



PB Planning

PLAN Selby

**Representations on behalf of
BDW Yorkshire (East) Division**

Strategy > Partnership > Delivery

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1.0 INTRODUCTION

- 1.1 On behalf of our client Barratt Homes and David Wilson Homes Yorkshire (East) Division (BDW), we write to provide comments in response to the *PLAN* Selby Sites & Policies Initial Consultation document issued for consultation in November 2014.
- 1.2 Our client is one of the UK's leading house builders, who are committed to the highest standards of design, construction and service. They have a number of site interests across Selby and therefore are very keen to engage with the Council and assist in preparing a sound Local Plan which is positively prepared, justified, effective and consistent.
- 1.3 Our client welcomes the invitation to respond to the Council's latest publication in respect of the Local Plan.
- 1.4 BDW are embedded to the District through a significant number of current and historical development sites, and of course through the number of residents of the District that they employ. BDW has a strong desire to enhance these connections and consequently they are committed to working with the Council in the adoption of a Local Plan that is focused towards delivering the sustainable growth of the District through new housing developments.
- 1.5 BDW's land interests in the District are set out below. Should the Council need further information in respect of these sites then please just let us know:-

York Road, Barlby

A full planning application at the above site for 179 Homes (including affordable homes and bungalows); open space; allotments; and a new roundabout is currently pending consideration by the Council's Development Management team.

Barff Lane, Brayton

Our client has recently opened pre-application discussions with the Council in respect of the submission of a full planning application at the above site for circa 70 homes (including affordable housing) and open space.

- 1.6 BDW are supportive of the messages that the Council's document delivers and believe it provides a sensible baseline from which to propel into the more detailed matters associated with the Council's further work on the Sites & Policies Local Plan document.
- 1.7 We provide our comments to the document below which are based around the following key messages:-
- Development, and particularly housing development, can deliver sustainable growth through economic, social and environmental enhancements to the character of the District;

- The Local Plan provides the platform in which development can be utilised to enhance the demographic characteristics of each area of the District;
- In order to achieve the above, development must be directed to areas where Developers are willing to invest.

Core Strategy Base Date vs Sites & Policies Local Plan Adoption

- 1.8 One key point our client wishes to raise at this early stage in the representations is the potential 5 year time-lag between the Core Strategy's base date and the proposed adoption of the Sites & Policies Local Plan.
- 1.9 In accordance with the National Planning Policy Framework (the Framework) the Council are required to plan the delivery of the correct number of new homes to meet in full the District's objectively assessed housing needs over the entirety of the plan period.
- 1.10 Allied to the above is the Framework's preference, identified in Paragraph 157, that Local Plan's should be drawn over a 15 year timescale. The *PLAN Selby* document at present seeks to align with the Core Strategy's plan period of 2011 to 2027. Which would mean that from the proposed adoption year of 2016/2017 the plan would only have a 10 year life span.
- 1.11 As part of the preparation of the Sites & Policies Local Plan we believe that the Council need to review their housing needs assessments to identify an up to date position on the District's objectively assessed housing needs. Particularly in light of the forthcoming new household and population projections that are due to be released in February/March 2015.
- 1.12 The importance of the Council's requirement to seek to significantly boost the supply of housing in the District is clearly set out within the Framework. In particular, the main emphasis of Paragraph 47 is to state that local authorities should meet the full objectively assessed housing needs for both market and affordable homes in their plans.
- 1.13 With respect of reviewing the housing needs assessments, the importance of ensuring the Council's evidence base is robust, proportionate and up to date is identified in Paragraphs 150 to 185 of the Framework. Specifically Paragraph 158 states that:-
- "Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local Planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals."***
- 1.14 With specific regard to planning for housing delivery within Local Plans, Paragraph 159 of the Framework states that LPA's should have a clear understanding of housing need in their area

and should prepare a Strategic Housing Market Assessment (SHMA) to assess their full housing needs. The Framework further states that the SHMA should identify the scale and mix of housing that the local population is likely to need over the plan period which:-

- ***“meets household and population projections, taking account of the migration and demographic change;***
- ***Addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and***
- ***Caters for housing demand and the scale of housing supply necessary to meet this demand.***

- 1.15 With specific regard to the proposed life-span of the Sites & Policies Local Plan, Paragraph 157 of the Framework identifies that Local Plans should be drawn over an appropriate timescale and *“preferably a 15 year time horizon”*.
- 1.16 Our client requests that the Council seriously considers an assessment of the District's objectively assessed needs following the publishing of the latest household and population projection figures and considers these alongside the proposed life span of the Sites & Policies Local Plan.
- 1.17 The above assessment is of paramount importance in ensuring that the document can be considered to meet the criteria of Paragraph 182 of the Framework in that it is positively prepared; justified; effective; and consistent with national policy.
- 1.18 The following written representations set out our client's comments on the *PLAN* Selby Sites & Policies Initial Consultation document which we trust will assist Selby District Council in preparing a 'sound' document.

