



**Selby District Council
Local Plan Consultation**

"PLAN Selby"
(The Sites and Policies Local Plan)

Initial Consultation Comments Form

"PLAN Selby" is the Sites and Policies Local Plan which the Council is developing to deliver the strategic vision outlined in the Core Strategy that was adopted in 2013. When adopted, PLAN Selby will form part of the Local Plan for the District against which planning applications will be assessed.

This consultation is the first stage in our on-going dialogue with you and we hope that you will take time to respond to it and help us move forward. The responses to this consultation will help inform our work and shape the District for the future.

Comments are therefore invited as part of this Initial Consultation.

Please use this form to make your comments.

Please read the main document PLAN Selby and associated papers, which are available on the Council's website at www.selby.gov.uk/PLANSelby and at local libraries and Public Council offices.

You will need to see what is in PLAN Selby in order to make your comments. It contains a wide range of issues and specific questions on which we would like your views. Please make sure you are clear about which part of PLAN Selby you are commenting on and ensure we have your full contact details so we can take your comments into account and so that we can contact you about the next stages.

**Completed comments forms must be received by the Council
no later than 5pm on Monday 19th January 2015**

Contact Details - Please provide contact details and agent details, if appointed

	Personal Details	Agent Details (if applicable)
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It will be helpful if you can provide an email address so we can contact you electronically

Comment(s)

Please ensure you provide reference to the Question and Topic area for each comment you wish to make.

Topic / Chapter

Question no. Paragraph

See enclosed representations

(Text is limited to the available area to ensure all text is visible. Continue on a separate sheet if necessary)

Topic / Chapter

Question no. Paragraph

(Text is limited to the available area to ensure all text is visible. Continue on a separate sheet if necessary)

Comment(s)

Please ensure you provide reference to the Question and Topic area for each comment you wish to make.

Topic / Chapter

Question no. Paragraph

(Text is limited to the available area to ensure all text is visible. Continue on a separate sheet if necessary)

Topic / Chapter

Question no. Paragraph

(Text is limited to the available area to ensure all text is visible. Continue on a separate sheet if necessary)

Additional Comments - Please provide any additional comments you may wish to make.

(Text is limited to the available area to ensure all text is visible. Continue on a separate sheet if necessary)

Comment Submission Statement

All comments must be made in an email or in writing if they are to be considered. Your comments and some personal identifying details will be published in a public register and cannot be treated confidentially. Where practical, personal identifiers may be redacted, however Selby District Council cannot guarantee that all identifiers will be removed prior to publication of consultation records.

Signed

Dated

19th January 2015

Please ensure you save a copy of your completed comments form to your computer before sending by email

**Completed comments forms must be received by the Council
no later than 5pm on Monday 19th January 2015**

Email: ldf@selby.gov.uk

Post to: Policy and Strategy Team, Selby District Council, Civic Centre,
Doncaster Road, Selby YO8 9FT

Representations to the Selby District Council Sites and Policies Local Plan Initial Consultation

On behalf of Harworth Estates Limited
In respect of the Kellingley Colliery & Former Selby Mine Sites

January 2015

Selby District Council Sites and Policies Local Plan: Initial Consultation

Representations on behalf of Harworth Estates Limited

Status:	Draft	Final	
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Prepared by:	LT	LT	
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Appendices

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1.0 Introduction

- 1.1 Barton Willmore is instructed by Harworth Estates Limited (hereafter referred to as “our **Client**”) to submit representations to the Selby District Council Sites and Policies Local Plan: Initial Consultation.
- 1.2 As the landowner of several major sites within Selby, Harworth Estates Limited is a key stakeholder in the future development of the District and has previously made representations to the various stages of the emerging Local Plan. This included the now adopted Core Strategy Local Plan and also more recently in respect of the **Council’s Call for Sites** exercise (a copy of which is provided at **Appendix A**), aimed at assisting to form the necessary evidence base for the emerging Site and Policies document. Our Client therefore welcomes the opportunity to engage in this stage of the Local Plan process. Overall, Harworth Estates is keen to ensure that the local planning authority meets the aspirations for economic growth through the allocation of sufficient and suitable sites through the Local Plan process.

About Harworth Estates

- 1.3 Harworth Estates is one of the largest landowners in the UK and a leading property developer, based at the flagship Waverley development site in the heart of the Sheffield City Region. The company was born out of the need to manage the land and property assets of UK Coal Plc, and was formally separated from the mining business in December 2012. Accordingly, Harworth Estates is now an independent company.
- 1.4 The role of Harworth Estates is to address the legacy of its coalfield sites, establish appropriate re-uses and gain economic benefit wherever possible. Harworth Estates works closely with communities, local authorities, developers and other professionals to further the renewal of its strategically important sites and meet environmental, economic and social aspirations.
- 1.5 Harworth Estates is transforming a number of sites across Yorkshire and is providing innovative solutions for regenerating vacant brownfield sites and turning derelict land into employment areas, new homes, renewable energy centres and open space. The company also manages a variety of sites, ranging from established business parks to agricultural estates that surround its active development sites. In addition to this, Harworth Estates is also acquiring new sites for development. Harworth Estates creates and develops new opportunities across all sectors of the property market.

Selby Sites

1.6 Harworth Estates' **landholdings in Selby are all established** or historic employment generating sites, comprising either current or former mine sites. The sites are listed below and are shown on the plan at **Appendix B:**

- **The Kellingley Colliery site ("the Kellingley site");**
- **The Gascoigne Interchange site ("the Gascoigne Interchange site");**
- **The Riccall Business Park site ("the Riccall site");**
- **The Whitemoor Business Park site ("the Whitemoor site");**
- **The Former Stillingfleet Mine site ("the Stillingfleet site");** and
- **The Former Wistow Mine site ("the Wistow site").**

1.7 All six sites are significant economic, environmental and social assets within the Selby District, which offer a major opportunity for Harworth Estates to work with Selby District Council and other key stakeholders to assist in meeting the aspirations for economic growth in the District. More specifically, the sites offer the potential to contribute to the **District's economy in terms of:**

- Maximising opportunities for low carbon / renewable energy generation;
- Promoting more sustainable movement of materials by rail and canal;
- The reuse and regeneration of previously developed sites;
- Assisting in the diversion of waste from landfill;
- Creating jobs to reduce out-commuting of residents and enhancing rural employment opportunities;
- Providing opportunities for development on land which is not constrained by flood risk; and
- Providing affordable and flexible employment space to meet local needs.

1.8 Further details on each of the six sites are provided at Appendix A and the accompanying Framework Documents for the Kellingley and Gascoigne Interchange sites.

2.0 Planning Policy Background and Context

2.1 The Selby Sites and Policies Local Plan is required to be in conformity with both national planning policy and the adopted Selby District Core Strategy Local Plan (**"the Core Strategy"**).

National Policy Context

National Planning Policy Framework

2.2 The **National Planning Policy Framework** (**"the Framework"**) makes clear that sustainable development should go ahead, without delay and that a presumption in favour of sustainable development should be the basis for every plan and every decision. For plan-making this means that:

- **"Local Planning Authorities should positively seek opportunities to meet the development needs of their area; and**
- **Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:**
 - **Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or**
 - **Specific policies in the Framework indicate development should be restricted"**.

2.3 Paragraphs 151-185 of the Framework sets out clear guidance to assist in the local plan making process. Paragraph 151 states clearly that *"Local Plans must be prepared with the objective of contributing to the achievement of sustainable development"*.

2.4 When drawing up their Local Plans, the Framework goes on to make it clear that Local Planning Authorities should *"seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development and net gains across all three"*. Furthermore, *"Local Plans should be aspirational but realistic"*. (Para 151)

Selby District Core Strategy Local Plan

2.5 The Selby Core Strategy was formally adopted by Selby District Council on the 22nd October 2013 and will sit at the top of a portfolio of documents which collectively will form the new Local Plan. It is the purpose of the Core strategy to set out the overarching vision for the District and provide a number of broad strategic policies on how new development will be prompted to meet this vision.

Presumption in favour of sustainable development

- 2.6 The first policy within the Core Strategy, Policy SP1, **refers to the Framework’s inclusion of a presumption in favour of sustainable development.** As the Framework sets out the Government’s planning policies for England it must be taken into account in the preparation of Local Plans. As such these representations are written in this context.

Spatial Development Strategy and Employment Use

- 2.7 Policies SP2 '*Spatial Development Strategy*' and SP13 '*Scale and Distribution of Economic Growth*' lend support to the revitalisation of the local economy in rural areas.
- 2.8 Policy SP2 supports development in the Countryside, outside Development Limits, which comprises the replacement or extension of existing buildings; the re-use of buildings, preferably for employment purposes; and well-designed new buildings of an appropriate scale, which would contribute towards and improve the local economy and where it will enhance or maintain the vitality of rural communities, in accordance with Policy SP13, or meet rural affordable housing need or other special circumstances.
- 2.9 Policy SP13 states that sustainable development on both greenfield and previously developed sites, which brings sustainable economic growth through local opportunities or, expansion of businesses and enterprise, will be supported. This includes the re-use of existing buildings and infrastructure, the development of well designed new buildings, and the redevelopment of existing and former employment sites.
- 2.10 Accordingly, the Core Strategy lends support, in principle, to the reuse or redevelopment of the Kellingley site and the former Selby mine sites, preferably for employment purposes and where such development provides sustainable economic growth and meets other criteria.
- 2.11 **Paragraph 6.34 sets out the Council’s** specific position with regard to the former Gascoigne Wood mine site (which forms part of the wider Gascoigne Wood Interchange Site) in stating that:

“The Council also supports the reuse of the former Gascoigne Wood mine, provided this is linked to the use of the existing rail infrastructure that exists at the site. Furthermore support exists for the re-use of former employment sites, commercial premises and institutional sites (outside Development Limits) for

employment uses, provided they are compatible with the countryside location.”

- 2.12 Support is therefore already given in principle for the use of the Gascoigne Wood mine site (i.e. both buildings and land) for employment use. In addition to this, as former employment generating sites, the re-use of the Stillingfleet and Wistow sites for employment uses is also supported by the Core Strategy, albeit paragraph 6.35 says that the Council does not consider them suitable for *'large scale'* or *'intensive economic activities'* on the basis that it considers the two sites to be *'remote.'*
- 2.13 Specific reference is also made at paragraph 6.35 to the former mines at Whitemoor and Riccall, where recognition is given to the fact that they are *'acknowledged locations for meeting the needs of existing indigenous employment.'*
- 2.14 Should the use of the Kellingley site as an operational mine cease later this year, it too will become a former employment generating site, the reuse of which for other employment uses would also be supported in principle by Policies SP2 and SP13.

Low Carbon/Renewable Energy Uses

- 2.15 Policy SP14 of the Core Strategy states that in future Local Plan documents, the Council will seek to identify opportunities where development can draw its energy from renewable, low carbon or decentralised energy supply systems and for co-locating potential heat customers and suppliers. The policy also says that the Council will consider identifying suitable areas for renewable and low carbon energy sources and supporting infrastructure. Such proposals are supported where they meet a number of criteria set out within the Policy.

Green Belt Review

- 2.16 The Core Strategy sets out the reasons why it is necessary for the Council to undertake a Green Belt review. Paragraph 4.47 is explicit in terms of the extent of review stating that:

“Such a review would seek to ensure that only land that meets the purposes and objectives of Green Belt is designated as Green Belt...The review may also address anomalies such as (but not exclusively) cartographic errors and updates in response to planning applications, reconsider “washed over” villages against Green Belt objectives, and consider simplifying the on-the-ground identification of all the Green Belt boundaries by identifying physical features that are readily accessible and likely to be permanent.”

The Site and Policies Local Plan: Initial consultation

- 2.17 Work on the site specific element of the Selby Local Plan was originally undertaken at the beginning of 2011. However due to delays with the final adoption of the Core Strategy and resources used to contest the subsequent legal challenge, the Council took the decision to abandon work on its Site Allocations Development Plan Document in favour of pursuing a combined local plan document. Notwithstanding this, it is understood that work carried out in respect of this previous document will be used as the part of the evidence base for the new Sites and Policies Local Plan.
- 2.18 The Site and Policies Local Plan, which has been given the acronym PLAN Selby, once adopted, will form part of the Council's Development Plan and contain the more detailed development management policies as well as identifying sufficient sites for housing, employment and other land uses.
- 2.19 The initial consultation draft of the PLAN sets out what the Council considers to be the key topic areas for the Sites and Policies Local Plan. The structure of the document focuses on these main issues and asks a range of questions which are designed to collect the necessary evidence so that later, more detailed, versions of the document can be prepared. It is clear **that the current consultation is designed to be 'broad brush' and there will be further opportunities to provide comments on more site specific matters in due course. It is in this context that our Client's representations are submitted. Further evidence in support of the allocations sought will be submitted in due course to inform the latter stages of the emerging Sites and Policies Local Plan.**

3.0 Representations to Chapter 2: Key Aims and Objectives of PLAN Selby

**Q5 a) Are these the right objectives?
b) Are there any others which should be included?**

- 3.1 Chapter 2 sets out the key aims and objectives of the Sites and Policies Local Plan. It makes it clear that its aims and objectives must align with the overall vision for growth outlined in the Core Strategy and also relevant national policy and associated guidance.
- 3.2 Two aims are suggested, which in summary are; to make Selby District a great place to do business; and to deliver the growth outlined in the Core Strategy in a sustainable manner consistent with national policy and local evidence. Whilst these aims are supported, as it currently stands, it is considered that they do not adequately reflect the overarching aims set out in national planning policy and the Council's own Core Strategy. Most notably in respect of a commitment to tackle the problems associated with climate change.
- 3.3 One of the key aims set out at paragraph 3.4 of the Core Strategy is to ensure that new development is sustainable and that it contributes to mitigating and adapting to the future impacts of climate change. In order for this aim, amongst others, to be achieved, the Core Strategy also sets out a number of objectives which are designed to translate the aims into actions. The objectives are reflected in the Spatial Strategy and are meant to be used to influence subsequent DPD's, which should include the Sites and Polices Local Plan. Objective 15 states:
- "Making best use of natural resources by promoting energy efficiency, sustainable construction techniques and low-carbon and/or renewable energy operations, and protecting natural resources including safeguarding known locations of minerals resources"**
- 3.4 To address the omission of tackling climate change as a key aim, and in order to ensure consistency in the Selby Local Plan documents, it is suggested that direct reference is made back to the aims and objectives set out in the overarching Core Strategy rather than separate incomprehensive aims being included in the new policy documents.

4.0 Representations to Chapter 3: Key Issues

4.1 Chapter 3 of the Initial consultation draft sets out the 'Key Issues' for the Sites and Policies Local Plan. By the very nature of the consultation, which seeks the views of residents and stakeholders on a wide range of issues, not all topics covered and the questions raised are directly relevant to our Client's interests within the District. Accordingly these representations focus on the following topic areas:

- | | |
|--------------|----------------------------------------------------------------------|
| – Question 6 | Topics |
| – Topic 2 | T2 Promoting Prosperity |
| – Topic 3 | T3 Defining Areas of Promoting Development and Protecting Key Assets |
| – Topic 5 | T5 Climate Change and Renewable Energy |
| – Topic 6 | T6 Promoting and Enhancing the Environment |

4.2 For clarity the comments that follow will be divided under the relevant headings as they appear above.

Q6) a) Are these the right topics?

b) Is this a comprehensive list?

c) Which ones are most important and which ones are less relevant?

4.3 The opening paragraphs of the Core Strategy set out the key issues and problems that the Council recognises will need to be adequately addressed through suitable policies in order to achieve the overall vision for the District.

4.4 There is an admission throughout the Core Strategy that the District is currently characterised by lengthy journey to work trips and this is caused largely by residents travelling outside the District to adjacent areas of employment, particularly to Leeds and York. This in itself undermines the sustainability credentials of the District and therefore represents a significant challenge facing future growth. As such, paragraph 2.59 goes onto explain that there is strong support for moderating current commuting patterns by prompting job growth within the District itself.

4.5 This clear recognition in the Core Strategy should be at the forefront of the of the Sites and Policies Local Plan document. Unless this is adequately addressed, the overall vision of the Core Strategy will be compromised.

- 4.6 Notwithstanding the above, the Core Strategy also recognises that climate change and its associated problems, is also regarded as a key problem that needs to be addressed through the plan period. Such is its importance, that it is also transposed into one of the overarching objectives of the Core Strategy; to make best use of natural resources by promoting energy efficient, sustainable construction techniques and also low-carbon and/or renewable energy operations. This recognition and the corresponding objective are welcomed by our Client and accords with national policy, which requires local planning authorities to adopt a proactive strategy to mitigate and adapt to climate change.
- 4.7 Given the clear stance in national planning policy and given it forms one of the key aims and objectives of the Core Strategy, our Client considers that priority should also be given to Topic 5: Climate Change and Renewable Energy in the Sites and Policies Local Plan document.

