

Save Saxton's Green Belt



Policy and Strategy Team
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Dear Sir or Madam

**PLAN Selby - Delivering the Vision: Sites and Policies Local Plan Initial
 Consultation**
Response from Save Saxton's Green Belt

I am writing on behalf of the local action group "Save Saxton's Green Belt" (SSGB) to provide our response to the above by way of the documents as attached.

By way of context, SSGB formed in 2014 in response to an application for planning permission for an extension of Saxton Junior School, the latest in a spate of applications for development in and around Saxton (situated in the Green Belt), several of which have been granted planning permission by SDC contrary to both local and national planning policy.

As you know, Saxton is a small Secondary Village in a rural area with a distinct character as shown by the planning designations in/around it (e.g. Grade I/other Listed Buildings, Scheduled Ancient Monument, Conservation Area, Area of High Landscape Value, Green Belt).

Saxton school is a welcome part of the village, but it has grown from approx. 20 children in 1994 to 77 children in 2014 (60% of whom come from outside the school's catchment area), and now faces even more demand for places (hence its application for an extension last year). This growth rate has far exceeded the capacity of the village to accommodate such development: cheap/ugly extensions to the school have eroded the integrity and amenity of the Church (a Grade I listed building) and the Saxton Village Conservation Area; parked cars clog up the lanes at drop-off/pick-up times and prohibit farm vehicles from passing through the village.

Any more development at the school would therefore be totally unsustainable. As such, there were 51 objections to the application, but none from SDC, despite the proposal being contrary to the Core Strategy (which designates Saxton as a Secondary Village in view of the objectively assessed fact that it cannot accommodate any more development/growth).

Although the application was withdrawn since NYCC rightly considered that the proposal was inappropriate (i.e. not justified in the Green Belt, contrary to the Local Plan and national policy etc.), we have lodged a complaint against SDC and requested information under the Freedom of Information Act to establish why SDC did not object.

We also remain concerned about inappropriate development in and around Saxton, hence our need to respond to the consultation as attached.

In doing so, I have provided an additional comment at the end of my response which addresses the issue of the Green Belt. Although there is no specific question on the issue of the Green Belt (and/or Green Belt Review), it is necessary for us to provide a view on this key strategic issue.

For the avoidance of doubt, our position on the Green Belt/Green Belt review is as follows: *Whilst it is accepted that in the needs of sustainable development a limited amount of site allocations may have to be made in the existing Green Belt (and that the existing Green Belt may thereby be changed and diminished a little in size, such allocations can and should ONLY occur in proximity to the Principal Town, Local Service Centres and Designated Service Villages specified in the Settlement Hierarchy as provided for by the Selby District Core Strategy (October 2013) Policy SP2 (Spatial Development Strategy); as such, no allocations for development (or development itself) should be allowed to take place in and around Secondary Villages such as Saxton, and no amendment of the existing Green Belt as it relates to Saxton should be allowed to take place.*

I therefore look forward to hearing from you in due course and would ask you to omit my details from any copy of this letter and attachment that goes on your web site or other.

Yours faithfully

Dr Sibylle Frey, MSc

Save Saxton's Green Belt

Enc: SSGB response to PLAN Selby (initial consultation)



Comments on Initial Consultation

Topic / Chapter: Duty to Cooperate

Question no. 3

Paragraph: 1.24 to 1.27

Comment:

The Council needs to involve NYCC Education Department to identify the need for schools relative to the capacity of settlements to accommodate growth. Failure to do so in the preparation of PLAN Selby will lead to an inappropriate development of schools beyond the capacity of settlements to accommodate such growth. This would be contrary to the NPPF (in particular, paragraphs 151, 152, 157, 162, 178, 179, 180, 181, 182). It would also be contrary to Selby District Core Strategy Local Plan (SDCSLP) policies SP2, SP3, and SP18. Unless Plan Selby addresses this issue it will not be found to be sound.

Topic / Chapter: Key Aims and Objectives of PLAN Selby

Question no. 5 a, b

Paragraph: 2.3 onwards

Comment:

- a) No. The SDCSLP contains 17 objectives (as stated on pp. 33) which PLAN Selby should contain. These objectives are the right objectives for PLAN Selby.
- b) Yes. SDC needs to replace the current 7 objectives with the 17 objectives as stated in the SDCSLP (pp33). Failure to do so will mean PLAN Selby is not consistent with the SDCSLP and will have not been positively prepared and will therefore be contrary to the NPPF (paragraph 182).

Also, PLAN Selby implies its objectives are the same as those in the SDCSLP. This is wrong and misleading, and thereby comprises falsified information. Unless PLAN Selby addresses the above issues it will not be found to be sound (for a mixture of legal and policy reasons).

