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21st February 2011

18638/A3/MJ/ds

Dear Sir/Madam

**SELBY DISTRICT COUNCIL – SUBMISSION DRAFT CORE STRATEGY CONSULTATION
(JANUARY 2011)**

We are pleased to enclose for your attention, a submission prepared on behalf of our client Barratt and David Wilson Homes Yorkshire East Division in relation to the Submission Draft Core Strategy Consultation.

We would be grateful if you could provide us with confirmation of receipt in due course. Our client wishes to be involved in all stages of the emerging Local Development Framework and would be pleased if you would keep us informed of the appropriate consultation opportunities.

Please do not hesitate to contact me should you require any further information.

Yours faithfully

MARK JONES
Senior Planner

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Enc: Submission Draft Core Strategy Representations

Cc: Roy Donson – Barratt and David Wilson Homes



**Selby District
Council**

**Submission Draft Core Strategy
Issued January 2011**

**Representations on behalf of
Barratt Homes and David Wilson Homes
Yorkshire East Division**

February 2011

**Selby District Council
Submission Draft Core Strategy
Issued January 2011**

**Representations on behalf of
Barratt Homes and David Wilson Homes Yorkshire East Division**

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1.0 INTRODUCTION & EVIDENCE BASE

- 1.1 These representations have been prepared on behalf of Barratt Homes and David Wilson Homes Yorkshire East Division by Barton Willmore.
- 1.2 Our client has a keen interest in the future development of Selby, and is grateful for this opportunity to engage in the forward planning process. Overall, Barratt and David Wilson Homes is keen to ensure that the Core Strategy sets a suitable framework for the delivery of housing to meet the growth needs of the district. Our client is keen to positively engage with the Council to help it achieve a robust Local Development Framework.

About Barratt and David Wilson Homes

- 1.3 Barratt and David Wilson Homes is Britain's best-known house builder and has built over 300,000 new homes around the country, including 11,500 homes on 400 sites in 2009/2010. Our client is leading in the field of low carbon design, urban regeneration, social housing and innovation.
- 1.4 Barratt and David Wilson Homes is one of the largest residential developers in the UK, helping to meet housing demands in a range of towns, cities and rural areas. Our client builds a variety of housing from first-time buyer apartments to family houses to luxury penthouses, plus many homes for social rent and shared ownership.
- 1.5 Barratt and David Wilson Homes currently has a number of land interests within the district and is committed to ensuring that the right type of housing is delivered at the right time and in the right locations. Barratt and David Wilson Homes is therefore keen to work with Selby District Council to ensure that it takes forward a strategy that can meet these aspirations.

Consultation

- 1.6 The current consultation seeks comments on Selby Council's Submission Draft Core Strategy (January 2011). This paper sets out the Council's over-arching strategic planning framework for Selby. We note that Barratt and David Wilson Homes previously submitted representations to the Draft Core Strategy in March 2010 and has promoted land via the SHLAA process.
- 1.7 This representation sets out our client's comments on the Submission Draft Core Strategy which will assist the Council in preparing a 'sound' Development Plan Document. We trust that the comments provided are useful and look forward to ongoing engagement in the emerging Local Development Framework (LDF) in relation to this and other LDF documents.

The structure of this report follows that of the Submission Draft Core Strategy paper noting relevant chapters, paragraph numbers and Policies where relevant.

Representations regarding the robustness of the evidence base

- 1.8 In March 2010, our client commented on the length of the Consultation Draft Core Strategy which ran to some 118 pages and suggested that the Council endeavours to streamline the document. We note that the Submission Draft is labelled as being 136 pages but that various pages within the document are not numbered and therefore the Core Strategy is in fact a 162 page document. This is considered to be quite excessive especially as there is to be a separate Development Management DPD for detailed development control related policies.

2.0 KEY ISSUES AND CHALLENGES

- 2.1 Selby District is a relatively small rural District surrounded by York, Hull, Leeds and Doncaster with good road (M62 and A1) and rail links (Selby Railway Station). It is therefore a small and lower populated District than neighbouring authorities with a total population of 82,200. Approximately 1/3 of the total population in the District live in the three main towns of Selby, Tadcaster and Sherburn in Elmet. Not only is Selby by far the largest town within the District with a population of approximately 13,000 people, it also is the best placed in terms of quick and sustainable travel to key cities such as Manchester, Leeds and Hull. It also benefits from a direct train service to London. Thus, it offers real potential to help the District grow in terms of jobs and housing.
- 2.2 Excluding Selby, Tadcaster and Sherburn in Elmet, there are 60 plus settlements in the District. The Core Strategy recognises in paragraph 2.33 that three of the settlements (Barlby, Brayton and Thorpe Willoughby) are closely associated with market towns and have developed into large sustainable villages. It is therefore clear that there are a few large sustainable villages where development should be prioritised over many of the other settlements which are more remote and far less sustainable.
- 2.3 It is also important to acknowledge the fact that a significant amount of the District lies within flood zones 2 and 3 which limits the scope for new development sites.

Key Issues and Challenges

- 2.4 Paragraph 2.38 of the Core Strategy onwards seeks to clearly set out the issues and problems which the Selby Local Development Framework (LDF) needs to address which can be summarised as the following:-
- Moderating Unsustainable Travel Patterns;
 - Concentrating Growth in the Selby Area;
 - Providing Affordable Housing;
 - Developing the Economy;
 - Other Challenges.

Moderating Unsustainable Travel Patterns

- 2.5 With regard to moderating unsustainable travel patterns, the rural nature of the District and the dispersed settlements means that apart from those living in Selby which benefits from a well served railway station, many of the journeys to and from work within and to other locations outside of the District rely heavily on the car. This means that a large proportion of

trips to work are unsustainable. To address this, the Core Strategy needs to look at locating new housing and jobs in the most sustainable locations in the District. Thus, Selby town and neighbouring settlements such as Barlby and Brayton are going to be the most sustainable locations to locate new housing given the existing and proposed employment in Selby town, as well as their proximity to the largest railway station within the District.

