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ryan king

From: Charlotte Blinkhorn [Charlotte.Blinkhorn@indigoplanning.com]
Sent: 15 February 2012 16:47
To: ldf
Subject: Consultation response to Draft Core Strategy Proposed Changes
Attachments: FINAL_SDCS_rep_form_Jan_2012 Indigo Planning.pdf; Appendix 1 Core Strategy Rep 15.02.12.pdf; Appendix 2 15.2.12 - Indigo rpt.009 CS Statement (Matter 3 Housing).pdf; let.036.CB.AM Core Strategy Rep Feb 2012.pdf

Dear Sir/ Madam,

Please find attached our representation to Selby's Draft Core Strategy Proposed Changes. Our representation comprises the following documents attached to this email and sent by post:

- Completed Representation Form
- Indigo letter dated 15 February 2012
- Appendix 1 – Proposed Revised Green Belt Policy Text
- Appendix 2 – Indigo Hearing Statement Extract

Please can you confirm receipt.

Kind regards

Charlotte

Charlotte Blinkhorn
Planner
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16/02/2012

Selby District Submission Draft Core Strategy

Consultation on Proposed Changes

January 2012

Representation Form

Planning and Compulsory Purchase Act (2004), Town and Country Planning (Local Development) (England) Regulations 2004 and (Amendment) Regulations 2008 and 2009

Part A

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

The examination has been suspended to allow the Council to address the following three topics, as set out in the Inspector's Ruling:

- (i) The strategic approach to Green Belt releases;
- (ii) The scale of housing and employment development proposed for Tadcaster and the implications for the Green Belt;
- (iii) The overall scale of housing development over the plan period.

The Council is now carrying out a consultation directly with participants on the changes to the Core Strategy arising from its consideration of these three topics.

Subject to the outstanding matters above, the examination into the other "Matters and Issues" identified by the Inspector has been completed. All parties have had the opportunity to participate in the hearing sessions and the Inspector has the information necessary to enable him to prepare his report. Consequently no further evidence should be submitted to the examination at this stage; any further evidence received by the Programme Officer is likely to be returned.

When the examination resumes, hearing sessions will be arranged which will focus solely on the above matters. As already stated, the suspension should not be used as an opportunity to revisit matters which have been fully considered during the September 2011 hearing sessions.

Representations are therefore invited as part of this consultation on the Proposed Changes to the Submission Draft Core Strategy.

Please complete separate copies of Part B of this form for each of your separate points. 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 Wednesday 15 February 2012**

Email to: ldf@selby.gov.uk

Fax to: 01757 292229

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

The Tests of Soundness

Soundness is explained in PPS12 (Planning Policy Statement 12) in paragraphs 4.36 - 4.47, 4.51 and 4.52 and the boxed text. Specifically paragraph 4.52 states that to be sound a Core Strategy should be:

1 Justified

PPS12 provides that to be 'justified' a DPD (in this case the 'Core Strategy') needs to be :

- founded on a robust and credible evidence base involving:
 - evidence of participation of the local community and others having a stake in the area
 - research/fact finding - the choices made in the plan are backed up by facts
- the most appropriate strategy when considered against reasonable alternatives

2 Effective

PPS12 states that Core Strategies should be effective. This means:

- Deliverable - embracing:
 - Sound infrastructure delivery planning
 - Having no regulatory or national planning barriers to delivery
 - Delivery partners who are signed up to it
 - Coherence with the strategies of neighbouring authorities
- Flexible
- Able to be monitored

3 National Policy

The DPD (in this case the 'Core Strategy') should be consistent with national policy. Where there is a departure, the Local Planning Authority (LPA) must provide clear and convincing reasoning to justify their approach.

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

Personal Details	Agents Details (if applicable)
Title	Miss
First Name	Charlotte
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You only need to complete this page once. If you wish to make more than one representation, attach additional copies of Part B (pages 4 - 6) to this part of the representation form.

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

Part B (please use a separate sheet (pages 4 - 6) for each representation)

Please identify the topic to which this representation refers:

- (i) The strategic approach to Green Belt releases;
- (ii) The scale of housing and employment development proposed for Tadcaster and the implications for the Green Belt;
- (iii) The overall scale of housing development over the plan period.

Please state the specific Proposed Change number: **PC** PC5.26, PC5.37, 4.29

(which can be found on the Published Schedule, CD2e)

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:

(Please note you should complete separate Part B (pages 4 - 6) of this form for each test of soundness you consider the Core Strategy fails.)

2.1 Justified

(Please identify just one test for this representation)

2.2 Effective

2.3 Consistent with national policy

Question 3: Please give details of why you consider the Proposed Change is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Proposed Change, or provide any other comments please also use this box to set out your comments:

see accompanying letter

(If you are submitting this form as a hard copy please ensure all text is visible and continue on a separate sheet if necessary)

Question 4: Please provide details of what change(s) you consider necessary to make the Proposed Change to the Submission Draft Core Strategy legally compliant or sound, having regard to the test you have identified in Q2 where this relates to soundness. You will need to say why this change will make the Core Strategy DPD legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

see accompanying letter

(If you are submitting this form as a hard copy please ensure all text is visible and continue on a separate sheet if necessary)

PLEASE NOTE your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original. ***After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he identifies for examination.***

Question 5: 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?