2.0 AIMS & OBJECTIVES

- 2.1 This section of the representations provides our client's response to the questions relevant to them that are presented within the Aims & Objectives chapter of the document.

Response to Questions 1, 2, 3 & 4

- 2.2 Our client believes that the documents associated with the above questions provide a baseline starting position for consideration of the District's needs. However, we believe that each of the documents will need to be revisited once the site allocations have been identified in order to consider the on-site and off-site infrastructure requirements that they will generate. Accordingly we reserve the right to respond to future permutations of these documents once the allocations are known.
- 2.3 In response to the Duty to Co-operate, though the Core Strategy has been adopted it is of vital importance that the Council maintain discussions with their neighbouring authorities in respect of details associated with housing delivery, infrastructure and Green Belt boundaries. The Council's evidence base will play an important role in demonstrating how such discussions have been considered in the preparation of the Sites & Policies Local Plan.

Response to Q5 (a) and (b) – Aims & Objectives

- 2.4 Our client *objects* to the Council's identified Aims and Objectives as they believe that housing development should be specifically identified as a driver to stimulate economic growth; the creation of jobs; and as a means to enhance the District's natural and built environment.
- 2.5 The direct benefits that housing development can deliver includes the following:-
- Creating sustainable communities through meeting housing needs, offering existing and potential residents of the District the opportunity to live in a house and location they desire.
 - Providing a viable way to deliver increased levels of affordable housing.
 - Delivering significant financial contributions towards the improvement of infrastructure including highways, drainage, education and community facilities.
 - New capital expenditure creating substantial direct and indirect employment opportunities.
 - Sustaining and improving the District's labour market through delivering the right homes in the right locations.
 - Provision of funding towards public services through new homes bonuses & council tax payments.
 - Safeguarding and enhancing areas of environmental quality through creating on-site and off-site management schemes.
- 2.6 The Framework seeks to encourage sustainable growth and identifies that significant weight is to be placed on the need to support economic growth through the whole of the planning system. It identifies in Paragraph 8 that economic growth can secure higher social and environmental

standards. It can also address significant barriers to investment that can lead to a lack of housing.

- 2.7 Though we acknowledge that the Aims & Objectives make reference to the need to deliver new homes, we believe that the importance of housing delivery as a means of facilitating the sustainable growth of the District needs to be given further weight.
- 2.8 Our client believe that a new 'Aim' should be identified which seeks the following:-

"To facilitate the sustainable growth of Selby through the delivery of housing development as a driver to stimulate economic growth, the creation of jobs and the provision of the District's infrastructure requirements, including social and green infrastructure."

3.0 KEY ISSUES

- 3.1 This section of the representations provides our client's response to the questions relevant to them that are presented within the Key Issues chapter of the document.

Response to Q6 – Topic Areas

Response to Question 6 (a)

- 3.2 Our client *objects* to the titles identified. We consider these to be vague and unclear. Specifically we would raise a concern over the potential chapter name "Prosperity", on the basis that housing development is not included, for the reasons identified in Section 2 above.

Response to Question 6 (b)

- 3.3 Our client considers that the more standard approach of focusing on each individual topic area is a more clear way of structuring the document. We believe this would make the document easier for the reader to navigate.

Response to Question 6 (c)

- 3.4 Each of the document's future topic areas should share the same weight, be integrated and focus on delivering the three mutually dependent dimensions of sustainable development (Economic, Social & Environmental) as established within Paragraphs 7 & 8 of the Framework.
- 3.5 As part of this process our client stresses that, within the preparation of future versions of the Sites & Policies Local Plan, the Council needs to focus on the delivery of sustainable development across the District. With significant importance being placed on the role that housing development has on achieving this objective.
- 3.6 The Local Plan provides the platform in which development can be utilised to enhance the demographic, economic and infrastructure characteristics of each area of the District. Development, and particularly housing development, can deliver sustainable growth through economic, social and environmental enhancements to the character of the District.

Response to Q7 – Determining the Number of Housing Allocations Needed

Response to Q7 (a)

- 3.7 Our client *objects* to the proposed base date of the evidence base for the housing figures on the grounds that the identified date of March 2015 will be approximately 2 years prior to the adoption of the Sites & Policies Local Plan. At the point of adoption of the document it is clear that this information will be out of date and un-sound.

