



**Selby District Council  
Local Plan Consultation**

***"PLAN Selby"***  
***(The Sites and Policies Local Plan)***

**Initial Consultation Comments Form**

"PLAN Selby" is the Sites and Policies Local Plan which the Council is developing to deliver the strategic vision outlined in the Core Strategy that was adopted in 2013. When adopted, PLAN Selby will form part of the Local Plan for the District against which planning applications will be assessed.

This consultation is the first stage in our on-going dialogue with you and we hope that you will take time to respond to it and help us move forward. The responses to this consultation will help inform our work and shape the District for the future.

**Comments are therefore invited as part of this Initial Consultation.**

**Please use this form to make your comments.**

Please read the main document PLAN Selby and associated papers, which are available on the Council's website at [www.selby.gov.uk/PLANSelby](http://www.selby.gov.uk/PLANSelby) and at local libraries and Public Council offices.

You will need to see what is in PLAN Selby in order to make your comments. It contains a wide range of issues and specific questions on which we would like your views. Please make sure you are clear about which part of PLAN Selby you are commenting on and ensure we have your full contact details so we can take your comments into account and so that we can contact you about the next stages.

**Completed comments forms must be received by the Council  
no later than 5pm on Monday 19th January 2015**

**Contact Details** - Please provide contact details and agent details, if appointed

	Personal Details	Agent Details (if applicable)
Name	C/O Agent	DPP (Mark Lane)
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Email address		mark.lane@dppukltd.com

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

**Comment(s)**

Please ensure you provide reference to the Question and Topic area for each comment you wish to make.

Topic / Chapter

Question no.  Paragraph

Please See Attached Letter

(Text is limited to the available area to ensure all text is visible. Continue on a separate sheet if necessary)

Topic / Chapter

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### Comment(s)

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**Additional Comments** - Please provide any additional comments you may wish to make.

(Text is limited to the available area to ensure all text is visible. Continue on a separate sheet if necessary)

### Comment Submission Statement

All comments must be made in an email or in writing if they are to be considered. Your comments and some personal identifying details will be published in a public register and cannot be treated confidentially. Where practical, personal identifiers may be redacted, however Selby District Council cannot guarantee that all identifiers will be removed prior to publication of consultation records.

Signed

Mark Lane

Dated

19/01/2015

**Please ensure you save a copy of your completed comments form to your computer before sending by email**

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no later than 5pm on Monday 19th January 2015**

**Email:**      [ldf@selby.gov.uk](mailto:ldf@selby.gov.uk)

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

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1528/L004ml

19th January 2015

Selby District Council  
 Forward Planning  
 Civic Centre  
 Doncaster Road  
 Selby  
 YO8 4JS

Dear Sir/Madam

**COMMENTS BY HALLAM LAND MANAGEMENT LIMITED ON i) THE PLAN SELBY CONSULTATION DOCUMENT AND ii) THE FLOOD RISK IN SELBY DISTRICT SUPPLEMENTARY PLANNING DOCUMENT**

**Introduction**

We write on behalf of Hallam Land Management Limited to comment on the draft "PLAN Selby" document and the Flood Risk in Selby District Supplementary Planning Document ("SPD").

Hallam Land Management Limited control land to the north of Flaxley Road, Selby and are promoting this land for residential development through the SHLAA and Local Plan process. On behalf of Hallam Land Management Limited DPP has recently submitted information to Selby District Council ("the Council") to demonstrate that the land north of Flaxley Road is suitable for residential development, that residential development is achievable and that the site is available for development. We have not attached this information with this submission but if required we can send an additional copy.

We will comment on each document in turn below.

**PLAN Selby**

We agree with the statement made at Paragraph 1.6 that PLAN Selby must consider the ways in which the Authority can deliver what is set out in the Core Strategy. We also agree with Paragraph 1.7 in that PLAN Selby will need to identify sufficient sites to accommodate the development needs identified in the growth vision as set out in the Core Strategy. These statements are welcomed.

We also agree that there should be a more detailed 'Vision' statement for each of the three settlements of Selby, Sherburn in Elmet and Tadcaster and that the vision statement should reflect the strategy set out in the Core Strategy framework (see paragraph 1.8)

We will now turn to answer questions 5, 7, 8 10, 23, and 38 as set out in the PLAN Selby document.

DPP One Limited  
 Company number 08129507  
 VAT number 138284595

- Q5** a) Are these the right objectives?  
b) Are there any others which should be included?

