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Policy and Strategy Team
Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT

18 December 2014

Your Ref: ST/ds/230

Dear Sir / Madam

PLAN Selby - The Sites and Policies Local Plan Initial Consultation - Land East of Selby Road, Whitley

Knight Frank LLP is instructed by the landowner of the above site to submit representations towards PLAN Selby's Sites and Policies Local Plan Initial Consultation, which runs from 24 November 2014 to 19 January 2015.

Knight Frank has previously made representations towards the Selby's Site Allocations Development Plan Document (DPD), Issues and Options Consultation (January 2011) (now archived) in a Report dated 16 February 2011. We also submitted SHLAA representations on 25 November 2010 and 15 November 2011 and as a part of the Council's most recent Call for Sites 2013, for which we were requested to re-submit details of our client's site, to ensure the Council had the fullest, most up-to-date information and to inform the Council that the site is still available.

Background

PLAN Selby is the Sites and Policies Local Plan which the Council is developing to deliver the strategic vision outlined in the Core Strategy (adopted 3 December 2013). PLAN Selby will form part of the Local Plan for the District against which planning applications will be assessed.

PLAN Selby will incorporate site allocations, site specific designations and proposals and policies, and the development management policies which are necessary and appropriate for Selby District to deliver the Core Strategy within national policy.

We understand that this initial consultation is the first stage in the preparation of PLAN Selby, for which the Council seek comments on the key issues for the planning of the whole of Selby District and how the Council can deliver the jobs and homes that are needed.

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Site Description

Land East of Selby Road, Whitley

Our client's site is located east of Selby Road (A19), to the south of Junction 34 of the M62 motorway, at Whitley, Selby. The site is approximately 3 hectares and comprises of greenfield land with residential dwellings to the north, south and west of the site and open countryside to the east. All of our previous representations have related to this 3ha site. Our client's land ownership extends to a total of 12.5ha, further detail of which is provided below.

The site is relatively flat and boundaries to the north and south are predominantly tree lined.

The site has excellent access to the wider area via the A19 highway and M62 motorway. There are local services and facilities available within Whitley and Eggborough, including bus stops within 10-20 metres (Bus Services 405 and 407) and a train station within just a few minutes' walk.

The site is identified as being located in the Green Belt in Selby District Council's Local Plan (adopted February 2005) but adjoins the Whitley settlement boundary to the north, south and west.

Land to the north of the site was granted planning permission for residential development (Reference: 2007/1406/MAJ) in January 2009 and again in February 2011 for a revised scheme of 44 units (2010/0592/FUL). This scheme has now been built out. An existing residential estate is situated to the south of the site, off Whitley Farm Close.

Representations for the site were submitted towards the Call for Sites 2013. The Council has produced a Call for Sites Map Book, within which the site is identified as '*WHITLEY/009 – Land north of Whitley Farm Close, Whitley*', as a site being promoted for residential, retail, open space / community and leisure development.

In producing the Call for Sites Map Book, we understand that the Council has made no comment on the suitability of any of these sites and that the sites included within it are not to be proposed for allocation at this stage.

Our client's additional land ownership

Our client's land ownership extends further to the north, with approximately 12.5ha bounded by Selby Road, the M62 motorway and the Knottingley and Goole Canal. Whilst the land off Selby Road is the primary site our client wishes to promote, the land further to the north has also been highlighted as an additional option, with the potential for further development to the east of the Whitley settlement boundary. This land can be brought forward should the Council wish to consider it, either collectively or separately to the land off Selby Road.

Both options are considered in further detail later in these representations.

A Site Location Plan is enclosed which shows the primary site, land off Selby Road, in red and our client's other land, which we request that the Council also consider, in blue. The land within the blue line has been subdivided into smaller parcels of land to demonstrate that these could come forward separately, should the Council consider this approach to be acceptable.

Representations

Set out below are representations in relation to the specific questions set out in the consultation document.



Q5 - Key Aims and Objectives of PLAN Selby – (a) Are these the right objectives?

Objective 4 is, *'To set up to date Green Belt Boundaries to endure beyond the life of this plan, and designate Safeguarded Land.'*

Our client is strongly in support of Objective 4 and agrees that in order to deliver the Core Strategy growth in a sustainable manner, consistent with national policy and local evidence, a Green Belt review is necessary.