Concentrating Growth in the Selby Area

- 2.6 As the largest and most well connected settlement in the District, it is inevitable that there needs to be a concentration of future growth to and around Selby town. It is therefore imperative that the Core Strategy focuses and encourages growth in and around the town, particularly with regard to housing. Paragraph 2.41 specifically refers to determining the scale of new development which may be accommodated within Selby (and adjoining villages). We note that throughout the Core Strategy the policies for future growth address Selby but fails to include the adjoining villages which are referred to in the document as being "large sustainable villages" because of their relationship with Selby town. Further comments on this are provided later on in this report.

Providing Affordable Housing

- 2.7 It is acknowledged that the Council's recent assessment of housing need identifies a need for approximately 400 affordable dwellings per annum if the need is to be addressed within the next five year timescale. Furthermore, the identified need is across the District, whereas the Core Strategy seeks to concentrate growth in Selby town. Thus, the Council will need to ensure that affordable housing provision is evenly spread across the District, in particular in those areas where demand for affordable housing is high. If this is not closely controlled and monitored, then there is a risk that there will be an oversupply of affordable housing in Selby town and its immediate neighbouring settlements.

Flood Risk

- 2.8 Whilst our client is generally supportive of the issues identified, our client is alarmed that flood risk has not been identified as a key issue in its own right. Instead, flood risk has been bolted on to the key challenge "Concentrating Growth in the Selby Area". The RSS in particular identifies both Selby and York as having a large concentration of high flood risk areas. Thus, one would expect the Core Strategy to single out flood risk as a key challenge for the Selby District.

3.0 VISION, AIMS AND OBJECTIVES

Vision

- 3.1 The supporting text for the Core Strategy Vision in paragraph 3.1 states that the Vision reflects priorities highlighted in the key issues and challenges section, based on what makes Selby special and where it wants to be by the end of the plan period.
- 3.2 However, in reality, the Vision for Selby is rather generalised. It has not taken the opportunity to set out a very clear description of the distinctive characteristics of the District, its problems and opportunities and the direction in which the Council would like to go. For e.g. to provide a wide range of housing in the most sustainable and safe locations within the District.
- 3.3 The last part of the Vision states that the District will create socially balanced and sustainable communities, which are less dependant on surrounding towns and cities. We would recommend that the Vision is more specific to Selby and is clear in its vision in that it wants to be a District which is less reliant on towns and cities in neighbouring authorities. For this to happen, future growth for housing and employment needs to focus around the three key towns in the District.

Aims

- 3.4 The key aim identified by the Council in the Core Strategy is to ensure that future development is 'sustainable'. Thus, this needs to be reflected throughout the document to ensure that future development is located in the most sustainable locations in the District. Our client is of the view that the Core Strategy policies fail to support sustainable locations in and around Selby.

Objectives

- 3.5 The Core Strategy sets out that the 17 objectives listed within the document will deliver the vision and aims for Selby. It is judged that the objectives provide an effective and appropriate basis for the subsequent policies.
- 3.6 Whilst it is not for Core Strategies to simply repeat or replicate national planning policy guidance, our client requests that objective 6 is tied closely to the guidance within PPS25 to ensure that the most suitable sites in areas of lowest flood risk are prioritised.
- 3.7 Overall, our client is generally supportive of the vision, aims and objectives of the Core Strategy but request that Core Strategy policies are amended accordingly to reflect our comments.

4.0 SPATIAL DEVELOPMENT STRATEGY

Settlement Hierarchy

- 4.1 Barratt and David Wilson Homes are worried that the proposed settlement hierarchy will be applied too strictly and there is evidence of this throughout the Core Strategy. Whilst our client supports the general thrust of the proposed settlement hierarchy where key growth is focussed around the Principal Town of Selby, they are concerned that settlements such as Barlby and Brayton which fall under the third tier of settlements within the "Designated Service Villages" umbrella will not be apportioned the level of development growth which they deserve. It is important that the Core Strategy recognises their close relationship with Selby and that a reasonable proportion of growth should be directed to them given that they can share and utilise the facilities and services which Selby has to offer. This is something which is echoed within the supporting text of the Core Strategy.

Key Diagram

- 4.2 Our client objects to the Key Diagram which includes Strategic Gaps that are not based on any detailed, robust and up to date evidence. A thorough landscape character and functional assessment should have been carried out.
- 4.3 We support the inclusion of high flood risk areas (Flood Zone 3) being shown on the map which usefully demonstrates the serious issue facing the Principal Town of Selby. There is limited opportunity for development in low flood risk areas in and around the town. Thus, future housing sites need to be carefully selected.
- 4.4 Paragraph 4.14 titled "Linked Villages" follows the Key Diagram and appears before the next subject "Spatial Development Strategy" within the Core Strategy. It acknowledges that a number of villages are closely related and share facilities and therefore relates to these as "Linked Service Villages". Our client supports the Core Strategy which says when considering future locations for development through the Site Allocations DPD, regard will be paid to the respective size of each village and the relative accessibility to local services and employment opportunities within them. For example, for Barlby/Osgodby, we consider that the majority of development should be directed to Barlby as the larger more sustainable village.

Spatial Development Strategy (Supporting Text)

- 4.5 We agree that Selby is the most sustainable settlement within the District and the Core Strategy correctly identifies the town as the main focus for future growth.

- 4.6 However, our client objects to paragraph 4.16 and recommend that the supporting text to Policy CP1 should be re-worded as follows:

"In order to accommodate the scale of housing growth required it is envisaged that additional housing will be provided through a combination of infilling, redevelopment of existing employment sites, ~~and through sustainable urban extensions to the north west and east of the town which are identified as strategic housing sites on the Core Strategy Key Diagram and sustainable urban extensions around the Principal Town of Selby.~~"

- 4.7 The growth areas in and around Selby town should not be restricted to land to the north-west and east and this has been raised by our client previously. The policy as drafted refers to sustainable urban extensions to the north-west and east of the town identified as strategic housing sites on the Core Strategy Key Diagram. However, the Core Strategy does not show any "Strategic Housing Sites". The only Strategic Site that appears on the Key Diagram on page 31 of the Core Strategy is titled as a "Strategic Mixed Development Site" which is the Olympia Park site to the east of Selby. There is also no Strategic Site identified to the North West of Selby on the Key Diagram. Thus, there is inconsistency throughout the Core Strategy document. There is no evidence to support a Strategic Site to the north-west of Selby town.
- 4.8 Barratt and David Wilson Homes argue that it is both necessary and possible to provide additional growth through sustainable urban extensions to the north east and west of Selby. Thus, sustainable urban extensions to the north and west of the Principal Town adjacent to the A63 and A19 which benefit from a regular bus service should be supported.