5.1 Written Representations

5.2 Attend Examination

5.3 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).

to fully debate the matters and issues surrounding the Proposed Changes

(If you are submitting this form as a hard copy please ensure all text is visible and continue on a separate sheet if necessary)

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 during the public examination period of the Core Strategy 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 C Blinkhorn

Dated 15/02/2012



Policy Team
Selby District Council
Civic Centre
Doncaster Road
Selby
North Yorkshire
YO8 9FT

By email and post
ldf@selby.gov.uk

15 February 2012

let.036.CB.AM.11700001

Dear Sir/Madam

**SUBMISSION DRAFT CORE STRATEGY CONSULTATION ON PROPOSED
CHANGES JANUARY 2012**

HODGSONS LANE, SHERBURN IN ELMET

We write in response to consultation on the Core Strategy Proposed Changes relating to housing. Our comments are submitted on behalf of our client, Connaught Consultancy LLP, who has land interests in Sherburn-in-Elmet. We have made representations throughout the LDF process promoting higher levels of housing provision and increased distribution to Sherburn.

Overall, we welcome the proposed increase in housing provision for the borough to be provided over the plan period in the Proposed Changes and support the increased distribution to be allocated to Sherburn with reduced provision to Tadcaster. However, we do not consider the changes have gone far enough in order to make the Core Strategy sound.

This letter comprises our comments on the three topics subject to further consultation and proposed changes for consideration and debate at the forthcoming Examination in Public. In summary our comments on the three matters are as follows:

- i. **Green Belt** - The proposed new Green Belt policy should be revised to enable non Green Belt land in settlements other than Tadcaster to come forward first for development to meet the scale of housing set by Policy CP2 and the Spatial Development Strategy set by Policy CP1. This is a more appropriate and sustainable alternative than releasing Green Belt land in Tadcaster and is better aligned to national policy provided in PPG2.
- ii. **Housing Distribution** – The level of growth for Sherburn should be increased further given the sustainability of the settlement, land availability and lack of deliverable sites to accommodate growth proposed in Tadcaster. This would still remain in keeping with the overall strategy, but is a more

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deliverable and sustainable approach to the delivery of housing during the plan period.

- iii. **Annual Housing Provision** - The annual housing projection target falls short of the requirements identified in the evidence base. Selby should be promoting higher levels of growth to meet evidence of need in the latest Government household projections and to promote sustainable economic growth for the duration of the plan period.

The proposed introduction of phasing under Policy CP2 is unsound and we suggest this is removed. The phasing of housing delivery imposes unnecessary restrictions on delivery in the earlier years of the plan period and conflicts with emerging policy set out in the draft National Planning Policy Framework (NPPF) which seeks to significantly increase the supply of housing and encourage economic growth. Land should not be phased by planning policy, but by market forces.

Proposed Change (i): Strategy approach to Green Belt Release

As drafted, the Green Belt Policy CPXX Part E, which provides a mechanism for land to be taken out of the Green Belt, is not justified or consistent with national policy.

PPG2 'Green Belts' states the essential characteristic of Green Belts is their permanence. PPG2 states that their protection must be maintained as far as can be seen ahead and that once approved, Green Belt boundaries should only be altered in exceptional circumstances.

Whilst we do not object to introduction of a policy to establish the principles that govern Green Belt reviews, however the criteria under which land can be considered for review needs to be tightened to protect the permanence of the Green Belt and ensure land is only removed from the Green Belt in exceptional circumstances to accord with PPG2.

Part of the issue surrounding Green Belt review emerged as a result of lack of non Green Belt land availability in Tadcaster as referenced in the supporting text to Policy CPXX and Background Paper No. 15: Green Belt.

On this issue, the Inspector states in his ruling letter of 10 October 2011 that *'..it is not sufficient to simply say that because there is insufficient land available outside the Green Belt around Tadcaster to meet the identified scale of growth, Green Belt releases are justified. Alternative options, such as accommodating at least part of that growth elsewhere, should be investigated to determine whether the taking of Green Belt land could be obviated or reduced'* (paragraph 6).

In light of the Inspector's comments, we do not consider Policy CPXX goes far enough to ensure that land is only removed from the Green Belt in Tadcaster in exceptional circumstances. To make the policy sound, it should be revised to

enable all possible alternative options for growth, including accommodating part of the growth elsewhere.

We enclose our proposed revision to Policy CPXX Part E as an Appendix to this letter.

The exceptional circumstance listed under Part E1 should reference Policy CP1 rather than Policy CP2. Policy CP1 sets out the overall spatial hierarchy, rather than the more specific spatial distribution set under Policy CP2. Relating the exceptional circumstance to CP1 therefore provide flexibility for other settlements to accommodate growth on non Green Belt land in accordance with the overall hierarchy, but potentially deviating from the specific distribution table.

