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From:

Sent: 14 February 2012 11:13

To: ldf

Subject: Statement from R Wilson on proposed changes to the Selby Core Strategy

Attachments: STATEMENT BY ROY WILSON 10.02.12.doc

Please find attached my statement on the proposed changes made to the Selby Core Strategy following the suspension of the EIP.

Regards

Roy Wilson MBE

STATEMENT OF ROY WILSON ON PROPOSED CHANGES MADE TO THE SELBY CORE STRATEGY FOLLOWING THE SUSPENSION OF THE EIP

Tadcaster and the Northern Area

The Council is required to identify all reasonable alternatives in terms of formulating a strategy to deliver the Vision for the district. This means looking at the various options for distributing development across the district, focusing on different priorities such as meeting local housing need, employment growth and job availability, taking account of strategic infrastructure, and implications of being part of a wider City Region. Having identified all reasonable alternatives, the Council is then required to subject them to an assessment, including an SEA, in order to test the options and identify the most sustainable option that is capable of delivering the Vision.

At the September 2011 Examination, it was made clear by Mr Village and his colleagues representing SSOBT that land lying outside the green belt at Tadcaster was unlikely to be available for the amount of housing proposed in the Core Strategy as a result of ownership constraints. Some of the land concerned is known to be owned by SSOBT (or by Mr Smith personally or by an associated company), for example land at Hargarth Field at the eastern end of Tadcaster which was allocated for residential development in a pre-1974 West Riding Development Plan; the allocation carried forward into subsequent Local Plans but which remains undeveloped.

Mr Village's submissions in respect of land ownership and the Council's own knowledge of ownership constraints in Tadcaster provide the background to the Council's proposals to build into the Core Strategy the potential for a review of the green belt boundary at Tadcaster as it is believed that land to the west of the town (which lies within the green belt) is not subject to the same – or any – ownership constraints.

My view is that any green belt review in this area is unlikely to unlock land for development and I say this with many years experience of the Council's attempts to secure development land at Tadcaster in locations and within time frames established by planning requirement and not ownership considerations.

It is a matter of record that Mr Village's client strongly opposes development in the green belt and has many times sought Judicial Review of planning permissions granted by the District Council. Examples are:

- Extensions to the Cocked Hat Public House/Restaurant, South Milford
- Redevelopment of the Little Chef, Bramham crossroads, Tadcaster
- Hazelwood Equestrian Centre, Stutton, or
- in the case of Hazelwood Castle Hotel and proposals at Bolton Percy, the threat of a JR

There are also well-recorded examples of planning permissions having been granted and the decision either not challenged or not successfully challenged, where Mr Village's Client has subsequently purchased the sites concerned to prevent implementation of the approved development. Examples are:

- Land granted planning permission for residential development by Persimmon Homes, Tadcaster. This land was subsequently purchased by SSOB after receipt of planning permission but before any development commenced.
- Two farmstead/barn conversion sites granted planning permission for residential development at Acaster Selby

There have been other instances where the ownership of land has changed during a planning process potentially leading to its development. Examples are

Land to the west of the A162 road, Tadcaster, previously owned by John Smiths Brewery. Promoted by JS as an employment site in a previous Local Plan. The proposal was not supported by the Local Plan Inspector but his recommendation was not accepted by the Council on the grounds that allocation offered an opportunity to bring land forward which was not constrained by ownership considerations, for employment development. The land was subsequently sold and the site remains undeveloped.

Land off Stutton Road, Tadcaster which changed hands subject to a confidentiality agreement when being considered as a site for residential development – promoted by the previous owners - during a Local Plan consultation process.

It is obvious from the above-mentioned examples that considerable resources are brought to bear in order to prevent or restrict development in the Tadcaster area. It is therefore no surprise that the Core Strategy referred to there being a conservation-led approach to the future of the town. The Council is however now proposing to change the wording to refer to how there are various reasons why development does not take place (PC1.7)

During the September Examination discussions, it was suggested by the Council that some of Tadcaster's currently proposed housing "allocation" could be diverted to Sherburn or other settlements in the western part of the District. I understand that Sherburn Parish Council has subsequently objected to this and I support their objection. In my view, Sherburn and the surrounding villages have taken more than their fair share of development over the years and still have large areas of safeguarded land excluded from the green belt for development in the longer term.

However, Tadcaster's housing requirement addresses the needs of the northern part of the District, some of which arises from York. Sherburn, however, lies outside that market area and tends to serve the needs of Leeds. The designated service villages in the western part of the District all lie to the south of Sherburn even further from the northern market area. Furthermore, Sherburn serves the wider Leeds City Region housing market, whilst Tadcaster serves the York Sub Area housing market. And, it is well established that people commute to Leeds from the west and York from the north of the district. This is set out in various documents which form part of the evidence base, including the Selby SHMA (2009), North Yorkshire SHMA (2011) and the Council's Travel to Work Background Paper No. 1. The Core Strategy will therefore fail to deliver the necessary houses to meet established need in the right places if the proposed change to redistribute houses from Tadcaster to Sherburn or other settlements in the western part of Selby is adopted.

