

BY E-MAIL TO: ldf@selby.gov.uk

Policy and Strategy Team
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Dear Sirs

PLAN SELBY
FURTHER CONSULTATION

We write on behalf of our Client, Baylis and Baylis Ltd, in response to the current public consultation which is currently taking place on the above Development Plan Document, and its evidence base.

Baylis and Baylis Ltd welcomes the opportunity to engage in the ongoing preparation of PLAN Selby and its evidence base (where applicable), and trust that these comments will be afforded full and proper consideration by Selby Council as part of the ongoing plan-making process.

Baylis and Baylis Ltd currently controls land interests in Appleton Roebuck, a Designated Service Village ("DSV") in the adopted Selby Core Strategy and a sustainable location for housing growth. Like many settlements in Selby District, Appleton Roebuck is constrained by large areas of land lying in Flood Zones 2 and 3a as identified on the Environment Agency ("EA") flood maps. Accordingly, it is essential that the Council's Sites and Policies Local Plan facilitates housing growth in Appleton Roebuck in view of its role as one of only two DSV's in the Northern Sub-Area of Selby, and thus is a sustainable location for open market and affordable housing delivery.

Policies contained within the Sites and Policies Local Plan and other Development Plan Documents and Supplementary Planning Documents should support and facilitate new development, and not place an unnecessary burden upon it.

PLAN Selby

We note that the Council has published a number of consultation documents as part of its evidence base. Those to which we choose to make comment comprise the following:

- Draft Strategic Housing Market Assessment;
- Draft Method Statement for identifying Development Limits, and Site Allocations: A Framework for Site Selection; and
- Draft Growth Options for Designated Service Villages.

We address each in turn below, responding to the questions raised by the Council where relevant.

Draft Strategic Housing Market Assessment (Q1 SHMA)

Question A - The housing market areas in and around Selby?

We support the identification of the Strategic Housing Market Area for Selby and consider it to be reflective of the housing market which influences housing needs within the Selby District. The predominantly rural housing market area clearly takes influence from, but can be separated from the Housing Market Areas of York, Doncaster and Leeds.

Notwithstanding the above, these representations later make comment that the nature of the District's housing market is difficult to assess in terms of trying to establish an overall view. The housing market area is imbalanced between the Principal Town of Selby and Local Service Centres at Tadcaster and Sherburn in Elmet on one side of the housing market, and the DSVs and rural areas on the other.

For the DSVs, the important role for development in these areas is to maintain and enhance the function and vitality of the rural centres. In this sense, it is important to establish what each settlement needs in terms of growth, rather than to what extent the District's overall growth requirement can be met within them.

The above should be addressed with a bottom-up approach to planning for development in the DSVs, and should be included within the SHMA itself or at the very least cross-referenced within the SHMA if dealt with elsewhere in the Council's evidence base.

Question D – Affordable Housing Need?

The SHMA seeks to calculate the net affordable housing need for the District over the 23-year period from 2014 to 2037. The assessment shows an overall need for affordable housing of about 4,000 units over the 23-years (172 per annum) which includes a current need of 582 homes. The analysis can also be used to consider the likely affordable housing need over a shorter period (2014-27) which results in some 2,500 affordable homes (191 per annum). The current policy approach within the Core Strategy is to provide affordable housing for at least 40% of open market dwellings provided within the District; if achieved this would provide some 180 affordable dwellings per year from the Core Strategy's 450 homes target.

As such, the SHMA notes that the analysis would suggest that the affordable need does not provide clear evidence of a need to increase overall housing provision in the District (over and above the need shown by demographic modelling). We disagree with the assessment made by the SHMA above.

As demonstrated by the current backlog of 582 affordable homes, there is a historical under-delivery of affordable homes against needs which needs to be addressed. Even if it could be assumed that the Core Strategy target of 40% of affordable homes across 450 dwelling per annum was achieved, this would still provide a shortfall of affordable housing across the District. In reality however, that 40% target for affordable housing has not historically been met and, despite optimism that the planning system can encourage higher provision of affordable housing, seems unlikely to be met in the future.

As set out above, the SHMA lacks evidence of housing need within individual settlements across the District. Affordable housing need is generally provided at the parish level for those who can demonstrate a local connection to the area. We consider that it is not possible to consider fully the needs of the Housing Market Area without considering where and how that need is being generated. It is crucial that the Council understands where any imbalance between housing provision and affordable housing need exists across the DSVs so that this may be addressed.

