now specify the support and advice available to Neighbourhood Planning Groups wishing to make a Neighbourhood Development Plan. It also fulfils the statutory requirement in Section 10A of the 2012 Local Plan Regulations (as amended in 2017) that Statements of Community Involvement must be reviewed every five years. Finally, it includes the most recent circumstances under which decisions on planning applications are delegated to officers. This interim version (April 2020) has been produced in response to revised working arrangements necessary since the outbreak of the corona virus. It will be withdrawn and replaced with the previous December 2018 version once the Government announces that restrictions on movement are no longer in place.
- 1.4 The document is split into four parts:
- General Principles – which sets out the general principles of consultation and involvement and provides a summary of the different methods of consultation;
  - Planning Policy – which sets out how communities can comment on and influence planning policy;
  - Neighbourhood Planning – which sets out how the Authority will carry out its duty to support neighbourhoods producing their own neighbourhood plan;
  - Development Management – which sets out how communities can comment on and influence planning applications.



Interim Statement of Community Involvement 2020

## 2. General Principles

2.1 The following principles of consultation will be followed in relation to any planning related consultation exercise we will:

- Meet minimum legal requirements for consultation, exceeding these where practical and reasonable to do so and resources allow;
- Ensure that consultations are open to everyone, although more specialist or technical consultations may be targeted at specific groups;
- Ensure that consultations are clear and in plain English where possible, whilst recognising that technical content may be needed in some cases;
- Allow sufficient time for people to respond to / be involved in consultations;
- Be clear about what is open for consultation;
- Make efficient use of the Authority's and consultees' time and resources;
- Use electronic forms of communication wherever possible provided this is appropriate for the consultee and the nature of the consultation;
- Keep those who get involved informed of progress.

2.2 There are a number of ways in which consultation can be carried out and publicised, a brief account of some of these is given below:

- Letters and emails to consultees – these will directly alert likely interested parties to the consultation being carried out. Whilst contact is currently still made via letter to some consultees, we are aiming to become more reliant on electronic forms of communication.
- The Authority's website ([www.northyorkmoors.org.uk](http://www.northyorkmoors.org.uk)) – can provide full details of a consultation including electronic versions of the consultation documents and online response forms. The website contains space for direct links to consultations from the planning home page to ensure that a wide audience is aware of the consultation.
- Press releases – if an article appears in the press, on the radio or on a news or interest website this is likely to reach a relatively large audience, but the content of the article or broadcast is at the discretion of the media organisation.
- Moors Messenger – this is the Authority's own publication which is sent to all households and businesses in and around the National Park in November and May each year and enables us to communicate with every resident.
- Drop-in sessions – these provide an opportunity for interested parties to discuss the consultation with officers from the Authority and/or others such as applicants. These may be linked to existing groups / meetings which take place across the Park.
- Press adverts – these provide limited but specific details of consultations and potentially reach a wide audience in and around the National Park.

- Social media (for example Twitter or Facebook) – These can alert a potentially wide audience (in interest and location) to a consultation, although can usually only contain a limited level of detail and will often feature a link to our website where more information will be held.

### 3. Planning Policy

- 3.1 The Authority produces a collection of documents which are used as the basis for taking decisions on planning applications. These include Local Plans<sup>1</sup> and Supplementary Planning Documents. Any Local Plans produced by us form the Development Plan and planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Supplementary Planning Documents add further detail to policies contained within Local Plans and are a material consideration which can be taken into account in determining planning applications. We also produce Planning Advice Notes which provide technical advice to accompany Local Plans and Supplementary Planning Documents.
- 3.2 Local Plans and Supplementary Planning Documents must be prepared in accordance with the relevant regulations in force<sup>2</sup>. These regulations will set out the required procedures for consultation, but these are often viewed as minimum requirements.
- 3.3 The table below summarises the possible stages in Local Plan and Supplementary Planning Document preparation, depending upon the nature of the plan being produced and the regulations in force at the time. This table provides an idea of how we may engage with communities and interested parties throughout plan production. Whilst the Authority sees involvement of others as an ongoing and integral part of the process of plan preparation, there are specific stages when we will actively seek to engage and consult with interested parties.

Stage of Plan production	Possible groups involved	Possible method of involvement / consultation
<b>Local Plans</b>		
Evidence gathering	Bodies with technical knowledge Adjoining planning authorities <sup>3</sup>	Discussions Email / letter
Identifying issues	Residents / businesses Interest groups Statutory bodies	Email / letter Press release Website

<sup>1</sup> At the time of producing the Statement of Community Involvement the Authority's Local Plan is the Core Strategy and Development Policies 2008 which was produced as part of a Local Development Framework under former legislation and guidance. A new Local Plan is being prepared.