Topic 2 – Promoting Prosperity

Issue: Precise Scale and Location of employment allocations

- 4.8 Topic 2 deals specifically with the matters surrounding the promotion of economic prosperity within the District, and draws on the existing principles and policies set out in section 6 of the Core Strategy. Acknowledgement is given to that fact that sustained growth of the local economy is a key objective of the Core Strategy.
- 4.9 Reference is made in the Core Strategy to the significant levels of out-commuting and the need for greater self sufficiency within the District of Selby. The Core Strategy identifies that moderating unsustainable travel patterns is a key challenge for the District which ***"is characterised by lengthy journey to work trips for many residents, travelling outside the District to adjacent areas for employment, particularly Leeds and York."*** (para 2.55) Indeed, Selby has a greater travel to work distance than its neighbouring authorities of Leeds and York and in 2001 Selby had the highest proportion of workers travelling outside the District for employment than any other local authority within the Region. This issue is likely to continue unless suitable provision is made for additional employment opportunities within the District.
- 4.10 Our client considers that increased and greater self containment, of economic activity in Selby is the foundation upon which the overall objective for self sufficiency can be built. Certainly this is something that is acknowledged in the Core Strategy, where paragraph 2.59 states;

“Reinvigorating and developing the economy has emerged as a major priority (our emphasis) if a more self-contained, sustainable way of life for the District’s residents is to be created...The Core Strategy aims to facilitate economic recovery in Selby, through the retention and creation of new jobs and ensuring the District continues to be attractive to investment.”

- 4.11 It is crucial that the economic aims and objectives set out in the Core Strategy are borne out in the detailed policies of the Sites and Policies Local Plan, if they are to be fully realised. This means that the delivery strategy should not be based on pessimistic expectations and should instead provide the mechanism for increased economic activity within Selby.
- 4.12 In line with the adopted settlement hierarchy, the focus for growth will be the most sustainable parts of the district of Selby, Sherburn in Elmet and Tadcaster. However acknowledgement is given to the fact that by the very nature of the District, appropriate growth will also need to take place in other locations including areas designated as open countryside, where deemed appropriate. This stance is welcomed and supported by our Client.
- 4.13 As for the scale of employment land required throughout the plan period, PLAN Selby refers to the Core Strategy which states that around 37-52 hectares is required to provide a range of high quality employment and office sites. With the strategic allocation at Olympia Park expected to provide around 23 hectares throughout the plan period, the Council considers that there is potential to allocate circa 14-29 hectares of land throughout the District.
- 4.14 We note that the Core Strategy employment land requirement comes from the 2010 ‘**Employment Land Refresh**’. **This document was simply an update of data** and did not represent a full employment land review. The document clearly concludes (at paragraph 7.9) that it was not possible on the basis of the data and evidence available at that stage to identify the exact quantum of land required. The figure of 21 hectares to 2021 from the 2007 Employment Land Review (ELR) **was therefore simply ‘rolled forward’ resulting in a requirement of 37-52 hectares to 2026.**
- 4.15 The 2007 ELR and 2010 Employment Land Refresh documents are now significantly out-of-date and therefore cannot be relied upon as part of a robust evidence base to determine the assessed need for employment land. Paragraph 6.14 of the Core Strategy appears to recognise this in stating that *"the precise scale and distribution of employment sites will need to be informed by an up-to-date Employment Land Availability Assessment and the allocation*

element of the Local Plan". Similarly, paragraph 3.66 of PLAN SELBY highlights that the **Council's necessary evidence base is currently** being updated in the form of an ELR. However officers have advised that the ELR has been delayed and is not due for publication until Spring 2015.

- 4.16 As identified by the **Government's** Planning Practice Guidance (PPG), the assessment of employment land availability forms a key component of the evidence base to underpin local plan policies, to support the delivery of land to meeting identified need. The ELR is an important step in the preparation of the Selby Sites and Policies Local Plan to ensure that sites may be allocated for the use which is the most appropriate. Accordingly, it is very **difficult to provide comment meaningfully on this topic without sight of the Council's** evidence base including an up to date ELR. Therefore our Client reserves the right to make **detailed comments once the Council's ELR has been published** and requests to be kept informed of its progress. Notwithstanding this, our Client has general comments to make at this stage, which are set out below.
- 4.17 Firstly, it is considered that the proposed indicative employment land requirement of around 37-52 hectares cannot be relied upon as it is not based on up to date evidence which assesses need. **The 'rolling over' of the 2007 ELR requirement** is considered to be un-ambitious and fails to respond to the need to proactively drive and support economic development, and to assess the need for all foreseeable types of economic activity over the plan period.
- 4.18 The Sites and Policies Local Plan needs to recognise and reflect the change in national policy since the adoption of the previous Selby Local Plan in 2005. The national policy framework was overhauled in 2012 in order to embody the pro-growth agenda of the Government and to simplify the planning system. The new national policy agenda is clear that local planning authorities should seek to meet market demand for employment land and should have a clear understanding of business needs within the economic markets operating across their area. To achieve this, the Framework states that they should;
- **"Work together with county and neighbouring authorities and with LEAs to prepare and maintain a robust evidence base to understand both existing business needs and likely changes in the market; and**
 - **Work closely with the business community to understand their changing needs and identify and address barriers to investment."**

- 4.19 Currently there does not appear to be any evidence to demonstrate that the Council has undertaken the above actions to inform the Local Plan policies and allocations relating to employment land provision. Accordingly, the employment land requirement figures set out above are not considered to be based on robust evidence about business and economic development needs.
- 4.20 Therefore proceeding on this basis would result in a draft Local Plan document which would fail to be consistent with national policy. It would fail to be positively prepared as it would not demonstrably meet the objectively assessed development requirements, which would mean that it is not fully justified, based on robust up to date evidence and would not be the most appropriate strategy when considered against the reasonable alternatives. It would also be ineffective in delivering the economic **growth which is at the heart of the Core Strategy's** objectives.
- 4.21 Secondly, the allocation of only 14-29 hectares of employment land throughout the plan period on the basis that Olympia Park will provide up to 44% of the total requirement (23 hectares) is not a sound approach. The Local Plan is in danger of being too reliant on one site to deliver over 40% of its employment land requirement. Reducing the amount to be allocated to other sites on this basis is too risky an approach which could lead to significant under-delivery and put the Plan's key priority of achieving economic growth in jeopardy. Instead, the Sites and Policies Local Plan should allocate a portfolio of sites to enable other sites capable of delivery to be brought forward. Whilst Olympia Park may be considered by the Council to be appropriate to deliver a proportion of development needs, it should be supplemented by a range of other allocations to ensure a consistent supply of employment development. Such an approach would fail to recognise other existing assets within the District and their ability to provide significant economic growth and employment opportunities for not only the District, but also the wider Region going forward. This is particularly the case in relation to the Kellingley and Gascoigne Interchange sites, both of which are large rail connected sites which represent significant assets, with the ability to deliver employment opportunities throughout the plan period.
- 4.22 If the Selby Local Plan is to achieve its major priority of reducing out-commuting from the District, it is vital that the Sites and Policies Local Plan does not stifle the potential for other sites to come forward (which can provide significant economic benefits), through the under-allocation of future employment land.
- 4.23 With respect to rural areas specifically, the minimal 5-10 hectares of employment land proposed to be allocated is considered to be very restrictive and under ambitious if the

Council genuinely wants to ensure that it attracts the investment needed throughout the District over the plan period.

- 4.24 The provision of only 5-10 hectares across all rural areas is at odds with the very nature of the District which is largely rural. This approach would not allow for the allocation of any large employment sites. The recent grant of planning permission for the Sherburn Proving Ground, (a 36 hectare site with the potential to provide circa 1 million sq ft of employment space) serves to demonstrate the existence of such large sites that are available within rural parts of the District, with the ability to provide wider employment opportunities.
- 4.25 **Thirdly, it is important that any employment land requirement is not seen as a 'target' level** to be achieved but rather as a guide level. A buffer should be added to provide flexibility in the choice and variety of sites, including sizes of sites, available to help stimulate economic growth, provide a range of quality of sites, and to account for sites which may be wholly or partially redeveloped for other purposes or uses such as housing. The expected contribution from outstanding commitments should be discounted to allow for the fact that not all sites within planning permission are likely to be fully taken up, or are capable of being delivered due to various factors including the market, environmental and technical constraints.

Q15 a) what approach should be taken on the existing Established Employment Areas as defined in the Selby District Local Plan 2005?

b) Is there a need for a detailed policy to apply to the Established Employment Areas?

- 4.26 In accordance with paragraph 22 of the Framework, a full assessment and re-evaluation should be under taken of the role of existing Established Employment Areas that are identified in the Selby District Local Plan 2005. All sites should be the subject of a robust up-to-date employment and review and this evidence should be used to guide decisions on whether Existing Employment Areas should be retained for employment uses or allowed to be released for other uses. For example, evidence needs to be examined to determine whether or not a large number of sites have been lost to other types of use and whether or not there is a shortage of employment space which has meant that inward investment and local businesses has been lost of other parts of the Region or the Country. If this provides to be the case, in order to reverse this trend, reduce out-commuting and ensure a continuous supply of business land and premises, it may be appropriate for the Sites and Policies Local Plan to protect locally important existing employment areas which are suitable and attractive to the market.

- 4.27 Notwithstanding this, any Existing Employment Areas defined in the 2005 Selby Local Plan which have not been developed, should be reassessed in detail for consideration as to whether they are realistically likely to come forward in the new plan period. There may well be sites which are more suited to other allocations going forward such as housing allocations, to help meet the **Core Strategy's housing land requirements**.
- 4.28 In addition a review should be undertaken to establish whether any new Established Employment Areas have come forward since the preparation of the 2005 Local Plan. For example, consideration should be given to the identification of Whitemoor site, Riccall site and the former Gascoigne Wood Mine part of the wider Gascoigne Interchange Site as Established Employment Areas. These sites contain a variety of size, type and use of land and premises, all of which accommodate employment-generating uses. Supporting these sites to expand or intensify on site will help to facilitate a more diverse rural economy with appropriate economic development uses.
- 4.29 The Selby District Council Local Plan 2005 noted that whilst sites had been allocated for industrial and business development, it did not mean that other proposals for economic development on non allocated sites would necessarily be refused. This was on the basis that considerable opportunities existed by making better use of the land or through redevelopment, subdivision and refurbishment of existing premises. The modernisation and enhancement of Established Employment was seen as helping to create a better business environment. This continues to be the case and it is important therefore that any future policy relating to Established Employment Areas retains this recognition and lends support to other proposals for economic development. This is consistent with the Framework which places significant weight on the need to support economic growth through the planning system in all areas.
- 4.30 Given the above, and subject to the outcome of the ELR, a detailed policy for Established Employment Areas may be appropriate for a number of reasons.

Q16 In the Selby District Local Plan, all employment Allocations were considered suitable for all types of employment use (B1, B2 and B8). However in the light of the different roles of each of the towns, should PLAN Selby consider a different approach, for example being more specific about the types of employment uses on particular sites?

- 4.31 Q16 refers to all types of employment uses being B1, B2 and B8 uses. In doing so, it fails to recognise the other uses outside the traditional B1, B2 and B8 uses which also generate jobs, are valuable to the local economy and should be considered no less than traditional 'B' Class jobs. Equally, it is important to remember that not all sectors of the economy require B1, B2 or B8 premises and the Council should translate employment change to land use and floorspace.
- 4.32 Accordingly, it is considered that a more flexible approach is required allowing for a wider range of employment generating uses being accommodated, on at least some of the allocated employment sites. This could be achieved for example through Special Policy Areas and/or mixed use allocations for suitable sites.
- 4.33 With regard to the traditional B class employment uses specifically, sites can perform different roles based on their strategic location, infrastructure provisions and proximity to varying transport connections and modes. For example, some sites will be well located and suited to modern B8 warehouse and distribution road based uses, whilst others offer alternative opportunities for low density B2 industrial type uses which can capitalise on locational advantages such as rail connections. Accordingly, an approach which differentiates between these types of employment uses is considered to be logical and appropriate and will provide certainty to the development industry, investors and local communities.
- 4.34 Finally, it is suggested that any corresponding policy needs to have a specific reference to providing for a range and mix of employment sites and units to meet the needs of the economy and that it also needs to ensure that these are genuinely available.

Q17) What should the approach to employment land be in the rural areas, including the Designated Service Villages; and

Q18) Do we need any Development Management policies particular to the rural areas to expand on the requirements set out in the Core Strategy?

- 4.35 Whilst the Core Strategy's development strategy focuses on development in urban Selby, Sherburn and Tadcaster followed by the DSVs, it should be recognised that not all new development can be accommodated within these areas and there are a number of existing employment sites outside of these areas which can positively add to the rural economy.
- 4.36 Accordingly, it is suggested that the Local Plan identifies 'Special Policy Areas', 'key employment generating' or 'rural development opportunity' sites within rural areas which

offer significant opportunities to support economic development over the plan period, reduce the existing high levels of out-commuting, as well as provide a wider range of employment opportunities. In particular, this is considered to be a sound and pragmatic approach to bringing forward employment generating development on the previously developed sites which are otherwise likely to remain wholly or largely unused.

4.37 Furthermore, the identification and/or allocation of sites in rural areas which are outside of the Green Belt will reduce the need to release Green Belt land for employment generating development.

4.38 In addition, the Sites and Policies Local Plan should include positively worded development management policies which support economic growth in rural areas in line with paragraph 28 of the Framework.

Q19 Within the rural areas do we need any special policies or designations for any of the particular rural sites in the District and to support the rural economy?

For example:

Drax and Eggborough power stations

The former mine sites

Former Airfields

4.39 The Kellingley Site and the former Selby mine sites are existing major sites located in rural areas outside of defined settlement limits, which due to their historic and current status require a less restrictive policy than would otherwise be the case. It is considered appropriate to include site specific development management policy guidance to guide future development on these sites. The sites provide rare opportunities within the District of local and regional significance, as **detailed in our Client's** previous representations (**See Appendix B**) and summarised as follows:

- All of the sites comprise either in whole, or the majority previously developed land;
- They contain rare and valuable infrastructure including large electricity connections to the national grid which are rare in the Region and allow electricity generated on site to be fed straight back into the grid;
- The Gascoigne Interchange and Kellingley sites have existing rail connections which are rare and allow for material to be more sustainably transported to and from the sites rather than by lorry movements;

- The Kellingley site also has canal access providing a potential further sustainable alternative to the transport of materials by road;
- Existing on site infrastructure such as industrial road accesses and hardstanding, water and sewage systems and telecommunications connections; and
- Generally the sites are well screened by significant landscaped bunds which were put in place when the mines were developed.

4.40 Accordingly, special policies/designations would be entirely appropriate and necessary to maintain flexibility in the manner in which development can occur on these sites. The Special Policy Areas could be defined as mixed use developments which are capable of meeting a **proportion of the District's employment land and low carbon/renewable energy generation** requirements. This is on the basis that the sites are suitable for more than one use, or a primary use e.g. employment, supported by ancillary or complementary uses. The scale and function of these uses would reflect the scale and function of each Special Policy Area or site.

Q21 a) Are there any such areas that should be safeguarded, allocated or designated to restrict or promote development?

b) What is the justification for such an approach?

4.41 Answers to this question are covered above in relation to our comments on the need to allocate 'Special Policy Areas' or designations such as '**key employment generating**' or '**rural development opportunity sites**' within rural areas including the Kellingley site and the former Selby mine sites.

Topic 3 – Defining Areas of Promoting Development and Protecting Key Assets

4.42 The Core Strategy acknowledges that in order to facilitate the required growth of the District throughout the plan period, a Green Belt will need to be undertaken. In some cases existing Green Belt boundaries will need to be reviewed where there are clear exceptional circumstances for doing so.

4.43 It is understood that the Council is planning to undertake a separate study which will review the Green Belt, boundaries where appropriate. This study is to be carried out independently from this current consultation. Our client welcomes the Council's commitment to review the Green Belt boundaries and will provide comments at the appropriate time.

- 4.44 Notwithstanding this, we refer the Council to our Client's previous representations on this matter at **Appendix B**, specifically the need to review the Green Belt boundaries at the Kellingley Site.

Topic 5 – Climate Change and Renewable Energy

- 4.45 Topic 5 deals with matters concerning climate change and ways in which the Council will look to secure low carbon and renewable energy sources across the District. It highlights that the **Core Strategy sets out the Council's strategic policy and guidance relating to climate change and renewable energy**. The opening paragraphs of the Core Strategy clearly acknowledge that climate change is one of the key issues that the Council must tackle throughout the plan period. Paragraphs 6.32 to 6.33 recognise that the energy sector will continue to be important for the District and has the potential to be a prominent contributor to economic prosperity, with opportunities to promote further growth, *"supporting the energy sector will assist in reinvigorating, expanding and modernising the District's economy"*.
- 4.46 The Framework forms the basis for all local plan preparation and is clear that local planning authorities should actively support the transition to a low carbon future and where possible encourage the use of renewable resources (for example, by the development of renewable energy). Paragraph 93 highlights that the planning system must play a key role in helping to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change and most notably supporting the delivery of renewable and low carbon energy and associated infrastructure. Such is its importance, the same paragraph goes on to state that this is central to all three aspects of sustainable development.
- 4.47 In terms of local plan preparation, paragraph 97 states that future plans should have a positive strategy to promote energy from renewable and low carbon sources. This should include giving consideration to identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources. This statement is further supplemented by a footnote which states:

"Where plans identify areas as suitable for renewable and low-carbon energy development, they should make clear what criteria have determined their selection, including for what size of development the areas are considered suitable".

