

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.

Email to: ldf@selby.gov.uk (Please save a copy to your computer prior to e-mailing your response)

Post to: LDF Team, Development Policy, Selby District Council, Civic Centre, Portholme Road, Selby YO8 4SB

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

Personal Details	Agents Details (if applicable)
Title	Miss
First Name	Clare
Last Name	Plant
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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 3 and 4) 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 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"/>	Paragraph No.	<input type="text" value="2.40"/>
Map No.	<input type="text"/>	Figure No.	<input type="text"/>	Other	<input type="text"/>

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.

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

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.

PPS3 paragraph 33 sets out a number of considerations that development plans are required to consider. This includes the most recent household projections and the results of the councils SHMA. PPS12 requires the Core Strategy to be sound based on credible evidence. The RSS figure although a starting point in the determination of the Core Strategy should be subject to investigation. The Yorkshire and the Humber RSS was based upon 2004 projections, whereas consideration of the 2006 projections was only given after at the Examination stage. As such the strategy, the housing requirement and the evidence base in so far it is reliant upon the RSS evidence base cannot be regarded sound.

Within this policy context and taking account of the evidence base from the 2008 projections and the Strategic Housing Market Assessment alongside the recognition within the preamble to the Core Strategy that over 60% of the population of the District live in villages, there is concern that concentrating growth in Selby will fail to provide the necessary flexibility to achieve economic growth and housing delivery. Furthermore the risk of flooding needs to be more thoroughly considered in relation to concentrating development within Selby town. This is in light of the updated information published by the Environment Agency in October 2010, which places all of the identified development sites in Selby within the medium to high risk flood zone classifications. The dependence on allocated sites in such locations would appear contrary to PPS25 and objective 6 of the Core Strategy itself, which both seek to avoid development in high risk flood areas. PPS25 requires the application of the sequential test and then the exceptions test. This has not been done.

See attached representation report paragraphs 2.4 - 2.15 for further comment.

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

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.

Paragraph 2.40 should read as follows to introduce flexibility and address the needs of Selby as the principal town whilst acknowledging the housing need and sustainable development opportunities in the adjoining service villages. -

"Selby town serves a large rural catchment and is also well related to York and the main urban core of the Leeds City Region. In guiding the spatial distribution of development across the District the Strategy seeks to concentrate growth in Selby and adjoining service villages of Barlby, Brayton and Thorpe Willoughby. This is the most sustainable approach and is supported by evidence on local journey-to-work patterns and accessibility to services."

(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

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

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 21/02/11

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"/>	Paragraph No.	<input type="text" value="4.10"/>
Map No.	<input type="text"/>	Figure No.	<input type="text"/>	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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Paragraph 4.10 refers to the identification of 22 Designated Service Villages identified as having capacity for further growth based on their relative sustainability. It is noted that this number has already been reduced to 18 settlements as a result of further analysis of transport options and flood risk constraints.

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The erroneous reference to 22 settlements should be amended to reflect the revised number of designated service villages i.e. 18 settlements.

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

Section No.	<input type="text"/>	Policy No.	<input type="text"/>	Paragraph No.	<input type="text" value="5.16"/>
Map No.	<input type="text"/>	Figure No.	<input type="text"/>	Other	<input type="text"/>

Question 1: Do you consider the DPD is:

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- 1.2 Sound Yes No

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The preamble to text regarding the distribution of housing throughout the District refers to the annual affordable housing need over the next 5 years amounting to an unobtainable 90% of the total housing requirement.

This statistic further compounds the fundamental floor in the estimation of housing figures as it compares a housing requirement derived from one methodology with a housing requirement from another methodology which has had a policy applied to it and is based on out of date figures. The SHMA states that the housing requirement per annum amounts to 409 affordable dwellings and 710 market houses. However as the Council's target housing figure is 440 dwelling per annum as derived from the RSS as appose to the SHMA, the requirement for affordable housing cannot be read as a percentage of this figure.

See attached representation report paragraphs 2.63 - 2.64 for further comment.

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.

Amend paragraph 5.16 to reflect that the affordable housing requirement as a percentage of the total housing requirement (based on SHMA) is equivalent to 37% of the total requirement

Alternatively, delete this erroneous and misleading comment.

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

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

Signed

Dated

21/02/11

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"/>

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.

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)
- 2.2 Effective
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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.