Topic / Chapter: Key Issues

Question no. 6 a, b

Paragraph: 3.2

Comment:

- a) No. The topics do not really address social issues. There is more to social issues than just providing homes (i.e., social inclusion, cohesion, quality of life etc.). The topics need to address the provision of social and community facilities, and the conflicts arising from such facilities causing harm to the environment and residents' amenity/quality of life.
- b) No. The list needs to address social and community issues, and in particular the capacity of existing settlements to accommodate growth of schools.

Topic / Chapter: Precise amount of new housing allocations

Question no. 7a, b

Paragraph: 3.7 onwards

Comment:

- a) Yes. The proposed approach is sound and fully supported.
- a) Yes. The proposed broad principles of the calculation method are sound and fully supported.

Topic / Chapter: Overall amount to allocate

Question no. 8a, b, c

Paragraph: 3.18 to 3.23

Comment:

- a) No, strictly not. To do so would undermine the credibility of the development plan. It would also be contrary to the NPPF, which provides no precedent for over-allocation and requires policy to be evidence-based. As such, any over-allocation would lead to PLAN Selby be found “unsound” within the meaning of paragraph 182 of the NPPF. Besides, it is commonly accepted practice to take a plan-monitor-manage approach to planning; if therefore it is found in due course that sites are not being delivered, then SDC should review the position then - and only then - as appropriate (e.g. by undertaking a Select Review of PLAN Selby).
- b) PLAN Selby should seek to adopt the approach of the SDCSLP, which already provides a sound approach to the issue. To do otherwise would lead to PLAN Selby being found to be unsound within the meaning of paragraph 182 of the NPPF.
- c) No, absolutely not, for the reasons above. Also, any contingency site would have the effect of comprising allocated sites, making the distinction between the two arbitrary and thereby making nonsense of PLAN Selby (and the development plan as a whole).

Topic / Chapter: Selecting the best sites for allocation/ New Evidence and Viability

Question no. 10

Paragraph: 3.34 onwards

Comment:

Yes. SDC is right to stress the importance of the Core Strategy in setting the rules for site selection (which must take place therefore in line with SDCSLP policies, especially SP2, SP4, and SP5). However, there are some development types (e.g. schools and school expansion) which are not overtly catered for at present in policy terms; as such, PLAN Selby must ensure that schools development (and other development) takes place only where there is capacity for it to do so. In Saxton, we have had recent experience of the school seeking to expand way beyond the capacity of the village to accommodate such development. Since Saxton is a Secondary Village it is therefore not designated for future growth. In short, you would not locate a supermarket in a small village; nor should you locate a school expansion there either. There needs to be a sense of proportion and capacity therefore to site selection criteria.

Topic / Chapter: Supporting Rural Prosperity

Question no. 18

Paragraph: 3.70, 3.71

Comment:

Yes, in so far as the Secondary Villages are concerned. PLAN Selby rightly focuses development in the Principal Towns, Local Service Centres and Designated Service Villages. It is therefore relatively silent about Secondary Villages (e.g. Saxton). Whilst this is understandable, it is a concern for local residents since housing and non-housing development and will occur in Secondary Villages, and some applications will be put forward that are completely disproportionate to the capacity of the settlement to accommodate

further development and which would have an adverse impact on the character of the area. A development management policy is needed therefore to provide for all development to be: within the capacity of the settlement to accommodate such growth; proportionate to the scale and form of the settlement concerned; appropriate to the character of the settlement concerned.

Topic / Chapter: Town Centres and Local Services

Question no. 20

Paragraph: 3.94, 3.95

Comment:

Yes, we do have views on services in other settlements (e.g. Secondary Villages). This is because Saxton (a SV) has been subject to a proposal to expand the school. In 1990 the school had 20 places; in 2004 it had 50 places; it now has 77 places; the school now wants to expand to c. 100 places or more. Such development would be beyond the capacity of the village to cope, and would have a hugely adverse impact on the scale, form, and character of the settlement. PLAN Selby must therefore define capacity standards for secondary villages based on the role of the settlement AND resist over-development that will adversely affect the scale, form and character of settlements.

Topic / Chapter: Other Allocations/Designations

Question no. 21a, b

Paragraph: 3.96, 3.97

Comment:

- a) Yes. Secondary Villages need greater protection from residential and non-residential development. In particular, there needs to be recognition of the capacity of such settlement to accommodate – or not – extra development.
- b) The justification for such an approach is to be found in the evidence of Saxton (a Secondary Village), which has been subject to a proposal to expand the local primary school. Whilst the school plays an important role in the village, it has experienced exponential growth in pupil numbers that is simply inappropriate for the village. In 1990 the school had 20 places; in 2004 it had 50; it now has 77; the school now wants to expand further to provide c. 100 places for children. This is totally unsustainable. Such development would be beyond the capacity of the village and to cope, as would have a significant adverse impact on scale, form and character of the settlement. PLAN Selby must resolve this conflict.

