

Selby District Submission Draft Core Strategy Consultation on Further Proposed Changes (7th Set) November 2012 Representation Form

The Core Strategy has been subject to Examination by an independent Inspector at hearings in September 2011, April 2012 and September 2012.

The independent Inspector adjourned the Examination in Public (EIP) until 27 February 2013 in order for the Council to consult on any further Proposed Changes to the Submission Draft Core Strategy in accordance with the revised timetable (available at www.selby.gov.uk/CoreStrategyEIP).

The Council is therefore publishing further Proposed Changes to the Submission Draft Core Strategy, for consultation between 12 November and 28 December 2012.

The Submission Draft of the Core Strategy (May 2011) takes into account views gathered at the previous stages of consultation. The September 2011, April 2012 and September 2012 EIPs have already heard the duly made representations on the Submission Draft Core Strategy which were submitted during the formal Publication stage (January 2011) and subsequent consultation on the previous 6 sets of Proposed Changes (January and June 2012). This is not another opportunity to make further representations on those matters.

Representations are therefore invited as part of this consultation on the 7th Set of Proposed Changes to the Submission Draft Core Strategy and the Further Sustainability Appraisal Addendum Report.

Please complete separate copies of Part B of this form for each of your separate representations. It would be helpful if you could focus on the "tests of soundness" and indicate if you are objecting on a legal compliance issue.

Completed representation forms must be returned to the Council no later than 5pm on Friday 28 December 2012

Email to: ldf@selby.gov.uk

Fax to: 01757 292229

Post to: Policy & Strategy Team, Selby District Council, Civic Centre,
Doncaster Road, Selby YO8 9FT

Part A

The Tests of Soundness

The Independent Inspector's role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The tests to consider whether the plan is 'sound' are explained under paragraph 182 of the National Planning Policy Framework (NPPF) (March 2012) and states a sound Core Strategy should be:

Positively prepared

- the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified

- the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective

- the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy

- the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

	Personal Details	Agents Details (if applicable)
Name	MARK SAVEGE	(I am an agent with
Organisation	ABACUS DESIGN PARTNERSHIP	over 40 years experience & have never found
Address	3 THE OLD STABLES MOOR LANE BILBROUGH YORK YO23 3NT	the policies acting on these 'washed-over' villages so conflicting and varied. Please take these villages out of the
Telephone No.	[REDACTED]	'washed-over' status as that is allowing development
Email address	[REDACTED]	where it might not be allowed if it was taken out.)

It will be helpful if you can provide an email address so we can contact you electronically.

You only need to complete this page once. If you wish to make more than one representation, attach additional copies of Part B (pages 3-4) to this part of the representation form.

Part B (please use a separate sheet (pages 3-4) for each representation)

Please identify the Proposed Change (which can be found on the Published Schedule, CD2g) to which this representation refers to:

PC7.10 Para 4.47 (CPIA)

Question 1: Do you consider the Proposed Change is:

1.1 Legally compliant Yes No

1.2 Sound Yes No

If you have entered No to 1.2, please continue to Q2. In all other circumstances, please go to Q3.

Question 2: If you consider the Proposed Change is unsound, please identify which test of soundness your representation relates to:

- 2.1 Positively Prepared (Please identify just one test for this representation)
- 2.2 Justified
- 2.3 Effective
- 2.4 Consistent with national policy

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Residential development in Secondary Villages...unless it comprises the filling of a small liner gap in an otherwise built up residential frontage or conversion/redevelopment of a farmstead.

- 1) 2 typos: 'liner' should be 'linear' & 'built up' should be 'built-up'
- 2) My solicitor tells me that it is impossible to enforce a law or rule or policy that does not have defined limits in space and/or time. There has to be a measurement otherwise it is a matter of undefined opinion as to the definition of 'gap'. This will lead to more inconsistency between planning officers' interpretations within the same office. I asked the Lead Planning Officer recently what his interpretation was of a small linear gap and he said big enough for one house, but I was later left wondering if he meant a mid-terrace house or a grand mansion. I would suggest a maximum gap of 100m from boundary to boundary; otherwise the 'gap' is actually parkland. A good illustration of the problem is the garden of Ravenscroft (15, Back Lane, Billbrough) which is more than 100m including the veg patch (see app. 2012/0080/FUL which went months over target and was only decided by the Chairman in a casting vote on 12/9/2012).

If the 100m limit was incorporated into your wording, the officers, agents and developers will know what is potential building plot, and what is parkland or open field.

Question 3 continued

3) After app. 2012/0431/FUL was approved on 4/7/2012, you need to include wording that makes it clear that 'a small linear gap' includes those at the end of a linear frontage, while still being within the *Defined Village Limit*. The officer accepted the agent's argument that this position was equally as valid as a gap in the middle of a linear frontage. He approved the application without going to committee - after NPPF, even though the same design and volume was refused on 23/12/2011. The building was 273% bigger in volume than the chalet bungalow it was replacing.

I therefore suggest this revised wording: '*...unless it comprises the filling of a linear gap of no more than 100m in - or at the end of - an otherwise built-up residential frontage within the Defined Village Limits, or conversion/redevelopment of a farmstead.*'

(Continue on a separate sheet if submitting a hard copy)

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

- 4.1** Written Representations
- 4.2** Attend Examination

4.3 If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary
(Your request will be considered by the Inspector, however, attendance at the Examination in Public is by invitation only).

(Continue on a separate sheet if submitting a hard copy)

Representation Submission Acknowledgement

I acknowledge that I am making a formal representation. I understand that my name (and organisation where applicable) and representation will be made publically available (including on the Council's website) in order to ensure that it is a fair and transparent process.

I agree with this statement and wish to submit the above representation for consideration.

Signed [REDACTED]

Dated 15/11/2012