Our previous representation on the draft Core Strategy supported the specific identification of the close proximity of Selby to the adjoining villages of Barlby/Osgodby, Brayton and Thorpe Willoughby. The DPD recognised the interdependent roles of these settlements and stated an intention to plan comprehensively for this area through the Selby Area Action Plan DPD. This approach was strongly supported to enable flexibility in the delivery of development within the SAAP area.

It is noted that the SAAP has now been dropped in favour of identifying potential development sites through production of the Site Allocation DPD. The result of this is that the Core Strategy fails in the existing draft to retain any distinction between Barlby, Brayton and Thorpe Willoughby and the other Designated Service Villages (DSV's) despite their recognised sustainability and capability to complement the role of Selby as a focus for growth (paragraph 4.25).

The Council recognises that there is insufficient capacity to absorb all future growth in the principal town (Selby) and local service centres (Tadcaster and Sherburn) without compromising environmental and sustainability objectives. Therefore further growth in designated service villages and specifically those in a sustainable location in close proximity to Selby, which have a good range of local services, should be clearly supported in the Core Strategy. This will ensure flexibility of deliver and will comply with the objectives of PPS7 supporting the local economy in accessible existing communities.

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

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.

Policy CP1 A(a) at the third bullet point is confused as it deals with two different aspects of housing delivery, first residential and small scale employment growth to support rural sustainability and second growth to support Selby.

It would be more appropriate to separate these two as follows:

DELETE - Reference to Barlby, Brayton and Thorpe Willoughby from bullet point 3.

ADD – The following to bullet point 1: "The functions of the Principal Town will be supported by housing and employment provision in the adjoining three Designated Service Villages"

In order to encourage sustainable patterns of development it is suggested that the following sentence is added to bullet points 3 and 4 in part B of CP1:

"where possible mixed use urban extension"

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

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To be involved in the examination of evidence on which the policy is based.

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Signed

Dated

21/02/11

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="CP1A"/>	Paragraph No.	<input type="text"/>
Map No.	<input type="text"/>	Figure No.	<input type="text"/>	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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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.

We support the aspirations of this policy to balance housing growth with employment growth and hence avoid garden grabbing and inappropriate infill development, however our recommendation is intended to clarify that planned allocations are intended to maximise community benefit and avoids the ambiguous use of the term 'speculative'.

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.

The wording of the policy is changed to delete reference to 'speculative (windfall) development' and replace this with reference to 'development on non-allocated sites'.

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

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Dated 21/02/11

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="CP2"/>	Paragraph No.	<input type="text"/>
Map No.	<input type="text"/>	Figure No.	<input type="text"/>	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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If you wish to support the legal compliance or soundness of the DPD, please also use this box to set out your comments.

The reasons given by the council for maintaining a historic housing requirement rather than utilising the most up to date evidence do not in our view stand up to scrutiny and as such the housing requirement is considered to be unsound.

It is our view that the basic strategy of urban concentration both within (and beyond) the District would not only be delivered by a higher dwelling requirement but would actually be enhanced by a higher rate of provision.

For the Core Strategy to be found sound it will have to be able to deliver not only the current 440 net dwelling per year found in the RSS Strategy but should also be capable of delivering up to 1,119 net dwellings per year in light of the most recent SHMA findings.

It is clearly very important that for the Core Strategy to be found sound it should be able to demonstrate significant flexibility as there is clear evidence that the strategy may be required to accommodate a significant increase in housing within the Plan Period.

See attached representation report paragraphs 2.75 - 2.95 for further comment.

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

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CP2 The Scale and Distribution of Housing

A. Provision will be made for the delivery of 510 dwellings per annum and associated infrastructure in the period up to 2026, to be distributed as set out in the table of proposed changes on page 19 of our representations (Tables cannot be pasted into PDF document).

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

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In order to discuss the evidence base on which the housing targets are based.

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Section No.	<input type="text"/>	Policy No.	<input type="text" value="CP3"/>	Paragraph No.	<input type="text"/>
Map No.	<input type="text"/>	Figure No.	<input type="text"/>	Other	<input type="text"/>

Question 1: Do you consider the DPD is:

- 1.1 Legally compliant Yes No
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Despite Thorpe Willoughby being identified as a highly sustainable settlement due to the close proximity to Selby and strong transport links and services, there are limited development opportunities in relation to the release of phase 2 Local Plan sites. The only remaining site left to come forward from existing allocations is land to the south of Leeds Road (site reference TW2), which now forms part of the wider site being promoted by our client.