The Council does not appear to have revisited settlements in the northern market area to consider their DSV suitability and have rejected “diverting” any part of Tadcaster’s allocation to settlements to the south of the A64 road to the south east of Tadcaster on the grounds that this part of the District is remote from services and communications and ill-served by public transport. I have some sympathy with this view although I also believe it is necessary to provide some focus for service provision within this area of disparate settlements and for that reason I support the identification of Appleton Roebuck as a DSV, as supported by the local community.

The Council, also, appears to have failed to take into account all reasonable alternatives. The most sustainable option (which incorporates the delivery of development in Tadcaster) has been proven to be unreliable as land is simply unavailable nor, in my view, will it become available through the process of reviewing the green belt boundary to the west of the town. The Council therefore needs to identify an alternative way in which to deliver the vision that is also sustainable by ensuring that housing need that arises locally around Tadcaster is met within that general area, rather than simply spread across groups of settlements within the separate tiers of the settlement hierarchy. The Council has failed to identify and assess one option that would achieve this which is to distribute at least a portion of the Tadcaster requirement across settlements in the northern part of the District which perform well in relation to the sustainability criteria and upon which the identification of DSVs has been based.

On the basis of written submissions that I read prior to the September Examination and also submissions made at the Examination, there is no doubt in my mind that Escrick well meets all the criteria for a DSV and apparently scores – again using the Councils own criteria – as highly as, and in some cases much better than, any other potential DSV in the District. I have some difficulty in understanding a process which places Escrick so low in the hierarchy and I support the well-researched submission previously made by Cllr. James Perry that the criteria may have been misapplied. The Council cite population as a reason for rejecting Escrick as a DSV but how population impacts on its sustainability is unclear. Escrick serves a particular function after all, which is to provide services and facilities to a wider area and beyond its own population. It is also well connected to Selby and York and there are local employment opportunities despite its relative size.

Any redistribution of Tadcaster’s housing requirement to the western part of the District is unsustainable as it will simply not meet identified needs in the north. It will, instead, lead to an over-supply of housing land in the western sub area of the District. Furthermore, promoting strategic growth in the west is not part of the Vision or Core Strategy for Selby, as there is no justification to suggest planning for speculative growth is necessary or desirable. There is also no evidence to suggest that it will meet the needs of the District beyond delivering numbers. However, the purpose of the Plan is not simply to deliver numbers: it is to deliver a strategy that meets the needs of the District over a period of time.

Green Belt and Fairburn

The District has two separate areas of Green Belt; the York Green Belt and the former West Riding Green Belt which perform different roles. The WRGB has been in place for some 40 to 50 years and, by resisting development, it now provides an important ‘green lung’ which serves recreational needs for an extensive population who live in the nearby industrialised West Yorkshire. This has enabled a number of Nature Reserves and SSSIs with important recreational facilities to be created within close proximity of a large urban population. Of

particular importance is Fairburn Ings Nature Reserve managed by the RSPB and which is of regional significance. It attracts over 120,000 visitors annually. It provides facilities for bird watching, walking, cycling and has a nature education centre which is well used by local schools. Fairburn Ings is a part of the West Riding Green Belt. This wider Green Belt, although outside the Review boundaries, provides a habitat where birds and other animals forage and breed. This is important for the sustainability of the Nature Reserve and SSSI. By suggesting the Green Belt could be used to accommodate housing, the Council is undermining the future of this important facility. Nor has the Council undertaken any cross-border consultation with Leeds CC. The need for co-operation is a recognised requirement and the Core Strategy needs to set out how this should include the means of protecting these valuable local assets.

Fairburn Nature Reserve lies partly within the boundary of Leeds CC and predominantly serves the West Yorkshire population. This is an instance where a need to co-operate should apply but hasn't.

I welcome a review of the Green Belt provided it not only concerns the potential release of land but also reconfirms existing boundaries where they perform a Green Belt function. This is not clear in policy CP2.

CONCLUSIONS

In summary, it is my view that the Council's proposed changes do not make the Core Strategy sound. There is no evidence that the statutory requirements to co-operate with neighbouring authorities in relation to the West Riding Green Belt has taken place and the trigger for reviewing the Green Belt is unclear.

The proposal of SDC to deal with the Tadcaster housing complement is unlikely to be achieved and the planning history confirms this. The alternative of redirecting Tadcaster's growth to Sherburn and the Western DSVs will encourage increased inward migration from Leeds and will serve the Leeds City Region employment market, rather than lead to self-containment in Selby. It will also not help achieve the Vision of the strategy as housing need arising in the north will not be delivered in the north.

Since the suspension of the EIP, it appears that no consideration has been given to identifying any additional DSVs in the Northern housing market in order to accommodate housing need arising in this part of the District. It also appears that Escrick has not been classified correctly due to an error in the findings in the Council's evidence base

Roy Wilson MBE
10th February 2012

NB: I wish to appear at the reconvened examination to make comment on the Council's proposed changes.