



ryan king

From: Stuart Vendy [stuart.vendy@cunnanetownplanning.co.uk]
Sent: 19 July 2012 17:12
To: ldf
Cc: helen gregory
Subject: SDC LDF Reps

Thank you for confirming the safe arrival of 16 emails from myself.

By way of a summary, you should now have received a total of 16 representations upon the following Proposed Changes (in the order that they were sent through to you):

PC 6.13
PC 6.17
PC 6.18
PC 6.18 (separate issue)
Various regarding RSS
PC 6.20
PC 6.31
PC 6.35
PC 6.39
PC 6.51
PC 6.51 (separate issue)
PC 6.68
PC 6.65 and 6.74
PC 6.85
PC 6.74
PC 6.32

Please do not hesitate to contact me if you require any thing further or have any queries with regard the above.

Regards

Stuart

Stuart Vendy
CUNNANE TOWN PLANNING LLP

Tel: +44 (0)161 282 9290
Fax: +44 (0)20 8977 8344

<http://www.cunnanetownplanning.co.uk/>

This email is private and confidential. If you are not the intended recipient you have received this in error and please be advised that any use, forwarding, printing, or copying of this email is strictly prohibited. Any views or opinions presented are solely those of the author and do not necessarily represent those of Cunnane Town Planning LLP. Cunnane Town Planning LLP try to maintain the highest possible protection against the transmission of viruses via email, however, any attachments should be scanned for possible viruses before opening. We do not accept any liability for damage to, or loss of information, or the accidental transmission of computer viruses. If you have received this email in error please call +44 (0)20 8943 4032 or email reception@cunnanetownplanning.co.uk

23/07/2012

**Selby District Submission Draft Core Strategy
Consultation on Further Proposed Changes (6th Set)
June 2012
Representation Form**

An Examination in Public (EIP) into the soundness of the Submission Draft Core Strategy (SDCS) was held between 20 and 30 September 2011 and between 18 and 19 April 2012 in front of an Independent Inspector.

The Independent Inspector has adjourned the EIP until 5 September 2012 in order to consider the implications of the National Planning Policy Framework (NPPF) on the Submission Draft Core Strategy and for the Council to consult on any further Proposed Changes to the Submission Draft Core Strategy.

Selby District Council is now publishing and inviting comments on a 6th Set of Proposed Changes to the Submission Draft Core Strategy (and associated documents) in order that all parties can make their views known.

The September and April EIP's have already heard the duly made representations on the Submission Draft Core Strategy which were submitted during the formal Publication stage and subsequent consultation on the first 5 Sets of Proposed Changes. The adjournment should not be used as an opportunity to revisit matters which have been fully considered during the September 2011 and April 2012 hearing sessions.

Representations are therefore invited as part of this consultation on the 6th Set of Proposed Changes to the Submission Draft Core Strategy and associated documents.

Please complete separate copies of Part B of this form for each of your separate representations. It would be helpful if you could focus on the "tests of soundness" and indicate if you are objecting on a legal compliance issue.

**Completed representation forms must be returned to the
Council no later than 5pm on Thursday 19 July 2012**

Email to: ldf@selby.gov.uk

Fax to: 01757 292229

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

Part A

The Tests of Soundness

The Independent Inspector's role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The tests to consider whether the plan is 'sound' are explained under paragraph 182 of the National Planning Policy Framework (NPPF) (March 2012) and states a sound Core Strategy should be:

Positively prepared

- the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified

- the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective

- the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy

- the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

	Personal Details	Agents Details (if applicable)
Name		Stuart Vendy
Organisation	Samuel Smith Old Brewery (Tadcaster)	Cunnane Town Planning LLP
Address	c/o Agent	PO Box 305 Manchester M21 3BQ
Telephone No.		0161 282 9290
Email address		stuart.vendy@cunnanetownplanning.co.uk

It will be helpful if you can provide an email address so we can contact you electronically.

You only need to complete this page once. If you wish to make more than one representation, attach additional copies of Part B (pages 3-4) to this part of the representation form.

Part B (please use a separate sheet (pages 3-4) for each representation)

Please identify the Proposed Change (which can be found on the Published Schedule, CD2f) to which this representation refers or paragraph number of the NPPF Compliance Statement:

PC 6.13 + 6.80

Question 1: Do you consider the Proposed Change is:

1.1 Legally compliant Yes No

1.2 Sound Yes No

If you have entered No to 1.2, please continue to Q2. In all other circumstances, please go to Q3.

Question 2: If you consider the Proposed Change is unsound, please identify which test of soundness your representation relates to:

- 2.1 Positively Prepared (Please identify just one test for this representation)
- 2.2 Justified
- 2.3 Effective
- 2.4 Consistent with national policy

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Please see attached

Question 3 continued

(Continue on a separate sheet if submitting a hard copy)

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

4.1 Written Representations

4.2 Attend Examination

4.3 If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary
(Your request will be considered by the Inspector, however, attendance at the Examination in Public is by invitation only).

Please see attached

(Continue on a separate sheet if submitting a hard copy)

Representation Submission Acknowledgement

I acknowledge that I am making a formal representation. I understand that my name (and organisation where applicable) and representation will be made publically available (including on the Council's website) in order to ensure that it is a fair and transparent process.

I agree with this statement and wish to submit the above representation for consideration.

Signed

Dated

19th July 2012

PC: 6.13 & PC 6.80

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

The amendment change provides that there will be a preference to land of 'lesser environmental' value. This term is not used with NPPF, is confusing and does not make sense when the sentence is read as a whole. The current wording provides no guidance as to what benchmark is being used in the assessment or definition of 'lesser environmental value'.

NPPF refers at paragraph 111 to a preference for previously developed land, provided that it is not of 'high environmental value', and the change should be modified to reflect this wording and ensure that the test of environmental value is expressed in absolute terms rather than relative.

**Selby District Submission Draft Core Strategy
Consultation on Further Proposed Changes (6th Set)
June 2012
Representation Form**

An Examination in Public (EIP) into the soundness of the Submission Draft Core Strategy (SDCS) was held between 20 and 30 September 2011 and between 18 and 19 April 2012 in front of an Independent Inspector.

The Independent Inspector has adjourned the EIP until 5 September 2012 in order to consider the implications of the National Planning Policy Framework (NPPF) on the Submission Draft Core Strategy and for the Council to consult on any further Proposed Changes to the Submission Draft Core Strategy.

Selby District Council is now publishing and inviting comments on a 6th Set of Proposed Changes to the Submission Draft Core Strategy (and associated documents) in order that all parties can make their views known.

The September and April EIP's have already heard the duly made representations on the Submission Draft Core Strategy which were submitted during the formal Publication stage and subsequent consultation on the first 5 Sets of Proposed Changes. The adjournment should not be used as an opportunity to revisit matters which have been fully considered during the September 2011 and April 2012 hearing sessions.

Representations are therefore invited as part of this consultation on the 6th Set of Proposed Changes to the Submission Draft Core Strategy and associated documents.

Please complete separate copies of Part B of this form for each of your separate representations. It would be helpful if you could focus on the "tests of soundness" and indicate if you are objecting on a legal compliance issue.

**Completed representation forms must be returned to the
Council no later than 5pm on Thursday 19 July 2012**

Email to: ldf@selby.gov.uk

Fax to: 01757 292229

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

Part A

The Tests of Soundness

The Independent Inspector's role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The tests to consider whether the plan is 'sound' are explained under paragraph 182 of the National Planning Policy Framework (NPPF) (March 2012) and states a sound Core Strategy should be:

Positively prepared

- the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified

- the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective

- the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy

- the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

	Personal Details	Agents Details (if applicable)
Name		Stuart Vendy
Organisation	Samuel Smith Old Brewery (Tadcaster)	Cunnane Town Planning LLP
Address	c/o Agent	PO Box 305 Manchester M21 3BQ
Telephone No.		0161 282 9290
Email address		stuart.vendy@cunnanetownplanning.co.uk

It will be helpful if you can provide an email address so we can contact you electronically.

You only need to complete this page once. If you wish to make more than one representation, attach additional copies of Part B (pages 3-4) to this part of the representation form.

Part B (please use a separate sheet (pages 3-4) for each representation)

Please identify the Proposed Change (which can be found on the Published Schedule, CD2f) to which this representation refers or paragraph number of the NPPF Compliance Statement:

6.17

Question 1: Do you consider the Proposed Change is:

- 1.1 Legally compliant Yes No
- 1.2 Sound Yes No

If you have entered No to 1.2, please continue to Q2. In all other circumstances, please go to Q3.

Question 2: If you consider the Proposed Change is unsound, please identify which test of soundness your representation relates to:

- 2.1 Positively Prepared (Please identify just one test for this representation)
- 2.2 Justified
- 2.3 Effective
- 2.4 Consistent with national policy

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Please see attached

Question 3 continued

(Continue on a separate sheet if submitting a hard copy)

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

4.1 Written Representations

4.2 Attend Examination

- 4.3** If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary
(Your request will be considered by the Inspector, however, attendance at the Examination in Public is by invitation only).

Please see attached

(Continue on a separate sheet if submitting a hard copy)

Representation Submission Acknowledgement

I acknowledge that I am making a formal representation. I understand that my name (and organisation where applicable) and representation will be made publically available (including on the Council's website) in order to ensure that it is a fair and transparent process.

I agree with this statement and wish to submit the above representation for consideration.

Signed

Dated

19th July 2012

PC: 6.17

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

The proposed change as currently worded refers to 'the best agricultural land'. This reference has no basis within NPPF or other relevant policy documents and frameworks.

NPPF at paragraph 122 refers to the 'best and most versatile agricultural land'. This reference mirrors that used by DEFRA in the methodology for assessing the quality of the agricultural land.

The wording of the change should be altered to include 'and most versatile' between the words 'best' and 'agricultural'.



Selby District Submission Draft Core Strategy Consultation on Further Proposed Changes (6th Set) June 2012 Representation Form

An Examination in Public (EIP) into the soundness of the Submission Draft Core Strategy (SDCS) was held between 20 and 30 September 2011 and between 18 and 19 April 2012 in front of an Independent Inspector.

The Independent Inspector has adjourned the EIP until 5 September 2012 in order to consider the implications of the National Planning Policy Framework (NPPF) on the Submission Draft Core Strategy and for the Council to consult on any further Proposed Changes to the Submission Draft Core Strategy.

Selby District Council is now publishing and inviting comments on a 6th Set of Proposed Changes to the Submission Draft Core Strategy (and associated documents) in order that all parties can make their views known.

The September and April EIP's have already heard the duly made representations on the Submission Draft Core Strategy which were submitted during the formal Publication stage and subsequent consultation on the first 5 Sets of Proposed Changes. The adjournment should not be used as an opportunity to revisit matters which have been fully considered during the September 2011 and April 2012 hearing sessions.