3.8 The Council's Annual Monitoring Report and Strategic Housing Land Availability Assessment (SHLAA) will be updated annually and will include information associated within housing completions and extant planning permissions. This will enable each future iteration of the Sites & Policies Local Plan to respond to up to date and robust housing figures.

3.9 Our client believes that the Council are required to use up to date housing figures in the formulation of the Sites & Policies Local Plan in order for the document to be considered sound.

Response to Q7 (a)

3.10 Our client objects to the broad principles of the Council's calculation method on the following grounds:-

- Use of an Equation
- Contribution from Windfall Developments

3.11 Our client believes that the use of the identified housing land supply equation will only confuse people and that setting the figures out in a table, as the document does, is the most appropriate manner in which to identify the Council's housing land supply position.

3.12 One key component of the District's housing land supply calculations that is not considered within the Council's housing land supply calculations is how they will seek to proactively respond to any under-supply in association with the proposed contribution from windfall sites.

3.13 The Council's latest Annual Monitoring Report and 5 Year Housing Land Supply documents identify that in the last two reporting years the Council delivered 586 homes against an identified requirement of 880 homes. A deficit of circa 300 homes or 510 homes when then the annual requirement of 105 homes from windfall sites is also taken into consideration. This has led to the Council accepting that they are a 20% Framework buffer authority as a result of persistent under-delivery of homes.

3.14 The Core Strategy has an adoption date of October 2014, but a base date of 2011, and the Sites & Policies Local Plan document is not due to be adopted until late 2016 at the earliest. In the period since the Core Strategy's base date the Council have under-delivered housing to a figure of circa 300 homes (or 510 homes with windfall taken into account). Should this pattern continue prior to the adoption of the plan the total under-supply could equate to 750 homes (150 homes per annum x 5) or 1,275 homes (750 + 105 homes per annum x 5) when the proposed contribution from windfall sites is taken into account.

3.15 We acknowledge that the Council are taking the proactive step of releasing housing sites now in order to deliver a 5 year supply of housing land across the District in the short term and that

the release of housing allocations will seek to meet the medium/long term housing needs of the District.

- 3.16 However, our client is growing increasingly concerned over the delivery of the proposed level of new homes from windfall developments in the medium to long term once the Sites & Policies Local Plan is adopted.
- 3.17 Our client believes that the potential contribution from windfall developments to the District's housing land supply should be set out more clearly in the Sites & Policies DPD. Particularly in light of the Council's persistent under delivery of housing land as identified above.
- 3.18 Though we appreciate that the potential contribution of windfall development was considered as part of the Core Strategy's approach to housing delivery, our client believes that the Council should take the opportunity presented by the Sites & Policies Local Plan to fully explain how windfall development will be treated in the Council's management of the District's housing land supply.
- 3.19 It is clear that in order for the Council to meet their objectively assessed housing needs, as prescribed by Paragraph 47 of the Framework, the Council needs to plan for the delivery of a minimum of 555 homes per annum from 2011 to 2026. Of which windfall development is required to contribute 105 homes per annum.
- 3.20 The justification for the acceptance of a figure of 105 homes per annum from windfall development was accepted by the Core Strategy Inspector on the basis of compelling evidence of delivery. Should windfall developments not reach this annual figure our client is keen to ensure that the Council respond proactively through the release of additional land to ensure that the Council meets their objectively assessed housing needs and maintains a demonstrable 5 year supply of deliverable housing land.
- 3.21 The Council are in the process of updating their SHLAA to ensure it provides an up to date and robust evidence base document for the Sites & Policies Local Plan. It is our client's view that a robust SHLAA document will consider a large number of housing sites of varying size and thus the future potential supply of windfall sites should be limited to two sources of sites: sites of a size that are not captured by the SHLAA (less than circa 5 dwellings); or previously developed sites that have become available unexpectedly by the closure of previously active uses (subject to such uses no longer being viable or needed).

- 3.22 Indeed, recent meetings of the Council's SHLAA working group have identified a threshold of 5 dwellings and that the Council will consider, and pursue, a wide source of potential housing land which will inevitably reduce the potential of windfall sites coming forward in the future.
- 3.23 The potential for these two sources of sites to deliver 105 homes per annum needs to be closely monitored by the Council. Should such sites not provide the required number of new homes then the Council should consider the release of additional housing sites to make up any shortfall.
- 3.24 For the reasons stated above our client believes that future versions of the Site & Policies Local Plan should include a policy to identify how the Council will review the contribution of windfall sites in order to ensure the proactive management of the housing land supply to deliver the District's objectively assessed housing needs.