In the preceding paragraphs to this question PLAN Selby sets out the Core Strategy's Vision which is to achieve a distinctive rural district with an outstanding environment, a diverse economy and attractive, vibrant towns and villages in which residents will have a high quality of life and there will be a wide range of housing and job opportunities to help create socially balanced and sustainable communities, which are less dependent on surrounding towns and cities by 2027.

The suggested Aims and Objectives for PLAN Selby are therefore as follows:

Aim

- To make Selby District a great place to do business, to enjoy life and make a difference in line with the Councils' emerging Corporate Plan
- To deliver the Core Strategy growth in a sustainable manner consistent with national policy and local evidence.

Objectives

1. To deliver new development sites (allocations) for housing and employment needs and other uses (for example town centre uses)
2. That site selection procedure will include consideration of sustainability objectives
3. To translate strategy into place-specific policies and proposals to promote growth and to protect assets
4. To set up to date Green Belt Boundaries to endure beyond the life of this plan, and designate Safeguarded Land
5. To set new area-based policies and boundaries (such as Development Limits and town centre boundaries) if found to be needed.
6. To provide detailed policies/designations on specific topics (such as Climate Change and Renewable Energy, Rural Affordable Housing Exceptions Sites and Travellers) where appropriate
7. To set criteria-based policies only where necessary in order to avoid an overly-detailed plan or too many policies with little relevance.

These aims and objectives seem comprehensive and appropriate.

- Q7** a) Do you agree with the proposed approach to the base data?  
b) Do you agree with the broad principles of the calculation method?

We agree that the most up to date base information should be used in calculating the housing requirement. PLAN Selby suggests using the data which will become available in March 2015 for the next version of the PLAN Selby document. There is little information on how this data is to be gathered and at this stage the information is unavailable to comment upon. We therefore reserve our right to comment on the March 2015 data when it becomes available.

The methodology used to calculate the residual housing requirement for each settlement tier appears robust and sound albeit the figure used in column A should be increased to allow for the non delivery of sites (see our answer to question 8).

- Q8** a) Should PLAN Selby over-allocate to allow for any non-delivery on the allocations? By what method and by how much?  
b) How should PLAN Selby seek to allocate sites in such a way as to secure delivery over the whole plan period?  
c) Is there opportunity to have contingency sites in case others are not delivered elsewhere in the District? How might the contingency sites release be managed to maintain a 5 year housing land supply?

We agree with paragraph 3.17 that the housing requirement should be regarded as a minimum target and that the plan should deliver this target as a minimum. Given that not every allocation will be delivered and there is the potential that some sites will not deliver the quantum envisaged we would recommend that the plan should over

allocate land to allow for non-delivery. We would suggest that the over allocation should be between 10% and 15% of the overall housing requirement of 7200 dwellings giving an overprovision of between 720 to 1080 dwellings.

The consultation draft suggest that the Council have applied a 10% buffer for non-delivery but this can only relate to column C – outstanding planning permission. This is welcomed. However it does not take into account non-delivery from new allocations. To ensure that the minimum housing requirement is delivered a robust level of land must be allocated and to provide this surety we would recommend that an over allocation equivalent of 10% to 15% of the overall housing requirement of 7200 dwellings is made.

We note that there are several large allocations and existing commitments which should generate completions over the life time of the plan. However if a site, such as Olympia Park which is a very complex site, does not come forward this could significantly affect the Council's ability to deliver and achieve the minimum housing requirement. Indeed we note that despite receiving a resolution to approve the development at Olympia Park in December 2013, the Section 106 agreement has still not been executed. This demonstrates the complexities associated with bringing forward very large sites. This supports our view for a robust buffer provision.

Our initial view is that the additional buffer provision should be distributed in accordance with the percentage distribution strategy set out in policy SP5 of the Core Strategy.

The Council should not allocate sites that they are not confident will come forward even if there is there is an expectation that an ownership constraint or physical problem might be overcome in the future. This expectation may not be realised. The Council should only allocate land that they are confident is available for development and can be viably developed.

To ensure delivery it is always best to have a large number of sites which are in the control of multiple parties rather than having all of the eggs (so to speak) in a few baskets. As referred to above, a limited number of larger sites may affect the Council's ability to deliver the minimum housing requirement.

The additional buffer could, in part, be made up of extensions to sites that have been put forward but only where there is a realistic opportunity of these extensions being delivered.