Representations are therefore invited as part of this consultation on the 6th Set of Proposed Changes to the Submission Draft Core Strategy and associated documents.

Please complete separate copies of Part B of this form for each of your separate representations. It would be helpful if you could focus on the "tests of soundness" and indicate if you are objecting on a legal compliance issue.

Completed representation forms must be returned to the Council no later than 5pm on Thursday 19 July 2012

Email to: ldf@selby.gov.uk

Fax to: 01757 292229

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

Part A

The Tests of Soundness

The Independent Inspector's role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The tests to consider whether the plan is 'sound' are explained under paragraph 182 of the National Planning Policy Framework (NPPF) (March 2012) and states a sound Core Strategy should be:

Positively prepared

- the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified

- the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective

- the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy

- the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

	Personal Details	Agents Details (if applicable)
Name	<input type="text"/>	<input type="text" value="Stuart Vendy"/>
Organisation	<input type="text" value="Samuel Smith Old Brewery (Tadcaster)"/>	<input type="text" value="Cunnane Town Planning LLP"/>
Address	<input type="text" value="c/o Agent"/>	<input type="text" value="PO Box 305
Manchester
M21 3BQ"/>
Telephone No.	<input type="text"/>	<input type="text" value="0161 282 9290"/>
Email address	<input type="text"/>	<input type="text" value="stuart.vendy@cunnanetownplanning.co.uk"/>

It will be helpful if you can provide an email address so we can contact you electronically.

You only need to complete this page once. If you wish to make more than one representation, attach additional copies of Part B (pages 3-4) to this part of the representation form.

Part B (please use a separate sheet (pages 3-4) for each representation)

Please identify the Proposed Change (which can be found on the Published Schedule, CD2f) to which this representation refers or paragraph number of the NPPF Compliance Statement:

PC 6.18

Question 1: Do you consider the Proposed Change is:

- 1.1 Legally compliant Yes No
- 1.2 Sound Yes No

If you have entered No to 1.2, please continue to Q2. In all other circumstances, please go to Q3.

Question 2: If you consider the Proposed Change is unsound, please identify which test of soundness your representation relates to:

- 2.1 Positively Prepared (Please identify just one test for this representation)
- 2.2 Justified
- 2.3 Effective
- 2.4 Consistent with national policy

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Please see attached

Question 3 continued

(Continue on a separate sheet if submitting a hard copy)

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

4.1 Written Representations

4.2 Attend Examination

4.3 If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary

(Your request will be considered by the Inspector, however, attendance at the Examination in Public is by invitation only).

Please see attached

(Continue on a separate sheet if submitting a hard copy)

Representation Submission Acknowledgement

I acknowledge that I am making a formal representation. I understand that my name (and organisation where applicable) and representation will be made publically available (including on the Council's website) in order to ensure that it is a fair and transparent process.

I agree with this statement and wish to submit the above representation for consideration.

Signed

Dated

19th July 2012



PC: 6.18

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

The amendments to the text appear to repeat the content of the NPPF in relation the presumption in favour of sustainable development. The text does not add to the presumption provided within NPPF, and fails to apply the presumption to the local context to which the Core Strategy relates.

The text and policy should therefore be amended to apply this presumption to the local context, or be deleted.

**Selby District Submission Draft Core Strategy
Consultation on Further Proposed Changes (6th Set)
June 2012
Representation Form**

An Examination in Public (EIP) into the soundness of the Submission Draft Core Strategy (SDCS) was held between 20 and 30 September 2011 and between 18 and 19 April 2012 in front of an Independent Inspector.

The Independent Inspector has adjourned the EIP until 5 September 2012 in order to consider the implications of the National Planning Policy Framework (NPPF) on the Submission Draft Core Strategy and for the Council to consult on any further Proposed Changes to the Submission Draft Core Strategy.

Selby District Council is now publishing and inviting comments on a 6th Set of Proposed Changes to the Submission Draft Core Strategy (and associated documents) in order that all parties can make their views known.

The September and April EIP's have already heard the duly made representations on the Submission Draft Core Strategy which were submitted during the formal Publication stage and subsequent consultation on the first 5 Sets of Proposed Changes. The adjournment should not be used as an opportunity to revisit matters which have been fully considered during the September 2011 and April 2012 hearing sessions.

Representations are therefore invited as part of this consultation on the 6th Set of Proposed Changes to the Submission Draft Core Strategy and associated documents.

Please complete separate copies of Part B of this form for each of your separate representations. It would be helpful if you could focus on the "tests of soundness" and indicate if you are objecting on a legal compliance issue.

**Completed representation forms must be returned to the
Council no later than 5pm on Thursday 19 July 2012**

Email to: ldf@selby.gov.uk

Fax to: 01757 292229

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

Part A

The Tests of Soundness

The Independent Inspector's role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The tests to consider whether the plan is 'sound' are explained under paragraph 182 of the National Planning Policy Framework (NPPF) (March 2012) and states a sound Core Strategy should be:

Positively prepared

- the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified

- the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective

- the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy

- the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

	Personal Details	Agents Details (if applicable)
Name		Stuart Vendy
Organisation	Samuel Smith Old Brewery (Tadcaster)	Cunnane Town Planning LLP
Address	c/o Agent	PO Box 305 Manchester M21 3BQ
Telephone No.		0161 282 9290
Email address		stuart.vendy@cunnanetownplanning.co.uk

It will be helpful if you can provide an email address so we can contact you electronically.

You only need to complete this page once. If you wish to make more than one representation, attach additional copies of Part B (pages 3-4) to this part of the representation form.

53

Part B (please use a separate sheet (pages 3-4) for each representation)

Please identify the Proposed Change (which can be found on the Published Schedule, CD2f) to which this representation refers or paragraph number of the NPPF Compliance Statement:

6.18

Question 1: Do you consider the Proposed Change is:

- 1.1 Legally compliant Yes No
- 1.2 Sound Yes No

If you have entered No to 1.2, please continue to Q2. In all other circumstances, please go to Q3.

Question 2: If you consider the Proposed Change is unsound, please identify which test of soundness your representation relates to:

- 2.1 Positively Prepared (Please identify just one test for this representation)
- 2.2 Justified
- 2.3 Effective
- 2.4 Consistent with national policy

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Please see attached

Question 3 continued

(Continue on a separate sheet if submitting a hard copy)

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

4.1 Written Representations

4.2 Attend Examination

4.3 If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary
(Your request will be considered by the Inspector, however, attendance at the Examination in Public is by invitation only).

Please see attached

(Continue on a separate sheet if submitting a hard copy)

Representation Submission Acknowledgement

I acknowledge that I am making a formal representation. I understand that my name (and organisation where applicable) and representation will be made publically available (including on the Council's website) in order to ensure that it is a fair and transparent process.

I agree with this statement and wish to submit the above representation for consideration.

Signed

Dated

19th July 2012

PC: 6.18

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Paragraph 3.7 provides for sustainable development to be achieved by balancing the needs of the District against adverse impacts. This appears to provide for a 'relative' test of sustainability, arrived at by balancing the perceived benefits and harm resulting from a development in order to conclude whether a proposal is 'sustainable' or otherwise.

The definition of sustainability within NPPF does not provide for such a balancing judgement. Sustainable development is a concept that is not influenced by the specific development pressures or the presence/absence of adverse impacts resulting from the proposal.

In order to be consistent with NPPF the Core Strategy should be amended to ensure that the definition of sustainability is not dependent upon a value judgement reflecting the development pressures and/or an assessment of adverse impact.

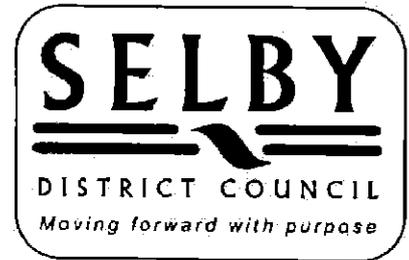
Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

Written Representation?	
Oral?	YES

If 'Oral' Please specify why

The need to amend the text of the Core Strategy, highlights a tension within the Core Strategy between the requirement to be consistent with NPPF and the need for the remainder of the Core Strategy (and Local Plan) to be sustainable.

This tension needs to be fully explored and considered at an oral session of the Core Strategy examination.



Selby District Submission Draft Core Strategy Consultation on Further Proposed Changes (6th Set) June 2012 Representation Form

An Examination in Public (EIP) into the soundness of the Submission Draft Core Strategy (SDCS) was held between 20 and 30 September 2011 and between 18 and 19 April 2012 in front of an Independent Inspector.

The Independent Inspector has adjourned the EIP until 5 September 2012 in order to consider the implications of the National Planning Policy Framework (NPPF) on the Submission Draft Core Strategy and for the Council to consult on any further Proposed Changes to the Submission Draft Core Strategy.

Selby District Council is now publishing and inviting comments on a 6th Set of Proposed Changes to the Submission Draft Core Strategy (and associated documents) in order that all parties can make their views known.

The September and April EIP's have already heard the duly made representations on the Submission Draft Core Strategy which were submitted during the formal Publication stage and subsequent consultation on the first 5 Sets of Proposed Changes. The adjournment should not be used as an opportunity to revisit matters which have been fully considered during the September 2011 and April 2012 hearing sessions.

Representations are therefore invited as part of this consultation on the 6th Set of Proposed Changes to the Submission Draft Core Strategy and associated documents.

Please complete separate copies of Part B of this form for each of your separate representations. It would be helpful if you could focus on the "tests of soundness" and indicate if you are objecting on a legal compliance issue.

**Completed representation forms must be returned to the
Council no later than 5pm on Thursday 19 July 2012**

Email to: ldf@selby.gov.uk

Fax to: 01757 292229

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

Part A

The Tests of Soundness

The Independent Inspector's role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The tests to consider whether the plan is 'sound' are explained under paragraph 182 of the National Planning Policy Framework (NPPF) (March 2012) and states a sound Core Strategy should be:

Positively prepared

- the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified

- the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective

- the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy

- the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

	Personal Details	Agents Details (if applicable)
Name	<input type="text"/>	<input type="text" value="Stuart Vendy"/>
Organisation	<input type="text" value="Samuel Smith Old Brewery (Tadcaster)"/>	<input type="text" value="Cunnane Town Planning LLP"/>
Address	<input type="text" value="c/o Agent"/>	<input type="text" value="PO Box 305
Manchester
M21 3BQ"/>
Telephone No.	<input type="text"/>	<input type="text" value="0161 282 9290"/>
Email address	<input type="text"/>	<input type="text" value="stuart.vendy@cunnanetownplanning.co.uk"/>

It will be helpful if you can provide an email address so we can contact you electronically.