We also suggest that clarity is provided to Part E2 of Policy CPXX by including reference to non-Green Belt land in the Principle Town or Local Service Centres. This will make clear that non Green Belt land in other settlements (Sherburn and Selby) can be considered as an alternative for part of Tadcaster's growth. This addresses both the Inspector's comments, is more consistent with national policy in preserving the Green Belt and remains in keeping with the overall spatial strategy.

Proposed Change (ii) Scale of housing for Tadcaster and Sherburn

The reduced development to Tadcaster and increased distribution of the overall housing requirement to Sherburn under Policy CP2 is welcomed, however Sherburn is able, and can sustainably accommodate, further levels of housing provision than currently proposed. Sherburn is a sustainable settlement with suitable and available land to deliver housing. Increased distribution to Sherburn above Tadcaster is a more reasonable alternative to make the policy justified.

The case for increased provision to Sherburn

Paragraph 33 of PPS3 states that local authorities should consider evidence of availability of suitable land in determining housing provision levels. We have previously made the case that Sherburn should accommodate 25% of housing provision based on evidence of land availability as shown in the SHLAA, the suitability of Sherburn as a sustainable village for growth, together with the constraints of land availability in Tadcaster.

The update SHLAA 2011 shows that the amount of land available for housing development in Sherburn has actually increased with land available for 3,316 dwellings in the 0-15 year plan period up to 2027. This is up from land availability for 2,564 dwellings in the SHLAA 2008.

Our previous submissions throughout the Core Strategy process have made the case that Sherburn is a highly sustainable location to accommodate future growth. This is set out at paragraph 2.23-2.30 of our EIP Hearing Statement appended to this letter.

The case for reduced provision to Tadcaster

At the EiP, it was confirmed that none of the sites proposed for allocation in the Site Allocations DPD Preferred Options would come forward for development during the plan period.

It was confirmed that SHLAA sites PHS/73/005 and PHS/73/010 were planned for development in the short term for 250 dwellings. Other sites in the SHLAA are either unavailable, or unsuitable in the plan period.

The update SHLAA shows Sites 012, 013 and 019 are considered in the 6-10 year supply, however these sites are located in the Green Belt.

The Inspector raises concerns in his ruling letter with regard to the release of Green Belt land to accommodate distribution of housing in Tadcaster.

He states that the release of Green Belt land to meet housing growth in Tadcaster could only be justified against Green Belt policy if *'there is both (i) a compelling case for level of growth proposed for Tadcaster, and (ii) it can be shown that land elsewhere (such as at Sherburn-in-Elmet) would be significantly less sustainable' (the phrase at paragraph 2.62 of the RS)*

We do not consider that there is sufficient justification in terms of housing need in Tadcaster to permit Green Belt development and the sustainability of Sherburn as a reasonable and nearby alternative provides further weight to this point.

We acknowledge that a site has come forward as a result of the call for sites in the SHLAA 2011 (site ref PHS/73/020). However, the site assessment does not provide sufficient information for the site to be relied upon to deliver housing during the plan period, particularly when considered against the sites in Sherburn to which land owners and developers have undertaken technical constraints work and provided evidence of deliverability to the Council.

If Site ref PHS/73/020 is constrained, the only other available land will be Green Belt land. Whilst the new Proposed Core Strategy Green Belt Policy makes provision for this, we do not consider exceptional circumstances in accordance with PPG2 exist to enable this to be achieved whilst there is available developable land in Sherburn.

Furthermore, a Green Belt review has not yet been undertaken so there remains a question mark over whether land in the Green Belt could be deemed appropriate to take out of the Green Belt and thus be able to accommodate the proposed distribution to Tadcaster. Given the uncertainty of this deliverability in Tadcaster, increased growth to Sherburn is a more appropriate and reasonable alternative to make the Core Strategy sound.

A final point on Policy CPXX is that a consistent approach to rounding up and down of the dwelling numbers under the 'New Allocations Needed' column is

required for consistency. It is not logical to round up and down at different scales.

Proposed Change (iii): Overall scale of housing development

Whilst we welcome an increase in housing provision in the Council's Proposed Change to Policy CP2, the Council has not increased the target sufficiently in light of the evidence base of housing need. On this basis the policy remains unsound as it is not justified, effective or consistent with national policy.

The housing target does not take into account the latest household projections published by DCLG. PPS3 provides clear guidance that local authorities should base their housing targets on the latest household projections (paragraph 33).

The DCLG household projections are based on projecting forward trends observed over the previous five years. The Arup Paper dismisses the 2008 projections as they reflect the preceding five years which was a period of rapid economic growth, substantial public spending and increases in net inward migration, which they state is not representative of more recent economic and migration trends and future forecasts. As such, they suggest that the 2004 based projections (based on the preceding five year period) are more appropriate as they reflect more stable economic times and migration trends to be projected forward.

However, the Core Strategy will provide strategic planning policy over the long term covering a period up to 2027. Basing the housing target for the plan period on 2004 data is unreliable not least as it is based on more conservative economic and migration trends so does not provide flexibility to accommodate higher levels of housing growth should more prosperous economic times and net in migration return. Given the cyclical nature of the economy, this is likely over the plan period.