In addition to increasing the housing requirement to allow for the non-delivery of housing allocations we agree with PLAN Selby that it is a good idea to have a further contingency supply of sites throughout the district to be potentially brought forward if the minimum housing requirement is unlikely to be achieved for whatever reason. Whilst we are not keen on the word contingency it is plain that PLAN Selby intends this pot of sites to act as a supply of sites that would be protected from development until such time as they are needed. This is welcomed and indeed it is likely to be essential if Selby is to meet its minimum requirement towards the end of the plan period. For clarity if contingency sites are to be identified these sites should be protected by a new policy and that these sites should be in addition to those needed to meet the housing requirement including the discount applied to the non-delivery of existing commitments and the allowance for the non-delivery from future housing allocations.

We would suggest that between 10% and 15% of the overall housing requirement of 7200 dwellings (720 to 1080 dwellings) should be provided to ensure that there are the sufficient contingency sites available to ensure that the minimum housing requirement is capable of being met at all times during the plan period.

**Q10 The Core Strategy sets the 'rules' for choosing sites; but do you have any views on the relative importance or weight to be attached to the criteria for site selection? Should the Development Limits be drawn tightly to maintain the settlement pattern, or loosely around the settlements to enable sympathetic development?**

The Council recognise at Paragraph 3.26 that there is a need to produce a thorough site selection methodology. We welcome this. Good examples, in our view, of a site selection methodology are those produced by the East Riding and the City of York Council. Whatever the respective weighting given to an identified factor it is nevertheless plain that the weighting must be transparent and result in a sustainable pattern of development; bearing in mind that sustainable development is the golden thread running through both plan making and decision taking. We will

not comment at this stage on any weighting proposals but we would suggest that greater negative weight needs to be attached to such matters as flood risk (e.g. within each settlement tier land should first be identified in flood zone 1, then flood zone 2 and only if land is not available in any of the above categories should land in flood zone 3 be considered. Considerable negative weight should also be attributed to sites which adversely affect national environmental resources and wildlife considerations and this negative weight should increase or decrease with the relative importance or otherwise of the site. Positive weight can be given to the potential to improve environmental resources such as the enhancement of the biodiversity of a site or area. The impact on the landscape should be considered separately to environmental issues and clearly the greater the landscape sensitivity the less likely the site will be able to accommodate development. The lack of any material impact on the landscape is an important factor which at least could be considered to have a neutral impact. Considerable negative weight should also be attached to other material planning matters such as proposals to develop within strategic countryside gaps (see our response to question 23). Access and accessibility considerations are also important factors.

We would welcome the opportunity to comment on the site selection methodology when it has been produced.

- Q23** a) Where should the boundaries of the new Strategic Countryside Gap between Selby and Thorpe Willoughby be drawn?  
b) Are the boundaries of the other existing Strategic Countryside Gaps still appropriate?

The concept of a strategic gap between key settlements is an important and long established planning policy which maintains the identity of distinct and separate communities. There is no more important gap than that between Selby and Brayton. The same comment applies to the other strategic gaps such as Selby and Balby. These gaps should be retained in their entirety. PLAN Selby seeks views on the appropriateness of defining a strategic gap between Selby and Thorpe Willoughby. We would generally support this proposal. If development in this area is unavoidable, and evidence should be produced to demonstrate that there is no other more suitable or appropriate site or sites, then it may be possible to identify certain limited areas where the gap can be narrowed without harming the fundamental objectives of this policy. However as an overarching rule the strategic gaps should be retained.

- Q38** a) How should Selby grow and develop – what could a vision say?  
b) What else is needed in Selby that could be allocated a site?

Clearly Selby should grow in a sustainable manner. The vision statement should be aspirational but realistic and deliverable.

From a practical point of view, Selby should grow in a manner which balances the environmental impacts of growth with the need to grow. In the context of Selby Town, growth should be directed to flood zone 2 first (as there is no flood zone 1 land around Selby) and only if there is insufficient flood zone 2 land should flood zone 3 land be considered. New allocations should also avoid sensitive landscape locations and locations in the strategic countryside gaps between Selby and Thorpe Willoughby, Selby and Brayton and Selby and Balby. Furthermore Selby should not grow beyond the new Selby by-pass as this forms a logical boundary to the town and any development beyond the bypass would be located some distance away from the town centre and the facilities within it and as such it would be difficult to integrate development here into the existing urban area.

The most appropriate location for the growth of Selby Town is to the north west of the settlement as this area is largely identified as being in flood zone 2, the landscape is not sensitive to new development and growth here will not impact on any of the strategic countryside gaps or breach the visual and physical barrier to development which is the by-pass. As a consequence it is plain that the most appropriate location for the growth of Selby Town is to the north western quadrant of the settlement.