You only need to complete this page once. If you wish to make more than one representation, attach additional copies of Part B (pages 3-4) to this part of the representation form.

Part B (please use a separate sheet (pages 3-4) for each representation)

Please identify the Proposed Change (which can be found on the Published Schedule, CD2f) to which this representation refers or paragraph number of the NPPF Compliance Statement:

Various

Question 1: Do you consider the Proposed Change is:

- 1.1 Legally compliant Yes No
- 1.2 Sound Yes No

If you have entered No to 1.2, please continue to Q2. In all other circumstances, please go to Q3.

Question 2: If you consider the Proposed Change is unsound, please identify which test of soundness your representation relates to:

- 2.1 Positively Prepared (Please identify just one test for this representation)
- 2.2 Justified
- 2.3 Effective
- 2.4 Consistent with national policy

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Please see attached

Question 3 continued

(Continue on a separate sheet if submitting a hard copy)

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

4.1 Written Representations

4.2 Attend Examination

4.3 If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary

(Your request will be considered by the Inspector, however, attendance at the Examination in Public is by invitation only).

Please see attached

(Continue on a separate sheet if submitting a hard copy)

Representation Submission Acknowledgement

I acknowledge that I am making a formal representation. I understand that my name (and organisation where applicable) and representation will be made publically available (including on the Council's website) in order to ensure that it is a fair and transparent process.

I agree with this statement and wish to submit the above representation for consideration.

Signed

Dated

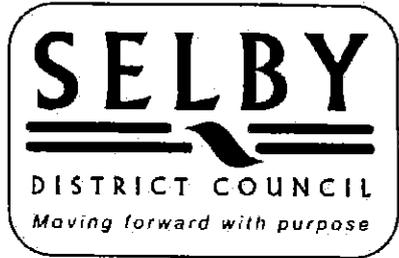
19th July 2012

PC: Various

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

There are references through out the emerging document to 'Regional Spatial Strategy' and 'RSS'. This term was replaced with 'Regional Strategy' in the Local Democracy, Economic Development and Construction Act (2009).

The Core Strategy should be amended accordingly.



**Selby District Submission Draft Core Strategy
Consultation on Further Proposed Changes (6th Set)
June 2012
Representation Form**

An Examination in Public (EIP) into the soundness of the Submission Draft Core Strategy (SDCS) was held between 20 and 30 September 2011 and between 18 and 19 April 2012 in front of an Independent Inspector.

The Independent Inspector has adjourned the EIP until 5 September 2012 in order to consider the implications of the National Planning Policy Framework (NPPF) on the Submission Draft Core Strategy and for the Council to consult on any further Proposed Changes to the Submission Draft Core Strategy.

Selby District Council is now publishing and inviting comments on a 6th Set of Proposed Changes to the Submission Draft Core Strategy (and associated documents) in order that all parties can make their views known.

The September and April EIP's have already heard the duly made representations on the Submission Draft Core Strategy which were submitted during the formal Publication stage and subsequent consultation on the first 5 Sets of Proposed Changes. The adjournment should not be used as an opportunity to revisit matters which have been fully considered during the September 2011 and April 2012 hearing sessions.

Representations are therefore invited as part of this consultation on the 6th Set of Proposed Changes to the Submission Draft Core Strategy and associated documents.

Please complete separate copies of Part B of this form for each of your separate representations. It would be helpful if you could focus on the "tests of soundness" and indicate if you are objecting on a legal compliance issue.

Completed representation forms must be returned to the Council no later than 5pm on Thursday 19 July 2012

Email to: ldf@selby.gov.uk
Fax to: 01757 292229
**Post to: Policy & Strategy Team, Selby District Council, Civic Centre,
Doncaster Road, Selby YO8 9FT**

Part A

The Tests of Soundness

The Independent Inspector's role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The tests to consider whether the plan is 'sound' are explained under paragraph 182 of the National Planning Policy Framework (NPPF) (March 2012) and states a sound Core Strategy should be:

Positively prepared

- the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified

- the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective

- the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy

- the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

	Personal Details	Agents Details (if applicable)
Name	<input type="text"/>	<input type="text" value="Stuart Vendy"/>
Organisation	<input type="text" value="Samuel Smith Old Brewery (Tadcaster)"/>	<input type="text" value="Cunnane Town Planning LLP"/>
Address	<input type="text" value="c/o Agent"/>	<input type="text" value="PO Box 305
Manchester
M21 3BQ"/>
Telephone No.	<input type="text"/>	<input type="text" value="0161 282 9290"/>
Email address	<input type="text"/>	<input type="text" value="stuart.vendy@cunnanetownplanning.co.uk"/>

It will be helpful if you can provide an email address so we can contact you electronically.

You only need to complete this page once. If you wish to make more than one representation, attach additional copies of Part B (pages 3-4) to this part of the representation form.

53

Part B (please use a separate sheet (pages 3-4) for each representation)

Please identify the Proposed Change (which can be found on the Published Schedule, CD2f) to which this representation refers or paragraph number of the NPPF Compliance Statement:

6.20

Question 1: Do you consider the Proposed Change is:

1.1 Legally compliant Yes No

1.2 Sound Yes No

If you have entered No to 1.2, please continue to Q2. In all other circumstances, please go to Q3.

Question 2: If you consider the Proposed Change is unsound, please identify which test of soundness your representation relates to:

- 2.1 Positively Prepared (Please identify just one test for this representation)
- 2.2 Justified
- 2.3 Effective
- 2.4 Consistent with national policy

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Please see attached

Continue overleaf

Question 3 continued

(Continue on a separate sheet if submitting a hard copy)

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

4.1 Written Representations

4.2 Attend Examination

4.3 If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary
(Your request will be considered by the Inspector, however, attendance at the Examination in Public is by invitation only).

Please see attached

(Continue on a separate sheet if submitting a hard copy)

Representation Submission Acknowledgement

I acknowledge that I am making a formal representation. I understand that my name (and organisation where applicable) and representation will be made publically available (including on the Council's website) in order to ensure that it is a fair and transparent process.

I agree with this statement and wish to submit the above representation for consideration.

Signed

Dated

19th July 2012

PC: 6.20

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

There are a variety of issues associated with the proposed text under PC6.20. The majority of these changes relate to inappropriate or inaccurate wording, as well as consistency with representations submitted earlier in the Core Strategy drafting process.

In the interests of clarity and brevity I attach a modified version of the text presented in the latest set of changes in order to reflect the full nature and scope of the changes sought. The amendments to the text have been tracked in red and the reasoning and explanation for individual changes have been highlighted in yellow.

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

Written Representation?	
Oral?	YES

If 'Oral' Please specify why

The complex nature of the representations and relationship with other issues raised during the course of the Core Strategy means that an oral examination of this issue is required.

[Attachment]

Policy CPXX: Green Belt

- 4.39a The District is covered by parts of both the West Yorkshire and York Green Belts. One of the functions of the Green Belt is to prevent the coalescence of settlements, for example by preserving the open countryside gap between Sherburn in Elmet and South Milford. The NPPF stresses the importance of protecting the open character of Green Belt, and 'inappropriate' forms of development will be resisted unless very special circumstances can be demonstrated.
- 4.39b The area covered by Green Belt is defined on the Proposals Map. For the avoidance of doubt, the boundary line shown on the Proposals map is included in the Green Belt designation. Where there are different versions of maps that contradict one another, the most up to date map from the Council's GIS system has authority.

[4.39c to 4.39f deleted]

Green Belt Review

- 4.39g ~~RSS Policy YH9: Green Belts of the Yorkshire and Humber states that "localised reviews of the Green Belt boundaries may be necessary in some places to deliver the Core Approach and Sub Area policies"~~ **[Reference to RSS should be removed and replaced with paragraph 84 of NPPF]**. The Council considers that only in exceptional circumstances where there is both an overriding need to accommodate what would otherwise be inappropriate development, which cannot be met elsewhere ~~or~~ **and [The addition of the 'or' in this part of the policy enables any development within the Green Belt to be justified on the basis that it is the most sustainable option, without the need to meet the tests in the first part of the paragraph.** where Green Belt land offers the most sustainable option, would land be considered for taking out of the Green Belt. A Green Belt review may also consider identifying areas of safeguarded land to facilitate future growth beyond the plan period.
- 4.39h ~~The text accompanying Core Strategy Policy CP3 notes the land supply issue at Tadcaster and other locations which has limited the potential delivery of housing in otherwise very sustainable locations.~~ **[It is disputed that there is a land supply issue in Tadcaster to meet its needs and, in any event, it is not correct that Tadcaster is one of the most sustainable locations]** The Council is seeking to protect the settlement hierarchy and considers that the most sustainable option is to ensure that the Principal Town and Local Service Centres and other ~~sustainable~~ **[There is no 'sustainable' DVS's category within the Core Strategy]** DSVs in the settlement hierarchy meet their own needs in accordance with NPPF Para 85 "ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development". ~~This is especially true in Tadcaster where it is vitally important~~

~~in order to deliver the Core Strategy Vision, Aims and Objectives to meet local needs and support the health and regeneration of the town [There is no evidence to support the suggestion that this is especially true in Tadcaster]~~

4.39i ~~The overriding objective to accommodate development where it is needed to support the local economy (alongside other town centre regeneration schemes) cannot take place elsewhere in the District and still have the same effect on securing Tadcaster's and other settlements' longer term health. [Delete for the same reasons as given above. The Alternative Regeneration Strategy for Tadcaster has been set out in previous representations submitted on behalf of my client].~~ Core Strategy Policies CP2 and CP3 seek to bring land forward in the most sustainable locations within Development Limits in Tadcaster, Sherburn and the other sustainable ~~[Delete for the same reasons as given above]~~ DSVs. The current, 2011 SHLAA generally demonstrates sufficient sites to achieve this, however the Core Strategy must be pragmatic, flexible and future-proofed. Therefore, if sites are not forthcoming delivered either from windfalls or from sites identified within the LDF ~~[new text in the interests of clarity, and introducing windfalls as a legitimate source of supply]~~ and other options for facilitating delivery fail and there remains an outstanding need which has to be met, the Council must consider an alternative sustainable option.

4.39j The Council therefore considers that ~~this offers the above could constitute [in the interests of clarity]~~ the exceptional circumstances that justify a need to strategically assess the District's growth options across the Green Belt.

4.39k Such a review would seek to ensure that only land that meets the purposes and objectives of Green Belt is designated as Green Belt – it would not be an exercise to introduce unnecessary additional controls over land by expanding the Green Belt for its own sake. Similarly, the review would not seek to remove land from the Green Belt where it is perceived simply to be a nuisance to obtaining planning permission. The review may also address anomalies such as (but not exclusively) cartographic errors and updates in response to planning approvals, ~~reconsider whether to 'inset' [to reflect advice in the NPPF]~~ "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 recognisable and likely to be permanent.