<sup>2</sup> The regulations in force at the time of producing the Statement of Community Involvement are the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended.

<sup>3</sup> This includes the adjoining District and Borough Councils and North Yorkshire County Council

	Parish Councils / Meetings Adjoining planning authorities	Social media Moors Messenger Drop-in sessions
Options	Residents / businesses Interest groups Statutory bodies Parish Councils / Meetings Adjoining planning authorities	Email / letter Press release Website Social media Moors Messenger Drop-in sessions
Draft Plan	Residents / businesses Interest groups Statutory bodies Parish Councils / Meetings Adjoining planning authorities	Email / letter Press release Website Social media Moors Messenger Drop-in sessions
Publication <sup>4</sup>	Residents / businesses Interest groups Statutory bodies Parish Councils / Meetings Adjoining planning authorities	Email / letter Press release Website Social media Moors Messenger
<b>Supplementary Planning Documents</b>		
Evidence gathering	Bodies with technical knowledge	Discussions Email / letter
Identifying issues	Residents / businesses Interest groups	Email / letter Press release

<sup>4</sup> This stage is required under the current regulations and requires the Authority to consult on whether the Plan is 'sound.'

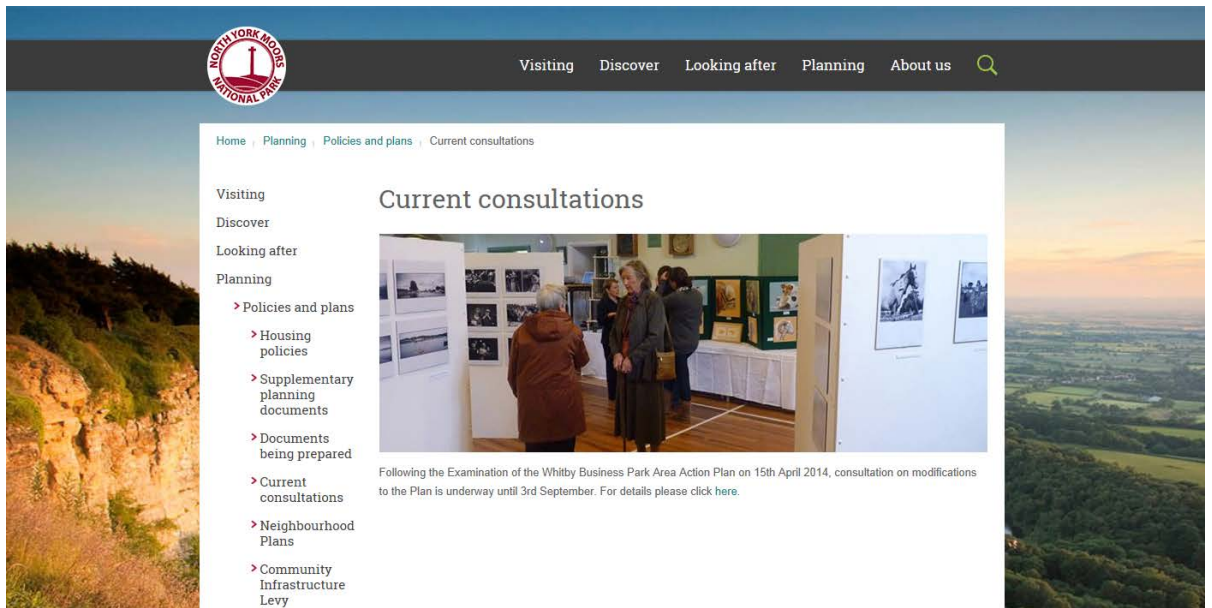


	Statutory bodies Parish Councils / Meetings Adjoining planning authorities	Website Social media Moors Messenger Drop-in sessions
Draft Supplementary Planning Document	Residents / businesses Interest groups Statutory bodies Parish Councils / Meetings Adjoining planning authorities	Email / letter Press release Website Social media Moors Messenger Drop-in sessions