Whilst long term forecasting is difficult, the lower growth option using the 2004 DCLG projections does not provide any flexibility for higher growth, is a negative approach to planning and has the potential to act as an unnecessary burden to the delivery of future economic growth. In this regard Policy CP2 is not effective and is not the most approach strategy when considered against the reasonable, higher housing targets.

The draft NPPF states the Government's key objective for housing is to *'increase significantly the delivery of new homes'* and with regard to Local Plans, local authorities expected to *'plan positively for development'*. Selby's Proposed Change to Policy CP2 conflicts with Government guidance by relying on evidence of lower growth forecasts to plan for reduced levels of growth. This will not achieve significantly increased delivery of new homes and is negative approach to plan making and therefore conflicts with emerging national policy.

PPS3 requires housing figures to be based on, inter alia, evidence of need and demand set out in Strategic Housing Market Assessments (SHMA).

The Selby SHMA 2009 found a need to deliver 710 open market dwellings per annum and 409 affordable housing dwellings, which is clearly significantly higher than the proposed provision rate.

The update North Yorkshire SHMA published in November 2011 considers different growth forecasts and models to provide an evidence base to the North Yorkshire authorities in the production of their LDFs, including Selby.

The Arup Paper uses the SHMA to justify the lower housing provision rate. As one scenario, the North Yorkshire SHMA considers household growth alongside projected employment growth levels, resulting in an annual project for 403 dwellings.

However, caution should be had when using this figure as a basis as it takes no account of planning policy or future investment (private or public) both in Selby or in the neighbouring authorities, particularly Leeds and York which are known to have stronger economies which are likely to see quicker recovery. This cautionary approach does not accord with the positive approach to planning in NPPF which promotes planning for growth and sets a presumption in favour of sustainable development.

In providing housing provision rates, PPS3 requires local authorities to take account of the Government's overall ambitions for affordability including the need to improve affordability and increase housing supply (paragraph 33).

The North Yorkshire SHMA provides an update on evidence of affordable housing need. The SHMA finds that affordable housing need in Selby has not changed since the publication of the 2009 SHMA and concludes that the level of need is actually likely to have increased.

This evidence provides justification for increased levels of overall housing delivery to address affordable housing need. If the economic forecast model was used, it wouldn't even provide enough houses to address affordable need alone.

Increasing the overall supply of housing will reduce affordability issues through increasing the overall supply to reduce pressure on stock of houses, and to provide increased affordable units since a proportion of affordable housing is required for new market housing schemes.

Unless the Council has other means of delivering affordable housing, increasing the supply of housing is the only mechanism to increase provision of affordable housing and should be a key consideration in formulating an overall housing target.

Whilst we acknowledge that it is difficult for Selby to plan strategically within the sub-region with no current structures in place, the proposed housing target of 450 dwellings pa has no flexibility should Selby come under pressure for housing from neighbouring authorities in the future.

Taking a housing land supply approach, the authority has available land to accommodate a much higher level of growth than the 450 pa rate as detailed in the SHLAA 2011. There is therefore no basis in housing land supply terms for restricting growth.

In summary, the evidence base does support higher levels of housing delivery than proposed in the Proposed Changes to Policy CP2 and should be supported to accord with emerging policy. Land is available and accompanying infrastructure can be delivered through planning applications as part of S106 Agreements.

Taking a more conservative approach to housing provision in line with modest forecasts risks constraining growth over the plan period and will act as brake on sustainable economic development.

This is in direct conflict with the Government's growth agenda and draft NPPF.

There is no risk to planning for too much growth. The market will only deliver development if there is demand and should be given every opportunity by the planning system to be able to provide housing development in sustainable locations.

On the other hand, if sufficient growth isn't planned for, which is a risk for Selby under current proposals, the Council risks the Core Strategy acting as a constraint to sustainable economic growth and also risks development by planning applications/appeals rather than the plan led system required under existing and emerging policy (PPS1, PPS12 and draft NPPF).

Phasing

There is no need for the delivery of housing during the plan period to be phased as introduced in the Proposed Changes to CP2. The market will deliver the appropriate level of housing. Phasing could act an artificial barrier to growth which conflicts with government guidance. We recommend that the reference to phasing of housing delivery is deleted to assist deliverability and flexibility. If anything, increased provision is necessary in the first years of the plan period to assist in increasing completions in current market conditions.

Comments on Policy CP3

Policy CP3 Part C sets out remedial action to address potential under performance in housing supply. This is focused on addressing land availability issues in Tadcaster. In line with our comments to the new Green Belt Policy, we suggest a further clause is added enabling potential under performance in Tadcaster to be addressed through the delivery of housing in other settlements. We suggest an additional clause states, 'consideration of land in other settlements in line with the spatial development strategy in Policy CP1'.

This will enable issues of underperformance in Tadcaster to be partly addressed by accommodating growth in Sherburn.