4.39l The review would be carried out in accordance with up to date national policy and involve all stakeholders, and take into consideration the need for growth alongside the need to protect the openness of the District. It would examine Green Belt areas for their suitability in terms of the purpose of Green Belt in accordance with NPPF;

[4.39m deleted]

4.39n The review may also consider

- the relationship between urban and rural fringe; and
- the degree of physical and visual separation of settlements

4.39o This could supply a schedule of areas for further investigation where sites may be considered for suitability for development and subject to a sustainability assessment. This may consider other policy/strategy designations such as existing Local Plan 2005, sustainability criteria such as accessibility to services, facilities and public transport, and also flood risk. The Green Belt review and Sustainability Appraisal would then undergo public consultation. The Sites Allocation DPD may then identify land for development during the plan period. It may also safeguard land to facilitate development beyond the plan period and avoid a further Green Belt review in the future.

4.39p Additional detail and a comprehensive review programme may be developed by a Review Panel made up of interested parties (similar to the existing SHLAA Panel).

Policy CPXX Green Belt

- A. Those areas covered by Green Belt are defined on the Proposals Map.**
- B. In accordance with higher order policies, within the defined Green Belt, planning permission will not be granted for inappropriate development unless the applicant has demonstrated that very special circumstances exist to justify why permission should be granted.**
- C. To ensure the Green Belt boundaries endure in the long term, a review of the Green Belt will be undertaken through the Sites Allocation DPD. The purposes of the review will be to:**
- 1. address anomalies**
 - 2. review 'washed over' and 'inset' villages**
 - 3. define boundaries clearly using physical features that are readily recognisable and likely to be permanent**
 - 4. consider whether the sufficiency of land available against development requirements throughout the Plan period for allocations, and the need for growth beyond the Plan period by identifying Safeguarded Land.**
- D. Under Criterion C4 (above), the SADPD may in exceptional circumstances remove land from the Green Belt and allocate it to deliver the Policies, Vision, Aims and Objectives of the Core Strategy by accommodating identified development needs in the established settlement hierarchy, where such need cannot be met on non-Green Belt land, ~~or~~ and [the tests in both parts of the**

policy should be met before a review of Green Belt can take place] where removal of land from the Green Belt offers a significantly more sustainable option overall than reassessing those needs or providing for those needs elsewhere in the District. Safeguarded land may also be identified to secure options for delivery in future plans.

- E. Any sites considered for removal from the Green Belt under Criterion D4 (above) will be subject to public consultation and a sustainability appraisal, and assessed for their impact upon the following issues (non-exhaustive):**
- any other relevant policy/strategy; and**
 - flood risk; and**
 - nature conservation; and**
 - impact upon heritage assets; and**
 - impact upon landscape character; and**
 - appropriate access to services and facilities; and**
 - appropriate access to public transport.**

**Selby District Submission Draft Core Strategy
Consultation on Further Proposed Changes (6th Set)
June 2012
Representation Form**

An Examination in Public (EIP) into the soundness of the Submission Draft Core Strategy (SDCS) was held between 20 and 30 September 2011 and between 18 and 19 April 2012 in front of an Independent Inspector.

The Independent Inspector has adjourned the EIP until 5 September 2012 in order to consider the implications of the National Planning Policy Framework (NPPF) on the Submission Draft Core Strategy and for the Council to consult on any further Proposed Changes to the Submission Draft Core Strategy.

Selby District Council is now publishing and inviting comments on a 6th Set of Proposed Changes to the Submission Draft Core Strategy (and associated documents) in order that all parties can make their views known.

The September and April EIP's have already heard the duly made representations on the Submission Draft Core Strategy which were submitted during the formal Publication stage and subsequent consultation on the first 5 Sets of Proposed Changes. The adjournment should not be used as an opportunity to revisit matters which have been fully considered during the September 2011 and April 2012 hearing sessions.

Representations are therefore invited as part of this consultation on the 6th Set of Proposed Changes to the Submission Draft Core Strategy and associated documents.

Please complete separate copies of Part B of this form for each of your separate representations. It would be helpful if you could focus on the "tests of soundness" and indicate if you are objecting on a legal compliance issue.

Completed representation forms must be returned to the Council no later than 5pm on Thursday 19 July 2012

Email to: ldf@selby.gov.uk

Fax to: 01757 292229

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

Part A

The Tests of Soundness

The Independent Inspector's role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The tests to consider whether the plan is 'sound' are explained under paragraph 182 of the National Planning Policy Framework (NPPF) (March 2012) and states a sound Core Strategy should be:

Positively prepared

- the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified

- the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective

- the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy

- the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

	Personal Details	Agents Details (if applicable)
Name		Stuart Vendy
Organisation	Samuel Smith Old Brewery (Tadcaster)	Cunnane Town Planning LLP
Address	c/o Agent	PO Box 305 Manchester M21 3BQ
Telephone No.		0161 282 9290
Email address		stuart.vendy@cunnanetownplanning.co.uk

It will be helpful if you can provide an email address so we can contact you electronically.

You only need to complete this page once. If you wish to make more than one representation, attach additional copies of Part B (pages 3-4) to this part of the representation form.

Part B (please use a separate sheet (pages 3-4) for each representation)

Please identify the Proposed Change (which can be found on the Published Schedule, CD2f) to which this representation refers or paragraph number of the NPPF Compliance Statement:

6.31

Question 1: Do you consider the Proposed Change is:

1.1 Legally compliant Yes No

1.2 Sound Yes No

If you have entered No to 1.2, please continue to Q2. In all other circumstances, please go to Q3.

Question 2: If you consider the Proposed Change is unsound, please identify which test of soundness your representation relates to:

- 2.1 Positively Prepared (Please identify just one test for this representation)
- 2.2 Justified
- 2.3 Effective
- 2.4 Consistent with national policy

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Please see attached

Question 3 continued

(Continue on a separate sheet if submitting a hard copy)

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

4.1 Written Representations

4.2 Attend Examination

- 4.3** If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary
(Your request will be considered by the Inspector, however, attendance at the Examination in Public is by invitation only).

Please see attached

(Continue on a separate sheet if submitting a hard copy)

Representation Submission Acknowledgement

I acknowledge that I am making a formal representation. I understand that my name (and organisation where applicable) and representation will be made publically available (including on the Council's website) in order to ensure that it is a fair and transparent process.

I agree with this statement and wish to submit the above representation for consideration.

Signed

Dated

19th July 2012

PC: 6.31

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

The deletion of Part C to policy CP1 removes the target for the proportion of housing development upon previously developed land. Whilst the justification for this modification is provided by the Council with reference to paragraph 111 of the NPPF, there is nothing within the NPPF which suggests such a provision should be removed.

The evidence base (summarised in Appendix 1 to the emerging Core Strategy) supports the view that a target of 40% of development upon PDL has been easily attainable in the past. Guiding development toward PDL as part of the efficient use of existing land, promoting regeneration and preventing the unnecessary development of Greenfield sites has been achieved with notable success in the past.

Paragraph 111 of NPPF provides that Councils can consider the case for a locally derived PDL target. There has already been extensive debate about the large volumes of PDL that have been developed within the District and the significant contribution that this has made to the delivery of housing in the past. There has been no detailed consideration by the Council of the desirability or otherwise of including a locally derived PDL target in the Core Strategy, and consequently no justification for the proposed removal of the target from the emerging document. The exclusion of such a target from the Core Strategy leads to an unsound and unsustainable strategy that is unsupported by the evidence base available.

The use of a target of 40% of new housing to be delivered on PDL is justified, appropriate and remains a positive mechanism for focussing development in sustainable locations and the efficient use of land.

Part C of emerging policy CP1 should therefore be retained and not deleted as currently proposed.

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

Written Representation?

Oral?

YES

If 'Oral' Please specify why

In order to fully examine the evidence base and need for a locally derived PDL target, the Councils justification for its removal from the text of the policy and the effect that such removal will have on the sustainability of the Core Strategy.

**Selby District Submission Draft Core Strategy
Consultation on Further Proposed Changes (6th Set)
June 2012
Representation Form**

An Examination in Public (EIP) into the soundness of the Submission Draft Core Strategy (SDCS) was held between 20 and 30 September 2011 and between 18 and 19 April 2012 in front of an Independent Inspector.

The Independent Inspector has adjourned the EIP until 5 September 2012 in order to consider the implications of the National Planning Policy Framework (NPPF) on the Submission Draft Core Strategy and for the Council to consult on any further Proposed Changes to the Submission Draft Core Strategy.

Selby District Council is now publishing and inviting comments on a 6th Set of Proposed Changes to the Submission Draft Core Strategy (and associated documents) in order that all parties can make their views known.

The September and April EIP's have already heard the duly made representations on the Submission Draft Core Strategy which were submitted during the formal Publication stage and subsequent consultation on the first 5 Sets of Proposed Changes. The adjournment should not be used as an opportunity to revisit matters which have been fully considered during the September 2011 and April 2012 hearing sessions.

Representations are therefore invited as part of this consultation on the 6th Set of Proposed Changes to the Submission Draft Core Strategy and associated documents.

Please complete separate copies of Part B of this form for each of your separate representations. It would be helpful if you could focus on the "tests of soundness" and indicate if you are objecting on a legal compliance issue.

**Completed representation forms must be returned to the
Council no later than 5pm on Thursday 19 July 2012**

Email to: ldf@selby.gov.uk

Fax to: 01757 292229

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

Part A

The Tests of Soundness

The Independent Inspector's role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The tests to consider whether the plan is 'sound' are explained under paragraph 182 of the National Planning Policy Framework (NPPF) (March 2012) and states a sound Core Strategy should be:

Positively prepared

- the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified

- the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective

- the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy

- the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

	Personal Details	Agents Details (if applicable)
Name		Stuart Vendy
Organisation	Samuel Smith Old Brewery (Tadcaster)	Cunnane Town Planning LLP
Address	c/o Agent	PO Box 305 Manchester M21 3BQ
Telephone No.		0161 282 9290
Email address		stuart.vendy@cunnanetownplanning.co.uk

It will be helpful if you can provide an email address so we can contact you electronically.

You only need to complete this page once. If you wish to make more than one representation, attach additional copies of Part B (pages 3-4) to this part of the representation form.



Part B (please use a separate sheet (pages 3-4) for each representation)

Please identify the Proposed Change (*which can be found on the Published Schedule, CD2f*) to which this representation refers or paragraph number of the NPPF Compliance Statement:

6.35

Question 1: Do you consider the Proposed Change is:

- 1.1 Legally compliant Yes No
- 1.2 Sound Yes No

If you have entered No to 1.2, please continue to Q2. In all other circumstances, please go to Q3.