4.48 In summary, national planning policy adopts a very proactive stance on the promotion of low carbon and renewable energy sources. It places a strong requirement on local planning authorities to play their part in helping to achieve this vision with the preparation of new local plans being an appropriate means for this to be achieved.

Q26 Is it necessary for PLAN Selby to consider:

a) Providing a revised target for the plan period to 2027 for installed renewable energy?

4.49 Our Client considers that it would be appropriate for the Sites and Policies Local Plan to contain a revised target.

4.50 The current indicative local target, as set out at paragraph 7.47 of the Core Strategy for the District as a whole, is an installed capacity of 32 megawatts by 2021. It is important to note that this was not meant to be a ceiling figure and the Council states that it will continue to encourage the provision of new renewable sources provided any harm to the environment and other adverse impacts are minimised. This positive stance is welcomed by our Client and reflects national policy and guidance.

4.51 The Core Strategy target was informed by studies at a sub-regional level carried out in 2004 and 2005. These studies are now significantly out-of-date and subsequent studies have taken place in the intervening period, most notably the study undertaken by AECOM published in '*Low Carbon and Renewable Energy Capacity in Yorkshire and Humber*' report dated April 2011.

4.52 The 2010 Capacity Study identifies a potential renewable electricity generation capacity of around 292MW for Selby. Given the time that has elapsed since the previous studies and in order to ensure the emerging local plan document is formed on a robust basis having regard to the proactive stance outlined in the Framework, the Core Strategy target needs to be reviewed in light of the more up to date evidence, to inform a revised target for the plan period to 2027.

4.53 Notably one of the key actions identified within the study for Selby is to identify opportunities on brownfield land for renewable energy installations in tandem with regeneration and redevelopment initiatives. This should be followed through into the Sites and Policies Local Plan through the identification and/or allocation of land for such opportunities including Special Policy Areas as suggested above.

b) Reviewing the 10% onsite requirement?**c) Including specific requirements for sustainable building design such as Code for Sustainable Homes and BREEAM, subject to local viability testing?**

- 4.54 The Government's Housing Standards Review is seeking reduce the abundance of local standards and replace the majority with new Building Regulations. The Ministerial Statement by Stephen Williams MP (13th March 2014) and the recent consultation on the '*Housing Standards Review*', published in September 2014, indicate that in terms of energy this will solely be dealt with through the Building Regulations. In this regard, the Council will be not be able to include a policy requiring higher levels of energy efficiency or renewable energy generation from dwellings. The review also signals that the Code for Sustainable Homes will be wound down.
- 4.55 In terms of other elements of the Code for Sustainable Homes, such as water efficiency, these will also be dealt with through the Building Regulations but an optional higher standard can be applied, if justified, through the Local Plan process. To include the higher optional standard the local authority would need to provide evidence of the need for such a standard.
- 4.56 Pursuant to the above, it is considered that the Council should review the 10% requirement in light of the Housing Standards Review and should not include specific policies on sustainable building design unless there is evidence of the need to do so as part of a robust evidence base.

d) Identifying suitable areas for renewable and low-carbon schemes by technology? E.g. wind, solar, hydro?

- 4.57 It is not considered that the Council should follow advice contained in the Framework and PPG on this matter. For example, the PPG advises that identifying areas for particular types of renewable energy (such as onshore wind or large scale solar farms) can be useful and give greater certainty to where such development will be permitted. However, it is considered such an approach would need to have regard to the fact that technologies change over time and therefore the Local Plan would still need to be flexible enough to deal with rapid change over the plan period.

e) Identifying separation thresholds? What might they be?

- 4.58 It is not considered appropriate to identify arbitrary separation thresholds on the basis that each development should be considered on its own merits, in light of the site specific circumstances.
- 4.59 Furthermore, the identification of separation thresholds would be contrary to national planning policy guidance contained within the PPG. Paragraph 008 Reference ID: 5-008-20140306 is quite clear on this matter, stating that:

“Local planning authorities should not rule out otherwise acceptable renewable energy developments through inflexible rules on buffer zones or separation distances. Other than when dealing with set back distances for safety, distance of itself does not necessarily determine whether the impact of a proposal is unacceptable. Distance plays a part, but so does the local context including factors such as topography, the local environment and near-by land uses. This is why it is important to think about in what circumstances proposals are likely to be acceptable and plan on this basis.”

f) Incorporating more detailed development management policies for climate change and renewable/low carbon energy requirements? If so what do they need to cover?

- 4.60 Again, it is considered that the Council should follow the advice given in the Framework and PPG on this matter. Paragraph 007 Reference ID: 5-007-2014030 of the PPG promotes positively worded criteria based development management policies relating to low carbon/renewable energy and refers to the National Policy Statements as a useful starting point.
- 4.61 First and foremost however, our Client considers that such policies should strongly promote renewable/low carbon energy developments as a means of tackling climate change and encouraging sustainable economic growth, as recognised by the Selby Core Strategy.

g) How should each of the site allocations (to be identified in later stages) deal specifically with climate change and renewable energy issues?

- 4.62 Our Client considers that the Sites and Policies Local Plan should identify suitable areas for renewable and low-carbon sources. There are several options available to the Council in doing so.
- 4.63 Firstly, the Council could allocate sites specifically just for renewable/low carbon uses. The disadvantages of this approach include the fact that it **doesn't promote the** multiple benefits from the use of land or collocation of potential heat customers and suppliers.
- 4.64 **Alternatively the Council could 'wash over' suitable areas for** low carbon/renewable energy uses. This approach however could be not specific enough and not provide developers, investors and local communities with certainty.
- 4.65 Instead, the Council could allocate sites suitable for more than one use or a range of uses **(e.g. employment and renewable/low carbon energy) as 'mixed use' or 'Special Policy Area'** allocations. This is the approach preferred by our Client on the basis that it provides both certainty and flexibility.
- 4.66 As noted above, the Framework suggests that during the local plan preparation process local planning authorities should give consideration to identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources. This statement is further supplemented by a recommendation that where suitable areas are identified, it should made clear what criteria have determined their selection, including for what size of development the areas are considered suitable.
- 4.67 Ultimately, the amount of land that should be allocated to fulfil the Councils requirement for renewable energy will need to be dictated by a revised target. However, it is important that the sites identified are assessed to ensure they are available and deliverable.
- 4.68 The key factors that make a scheme viable and therefore achievable in real terms should be considered. This includes for example, the availability of suitable land and proximity to a suitable and viable grid connection.
- 4.69 Our Client would welcome the opportunity to provide further comments on appropriate site selection criteria in due course.

5.0 Representations to Chapter 4: Development Management Policies and Review of SDLP Policies

- 5.1 The opening paragraphs of Chapter 4 highlight that the current development control element of the Local Development Plan is formed by the Selby District Local Plan. This was drawn up **based on the notion of 'control' rather than the** presumption in favour of sustainable development which is now advocated by national policy. It is therefore appropriate to review these policies in light of new guidance and evidence. This is welcomed by our Client.
- 5.2 Table 9 on page 66 outlines the key topic areas which will need to be addressed. These include; *'Transport and Highways'* and *'Development in the countryside'* (replacement dwellings, farm diversification, re use of buildings, former mine sites and power stations).

Transport and Highways

Q32) b) Are there any other local transport schemes/issues that PLAN Selby should develop policies for?

- 5.3 The list of transport topics covered under this policy should include other sustainable transport modes such as rail and water.
- 5.4 In accordance with national policy and guidance (such as the Framework, PPG and Strategic Rail Freight Interchange policy guidance) the Sites and Policies Local Plan should include policies which seek to maximise the economic, environmental and social benefits of transferring freight movements from road to rail or canal.

Development in the Countryside

- 5.5 The Council makes clear that the Development Strategy set out in Core Strategy Policy SP2 should not be regarded as an absolute barrier to change. Although its primary focus is the protection of the countryside, there is an acceptance both within the policy and the proceeding text that in order for the more rural parts of the district to prosper, certain forms of development will need to take place. Although the Council considers that Policy SP2 provides the mechanism for such development to be delivered, it accepts that more detailed polices are required to offer guidance on what would be deemed *"appropriate"*.
- 5.6 At paragraph 4.23 of the initial consultation document there is recognition that the countryside has assets that are unavailable in urban areas that could offer economic and/or

social improvements. Furthermore it is identified that there are a range of sites across the District that have ceased their useful life and are in various states of dereliction but which offer hardstanding, buildings, access arrangements and other assets. The Council recognises that without an identified end use, these sites continue to decline. The former mine sites are identified as one example of these types of site and this is recognition is supported by our Client in line with previous representations.

- 5.7 It is however also stated within the consultation document that in some cases there are restoration conditions on sites to return them to their previous (agricultural) use. It highlights that the Sites and Policies Local Plan should consider what uses these sites could be put to.
- 5.8 As set out in **detail in our Client's previous representations** (See **Appendix B**) the Kellingley site and the former Selby mine sites represent significant environmental, economic and social assets that should be allocated for beneficial uses. As set out above, the rare nature of these sites should be acknowledged in the Sites and Policies Local Plan through Special Policy Area or other special designations/allocations.
- 5.9 With respect to the reference to restoration conditions, this is not applicable to the Kellingley Site on the basis that the planning permissions associated with the colliery do not contain any restoration conditions. The Riccall, Whitemoor and the former Gascoigne Wood mine sites all benefit from planning permission for employment uses. Whilst Stillingfleet and Wistow have restoration conditions associated with their historic permissions, they are invalid conditions which are unenforceable. Nor are they appropriate to the existing context. Accordingly, this adds further weight to the allocation of these sites in the Selby Site and Policies Local Plan in order to ensure their beneficial reuse.

Q35) What policies should PLAN Selby include to manage development in the countryside?

- 5.10 Firstly, our client welcomes the **Council's acknowledgement of the former mine sites and the** recognition that proper consideration should be given to seeking out opportunities for bringing them back into beneficial use.
- 5.11 As noted above, in the case of the Kellingley site, Whitemoor site, Riccall site and the Gascoigne Wood Mine part of the Gascoigne Interchange site all are currently in employment use and provide an important source of employment to the surrounding settlements. Together with the undeveloped part of the Gascoigne Interchange site and the Stillingfleet

and Wistow sites all of the sites would all benefit from Special Policy Area designations and policies **as set out above and for reasons detailed in our Client's previous representations as provided at **Appendix B.****

- 5.12 Our client therefore considers that the Sites and Policies Local Plan should include specific policies relating to the former mine sites to ensure the assets continue or are brought back into beneficial use.

6.0 Representations to Chapter 5: Settlements

- 6.1 Chapter 5 looks specifically at the towns and village across the district that have been earmarked for growth throughout the plan period namely the three towns Selby, Tadcaster and Sherburn-in-Elmet and the 18 Designated Service Villages. It seeks comments on their individual aims and likely requirements throughout the plan period.
- 6.2 In order to influence how each settlement will look at the end of the plan period, it is the intention of the Council to create a vision for each which will have specific growth proposals and more general ideas to guide development.

Sherburn in Elmet

- 6.3 Paragraph 5.22 highlights that Sherburn in Elmet has been one of the main focus points of economic growth development within the District for many years. The Core strategy highlights that Sherburn currently supports more than 3,000 jobs and, due to the level of services and facilities it provides, is earmarked for additional growth throughout the plan period. The town has been one of the main focus points for economic development within the District for many years.
- 6.4 The principal concentration of employment land is to the east, comprising the Moor Lane Trading Estate and Sherburn Enterprise Park, with planning permission also having been **granted for the Enterprise Park's extension** onto adjacent land to the east (known as the Sherburn Proving Ground).

Q39) a) How should Sherburn in Elmet grow and develop?

b) What else is added in Sherburn in Elmet that could be allocated as a site?

- 6.5 The Core Strategy highlights that national guidance places a clear requirement on local planning authorities to make the best use of existing transport infrastructure and capacity, and in doing so maximise the use of rail and water for uses generating large freight movements, wherever possible. Whilst the Core Strategy goes highlights that Sherburn is already served by rail services, it should be noted that this is only in respect of passenger trains accessed via the centrally located train station. Despite the substantial economic growth that has taken place to date and future growth earmarked in the Core Strategy, this has been and will continue to at the expense of using the road network for the import and

export of goods unless consideration is given to other modes of transports, as required by national guidance.

- 6.6 Accordingly, whilst Sherburn has existing employment sites these do not have the benefit of rail connections which allow for the import and export of goods and materials. Accordingly, the allocation of the Gascoigne Interchange site could open up the opportunity to provide rail access to existing and future businesses in Sherburn. The Gascoigne Interchange site has extensive and high quality rail facilities which have capacity to handle large volumes of traffic and accessible from both the Leeds and Selby directions. Rail links can therefore be directly made to industrial and distribution centres throughout mainland Britain. Furthermore, the existing rail connection at Gascoigne Interchange is rare in the region because it can handle the longest length of trains commonly used on the network and can be accessed at both ends. This existing rail connection therefore provides a realistic and achievable opportunity for the Council to allocate a site which could provide rail connected employment development within a sustainable part of the District.
- 6.7 Our Client welcomes the **Council's acknowledgement that Sherburn has historically been the** focus for economic growth and will remain so throughout the plan period. This further economic growth should however be achieved on a sustainable basis and with recognition to the existing and future opportunities to capitalise on rail connections.
- 6.8 The vision for Sherburn in Elmet should be an ambitious one which seeks to create a critical mass of employment opportunities to assist in creating future sustainable economic growth, helping to create a more self-sufficient district with greater local employment opportunities and reduced levels of out commuting as a result.
- 6.9 Our Client would welcome the opportunity to further engage with and contribute to the vision for Sherburn in Elmet going forward.

7.0 Representations to Chapter 6: Evidence Base Requirements

Q59) Do you have any comments on the evidence that the Council considers necessary?

Q60) Is there any other evidence that the Council should consider gathering?

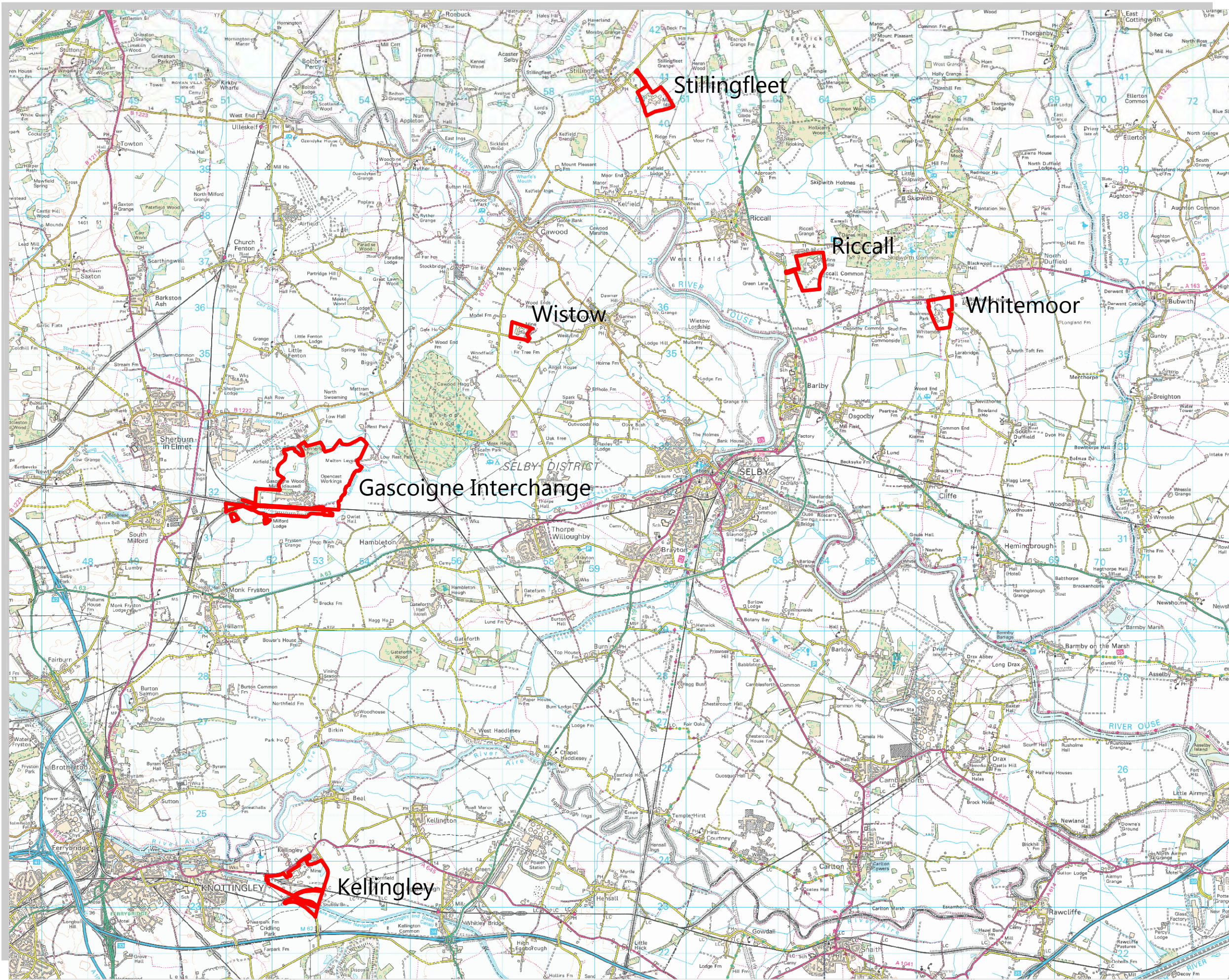
- 7.1 It is noted that a 'Highways Assessment' is included within the list of evidence base documents that the Council is preparing to inform the Sites and Policies Local Plan. It is not clear whether or not this document is will comprise a 'Transport Assessment' of the Local Plan as required by national planning policy and guidance.
- 7.2 The PPG advises at paragraph 001 Reference ID54-001-20141010 that it is important for local planning authorities to undertake an assessment of the transport implications of developing their local plan so that a robust evidence base may be developed in support of the plan. It states that *"the transport evidence base should identify opportunities for encouraging a shift to more sustainable transport uses."* Paragraph 002 Reference ID: 54-002-20141010 goes on to say that *"A robust evidence base will enable an assessment of the transport impacts of both existing development as well as proposed and can inform, sustainable approaches to transport at a plan making level"*. Finally paragraph 003 Reference ID 54-003-20141010 advises that the key issues which should be considered include the need to assess the opportunities to support a pattern of development that facilitates the use of sustainable modes of transport and promotes the use of alternative modes of both existing and new development locations.
- 7.3 Given that parts of the Selby District are served by sustainable modes of transport such as railway lines and canals, it is considered important to the Site sand Policies Local Plan evidence base reflects the opportunities provided by such assets, by including rail and canal assessments and is not just limited to an assessment of highways. Otherwise the significant opportunity to support a more sustainable pattern of development within the District could be lost.

