

LDF Team  
Development Policy  
Selby District Council  
Civic Centre  
Portholme Road  
Selby  
YO8 4SB

**BY EMAIL AND POST**

19099/A3/JP/AC

21<sup>st</sup> February 2011

Dear Sir or Madam,

**SELBY DISTRICT SUBMISSION DRAFT CORE STRATEGY PUBLICATION VERSION  
RESPONSE BY THE CHURCH COMMISSIONERS FOR ENGLAND**

We are instructed by the Church Commissioners for England (The Commissions) to submit representations to the Selby District Core Strategy Publication Version. The Commissioners own land immediately abutting the south western edge of Selby and to the north of Brayton at Foxhill Lane. The land is under option to Barratt and David Wilson Homes (Yorkshire East Division) and both the Commissioners and Barratt Homes are keen for it to be considered for residential use and are promoting it for development.

A Joint Response to the Council's 'Call for Development Sites' consultation was submitted by Barratt Homes and David Wilson Homes (Yorkshire East Division) and the Commissioners in July 2010 (please refer to our previous submission). Within this response it was made clear that Barratt Homes were promoting 'Site A' which was identified within the submission as being the first phase of development.

We note that separate representations are being submitted by Barratt Homes to the Core Strategy consultation solely in relation to 'Site A' and we are supportive of their case and the changes that they are seeking.

The Commissioners are broadly supportive of the Spatial Strategy set out in Policy CP1, which identifies Selby as the principal town in the District and therefore the focus for the majority of new development. The Spatial Strategy also identifies Designated Service Villages which have some scope to accommodate additional residential and employment growth. Brayton is one such Designated Service Village which, due to its proximity to Selby, is identified as having the ability to complement growth in Selby. The supporting text to the policy notes that Brayton is sustainably located and has excellent access to the employment and services within Selby itself. In light of this assessment of the suitability of Brayton, we query why it is only classed as a Designated Service Centre. Due to its proximity to Selby we contend that it is suitable to accommodate a greater quantum of residential development than other settlements classed as Designated Service Village and that this should be reflect in the Core Strategy.



In relation to Policy CP2 we object on the basis that the annual housing target has been calculated using out of date population projections. The result of this is that the annual housing requirement is less than if calculated with current projections. The way the policy is worded is insufficiently flexible to address this point and as such we believe that the policy is unsound. To make the policy sound we recommend that a revised annual figure was calculated using an up to date evidence base.

As noted above we have previously submitted details of the Commissioners' land to the Council's 'Call for Development Sites' in July 2010 promoting the site as being suitable to accommodate new residential development and wish to reiterate both the suitability and deliverability in the context of the emerging Core Strategy. Our client's land is located adjacent to the built-up area of Selby and therefore has the ability to accommodate new residential development to meet Selby's needs in a sustainable manner.

With reference to paragraph 54 of PSP3, the site is considered deliverable as it is available; in that it is in the ownership of the Commissioners who confirm that the site is available for development; suitable due to its sustainable location in relation to existing facilities and infrastructure, including public transport; and achievable given that it is under option to Barratts. Separate representations will be submitted to the Site Allocations DPD Issues and Options consultation promoting the Commissioners' land for consideration for allocation for residential development.

We object to the identification of a Strategic Gap between Brayton and Selby on the Key Diagram (Figure 6). Paragraph 25 of PPS7 states that:

**"When reviewing their local area-wide development plans and LDDs, planning authorities should rigorously consider the justification for retaining existing local landscape designation. They should ensure that such designations are based on a formally and robust assessment of the qualities of the landscape concerned."**

It is not clear from the Council's evidence base how this designation has been arrived at and what the justification is for retaining it. We acknowledge that there is a gap between Brayton and Selby but that this in itself is not sufficient to prevent new development taking place within it. We refer to our client's land noting that with careful and sensitive master planning of the wider site and the creation of a new defensible boundary and/or structural landscaping the integrity of the gap could be sufficiently maintained. We believe that the plan is therefore unsound as the inclusion of a strategic gap on the Key Diagram has not been based on a robust and credible evidence base and is not consistent with national policy.

In order to make the plan sound we wish to see the Strategic Gap designation removed from the Key Diagram.

We trust that you will take our representations into account and look forward to being notified about further stages of the Selby Local Development Framework.

In the meantime if you have any questions or would like to discuss any issue in further detail please do not hesitate to contact either Dan Hatcher or myself.

Yours sincerely,

**JOHN PEARCE**  
Senior Planner

cc Joanna Loxton – Church Commissioners for England

**Selby District**  
**Submission Draft Core Strategy**  
Publication Version January 2011  
Representation Form

## Part A

In completing this representation form, you are providing a formal consultation response under Regulation 27 of the Town and Country Planning (Local Development)(England) Regulations 2008 with regard to the Selby District Submission Draft Core Strategy DPD on grounds of soundness only.

Please complete separate copies of Part B (pages 3 and 4) of this form for each section, policy, table, map or diagram about which you wish to comment.

If you believe that a section, policy, paragraph, table, map or diagram is unsound with regard to more than one test of soundness please provide a separate representation for each test.

### **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.

**Completed representation forms must be returned to the Council no later than 5pm on Monday 21st February 2011.**

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Please provide contact details and agent details, if appointed.

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First Name	
Last Name	
Job Title (where relevant)	
Organisation CHURCH COMMISSIONERS FOR ENGLAND	JOHN PEARCE
Address Line 1	BARTON WILLMORE
Address Line 2	REGENT HOUSE
Address Line 3	PRINCE'S GATE, 4 HOMER ROAD SOLIHULL
County	WEST MIDLANDS
Postcode	B91 3QQ
Telephone No.	0121 711 5151
Email address	john.pearce@bartonwillmore.co.uk

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**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 3 and 4) for each representation)**

**Please identify the part of the Core Strategy to which this representation refers:**

Section No.	<input type="text"/>	Policy No.	<input type="text" value="CP1"/>	Paragraph No.	<input type="text"/>
Map No.	<input type="text"/>	Figure No.	<input type="text"/>	Other	<input type="text"/>

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**Question 1: Do you consider the DPD 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.

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

(Please note you should complete separate Part B (pages 3 and 4) of this form for each test of soundness the Core Strategy fails.)

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

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**Question 3: Please give details of why you consider the Core Strategy DPD 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 DPD, please also use this box to set out your comments.**

PLEASE SEE ATTACHED

**Question 4:** Please provide details of what change(s) you consider necessary to make the Core Strategy DPD 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.

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

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**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

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**Representation Submission Acknowledgement**

I acknowledge that I am making a formal representation under Regulation 27 of the Town and Country Planning (Local Development)(England) Regulations 2008. 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

Dated

**Selby District**  
**Submission Draft Core Strategy**  
Publication Version January 2011  
Representation Form

## Part A

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#### **2 Effective**

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Map No.	<input type="text"/>	Figure No.	<input type="text" value="6"/>	Other	<input type="text"/>

**Question 1: Do you consider the DPD is:**

- 1.1 Legally compliant  Yes  No
- 1.2 Sound  Yes  No

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

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- 2.1 Justified (Please identify just one test for this representation)
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AS A KEY LAND OWNER AROUND SELBY, DEVELOPMENT OF THE COMMISSIONERS LAND COULD MAKE A SIGNIFICANT CONTRIBUTION TO MEETING SELBY'S NEEDS.

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Section No.	<input type="text"/>	Policy No.	<input type="text" value="CP2"/>	Paragraph No.	<input type="text"/>
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