Policy CP1: Spatial Development Strategy

- 4.9 Barratt and David Wilson Homes support paragraph 4.17 which acknowledges the close proximity of Selby with adjoining villages such as Barlby and Brayton. It goes on to say that these villages will fulfil a complementary role to that of Selby. It also goes on to recognise that these villages are clearly more sustainable than other Designated Service Villages because of their size, the range of facilities available and because of their proximity to the wider range of services and employment opportunities available in Selby. However, this is not addressed in Policy CP1 (Part A) where villages such as Barlby and Brayton are not given priority growth over the other less sustainable "Designated Service Villages". The policy simply directs some growth to the "Designated Service Villages" as a whole. It should allow settlements such as Barlby and Brayton a larger proportion of development compared to less sustainable "Designated Service Villages" in order to support Selby town. Our client therefore objects to Policy CP1 and requests that this is amended in light of our comments.

4.10 Our client also objects to the last paragraph in part B of Policy CP1, which states the following:

"A sequential approach will also be adopted to direct development to areas with the lowest flood risk identified through the Selby Strategic Flood Risk Assessment, ~~taking account of the vulnerability of the type of development proposed and its contribution to achieving vital and sustainable communities.~~"

4.11 The purpose of the sequential approach is to direct development to areas at low risk of flooding. A sites contribution to other factors such as need and sustainability is a separate matter which should be taken into consideration as part of a balancing exercise when carrying out a full assessment of sites. We therefore request that the final part of the paragraph is deleted (as shown above) as the purpose of part B of the policy is to prioritise sites on the basis of which flood zone it lies within.

Strategic Countryside Gaps

4.12 The Core Strategy prioritises development opportunities for regeneration and expansion of Selby town while maintaining the separate identity of the adjoining villages such as through the maintenance of "strategic countryside gaps". It is noted that none of the policies contained within the Submission Draft Core Strategy address "strategic countryside gaps".

4.13 Paragraph 4.40 of the Core Strategy states the following:

"It is also important to maintain the character of individual settlements outside the Green Belt by safeguarding 'strategic countryside gaps' between settlements, particularly where they are at risk of coalescence or subject to strong development pressures as is the case with Selby and the surrounding villages."

4.14 Our client is unaware of a comprehensive "Settlement Character Assessment" being carried out by the Council to justify the "strategic countryside gaps".

4.15 Our client objects to "strategic countryside gaps" as these are not based on detailed and up to date evidence. Whilst it is noted that a short landscaping note has been produced and a brief landscaping assessment has been carried out on the key strategic site options, there appears to be insufficient evidence to propose "strategic countryside gaps" in the Core Strategy. Such designations should be based on a formal and robust assessment and the Local Planning Authority should rigorously consider the justification for retaining existing

"strategic countryside gaps". They should be soundly based on a formal assessment of their contribution to urban form and urban areas.

- 4.16 In the Council's accompanying schedule which provides general commentary/decision on responses to Policies CP1, CP2 and CP5 from the previous consultation on the Core Strategy, paragraph 18.2 provides a response from the Council with regard to the extent of landscape evidence undertaken. It states that:

"A comparative assessment of landscape impacts has been undertaken as part of the evaluation of strategic development site options, and the results are summarised in Background Paper No 7. The assessments were undertaken by officers in accordance with guidance and best practice produced by the former Countryside Agency. This is considered to provide a proportionate solution to the need for landscape evidence which is relevant to local circumstances, and is very much in line with the approach to evidence gathering advocated by PINS. It may help to publish further details, including the methodology used in carrying out the assessments, to satisfy the concerns raised."

- 4.17 Our client is surprised that the Council has failed to make all background information available. The last sentence (from the Council's quote above) demonstrates that the Council has failed to undertake and provide a robust evidence case on Strategic Landscape Gaps.

- 4.18 In defining "strategic countryside gaps" it is important the Council only includes land that is strictly necessary to fulfil the purposes of the designation.

- 4.19 Paragraph 18.3 of the accompanying schedule then goes on to say:

"It should also be noted that the Strategic Countryside Gap designation is a policy tool intended to prevent the coalescence of settlements and not a local landscape designation."

- 4.20 Whilst this is noted, appropriate landscape and visual assessments need to be carried out.

- 4.21 In light of the above, our client is of the view that "strategic countryside gaps" should not be shown on the Key Diagram given the lack of evidence produced by the Council. There is concern that they may prejudice future housing sites in advance of an appropriate evidence gathering exercise.

5.0 CREATING SUSTAINABLE COMMUNITIES

The Scale and Distribution of Housing (Supporting Text)

- 5.1 The Core Strategy sets out the Council's stance to continue with the proposed annual housing targets as set out in the Regional Spatial Strategy which is 440 dwellings per annum. The Council consider this to be the most appropriate housing target on which to base this Core Strategy.
- 5.2 However, our client notes that the Council is in receipt of more up to date evidence than that which the RSS is based upon for both housing and employment. Whilst the Council have chosen to rely on the more up to date evidence for future employment provision in Chapter 6 of the Core Strategy, they have decided to ignore the more recent evidence for the District's annual housing target.
- 5.3 Barratt and David Wilson homes believe that the Council need to apply consistency in use of evidence for both housing and employment. By using out of date evidence for annual housing numbers, the Core Strategy is at risk of being unsound.
- 5.4 To assist in housing delivery over the plan period, the Core Strategy proposes a strategic housing and employment site to the east of Selby town which will provide 1,000 dwellings equivalent to about 40% of the total Selby housing requirement.
- 5.5 First this site has been selected out of six potential strategic housing site options around the town. However, our client objects to the assessment carried out which does not appear to give due weight to key constraints such as flooding. There is also little evidence to demonstrate that the site at Olympia Park can overcome flooding and highway issues in terms of mitigation and cost which could significantly preclude/delay development from coming forward.
- 5.6 Paragraph 5.23 of the Core Strategy Background Paper No 7 on "Strategic Development Sites" states that:
- "The application of the Sequential test demonstrates that it is not possible to accommodate all housing and employment land requirements in Selby, on land at lowest flood risk of flooding if wider sustainability and regeneration objectives are to be achieved."***
- 5.7 In PPS3, paragraph 11 refers to ensuring that housing policies help to deliver sustainable development objectives, in particular, seeking to minimise environmental impact, taking account of climate change and flood risk. Thus, climate change and flood risk should be

given serious weight in the site selection process for Strategic Sites in Selby. However, this does not appear to have been the case and therefore raises serious doubts over the selection process undertaken by the Council.

