



# Selby District Submission Draft Core Strategy Consultation on Further Proposed Changes (6th Set) June 2012 Representation Form

An Examination in Public (EIP) into the soundness of the Submission Draft Core Strategy (SDCS) was held between 20 and 30 September 2011 and between 18 and 19 April 2012 in front of an Independent Inspector.

The Independent Inspector has adjourned the EIP until 5 September 2012 in order to consider the implications of the National Planning Policy Framework (NPPF) on the Submission Draft Core Strategy and for the Council to consult on any further Proposed Changes to the Submission Draft Core Strategy.

Selby District Council is now publishing and inviting comments on a 6th Set of Proposed Changes to the Submission Draft Core Strategy (and associated documents) in order that all parties can make their views known.

The September and April EIP's have already heard the duly made representations on the Submission Draft Core Strategy which were submitted during the formal Publication stage and subsequent consultation on the first 5 Sets of Proposed Changes. The adjournment should not be used as an opportunity to revisit matters which have been fully considered during the September 2011 and April 2012 hearing sessions.

Representations are therefore invited as part of this consultation on the 6th Set of Proposed Changes to the Submission Draft Core Strategy and associated documents.

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 Thursday 19 July 2012**

Email to: [ldf@selby.gov.uk](mailto: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		JENNIFER HADLAND
Organisation	YORK DIOCESAN BOARD OF FINANCE	SMITHS GORE
Address	C/O AGENT	26 CONISCLIFFE ROAD DARLINGTON DL3 7JX
Telephone No.		01325 462966
Email address		jennifer.hadland@smithsgore.co.uk

**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, CD2f) to which this representation refers or paragraph number of the NPPF Compliance Statement:

[Empty rectangular box for identifying the proposed change]

**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.**

PLEASE SEE ATTACHED SHEETS

Question 3 continued

(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).

D/A

(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

Dated

11 / 07 / 2012

**Selby District Council - Submission Draft Core Strategy  
Further Proposed Changes 6<sup>th</sup> Set**

**Response by Smiths Gore on behalf of York Diocesan Board of Finance**

**Introduction**

We act on behalf of York Diocesan Board of Finance (YDBF) in respect of their landholdings across the district of Selby.

We have the following comments to make with regard to the Submission Draft Core Strategy Further Proposed Changes 6<sup>th</sup> Set consultation:

**Tests of Soundness**

As stated in the Submission Draft Core Strategy, there are more than 60 villages and hamlets located throughout the District and there does need to be a level of acceptance that many people are going to have to travel outside of the District for employment on account of the district's rural nature.

Although YDBF welcomes the assertion that the majority of new development will be focused towards the Principal Town of Selby (and the other market towns) it is vital that the Council do not restrict future development throughout the rest of the district. The Council should not seek to obstruct the growth of the rural economy. Rural settlements are crucial to achieving economic growth through a stable and self sustaining population, employment opportunities and a range of well supported local services. Although the document states that about 60% of the District's population lives in the more rural parts of the district, there are concerns that these communities are not going to benefit from this plan period.

Other than concern over the flexibility of the Core Strategy with regard to development in and around the more rural settlements, there is general support from YDBF in respect of the 6<sup>th</sup> set of Proposed Changes. It is considered that the proposed changes ensure that the complex (and possibly more restrictive) elements of some policies have been removed. The proposed changes in respect of the National Planning Policy Framework (NPPF) are considered to comply with the overall 'golden thread' of the NPPF which is the 'Presumption in favour of sustainable development'.

**PC6.11 - Duty to Cooperate**

It is considered that the proposed changes to Chapter 2 with regard to 'Duty to Cooperate' complies with the NPPF, particularly paragraphs 178 - 182. We consider that the Council has fulfilled its duty to cooperate on cross boundary issues in developing the Plan.

**PC6.18 - New Policy LP1**

We support, in principle, Policy LP1 as a new policy, as it focuses on the NPPF 'presumption in favour of sustainable development'. It is vital that the Council supports and delivers sustainable and suitable development when opportunities present themselves.

A positive approach to planning is vital if the document is to comply with the NPPF. It is important that the Core Strategy and future Local Plan enables the Council's Planning Team to work proactively with landowners and developers to ensure development is deliverable and therefore improve the economic, social, and environmental conditions of the District.

#### **PC6.24 – Isolated Homes in the Countryside**

We support the additional text to paragraph 4.29 of the Core Strategy as this complies with the NPPF, particularly paragraph 55 of the new framework. The reuse of existing yet redundant or disused buildings is an important element of the NPPF and should be set out in the local Plan to support the rural economy.

In addition, we consider traditional, agricultural buildings within YDBF's ownership to be non designated historical assets to the countryside. They form historical importance to the landscape. We therefore consider Core Principle 12 of the NPPF also important as it sets out national planning policies on the conservation and enhancement of the historic environment. As set out at paragraph 126 of the NPPF, Local Planning Authorities should "recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance". The NPPF also states that Local Planning Authorities should take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, particularly when determining a planning application (paragraph 131).

Furthermore, as set out at paragraph 135 of the NPPF (Core Principle 6), "the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application". Historic assets (designated or not) are a non renewable resource and intelligently managed change may sometimes be necessary if heritage assets are to be maintained for the long term. To ensure the conservation and long term protection of the unused traditional agricultural buildings within YDBF's ownership, their conversion into a suitable alternative use would secure this. It is not viable to leave the buildings in their current conditions as this would inevitably lead to their deterioration over time.