Summary

Whilst we welcome Proposed Changes to the Draft Core Strategy to increase overall housing provision and increase the distribution apportioned to Sherburn, we do not consider the changes go far enough in order make the document sound. A higher annual provision rate, increased distribution to Sherburn and revised wording to the new Green Belt policy provide the most appropriate alternative to the Core Strategy to make it justified, effective and consistent with national policy.

We trust our comments will be taken into consideration and look forward to debating the matters further at the forthcoming hearing sessions.

Yours faithfully

Charlotte Blinkhorn

Enc: Appendix 1 – Policy CPXX Indigo Revised Text
Appendix 2 - Indigo Hearing Statement Extract September 2011

cc: Connaught Consultancy LLP



Appendix 1

Indigo Proposed Revised Text to Policy CPXX Green Belt Part E

E. Under Criterion D4 (above), land may be taken out of the Green Belt only in exceptional circumstances, where

1. There is an overriding need to deliver the Vision, Aims and Objectives of the Core Strategy by accommodating ~~the housing development identified in the established settlement hierarchy as set out in CP2~~ in accordance with the Spatial Development Strategy set out in Policy CP1, and/or employment development identified in CP9, and
2. Where such need cannot be met on non-Green Belt land in the Principle Town or Local Services Centres, or where Green Belt land offers a significantly more sustainable option overall.

**Selby District Core Strategy
Examination**

**Matter 3. Housing Scale, Distribution
and Supply – Policies CP2, CP3, CP8**

Indigo Planning on behalf of Connaught
Consultancy Services LLP

**Selby District Core Strategy
Examination**

**Matter 3. Housing Scale, Distribution
and Supply – Policies CP2, CP3, CP8**

Indigo Planning on behalf of Connaught
Consultancy Services LLP

2 September 2011

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**Selby District Core Strategy
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**Matter 3. Housing Scale, Distribution
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Selby District Core Strategy Examination

Matter 3. Housing Scale, Distribution and Supply – Policies CP2, CP3, CP8

Indigo Planning on behalf of Connaught
Consultancy Services LLP

Appendices

Appendix 1

Site Reference Plan

Appendix 2

Indigo Revision to Policy CP2

Appendix 3

Indigo Representations to Further Options Report dated
December 2008

Appendix 4

Indigo representations to the Draft Core Strategy dated 1
April 2010

Appendix 5

Indigo Representations to the Submission Draft Core
Strategy dated 21 February 2011

Appendix 6

Indigo Representations to the Draft Interim Housing
Policy dated 28 October 2010

1. Introduction

- 1.1. This statement is submitted in response to the Inspector's Matters and Issues relating to Matter 3 'Housing Scale, Distribution and Supply'. The statement is submitted on behalf Connaught Consultancy Services LLP. Connaught is promoting the Hodgson's Lane site in Sherburn in Elmet (identified as SHER003 on the plan at **Appendix 1**) and support a greater proportion of housing development to Sherburn based on land availability and sustainability of the settlement.

2. Participants Statement Matter 3

3.1. Does a housing requirement derived from the Regional Spatial Strategy remain appropriate having regard to more recent indicators of need and demand, including Government's latest household projections?

- 2.1. New evidence provides a clear indication of need and demand for increased housing delivery above that currently proposed in the Core Strategy and RSS. Such evidence should inform the housing requirements set in the Core Strategy in accordance with PPS3 (para. 33).
- 2.2. Background Paper No. 9 considers a revised housing target for Selby's Core Strategy as a result of the Government's intention to abolish RSS. Background Paper No. 9 references the latest household projections, provided in the DCLG publication 'Household projection to 2031', which supersede evidence informing the RSS target. For Selby, the projections estimate growth of 8,000 dwellings up to 2026 equating to 530 dwellings per annum (dpa). This clearly indicates a need for a higher housing target.
- 2.3. Since the Council published Background Paper No. 9, DCLG has published a further household projection update 'Household Projections 2008-2033' (26 November 2010). This information is based on the 2008 population projections published by ONS in May 2010 and estimates that the Selby household projection will increase by 10,000 dwellings to 2026 equating to 667 dpa. This further shows that the RSS does not remain appropriate as it is not justified on the latest evidence base.
- 2.4. In Background Paper No. 9, the Council dismiss the latest updated projection figures on the basis that the figures have not been tested and do not take into account housing need or policy intervention. However, the Core Strategy Examination Hearing will provide the opportunity for the figures to be tested independently informed by round table discussions.
- 2.5. In terms of housing need, the Council's SHMA 2009 identifies strong demand for open market housing from households within Selby District and from in-migrants. Demand exceeds supply across the district. The SHMA identifies a need of 710 open market dwellings per annum and 409 affordable dwellings per annum across the district. This evidence supports a greater housing requirement than proposed.
- 2.6. On this basis there is sound evidence of need for increased housing and a need to address affordability issues created by supply and demand inconsistencies.
- 2.7. Delivery of additional housing also meets with emerging planning policy as set out in the National Planning Policy Framework (NPPF) which seeks to 'increase significantly the delivery of new homes' and plan for a mix of housing based on current and future demographic and market trends.
- 2.8. Whilst RSS remains part of the development, the Council is required to conform with the RSS housing target. However, in order to make the policy sound for the longer term, the housing target rates should be explicitly referred to as a minimum. This will enable the policy to conform to RSS Policy H2 whilst also conforming to emerging policy in the NPPF and the most up to date evidence base thereby making the policy justified and effective.