- 5.8 We note that paragraph 5.23 states that the boundaries of "strategic countryside gaps" may be reviewed as part of the Site Allocations DPD work. This supports our client's concerns that such a designation in the Core Strategy could prejudice future housing sites.

Policy CP2: The Scale and Distribution of Housing

- 5.9 Our client strongly objects to Policy CP2.

- 5.10 Part A of Policy CP2 sets out that provision will be made for the delivery of 440 dwellings per annum but fails to address that this is not a ceiling target. Thus, the policy should enable more flexibility to accommodate a higher delivery if required at any point during the plan period.

- 5.11 It is noted that the Council's supporting schedule which provides general commentary/decisions on response to Policies CP1, CP2 and CP5 from the previous consultation stage refers to the District's housing growth in paragraph 14.2. First the Council consider that it is not realistic to reduce the overall housing requirement established in the RSS. Secondly, it refers to more recent projections which indicate an increase from 440 dwellings per annum to about 500 dwellings per annum. This further supports our clients request for Policy CP2 to be flexibly worded to accommodate even higher housing growth for e.g. 500 dwellings per year. If the Council consider that more recent evidence suggests that 500 dwellings per year are required, then why has the Council chosen to continue with the RSS projections which are now very much out of date. This raises grave concerns over the soundness of the Core Strategy.

- 5.12 Our client is aware of the Council's Core Strategy Background Paper No 9 on Local Housing Targets published in January 2011. In paragraph 2.1 of the Background paper, it states that there are two pieces of evidence which suggest an increased level of housing growth may be appropriate and these are:

1. the most recent nationally produced household projections and
2. evidence from the Strategic Housing Market Assessment (SHMA) on affordable housing need within the District.

- 5.13 In the Council's Background Paper No 9, which we note was published in January 2011, it refers to household projections published by the Department for Communities and Local Government (DCLG) in March 2009, based on Office of National Statistics mid-year

population estimates for 2006. However, we note this is not the most up to date evidence base. We therefore disagree with the Council because they have not used the most recent nationally produced householder projections.

5.14 The most up to date evidence from DCLG was published on 26th November 2010 and is based on the 2008 population projections. It replaced the 2006 based household projections released in March 2009, referred to by the Council.

5.15 Furthermore, we disagree with paragraph 2.3 in Background Paper No 9, which questions the reliability of the DCLG projections. Paragraph 33 of PPS3 (as quoted below) sets out what evidence should be taken into account by Local Planning Authorities when determining the level of housing provision and specifically includes the Government's latest published household projections. Barratt and David Wilson Homes therefore believe that the Council appears to have totally disregarded DCLG household projections and in particular the most up to date figures published in November 2011.

5.16 It is noted that the SHMA published in 2009, paragraph 6.18 states that:

"On an annual basis there is an overall requirement across Selby District for 1,119 dwellings of which 710 (63.4%) is for market housing and 409 (39.6%) for affordable".

5.17 The Council's Background Paper No 9 addresses the affordable housing requirement in the SMHA but fails to address the market housing requirement and the overall requirement.

5.18 In assessing an appropriate level of housing, PPS3 states in paragraph 33 that:

"In determining the local, sub-regional and regional level of housing provision, Local Planning Authorities and Regional Planning Bodies, working together, should take into account:

- ***Evidence of current and future levels of needs and demand for housing and affordability levels based upon:***
- ***Local and sub-regional evidence of need and demand, set out in Strategic Housing Market Assessments and other relevant market information such as long term house prices.***
- ***Advice from the National Housing and Planning Advice Unit (NHPAU) on the impact of the proposals for affordability in the region.***
- ***The Government's latest published household projections and the needs of the regional economy, having regard to economic growth forecasts."***

- 5.19 Our client therefore considers that the Councils proposed annual housing target is not based upon the most up to date evidence and is contrary to PPS3 and PPS12.
- 5.20 Recent evidence therefore suggests that the annual housing target should be much higher than the proposed RSS figure of 440 dwellings per annum. Our client considers the Core Strategy to be unsound and recommends that further work is carried out in order to establish a credible annual housing target.
- 5.21 The table in Policy CP2 breaks the total housing requirement of 4864 dwellings between 2010 and 2026 into settlement categories and the different components of the provision. Our client welcomes the second column which sets the total numbers for each settlement group as a minimum and therefore does not place a ceiling on development. However, for clarity, we would request that the last column is renamed from "Requirement from New Allocations" to "Minimum requirement from New Allocations" to ensure consistent flexibility.
- 5.22 Our client objects to a proportion of housing being apportioned to all Designated Service Villages collectively when there are a number of key settlements which fall within this category that are far superior in terms of their sustainability and their relationship with Selby town. We therefore request that an additional tier is added for settlements such as Barlby and Brayton so that a large proportion of the housing allocations for Designated Service Villages is prioritised and assigned to the key settlements surrounding Selby town.
- 5.23 Barratt and David Wilson Homes object to the first sentence of part B of the policy. It sets out that the Strategic Site will deliver 1,000 dwellings and our client has serious doubts as to whether this number of dwellings can be delivered on the Strategic Site. We note that the Council's SHLAA assessment for Site PHS/16/008 (Strategic Site D) is based on a site area of 43.97 hectares, considers that 28.6 hectares is developable and based on a 35 dwellings per hectare estimates that the site can deliver 1001 dwellings. These figures differ to those shown in the Core Strategy Background Paper (No 7) which states a site area of 38 hectares and a delivery of 800 dwellings. Our client therefore has concerns regarding the number of houses the Strategic Site can deliver and the knock on effect this may have on the Core Strategy when addressing the number of additional houses required from other sites in the District.
- 5.24 Our client supports part B of the policy which supports and promotes smaller scale sites within and/or adjacent to the boundary of the Contiguous Urban Area of Selby to accommodate further dwellings through the Site Allocations DPD.