The release/allocation of our client's site to the west of the settlement would support the objectives of the Core Strategy in identifying a site capable of delivering housing and commercial development and as a result economic support for the settlement. This is particularly appropriate as the site has clear boundaries with the A63 bypass to the south and the railway line to the north and west.

It is considered that should the Council continue to group the settlements of Barlby, Brayton and Thorpe Willoughby together with other service villages the delivery of appropriate sites such as this will be limited by current policy and in future the proposed total housing target for DSV's. In addition the flexibility envisaged previously in the delivery of housing, as a result of the SAAP is lost with no flexibility permitted between Selby and these three settlements.

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

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DELETE "Prior to the Site Allocations DPD being adopted, the pool of unimplemented Phase 2 allocations in the Selby District Local Plan (Policies H2A / H2) will provide the source from which appropriate sites will be drawn. Those sites in greatest conformity with the Core Strategy will be released first." (Second paragraph of part B of CP3)

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

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

Signed

Dated

21/02/11

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="CP5"/>	Paragraph No.	<input type="text"/>
Map No.	<input type="text"/>	Figure No.	<input type="text"/>	Other	<input type="text"/>

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.

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

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.

The figure of 40% affordability is not based upon the evidence presented it is simply a figure imported from the RSS. The SHMA clearly suggests that if the entire housing requirement was met then the 409 affordable dwellings would be some 37% of the total provision.

As the council are not meeting the calculated housing requirement the justification for a percentage could be simply on a pro rata basis. The impact of such a policy is that it fairly arbitrarily disadvantages household access to housing depending upon how well they meet the RSL criteria for letting and of course their ability to fund a purchase on the housing market.

If the council are using shortage of housing (and hence price) as a method of influencing migration then there is a strong case to under provide affordable housing and so increase the incentive for out migration from those families less well off. It is somewhat counter intuitive to use housing supply restrictions as a method of influencing net migration while at the same time increasing the level of affordable housing provision These two policies appear to be in conflict making the SPD unsound, as it can not be in accordance with policy CSP2 of the CS.

See attached affordable housing representation report for further comment.

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

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.

Proposed changes to Core Strategy Policy CP5

A The Council will seek to achieve a 20/80% 40/60% affordable/general market housing ratio within overall housing delivery to 2026

B In pursuit of this aim the Council will negotiate for on-site provision of affordable housing up to a maximum of 20% 40% of total new dwellings on all market housing sites at or above the threshold of 10 dwellings (or sites of 0.3ha) or more. As this level has been set to reflect the viability of sites as at 2010 it will be reviewed by further Supplementary Planning Guidance as a result of changes to the housing market through out the plan period. These SPD's will be subject to further public consultation prior to being adopted. Commuted sums will not normally be accepted on these sites unless there are clear benefits to the community/or delivering a balanced housing market in relocating all or part of the affordable housing contribution.

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

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 representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination. For further information on the stages see The Planning Inspectorate website (http://www.planning-inspectorate.gov.uk/pins/appeals/local_dev/index.htm)

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 examine the soundness of this document.

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

Signed

Dated

21/02/11

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="CP12"/>	Paragraph No.	<input type="text"/>
Map No.	<input type="text"/>	Figure No.	<input type="text"/>	Other	<input type="text"/>

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.

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

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.

The thrust of this policy is strongly supported in relation to avoiding flood risk and providing development in sustainable locations, subject to the comments set out above.

It is unclear however how the Council have justified the proposed distribution of housing in to Selby and onto the strategic site in terms of the SFRA. There appears to be a conflict between policies CP2 and CP3 and this policy CP12 particularly part D). Such a conflict would render the Core Strategy unsound.

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

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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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).

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

Signed

Dated

21/02/11

REPRESENTATIONS ON THE SUBMISSION VERSION OF CORE STRATEGY

Prepared by
DLP Planning Ltd

February 2011



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February 2011

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Introduction

- 1.1 This representation has been prepared by DLP Planning Ltd on behalf of Land 4 New Build Ltd in response to Selby District Council's consultation on the Submission Version of the Core Strategy (January 2011).
- 1.2 To be 'sound' a Core Strategy should be JUSTIFIED, EFFECTIVE and consistent with National Policy.