3.2 Is the housing land supply based on a robust and up-to-date evidence base, given that the SHLAA database was compiled in 2008? Has any assessment been made to establish the extent of significant changes since that date?

- 2.9. The five year land supply as of August 2011 is based on up to date evidence of completions, but makes no assessment as to their likelihood of delivery.
- 2.10. The SHLAA database, being compiled in 2008, does not represent an up to date evidence base and could therefore lead to an unsound strategy. Information is 2-3 years old and therefore sites identified in the SHLAA in 2008 may have since come forward for development or may have been discounted on the basis of new evidence. This is evident in the settlement of Sherburn in Elmet where information in the SHLAA site assessments is now out of date. Updated flood modelling work approved by the Environment Agency shows changes to flood risk areas whilst work undertaken by consultants has addressed perceived highways constraints at some of the sites.

3.3 Given the significant proportion of sites in the SHLAA where the landowner's intentions are "Not Known" (especially in Tadcaster), is the evidence about the deliverability of housing land supply robust?

- 2.11. The evidence of the deliverability of housing land is not robust and therefore Policy CP2 as drafted is not justified or effective. To be considered developable PPS3 (para. 56) states that there should be a reasonable prospect that the site could be developed at the point envisaged.
- 2.12. In Tadcaster, 11 of the 13 sites identified in the SHLAA, are identified as 'Not Known' under Landowner's intentions. Additionally, land ownership is marked as 'uncertain' under two of the sites and as 'owner resistant to development' for three of the sites. The two remaining sites which are being actively promoted have been discounted as options as they are located in the Green Belt. With land ownership and intentions so uncertain, the allocation of 457 dwellings to Tadcaster under Policy CP2 risks being ineffective and leading to non delivery of housing.
- 2.13. As all of the SHLAA sites in Tadcaster are considered for delivery on the 7-18 year plan period, this raises significant questions as to whether 457 dwellings can be delivered in the 15 year plan period.
- 2.14. The Council's Draft SADPD Preferred Options proposes the allocation of the four sites in Tadcaster. All four sites are identified in the SDLP, yet have failed to deliver any development since adoption, despite being allocated for residential development or having planning permission. This calls into question the robustness of evidence on deliverability and the ability for 41 dwellings per annum to be delivered in Tadcaster under Policy CP2, particularly as only 7.8 new dwellings have been delivered per year in Tadcaster over the past 10 years (Core Strategy para. 2.24). This was during a prolonged housing market boom period.
- 2.15. In Selby, the SADPD Preferred Options focuses a significant proportion on the housing distribution on the Olympia Park strategic site and the Crosshills Lane site (a total of 1,944 dwellings). If either fails to deliver development, or delivery is over the longer term given flood defence and highways infrastructure requirements, the district will be left with a shortfall in delivery.
- 2.16. Furthermore, a number of the remaining sites proposed for allocation are not supported by robust evidence with the SHLAA detailing site constraints including ownership, listed buildings, current uses and access/highways. In particular such constraints apply to sites SELB020, 022, 023 and 024. Each of these sites is in flood zone 3a and none are considered deliverable in the short term in the SHLAA.
- 2.17. All the above points question the robustness of the evidence relating to deliverability of

housing land in Tadcaster and Selby and demonstrate that Policy CP2 is unsound.

3.4 Is the distribution of housing between settlement groups in policy CP2 founded on robust and credible evidence, and is the policy unduly prescriptive? Why is the policy not consistent with Figure 8 (in terms of both the time period and the distribution of the housing requirement to settlement groups)?

- 2.18. The distribution of housing is not founded on a robust and credible evidence base and should be revised to make the policy justified and deliverable. It is unduly restrictive as with Tadcaster, sites might not come forward resulting in under provision across the whole district. Therefore the policy needs to be altered to ensure early and sustained delivery of housing.
- 2.19. We consider that the housing distribution under Policy CP2 should be revised to make the policy sound. The Core Strategy also needs to provide consistency with Figure 8.
- 2.20. We also consider that a 20% increase in the housing requirement should be included in the policy to provide increased flexibility to ensure deliverability. The revised policy is shown at **Appendix 2**.
- 2.21. The revisions to policy are justified on the evidence basis regarding the suitability of Sherburn as a location for increased housing provision, the constraints of the other key service centres of Selby and Tadcaster and the strong reliance of a significant amount of development to the Designation Service Villages and Secondary Villages.
- 2.22. A 20% increase to the housing requirement is justified on the evidence base demonstrating an increased need for housing as covered in response to question 3.1. The flexibility will allow deliverable sites in Sherburn to come forward if Tadcaster or Selby fail to deliver sufficient housing.