8.0 Summary

- 8.1 These representations have been prepared by Barton Willmore on behalf of Harworth Estates Limited. They provide Harworth Estates' comments in respect of the Selby Sites and Policies Local Plan Initial Consultation.
- 8.2 As the landowner of several major sites within Selby, Harworth Estates Limited is a key stakeholder in the future development of the District and welcomes the opportunity to engage in the Sites and Policies Local Plan process.
- 8.3 It is recognised that this initial round of consultation is not site specific, and there will be an opportunity to provide further representations on the merit of individual sites at a later date. Accordingly, Barton Willmore would be grateful if Selby District Council could acknowledge these representations and keep us informed of the future stages of the Selby Sites and Policies Local Plan, including the preparation of the key evidence base documents such as the ELR.

Appendix A

Harworth Estates Landholdings Plan



Legend

Site boundaries



Based upon the Ordnance Survey 1:2500 Land Line maps with the permission of the controller of H.M. Stationery Office CROWN COPYRIGHT RESERVED Licence No. AL 100020414



HARWORTH PARK, BLYTH ROAD,
HARWORTH, DONCASTER,
SOUTH YORKSHIRE.
DN11 8DB.

Site Name:

Selby Sites

Title:

Selby Area Land Interests

Dwg No.

999-h14-004

Layout:

layout2

Drawn By:

Mc

Checked By:

TL

Scale:

nts @ a3

Date:

08-12-11

Appendix B

Representations to Call for Sites

Representations to Selby District Council Strategic Land Availability Assessment 'Call for Sites' 2013

On behalf of Harworth Estates Limited
In respect of the Kellingley Colliery & Former Selby Mine Sites

October 2013

Selby District Council Strategic Land Availability Assessment 'Call for Sites' 2013

Representations on behalf of Harworth Estates Limited

Status:	Draft	2 nd Draft	
Issue/Rev:	P1	P1a	
Date:	16.10.13	1.11.13	
Prepared by:	CA	CA	
Checked by:	CH	CH	

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Appendices

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Appendix B	Kellingley Site Plan
Appendix C	Extract from Inspectors Report
Appendix D	Selby Local Plan (2005) – Kellingley Colliery
Appendix E	Kellingley Colliery Consent Plan
Appendix F	Proposed Green Belt Review Plan – Kellingley Colliery
Appendix G	Gascoigne Wood Site Plan
Appendix H	Riccall Site Plan
Appendix I	Whitemoor Site Plan
Appendix J	Stillingfleet Site Plan
Appendix K	Wistow Site Plan

1.0 Introduction

1.1 Barton Willmore is instructed by Harworth Estates Limited to submit representations to the Selby District Council Strategic Land Availability Assessment 'Call for Sites' 2013.

1.2 As the landowner of several major sites within Selby, Harworth Estates Limited is a key stakeholder in the future development of the District and welcomes the opportunity to engage in the Local Plan process. Overall, Harworth Estates is keen to ensure that the local planning authority meets the aspirations for economic growth through the allocation of sufficient and suitable sites through the Local Plan process.

About Harworth Estates

1.3 Harworth Estates is one of the largest landowners in the UK and a leading property developer, based at the flagship Waverley development site in the heart of the Sheffield City Region. The company was born out of the need to manage the land and property assets of UK Coal Plc, and was formally separated from the mining business in December 2012. Accordingly, Harworth Estates is now an independent company.

1.4 The role of Harworth Estates is to address the legacy of its coalfield sites, establish appropriate re-uses and gain economic benefit wherever possible. Harworth Estates works closely with communities, local authorities, developers and other professionals to further the renewal of its strategically important sites and meet environmental, economic and social aspirations.

1.5 Harworth Estates is transforming a number of sites across Yorkshire and is providing innovative solutions for regenerating vacant brownfield sites and turning derelict land into employment areas, new homes, renewable energy centres and open space. The company also manages a variety of sites, ranging from established business parks to agricultural estates that surround its active development sites. Harworth Estates creates and develops new opportunities across all sectors of the property market.

Selby Sites

1.6 Harworth Estates' landholdings in Selby are all established employment sites, comprising either current, or former, mine or coal disposal points. The sites are listed below and are shown on the plan at **Appendix A**:

- The Kellingley Colliery site ("the Kellingley site");
- The Gascoigne Wood Interchange ("the Gascoigne Wood site");
- The Riccall Business Park ("the Riccall site");
- The Whitemoor Business Park ("the Whitemoor site");
- The Former Stillingfleet Mine ("the Stillingfleet site"); and
- The Former Wistow Mine ("the Wistow site").

1.7 All six sites are significant economic, environmental and social assets within the Selby District, which offer a major opportunity for Harworth Estates to work with Selby District Council and other key stakeholders to assist in meeting the aspirations for economic growth in the District. More specifically, the sites offer the potential to contribute to the District's economy in terms of:

- Maximising opportunities for low carbon / renewable energy generation;
- Promoting more sustainable movement of materials by rail and canal;
- Assisting in the diversion of waste from landfill;
- Creating jobs to reduce out-commuting of residents and enhance rural employment opportunities;
- Providing opportunities for development on land which is not constrained by flood risk; and
- Providing affordable and flexible employment space to meet local needs.

1.8 Further details on each of the six sites are provided in Chapter 3.

2.0 Planning Policy Background and Context

Selby Core Strategy

2.1 Harworth Estates engaged with Selby District Council (“the Council”) throughout the development of the Core Strategy (due to be formally adopted on 22nd October 2013). Planning officers confirmed during this process that they support the principle of the redevelopment of the former Selby mine sites for a range of uses including employment and low carbon/renewable energy uses, amongst others.

Employment Use

2.2 Paragraph 6.35 of the Core Strategy refers to the former mines at Whitemoor and Riccall as *‘acknowledged locations for meeting the needs of existing indigenous employment.’*

2.3 Policy SP13 lends support to the revitalisation of the local economy in rural areas. Sustainable development on both Greenfield and previously developed sites such as Stillingfleet and Wistow, which brings sustainable economic growth through local opportunities or, expansion of businesses and enterprise is also supported. This includes the re-use of existing buildings and infrastructure, the development of well designed buildings, and the redevelopment of existing and former employment sites.

2.4 Accordingly, the Core Strategy lends support, in principle, to the reuse or redevelopment of the Stillingfleet and Wistow sites, where such development provides sustainable economic growth.

2.5 Paragraph 6.34 sets out the Council’s position with regard to the Gascoigne Wood site in stating that:

“The Council also supports the reuse of the former Gascoigne Wood mine, provided this is linked to the use of the existing rail infrastructure that exists at the site. Furthermore support exists for the re-use of former employment sites, commercial premises and institutional sites (outside Development Limits) for employment uses, provided they are compatible with the countryside location.”

- 2.6 Support is therefore already given in principle for the use of the Gascoigne Wood site (i.e. both buildings and land) for employment use, where such use does not have a significant adverse impact upon the surrounding countryside.

Low Carbon/Renewable Energy Uses

- 2.7 Policy SP14 of the Core Strategy states that in future Local Plan documents the Council will seek to identify opportunities where development can draw its energy from renewable, low carbon or decentralised energy supply systems and for co-locating potential heat customers and suppliers. The policy also says that the Council will also consider identifying suitable areas for renewable and low carbon energy sources and supporting infrastructure. Such proposals are supported where they meet a number of criteria set out within the Policy.

Green Belt Review

- 2.8 The Core Strategy sets out the reasons why it is necessary for the Council to undertake a Green Belt review. Paragraph 4.47 is explicit in terms of the extent of review stating that:

“Such a review would seek to ensure that only land that meets the purposes and objectives of Green Belt is designated as Green Belt...The review may also address anomalies such as (but not exclusively) cartographic errors and updates in response to planning applications, reconsider “washed over” villages against Green Belt objectives, and consider simplifying the on-the-ground identification of all the Green Belt boundaries by identifying physical features that are readily accessible and likely to be permanent.”

3.0 The Kellingley Colliery Site

Site Details

- 3.1 Kellingley Colliery is the largest deep mine in Yorkshire and UK Coal Production Ltd's only remaining operational deep mine within the district of Selby. Planning permission for Kellingley Colliery was granted in 1956, following which consent for the extraction of coal by underground mining was given in 1959, with production then commencing in 1965.
- 3.2 The site is located approximately 2.5km (1.5 miles) to the east of Knottingley, adjacent to the village of Kellingley, on the A645 which runs parallel to the M62 linking Wakefield, Pontefract and Knottingley with Selby to the east. Access to the M62 motorway is available to the west and east via Junction 33 at Ferrybridge and Junction 34 at Eggborough.
- 3.3 The landholdings at the site extend to approximately 79 hectares (195 acres) which includes the operational colliery together with agricultural land to the south (See Site Plan at **Appendix B**). The Colliery currently produces around 2 million tonnes of coal per annum supplying local power stations including Eggborough and Ferrybridge, together with an element of domestic sales. There are sufficient reserves available for the Colliery to continue operating for a least a further 8 years.
- 3.4 As a major employer, the Colliery employs approximately 630 people, the majority of which are from the local area.

Site Attributes

- 3.5 The Kellingley site is a strategically important employment site, with excellent existing infrastructure, including:
- The existing rail connection which allows materials to be more sustainably transported to and from the site rather than by lorry movements;
 - Access to the Aire and Calder Navigation providing a potential further sustainable alternative to the transportation of materials by road;
 - The significant existing connection to the electricity grid which allows energy generated on the site to be fed straight back into the grid; and
 - On site water and sewage systems.
- 3.6 It is evident that the continued use and potential future expansion of the Kellingley site offers a significant opportunity to attract new investment to the Selby District, together

with the creation of jobs. It is important to note that this investment has the potential to be of regional, national or international scale due to the limited intermodal employment development opportunities across the UK. Such investment could offer significant benefits to the local, as well as the wider regional, and national economy.

Future Proposals

3.7 Harworth Estates intends to continue to promote the Kellingley site as a strategically important multimodal employment development site. As part of this, consideration is being given to the potential for additional future development to:

- Expand existing facilities;
- Facilitate the re-use of underutilised/vacant areas of the Colliery site;
- Develop Colliery supply chain/complementary employment uses;
- Promote the more sustainable movement of goods, waste and materials; and
- Develop renewable/low carbon energy generation.

3.8 To demonstrate this, Harworth Estates has formed a joint venture with Peel Environmental to bring forward innovative proposals to co-locate an energy centre (known as Southmoor Energy Centre) on underutilised land at the Kellingley Colliery site. The proposed development would recover up to 280,000 tonnes per annum of residual waste and provide up to 26MW net of low carbon/renewable electricity and heat. The Energy Centre would bring a range of significant benefits including:

- Environmental benefits in terms of sustainable waste management, renewable/low carbon energy generation and reduction in the effects of climate change;
- Diversion of up to 280,000 tonnes per annum of residual waste away from landfill together with the production of up to 26MW net renewable/low carbon energy helping to move waste up the waste hierarchy, reduce reliance on fossil fuels and combat the causes of climate change;
- A reduction of at least 92,258 tonnes per annum of carbon dioxide and reduction in the amount of methane produced at landfill sites;
- Efficient and effective reuse of underutilised previously developed land to provide multiple benefits including the management of waste, rather than placing reliance on the use of Greenfield land;
- Creation of around 38 permanent jobs together and an additional 375 temporary construction jobs, as well as spin off benefits such as the creation of indirect employment through the use of local suppliers and services together;
- Significant inward investment into the local economy; and

- The opportunity to provide heat opportunities and exploit the potential for transporting waste by rail leading to the more sustainable movement of waste.

3.9 A full planning application for Southmoor Energy Centre is currently under consideration by North Yorkshire County Council.

Green Belt Review

3.10 In previous representations to the emerging Site Allocations DPD, Harworth Estates has strongly objected to the proposed designation of the majority of Kellingley Colliery site as a 'Major Site in the Green Belt'. Whilst not disputing the fact that the site comprises a major site, it has been stressed that the majority of the Kellingley site is excluded from the surrounding Green Belt within the adopted Selby Local Plan (2005) and this should also be taken forward to the Site Allocations DPD for reasons set out below.

3.11 The exclusion of the Kellingley Colliery site (40A) from the Green Belt was considered at length at the Selby District Council Local Plan Inquiry. A copy of the relevant extract of the Inspector's Report published in June 2002 is enclosed at **Appendix C**. This makes clear that the extension of the adopted Green Belt boundary to include the colliery does not accord with PPG2 and that there were no exceptional circumstances to justify the inclusion of the site within the Green Belt. Also of note is the Inspector's view that it was overly optimistic of Selby District Council to expect the site to revert to one which is permanently open due to the lack of restoration conditions. Reference is made to the re-use of redundant collieries elsewhere including at the former Whitemoor Mine site. Since this time planning permission has also been successfully obtained for the re-use of the Riccall and Gascoigne Wood former mine sites.

3.12 Following the Inspector's recommendation, the Kellingley Colliery site was excluded from the Green Belt in the adopted Selby District Local Plan and as such is also excluded as a Major Developed Site in the Green Belt.

3.13 In light of the above, it is presumed that the proposed designation of the Kellingley Colliery site as a Major Site in the Green Belt in the SADPD Preferred Options document is an error on the Council's part.

3.14 Notwithstanding this, the reasons why the site should not be included within the Green Belt are:

- 1) The Kellingley Colliery site has been excluded from the Green Belt since the boundaries were first adopted in 1974. Paragraph 2.6 of PPG2 states that *“once the general extent of a Green Belt has been approved it should be altered only in exceptional circumstances...Similarly, detailed Green Belt boundaries defined in adopted Local Plans or earlier approved development plans should only be altered exceptionally.”* The Council has not provided any exceptional circumstances justifying the future inclusion of the site in the Green Belt.
- 2) Extending the adopted Green Belt boundary to include the Kellingley Colliery site does not accord with the five purposes of including land in the Green Belt as set out in PPG2 for reasons previously set out in the Planning Inspector’s report (enclosed).
- 3) The Selby District Council Core Strategy states that it aims to maintain the overall extent of the Green Belt, and that consideration will only be given to undertaking localised Green Belt boundary reviews where there are difficulties in accommodating the growth required. This relates to the future *exclusion* of land from the Green Belt. The Core Strategy does not even refer to, let alone justify, the future *inclusion* of land previously excluded from the Green Belt.

3.15 In the absence of any stated exceptional circumstances justifying the case for including the Kellingley Colliery site within the Green Belt, and the fact that the site would not meet the criteria set out in PPG2 for inclusion of land in the Green Belt, the site should not be designated as such in the Site Allocations DPD. Any such designation would be unsound and not legally compliant on the basis that it would be unjustified, ineffective and contrary to national planning policy.

3.16 Whilst the majority of the consented Kellingley Colliery site is excluded from the Green Belt in the adopted Selby Local Plan part of the northern end of the site is still shown as being located within the Green Belt (see Plan at **Appendix D**). Given that this part of the site forms part of the original consent for the colliery (See Plan at **Appendix E**) it is assumed that this was a cartographic error made by the Council. It is therefore considered that the opportunity should be taken to correct this in the Site Allocations DPD. The Green Belt boundary should be amended to follow the northern boundary of the consented Colliery Site i.e. along Weeland Road (A645) as indicated by the pink cross hatched area on the plan at **Appendix F**. This will serve to provide a more defensible and long lasting boundary.