Response to Q8 – Overall Amount to Allocate

Response to Q8 (a)

- 3.25 It is our client's view that the Council should seek to allocate an over-provision of housing land of 20% of the District's housing land requirements. This is to ensure that there is choice and competition in the District's housing market across the plan period in accordance with Paragraph 47 of the Framework.
- 3.26 We consider the figure of 20% over provision to be suitable on grounds of the Council's acceptance in their latest 5 Year Land Supply Assessment report that due to the historic under-provision of homes in the District the Council can be considered to be a 20% Framework buffer authority. The over provision of 20% will also cater for any potential under provision associated with the delivery from windfall sites, as discussed above.
- 3.27 The identified level of over-provision will also, importantly, enable the Council to effectively plan, monitor and manage the release of housing land to ensure there is a rolling 5 year supply of deliverable housing sites across the District. A position that the Council cannot currently demonstrate.

Response to Q8 (b)

- 3.28 The Council should seek to allocate housing land by focusing on the provision of a sufficient number of selling outlets to meet the District's housing requirements.
- 3.29 As part of the *PLAN* Selby process the Council will need to present a trajectory of housing sites, identifying the annual delivery rate of each proposed allocation and how cumulatively these will deliver the District's housing needs over the plan period.

- 3.30 In order to ensure delivery of the District's housing numbers alongside the provision of economic, social and green infrastructure the Council will need to allocate a wide range of housing sites of varying size. Smaller sites will deliver homes much sooner than the larger sites but they will not of course deliver the significant level of benefits that larger sites can, which can of course include large scale infrastructure projects that benefit the wider settlement and District.
- 3.31 Our client wishes to strongly emphasise that in order to ensure the delivery of the District's housing needs the Council should select housing allocations on the basis of how many selling outlets will be available at the site and when they can deliver housing completions.
- 3.32 Again, larger sites of over 200 homes can deliver up to two selling outlets at any one time and provide approximately twice as many homes per annum as those below 200 dwellings in size. However, due to their size, the "lead in" time between allocation to the delivery of first dwelling completions will be in the region of 2 years plus on larger sites. Whereas smaller sites will deliver housing completions within the first two years from allocation.
- 3.33 Allied to the above is the need to ensure that housing allocations are focused in areas where developers are willing to invest. Our client believes that when allocating housing sites the Council needs to consider deliverability, viability and market signals. Such an approach accords with the Framework's core principles established in Paragraph 17. Without the appropriate consideration of these factors the delivery of the District's housing needs would be jeopardised.
- 3.34 The Council therefore need to allocate a range of size of sites in a range of suitable market locations in order to ensure that the Council's housing needs are delivered. The preparation of a robust SHLAA is of paramount importance to this process as it delivers the base-line for site allocation decisions.

Response to Q8 (c)

- 3.35 Our client **supports** the potential identification of "contingency" sites that can be released if the Council's housing allocations do not deliver at the point envisaged or at the number of homes expected. Policy SP6 of the Local Plan provides the background for the Council's approach to ensuring the delivery of the District's housing needs, however, we believe further proactive measures should be used.
- 3.36 The over provision of housing allocations by 20% as identified above is one manner in which the Council can achieve this aim. Alternatively the Council can seek to identify "safeguarded land" within the Sites & Allocations Local Plan in order to provide further contingency in respect of the long term protection of the District's Green Belt. However, Paragraph 85 of the Framework

identifies that the release of safeguarded land once identified should only take place following a Local Plan review and therefore such an approach can be considered less flexible than delivering a contingency of sites through the over-provision of allocations.

- 3.37 Our client therefore believes that an approach which identifies an over-provision of housing allocations by 20% across the District, alongside the identification of safeguarded sites in areas of the District designated as Green Belt, will provide a robust and flexible approach to ensuring the Council deliver the District's housing needs.
- 3.38 Overall, our client considers that a combined approach incorporating each of our responses to Question 8 of the *PLAN* Selby document will ensure the delivery of a sound document and the delivery of the District's housing land requirements.

Response to Question 9 – Distribution of Housing Development between the DSV's

Response to Question 9 (a)

- 3.39 Our client believes that development sites should be allocated in consideration of an area's existing characteristics; identified technical and physical constraints; the presently available services and facilities; their capacity to grow; the direct development needs of the area; the availability of deliverable housing sites; and the role that settlements play in combination with the other settlements located in proximity to them.
- 3.40 Identifying allocations on account of a percentage growth approach is too simplistic and wouldn't take into account any of these factors. We *object* to such an approach.
- 3.41 The Local Plan provides the platform in which development can be utilised to enhance the sustainability characteristics of each area of the District. Development, and particularly housing development, can deliver sustainable growth through economic, social and environmental enhancements to the character of the District.
- 3.42 As identified above, when allocating housing sites the Council should also consider deliverability, viability and market signals.