Suitability of Sherburn in Elmet

- 2.23. We have previously submitted representations at various stages of the Core Strategy including our response to the Further Options Report in December 2008 (**Appendix 3**), the Draft Core Strategy in April 2010 (**Appendix 4**) and the Submission Draft Core Strategy in February 2011 (**Appendix 5**). Our representations have made the case over this time period that the allocation of housing in Sherburn should be increased to 15-20% of the overall housing requirement in Selby District based on the sustainability of Sherburn as a location for housing development, employment provision and travel to work patterns, and the availability of land. This can be seen in our appended representations and is summarised in this section.
- 2.24. Sherburn has excellent employment uses to the east of the village including Moor Lane Trading Estate and Sherburn Enterprise Park. Further employment land provision is proposed in the Core Strategy. The Council's Employment Land Study notes the strong market interest in Sherburn and a recent approval allowing Optare to relocate into premises at Sherburn Enterprise Park demonstrates continued market interest despite the current economic climate.
- 2.25. Background Paper No. 1 (January 2007) details the level of jobs provision in each of the settlements and shows that Selby has 46% of the jobs in the district, Tadcaster has 14% and Sherburn has 19.2%. This demonstrates that more housing should be allocated to Sherburn to match housing with jobs.
- 2.26. Background Paper No. 1 also shows that whilst 55% of residents in the Sherburn area commute out to work, 39% of the jobs in the Sherburn area are taken by in-commuters from outside the district and 16% from outside the town. This justifies a greater proportion of housing to Sherburn to link new housing with jobs and reduce commuting to work.

- 2.27. Sherburn has good transport links to the surrounding area with regular train connections to York, bus services to the surrounding settlements including Leeds and Selby and excellent road connections to the A162, M62 and A1.
- 2.28. Sherburn village has a range of services and facilities which make Sherburn a sustainable settlement for new housing. The town has a high school and two primary schools with spare capacity. The village centre has a range of shops, doctor's surgery, dentist, library and a church. It is recognised that further service provision is required to keep pace with the growth of the village. New housing will assist in the delivery of services.
- 2.29. Sherburn has available land for development in suitable and sustainable locations. After discounting sites located in the greenbelt and at risk of flooding, available sites considered in the SHLAA and SADPD Preferred Options can accommodate approximately 2,000 dwellings (based on the SHLAA site yields and information in the SADPD drafts). Based on this evidence, Sherburn can accommodate 30% of the overall housing distribution and this should be recognised in the housing distribution policy.
- 2.30. Sherburn is identified as having a greater need for affordable dwellings in the Council's SHMA which states a need for 41 (11%) affordable dwellings per annum compared to just 16 (4%) in Tadcaster. Furthermore, Table 4.4 of the SHMA shows how demand outstrips supply for all types of properties in Sherburn, with the exception of semi-detached properties where demand is likely to be satisfied. Selby and Tadcaster do not have such a discrepancy between supply and demand.

Tadcaster

- 2.31. Tadcaster is constrained by the flood plain of the River Wharfe which cuts through the village. The village is also constrained by the West Yorkshire and York Greenbelt which bounds the west of the settlement boundary. Further to these significant development constraints, Tadcaster does not have deliverable sites to accommodate such a share of the housing allocation currently proposed by Policy CP2 as detailed in response to question 3.3. It is recognised that some housing should be allocated to promote sustainable development and to support the villages services and facilities.

Selby

- 2.32. Selby is highly constrained by flood risk with the majority of the built settlement and surrounding greenfield land being located in Flood zone 2 and 3 as shown on Map 2 of the Core Strategy. Nevertheless, it is recognised that some development will need to be accommodated here given it is the District's principle town and service centre providing retail, leisure, education and administrative services. However, there are deliverability concerns about the sites put forward for housing in the SADPD Preferred Option Report.
- 2.33. The main source of housing delivery is the Olympia Park Strategic site which will account for approximately a third of Selby's housing distribution. The delivery of the site is dependent on providing flood risk mitigation measures and significant highways infrastructure work.
- 2.34. The main source of the remainder of housing land supply is a large site at Crosshills Lane. This is proposed to accommodate 944 dwellings. This was dismissed as a strategic site in the Core Strategy due to lack of information on deliverability including flood risk mitigation.
- 2.35. If either of the large sites do not come forward, or development doesn't commence until later in the plan period, Selby risks not achieving the housing land delivery targets with the plan period. A wider range of options is necessary to ensure delivery of the necessary level of housing.
- 2.36. Given constraints in the Selby settlement, providing a higher proportion of the housing distribution to Sherburn, which has available land next to the settlement boundary unconstrained by flood risk, will make the distribution policy sound.

Designated Villages

2.37. The housing distribution relies on the delivery of a significant amount of housing in the villages. This should be reduced given the villages are less sustainable locations and will encourage increased and greater length car journeys.

3.5 What is the justification for proposing a similar amount of housing development at both Tadcaster and Sherburn in Elmet despite their very different histories and recent patterns of growth?

2.38. The same distribution of housing land supply (9%) to both Sherburn and Tadcaster is unjustified and unsound on grounds of deliverability demonstrated by their different histories and patterns of growth.