Proposed Site Allocation

- 3.17 In light of the above evidence it is requested that the Kellingley site is allocated for employment/economic development uses in the Site Allocations DPD to include both traditional (B1, B2, and B8) employment uses and quasi employment type uses. The site is also suitable to be identified as an area for renewable energy/low carbon uses in line with Policy SP14 of the Core Strategy.
- 3.18 Further to this, Harworth Estates has also discussed with Selby Council, the potential for future adoption of a Masterplan for the Kellingley site either as part of a Development Brief, Supplementary Planning Document or a Neighbourhood Development Plan.

4.0 The Gascoigne Wood Site

Site Details

- 4.1 The Gascoigne Wood site is located to the west of the Selby District and is approximately 2 miles south east of Sherburn-in-Elmet. Immediately to the north of the site is Sherburn Industrial Estate and the site is connected to the wider road network by the B1222 and the A162 which connects to the A63 and A1 approximately 6 miles to the west.
- 4.2 Harworth Estates' landholdings at Gascoigne Wood extend to approximately 256 hectares (633 acres) as shown on the plan at **Appendix G** and there are existing buildings located on the site of the former Selby Mine complex, which have an approximate floor area of 250,000 sq ft. These are complimented by significant roadways, infrastructure and landscaping provision. Integral to the infrastructure provision is the extensive rail sidings, which provide access to local, national and international markets via the rail network.

Current Status

- 4.3 Planning permission was granted by Secretary of State in 2007 for reuse of the existing buildings and infrastructure at the Gascoigne Wood Interchange for employment uses, linked to the rail sidings and infrastructure.
- 4.4 Since 2007 market demand has demonstrated the attractiveness of the site to a range of employment and energy users as follows.
- 4.5 British Gypsum leases the covered stockyard which amounts to approximately 210,000 sq ft, plus 10 acres for the storage of gypsum, which is transported by rail from Drax Power Station where it is produced. It is then stored within the building and on land until it is required at British Gypsum's nearby plasterboard factory in Sherburn.
- 4.6 Approximately 6.3 acres of land is leased separately by Siniat for the storage of gypsum transported from Drax and Cottom Power Stations for onward dispatch to Siniat Ferrybridge site.
- 4.7 DB Schenker rents the rail sidings at the site to transport the gypsum by rail from Drax and Cottom Power Stations to Gascoigne Wood.

- 4.8 Newgen Recycling Limited lease approximately 20,000sq ft of existing workshops and storage buildings plus 9 acres of open storage for the purposes of recycling tyres and the manufacture of related products.
- 4.9 In excess of 150 jobs are now supported by the ongoing regeneration at the site. In addition to the above occupiers, several other companies have options to lease land at the Gascoigne Wood site.
- 4.10 Harworth Estates have agreed an exclusive position with a national rail freight operator to re-develop the southern sidings as a multimodal rail facility over the medium term.
- 4.11 A planning application for a Short Term Operating Reserve (STOR) at Gascoigne Wood to provide up to 49.5MW of back up electricity to the grid is currently being prepared and is to be submitted to Selby District Council shortly. STOR is a service for the provision of additional active power from generation and/or demand reduction which is required by National Grid at certain times to be able to deal with actual electricity demand being greater than forecast demand and plant breakdowns. STOR therefore provides a vital service in terms of meeting the UK's energy needs.
- 4.12 These lettings, and the interest generated as part of the marketing of the site, demonstrates the continued demand for rail linked employment facilities, as well as the growing importance of rail distribution in the UK.
- 4.13 There is only a limited amount (approximately 15%) of land that forms part of the existing planning permission at Gascoigne Wood that is currently available.
- 4.14 As previously advised earlier this year proposals were being taken forward by Mo3 Power to develop two solar photovoltaic farms on approximately 26ha of land at the Gascoigne Wood site. These would have generated up to 10MW of renewable energy. However following the Government's early review of the feed in tariff the proposals became unviable.
- 4.15 A key driver behind the land at the Gascoigne Wood site being identified as suitable for the development of a solar photovoltaic farm was the close proximity of the significant existing grid connection. This allows the renewable energy generated to be exported back into the grid, without the significant costs and environmental impacts that would be associated with constructing the underground connection cables over longer distances or the establishment of a new grid connection.

Future Opportunities

- 4.16 Like the Kellingley site, the Gascoigne Wood site is a strategically important employment site, with excellent existing infrastructure, including:
- Strategic Rail Freight Interchange criteria.
 - The existing rail connection, which is rare in the UK as it can handle the longest length of trains commonly used on the network and can be accessed from both ends. This rail connection allows materials to be more sustainably transported to and from the site rather than by lorry movements; the siding scale and capacity is future proofed in terms of modern methods and practices within international rail freight.
 - The significant existing connection to the electricity grid which allows energy generated on the site to be fed straight back into the grid.
 - The other site infrastructure includes telecommunications connections, water supply, on site sewerage, treatment plant and oil and grit surface water run-off interceptors.
- 4.17 Gascoigne Wood has a number of attributes which makes it a prime site for a Strategic Rail Freight Interchange. The rare gauge capability (W10) at Gascoigne Wood allows for intermodal transport as it enables 9'6" high containers to be moved on standard wagons. Other attributes include:
- A good existing rail connection;
 - Existing main line/private siding access;
 - The site is large in size and in a good location;
 - There is easy access to the main railway line (East Coast Main Line ¼ mile);
 - The railway line can handle longer trains i.e. greater than 500ms in length.
- 4.18 Similarly, the re-use and potential future expansion of the Gascoigne Wood site offers a significant opportunity to attract new investment to, and the creation of jobs in, the Selby District. Such investment could offer significant benefits to the local, as well as wider regional and national economy.
- 4.19 Harworth Estates' intends to continue to promote the Gascoigne Wood site as a strategically important rail linked employment development site. As part of this, consideration is being given to the potential for additional future employment development on part of the adjacent agricultural land to the north to expand the existing facilities and promote the more sustainable movement of goods by rail, potentially including waste and recycling uses, as

well as renewable and low carbon energy generation. The total proposed potential development area covers 276.2 hectares of land as shown on the attached site plan.

- 4.20 The Core Strategy recognises the strengths of Sherburn in Elmet and the fact that these strengths means that the town is one of the key employment areas for Selby District of regional and national importance in respect of large logistics business and distribution centres (see paragraph 2.25).
- 4.21 Great emphasis is placed on re-invigorating and developing Selby's economy in order to provide a more sustainable self-contained way of life for residents, many of whom currently commute out of the district to work.
- 4.22 Policy CP9 'Scale and Distribution of Economic Growth' says that provision will be made for an additional 37-52 hectares of employment land in the period up to 2026 and the precise location of smaller sites in Sherburn in Elmet and rural areas will be determined through the Site Allocations DPD.
- 4.23 There are no ceilings to employment land set out within the Core Strategy and the range for Selby District of 37-52 hectares is considered to be a minimum.
- 4.24 The NPPF is very supportive of sustainable transport modes and paragraph 31 makes clear that LPAs should seek to *'develop strategies for the provision of viable infrastructure necessary to support sustainable development, including large scale facilities such as rail freight interchanges.'*

Proposed Site Allocation

- 4.25 It is within the above context that the additional land to the north of Gascoigne Wood is considered to be ideally suited for a strategic employment allocation primarily linked to the use of the railway line. The site can provide further rail linked employment development, assisting the Council in meeting its local employment needs and providing wider regional, national, and international benefits.
- 4.26 In light of the above evidence, it is requested that the identified potential development land at the Gascoigne Wood site is allocated as an employment site in the Site Allocations DPD to include both traditional (B1, B2, B8) employment uses served by both rail and road and quasi employment type uses e.g. renewable energy/low carbon uses.

5.0 Riccall and Whitemoor Business Park Sites

Site Details

- 5.1 The Riccall Business Park Site is located to the north of the Selby District, approximately 1 mile to the south of the settlement of Riccall and approximately 4 miles to the north of Selby Town Centre. It is located within close proximity to the A19, which connects with York and the A64 to the north, and Selby, the A63 and M62 to the south.
- 5.2 Harworth Estates' land ownership at the Riccall site (see plan at **Appendix H**) extends to approximately 42 hectares (104 acres) of which approximately 9 hectares (22 acres) of the land has been converted to a mixed use business park consisting of office and industrial units. The existing buildings on site have an approximate floor area of 74,000 sq ft. The mixed use business park was granted planning permission in 2007 under reference no. 2005/0541/FUL.
- 5.3 The Whitemoor Business Park Site is located to the east of the Selby District and is situated approximately 4 miles east of the settlement of Barlby and 6 miles north east of Selby town centre. The site is connected to the wider road network via the A613 to the north which connects with the A19 to the west.
- 5.4 Harworth Estates' land ownership at the Whitemoor site extends to approximately 27 hectares (67 acres). In 1999 planning permission was granted under reference no. CO/1998/0729 for the employment reuse of the buildings and infrastructure at the Whitemoor Business Park site and approximately 9 hectares (22 acres) have been converted to a mixed use business park of office and industrial uses. The buildings at the site provide approximately 30,000 sq ft of floor space and current land availability extends to 4 hectares (10 acres).

Site Attributes

- 5.5 Both sites offer a large grid connection, private water treatment and discharge plants and bore hole water access, the size of which is not readily available at other comparable employment sites in Selby and should be protected. The connection was integral to attracting Brindgate Welding to the Riccall business park due to the company's significant energy requirements and attracting Ecoplase to Whitemoor business park due to the energy intensive nature of the company's PVC recycling business.

- 5.6 Again both sites are also complemented by significant road ways, landscaping and infrastructure, which includes a significant power supply, telecommunications connections, water supply, sewage treatment plant and oil and grit interceptors.

Current Status

- 5.7 The majority of the former mine buildings at both business parks are let to a variety of local businesses who utilise them for employment uses.
- 5.8 This illustrates the established demand for commercial space and open land at the business parks, which meet local needs in the District. Approximately £200,000 is currently being invested in Riccall Business Park to refurbish the 20,000 sq ft. multi-unit main office building, this will further support small / start up companies as well as established business. Accordingly, the easy in, easy out terms offered are vital to allow businesses to grow and contract dependant on performance.
- 5.9 Whitemoor Business Park now supports one local and one international recycling business. Following consent to demolish the 30,000 sq ft. amenity building in 2012, discussions are ongoing with respect to further expansion. The power availability at Whitemoor and private treatment plants attract occupiers such as Ecoplas (from the district) and Van Werven Group from the Netherlands.
- 5.10 In addition to the employment uses planning permission has been also granted for the installation of biofuelled power generation plant comprising 10 electric generators which provide STOR at the Whitemoor site. A planning application is also currently pending for the development of a 20MW renewable energy plant fuelled by biomass including the erection of two industrial buildings to house the plant at the Riccall site. These developments demonstrate that there is also proven market demand for energy related uses at the business park sites.

Proposed Site Allocation

- 5.11 Harworth Estates therefore intends to continue to grow and develop the Riccall and Whitemoor sites as successful business parks, with the scale and potential for future redevelopment and expansion to meet local needs. It is therefore requested that both sites are allocated for employment use to support this aim.

5.12 In addition it is requested that Council identify both sites as areas suitable for renewable/low carbon uses within the Site Allocations DPD in light of their infrastructure capabilities and proven market demand for such uses to date.

6.0 Stillingfleet and Wistow Sites

Site Details

- 6.1 The Stillingfleet site is located to the north of the Selby District, approximately 3 miles to the east of the settlement of Stillingfleet in addition to being approximately 3 miles from the village of Escrick and 7 miles south of York City centre. It is connected to the wider road network by the B1222 which connects with the A19 to the east.
- 6.2 Harworth Estates' land ownership extends to approximately 32 hectares (79 acres) in area (see plan at **Appendix J**), with an operational area of approximately 8 hectares (20 acres). The existing buildings at the site have an approximate floor area of 67,500 sq ft.
- 6.3 The former Wistow mine site is located to the north of the Selby District, approximately 1 mile to the east of the settlement of Wistow and south of the settlement of Cawood. It is approximately 5 miles to the east of the local service centre of Sherburn in Elmet. It is connected to the wider road network via the B1222 and A6122 that connect to the A63 and A1 to the west.
- 6.4 Harworth Estates' land ownership extends to approximately 12 hectares (30 acres), of which approximately 6 hectares (15 acres) is operational land (see plan at **Appendix K**). The remaining former mine buildings on the site are complimented by significant roadways, infrastructure and landscaping provision.

Site Attributes

- 6.5 Both sites have significant on-site infrastructure which include the following:
- A substantial and regionally significant connection to the electricity grid, with a capacity of around 12 MW, which as a result of its connections to the other former Selby Mine Complex sites forming the Selby Mines Electricity Ring represent a secure power supply;
 - Mine gas methane electricity generator (Stillingfleet only);
 - A self-contained waste water treatment plant;
 - An established surface water drainage system;
 - Existing heating plant and equipment; and
 - A bore hole providing water supply

- 6.6 It should also be noted that importantly, the existing grid connections allow for the exportation of energy generated at both sites to the electricity grid.
- 6.7 As stated above, the on-site infrastructure includes mine gas methane electricity generators. Planning permission was granted under reference no. NY/2012/0116/73A in 2012, allowing the generators to continue to operate until 2029. This electricity generation is served by the existing infrastructure at the site, particularly in terms of electricity connection, water supply, sewage treatment plant, vehicular access, etc. It is therefore important that the infrastructure at the Stillingfleet site which supports the electricity generation is retained to ensure that the existing lawful generation of electricity by mine gas methane generators is not prejudiced.
- 6.8 As with the Gascoigne Wood site, a key driver behind the land at the Stillingfleet and Wistow sites being identified as suitable for the development of solar photovoltaic farms, was the close proximity of the significant existing grid connections.

Future Proposals

- 6.9 Harworth Estates continues to investigate the potential for the sustainable re-use of the Stillingfleet and Wistow sites. In particular, the existing 12 MW connections to the electricity grid represent a rare and regionally significant economic and environmental asset. These offer a dedicated, substantial and secure power supply, as well as the ability to export electricity to the grid. Identifying sites with such electricity grid connections and existing infrastructure is one of the major constraints to the emerging low carbon / renewable energy generation sector, as well as the expanding data centre sector across the UK. This is the result of the fundamental need to export electricity generated from low carbon and renewable sources back to the grid, as well as the large and secure power supplies required by data centres, due to the energy intensive nature of their operations.
- 6.10 The Stillingfleet and Wistow sites are considered to be suited to a variety of employment/quasi employment uses including agricultural, tourism, recreation, research and low carbon/renewable energy generation.
- 6.11 Given changes to government incentives for solar schemes (e.g. Feed in Tarrif and Renewables Obligations Certificates) there is once again potential for developing solar pv farms on the sites and Harworth Estates is in discussions with various solar companies regarding this prospect.

Proposed Site Allocations

- 6.12 Previous representations to the Selby LDF have promoted the Stillingfleet and Wistow sites for employment uses and as such Policy SP13 of the Core Strategy supports development which brings sustainable economic growth on rural sites including through the re-use of buildings and infrastructure, development of well designed new buildings and the redevelopment of former employment sites. In response to earlier representations made to the Site Allocations DPD the Council has considered that it is unnecessary to allocate the former mine sites for employment use on the basis that they were specifically dealt with under Policy CP9 (now Policy SP13) of the Core Strategy. Given that the soon to be adopted policy no longer makes specific reference to the sites (whilst still recognising that the supporting text makes some reference as set out in Chapter 2) it is considered that the Site Allocations DPD should allocate the sites for employment/quasi employment uses to allow for future development which is appropriate to the sites' countryside location. In addition the sites are suitable for identification as areas for renewable/low carbon sources and supporting infrastructure. This would be in line with Policy SP13 and Policy SP14 of the Core Strategy and the discussions held with the Council during the Core Strategy Examination.