A good example of an appropriate site for new residential development is the land north of Flaxley Road, Selby. As you are aware DPP, on behalf of Hallam Land Management Limited, have recently submitted a representation to the Council demonstrating that this site is suitable for housing development, that development is achievable here and that the land is available. It is therefore plain that growth in this direction is achievable and the allocation of the Flaxley Road site will contribute to meeting the Council's stated aims and objectives.



We would suggest that the vision statement should outline the physical and environmental issues surrounding the potential for Selby to accommodate growth and then go on to describe how the Council plan to achieve its stated aims and objectives through the development of land.

#### Flood Risk In Selby District Supplementary Planning Document ("SPD")

The introduction to this document at paragraph 1.1 confirms that the SPD is *"to provide local guidance to developers, applicants and Local Planning Authority officers on the application of the National Planning Policy Framework (NPPF) in Selby District. It aims to promote transparency and consistency in the approach Selby District Council will take to applying the NPPF Flood Risk Sequential Test."*

The adopted Core Strategy Policy SP2 defines a clear settlement hierarchy and at paragraph 1.5 of the SPD it confirms that the adopted Core Strategy allocates *"a quantum of development in each of the settlement layers rather than across the District as a whole. It sets out that Selby Town should be the focus of most new development, and sets out a quantum in Policy SP5"*.

Paragraph 1.5 of the SPD also confirms that because of the above it is right and proper for the Council to review its position on the Sequential Test in order to establish an up to date approach to applying the Sequential Test which is consistent with the up-to-date Local Plan.

This is clearly appropriate and is welcomed.

At paragraph 3.8 of the SPD it confirms that *"this does not mean that the Sequential Test does not need to be applied, but instead it can be refined. It is now appropriate to establish guidance for developers and Development Management Officers in the practical application of the Sequential Test to address this issue"*.

Again this is welcomed.

In paragraph 3.9 of the SPD, under the heading *"Defining new Sequential Test areas of search for housing development"*, the Council set out a table with the settlements in the settlement hierarchy down one side and the proposed limits of the sequential search area in the other. The table is clear. For Selby, Tadcaster, Sherburn and the Designated Service Villages it sets the limits of the sequential search to within the development limits. This is welcomed but it does not go far enough. We will explain why this does not go far enough below.

The Council have published a draft position statement on the 5 year housing land supply. This paper provides guidance to applicants submitting applications for residential development and indicates that in the absence of the Council having a 5 year housing land supply planning applications will be considered in line with the presumption in favour of sustainable development. It recognises that the Council would prefer to see applications coming forward within the settlement hierarchy (which we assume to mean in accordance with the settlement hierarchy and the settlement limits established in the Selby District Local Plan) but it recognises that exceptional consideration will be given to sites adjoining the settlements if they meet a number of criteria.

In accordance with the draft SPD for sites outside of the established settlement limits applicants would have to undertake a sequential test across the district.

There is conflict between these various papers. The Core Strategy and Policy SP2 and SP5, in particular, set out where future development in the district is to be provided and it is plain that not all of this development can be provided in the existing settlement limits. It will be a number of years before PLAN Selby is produced which allocates the land in accordance with SP2 and SP5.

Furthermore the Council draft position statement on the 5 year housing land supply recognises that there is not a 5 year housing land supply. The implication of which are that the housing policies of the Core Strategy and the old Local Plan are no longer deemed up to date. This brings to question the current validity of policy SP2 and SP5 as well as the existing settlement limits. The practical consequence of this could mean that substantial developments are

promoted and brought forward in the Designated Service Villages or other locations not in accordance with the aims and objectives of the Cores Strategy.

To seek to protect the Council's accepted aims and objectives it is surely better to modify the sequential search parameters. So for example the SPD would better align with the Core Strategy if the table would indicate that the sequential search area parameters for Selby, Tadcaster, Sherburn and the Designated Service Villages are "within the settlement development limits and on land immediately contiguous with the urban area". If this is unacceptable then an alternative suggestion would be " either i) within the settlement development limits or ii) on land immediately contiguous with the urban area and where such sites conform to the Council's draft position statement on the 5 year housing land supply."

We believe that it is essential that the SPD is modified to ensure that new housing development, as far as reasonably possible, conforms with the Core Strategy.

We hope that the comments will be taken into account and that they prove useful in formulating the next version of PLAN Selby.

Yours faithfully,

Mark Lane

Director

DPP

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