Question 2: If you consider the Proposed Change is unsound, please identify which test of soundness your representation relates to:

- 2.1 Positively Prepared (Please identify just one test for this representation)
- 2.2 Justified
- 2.3 Effective
- 2.4 Consistent with national policy

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Please see attached

Empty rectangular box for providing details for Question 3.

Question 3 continued

(Continue on a separate sheet if submitting a hard copy)

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

4.1 Written Representations

4.2 Attend Examination

4.3 If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary
(Your request will be considered by the Inspector, however, attendance at the Examination in Public is by invitation only).

Please see attached

(Continue on a separate sheet if submitting a hard copy)

Representation Submission Acknowledgement

I acknowledge that I am making a formal representation. I understand that my name (and organisation where applicable) and representation will be made publically available (including on the Council's website) in order to ensure that it is a fair and transparent process.

I agree with this statement and wish to submit the above representation for consideration.

Signed

Dated

19th July 2012

PC: PC 6.35

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

PC 6.35 in considering the special justification for adding the northern area housing requirement into Tadcasters, removes reference to an 'absence' and replaces this with a 'low number' of DSV's. The inclusion or otherwise of the northern sub areas housing requirement within that for Tadcaster should not be made on the basis of the number of DSVs' within the sub-area. It should be made on objective and evidenced issues such as the capacity of those settlements to meet the sub areas requirement.

Notwithstanding the use of the term 'low number' is not qualified or supported by evidence. No indication or evidence is provided regarding what would be an 'acceptable' number of DSVs in a sub area.

The general approach and justification for 'adding' the housing requirements of Tadcaster and the northern DSVs is fully discussed in representations to PC 5.14. PC 6.35 has not provided the amendments sought by our previous representations.

**Selby District Submission Draft Core Strategy
Consultation on Further Proposed Changes (6th Set)
June 2012
Representation Form**

An Examination in Public (EIP) into the soundness of the Submission Draft Core Strategy (SDCS) was held between 20 and 30 September 2011 and between 18 and 19 April 2012 in front of an Independent Inspector.

The Independent Inspector has adjourned the EIP until 5 September 2012 in order to consider the implications of the National Planning Policy Framework (NPPF) on the Submission Draft Core Strategy and for the Council to consult on any further Proposed Changes to the Submission Draft Core Strategy.

Selby District Council is now publishing and inviting comments on a 6th Set of Proposed Changes to the Submission Draft Core Strategy (and associated documents) in order that all parties can make their views known.

The September and April EIP's have already heard the duly made representations on the Submission Draft Core Strategy which were submitted during the formal Publication stage and subsequent consultation on the first 5 Sets of Proposed Changes. The adjournment should not be used as an opportunity to revisit matters which have been fully considered during the September 2011 and April 2012 hearing sessions.

Representations are therefore invited as part of this consultation on the 6th Set of Proposed Changes to the Submission Draft Core Strategy and associated documents.

Please complete separate copies of Part B of this form for each of your separate representations. It would be helpful if you could focus on the "tests of soundness" and indicate if you are objecting on a legal compliance issue.

**Completed representation forms must be returned to the
Council no later than 5pm on Thursday 19 July 2012**

Email to: ldf@selby.gov.uk

Fax to: 01757 292229

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

Part A

The Tests of Soundness

The Independent Inspector's role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The tests to consider whether the plan is 'sound' are explained under paragraph 182 of the National Planning Policy Framework (NPPF) (March 2012) and states a sound Core Strategy should be:

Positively prepared

- the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified

- the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective

- the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy

- the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

	Personal Details	Agents Details (if applicable)
Name		Stuart Vendy
Organisation	Samuel Smith Old Brewery (Tadcaster)	Cunnane Town Planning LLP
Address	c/o Agent	PO Box 305 Manchester M21 3BQ
Telephone No.		0161 282 9290
Email address		stuart.vendy@cunnanetownplanning.co.uk

It will be helpful if you can provide an email address so we can contact you electronically.

You only need to complete this page once. If you wish to make more than one representation, attach additional copies of Part B (pages 3-4) to this part of the representation form.

Part B (please use a separate sheet (pages 3-4) for each representation)

Please identify the Proposed Change (which can be found on the Published Schedule, CD2f) to which this representation refers or paragraph number of the NPPF Compliance Statement:

6.39

Question 1: Do you consider the Proposed Change is:

- 1.1 Legally compliant Yes No
- 1.2 Sound Yes No

If you have entered No to 1.2, please continue to Q2. In all other circumstances, please go to Q3.

Question 2: If you consider the Proposed Change is unsound, please identify which test of soundness your representation relates to:

- 2.1 Positively Prepared (Please identify just one test for this representation)
- 2.2 Justified
- 2.3 Effective
- 2.4 Consistent with national policy

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Please see attached

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Taking Account of Windfalls

At paragraph 48 NPPF provides that Councils may make provision for windfalls in certain circumstances. Whilst the text refers to the difficulty of predicting windfall rates, it is clear from any reasonable review of the facts that windfalls have made a significant contribution to historic levels of development within the District.

Whilst the amended text acknowledges that windfalls have been a significant source of housing, the text goes on to cast doubt over the predictability of future windfall levels.

For the period that data is available it is clear that windfall levels have been sustained at well over 50% and have come forward at an average rate of 69% per annum. This is highly significant in the delivery of a robust and sound Core Strategy for the district. The Council should formally assess and consider evidence regarding the contribution that windfalls are likely to make to the delivery of housing in the District.

Previous representations on this issue provide evidence that this is likely to be a significant and reliable source of new housing development within the district and that similar levels of windfall development will continue to be achieved into the future.

There has been no examination or evaluation of the various policy mechanisms available to the Council that may provide a reliable method of taking these levels of windfall development in to account. For example, it would be possible to deploy a 'rolling policy' mechanism based on the average of the previous 5 years of supply. This would take account of changes in market conditions, availability of sites and central government policy whilst providing a stable and reliable forward projection of likely delivery from this source.

A full and thorough examination of the available options is essential if a sound and robust policy in relation to windfalls is to be adopted. Until this has occurred in an open forum the Council approach to the issue of windfalls is unsound and fails to address and take into account relevant issues.

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

Written Representation?	
Oral?	YES

If 'Oral' Please specify why

The extensive nature of the changes proposed, the implications and effects of introducing a proper assessment of windfalls requires examination in an Oral session of the EIP.

**Selby District Submission Draft Core Strategy
Consultation on Further Proposed Changes (6th Set)
June 2012
Representation Form**

An Examination in Public (EIP) into the soundness of the Submission Draft Core Strategy (SDCS) was held between 20 and 30 September 2011 and between 18 and 19 April 2012 in front of an Independent Inspector.

The Independent Inspector has adjourned the EIP until 5 September 2012 in order to consider the implications of the National Planning Policy Framework (NPPF) on the Submission Draft Core Strategy and for the Council to consult on any further Proposed Changes to the Submission Draft Core Strategy.

Selby District Council is now publishing and inviting comments on a 6th Set of Proposed Changes to the Submission Draft Core Strategy (and associated documents) in order that all parties can make their views known.

The September and April EIP's have already heard the duly made representations on the Submission Draft Core Strategy which were submitted during the formal Publication stage and subsequent consultation on the first 5 Sets of Proposed Changes. The adjournment should not be used as an opportunity to revisit matters which have been fully considered during the September 2011 and April 2012 hearing sessions.

Representations are therefore invited as part of this consultation on the 6th Set of Proposed Changes to the Submission Draft Core Strategy and associated documents.

Please complete separate copies of Part B of this form for each of your separate representations. It would be helpful if you could focus on the "tests of soundness" and indicate if you are objecting on a legal compliance issue.

**Completed representation forms must be returned to the
Council no later than 5pm on Thursday 19 July 2012**

Email to: ldf@selby.gov.uk

Fax to: 01757 292229

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

Part A

The Tests of Soundness

The Independent Inspector's role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The tests to consider whether the plan is 'sound' are explained under paragraph 182 of the National Planning Policy Framework (NPPF) (March 2012) and states a sound Core Strategy should be:

Positively prepared

- the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified

- the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective

- the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy

- the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

	Personal Details	Agents Details (if applicable)
Name		Stuart Vendy
Organisation	Samuel Smith Old Brewery (Tadcaster)	Cunnane Town Planning LLP
Address	c/o Agent	PO Box 305 Manchester M21 3BQ
Telephone No.		0161 282 9290
Email address		stuart.vendy@cunnanetownplanning.co.uk

It will be helpful if you can provide an email address so we can contact you electronically.

You only need to complete this page once. If you wish to make more than one representation, attach additional copies of Part B (pages 3-4) to this part of the representation form.

5

Part B (please use a separate sheet (pages 3-4) for each representation)

Please identify the Proposed Change (which can be found on the Published Schedule, CD2f) to which this representation refers or paragraph number of the NPPF Compliance Statement:

6-51

Question 1: Do you consider the Proposed Change is:

- 1.1 Legally compliant Yes No
- 1.2 Sound Yes No

If you have entered No to 1.2, please continue to Q2. In all other circumstances, please go to Q3.

Question 2: If you consider the Proposed Change is unsound, please identify which test of soundness your representation relates to:

- 2.1 Positively Prepared (Please identify just one test for this representation)
- 2.2 Justified
- 2.3 Effective
- 2.4 Consistent with national policy

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Please see attached

Question 3 continued

(Continue on a separate sheet if submitting a hard copy)

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

- 4.1** Written Representations **4.2** Attend Examination

4.3 If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary
(Your request will be considered by the Inspector, however, attendance at the Examination in Public is by invitation only).

Please see attached

(Continue on a separate sheet if submitting a hard copy)

Representation Submission Acknowledgement

I acknowledge that I am making a formal representation. I understand that my name (and organisation where applicable) and representation will be made publically available (including on the Council's website) in order to ensure that it is a fair and transparent process.

I agree with this statement and wish to submit the above representation for consideration.

Signed

Dated

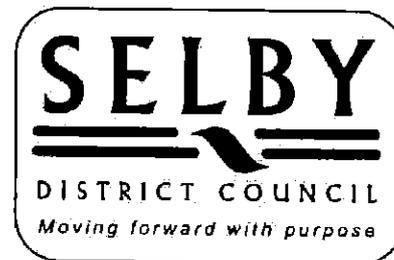
19th July 2012

PC: 6.51

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Proposed paragraph 5.55a refers to facilitating '... Tadcasters own growth...'. This suggests that the housing requirements that has been provided to Tadcaster in the emerging plan is intended to meet housing needs that have been generating by the town in isolation. This is not the case, and ignores that fact that the Council currently propose to add the housing need generated in the 'northern region' to that generated by Tadcaster.

