

Sophie King

From: George Wright
Sent: 19 January 2015 13:56
To: LDF
Subject: Consultation Response

Dear Sirs,

I act for various landowners and unincorporated organisations who have interest in planning issues within the Selby District.

The initial consultation indicates that it is being made as a pre-cursor to the production of a Local Plan which addresses land allocations and some development control policies. That is to say, the proposed document 'Plan Selby' will sit alongside the Core Strategy and, together with it will form the Local Plan.

The Core Strategy was predicated under the Regulatory Framework which preceded the 2012 Regulation though it was ultimately adopted under the 2012 Regulations. Is it therefore the case that the Core Strategy does **NOT** comprise a set of overarching policies which the new Plan has to confirm with and Regulation 8(5) of the 2012 Regulations indicate that the new Plan can contain policies which supersede the policies in the adopted Core Strategy Plan document.

However, the consultation document gives out mixed messages as to the extent to which the new Plan will replace Core Strategy policies. Paragraph 1.6 indicates that the Plan is merely subservient to the Core Strategy and Paragraph 1.10 indicates in certain terms that the new Plan is not an opportunity to review those decisions (i.e. the policies of the Core Strategy).

The statement at paragraph 1.11 is blatantly in conflict with the 2012 Regulations as these permit policies to be superseded in a subsequent Plan document, subject to that fact being clearly stated. So why does paragraph 1.11 assert that the Plan must deliver what is set out in the Core Strategy?

However, within the consultation document there are questions and many of these questions imply that the Core Strategy Policy is up for alteration. A simple example is Question 26. That asks at Q26(d) – *is it necessary for Plan Selby to consider identifying suitable areas for renewable schemes?*. Core Strategy Policy SP17 states that in future Local Plan documents the Council will consider identifying suitable areas for renewable (schemes). This is a clear indication to invite proposals to amend, delete or replace Policy SP17.

It also appears for instance that the Council is considering a fresh OAN for housing. The outcome of that exercise would indicate a proposal to provide within the new Plan document (Plan Selby) a policy that supersedes Core Strategy Policy SP5A.

It is, therefore, clear from reading the questions, that the consultation does intend that there is to be a review of some Core Strategy policies. The Statement at 1.10-1.11 of the Consultation document must be wrong, but their effect must be to entirely skew the outcome of the consultation with a majority of the public being given the view that the Core Strategy is to be regarded as though it were adopted under the pre-2012 Regulations and is an overarching set of policies which Plan Selby must comply with. In those circumstances, I consider the whole process of the Consultation is fundamentally flawed and that a fresh consultation should be undertaken which spells out to the public that Plan Selby will almost certainly result in alterations to some Core Strategy policies but that Consultees should feel free to comment on all aspects of the Core Strategy as well as the issues to be additionally addressed in Plan Selby. I do consider that there are some fundamental changes that need to be made to the Core Strategy policies, but it remains unclear as to whether this Consultation is intended to address such matters. The issues upon which I would have commented are:

- The sequential approach to flood risk,

- Affordable housing delivery,
- Landscape conservation and protection,
- Wind Turbine and Wind Farm proposals,
- Renewable energy provision,
- Renewable energy targets,
- Climate change policy, and
- The Evidence-base being proposed for the Plan Selby document.

However, as the basis of the Consultation is so confused, I do not consider it appropriate to incur expense to my Clients to undertake work when it is entirely unclear what issues will be considered in the outcome on the Consultation. I would simply urge that it is made clear to Members when they consider any report based on this Consultation process that the Consultation stated that Core Strategy Policies could not be altered even though this is permitted by the Regulations and that a number of questions suggest that possibility, in those circumstances, such is the confusion that no member of the public could properly address the consultation without confusion as to its extent and purpose.

George E Wright MA MRTPI

George E Wright MA MRTPI