We believe it is vital that heritage assets (designated or not) are put to an appropriate and viable use. The continued use of these buildings will contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment, particularly where a heritage asset is to be changed / impacted upon. Keeping buildings in an appropriate use also avoids the consumption of building materials and energy and the generation of waste from the construction of replacement buildings. We therefore consider that the conversion of the unused, traditional, agricultural buildings throughout YDBF's landholding would comply with the NPPF and should be incorporated into the Local Plan. It is important to support the conversion of unused agricultural buildings to ensure re-use of existing fabric, minimise waste, and utilise an existing footprint. Reuse of existing footprints will have no additional adverse impact on the surrounding area as it will not result in any encroachment into the open countryside.

#### **PC6.40 – Phasing of Development**

Although phasing was introduced into the policy to help direct growth throughout the Plan period, it could be considered as a restrictive element of the Policy, particularly considering the current economic climate.

The actual delivery of development should be supported and not hindered by potential restrictions such as phasing and therefore limiting the numbers of units that can be delivered in a specific timeframe. The Council need to boost the supply of housing being delivered and continue to promote and support future development. Any necessary phasing can be monitored on a site by site basis via the planning application process.

**PC6.50 – Previously Developed Land (PDL) Targets**

We support the deletion of the reference to PDL targets. This ensures consistency with the NPPF. It is vital that the forthcoming Plan meets identified needs and is realistic in terms of delivery.

**PC6.55 - Affordable Housing**

It is understood that affordable housing is an important element in the overall delivery of housing; however, it is considered that a scheme of ten units as a minimum threshold is too low for providing affordable housing. We would strongly question the economic viability of schemes when this threshold is applied. The Council's main priority should unequivocally be to ensure that inflexible contributions do not lead to a scheme becoming unviable and therefore not deliverable.

Affordable housing is not the only development that the smaller settlements need. It is acknowledged that affordable housing is necessary, however, due to the viability of such development, the overall choice of housing will be affected in the smaller settlements as new housing choice (market or affordable) will not be provided.

Flexibility should be included in the affordable housing policy to ensure that future development opportunities are not impeded by unrealistic affordable housing requirements or other planning obligations. The Council needs to ensure that development will be realistically delivered during this plan period.

Rural exception sites are proposed in the Core Strategy DPD. In our experience, however, we would suggest that very limited sites will be brought forward and be developed via this policy. There is currently very little incentive for landowners to release their land for the development of an 'exceptions' site. We therefore support Proposed Change number PC6.55 which reflects paragraph 54 of the NPPF that LPA's should consider market housing in rural exception schemes to ensure viability and delivery of housing sites.

We would also urge the Council to accept the need for offsite provision of affordable housing where appropriate. This should be built into the policy text.

Market and affordable housing, along with employment opportunities, are required in all settlements to ensure vitality and viability of the existing communities.

**PC6.57 & PC6.58 – Rural Housing Exception Sites**

We support the deletion of the reference to settlements with less than 3000 population so that Policy CP6 now applies to all settlements. With this change and with the potential for including some market housing as part of an 'exceptions site', we may see an increase in the delivery of affordable housing throughout the District. Affordable housing is currently not being delivered due to viability issues and the changes to this policy may help resolve the viability and deliverability of such sites, therefore helping the district meet its affordable housing need and targets.

**PC6.71 – PC6.76 – Rural Diversification**

It is important for the Core Strategy to promote continued economic diversification within the rural areas of the District as well as focusing on the economy of town and village centres. It is also vital to support rural regeneration by diversifying and strengthening the rural economy.

Maintaining existing businesses and encouraging new businesses helps diversify rural employment opportunities, maintain the viability of smaller settlements and reduce the need for local people to travel longer distances for work.

We therefore support the deletion of Policy CP10 and the proposed amendments to Policy CP9.

### **Conclusion**

YDBF particularly support future development in the following settlements and support their designation as Principal Towns, Local Service Centres and Designated Service Villages.

- Selby;
- Sherburn in Elmet;
- Thorpe Willoughby;
- Hemingbrough;
- Brayton;
- Carlton;
- South Milford;
- Cawood;
- Hambleton
- Fairburn; and
- Monk Fryston

YDBF would also like to see some growth in the smaller settlements which have not been identified in the Settlement Hierarchy for future growth as it is important to enable development for communities across the district.

These settlements represent focuses for ministry within the Diocese of York within the Selby District area and, as such, the Church of England would wish to support growth and investment into these communities.

It is submitted that the Council should not seek to hinder the growth of the rural economy. Small rural settlements are central to achieving economic growth through a stable and self sustaining population, employment opportunities and a range of well supported local services. We suggest that the Council give due consideration to permitting a degree of new development in the smaller rural settlements to retain and enhance their character.

In conclusion, we support the proposed changes to the Core Strategy in respect of the recently published NPPF. We consider this provides the necessary flexibility for meeting need and demand for a variety of development.

Notwithstanding this, the Council needs to ensure that this flexibility is present in all the Local Plan documents and that the rural communities continue to have development opportunities to prevent them from becoming stagnant leading to further local services and facilities being forced to close. Rural settlements are just as important to the Selby District as the principal towns and this should be represented throughout the forthcoming Plan.