'Justified' means that the document must be:

 - founded on a robust and credible evidence base
 - the most appropriate strategy when considered against the reasonable alternatives

'Effective' means that the document must be:

 - deliverable
 - flexible
 - able to be monitored
- 1.3 The comments within this representation examine the soundness of the proposed Core Strategy policies with reference to the corresponding evidence base. Where a proposed policy is considered to be unsound, recommendations are set out as to how the document can be made sound.
- 1.4 Whilst it is not within the remit of the Core Strategy to allocate specific sites for development, the DPD does identify areas for growth distribution within the district. It is therefore considered appropriate in our examination of housing distribution patterns to refer to our client's site at Thorpe Willoughby as part of the District wide assessment.
- 1.5 This representation should be considered alongside two further representations submitted by DLP Planning Ltd in response to consultation on the Issues and Options Site Allocations DPD and Affordable Housing SPD.

Comments on draft Core Strategy

- 2.1 The consultation process provides the opportunity to make comments and observations associated with the wider strategic implications associated with the Selby Local Development Framework. It is important that this policy document adequately addresses the appropriate issues and ensures a “spatially aware strategy” is developed which will provide a focus for all new development within the District over the next 10-20 years
- 2.2 It is acknowledged that the Core Strategy will only set out the broad locations for development and that individual sites will be the subject of further consultation and examination as part of separate DPD’s in due course. However, where individual sites are promoted, it is essential that they are fully compliant with the objectives of the Core Strategy.
- 2.3 This representation will comment on the soundness of the publication document and put forward recommendations to ensure the final document is sound and avoids unnecessary sterilisation of land for future housing delivery.

Objection 1: Key Issues and Challenges

Moderating unsustainable travel patterns

- 2.4 The focus on sustainable travel patterns in order to encourage self-sufficiency within the District, as set out in paragraph 2.39 of the Core Strategy is broadly supported.
- 2.5 However it is emphasised that this challenge should be appropriately balanced against other material planning issues, as will be set out below.

Concentrating Growth in the Selby area

- 2.6 The Core Strategy focuses the concentration of growth in Selby and adjoining villages during the plan period. This pattern of distribution reflects guidance within the RSS, focusing development in urban areas based on a hierarchy of cities, towns and lower order settlements.
- 2.7 Announcements by the new Government have stated that they are amending the planning system to increase the delivery of housing describing the RSS approach as being undemocratic and accusing the process of restricting the ability of local authorities to deliver the required level of housing.
- 2.8 More recent correspondence from the CLG suggests that the evidence base for the RSS maybe a consideration even if councils decide to place less weight on the RSS housing figures while the government move to revoke this part of the planning system.
- 2.9 PPS3 paragraph 33 also sets out a number of considerations that development plans are required to consider. This includes the most recent household projections and the results of the councils SHMA.
- 2.10 PPS12 requires the Core Strategy to be sound based on credible evidence.
- 2.11 Therefore, the RSS figure although a starting point in the determination of the Core Strategy should be subject to investigation.

- 2.12 Furthermore as a point of fact, the emerging RSS was based upon 2004 projections, consideration of the 2006 projections was only given after at the Examination stage. As such the strategy, the housing requirement and the evidence base in so far it is reliant upon the RSS evidence base cannot be regarded sound.
- 2.13 Within this policy context and taking account of the evidence base from the 2008 projections and the Strategic Housing Market Assessment alongside the recognition within the preamble to the Core Strategy that over 60% of the population of the District live in villages, there is concern that concentrating growth in Selby will fail to provide the necessary flexibility to achieve economic growth and housing delivery.
- 2.14 Furthermore the risk of flooding needs to be more thoroughly considered in relation to concentrating development within Selby town. This is in light of the updated information published by the Environment Agency in October 2010, which places all of the identified development sites in Selby within the medium to high risk flood zone classifications.
- 2.15 The dependence on allocated sites in such locations would appear contrary to PPS25 and objective 6 of the Core Strategy itself, which both seek to avoid development in high risk flood areas. PPS25 requires the application of the sequential test and then the exceptions test. This has not been done.

Recommendation: Amend the proposed strategy to include recognition within paragraph 2.40 that flexibility will be required to address the needs of Selby as the principal town whilst acknowledging the housing need and sustainable development opportunities in the adjoining service villages. For the purposes of clarity these should be identified as Thorpe Willoughby, Barlby and Brayton.

- 2.16 The following sections will provide detailed evidence in respect of the appropriate level and distribution of development sites based on the evidence base to ensure the Core Strategy is sound.