5.25 Barratt and David Wilson Homes object to part D of the policy and request that it is amended as follows:

"D. Allocations will be sought in and adjacent to the most sustainable villages (Designated Service Villages) where local need is established through a Strategic Housing Market Assessment and/or ~~other—local information~~ other appropriate assessments. Specific sites will be identified through a Site Allocations DPD."

5.26 The Core Strategy should seek to promote development within and adjacent to the most sustainable Designated Service Villages such as Barlby and Brayton. The re-wording above also allows for developers to carry out and submit their own housing assessments should they disagree with the findings of the Council's SHMA or consider it not to be robust or credible evidence.

Olympia Park Strategic Development Site (Supporting Text)

5.27 The Council has from an early stage (Core Strategy Issues and Options Report published in May 2006) been promoting the Olympia Park Site as a Strategic Site prior to carrying out background work and assessing it alongside other potential strategic sites.

5.28 Paragraph 5.36 of the Core Strategy refers to measures which will be required to minimise the risk of flooding on the proposed Strategic Site. However, it is unclear as to whether this is deliverable? There appears to be insufficient evidence setting out how the site will mitigate against the risk of flooding, the timing of such work and whether it is financially viable. Therefore there is a question over the deliverability of the Strategic Site.

5.29 The Core Strategy confirms that a Delivery Framework Document has been prepared jointly by the landowners of the Olympia Park Site and claim that it demonstrates the viability and deliverability of the scheme. However, the Core Strategy and its Background Papers fail to address what independent assessment the Council has carried out to gauge its own views on the deliverability and viability of the scheme.

Policy CP2A: Olympia Park Strategic Development Site

5.30 Our client objects to Policy CP2A which fails to set out how many houses the site will deliver over the lifetime of the plan. For example how many houses in year 0 to 5, 6 to 10 and 11 to 15 of the Core Strategy. This would enable the policy to be monitored to ensure that sufficient housing is being delivered on time within the plan period.

5.31 The document "Housing Supply and Planning Controls: The impact of planning control processing times on housing supply in England" published in February 2010 by the National Housing and Planning Unit (NHPU) provides very useful research on how long it can take to obtain planning consent for major housing sites in England. It sets out a range of issues affecting the delivery of housing sites and suggests that sites can take 4-5 years or longer from planning decision to completion of housing on site. Adding the complexity of gaining planning consent and preparing masterplans, it is not uncommon for larger sites to take 7 years plus to achieve completions on site from inception.

5.32 In respect of the suggested Strategic Site, we understand that:

- There are no current planning consents in place;
- The site is in an area that is at a high risk of flooding and therefore will require major mitigation works which would need to be completed prior to any development commencing;
- Major highway infrastructure work will be required;
- Contamination and remediation work will be required.

5.33 On this basis, our client is convinced that the lead in time for this site will be substantial and will take several years. The Council has presented very little evidence to suggest the certainty of the delivery of the preferred Strategic Site. Even if the site is successful and gains consent, it is unlikely that the delivery rate on this large site will be any greater than 50-100 dwellings per year in totality on a phased basis. In the Council's 2009 Strategic Housing Land Availability Assessment the Olympia Park Strategic Site has an implementation time of 8 to 17 years which further reinforces our client's apprehension over the length of time it will take to implement. Barratt and David Wilson Homes are concerned that the lead in time will have a significant impact on the District's delivery of housing in the early period of the Core Strategy. Thus, the Council will need to quickly progress with their Site Allocations DPD and support other housing sites coming forward in order to achieve the proposed housing delivery target.

5.34 Our client objects to part iii) of the policy and requests that it is amended as follows:

"The Master Plan will be produced in consultation with stakeholders and the local community prior to ~~determination~~ the submission of any applications for development to the Local Planning Authority".

- 5.35 Public consultation should take place prior to an application being submitted to the Local Planning Authority. Part iii) of the policy as currently drafted would allow public consultation to take place after the application is submitted thereby not according with national planning guidance on community engagement.
- 5.36 Our client also objects to part vi) of Policy CP2A and recommends that it is altered as follows:
- "A sequential approach should be taken to residual flood risk and development vulnerability, in accordance with the requirements set out in the Council's ~~Level 2 SFRA (February 2010)~~ most up-to date SFRA. Site specific FRAs will be required to address relative flood levels vulnerabilities across the site."***
- 5.37 As currently drafted, part vi of the policy refers to the Council's Level 2 SFRA published in February 2010, thereby immediately dating the policy in a plan which will be in place for at least 15 years. We therefore recommend that this is amended to allow the policy to be tied to the most up date SFRA published by the Council.
- 5.38 Given that Olympia Park will play a big part on affordable housing provision, it is imperative that a thorough assessment is carried out on the viability of the scheme including the necessary infrastructure required to address highways and flooding. For this reason, it is important that the Core Strategy supports other smaller sustainable sites in and around Selby. In particular those located adjacent existing bus routes, in low areas of flood risk and on Greenfield sites where there is no requirement for remediation or flood protection.
- 5.39 In particular there needs to be clear justification as to why the Core Strategy deviates away from guidance contained within PPS25 which says that only where there are no reasonably available sites identified in lower flood risk areas will development in higher flood risk areas be considered. Other potential Strategic Sites predominantly in flood zone 1 have been discounted on matters where there is insufficient robust evidence to reject them for e.g. "strategic countryside gaps".
- 5.40 In terms of strategic growth, it is considered that a number of strategic locations should be identified in the Core Strategy to allow the opportunity to change course, should unforeseen events occur with the deliverability of the Olympia Park Site. Thus growth areas around Selby town should be identified within the Core Strategy and not just to the East. With the likely lead in times for the one Strategic Site identified in the Core Strategy, our client is worried that the Council will struggle to deliver enough housing, especially in the early period of the plan. As a result, there is a risk that the Core Strategy may be unnecessarily inflexible.