- 3.4 Planning policy consultations will normally be held for a minimum period of six weeks. Opportunities to submit comments online or electronically will be made available wherever possible.
- 3.5 The Authority does not currently consult on the content of its Planning Advice Notes which cover topics of a technical and factual nature.
- 3.6 Planning policy documents can be lengthy and technical (particularly the required supporting documents such as Sustainability Appraisal and Habitats Regulations Assessment) and the Authority may produce a summary where this does not detract from the messages in the full document.
- 3.7 Whilst we aim to carry out planning policy consultations electronically through making documents available on the website and communicating via email, paper copies or copies in other formats, such as large print or Braille, can be made available on request.
- 3.8 Following consultation, once we have had an opportunity to consider all of the responses received, a summary of the responses and an indication of how they have been

addressed will normally be made available (except where the volume of responses received renders this task unfeasible in which case a summary of the types of comments made will be produced). This may be published alongside subsequent stages of consultation<sup>5</sup>. Comments made verbally at drop-in sessions will be summarised and reported to the Authority but participants will be encouraged to submit a written response to ensure that we are able to accurately record all comments. Whilst all comments received will be taken into account, it should be noted that we cannot always act favourably upon each one as, in addition to varying views often being put forward, wider considerations must also be taken into account such as national policy and legislation. Those who responded to a consultation and Parish Councils / Parish Meetings will be notified of the adoption of new planning policy documents. There may be a small charge for receiving paper copies of documents.



- 3.9 To be contacted by letter or email your details will need to be held on the Policy Team's consultation database. These details are not used for any purposes other than planning policy consultations<sup>6</sup> and are not shared either within or beyond the National Park Authority without your prior agreement. If you would like to be kept in touch about the new Local Plan please complete the [Mailing List Form](#), email us at [policy@northyorkmoors.org.uk](mailto:policy@northyorkmoors.org.uk) or telephone 01439 772700.
- 3.10 If you would like to find out about documents that are currently being produced and any current consultations please see the planning policy pages on the Authority's website at [www.northyorkmoors.org.uk](http://www.northyorkmoors.org.uk).

<sup>5</sup> This is with the exception of any comments made at Publication stage which will be considered through the process of Examination by a Planning Inspector

<sup>6</sup> Including consultations on the National Park Management Plan

## 4. Neighbourhood Planning<sup>7</sup>

- 4.1 Neighbourhood Development Plans (NDPs) are prepared by local communities for their own Parishes or areas with the support and advice from the Local Planning Authority. NDPs are produced by a Neighbourhood Planning Group. This could be formed by a Town or Parish Council, or where there is no recognised council, a Neighbourhood Forum. Local Planning Authorities are required to support qualifying bodies in the production of their plans, and are ultimately responsible for formally incorporating the eventual plan into their statutory planning framework.
- 4.2 A [Planning Advice Note](#) has been prepared by the Authority which explains the process in more detail.
- 4.3 The North York Moors National Park Authority will act as the lead LPA for Neighbourhood Plan Areas wholly within the North York Moors National Park boundary. Where a Neighbourhood Plan Area falls partly within the National Park and partly within a neighbouring District or Borough Council, the LPA with the main centre or majority of population within its boundary will act as lead.
- 4.4 The role of the Authority is to offer advice and assistance and to take the draft plan through a consultation and examination stage and on to final adoption. In addition, any draft plan or order will need to be subject to a public referendum. As the National Park Authority is not an Election Authority (i.e. it does not hold elections or referenda) responsibility for any referendum will rest with the relevant district or borough council.
- 4.5 The following table explains the roles and responsibilities of the qualifying body and the Elections Authority and the National Park Authority and sets out where the National Park Authority will offer support and advice.

Stage	The National Park Authority will...
<i>Designation of a Neighbourhood Plan Area</i>	<ul style="list-style-type: none"> <li>• Explain the Neighbourhood Plan process</li> <li>• Check that the designation of area application is valid and complete</li> <li>• Publicise designation of area application</li> <li>• Designate the area as a Neighbourhood Area where it meets the relevant conditions</li> </ul>
<i>Draft Plan Preparation</i>	<ul style="list-style-type: none"> <li>• Foster an open and collaborative approach to the development of the NDP. The Neighbourhood Planning Group will carry out consultation for a minimum of 6 weeks on the early stages of the NDP. A Consultation Statement must then be submitted to the North York Moors National Park Authority along with the draft NDP indicating what consultation has been carried out and how it has informed the preparation of the draft NDP.</li> <li>• Offer advice and support, for example on meeting basic conditions, consideration of the need for environmental</li> </ul>

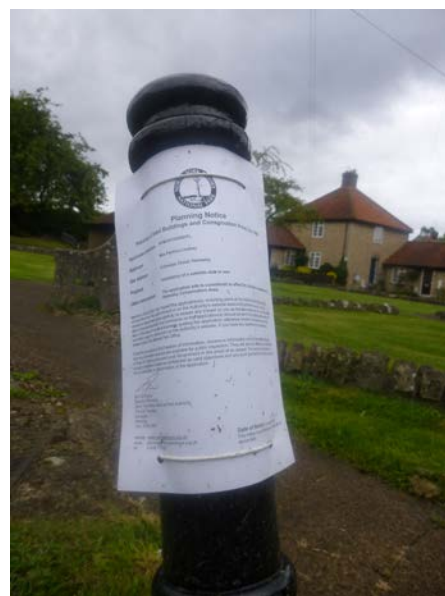
<sup>7</sup> This advice and assistance also applies to Neighbourhood Development Orders and Community Right to Build Orders.