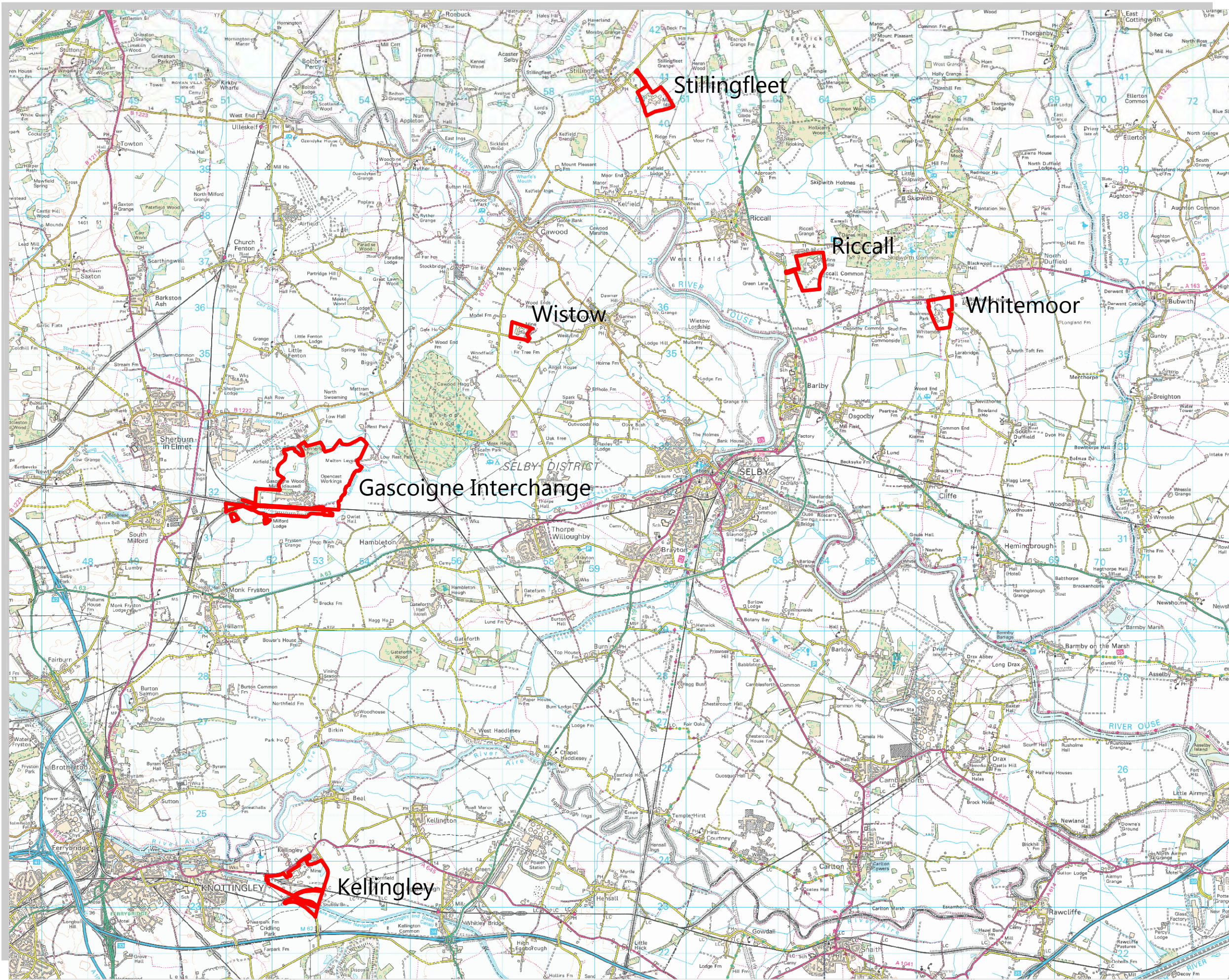
7.0 Conclusions

- 7.1 These representations have been prepared on behalf of Harworth Estates Limited by Barton Willmore. They provide Harworth Estates' comments in respect of the Selby District Council Strategic Land Availability Assessment 'Call for Sites' 2013.
- 7.2 As the landowner of several major sites within Selby, Harworth Estates Limited is a key stakeholder in the future development of the District and welcomes the opportunity to engage in the Local Plan process.
- 7.3 Harworth Estates understands the reasons behind the Council adopting a cautionary approach within the Core Strategy and Site Allocations DPD to development outside of the main settlements in the District. However, given that a large proportion of the District is rural, it is considered that the Council should recognise that in some instances, economic development in rural areas can make an important contribution to the District's social, economic and environmental aims.
- 7.4 It is within this context that it is considered that the Kellingley site and the former Selby Mine Complex sites are suitable for employment/economic development uses. The Kellingley, Whit Moor, Riccall and Gascoigne Wood sites all are currently in employment use and provide an important source of employment to the surrounding settlements. These sites should be allocated for employment uses in the Site Allocations DPD so that their employment use is protected and to allow for the redevelopment or expansion of the employment uses on these sites to meet demand. The sites should also be identified as areas suitable for the production of renewable/low carbon energy.
- 7.5 In addition, the Kellingley Colliery and Gascoigne Wood sites contain rail sidings which are a rare and valuable resource in the Region. Both sites have excellent potential to become a strategic rail freight interchange and additional land is available at Gascoigne Wood to continue to meet market demand for uses connected with an interchange. The infrastructure on these sites should be exploited and protected through an employment allocation.
- 7.6 The Stillingfleet and Wistow sites are also considered to be suitable sites for employment/economic development uses. Both sites have significant infrastructure, including their large grid connections which are rare in the Region. The presence of these grid connections make the sites attractive locations for a range of employment creating uses including renewable / low-carbon energy generation uses. These sites could therefore make a vital contribution towards the District meeting its renewable energy generation and carbon

reduction targets. It is therefore considered that these sites should also be allocated for employment/economic development uses in the Site Allocation DPD, and identified as areas suitable for the production of renewable/low carbon energy.

- 7.7 Barton Willmore would be grateful if Selby District Council could acknowledge these representations and keep us informed of the future stages of the Selby Site Allocations DPD.

APPENDIX A



Legend
 Site boundaries



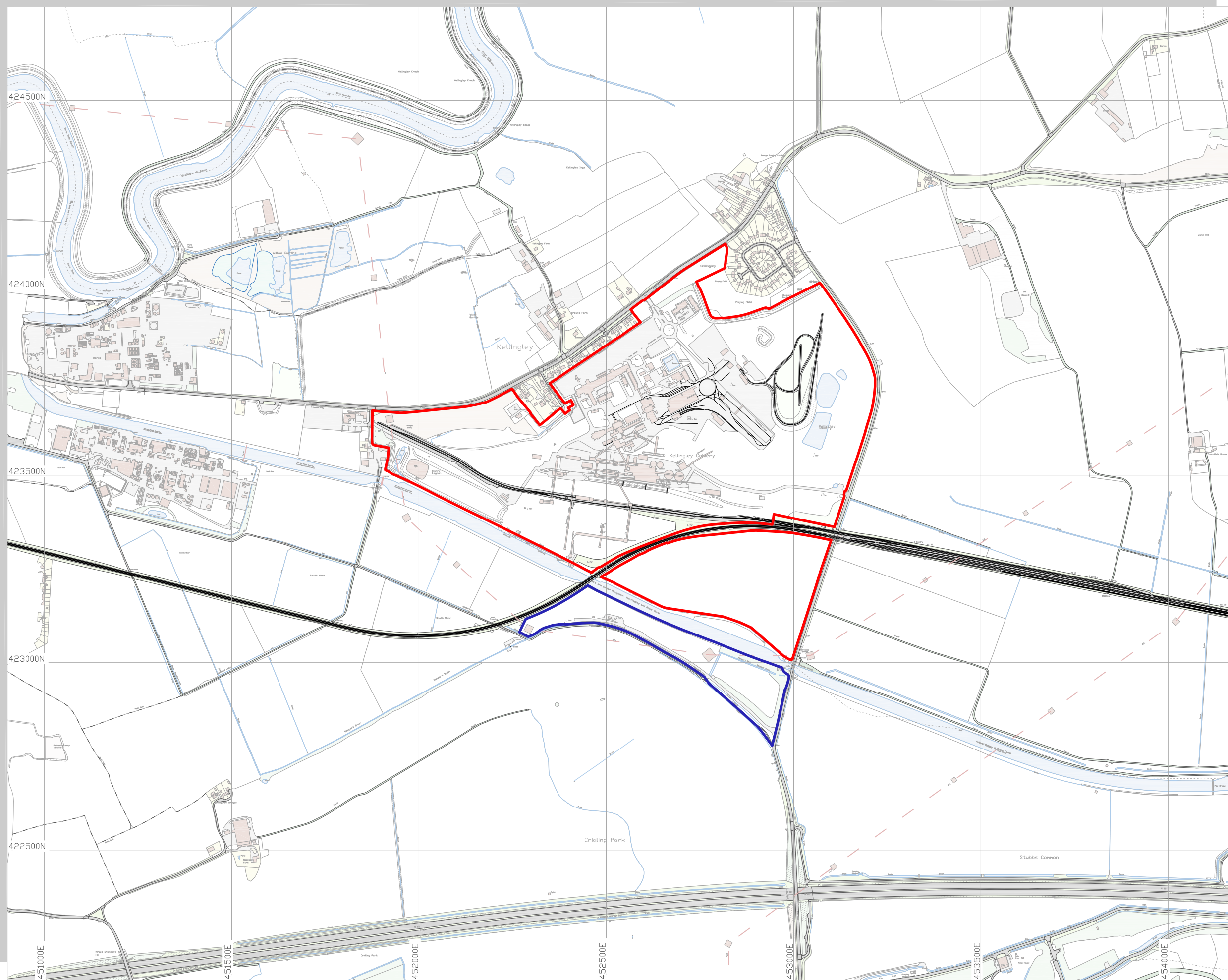
Based upon the Ordnance Survey 1:2500 Land Line maps with the permission of the controller of H.M. Stationery Office CROWN COPYRIGHT RESERVED Licence No. AL 100020414



HARWORTH PARK, BLYTH ROAD,
 HARWORTH, DONCASTER,
 SOUTH YORKSHIRE.
 DN11 8DB.

Site Name:		Selby Sites	
Title:		Selby Area Land Interests	
Dwg No.	Layout:		
999-h14-004		layout2	
Drawn By:	Checked By:		
Mc		TL	
Scale:	Date:		
nts @ a3		08-12-11	

APPENDIX B



Legend

- Site Ownership Boundary = 197.2 acres
- Proposed Site Allocation = 180 acres
- Land within Wakefield Council = 17.2 acres



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HARWORTH PARK, BLYTH ROAD,
HARWORTH, DONCASTER,
SOUTH YORKSHIRE,
DN11 8DB.

Site Name:		Kellingley	
Title:		Site Plan	
Dwg No.	Layout:	212-h1-018	layout1
Drawn By:	Checked By:	Mc	---
Scale:	Date:	1- 10 000 @ a3	08-12-11

APPENDIX C

KELLINGLEY COLLIERY

Policy: GB1

Objection: 726/4

Issue

Should Kellingley Colliery [Site 40A] and adjacent land to the south [40B] be included within the Green Belt?

Inspector's appraisal and conclusions

16.215 The operational area of Kellingley Colliery lies to the east of Knottingley and to the south of residential development and unused land/woodland on the A645, Weeland Road. It is bounded by Sudforth Lane to the east and the Aire and Calder Navigation and the Goole-Leeds railway line to the south.

16.216 It is proposed in DDSLDP that the Green Belt should be extended to wash over the operational colliery land [40A], and also include a triangular area of agricultural land [40B] to its south, beyond the Goole-Leeds railway line and bordered by the Aire and Calder Navigation on the south side. The Colliery itself is intended to be identified as a Major Developed Site [MDS] under Policy GB3.

16.217 Both parts of the objection site were excluded from the Green Belt when its boundaries were established in the Castleford, Featherstone, Knottingley, Normanton and Pontefract Town Map of 1974.

16.218 The sites lie to the north and east of the Selby District and Wakefield Metropolitan Borough boundary. Knottingley lies within Wakefield MB and is excluded from Green Belt in the Wakefield UDP. There has been an extension of the Green Belt within Wakefield MB from that originally designated in the above Town Map of 1974 to incorporate land to the south-east of Knottingley, extending to the edge of the built-up area, the Goole-Leeds railway line, Southmoor Cross Road and the Aire and Calder Navigation.

16.219 RJB object to the proposed extension of the Green Belt and also consider that Site 40B should be recognised in the Plan as suitable for an 'Integrated Gasification Combined Cycle' [IGCC] power station.

Site 40A

The purpose and objectives of including land within Green Belt

16.220 On the face of it, extending an adopted Green Belt boundary to include land which is occupied by a colliery does not appear to accord with the five purposes of including land in Green Belts set out in para. 1.5 of PPG2. The prevention of neighbouring towns merging into one another and preserving the setting and special character of an historic town are not relevant considerations. Setting aside Site B which I deal with below, the extension would not safeguard the countryside from encroachment because the colliery is a substantial existing development.

The most important attribute of Green Belts is their openness, but the operational colliery land does not have this characteristic, despite containing pockets of undeveloped and agricultural land. It appears as a very dominant developed area when seen from the south and is not sufficiently well concealed by woodland, hedgerow and residential properties when seen from Weeland Road to be perceived as part of the countryside. Although the adjoining site to the west has been allocated for employment purposes in the Wakefield UDP, the council argue that the Colliery is joined only by a narrow neck of land and is virtually enclosed by open countryside. This is not the same as being enclosed within the Green Belt, as an isolated colliery in the countryside would be. In this case the Colliery does appear more as an eastward continuation of the built-up area of the settlement than as part of the Green Belt countryside. Consequently the inclusion of the site could not properly be regarded as serving the purpose of checking the unrestricted sprawl of a large built-up area. The remaining purpose, to assist in urban regeneration, by encouraging the recycling of derelict and other urban land, is not directly relevant whilst the colliery is operating.

16.221 It is a fact that, by their nature mining activities are a temporary use of land. Kellingley has significant reserves of coal and is likely to continue in operation beyond the Plan period, but to a degree the council are anticipating the time when it does close. They state in evidence [para. 6.4 of SDC/001] that by ensuring that the site is kept permanently open on cessation of mining activities, Green Belt policies would then assist in safeguarding the countryside from encroachment and help check the unrestricted sprawl of the built-up area of Knottingley. I find this somewhat inconsistent with the present situation as I describe it above, and also with the identification of the site as an MDS. The council are possibly being optimistic in expecting the site to revert to one which is permanently open bearing in mind the lack of restoration conditions. In other contexts and in no more sustainable locations, such as the Whitemoor Mine, the re-use of redundant collieries has been pursued.

16.222 The purposes of including land in Green Belts are of paramount importance, and should take precedence over the land use objectives set out in para. 1.6 of PPG2. However, inclusion of the Colliery could not be said to fulfil those stated objectives.

16.223 I am mindful that there must also be demonstrated exceptional circumstances which necessitate a change to Green Belt boundaries to include additional land. The council must justify its inclusion in the Green Belt because the site has been excluded from Green Belt since the boundaries were first defined in the Town Map of 1974.

16.224 The review of Green Belt boundaries which the council have undertaken was prompted by 'the need to achieve a balance between meeting development needs and safeguarding the integrity of the Green Belt as a whole.' It was justified by six circumstances, set out in CD065 para. 5.3. Whilst in combination, these amount to exceptional circumstances relating to the need to establish an adequate supply of housing land and safeguarded land, I do not consider that the council's analysis includes sufficient or specific reasons for extending the Green Belt to include Kellingley Colliery. The development needs considered were principally related to housing and there is no reasoning relating to employment land needs or specific justification for adding this site to the Green Belt. Nor do I consider that safeguarding the integrity of the Green Belt as a whole is a sufficient or specific reason in relation to this site because of the relationship with the Green Belt and adjacent built-up area which I describe above. I do not consider that the fact that PPG2 refers to mineral extraction as not necessarily being inappropriate development within Green Belt is a reason for extending Green Belt to include a colliery which has been outside the

Green Belt for almost 30 years. Nor do I consider that the inclusion of the colliery can be justified as a correction of an anomaly in Green Belt boundaries and in the way in which Green Belt advice has been interpreted.

16.225 I conclude therefore that there is insufficient reason to extend the Green Belt to include Site 40A

Site 40B

16.226 Site 40B is open, agricultural land which is similar to the surrounding countryside although, visually it is dominated by the colliery. It is similar in character to land which has been included in, and more recently added to, the Green Belt in the Wakefield UDP.

16.227 The council stress that in their judgement neither objection 726/4 nor 726/22 contains an objection based upon any need or desirability for the site to be safeguarded or used for an IGCC power station. The objectors refer to the first sentence of para. 4 of their representations [Objection 726/4] where ‘the site of the proposed clean coal power station’ is mentioned and regard this as an implicit objection to the site’s inclusion in the Green Belt which would inhibit any future proposal to site a power station upon it. With hindsight they acknowledge that the objection should have been more explicit and that they should have sought an allocation of the site for the purpose. That they did not do and such a proposal is not before me. However, the objectors are content that the objection be limited to the site remaining as ‘white land’ rather than safeguarded land. These are synonyms according to PPG2.

16.228 The proposal is, in most respects, insufficiently advanced for me to reach a conclusion on whether or not it would be appropriate to safeguard the site for such a specific use. In any event the purpose of safeguarding is not to earmark land for a sole future use. That would be to confuse safeguarding and allocation. It is rather to safeguard land for possible and varying development needs in the longer term. In this respect I do not consider that the site would be suitable for residential use for example, because of its proximity to existing and proposed industrial development, and its separate and isolated position in the countryside. Also the council point out that access to either residential or industrial development could be problematic as it would not be possible from the M62 and traffic flows in the centre of Knottingley would be likely to increase. Whilst I accept that a power station proposal would be directly related to the colliery and indeed other resources such as water, it would be inappropriate to safeguard land which would not be in a suitable or sustainable location for a variety of development in the terms of para. B3 of Annex B of PPG2. Consequently I do not recommend that the site should be identified as safeguarded land in the Local Plan. I have explained elsewhere that there should not be ‘white land’ as well as safeguarded land and consequently I conclude that the site should be included in the Green Belt. Any proposal for a power station would need to be judged as an exceptional circumstance against Green Belt policies.