In undertaking a Green Belt review, the Council must ensure that their methodology is in line with the guidance set out within the **NPPF**, which states, at paragraph 85, that when defining boundaries, local planning authorities should, *'ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development; not include land which it is unnecessary to keep permanently open; where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period'; and 'satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period'.*

Provided the guidance above can be met, our client supports the Council's objective to undertake a Green Belt boundary review in which both Green Belt release and safeguarding are objectively considered.

We consider it is essential the Green Belt review looks beyond the plan period to ensure it meets both the NPPF Guidance, but also provides flexibility and certainty to the market.

Q7 - Amount of New Allocations Needed in PLAN Selby – (a) Do you agree with the proposed approach to the base date?

Our client would like it to be made clear that this should be a minimum requirement. Were the Council able to demonstrate a 5 year housing land supply, based on the figures set out within Table 2 of the Initial Consultation, our client has concerns the Council may restrict further residential development from coming forward.

Our client would like to make the Council aware of a recent appeal decision for 100 dwellings at Upper Chapel, Launceston (APP/D0840/A/13/2209757), which was allowed on 11 April 2014. At paragraph 51 of the decision letter the Inspector considered *'..irrespective of whether the five year housing land supply figure is met or not, NPPF does not suggest that this has to be regarded as a ceiling or an upper limit on permissions. On the basis that there would be no harm from a scheme, or that the benefits would demonstrably outweigh the harm, then the view that satisfying a 5 year housing land supply figure should represent some kind of limit or bar to further permissions is considerably diminished, if not rendered irrelevant. An excess of permissions in a situation where supply may already meet the estimated level of need does not represent harm, having regard to the objectives of NPPF.'*

We suggest that the Sites and Policies Local Plan needs to make it clear that the figures set out within Table 2 are the minimum requirements and that, should the Council be able to demonstrate a 5 year supply, this would not limit permissions which come forward where there would be no harm from a scheme, or where the benefits would demonstrably outweigh the harm.

Q8 - Overall amount to allocate - a) Should PLAN Selby over-allocate to allow for any non-delivery on the allocations? By what method and by how much?

We consider the Council's plan should over-allocate for any non-delivery.

Given the market uncertainty in recent years and unpredictability in the future, there is a possibility that some allocated sites may not be delivered during the plan period.

Paragraph 3.19 correctly advises that, *'The Council could consider allocating additional land to compensate for such possibilities. This would help sustain a five year housing land supply whilst adding choice and flexibility, ensuring delivery of the housing requirement by 2027.'*

Alternatively, should the housing market pick up significantly and demand increase substantially, the allocation of additional sites would allow further development to come forward on land that the Council has already deemed to be suitable.

Paragraph 14 of the **NPPF** states that there is a *'presumption in favour of sustainable development... For plan-making this means that... Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change'.*

By over-allocating, the Council would be allowing for this suggested flexibility. This approach would help sustain a five year housing land supply, whilst adding choice and flexibility, allowing the Council to rectify the supply, when and if applicable.

In response to how 'much land should be over-allocated', paragraph 47 of the **NPPF**, suggests that to boost the supply of housing, Councils should identify a five years housing land supply with an additional buffer of 5%, to ensure choice and competition in the market. Where there has been persistent under delivery of housing, the **NPPF** advises that this buffer be increased to 20% to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.

Given the current requirements set out in the **NPPF**, our client considers it would be reasonable for the Council to over-allocate by between 5% to 20%. Given the Council's recent underperformance, they should take 5% as their starting point and work up to an over-allocation of 20%.

Q8 - Overall amount to allocate – (b) How should PLAN Selby seek to allocate sites in such a way as to secure delivery over the whole plan period?

In line with the **NPPF**, our client considers that sites should come forward with a presumption in favour of sustainable development. Sites which are the most sustainable, where facilities, services and infrastructure are in place, should be the first to be allocated. The plan should seek to allocate sites which are considered deliverable, i.e. with less constraints, and wherever possible deliverability should drive future allocation.

In line with the above, our client's site is situated on the edge of the settlement of Whitley, which is one of the larger Designated Service Villages, which has the necessary facilities, services and infrastructure in place. Our client has previously indicated to the Council that their site falls entirely within their ownership and is available for delivery now. Our client's site is a good example of a site which could be allocated and delivered immediately.