Policy CP3: Managing Housing Land Supply

5.41 Barratt and David Wilson Homes object to Policy CP3.

5.42 Part B of the Policy CP3 states that :

"Prior to the Site Allocations DPD being adopted, the pool of unimplemented Phase 2 allocations in the Selby District Local Plan (Policies H2A/H2) will provide the source from which appropriate sites will be drawn. Those sites in greatest conformity with the Core Strategy will be released first."

5.43 Our client is unclear as to what work has or will be carried out to ensure that the above approach is the most sustainable approach to ensure that sites are brought forward on a clear and robust evidence base.

5.44 Part C of the policy says that the Council will take remedial action wherever opportunities can be identified in response to a shortfall in housing provision on previously developed land. This is a rather vague statement and provides no clear direction as to how the Council will tackle such a shortfall.

Policy CP4: Housing Mix

5.45 We raise no objection to Policy CP4 as currently drafted in the Core Strategy. The policy allows for flexibility in providing an appropriate mix of housing to accommodate various types of households.

Affordable Housing (Supporting Text)

5.46 We object to the findings of the Council's Strategic Housing Market Assessment (SHMA) completed in June 2009. Paragraph 5.76 of the Core Strategy states that the SHMA recommends that affordable homes should be similar to private homes in terms of style, quality of specification and finish. However, we are unaware of any viability testing which has been carried out to prove that this is financially possible.

5.47 We note that paragraph 5.87 of the Core Strategy states that 40% affordable housing should be achievable on a high proportion of sites and that this figure is an upper target level. Our client objects to this claim.

5.48 Our client notes the introduction of paragraph 5.94 which addresses the negotiation of affordable housing provision. We recommend that this is only applied in exceptional circumstances.

Policy CP5: Affordable Housing

- 5.49 Our client objects to Policy CP5.
- 5.50 Part A of the policy sets out that the Council will seek to achieve a 40/60% affordable/general market housing ratio over housing delivery. Barratt and David Wilson Homes have serious doubts as to whether this level of affordable housing can/will not be achieved during the lifetime of the Core Strategy.
- 5.51 Part B of the policy seeks affordable housing provision up to a maximum of 40%. Whilst our client supports the flexibility of the policy allowing for the proportion of affordable housing to be between a certain range (for e.g. 0 to 40%) rather than a minimum target, Barratt and David Wilson Homes consider the upper range target of 40% to be excessively high and not viable.
- 5.52 The trigger for applying a proportion of affordable homes in Part B of the policy is 10 dwellings. However, we object to this on the basis of a lack of evidence and suggest that the threshold is 15 dwellings. Reducing the threshold from the national indicative figure of 15 to 10 units has not been demonstrated as being viable and practical and therefore is contrary to PPS3.
- 5.53 The last paragraph of policy CP5 refers to the matter of negotiation for affordable housing at the time of an application. Given the proposed 40% target for affordable homes, other obligations and market conditions, all housing planning applications (which exceed the set threshold) submitted to the Council within the lifetime of the Core Strategy will require a viability assessment. This is contrary to the judgement in the Blyth Valley case, concerning the evidence base for affordable housing policies.
- 5.54 Targets and policies must be supported by clear evidence. Any targets must be rigorously tested – what are they based on, can they be justified and have all material considerations been taken into account? The Council's EVA requirement is flawed and therefore policy CP5 is unsound.
- 5.55 Overall Barratt and David Wilson Homes have serious doubts over the Economic Viability Appraisal published in September 2009. As a result, our client has serious concerns regarding Policy CP5 and the draft Affordable Housing Supplementary Planning Document published in December 2010.

- 5.56 We note that the Council is currently consulting on its draft Affordable Housing Supplementary Planning Document (SPD) and our client has provided separate comments in response to the SPD which should also be taken into consideration in respect of comments to Policy CP5.
- 5.57 Barratt and David Wilson Homes consider that a more appropriate approach would be to adopt a sliding scale similar to that proposed by York City Council. However please note that our client only supports the principle and approach. They do not support the details within the matrix. It is therefore considered that this alternative approach would be more suitable to address Selby's affordable housing requirement. Barratt and David Wilson Homes therefore recommend that Selby adopt such an approach and would be willing to discuss this further with the Council.

Access to Services, Community Facilities and Infrastructure (Supporting Text)

- 5.58 In paragraph 5.121 the Council claim that until arrangements for collecting and administering the Community Infrastructure Levy (CIL) become clearer, they will continue with existing arrangements. Our client is surprised by this statement given that there is nothing to warrant not proceeding with a CIL proposal. Government are currently seeking Local Planning Authorities to volunteer as pilots to assist in bringing CIL proposals forward.
- 5.59 We object to Map 7 'Green Infrastructure' on page 76 of the Core Strategy. It does not appear to have any real meaning and it is unclear as to how this relates to any of the planning policies within the document.

Policy CP8: Access to Services, Community Facilities and Infrastructure

- 5.60 Barratt and David Wilson Homes object to Policy CP8 as the Council should be progressing with a CIL proposal which would inform this policy.

6.0 IMPROVING THE QUALITY OF LIFE

Sustainable Development and Climate Change (Supporting Text)

- 6.1 Our client supports paragraph 7.14 which acknowledges that building standards for insulation and energy efficiency are not directly within the remit of the planning system.
- 6.2 Barratt and David Wilson Homes are concerned with the last paragraph in paragraph 7.28 which states that the Level 2 SFRA demonstrates how the impacts of potential flooding on the Olympia Park Strategic Development Site can be satisfactorily minimised and mitigated without increasing flood risk elsewhere. Our client disagrees with this statement and requests that this paragraph clearly sets out how the Strategic Site can deliver housing and employment on this site without being at a medium to high risk of flooding given that this will play a fundamental part in the delivery of the Core Strategy.
- 6.3 Our client objects to paragraph 7.30 which states that the economic prosperity and housing land supply policies tackle the overriding objective of the Core Strategy which is to minimise the need to travel by directing new development to the most sustainable locations and by supporting Selby, Sherburn in Elmet and Tadcaster as hubs for rural economies, community and social infrastructure. As previously mentioned, we do not feel that the Core Strategy is placing enough emphasis and support for growth in highly sustainable Designated Service Villages in close proximity to Selby town such as Barlby and Brayton.