Response to Question 9 (b)

- 3.43 As identified above in our response to Question 9 (a) our client believes that there are a number of factors that need to be considered in the allocation of homes within the District's Designated Service Villages. These are identified in Paragraph 3.36 and Paragraph 3.39 above and will not be repeated here.

Response to Question 10 – Selecting Site Allocations

- 3.44 Our client considered that the Council should seek to allocate housing sites using a comprehensive approach that incorporates the policies of the Core Strategy, the Framework, National Planning Practice Guidance (NPPG) and a robust evidence base which includes the SHLAA and the Strategic Housing Market Assessments (SHMA).
- 3.45 Tailoring decisions using the above identified policies and strategies, alongside the criteria identified in our response to Question 9 above, will enable the Council to allocate housing sites to achieve the sustainable growth of the District.

Response to Question 11 – Tadcaster Contingency Sites

- 3.46 Our client supports the Council's proactive approach to the delivery of housing sites within Tadcaster. It is our client's view that the Phase 3 sites should be identified on the basis of the availability of deliverable sites.
- 3.47 If there is an insufficient supply of deliverable housing sites within Tadcaster to deliver the settlement's Core Strategy housing requirements following the identification of Phase 1 & Phase 2 sites, it is our view that the Council should seek to re-distribute the number of required homes to the District's other sustainable settlements on the basis of the criteria we establish in response to Question 9 (a) above.
- 3.48 In the first instance it would be appropriate for the Council to seek to re-distribute the required level of homes to settlements located within the same housing market area to ensure that identified housing needs are met.

Response to Question 15 – Employment Allocations to Meet Needs

Response to Question 15 (a)

- 3.49 Our client believes that the Council should undertake an up to date assessment of their employment land supply, demands and needs in order to establish whether existing undelivered employment allocations are required to be retained or whether they can or will become available for a suitable alternative uses.

Response to Question 15 (b)

- 3.50 Allied to our client's response to Question 15 (a) it is their view that the Council should provide a detailed policy associated with the future development of the District's established employment areas. The policy should be formulated using the evidence base provided by undertaking the assessments identified in Paragraph 3.47 above and the guidance presented in Paragraph 22 of the Framework which states:-

"Planning Policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and relative need for different land uses to support sustainable communities."

Response to Question 16 & 17 – Employment Allocations to Meet Needs

- 3.51 Following on from our response to Question 15 above, our client believes that a robust assessment of the District's employment land supply, needs and demands will identify the specific employment needs of each of the District's settlement areas. As with housing developments the Council will need to ensure that employment allocation are deliverable, viable and are located in areas where employers wish to be located.

Response to Question 22 – Development Limits

- 3.52 It is our client's view that Development Limits should be drawn sympathetically to enable the sustainable growth of settlements over the plan period. The Council's identification of Development Limits, if drawn too tightly, will have an impact on the delivery of windfall sites and we again re-iterate the need to have a specific policy to provide a proactive response to the release of housing land should windfall sites not deliver the level of homes anticipated.

Response to Question 23 (a) & (b) – Strategic Countryside Gap

- 3.53 Our client supports the inference in the *PLAN* Selby document that the Council will be undertaking an up to date assessment of the existing and potential Strategic Countryside Gaps across the District. The conclusions of the assessment should be used to determine any future designations.
- 3.54 However, our client is concerned that such designations provide a further layer of policy constraint which can restrict development and therefore should only be used in essential circumstances where there is a robust evidence base to justify them.

Response to Question 24 – Safeguarded Land

- 3.55 Further to our response to Question 8 (c) it is our client's view that the Council should seek to identify safeguarded land within the Sites & Policies Local Plan to a level equivalent to 20% of the proposed housing allocations. This is in addition to an over-provision of housing allocations by 20%.

- 3.56 The figure of 20% is equivalent to 3.2 years' (or 1,440 homes) of the District's housing land allocation requirements when taken across the Core Strategy's 16 year plan period of 2011 to 2027 (16 x 20%). When considered along with the proposed over-provision of housing allocations of 20%, together such allocations and designations would deliver an additional 6.4 years of potential future development sites.
- 3.57 The Sites & Policies Local Plan is due to be adopted in 2016/2017 and has a plan period up to 2027. The allocation of additional housing sites and designation of safeguarded land as prescribed above would deliver a 22 year Green Belt boundary when considered against the Core Strategy plan period of 16 years, but importantly it would provide Green Belt permanence of 16 to 17 years when considered against the Sites & Policies Local Plan timescales.
- 3.58 Such an approach would be in accordance with Paragraph 85 of the Framework which states that such sites can "*meet longer-term development needs stretching well beyond the plan period*" and as a consequence deliver long-term Green Belt permanence.
- 3.59 Safeguarded Land designations should be identified following a comprehensive review of every aspect of the Council's evidence base, but most importantly using the findings of a full Green Belt review and the SHLAA.