Q8 - Overall amount to allocate – (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?

For the same reasons given to Q8(a), we considers that there is an opportunity to have contingency sites. The Council could look to safeguard certain sites, which could come forward should the Council's supply drop below a 5 year supply, or should demand pick up meaning further sites would need to come forward.

Requirement of 2,000 dwellings in *'Designated Service Villages'*, of which, there will be a requirement of 1,780 dwellings through *'New Allocations'*.

As stated above, we consider that there is scope within Eggborough and Whitley for a higher percentage of residential growth and would like to see this reflected in the Sites and Policies Local Plan. This is because Whitley and Eggborough offers a number of local services and facilities, so is therefore accessible and sustainable, and offers deliverable sites, including our client's land, which could come forward at the start of the Development Plan period.

Our client's site off Selby Road is suitable for residential development and could contribute to meeting this requirement for New Allocations. The site is in a sustainable location, with a train station at Whitley Bridge and local bus services within 10-20 metres of the site, serving Askern, Doncaster and Selby (Services 405 and 407).

Our client seeks the removal of their site from the Green Belt and its reallocation for a primarily residential use. Justification for the site's removal from the Green Belt is set out later in these representations.

Question 48(b) - What else is needed in Eggborough & Whitley that could be allocated a site?

Our client considers that there is provision in Whitley and Eggborough to offer further local facilities to serve local people, which could come forward on their site(s).

Our client's land ownership is clearly in a sustainable location for growth, adjoining the settlement boundary, and could deliver wider benefits to the community, thus making it even more sustainable.

Given the extent of the wider ownership, our client would like to put these sites forward for development including the potential for further facilities and amenities. These could comprise of recreational and community uses or local convenience, retail stores or facilities to meet a local need.

As a part of the Call for Site 2013, our representation suggested the inclusion of local facilities within the site off Selby Road. Additionally, our client would like to put forward the land in their wider ownership to provide further facilities.

These benefits will contribute to the general sustainability of both the site(s) and Whitley and Eggborough as a Designated Service Village.

Green Belt

Paragraph 3.108 of the Sites and Policies Local Plan Initial Consultation states that the Council plan to undertake a separate study to review Green Belt boundaries. Paragraph 3.109 continues that the study will be undertaken in a separate exercise and will be subject to its own consultation and is not part of this Initial Consultation on PLAN Selby.

Whilst our client acknowledges the above, and will be making separate representations towards this review at the applicable time, they seek the site's removal from the Green Belt and reallocation for residential development, and so consider that justification for the site's removal from the Green Belt should be included within this representation.

The site is situated within the Green Belt and adjoins the settlement boundary of Whitley.

The **NPPF** advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open (paragraph 79). Our client's site is enclosed by residential development to the north,

For either scenario, safeguarded land to be restricted to come forward at the end of the Local Plan period, rather, it should be made available should either of the above scenarios occur.

Q9(a) - Is a simple percentage growth across all Designated Service Villages a fair and appropriate starting point for deciding the split between the DSVs?

Table 4 in the Sites and Policies Local Plan Initial Consultation sets out an indicative village allocation minimum target, if proportionate growth were applied.

This table identifies Eggborough and Whitley as being the third largest Designated Service Village in Selby, with approximately 1,276 existing dwellings, based on the 2011 census, plus 9% growth builds over past 3 years. Only Barlby and Osgodby (2,134 existing dwellings) and Brayton (2,267 existing dwellings) are identified as having a higher number of existing dwellings.

We do not consider that a percentage growth across all Designated Service Villages is a fair or appropriate starting point for deciding the split of residential growth. It is considered that each Designated Service Village should be individually assessed in terms of sustainability and the deliverability of sites in order to attribute an appropriate level of housing growth.

Eggborough and Whitley comprises the most established settlement in the south of the District and as such, a significant proportion of the 'New Allocations' in Designated Serve Villages should be directed here, in order to meet the minimum requirement set out in **Policy SP5** of the Core Strategy. Our client considers that Eggborough and Whitley have the capacity to be attributed a higher growth percentage of residential growth than is currently suggested in Table 4 (8 – 9%).