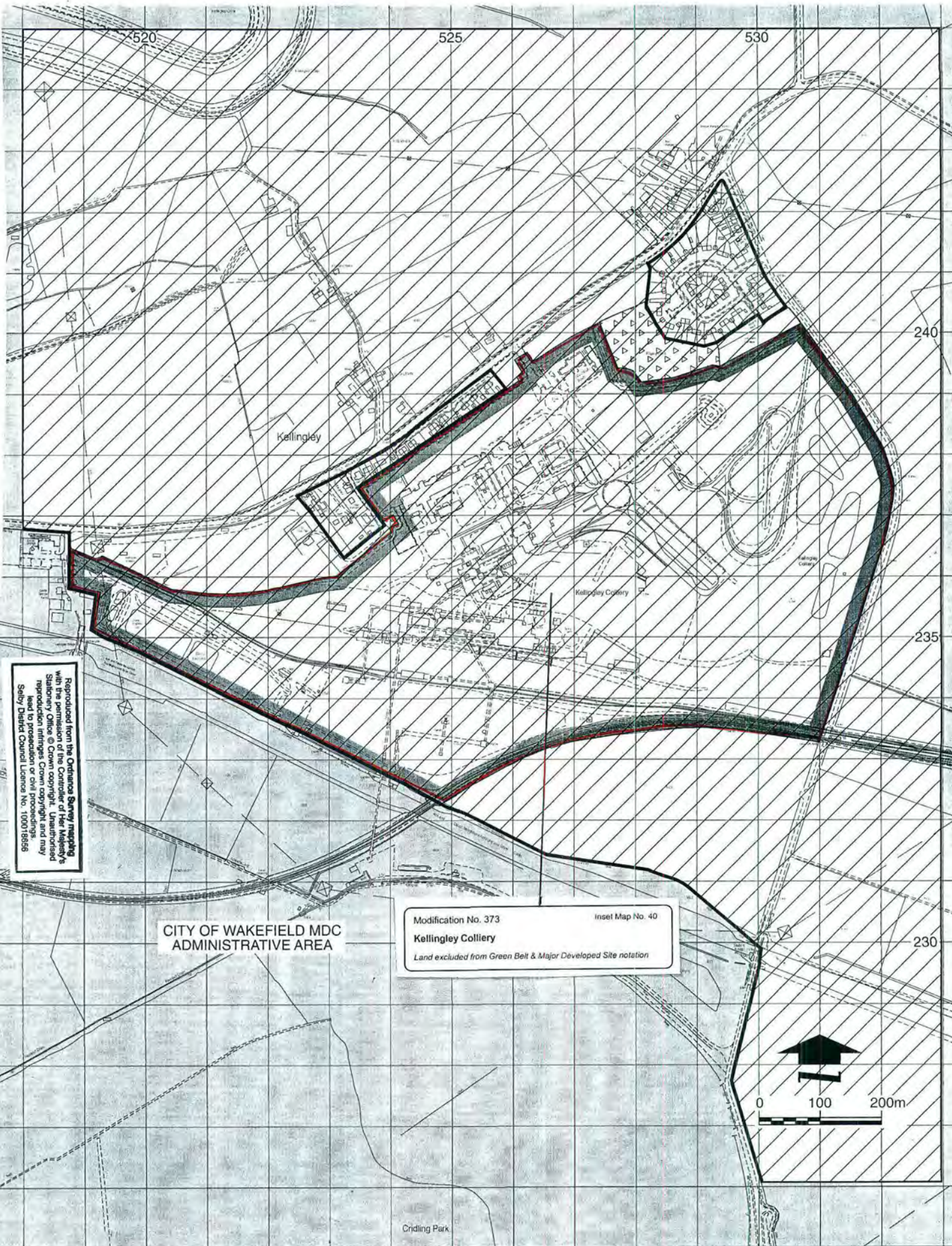
16.229 The council propose PIC 328 to add additional text concerning ‘Coal mining and Power Generation Industries’ after Policy EMP9. I deal with this at paras. 6.103-4 of my Report. RJB have withdrawn objections 726/2, /3, and /5.

RECOMMENDATIONS

16.230 a. That Site 40A remains excluded from the Green Belt and the Local Plan be modified accordingly.

b. That Site 40B be included within the Green Belt and the Local Plan be modified accordingly.

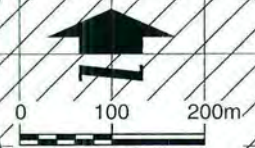
APPENDIX D



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CITY OF WAKEFIELD MDC ADMINISTRATIVE AREA

Modification No. 373 Inset Map No. 40
Kellingley Colliery
 Land excluded from Green Belt & Major Developed Site notation

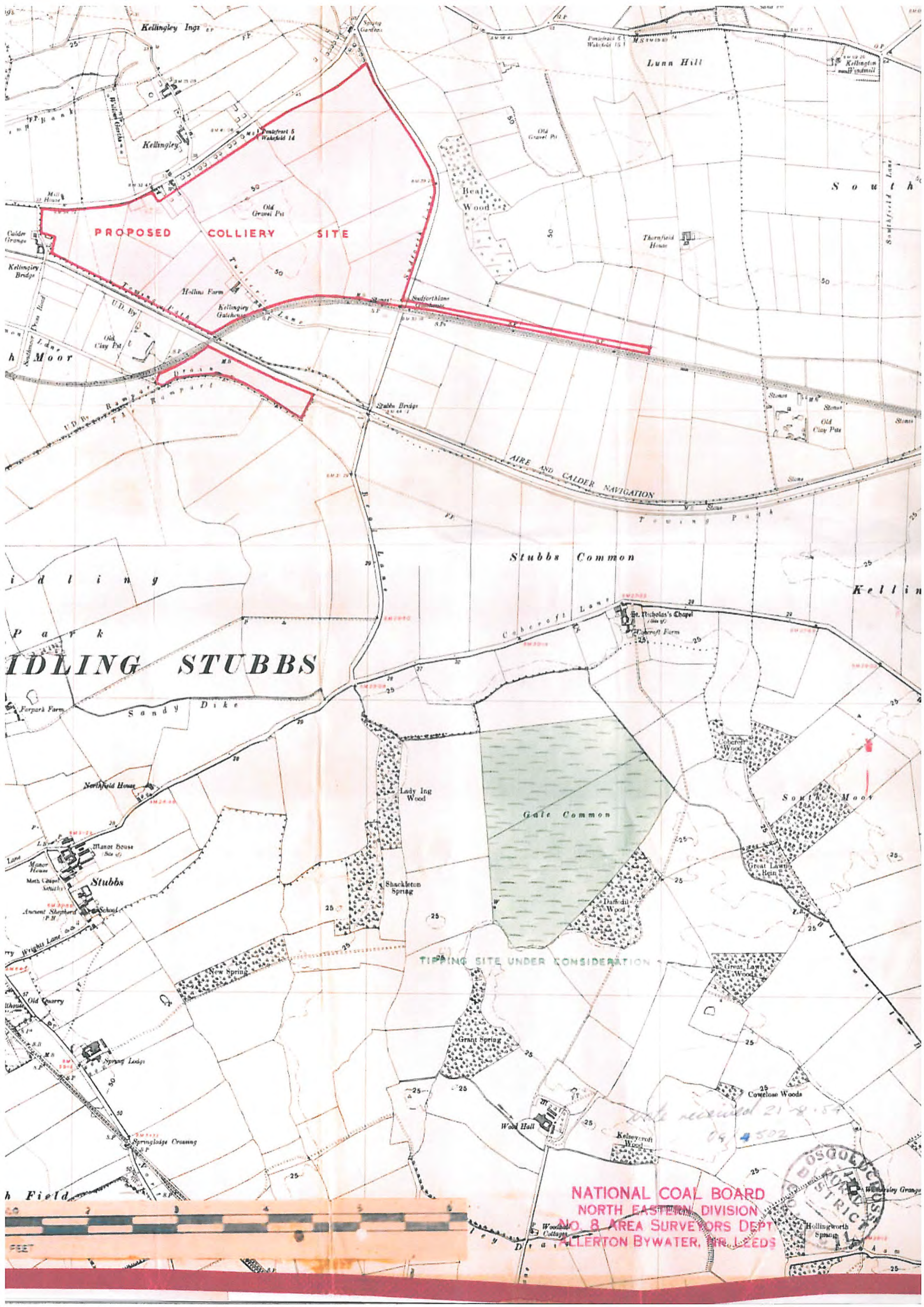


40

KELLINGLEY COLLIERY



APPENDIX E



PROPOSED COLLIERY SITE

Stubb's Common

IDLING STUBBS

TIPPING SITE UNDER CONSIDERATION

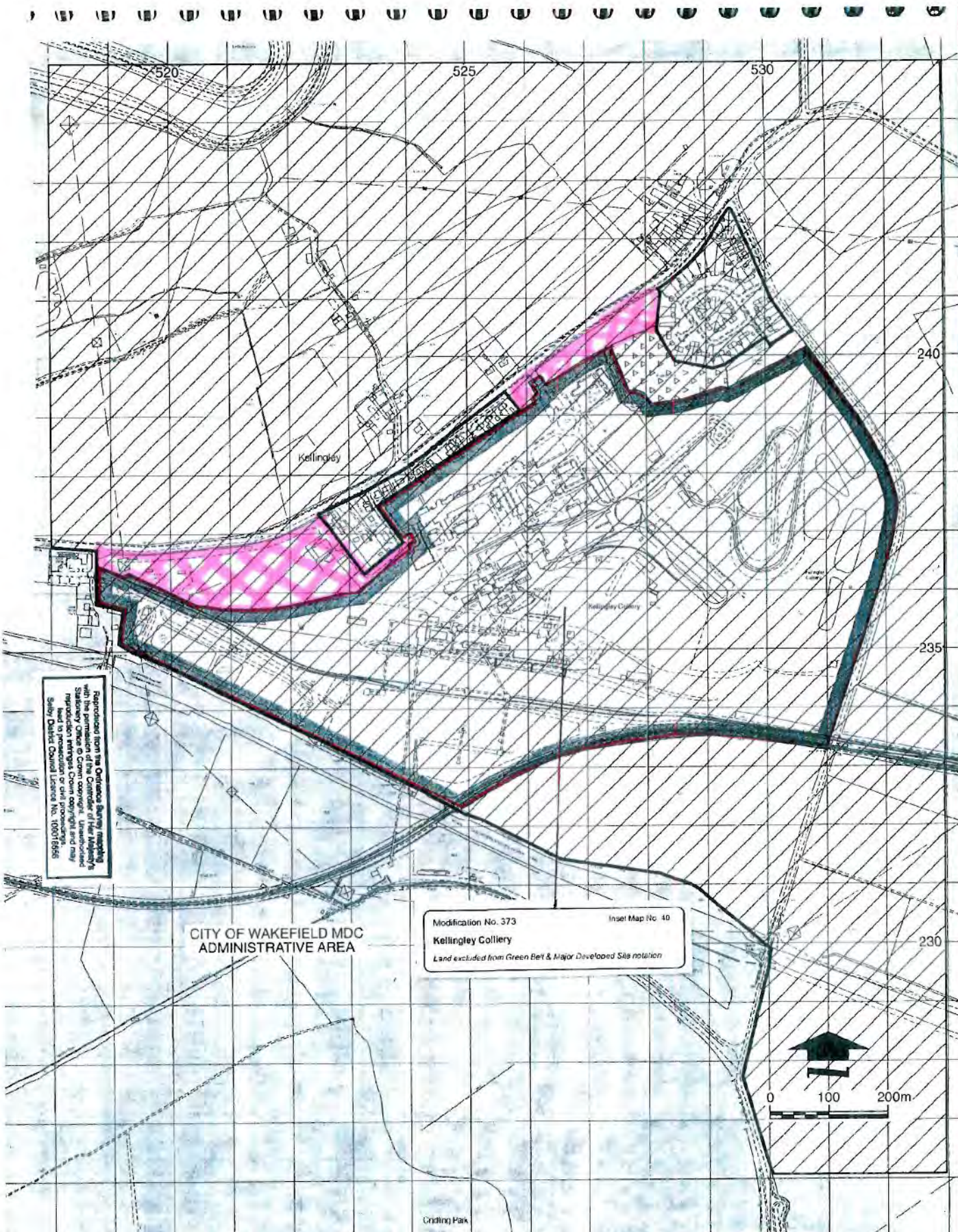
**NATIONAL COAL BOARD
NORTH EASTERN DIVISION
NO. 8 AREA SURVEYORS DEPT
ALLERTON BYWATER, W. LEEDS**



*date received 21.8.54
09.4.502*



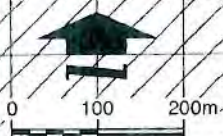
APPENDIX F



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CITY OF WAKEFIELD MDC
ADMINISTRATIVE AREA

Modification No. 373 Inset Map No. 40
Kellingley Colliery
 Land excluded from Green Belt & Major Developed Sites notation

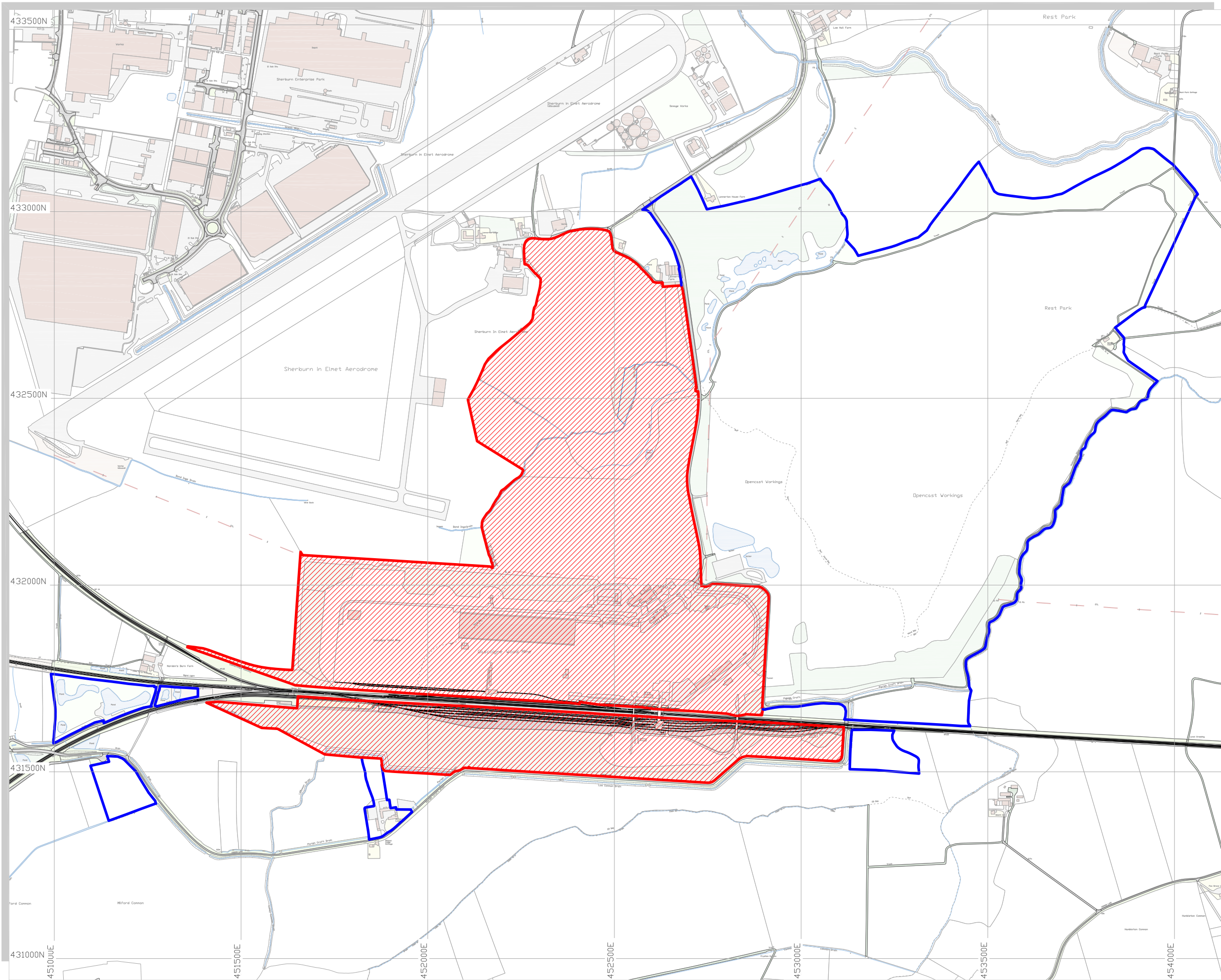


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KELLINGLEY COLLIERY



APPENDIX G



Legend

- Potential development area
▬ 276.2 acres
▬ 111.7 ha
- Adjacent land ownership
▬