Topic / Chapter: T3 Defining Areas for Promoting Development and Protecting Key Assets

Question no. 22

Paragraph: 3.98, 3.100 – 3.102

Comment:

Development Limits must be drawn tightly. This is to maintain the settlement pattern AND character of the settlement as well as the capacity of settlements to accommodate growth. A failure to do so would undermine the credibility of PLAN Selby, would be wholly contrary to the Core Strategy, and would mean PLAN Selby had not been positively prepared within the meaning of the NPPF (paragraph 182) and will therefore be found to be unsound.

Topic / Chapter: T3 Defining Areas for Promoting Development and Protecting Key Assets

Question no. 24

Paragraph: 3.111

Comment:

What is meant by “Safeguarded Land”? (The glossary contains no definition for this). Is this land to be safeguarded from development, or safeguarded for development? However, since the document implies the latter, PLAN Selby must determine how much land is to be safeguarded for development (i.e. allocated), by following the lead of the Core Strategy and thereby considering land in and around the Principal Towns, Local Services Centres, and Designated Service Villages ONLY. It must not consider safeguarding any land in and around Secondary Villages.

Topic / Chapter: T4 Infrastructure needs

Question no. 25

Paragraph: 3.114, 3.116, 3.118, and 3.122

Comment:

Yes, the local need to protect and enhance amenity and appropriate scale/capacity has not been identified in relation to the provision of infrastructure. Just because a generally desirable element of infrastructure (e.g. development of a school) is wanted by an interested party (LEA or other) to be delivered, this is not to say it is desirable if it is contrary to the capacity, scale and character of the settlement concerned. This has been the case recently in Saxton (see answer to Question 21b). PLAN Selby therefore needs to ensure that the delivery of any infrastructure is appropriate to the capacity, scale, and character of the settlement concerned (and that schools and expansions thereof take place in line with the Settlement Hierarchy).

Topic / Chapter: T6 Protecting and Enhancing the Environment

Question no. 27 a, b

Paragraph: in particular 3.129, 3.130, 3.131, and 3.132

Comment:

- a) No, the list is not comprehensive as it omits Local Green Spaces as provided for by the NPPF (paragraphs 76 and 77). Other environmental assets that should be afforded protection are Local Green Spaces as required by NPPF (paragraphs 76 and 77).
- b) No. The Core Strategy is not sufficient to protect the District’s environmental assets in view of the answer to question 27a. PLAN Selby therefore needs a more detailed policy on Local Green Spaces, and SDC therefore needs to conduct an audit of suitable sites to afford protection to (e.g. cricket club grounds, school playing fields, village greens etc.).

Topic / Chapter: Heritage Assets

Question no. 28

Paragraph: 3.135, 3.137

Comment:

Yes. Whilst it is accepted that listed building status is not an absolute barrier to change (paragraph 3.135 of PLAN Selby), PLAN Selby as written is silent on the need to protect the setting of a listed building. However, S.66 of the Listed Buildings and Conservation Areas Act (and related cases such as the recent Barnwell Manor case) require the protection of the setting of a listed building. PLAN Selby must therefore protect the settings of listed

buildings; any failure to do so would thereby be incompatible with legislation (and be found to be unsound).

Topic / Chapter: Heritage Assets

Question no. 29

Paragraph: 3.140

Comment:

Yes. A local list of heritage assets would be consistent with the Localism Act and the NPPF, and would help resist inappropriate development (especially in Secondary Villages with a high standard of amenity such as Saxton).

Topic / Chapter: Transport and Highways

Question no. 32 a, b

Paragraph: 4.9 to 4.12

Comment:

- a) Yes. PLAN Selby should provide for active traffic management in settlements such as Secondary Villages, which do not have the capacity to cope with the existing high levels of school-related traffic and through-traffic.
- b) Yes. PLAN Selby should resist development of schools in settlements such as Secondary Villages where there is no capacity to cope with existing high levels of school-related traffic (let alone accommodate any more).

Topic / Chapter: Design

Question no. 33 a, b

Paragraph: 4.13 to 4.15

Comment:

- a) Yes. Not sure what a “detailed general” policy is since this is a contradiction in terms - but we would support a general policy to ensure high quality design (including community engagement, requirements for materials to be consistent with the existing character of a settlement etc.).
- b) Yes. In particular, any new development near to and/or affecting the setting of a listed building should complement the existing materials (e.g. use of limestone) of the heritage asset.

Additional Comment:

Although there is no specific question on the issue of Green Belt (and/or Green Belt review) it is necessary to provide SSGB’s view on this key strategic issue as follows:

Whilst it is accepted that in the needs of sustainable development some limited number of allocations will be made in the existing Green Belt (and that the Green Belt may be somewhat altered /decreased in size), such allocations can and should only occur in proximity to Principal Towns, Local Service Centres, and Designated Service Villages as specified in the Settlement Hierarchy as provided for by Core Strategy Policy SP2 (Spatial Development Strategy). As such, no allocation for development (or development itself) should be allowed to take place in and around Secondary Villages (e.g. Saxton). Similarly, no amendment of the existing Green Belt (as it relates to Saxton), should take place.