	<p>assessments, suitability of supporting evidence and consultation statement, compatibility with national planning guidance and Local Plan policies.</p> <ul style="list-style-type: none"> <li>• Share existing information and evidence base work held by the Local Planning Authority, as appropriate and subject to any data protection or confidentiality issues.</li> <li>• Provide an indicative housing provision figure if requested by the qualifying body</li> <li>• Provide constructive comments on the emerging plan and other supporting documents (e.g. Basic Condition Statement) prior to formal submission.</li> </ul>
<i>Submission to Local Planning Authority</i>	<ul style="list-style-type: none"> <li>• Validate, check and publicise the submission for a minimum of 6 weeks. As a minimum, the documents will be published on website and comments invited from prescribed statutory bodies and those who have previously indicated an interest.</li> </ul>
<i>Examination</i>	<ul style="list-style-type: none"> <li>• Appoint the examiner and publish all required documents</li> <li>• Make arrangements for any hearing, publicity, notification and make documents available on website as directed by the examiner</li> <li>• Undertake modifications to the NDP as recommended by the examiner</li> <li>• Publish a decision statement on the Authority's website</li> </ul>
<i>Referendum</i>	<ul style="list-style-type: none"> <li>• Inform the electoral authority (EA) as soon as possible of the likely timescale for referendum.</li> <li>• Work with the EA to ensure that the timings and resourcing of referendum are reasonable, clearly understood and agreed in advance.</li> <li>• Meet the reasonable costs of the referendum.</li> </ul>
<i>'Made'</i>	<ul style="list-style-type: none"> <li>• Publish the decision statement on website, advising that the document is now 'made' and forms part of the local plan.</li> <li>• Send a copy of the decision statement to the Neighbourhood Planning Group and advise any person who asked to be notified that the NDP has been made.</li> </ul>

## 5. Development Management

### Pre Application Discussions

5.1 We encourage pre-application discussions<sup>8</sup> with planning officers, even for minor schemes, in order to assess whether the principle of development is acceptable and to identify any potential issues that can be resolved prior to the submission of an application. Applicants are also encouraged to discuss their proposals with neighbours or others likely to be affected. For certain schemes which are likely to be contentious or have wider community impacts, the applicant will be encouraged to undertake more formal pre-application consultation with the local community and other relevant organisations. Such community consultation is expected for major development proposals (10 or more dwellings or on a site of 0.5 hectares or more, or other developments with a floor space of 1,000m<sup>2</sup> or on a site of 1 hectare or more) or a significant proposal that departs from adopted policy. Under powers introduced by the 2011 Localism Act, community consultation is now a legal requirement in relation to proposals for two or more wind turbines or where the hub height exceeds 15 metres and similar requirements could be introduced for other forms of development in the future.



5.2 Where such consultation takes place, it should be based on the following methods:

- Contact with the Parish Council(s) / Parish Meeting(s);
- ~~Public meeting/display/exhibition;~~
- Distribution of leaflets to residents;
- Local press coverage;
- Use of Social Media.

5.3 However, we suggest that discussions with the Authority take place prior to carrying out any consultation in order to ensure the most appropriate methods are undertaken.

### Application Stage

5.4 If pre-application community consultations have been undertaken, details of the methods of consultation that were entered into and how the results of this have informed the proposal should be included with the planning application.

5.5 Once a planning application has been received, we will ask applicants, agents or landowners to display a site notice on or near the application site and provide photographic proof to the Authority that it has been posted. ~~will advise immediate neighbours with a mutual boundary or those considered likely to be affected by letter.~~ A separate consultation email letter will be

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<sup>8</sup> Please note there is a charge for pre-application advice and the procedure and associated cost is available on the [planning pages of our website](#).



sent to the relevant Town or Parish Council or Parish Meeting<sup>9</sup>, statutory consultees and other organisations in the community, such as amenity bodies. In some cases, particularly major developments, or development affecting a Conservation Area, Listed Building or Public Right of Way, there are extra publicity requirements, including a requirement for the Authority to advertise the proposal in a local paper.