Without prejudice to previous representations seeking the needs of the northern sub area being met within that sub area, the reference to '... Tadcasters own growth...' should be amended in order to make it clear that the growth levels currently attributed to Tadcaster are an amalgam, including 44% made up of needs generated in the northern sub area.



Selby District Submission Draft Core Strategy Consultation on Further Proposed Changes (6th Set) June 2012 Representation Form

An Examination in Public (EIP) into the soundness of the Submission Draft Core Strategy (SDCS) was held between 20 and 30 September 2011 and between 18 and 19 April 2012 in front of an Independent Inspector.

The Independent Inspector has adjourned the EIP until 5 September 2012 in order to consider the implications of the National Planning Policy Framework (NPPF) on the Submission Draft Core Strategy and for the Council to consult on any further Proposed Changes to the Submission Draft Core Strategy.

Selby District Council is now publishing and inviting comments on a 6th Set of Proposed Changes to the Submission Draft Core Strategy (and associated documents) in order that all parties can make their views known.

The September and April EIP's have already heard the duly made representations on the Submission Draft Core Strategy which were submitted during the formal Publication stage and subsequent consultation on the first 5 Sets of Proposed Changes. The adjournment should not be used as an opportunity to revisit matters which have been fully considered during the September 2011 and April 2012 hearing sessions.

Representations are therefore invited as part of this consultation on the 6th Set of Proposed Changes to the Submission Draft Core Strategy and associated documents.

Please complete separate copies of Part B of this form for each of your separate representations. It would be helpful if you could focus on the "tests of soundness" and indicate if you are objecting on a legal compliance issue.

Completed representation forms must be returned to the Council no later than 5pm on Thursday 19 July 2012

Email to: ldf@selby.gov.uk

Fax to: 01757 292229

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

Part A

The Tests of Soundness

The Independent Inspector's role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The tests to consider whether the plan is 'sound' are explained under paragraph 182 of the National Planning Policy Framework (NPPF) (March 2012) and states a sound Core Strategy should be:

Positively prepared

- the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified

- the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective

- the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy

- the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

	Personal Details	Agents Details (if applicable)
Name	<input type="text"/>	<input type="text" value="Stuart Vendy"/>
Organisation	<input type="text" value="Samuel Smith Old Brewery (Tadcaster)"/>	<input type="text" value="Cunnane Town Planning LLP"/>
Address	<input type="text" value="c/o Agent"/>	<input type="text" value="PO Box 305
Manchester
M21 3BQ"/>
Telephone No.	<input type="text"/>	<input type="text" value="0161 282 9290"/>
Email address	<input type="text"/>	<input type="text" value="stuart.vendy@cunnanetownplanning.co.uk"/>

It will be helpful if you can provide an email address so we can contact you electronically.

You only need to complete this page once. If you wish to make more than one representation, attach additional copies of Part B (pages 3-4) to this part of the representation form.

53

Part B (please use a separate sheet (pages 3-4) for each representation)

Please identify the Proposed Change (which can be found on the Published Schedule, CD2f) to which this representation refers or paragraph number of the NPPF Compliance Statement:

6.51

Question 1: Do you consider the Proposed Change is:

- 1.1 Legally compliant Yes No
- 1.2 Sound Yes No

If you have entered No to 1.2, please continue to Q2. In all other circumstances, please go to Q3.

Question 2: If you consider the Proposed Change is unsound, please identify which test of soundness your representation relates to:

- 2.1 Positively Prepared (Please identify just one test for this representation)
- 2.2 Justified
- 2.3 Effective
- 2.4 Consistent with national policy

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Please see attached

Continue overleaf

Question 3 continued

(Continue on a separate sheet if submitting a hard copy)

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

4.1 Written Representations

4.2 Attend Examination

4.3 If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary
(Your request will be considered by the Inspector, however, attendance at the Examination in Public is by invitation only).

Please see attached

(Continue on a separate sheet if submitting a hard copy)

Representation Submission Acknowledgement

I acknowledge that I am making a formal representation. I understand that my name (and organisation where applicable) and representation will be made publically available (including on the Council's website) in order to ensure that it is a fair and transparent process.

I agree with this statement and wish to submit the above representation for consideration.

Signed

Dated 19th July 2012

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

PC6.51 proposes a broad range of changes to policy CP3 and its supporting text.

These changes, amongst other things, seek to introduce a phased approach to the delivery of new housing within Tadcaster. This approach may require the release of twice the current housing land requirement for the town, including potential review and release of Green Belt sites,. Consequently it is a fundamentally unsustainable approach to the development of Tadcaster specifically, and is a manifestly unsound strategy to be adopted in to the Core Strategy.

The adoption of policy which may require the allocation, release and subsequent development of double the identified and evidenced needs within a specific location runs contrary to the principal justification for controlling and allocating land. The identification of a preferred location for development, through the allocation of specific sustainable sites and areas ensures that development is guided to the most sustainable locations. I refer again to the nature of sustainability and the fact that there is no qualifying or relative test to be adopted in considering whether a development site is sustainable or otherwise.

This can only be remedied through further amendments to the policy which ensure that either the Phase 1 sites are brought forward by the Council using their available legal powers, or the Phase 1 sites are deleted upon the release of Phase 2.

In arriving at this phasing solution the Council have ignored the alternative strategy provided for within previous representations on behalf of my client, and failed to properly assess the full effects, in terms of sustainability and housing delivery of adopting this course of action.

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

Written Representation?

Oral?

YES

If 'Oral' Please specify why

The complex nature of the proposed changes and wider ranging implications of its adoption by the Council require detailed examination and discussion at the oral session of the EIP.

**Selby District Submission Draft Core Strategy
Consultation on Further Proposed Changes (6th Set)
June 2012
Representation Form**

An Examination in Public (EIP) into the soundness of the Submission Draft Core Strategy (SDCS) was held between 20 and 30 September 2011 and between 18 and 19 April 2012 in front of an Independent Inspector.

The Independent Inspector has adjourned the EIP until 5 September 2012 in order to consider the implications of the National Planning Policy Framework (NPPF) on the Submission Draft Core Strategy and for the Council to consult on any further Proposed Changes to the Submission Draft Core Strategy.

Selby District Council is now publishing and inviting comments on a 6th Set of Proposed Changes to the Submission Draft Core Strategy (and associated documents) in order that all parties can make their views known.

The September and April EIP's have already heard the duly made representations on the Submission Draft Core Strategy which were submitted during the formal Publication stage and subsequent consultation on the first 5 Sets of Proposed Changes. The adjournment should not be used as an opportunity to revisit matters which have been fully considered during the September 2011 and April 2012 hearing sessions.

Representations are therefore invited as part of this consultation on the 6th Set of Proposed Changes to the Submission Draft Core Strategy and associated documents.

Please complete separate copies of Part B of this form for each of your separate representations. It would be helpful if you could focus on the "tests of soundness" and indicate if you are objecting on a legal compliance issue.

**Completed representation forms must be returned to the
Council no later than 5pm on Thursday 19 July 2012**

Email to: ldf@selby.gov.uk

Fax to: 01757 292229

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

Part A

The Tests of Soundness

The Independent Inspector's role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The tests to consider whether the plan is 'sound' are explained under paragraph 182 of the National Planning Policy Framework (NPPF) (March 2012) and states a sound Core Strategy should be:

Positively prepared

- the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified

- the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective

- the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy

- the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

	Personal Details	Agents Details (if applicable)
Name	<input type="text"/>	<input type="text" value="Stuart Vendy"/>
Organisation	<input type="text" value="Samuel Smith Old Brewery (Tadcaster)"/>	<input type="text" value="Cunnane Town Planning LLP"/>
Address	<input type="text" value="c/o Agent"/>	<input type="text" value="PO Box 305
Manchester
M21 3BQ"/>
Telephone No.	<input type="text"/>	<input type="text" value="0161 282 9290"/>
Email address	<input type="text"/>	<input type="text" value="stuart.vendy@cunnanetownplanning.co.uk"/>

It will be helpful if you can provide an email address so we can contact you electronically.

You only need to complete this page once. If you wish to make more than one representation, attach additional copies of Part B (pages 3-4) to this part of the representation form.

Part B (please use a separate sheet (pages 3-4) for each representation)

Please identify the Proposed Change (which can be found on the Published Schedule, CD2f) to which this representation refers or paragraph number of the NPPF Compliance Statement:

6.68

Question 1: Do you consider the Proposed Change is:

1.1 Legally compliant Yes No

1.2 Sound Yes No

If you have entered No to 1.2, please continue to Q2. In all other circumstances, please go to Q3.

Question 2: If you consider the Proposed Change is unsound, please identify which test of soundness your representation relates to:

- 2.1 Positively Prepared (Please identify just one test for this representation)
- 2.2 Justified
- 2.3 Effective
- 2.4 Consistent with national policy

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Please see attached



Question 3 continued

[Large empty rectangular box for writing]

(Continue on a separate sheet if submitting a hard copy)

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

- 4.1** Written Representations
- 4.2** Attend Examination

4.3 If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary
(Your request will be considered by the Inspector, however, attendance at the Examination in Public is by invitation only).

Please see attached

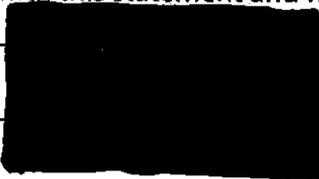
[Large empty rectangular box for writing]

(Continue on a separate sheet if submitting a hard copy)

Representation Submission Acknowledgement

I acknowledge that I am making a formal representation. I understand that my name (and organisation where applicable) and representation will be made publically available (including on the Council's website) in order to ensure that it is a fair and transparent process.

I agree with this statement and wish to submit the above representation for consideration.

Signed 

Dated 19th July 2012

PC: PC6.68

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Amended paragraph 6.20a references the Retail and Commercial Leisure Study (2009) in identifying high levels of vacancy rates and the needs of the finance and insurance sectors for small units as contributing to an anticipated high level of 'churn' of commercial floorspace within Tadcaster town centre.

The concept of 'churn' is reference to the normal cycle of accommodation becoming vacant and then reoccupied, as businesses expand, contract and change their requirements. This is an entirely acceptable and indeed desirable operation of the commercial market. It is based on the premise that the quantum of floorspace becoming vacant, and that being taken up by new occupiers is in broad equilibrium.

High vacancy rates and needs generated by a growth sector whose requires are matched to that vacant property would typically manifest itself in terms of 'take up' of existing premises. The text in paragraph 6.20a should be modified accordingly.