In addition to the above, and considered below in relation to the Draft Growth Options consultation document, the nature of development in smaller settlements, such as DSVs, is such that housing often comes forward in smaller windfall sites or through 'Garden Grabbing'. It is of note that these sites often fall below the affordable housing threshold and result in proportionally less affordable housing being delivered in these settlements. Proper understanding of the affordable and open market housing need in these settlements will enable the Council to

plan properly to meet the needs of these settlements through housing allocations. Recent development within Appleton Roebuck, such as developments at 'The Orchards' and 'Ainsty Garth' demonstrate this issue.

Question H – Draft conclusions?

We support the Council's acknowledgement that the figures for Objectively Assessed Need (OAN) for housing should "leave aside policy considerations" but stress the importance that, in determining planning policies, the Council will need to adjust the level of housing provision necessary respond to market signals or to support the provision of more affordable housing other economic vision and strategy which they set out for the District.

As set out throughout these representations, we consider that one of the major considerations for adjusting the policy approach and housing target will be the need to meet the requirements of individual settlements and the rural areas to maintain and enhance the sustainability of those settlements. We support the Council's conclusion that the figures for housing need set out in the SHMA represent an input to determining future levels of housing provision – not an 'answer' in themselves.

Draft Method Statement for identifying Development Limits (Q6 DL)

Question A: The need to identify development limits in PLAN Selby?

Question B: An alternative policy approach to protect the countryside?

We generally support the need to identify development limits for settlements within Selby as a way of clearly and effectively applying policy across the District. However, an important distinction should be made between the methodology for the definition of a settlement boundary at a settlement, and the policy approach to development in the settlement boundary.

Whilst the definition of a settlement boundary is necessary, the policy approach to the acceptability of development should not be oversimplified to the extent of defining land as simply being 'within' a development boundary or 'open countryside'. The need to re-adjust the Council's thinking on such matters is highlighted by paragraph 55 of the NPPF which does not draw such a dogmatic distinction based on defined development limits, and notes that housing in rural areas should be located where it will maintain and enhance the vitality of rural communities. It seeks to avoid only 'isolated' homes in the countryside (subject to exceptions). Planning policy should consider how best to manage development proposals adjacent to and around development boundaries where appropriate.

The Council should ensure its policy approach to defining development limits and applying housing and employment policies within those limits does not effect the strangulation or 'mothballing' of those communities from the growth required to sustain them.

Question C: The proposed methodology for defining development limits?

Subject to the comments above, we generally support the approach to a tightly drawn boundary in defining the 'Development Limits' of the existing settlements.

We have a number of comments in relation to the 'Criteria for Defining Development Limits' set out within Section 3.4 of the method statement. At point b) the method statement considers that for land to have a functional relationship to the physical form of the built-up area there must be a high-level of containment, high level of previously developed land (PDL) and topography which increases the sense of containment. At point c) the method statement looks at the function relationship with the use of land to the built up area and notes that hotels, schools, gardens with extensive grounds and so on should generally be excluded from Development Limits.

We disagree with those criteria. The extent to which land is functionally linked to either the physical form or use of the built-up area should be determined on the facts of the individual sites. Seeking to exclude land which is meaningfully within the settlement (such as public open space or residential gardens) seeks, in effect, to pre-determine the acceptability of development of that land which may, in fact, be in a sustainable location within an existing settlement.

Importantly, we consider that the process of re-assessing development limits of settlements should properly be informed through a period of consultation with local communities.

Draft Method Statement for Site Allocations: A Framework for Site Selection (Q9 SS)

Question A: The overall approach to the site selection process set out in Section 6.3 of the study?

We are supportive of the general approach to sifting and quantitatively and qualitatively assessing sites in terms of their suitability for development. However, as set out throughout these representations, particularly in regard to assessing growth options for DSVs, the site allocation process should have regard to the development needs of each sustainable settlement individually. Sites for allocation within the DSVs should not, as a rule, be compared across the District but rather assess the suitability of sites in relation to that settlement.

The allocation of development towards the sustainable settlements, which the DSVs are considered by the Development Plan to be, should be seen as a positive contribution towards maintaining their vitality and viability DSVs. The proportion of development which the Core Strategy seeks to allocate to DSVs should not be seen as a burden which must be allocated and directed towards the 'least harmful' location.

Development needs to be located where it will deliver the social and economic benefits which can be delivered by new housing and employment allocations, whilst limiting as far as practicable any harm caused to environmental interests. It is not considered appropriate to simply categorise the DSVs in order of sustainability and allocate development in order of preference to those 'more sustainable' locations. Such an approach has no regard to the importance of a DSV in terms of its role to the resident population, its rural hinterland, or the wider housing sub-area.