- 5.6 The press/site notice and all consultations allow 21 days for comments to be made to the Authority and a longer time period will be given on request wherever possible<sup>10</sup>. Officers are available to answer queries on submitted schemes and can be contacted by phone, or email, or in person (by appointment), at the Helmsley office. Officers are also available to meet members of a Town or Parish Council/Meeting to help local people formulate their comments on development proposals. In order to determine applications in an efficient and timely manner, on occasions applications are determined by Planning Committee prior to the end of the statutory consultation period. Where comments are subsequently received which raise new issues the application would be reconsidered by Planning Committee.
- 5.7 All planning application forms and plans can be viewed at the Authority's offices in Helmsley and on our website, using the following link:
- <http://planning.northyorkmoors.org.uk/Northgate/PlanningExplorer/ApplicationSearch.aspx>
- ~~5.8 Some Parish Councils also make plans available for inspection locally.~~
- 5.9 Comments can be made by letter, e-mail or through the web site, and any comments made which constitute a material planning consideration are taken into account.
- 5.10 Where the planning case officer considers significant changes are proposed to applications that have not yet been determined, those people who commented on the matter in respect of the original application will be re-consulted. Amended plans are available for inspection at the Authority's offices in Helmsley and on the Authority's website.

### **Decision making**

- 5.11 Whilst restrictions on movement are in place following the outbreak of the corona virus all decisions will be delegated to officers for a period of at least three months unless legislation allows for the undertaking of 'virtual' meetings. This means there will be no opportunity for applicants, agents or objectors to present at Planning Committee.
- ~~5.12 Where an application is to be determined by the Planning Committee, the applicant/agent, one objector, one supporter and the Town or Parish Council/Meeting, can speak at the meeting for 3 minutes in support of their views to supplement and reinforce information contained in the planning application. For major applications it may be necessary to be flexible with regards to the amount of time allowed for speaking. Anyone who has commented on an application will be informed in writing of the date and time of the meeting and an information leaflet is available explaining the public speaking procedures. Planning Committee meetings can be observed by any member of the public. The Planning~~

<sup>9</sup> Communication with Parish Councils and Parish Meetings is to be in electronic format in the future; reflecting the level of resources the Authority has for such consultations.

<sup>10</sup> The Town and Country Planning (Development Management Procedure) (England) Order 2010 establishes the consultation period as 21 days. The Authority usually agrees to accept comments which would be submitted after this time.

Committee is guided by the policies of the adopted Local Plan<sup>11</sup> when reaching decisions on planning applications but will also have regard to responses made in relation to the application<sup>12</sup> together with the officer presentation. Certain applications are determined by the Director of Planning under the agreed scheme of delegation, which applies to both approvals and refusals. At the time of writing these applications are those:

- 1) Where more than three non-confidential written representations, which are based on planning grounds and which are contrary to the proposed decision (which in the case of an approval cannot be addressed by the imposition of conditions), have been received from separate and independent households/organisations (excluding the applicant or applicant's agent) before the close of the relevant consultation period.
- 2) A written representation, based on planning grounds, is received from a statutory consultee, a parish/town council or parish meeting which is contrary to the proposed decision and which cannot be addressed by the imposition of conditions.
- 3) There are material circumstances which in the opinion of the National Park Officer or Director of Planning and in the best interests of the National Park, warrant referral to Committee.

### **After the Decision**

- 5.13 All decisions are posted on our website within 24 hours of the decision being made. Copies of decision notices are also available for inspection at the Authority's offices in Helmsley. In cases where the decision taken by the Authority is contrary to the views of the Parish/Town Council/Meeting a letter will be sent explaining the reasons for this and the basis of the decision.
- 5.14 Concerns about approved developments not being implemented in accordance with approved plans or conditions can be raised with officers in the Enforcement and Monitoring Team.
- 5.15 If a decision is taken to appeal anyone who commented on the original application will be notified and advised of the appeal process. With the exception of householder applications<sup>13</sup> there is an opportunity for anyone who made comments on the original application to make further comments to the Planning Inspectorate.

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<sup>11</sup> At the time of producing the Statement of Community Involvement the Authority's Local Plan is the Core Strategy and Development Policies 2008 which was produced as part of a Local Development Framework under former legislation and guidance.

<sup>12</sup> Section 38(6) of the Planning and Compulsory Purchase Act (2004) states 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

<sup>13</sup> A householder application relates to development which is ancillary to the dwelling and is within the curtilage of the dwelling.

**If you would like further information, please contact us:**

Planning Policy – [policy@northyorkmoors.org.uk](mailto:policy@northyorkmoors.org.uk)

Development Management – [planning@northyorkmoors.org.uk](mailto:planning@northyorkmoors.org.uk)



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The text of this document can be made in large print. Please contact the Planning Policy team using the contact information above.



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