**Selby District Submission Draft Core Strategy
Consultation on Further Proposed Changes (6th Set)
June 2012
Representation Form**

An Examination in Public (EIP) into the soundness of the Submission Draft Core Strategy (SDCS) was held between 20 and 30 September 2011 and between 18 and 19 April 2012 in front of an Independent Inspector.

The Independent Inspector has adjourned the EIP until 5 September 2012 in order to consider the implications of the National Planning Policy Framework (NPPF) on the Submission Draft Core Strategy and for the Council to consult on any further Proposed Changes to the Submission Draft Core Strategy.

Selby District Council is now publishing and inviting comments on a 6th Set of Proposed Changes to the Submission Draft Core Strategy (and associated documents) in order that all parties can make their views known.

The September and April EIP's have already heard the duly made representations on the Submission Draft Core Strategy which were submitted during the formal Publication stage and subsequent consultation on the first 5 Sets of Proposed Changes. The adjournment should not be used as an opportunity to revisit matters which have been fully considered during the September 2011 and April 2012 hearing sessions.

Representations are therefore invited as part of this consultation on the 6th Set of Proposed Changes to the Submission Draft Core Strategy and associated documents.

Please complete separate copies of Part B of this form for each of your separate representations. It would be helpful if you could focus on the "tests of soundness" and indicate if you are objecting on a legal compliance issue.

**Completed representation forms must be returned to the
Council no later than 5pm on Thursday 19 July 2012**

Email to: ldf@selby.gov.uk

Fax to: 01757 292229

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

Part A

The Tests of Soundness

The Independent Inspector's role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The tests to consider whether the plan is 'sound' are explained under paragraph 182 of the National Planning Policy Framework (NPPF) (March 2012) and states a sound Core Strategy should be:

Positively prepared

- the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified

- the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective

- the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy

- the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

	Personal Details	Agents Details (if applicable)
Name		Stuart Vendy
Organisation	Samuel Smith Old Brewery (Tadcaster)	Cunnane Town Planning LLP
Address	c/o Agent	PO Box 305 Manchester M21 3BQ
Telephone No.		0161 282 9290
Email address		stuart.vendy@cunnanetownplanning.co.uk

It will be helpful if you can provide an email address so we can contact you electronically.

You only need to complete this page once. If you wish to make more than one representation, attach additional copies of Part B (pages 3-4) to this part of the representation form.

50

Part B (please use a separate sheet (pages 3-4) for each representation)

Please identify the Proposed Change (which can be found on the Published Schedule, CD2f) to which this representation refers or paragraph number of the NPPF Compliance Statement:

6.65 - 6.75

Question 1: Do you consider the Proposed Change is:

- 1.1 Legally compliant Yes No
- 1.2 Sound Yes No

If you have entered No to 1.2, please continue to Q2. In all other circumstances, please go to Q3.

Question 2: If you consider the Proposed Change is unsound, please identify which test of soundness your representation relates to:

- 2.1 Positively Prepared (Please identify just one test for this representation)
- 2.2 Justified
- 2.3 Effective
- 2.4 Consistent with national policy

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Please see attached

Continue overleaf

Question 3 continued

(Continue on a separate sheet if submitting a hard copy)

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

4.1 Written Representations

4.2 Attend Examination

4.3 If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary

(Your request will be considered by the Inspector, however, attendance at the Examination in Public is by invitation only).

Please see attached

(Continue on a separate sheet if submitting a hard copy)

Representation Submission Acknowledgement

I acknowledge that I am making a formal representation. I understand that my name (and organisation where applicable) and representation will be made publically available (including on the Council's website) in order to ensure that it is a fair and transparent process.

I agree with this statement and wish to submit the above representation for consideration.

Signed

Dated

19th July 2012

PC: 6.65 and 6.74

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

PCs 6.65 and 6.74 propose a wide range of alterations and amendments to policy CP9 and its supporting text.

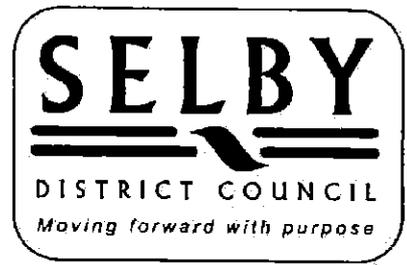
The policy and text, as currently amended, suggests that there is an identified need for a specific quantum of employment floorspace 37-52ha in the period to 2027. This is not the case.

The Employment Land Study (2007) and the Employment Land Review (2010) both provide for aspirational requirements, in that they seek to allocate land on the basis of ensuring that there is a wider choice of sites available. This approach acknowledges that neither historic land take up rates, nor forward projections of identified needs justify the allocation of further employment sites within the District.

Such an approach fails to reflect the requirement in NPPF for development to be sustainable, both in terms of ensuring that employment generating uses are guided to the sustainable locations, and that the allocation of land for development purposes is justified and necessary.

The policy should remove all reference to employment land requirements that are not fully justified by calculations that demonstrate that they are likely to be needed during the plan period.

50



Selby District Submission Draft Core Strategy Consultation on Further Proposed Changes (6th Set) June 2012 Representation Form

An Examination in Public (EIP) into the soundness of the Submission Draft Core Strategy (SDCS) was held between 20 and 30 September 2011 and between 18 and 19 April 2012 in front of an Independent Inspector.

The Independent Inspector has adjourned the EIP until 5 September 2012 in order to consider the implications of the National Planning Policy Framework (NPPF) on the Submission Draft Core Strategy and for the Council to consult on any further Proposed Changes to the Submission Draft Core Strategy.

Selby District Council is now publishing and inviting comments on a 6th Set of Proposed Changes to the Submission Draft Core Strategy (and associated documents) in order that all parties can make their views known.

The September and April EIP's have already heard the duly made representations on the Submission Draft Core Strategy which were submitted during the formal Publication stage and subsequent consultation on the first 5 Sets of Proposed Changes. The adjournment should not be used as an opportunity to revisit matters which have been fully considered during the September 2011 and April 2012 hearing sessions.

Representations are therefore invited as part of this consultation on the 6th Set of Proposed Changes to the Submission Draft Core Strategy and associated documents.

Please complete separate copies of Part B of this form for each of your separate representations. It would be helpful if you could focus on the "tests of soundness" and indicate if you are objecting on a legal compliance issue.

Completed representation forms must be returned to the Council no later than 5pm on Thursday 19 July 2012

Email to: ldf@selby.gov.uk

Fax to: 01757 292229

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

Part A

The Tests of Soundness

The Independent Inspector's role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The tests to consider whether the plan is 'sound' are explained under paragraph 182 of the National Planning Policy Framework (NPPF) (March 2012) and states a sound Core Strategy should be:

Positively prepared

- the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified

- the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective

- the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy

- the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

	Personal Details	Agents Details (if applicable)
Name		Stuart Vendy
Organisation	Samuel Smith Old Brewery (Tadcaster)	Cunnane Town Planning LLP
Address	c/o Agent	PO Box 305 Manchester M21 3BQ
Telephone No.		0161 282 9290
Email address		stuart.vendy@cunnanetownplanning.co.uk

It will be helpful if you can provide an email address so we can contact you electronically.

You only need to complete this page once. If you wish to make more than one representation, attach additional copies of Part B (pages 3-4) to this part of the representation form.



Part B (please use a separate sheet (pages 3-4) for each representation)

Please identify the Proposed Change (which can be found on the Published Schedule, CD2f) to which this representation refers or paragraph number of the NPPF Compliance Statement:

6.85

Question 1: Do you consider the Proposed Change is:

- 1.1 Legally compliant Yes No
- 1.2 Sound Yes No

If you have entered No to 1.2, please continue to Q2. In all other circumstances, please go to Q3.

Question 2: If you consider the Proposed Change is unsound, please identify which test of soundness your representation relates to:

- 2.1 Positively Prepared (Please identify just one test for this representation)
- 2.2 Justified
- 2.3 Effective
- 2.4 Consistent with national policy

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Please see attached

Question 3 continued

(Continue on a separate sheet if submitting a hard copy)

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

4.1 Written Representations

4.2 Attend Examination

- 4.3** If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary
(Your request will be considered by the Inspector, however, attendance at the Examination in Public is by invitation only).

Please see attached

(Continue on a separate sheet if submitting a hard copy)

Representation Submission Acknowledgement

I acknowledge that I am making a formal representation. I understand that my name (and organisation where applicable) and representation will be made publically available (including on the Council's website) in order to ensure that it is a fair and transparent process.

I agree with this statement and wish to submit the above representation for consideration.

Signed

Dated

19th July 2012

PC 6.85

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

PC 6.85 adds text to policy CP14 that introduces a requirement that low carbon and renewable energy proposals will only be supported if they fall within identified suitable areas which may be designated in future Local Plan documents. Such a requirement is unjustified, unnecessary and unsupported by national policy.

The inference is that schemes that do not fall within these areas will not be supported by the Council. The importance of ensuring that the low carbon and renewable energy sources are harnessed is well documented, as is the government's desire to encourage such developments where they are appropriate.

Whilst paragraph 97 of NPPF provides for positively identifying areas that are suitable for low carbon energy sources, this is not to be at the expense of innovative solutions and means of harnessing energy that may be proposed outside of these areas. The amendments proposed under PC 6.85 do not reflect this 'positive' approach and instead restrict development outside the identified areas.

The policy should be amended to ensure that developments for low carbon and renewable energy generation are encouraged throughout the district. Individual proposals will of course have to be considered upon their merits with regard to the appropriateness of the site, impact on the amenity etc.

**Selby District Submission Draft Core Strategy
Consultation on Further Proposed Changes (6th Set)
June 2012
Representation Form**

An Examination in Public (EIP) into the soundness of the Submission Draft Core Strategy (SDCS) was held between 20 and 30 September 2011 and between 18 and 19 April 2012 in front of an Independent Inspector.

The Independent Inspector has adjourned the EIP until 5 September 2012 in order to consider the implications of the National Planning Policy Framework (NPPF) on the Submission Draft Core Strategy and for the Council to consult on any further Proposed Changes to the Submission Draft Core Strategy.

Selby District Council is now publishing and inviting comments on a 6th Set of Proposed Changes to the Submission Draft Core Strategy (and associated documents) in order that all parties can make their views known.

The September and April EIP's have already heard the duly made representations on the Submission Draft Core Strategy which were submitted during the formal Publication stage and subsequent consultation on the first 5 Sets of Proposed Changes. The adjournment should not be used as an opportunity to revisit matters which have been fully considered during the September 2011 and April 2012 hearing sessions.

Representations are therefore invited as part of this consultation on the 6th Set of Proposed Changes to the Submission Draft Core Strategy and associated documents.

Please complete separate copies of Part B of this form for each of your separate representations. It would be helpful if you could focus on the "tests of soundness" and indicate if you are objecting on a legal compliance issue.