Response to Question 25 – Infrastructure Delivery Plan

- 3.60 Our client believes that the Infrastructure Deliver Plan provides a baseline starting position for consideration of the District's needs. However, they believe the plan will need to be revisited once the site allocations have been identified in order to consider the on-site and off-site infrastructure requirements that they will generate. Accordingly we reserve the right to respond to future permutations of the plan once the allocations are known.

Response to Question 26 – Climate Change & Renewable Energy

- 3.61 It is our client's clear view that design parameters associated with climate change and renewable energy should be considered in the context of the Government's *Housing Standards Review* which will place sustainable design standards within the Building Regulations. Should the Council seek to achieve higher standards than those prescribed within the Building Regulations they will need to provide compelling evidence to justify such an approach.

Response to Question 27 – Protecting & Enhancing the Environment

- 3.62 Our client believes that the Council should only seek to designate areas for environmental protection where there is up to date and robust evidence of a site's value that is worthy of protection or enhancement.
- 3.63 Alongside the policies contained within the Framework, NPPG and the Core Strategy our client desires the inclusion of a more detailed policy within the Sites & Policies Local Plan which establishes that the development of such sites will be supported where proposals can facilitate the protection or enhancement of the site itself or of an appropriately identified alternative site.

4.0 DEVELOPMENT MANAGEMENT POLICIES

- 4.1 This section of the representations provides our client's response to the questions relevant to them that are presented within the Development Management Policies chapter of the document.

Response to Question 30 (a) & (b) – Topic Areas

- 4.2 In response to Question (a) and (b), and paying particular attention to housing mix and design, it is our client's view that the Framework, the NPPG and the Building for Life 12 standards will provide the Council with a sufficient and flexible policy context to ensure that developers deliver high quality, viable, housing schemes that respond to market signals.
- 4.3 The flexibility provided within the policies and standards identified above is of paramount importance to delivering the District's housing needs and as a consequence the Council should be thoughtful when preparing more detailed guidance on these topic areas.

Response to Question 31 – Housing Mix

- 4.4 Aligned to our response to Question 30 above, whilst responding to the requirements of Paragraph 50 of the Framework in respect of delivering the District's identified housing needs identified within the SHMA, we believe that any future detailed policy in respect of housing mix should include sufficient flexibility to enable the delivery of a housing mix that responds to market signals.
- 4.5 In order for housing schemes to be viable, whilst contributing to affordable housing needs and providing any required infrastructure, developers need control over the housing mix, type and size of the market housing element of each scheme.
- 4.6 House builders such as our client are experts in the delivery of homes. The inability to control the type of homes they wish to deliver could have a negative impact on decisions to invest within the District and provide an unnecessary constraint. The delivery of new housing development not only meets housing needs on-site but they also contribute to meeting housing needs off-site through generating availability of a variety of housing sizes and types in the second hand housing market through creating movements on the housing ladder.
- 4.7 With specific regard to the preparation of a policy associated with setting standards for the size of new homes, our client would object to such an approach unless the Council demonstrate compelling evidence to justifying any standards proposed.

Response to Question 32 (a) & (b) – Transport and Highways

- 4.8 When considering policies associated with the items listed within the question the Council need to consider their viability implications. A suitably worded policy with appropriate and flexible requirements will enable developers to understand the financial implications prior to the formulation of development proposals and making investment decisions.
- 4.9 The Framework's guidance in respect of ensuring viability and deliverability is clearly set out within Paragraph 173 of the Framework and the relevant paragraphs of the NPPG. The Council should consider the guidance presented in these guidance documents when preparing any detailed policies that could have potential financial implications on development proposals.

Response to Question 33 (a) & (b) - Design

- 4.10 It is our client's clear view that any detailed policy associated with achieving high quality design should focus on delivering the aspirations of the Framework and the assessment criteria established within the Building for Life 12 standards.
- 4.11 Barratt Homes & David Wilson Homes are committed to delivering high quality development proposals that meet the principles presented within the Building for Life 12 standards. We consider that the standards deliver the required level of detailed guidance whilst providing sufficient flexibility to take account of site specific opportunities and constraints that need to be considered in the formulation of development proposals.
- 4.12 With regard to Lifetime Homes and Secure by Design standards, as a result of the Housing Standards Review these are to be incorporated into the Building Regulations.
- 4.13 For the reasons identified above we do not believe that the Council should seek to deliver a more detailed design policy within the Sites & Policies Local Plan.