Policy CP12: Sustainable Development and Climate Change

- 6.4 Our client suggests that part d) of Policy CP12 is amended as follows:
- "Ensure that development in areas of flood risk is avoided wherever possible through the application of the sequential test and exception test; and ensure that where development must be located within areas of flood risk that it can be made safe without increasing flood risk on site and elsewhere".***
- 6.5 The proposed Strategic Site at Olympia Park does not appear to accord with this policy which seeks to ensure that where development must be located within areas of flood risk, that it can be made safe without increasing flood risk on site and elsewhere. Our client questions the extent of work undertaken to demonstrate that the site is fully deliverable and will not increase flood risk.

Policy CP13: Improving Resource Efficiency

- 6.6 Barratt and David Wilson Homes object to Policy CP13. Policy CP13 is too demanding and is not flexible to account for change throughout the life span of the Core Strategy.
- 6.7 For part A of the policy, our client suggests that a clause is added at the end, to say "where feasible and viable" to ensure that energy requirements are determined on a site by site basis.
- 6.8 Part B of Policy CP13 states that:
"Strategic Development Sites identified in the Core Strategy and key sites identified in future DPDs to derive the majority of their total energy needs from renewable, low carbon or decentralised energy sources."
- 6.9 It is unclear as to whether this relates to part A in that this only applies to 10% (or an agreed percentage of total on site energy) or whether such sites are expected to use renewable, low carbon or decentralised energy sources for the majority of their total energy supply. We therefore recommend that Part B is re-worded to avoid any miss-interpretation.
- 6.10 Part B of the policy also requires Strategic and Key Sites in the Core Strategy and future DPD's to consider four specific energy options (local biomass technologies, energy from waste, combined heat and power scheme and community heating projects). Over the next 15 years there is a high probability that new techniques and options will become available and therefore part B of the policy needs to be flexible to accommodate emerging new technologies. Our client therefore requests that Part B of the policy is amended. The PPS1 supplement recommends avoiding prescription on technologies and be flexible in how carbon savings are to be secured.
- 6.11 Part C of the policy stipulates that developers must employ the highest viable level of Code for Sustainable Homes on residential developments and BREEAM standards for non-residential schemes. This requirement is totally unreasonable and is unjustified. To exceed national targets in the absence of any background evidence would be contrary to the supplement of PPS1. The supplement also says that Local Planning Authorities should ensure that what is being proposed is evidence-based and viable, having regard to the overall costs of bringing sites to the market.

6.12 We have previously raised objection to Policy CP13 in the Core Strategy which requires housebuilders to employ the highest viable level in respect of Code for Sustainable Homes. This suggests that the Council will seek viability assessments from developers demonstrating that a scheme delivers the absolute highest Code level. The Council's response to our previous comments on this matter are as follows:

"Further investigation as to the reasonableness of asking for viability work from developers needs to be undertaken, especially in light of recent draft consultation PPS1 Supplement which suggests that LPAs should prove viability before introducing the policies."

6.13 In light of the Council's response it is unclear as to why part c of the policy has not been amended or deleted. We would recommend that Part C of the policy is replaced with the following text:

"Developers will be expected to adhere to national codes and targets for Code for Sustainable Homes on residential developments and BREEAM standards for non-residential schemes"

Policy CP16: Design Quality

6.14 Our client objects to Policy CP16.

6.15 In particular Barratt and David Wilson Homes object to the last section of the policy which is as follows:

"Unless it can be demonstrated that it is not practicable or viable, all new housing developments should:

- i. Reflect 'Lifetime Neighbourhood' principles, and***
- ii. Achieve the 'Very Good' standard of the 'Building for Life' assessment, and***
- iii. Be constructed to Lifetime Homes Standards in order to provide adaptable homes, which meet the long term changing needs of occupiers."***

6.16 It is judged that the above requirement which forms part of Policy CP3 is unjustified.

Lifetime Neighbourhood

6.17 There is no justification provided or national planning policy base upon which to enforce "Lifetime Neighbourhood" principles through the Core Strategy. The Core Strategy fails to clearly reference the source for "Lifetime Neighbourhood" principles and therefore the exact impact of this policy requirement is unclear.

Building for Life

- 6.18 Our client objects to the policy objective of securing a “very good” standard of the Buildings for Life assessment for all new housing developments. Such a strict obligation will place significant financial burdens on housing developers, thereby threatening the delivery of the District’s housing requirements.
- 6.19 The purpose of Building for Life is to provide an objective for ensuring that developments are designed according to good urban design principles. Thus, the policy should seek to encourage housing developers to follow the Buildings for Life standards in order to achieve well designed homes and neighbourhoods. Our client does not object to the Council seeking to raise the design quality of new homes. However, it is unreasonable and unjustified to demand the “very good” standard. In some instances, there may be sites which can not achieve a particular rating because of site specific issues and therefore such sites should not be penalised. It is therefore very important that Building for Life is used as an objective rather than a minimum requirement.
- 6.20 Furthermore, it is our understanding that formal assessment under Building for Life can only be undertaken by trained assessors only and therefore will place an extra burden upon the Council’s resources.