As set out above, allocations for development in the DSVs are vital to ensure that sufficient sites of the necessary size come forward to deliver the affordable housing needs of the settlements. As above, smaller sites that come forward in the DSVs often fall below the affordable housing threshold and result in housing growth failing to deliver the affordable housing needs of the settlement.

Draft Growth Options for Designated Service Villages

Q10 (DSV): *Appendix B of the study provides a Settlement Profile for each Designated Service Village, including environmental and heritage designations. Is there any information that is incorrect or missing from these Settlement Profiles summaries? (Please note, we are in the process of updating evidence such as flood risk, accessibility, landscape and green infrastructure)*

The Settlement Profile work that has been undertaken to inform the categorization of settlements across Selby is misleading as to the genuine sustainability of Appleton Roebuck. As set out within table 7.7. of the consultation document the village has been given the lowest category in terms of its sustainability score. The method of rating is considered to be ill considered producing an anomalous result. Table 7.7 provides a score for each settlement out of 11, with one point being given for each service the settlement contains and a score out of 3 for both transport links and access to employment. Appleton Roebuck has been scored at 3/11; scoring 0 on transport and 1 on access to employment.

Notwithstanding the intricacies of the scoring system the overall score is not an accurate reflection of the settlement's sustainability. In the first instance the settlement has not scored a point for a post office despite being serviced by a mobile facility. In terms of both transport and access to employment the settlement score is considered to be unjust. Appleton Roebuck is located some 8km away from York which is one of the District's major locations for out commuters, of which there are a high proportion living in Selby; the settlement is also served by a regular bus service.

Our Client's land is not considered as part of the SHLAA sites within the Settlement Profile. However, our Client has submitted an outline planning application [LPA Reference 2015/0448/OUT] for residential development of up to 28 homes on land to the north of Hillcrest House, to the east of Colton Lane. It is considered appropriate therefore that the site is considered for development as the Council's evidence base is progressed.

In more general terms, fundamental to the Settlement Profile for Appleton Roebuck, and all of the DSVs being assessed, is an analysis of its development needs to establish what is required in terms of development to maintain the vitality of community. The Settlement Profile will need to consider a variety of different inputs to establish the level of development required to maintain and / or enhance the vitality and viability of the community. The Settlement Profile should consider projected changes in demographics (including household size change), affordable housing needs and future projections and service and infrastructure viability; in particular the health of vital services such as primary schools.

Further to the existing needs of each of the rural communities there are opportunities within the rural settlements to expand and enhance the business opportunities within the DSVs. Appleton Roebuck, for example, has campaigned for the introduction of broadband within the village which will enable smaller businesses and home workers to establish and expand their businesses; thus enhancing the sustainability of their population. Opportunities such as this should be considered in settling a vision for enhancing the sustainability of the DSVs.

Q11 (DSV): *If you had the choice, let us know which option for growth of the Designated Service Villages you would choose?*

We do not support any of the growth options presented within the draft document. None of the proposed growth options set out within the draft document will achieve the objectives which we consider the Council and planning policy in general should be trying to achieve at the DSVs, namely, maintaining or enhancing the vitality of the rural communities.

Option 1 comprises an even level of growth across the DSVs based on their current population at a rate of approximately 4.75%. This approach does provide all DSVs with a level of growth which is a positive element of the growth option insofar as it will prevent, to an extent, the mothballing and decline in sustainability of some DSVs. However, Option 1 is considered to be over-simplistic and has no regard to the varying levels and type of development that each of the DSVs need. As set out earlier, development strategies for the DSVs should have regard to the demographics, affordable housing need, services and facilities provision and social infrastructure availability in the context of the role that the settlement performs in terms of meeting the day to day needs of the area.

Option 2 essentially seeks to allocate development to the most accessible and already well served DSV's and minimise development to those less so. In light of the above representations we do not support the approach set out within Option 2 as it is seen as counter-productive to achieving sustainable development. Growth Option 2 will essentially serve to bolster the stronger, more accessible and better served communities but force the less well served communities into decline through effectively mothballing the settlements.

Option 3 comprises essentially the same methodology as Option 1 albeit that development is not proposed to be allocated to settlements requiring Green Belt release. We do not support Option 3. However, it is acknowledged that the eventual growth option for the District is likely to need to have regard to major development constraints on a District wide bases such as in terms of Green Belt and Flood Risk matters which can undermine the overall sustainability of rural communities of the District as a whole.