Response to Question 34 (a), (b) & (c) – Community, Tourism & Leisure

- 4.14 Our client believes that the Council should seek to review each of the SDLP policies against the Framework and NPPG in order to identify whether they are suitable for retention, updating or removal. Policies to be contained within the Sites & Policies DPD should not repeat national planning policy guidance nor create a further layer of unnecessary guidance that could constrain development.

- 4.15 In response to Question 34 (b) & (c) we believe it is essential that any future policies contain criteria which identifies the circumstances where development which facilitates the protection or enhancement of community facilities, recreational facilities and sports facilities will be supported. Whether this be on-site or through the delivery of facilities on an appropriately identified alternative site.

Response to Question 36 – Development in the Countryside

- 4.16 Our client believes that the development of large previously developed sites situated in the Open Countryside should be supported where they have the ability to deliver sustainable development, with an importance placed on accessibility to services and facilities. Sites of such a scale could have the ability to enhance their sustainability criteria and as such the Council should consider their sustainability potential alongside their existing position.

Response to Question 37 (a), (b) & (c) – Review of Remaining SDLP Policies

- 4.17 Our client believes that the Council should seek to review each of the SDLP policies against the Framework and NPPG in order to identify whether they are suitable for retention, updating or removal. Policies to be contained within the Sites & Policies DPD should not repeat national planning policy guidance nor create a further layer of unnecessary guidance that could constrain development.

5.0 SETTLEMENTS

- 5.1 This section of the representations provides our client's response to the questions relevant to them that are presented within the Settlements chapter of the document.
- 5.2 As an overall point our client wishes to re-iterate the comments made in response to Question 9 presented in Paragraphs 3.36 to 3.39 above. We believe that development sites should be allocated in consideration of a settlement's existing characteristics; their technical and physical constraints; the presently available services and facilities; their capacity to grow; the direct development needs of the area; the availability of deliverable housing sites; and the role that settlements play in combination with the other settlements located in proximity to them.
- 5.3 The Local Plan provides the platform in which development can be utilised to enhance the sustainability characteristics of each area of the District. Development, and particularly housing development, can therefore deliver sustainable growth through economic, social and environmental enhancements to the character of the District.
- 5.4 Finally, when allocating housing sites the Council should also consider deliverability, viability and market signals.
- 5.5 The comments presented in this section of the representations respond directly to our client's land interests in Barlby and Brayton.

Response to Question 42 (a) & (b) - Barlby

- 5.6 As identified in Section 1 above our client has land interests at York Road, Barlby. The site is currently identified as a deliverable housing site within the Council's 2011 SHLAA and was recently identified as a potential draft housing allocation in the Council's previously published Draft Sites & Allocations DPD.
- 5.7 A full planning application at the above site for 179 Homes (including affordable homes and bungalows); open space; allotments; and a new roundabout is currently pending consideration by the Council's Development Management team.
- 5.8 The allocation and delivery of the York Road, Barlby site would meet each of the identified criteria we establish above.

- 5.9 Barlby can be considered a highly sustainable settlement on account of its linkages to the urban area of Selby, the services and facilities available within the settlement and it's public transport accessibility to Selby and the surrounding area.
- 5.10 The development proposals are situated in a suitable location in respect of existing settlement form and there are no technical constraints that would preclude the development of the site. The site is available as it is under the control of a national house builder who are actively seeking to secure planning permission for the residential development of the site. The site can also be considered achievable as our client can deliver new homes on the site within the next 5 years.
- 5.11 Alongside the delivery of new homes, the York Road, Barlby proposals will also provide a large number of significant benefits to the local area including a new roundabout to resolve existing highway safety issues on the A19/A163 junction; substantial areas of recreational open space; allotments; and a significant contribution to local education facilities. Together with the creation of new employment opportunities and significant investment to the District through the delivery of new homes.
- 5.12 The proposals represent a deliverable residential development which can deliver significant benefits to the local area. On these grounds our client requests that the site be allocated for residential development in the forthcoming draft Sites & Policies Local Plan.

Response to Question 43 (a) & (b) - Brayton

- 5.13 As identified in Section 1 above our client has land interests at Barff Lane, Brayton. The site is currently identified as a deliverable housing site within the Council's 2011 SHLAA and was recently identified as a potential draft housing allocation in the Council's previously published Draft Sites & Allocations DPD.
- 5.14 Our client has recently opened pre-application discussions with the Council in respect of the submission of a full planning application at the site for circa 70 homes (including affordable housing) and open space.
- 5.15 The allocation and delivery of the Barff Lane, Brayton site would meet each of the identified criteria we establish above.
- 5.16 Brayton can be considered a highly sustainable settlement on account of its linkages to the urban area of Selby, the services and facilities available within the settlement and it's public transport accessibility to Selby and the surrounding area.