Lifetime Homes Standards

- 6.21 Barratt and David Wilson Homes object to the Core Strategy requiring all new housing developments to be constructed to Lifetime Homes Standards. We consider the proposed requirement for Lifetime Home standards to be in advance of the national timescale established in national guidance document “Lifetime Homes: Lifetime Neighbourhoods” which does not require such standards until 2013. As a consequence of this our client considers this section of Policy CP16 to be inconsistent with national planning policy, thus unsound and should be removed from the Core Strategy.
- 6.22 Further Government guidance has also been published on the timeframe for Lifetime Homes standards. The Government consultation document “Sustainable New Homes – The Road to Zero Carbon” published in December 2009 indicates in paragraph 123 that any move to make Lifetime Homes Standards mandatory would not be until 2013 at the earliest. The consultation document indicates that the scaling back of Lifetime Homes requirements is made in light of the current economic pressures on the housing sector. Government realise that the immediate costs fall on private sector housebuilders who need to retain flexibility in ensuring recovery of the housing market. This further Government guidance gives further support to our client’s objection against the Council’s intention to introduce Lifetime Homes standards in advance of national timeframes and reinforces our argument that such a

requirement is inconsistent with national planning policy and therefore unsound. Government have delayed plans to make the Lifetime Homes Standard mandatory at Code level 4, pending a full review of the policy.

- 6.23 Lifetime Homes is a perverse policy which drives up house prices and makes new homes less affordable, it reduces the availability of lower-priced first-time buyer housing and it persuades people to remain in under-occupied housing, precisely the opposite of what Local Planning Authorities should be doing given the numbers of older households under-occupying large family homes, which will worsen as the population ages.
- 6.24 For the Council to seek financial appraisals to demonstrate why the standards set out at the end of Policy CP16 can not be achieved is a process which will increase the cost and time of gaining permission for housing developments.
- 6.25 We also note that the Campaign to Protect Rural England (CPRE) have made negative comments in response to Building for Life and Lifetime Homes standards because there is a considerable risk that they will lead to repetitive house types with no variety and character by applying such strict design requirements.
- 6.26 We therefore request that the last part of the policy is deleted from the Core Strategy.

7.0 IMPLEMENTATION

- 7.1 PPS12 states that a core strategy must have clear arrangements for monitoring and reporting results to the public and civic leaders. Monitoring is essential for an effective strategy and will provide the basis on which the contingency plans within the strategy would be triggered. The delivery strategy should contain targets or measurable outcomes to assist this process.

Policy CP1/CP1A

- 7.2 For Core Strategy Policy CP1/CP1A the proposed indicator states:

"Proportion of new development with planning permission/completed in Selby, Sherburn in Elmet, and Tadcaster."

- 7.3 The proposed indicator above incorrectly proposes two different mechanisms for measuring the Core Strategy Policy. The indicator should be based on completions only and should not take in to account planning permissions.

Policy CP2/CP2A

- 7.4 Core Strategy Policy CP2/CP2A deals with meeting established housing targets. However there is no trigger point which might lead to remedial action if the housing target is not being met.

Policy CP5

- 7.5 As mentioned earlier in this report and in our representations to the Council's Affordable Housing SPD, we object to the 40% affordable housing target which has not been proved viable. By including this within the target for implementing Policy CP5, our client believes that this target will not be achieved.

- 7.6 Our client also objects to the proposed target to achieve a tenure mix of 40% for intermediate housing and 60% for social renting, through new affordable housing. This scenario was not tested in the Council's Economic Viability Appraisal. Furthermore, Part D of Policy CP5 states that the tenure split and type of housing being sought will be based on the Council's latest evidence on local need.

Policies CP13 and CP16

- 7.7 As previously mentioned earlier in respect of both policies, our client fears that the proposed indicators are too onerous on developers, will have a significant impact on the viability of housing developments and exceed national planning requirements. Barratt and David Wilson Homes therefore object to the proposed indicators for both policies.

8.0 CONCLUSIONS

- 8.1 Our client has previously commented on the length of the document and the Council's response was that this version would be more succinct in line with best practice advice. However, the Core Strategy is still a very lengthy document which needs to be streamlined.
- 8.2 There appears to be an over-reliance on previously developed land in urban areas subject to flood risk. More Greenfield land in areas of low flood risk to create sustainable urban extensions to Selby town will need to be released to achieve the proposed annual housing target.
- 8.3 The Council is proposing to use RSS annual housing targets when more up to date evidence suggests that higher annual housing targets are required. Recent evidence suggests that the annual housing target should be much higher than the proposed RSS figure of 440 dwellings per annum. We note that the Council has failed to use the most up date evidence base for informing the Core Strategy. Our client considers the Core Strategy to be unsound and recommends that further work is carried out in order to establish a credible annual housing target. Barratt and David Wilson Homes request that the annual housing target is increased to reflect recent evidence.
- 8.4 Whilst the Council has chosen to use the most up to date evidence (which supersedes RSS evidence) for employment land provision, the Council have chose to ignore more recent evidence on annual housing numbers by retaining the RSS target. Thus, there is inconsistency in selecting the most appropriate evidence base.
- 8.5 Our client is of the opinion that the Council has failed to undertake a robust assessment of all potential strategic sites in the District to be properly apply the sequential test in PPS25 to consider locations for housing development outside/or mostly outside of flood-risk zones.
- 8.6 Barratt and David Wilson Homes object to the selection process of Strategic Sites where sites have been discounted on matters which are not backed up by robust and credible evidence.
- 8.7 The Core Strategy policies fail to support high sustainable "Designated Service Villages" surrounding Selby town. The key aim of the Core Strategy is to ensure that future development is sustainable by supporting development in the most sustainable locations in the District. The Core Strategy as drafted fails to deliver its own aim.

- 8.8 A number of the policies do not appear to be justified by a robust and credible evidence base.
- 8.9 The Council's 40% affordable housing target has not been demonstrated as being viable in the Council's Economic Viability Assessment. This will have serious implications and therefore our client strongly objects to Policy CP5.
- 8.10 Some of the Core Strategy policies exceed national requirements with regard to carbon reduction.
- 8.11 Our client strongly objects to policy being used to enforce high and unviable design requirements upon housebuilders (for e.g. Lifetime Homes and Building for Life). It is important to note that the DCLG stopped the Homes and Community Agency from adopting higher standards such as those which are being proposed in the Core Strategy because they would have added £8,000 per dwelling to costs. Imposition of these standards by Local Planning Authorities has just the same cost impact.
- 8.12 We would be grateful if you would acknowledge these representations and keep us informed of all future stages of the Selby Local Development Framework.