**Completed representation forms must be returned to the
Council no later than 5pm on Thursday 19 July 2012**

Email to: ldf@selby.gov.uk

Fax to: 01757 292229

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

Part A

The Tests of Soundness

The Independent Inspector's role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The tests to consider whether the plan is 'sound' are explained under paragraph 182 of the National Planning Policy Framework (NPPF) (March 2012) and states a sound Core Strategy should be:

Positively prepared

- the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified

- the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective

- the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy

- the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

	Personal Details	Agents Details (if applicable)
Name		Stuart Vendy
Organisation	Samuel Smith Old Brewery (Tadcaster)	Cunnane Town Planning LLP
Address	c/o Agent	PO Box 305 Manchester M21 3BQ
Telephone No.		0161 282 9290
Email address		stuart.vendy@cunnanetownplanning.co.uk

It will be helpful if you can provide an email address so we can contact you electronically.

You only need to complete this page once. If you wish to make more than one representation, attach additional copies of Part B (pages 3-4) to this part of the representation form.



Part B (please use a separate sheet (pages 3-4) for each representation)

Please identify the Proposed Change (which can be found on the Published Schedule, CD2f) to which this representation refers or paragraph number of the NPPF Compliance Statement:

6-74

Question 1: Do you consider the Proposed Change is:

- 1.1 Legally compliant Yes No
- 1.2 Sound Yes No

If you have entered No to 1.2, please continue to Q2. In all other circumstances, please go to Q3.

Question 2: If you consider the Proposed Change is unsound, please identify which test of soundness your representation relates to:

- 2.1 Positively Prepared (Please identify just one test for this representation)
- 2.2 Justified
- 2.3 Effective
- 2.4 Consistent with national policy

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Please see attached

Question 3 continued

(Continue on a separate sheet if submitting a hard copy)

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

4.1 Written Representations

4.2 Attend Examination

4.3 If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary

(Your request will be considered by the Inspector, however, attendance at the Examination in Public is by invitation only).

Please see attached

(Continue on a separate sheet if submitting a hard copy)

Representation Submission Acknowledgement

I acknowledge that I am making a formal representation. I understand that my name (and organisation where applicable) and representation will be made publically available (including on the Council's website) in order to ensure that it is a fair and transparent process.

I agree with this statement and wish to submit the above representation for consideration.

Signed

Dated

19th July 2012

PC6.74

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

PC 6.74 seeks to encourage the development of the rural economy through supporting the development of local employment opportunities or sustainable economic development. This includes the development of activities and the reuse of buildings that are directly related to the rail infrastructure available at Gascoigne Wood Mine, the reuse of buildings and infrastructure on former mine sites and other commercial premises outside development limits.

The sites are not strategic in either their nature or the role that they may play in the Core Strategy. The locations are within remote, unsustainable areas of the open countryside and a site specific assessment of their future use needs to be carefully considered against alternative options.

Similarly the failure to reflect the existence of restoration conditions is a site specific issue which is more appropriately dealt with in the preparation of the SADPD. Their identification in the context of a strategic policy document, such as a Core Strategy, is inappropriate.

Reference to the mine sites within the Core Strategy should be removed, and consideration of these areas reserved for consideration during the preparation of the SADPD.

**Selby District Submission Draft Core Strategy
Consultation on Further Proposed Changes (6th Set)
June 2012
Representation Form**

An Examination in Public (EIP) into the soundness of the Submission Draft Core Strategy (SDCS) was held between 20 and 30 September 2011 and between 18 and 19 April 2012 in front of an Independent Inspector.

The Independent Inspector has adjourned the EIP until 5 September 2012 in order to consider the implications of the National Planning Policy Framework (NPPF) on the Submission Draft Core Strategy and for the Council to consult on any further Proposed Changes to the Submission Draft Core Strategy.

Selby District Council is now publishing and inviting comments on a 6th Set of Proposed Changes to the Submission Draft Core Strategy (and associated documents) in order that all parties can make their views known.

The September and April EIP's have already heard the duly made representations on the Submission Draft Core Strategy which were submitted during the formal Publication stage and subsequent consultation on the first 5 Sets of Proposed Changes. The adjournment should not be used as an opportunity to revisit matters which have been fully considered during the September 2011 and April 2012 hearing sessions.

Representations are therefore invited as part of this consultation on the 6th Set of Proposed Changes to the Submission Draft Core Strategy and associated documents.

Please complete separate copies of Part B of this form for each of your separate representations. It would be helpful if you could focus on the "tests of soundness" and indicate if you are objecting on a legal compliance issue.

**Completed representation forms must be returned to the
Council no later than 5pm on Thursday 19 July 2012**

Email to: ldf@selby.gov.uk

Fax to: 01757 292229

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

Part A

The Tests of Soundness

The Independent Inspector's role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The tests to consider whether the plan is 'sound' are explained under paragraph 182 of the National Planning Policy Framework (NPPF) (March 2012) and states a sound Core Strategy should be:

Positively prepared

- the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified

- the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective

- the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy

- the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

	Personal Details	Agents Details (if applicable)
Name		Stuart Vendy
Organisation	Samuel Smith Old Brewery (Tadcaster)	Cunnane Town Planning LLP
Address	c/o Agent	PO Box 305 Manchester M21 3BQ
Telephone No.		0161 282 9290
Email address		stuart.vendy@cunnanetownplanning.co.uk

It will be helpful if you can provide an email address so we can contact you electronically.

You only need to complete this page once. If you wish to make more than one representation, attach additional copies of Part B (pages 3-4) to this part of the representation form.

5

Part B (please use a separate sheet (pages 3-4) for each representation)

Please identify the Proposed Change (which can be found on the Published Schedule, CD2f) to which this representation refers or paragraph number of the NPPF Compliance Statement:

6.32

Question 1: Do you consider the Proposed Change is:

- 1.1 Legally compliant Yes No
- 1.2 Sound Yes No

If you have entered No to 1.2, please continue to Q2. In all other circumstances, please go to Q3.

Question 2: If you consider the Proposed Change is unsound, please identify which test of soundness your representation relates to:

- 2.1 Positively Prepared (Please identify just one test for this representation)
- 2.2 Justified
- 2.3 Effective
- 2.4 Consistent with national policy

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

Please see attached

Question 3 continued

(Continue on a separate sheet if submitting a hard copy)

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?

4.1 Written Representations

4.2 Attend Examination

4.3 If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary

(Your request will be considered by the Inspector, however, attendance at the Examination in Public is by invitation only).

Please see attached

(Continue on a separate sheet if submitting a hard copy)

Representation Submission Acknowledgement

I acknowledge that I am making a formal representation. I understand that my name (and organisation where applicable) and representation will be made publically available (including on the Council's website) in order to ensure that it is a fair and transparent process.

I agree with this statement and wish to submit the above representation for consideration.

Signed

Dated

19th July 2012

PC: 6.32

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound and provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound.

The proposed change introduces Escrick as a Designated Service Village ("DSV"), to which there is considered to be scope for additional residential and small scale employment growth.

We consider that the DSV designation proposed for Escrick should be removed, and the settlement returned to the 'secondary villages' designation. We have particular concern with regard the Local Authorities approach to the issues set out below:

Local Services

Reference has been made to the availability of shops and services with-in the village. Specifically with regard the Shop/Post Office, this should be classified as a single retail unit. It is clear from any visit to the premises that the two services have developed as a single commercial entity and that neither component of the business is likely to be viable in isolation.

It is also worthy of note that the current shop owner/post master placed the business on the open market over two years ago. This is understood to be related to a desire to retire. Whilst the asking price for the premise and business have been reduced during this time, we understand that the site is not under offer and is still available on the open market. The lack of interest in taking over this enterprise must cast significant doubt over the long-term sustainability of the facility, and the likelihood that the provision will be maintained.

Reference is made to the Costcutter convenience outlet associated with the Petrol Filling Station. This facility is plainly designed to cater primarily to car borne trade, and benefits from the co-location of the retail kiosk with petrol sales. The Petrol Station is within the open countryside, over 250m outside the settlement boundary of the village, and located beyond 'easy walking distance' for the vast majority of residents of the village. Consequently the identification of this facility as 'serving' the village of Escrick masks the fact that access to this facility will primarily be via private car.

I would like to make it clear the village is unlikely to be capable of sustaining such a facility without the prevalence of pass by trade on the A19 commuter route between Selby and York. In this regard the settlement is not a self contained and sustaining location for these facilities.

The Service provision within the settlement therefore does not warrant a classification of 1 within Table 2 of the Background Paper No.5 in assessing the relative sustainability of the rural settlements. The settlement of Escrick should be provided with an overall classification Table 2, of 2.

Accessibility to Employment

Background paper No.5 Assessing the relative sustainability of Rural Settlements provides a review of the accessibility of a range of settlements to employment opportunities. Escrick has been noted in Table 6 as a category 2 settlement (within 5 miles of a Major Employment Location). Having measured the distance between Escrick and the nearest Major Employment Location (York), it is clear that the travel distance is 6 miles. Consequently the assessment of Escrick's accessibility to employment opportunities should be recorded with category 3, rather than 2.

Commuter Travel Patterns

The Analysis of Travel to Work patterns provided within Background Paper No.1 highlights the dominant role that York has in attracting commuters from Area 3 (including Escrick, but covering a wider area, as far south as Cawood and North Duffield). The settlements location on an arterial route between Selby and Tadcaster means that the development of new housing opportunities in this location is very likely to result in commuting to these two main centres.

No assessment of the likely travel to work patterns that will result from the development of further housing and employment opportunities in the settlement has been undertaken, nor the impact of the amendment on the sustainability of the Core Strategy as a whole.

Other Matters

The location of Escrick on the boundary of the District and close to the administrative area of York City Council makes liaison with surrounding Councils, particularly York of critical importance. The principle of revising or reconsidering the Green Belt boundary within this area should therefore be an important matter for consultation between the two authorities.

In relation to other representation that have been submitted to the Core Strategy on behalf of my client I wish to make it clear that Escrick falls within a separate market area to that of Tadcaster. This has been confirmed by the Council's own evidence base. Consequently, we see no justification for 'redistributing' housing requirements from either Tadcaster or the northern sub area to Escrick.

Summary

Having considered the above issues the proposed elevation of Escrick to a DSV it is unjustified by the evidence base presented to the EIP, is incapable of sustainably supporting growth in residential and employment uses.

Question 4: Can your representation seeking a change be considered by written representations, or do you consider it necessary to participate at the oral part of the examination?	
Written Representation?	
Oral?	YES
If 'Oral' Please specify why	
The critical nature of the amendment to the Green Belt and Housing Strategy requires detailed examination in an oral session.	