Q12 (DSV): *Are there any better ways/options of determining how many new dwellings should be built in each of the Designated Service Villages up to 2027.*

The level of development to be allocated to each of the DSVs should be allocated based on the development needs of the settlement and its community based upon a bottom-up assessment. The preferred approach would be to set a vision for each settlement and plan positively to enhance the sustainability of the DSVs by identifying the level of development required to meet any affordable housing need and gap in service and infrastructure provision.

Notwithstanding the above, it is acknowledged that the Core Strategy seeks currently to allocate a quantum of development to the DSVs across the District. We disagree that the Growth Option for the DSVs should only seek

to allocate the remaining quantum of development to the DSVs over the plan period. Nevertheless, we have set out our comments below on the 'top-down' allocation of development to the DSVs.

In the first instance, we have not sought to review the level of housing growth proposed at the DSVs (2,000 homes as set out within the Core Strategy) or review the level of completions and extant permissions which, the draft Growth Options Report notes, leaves a residual of 769 dwellings to be delivered at the DSVs over the remaining plan period to 2027. These comments do not infer support for those figures, but comment only on the distribution of development amongst the DSVs.

Secondly, notwithstanding the level of development that is ultimately proportioned to each DSV and therefore allocated, these allocations should be seen as a minimum target for development to help meet the District's housing needs. The above target should not be seen as an upper limit to development which would otherwise enhance the sustainability of the DSV; in particular through provision of affordable housing and supporting enhanced services and infrastructure.

There are various potential scenarios by which to split the residual housing requirement in the Designated Service Villages. Based on the figures set out in the consultation document, the residual requirement for new housing across the DSV's (taking account of completions since 2011 and commitments as of April 2015) stands at 769 dwellings.

The Option 1 growth scenario per DSV presented in Table 7.2 of the Consultation Document is based upon proportionate growth. By applying this scenario, the housing growth levels in each of the seven Sub-Areas illustrated on Figure 10 of the Core Strategy would be as follows (based on 4.75% growth):

Sub-Area	Dwelling Growth (number of DSVs)
Northern	35 (2)
Western	172 (4)
Eastern	140 (2)
Central	208 (3)
South-East	39 (1)
Southern	80 (2)
North-East	139 (4)

Evidently this proportionate growth approach has the potential to lead to a significant housing imbalance across the District. It would result in the majority of housing growth being focused towards the Central, Western, Eastern, and North-East Sub-Areas of the District, areas which already benefit from their proximity to the three main towns of Selby, Tadcaster and Sherburn (and which between them have the majority of the allocated development for the District). This would leave the northern part of the District delivering just 35 dwellings over 12 years; or around 3 dwellings per year for the whole housing sub-area.

In total, there are 18 DSV's identified under Policy SP2 (some of which are combined settlements). Accordingly, an equal share of the current residual of 769 dwellings would result in 43 dwellings per DSV. However, this would still result in an imbalance in housing delivery, as some DSV's are more closely grouped together across the District than others. For example, Appleton Roebuck is one of two DSV in the Northern Sub-Area of Selby. In contrast, the North-East Sub-Area and Central Sub-Area each contain 3 DSV's, despite their close proximity to Selby Town and Sherburn.

To ensure a balanced housing delivery across the District, a more considered approach would involve an allocation of development favoured towards the less centrally focused Sub-Areas with a role to play in sustaining their rural hinterlands; such as Appleton Roebuck.

The above scenario is considered to be more robust, and one which will inevitably lead to a much more balanced distribution of housing across the District. Given the presence of the main towns of Selby, Tadcaster and Sherburn within the central, western and north-east parts of the District, it is crucial

that enough new housing is also delivered in the south of the District to support economic growth and proposals within this Sub-Area, and jobs growth.

Summary

Baylis and Baylis Ltd welcomes the opportunity to submit these representations in response to the Council's PLAN Selby evidence base, and trust that these comments will be afforded full and proper consideration.

Baylis and Baylis Ltd has identified a robust and sound approach to the distribution of housing between the DSV's, and one which will result in a balanced delivery of housing across the District to meet economic growth objectives and proposals. The delivery of new housing and economic growth go hand in hand, and it is vital that new housing is delivered in the most sustainable locations at the right time to provide a diverse housing choice which meets local needs.

There is evidently a need to allocate considerable land in order to meet the minimum housing requirements of the District up to 2027, and to address the housing shortfall since the start of the Plan Period. Equally, there is the need for a policy mechanism which supports and facilitates the release of greenfield sites in the ongoing (and potentially lengthy) absence of a five-year housing land supply.

We look forward to remaining notified of the Sites and Policies Local Plan as it progresses.

Yours faithfully

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