Based on the 8% - 9% percentage growth, the Sites and Policies Local Plan identifies that between 102 - 115 additional units will be required in Eggborough and Whitley to meet the identified minimum targets for growth in the villages. Given the sustainability and infrastructure within this borough and community, we consider this percentage should be increased.

The Sites and Policies Local Plan Initial Consultation goes on to state, at paragraph 3.30 that, '*PLAN Selby must consider the capacity of individual villages to absorb particular levels appropriate to that settlement and apply sustainability tests. It must also take account of all policy and technical considerations. The final methodology to agree a quantum for each settlement will be refined through more evidence base work and further consultation.*' We support this approach but consider that it should be adopted from the outset. We therefore request that a higher proportion of growth be directed towards Eggborough and Whitley.

Question 48(a) - How should Eggborough & Whitley grow and develop?

Question 48a) of the Sites and Policies Local Plan Initial Consultation asks, '*How should Eggborough & Whitley grow and develop?*'

Whitley and Eggborough are described as villages with close links and shared facilities. Core Strategy **Policy SP2** (Spatial Development Strategy) list Whitley and Eggborough as '*Designated Service Villages*', which have scope for additional residential growth.

Core Strategy **Policy SP5** (The Scale and Distribution of Housing) states that provision will be made for the delivery of 450 dwellings per annum and housing land allocations will be required to provide for a target of 5,340 dwellings between 2011 and 2027. The policy identifies that there will be a '*Total Minimum*'

south and west. Given the level of development surrounding the site, the site does not contribute to the openness of the wider area. Were development to come forward in this location, it would act as an infill site which would not result in urban sprawl.

Whitley and Eggborough is key location for growth to the south of Selby, it is therefore expected that it should accommodate significant development. The site off Selby Road is a suitable location in Whitley for growth and justifies its localised review as a part of the Green Belt study.

The use of this site for residential development would be most suitable given it adjoins existing housing estates to the north, south and west. Were a residential development to come forward this will not need to project any further into the Green Belt than any of development surrounding it and could be well screened. Given the location and existing development, the visual intrusion of the development would be less than other proposed sites identified in the Map Book and the site could help to deliver wider community benefits, thus contributing to the delivery of a mixed and sustainable community.

Availability and Achievability

Our client is keen for their land to be considered as a part of the preparation of the Sites and Policies Local Plan.

We wish to express that this land is owned in its entirety by our client and is therefore immediately available for development. There is no constraint in terms of land ownership which could prevent the site(s) being available for development within 0-5 years. Furthermore, there are no irresolvable market factors (land values / market demand) that might affect the site's future development for housing. The site would be attractive to house builders, which is further justified by the successful build and sale of the new properties to the north of the site off Selby Road, during the economic downturn.

Conclusion

Eggborough and Whitley comprises the most established settlement in the south of the District and our client considers that a significant proportion of the 'New Allocations' in Designated Serve Villages should be directed here.

Our client supports the Council's intention to undertake a Green Belt review. In order to deliver the Core Strategy growth in a sustainable manner we consider a Green Belt review is necessary.

We would like it to be made clear, for the avoidance of doubt, that the figures set out within Table 2 are the minimum requirements and that demonstrating a 5 year housing land supply will not limit permissions which come forward where there would be no harm from a scheme, or where the benefits would demonstrably outweigh the harm.

Given recent market uncertainty, our client supports the Council's suggestion of over-allocating or allocating contingency / safeguarded sites. Either option would ensure that if the Council fell below their 5 year housing land supply figure, they would be able to bring forward additional land. Alternatively, should the housing market pick up considerably, the Council would have land available within the Plan, suitable for development.

We suggest that the Council should consider the capacity of each individual village, which would allow for a higher percentage growth in Eggborough and Whitley, given it is the third largest Designated Serve Village in Selby.

Our client believes that there is scope for further facilities and services in Eggborough and Whitley and would like the Council to consider the site off Selby Road, as well as their wider land ownership, to accommodate both residential development, as well as the potential for other additional facilities and services.

We acknowledge that it is the Council's intention to undertake a separate Green Belt study as a part of the Plan Selby preparation, which will be subject to its own consultation. However, given the site's existing allocation in the Green Belt, and our client's desire for it to come forward for development, we considered it necessary to provide details and justification at this stage of the Plan Selby process.