2.39. Whilst it is recognised that some levels of growth need to go to Tadcaster to support the towns services, with such significant questions over deliverability supported by the history of development in the settlement (see question 3.3), the policy is unsound.

2.40. Two sites in Tadcaster are allocated in the SLDP and have not yet been developed. Other large sites which have had planning permission have not been brought forward and the permissions have expired. Furthermore, of the sites with extant planning permission, two are currently on hold until at least 2012 until flood defence works are constructed. Tadcaster has only managed to deliver an average of 7.8 dpa between 2000 and 2010. On the other hand, Sherburn has delivered 291 dpa over the same period.

2.41. Given the constraints and lack of delivery in Tadcaster compared to Sherburn, the housing land allocation to both settlements is unsound due to lack of evidence of deliverability.

3.6 What is the evidence basis for reducing commitments by 10% to allow for non-delivery?

2.41.1. The 10% allowance for non-delivery is a standard industry based allowance which was used in more stable and positive economic conditions. Since the housing market collapse, a non-delivery allowance of 20% is considered more appropriate, yet this is still a conservative measure. In assessing what percentage of non-delivery can be used to inform housing requirements of the plan period, it is important to consider the qualitative nature of the supply. If the supply is made up of a large number of flat schemes these are unlikely to be progressed and could be discounted up to 50%.

3.8 How does the evidence on housing land availability in the SHLAA (which categorises deliverability in terms of periods of 0-7 and 8-17 years) inform the assessment of a 5 year supply sought by policy CP3 (and PPS3)? Is the policy consistent with national policy in PPS3, particularly in the absence of any requirement to provide a supply of specific developable sites for years 6-10 and, if possible, for years 11-15?

2.42. PPS3 guidance clearly sets out that Council's must demonstrate a five year supply of deliverable housing land, and identify developable sites and broad locations for housing for years 6-10 and 11-15. The draft NPPF maintains this policy requirement but also states that land for a further 20% of the housing requirement should be identified to ensure choice and competition.

2.43. Land availability cannot be assessed in compliance with PPS3 and the draft NPPF as it defines land supply in different time periods. The SHLAA is too coarse grained to allow an accurate assessment of the 0-5 and 6-10 year supply. This inaccuracy could allow for inadequate site delivery and sites not being allocated to help meet housing needs. This way the evidence base is not credible.

3.9 Overall, where is the evidence that the spatial distribution of housing proposed in the Core Strategy is deliverable within the time frame identified in PPS having regard to the housing land supply identified in the SHLAA?

- 2.44. The Council's evidence base of the SHLAA to inform the delivery of housing over the 15 year plan period is out of date and too coarsely grained in analysis and therefore cannot adequately inform the housing trajectory effectively.
- 2.45. The housing land supply trajectory in the SHLAA relies on the assumption of housing delivery of 100 dpa on large sites. This conflicts with advice from representatives of the house building industry at the Council's SHLAA Working Group which took place in January 2010. They advised that sites could be expected to deliver 30 dpa, or 60 dpa if there are two or more house builders on site. This also conflicts with recent evidence of delivery on large sites in Selby, as shown by example of the Stanor Hill site which has only delivered 383 dwellings from 2005/06 - 10/11 (see Five Year Housing Land Supply Statement).
- 2.46. The spatial distribution is not deliverable in the PPS3 time frames as the evidence base of the SHLAA casts doubt over delivery of some sites.

3.10 Does the "deliver of housing" in policy CP3 relate to actual house completions (as is suggested by reference to the housing trajectory in part A) or to supply of deliverable land for housing (as might be inferred from part B)? Does part B represent the "remedial action" referred to in Part A, or is it a separate matter?

- 2.47. The remedial actions set out in Policy CP3 should relate to actual house completions as whilst there may be an oversupply in planning commitments, this won't necessarily relate to the delivery of actual housing.
- 2.48. It is unclear how part A and part B relate to each other and this should be clarified. Part B should not be the remedial action as addressed in response to question 3.12.

3.11 Why is it necessary to prepare an SPD to manage the bringing forward of site if a shortfall is identified? Is it also the intention to prepare another (or is it the same) SPD to manage the release of sites allocated in the Site Allocations DPD?

- 2.49. It is unnecessary to prepare an SPD to bring forward sites if a shortfall is identified. To make the Core Strategy sound, enough housing land supply should be identified and then allocated through the Site Allocations DPD for housing to ensure development is delivered. The policy should be flexible to allow the delivery of sustainable sites so that a separate SPD is not required. In the short term, sustainable sites that meet PPS3 tests should come forward irrespective of whether they are phase 2 allocations.

3.12 Is it appropriate to continue to rely on unimplemented SDLP Phase 2 allocations to make up any shortfall in the 5 year supply prior to the Site Allocation DPD being adopted? How would such a process be managed and how would decisions about "greatest conformity" with the Core Strategy be made?

- 2.50. It is inappropriate and unsound to rely on unimplemented SDLP Phase 2 Allocations. All sustainable sites should be considered on individual merits in the event of sites coming forward ahead of the SADPD being adopted. Our response to this was set out in response to the interim housing policy a copy of which is attached at **Appendix 6**.