- 5.17 The development proposals are situated in a suitable location in respect of existing settlement form and there are no technical constraints that would preclude the development of the site. The site is available as it is under the control of a national house builder who are actively seeking to secure planning permission for the residential development of the site. The site can also be considered achievable as our client can deliver new homes on the site within the next 5 years.
- 5.18 Alongside the delivery of new homes the Barff Lane, Brayton proposals will create new employment opportunities and provide significant investment to the District, which could include financial contributions to deliver improvements to local education and recreation facilities.
- 5.19 The proposals represent a deliverable residential development which can deliver significant benefits to the local area. On these grounds our client requests that the site be allocated for residential development in the forthcoming draft Sites & Policies Local Plan.

6.0 EVIDENCE BASE REQUIREMENTS

- 6.1 In response to Questions 59 & 60 our clients believe that the list of evidence base documents identified is considered to be comprehensive.
- 6.2 In addition to the number of evidence base documents that we have placed importance towards in our responses presented in the previous sections of these representations we would like to take this opportunity to highlight our client's concerns in respect of the Council's current affordable housing policy.
- 6.3 The Framework's guidance in respect of ensuring viability and deliverability is clearly set out within Paragraph 173 of the Framework and the relevant paragraphs of the NPPG. The Council should consider the guidance presented in these guidance documents when preparing or review of any detailed policies that could have potential financial implications on development proposals.
- 6.4 The *PLAN* Selby document identifies that the Council will assess the viability of each of the proposed allocations and development management policies to be identified within the Sites & Policies Local Plan. Our client believes that in order to ensure that the proposed housing allocations are deliverable the Council should consider what the affordable housing targets of each of the housing allocations should be against the infrastructure requirements they need to consider; the potential CIL payments; and any the other financial implications associated with each of the development management policies.
- 6.5 The Council's Core Strategy affordable housing policy does provide flexibility through the ability to undertake viability discussions, however, we believe that the starting point of 40% is too high and sets incorrect aspirations from the outset.
- 6.6 It is important for the Council to acknowledge that Selby's surrounding LPA's (with the exception of Harrogate) are presently seeking to achieve a target level of affordable housing that is lower than that prescribed by the Core Strategy.
- 6.7 If the Council are seeking to encourage developers to invest within the District then they need to ensure that their policies are founded on a sound evidence base in respect of viability as prescribed by Paragraph 173 of the Framework.

7.0 SUMMARY & CONCLUSIONS

7.1 Our client welcomes the invitation to respond to the Council's latest publication in respect of the Local Plan and are committed to working with the Council in the adoption of a Local Plan that is focused towards delivering the sustainable growth of the District through new housing developments.

7.2 Our clients are generally supportive of the ideas presented within the PLAN Selby document, but do have a number of objections and concerns as outlined in this report which we believe the Council need to consider in the preparation of the forthcoming draft Sites & Policies Local Plan.

7.3 The comments we have provided above were focused on the following key messages:-

- Development, and particularly housing development, can deliver sustainable growth through economic, social and environmental enhancements to the character of the District;
- The Local Plan provides the platform in which development can be utilised to enhance the demographic characteristics of each area of the District;
- In order to achieve the above, development must be directed to areas where Developers are willing to invest.

7.4 Though we of course request that the Council considers all of the representations provided within this statement, we would like to draw the Council's attention to the following responses which are of fundamental importance to our client and the delivery of a sound Local Plan document which is positively prepared, justified, effective and consistent:-

- **Core Strategy Base Date vs Sites & Policies Local Plan Adoption**
- **Response to Q5 - Aims & Objectives**
- **Response to Q7 - Determining the Number of Housing Allocations Needed**
- **Response to Q8 – Overall Amount to Allocate**
- **Response to Question 9 – Distribution of Housing Development between the DSV's**
- **Response to Question 10 – Selecting Site Allocations**
- **Response to Question 31 – Housing Mix**
- **Response to Question 33 (a) & (b) – Design**
- **Response to Question 42 (a) & (b) – Barlby**
- **Response to Question 43 (a) & (b) – Brayton**

7.5 We trust the Council will review and consider the above representations in the ongoing Sites & Policies Local Plan preparation process. We would like to continue to work with the Council in the future to ensure the delivery of robust, viable and deliverable Local Plan document.