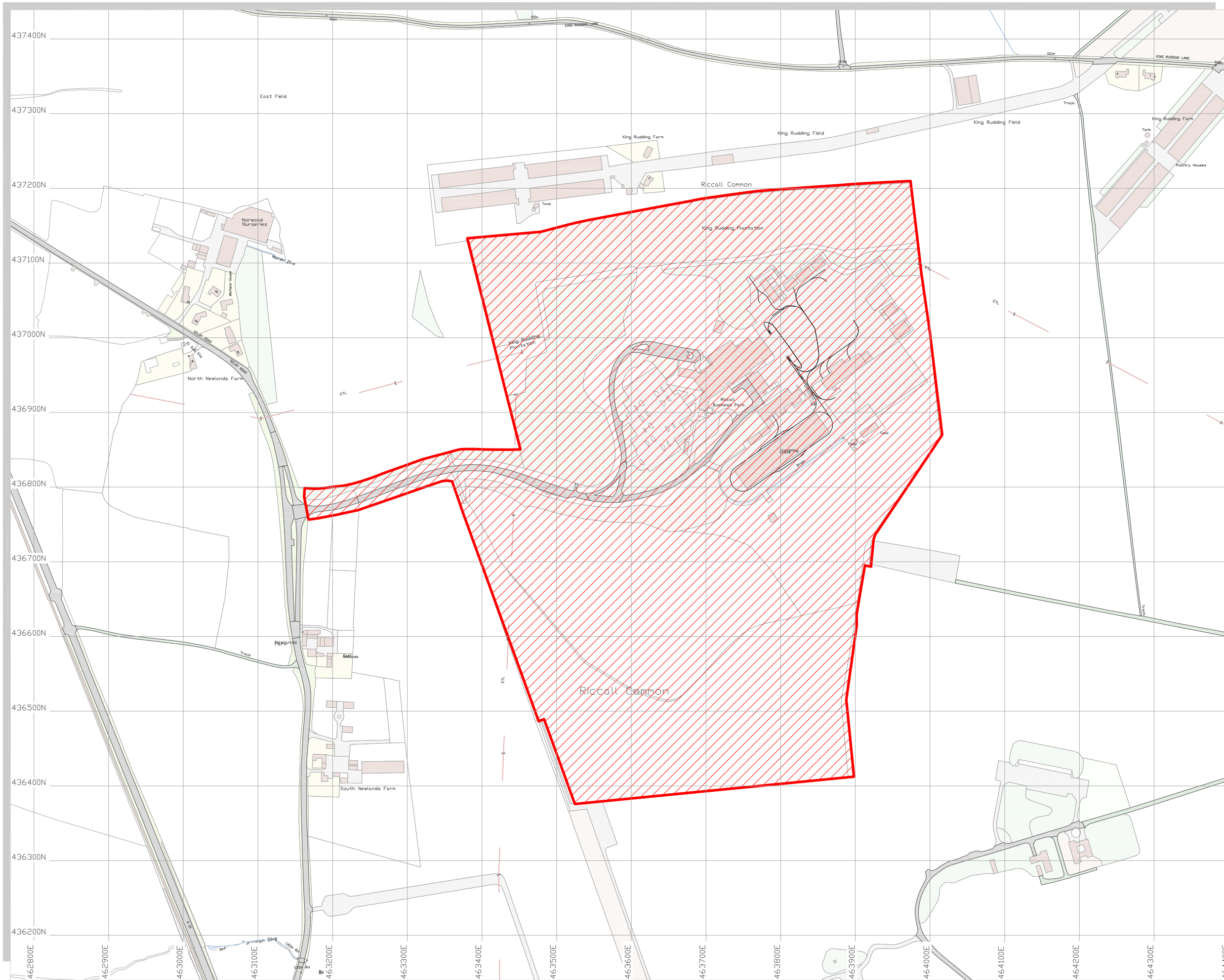
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HARWORTH PARK, BLYTH ROAD,
 HARWORTH, DONCASTER,
 SOUTH YORKSHIRE,
 DN11 8DB.

Site Name:		Gascoigne Wood	
Title:		Site Plan	
Dwg No.	210-h1-016	Layout:	layout1
Drawn By:	Mc	Checked By:	---
Scale:	1- 10 000 @ a3	Date:	08-12-11

APPENDIX H



Legend

Potential development area
▬ 104.2 acres
 42.1 ha



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 HARWORTH, DONCASTER,
 SOUTH YORKSHIRE.
 DN11 8DB.

Site Name:

Riccall

Title:

Site Plan

Dwg No.

219-h1-015

Layout:

layout1

Drawn By:

Mc

Checked By:

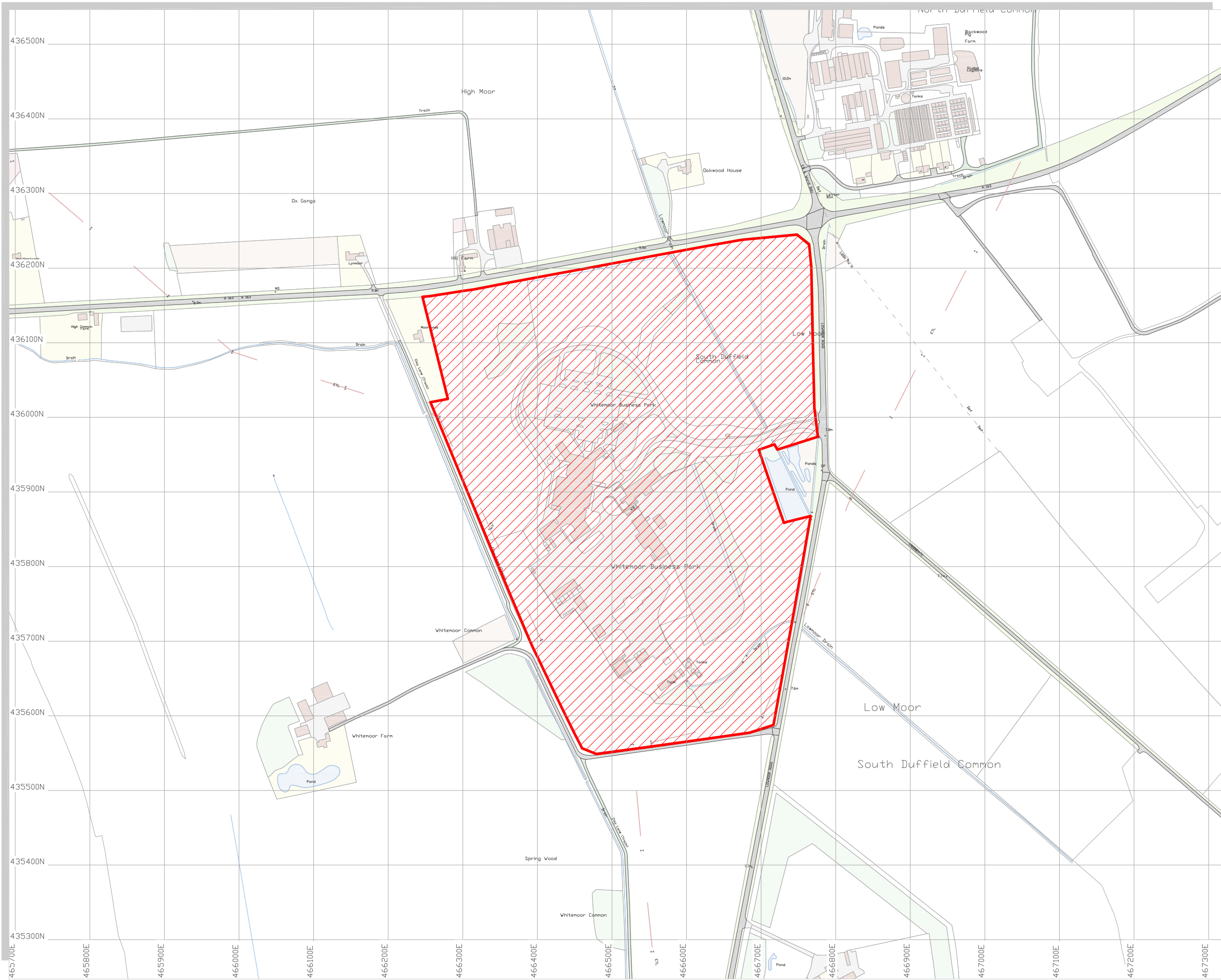
Scale:

1- 5000 @ a3

Date:

08-12-11

APPENDIX I



Legend

Potential development area
 66.7 acres
 27.0 ha

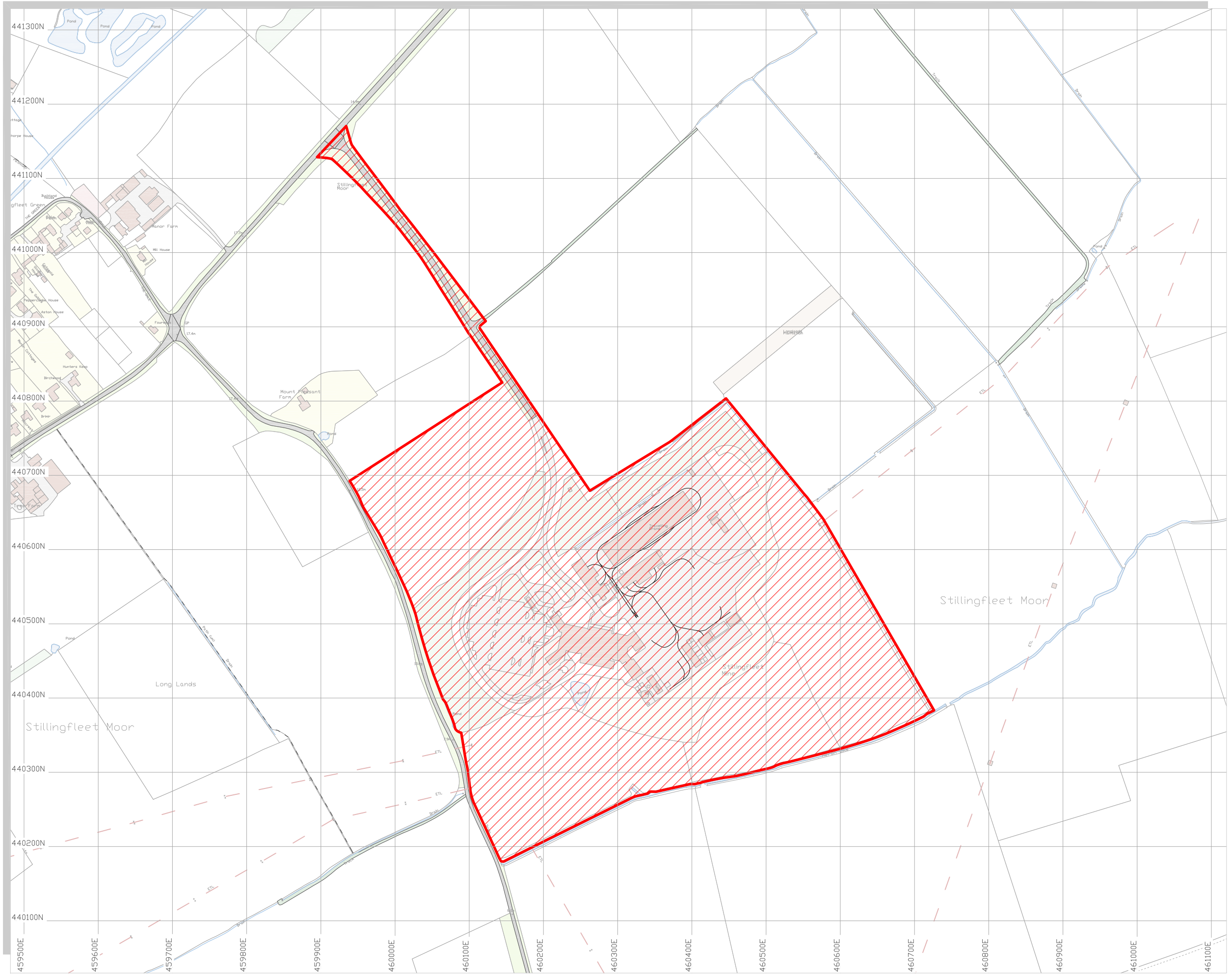
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HARWORTH PARK, BLYTH ROAD,
 HARWORTH, DONCASTER,
 SOUTH YORKSHIRE.
 DN11 8DB.

Site Name:		Whitemoor	
Title:		Site Plan	
Dwg No.	Layout:		
225-h1-015	layout1		
Drawn By:	Checked By:		
Mc	---		
Scale:	Date:		
1- 5000 @ a3	08-12-11		

APPENDIX J



Legend

Potential development area
— 74.4 acres
 30.1 ha



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 HARWORTH, DONCASTER,
 SOUTH YORKSHIRE,
 DN11 8DB.

Site Name:

Stillingfleet

Title:

Site Plan

Dwg No.

221-h1-017

Layout:

layout1

Drawn By:

Mc

Checked By:

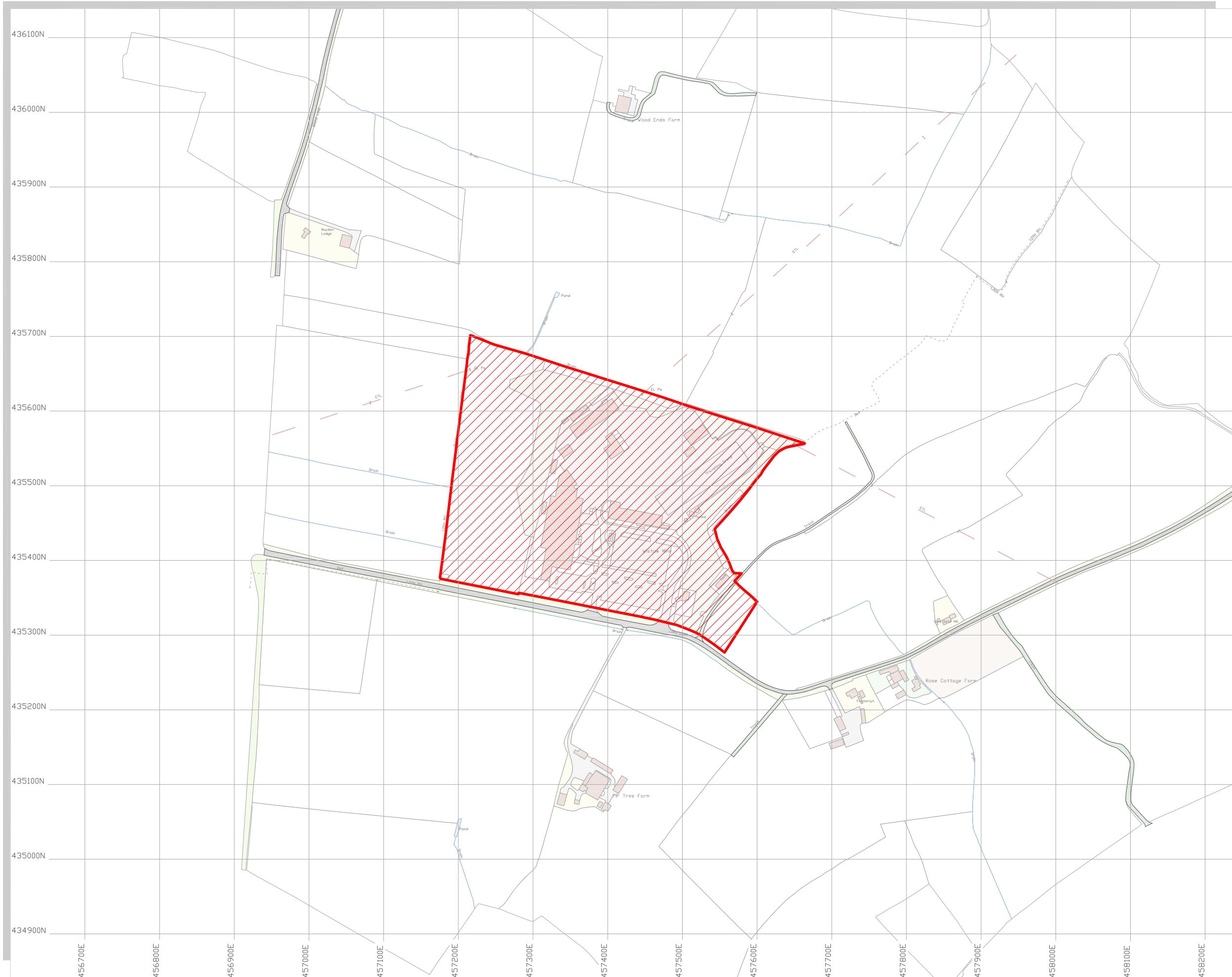
Scale:

1- 5000 @ a3

Date:

08-12-11

APPENDIX K



Legend

Potential development area
 30.0 acres
 12.1 ha



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HARWORTH PARK, BLYTH ROAD,
 HARWORTH, DONCASTER,
 SOUTH YORKSHIRE,
 DN11 8DB.

Site Name:		Wistow
Title:		Site Plan
Dwg No:	Layout:	
226-h1-014	layout1	
Drawn By:	Checked By:	
Mc	---	
Scale:	Date:	
1- 5000 @ a3	08-12-11	