We wish to be kept informed of the Sites and Policies Local Plan progress. Should you have any queries or seek clarification on these representations, please do not hesitate to contact me.

If you have any queries regarding this submission, please do not hesitate to contact me.

Yours sincerely

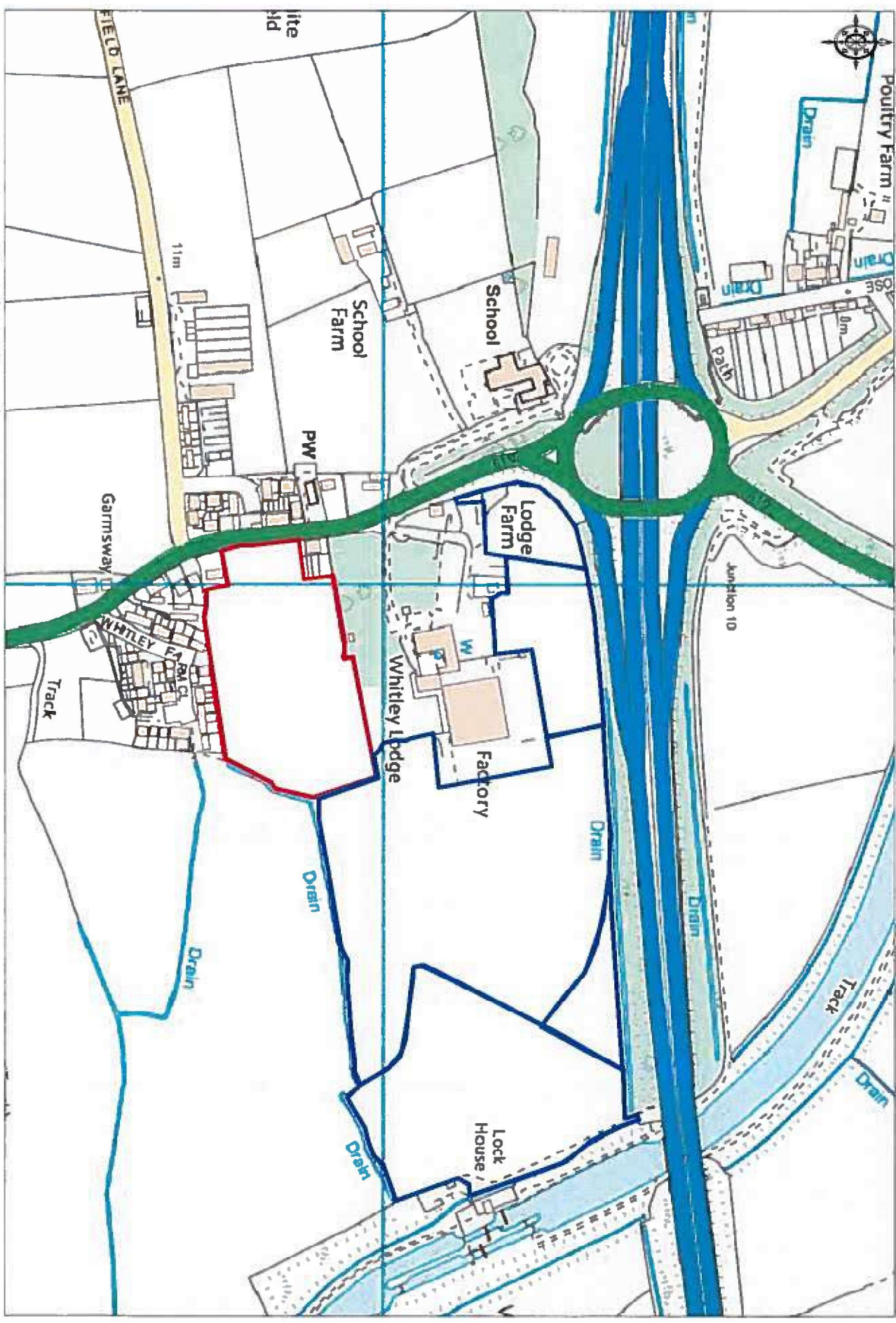
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Site Location Plan



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