Objection 2: Spatial Development Strategy

- 2.17 The proposed concentration of growth within the Core Strategy supports development in the Principal Town (Selby) and the Local Service Centres (Tadcaster and Sherburn in Elmet), whilst indicating a slower pace and scale of growth in designated service villages.
- 2.18 The assessment in paragraph 4.5 is supported however we would suggest that there is need to clarify the differences between the three large villages adjoining Selby, with a combined population of over 7000 and the more general description of 'villages and countryside' in paragraphs 4.9 - 4.12. These villages have a projected dwelling requirement of 1500 dwellings in the period to 2026, this combined with their close links to Selby requires them to be identified differently and addressed differently in policy terms. This is reflected in the Core Strategy at paragraph 4.17.
- 2.19 Paragraph 4.10 refers to the identification of 22 Designated Service Villages identified as having capacity for further growth based on their relative sustainability. It is noted that this number has already been reduced to 18 settlements as a result of further analysis of transport options and flood risk constraints.
- 2.20 The Council states that the service villages of Barlby/Osgodby, Brayton and Thorpe Willoughby are considered to be relatively sustainable because of their size, the range of facilities available and because of their proximity to the wider range of services and employment opportunities available in Selby.



- 2.21 Our previous representation on the draft Core Strategy supported the specific identification of the close proximity of Selby to the adjoining villages of Barlby/Osgodby, Brayton and Thorpe Willoughby. The DPD recognised the interdependent roles of these settlements and stated an intention to plan comprehensively for this area through the Selby Area Action Plan DPD. This approach was strongly supported to enable a level of flexibility in the delivery of development within the SAAP area.
- 2.22 It is noted that the SAAP has now been dropped in favour of identifying potential development sites through production of the Site Allocation DPD. The result of this is that the Core Strategy fails in the existing draft to retain any distinction between Barlby, Brayton and Thorpe Willoughby and the other Designated Service Villages (DSV's) despite the recognition that their location means that they are more sustainable and therefore capable of complementing the role of Selby as a focus for growth (paragraph 4.25).
- 2.23 The Council recognises that there is insufficient capacity to absorb all future growth in the principal town (Selby) and local service centres (Tadcaster and Sherburn) without compromising environmental and sustainability objectives and in recognition of the physical constraints to development in Sherburn and issues of green belt and land availability in Tadcaster.
- 2.24 Therefore further growth in designated service villages and specifically those in a sustainable location in close proximity to Selby, which have a good range of local services, should be clearly supported in the Core Strategy, paragraph 4.17. This will ensure flexibility of deliver and will comply with the objectives of PPS7 supporting the local economy in accessible existing communities.
- 2.25 Within this context the following recommendation is made and is supported by paragraph 4.25 of the Core Strategy identifying the support for growth within these locations and analysis of housing need as set out below.

Recommendation A: The erroneous reference to '22 settlements' in paragraph 4.10 should be amended to '18 settlements' to reflect the revised number of designated service villages.

Recommendation B: The settlement hierarchy should be amended to reflect the relationship of Selby to the adjacent villages.

The text in paragraph 4.13 should be changed to:

a) Principal Town and its environs

Selby and adjacent designated service villages of Brayton, Barlby and Thorpe Willoughby

- Also change Figure 6 – Key Diagram to reflect this change in classification

Policy CP1

Recommendation C: Policy CP1 A(a) at the third bullet point is confused as it deals with two different aspects of housing delivery, first residential and small scale

employment growth to support rural sustainability and second growth to support Selby. It would be more appropriate to separate these two as follows:

DELETE - Reference to Barlby, Brayton and Thorpe Willoughby from bullet point 3.

ADD – The following to bullet point 1:

“The functions of the Principal Town will be supported by housing and employment provision in the adjoining three Designated Service Villages”

In order to encourage sustainable patterns of development it is suggested that the following sentence is added to bullet points 3 and 4 in part B of CP1:

“where possible mixed use urban extension”

- 2.26 The sequential approach to direct development to areas with the lowest flood risk based on the Selby Strategic Flood Risk Assessment as advocated within the DPD in relation the above priorities is supported.
- 2.27 We support the aspirations of this policy to balance housing growth with employment growth and hence avoid garden grabbing and inappropriate infill development, which doesn't contribute to the economic sustainability of the settlement. The above recommendation clearly indicates that planned allocations are intended to maximise community benefit and avoids the ambiguous use of the term 'speculative'.

Policy CP1A

Recommendation: For clarity we would recommend that the wording of the policy is changed to delete reference to 'speculative (windfall) development' and replace this with reference to 'development on non-allocation sites'.

Objection 3: Creating Sustainable Communities

Overall level of housing provision

- 2.28 The influential factors affecting the scale and distribution of housing in Selby are set out in paragraph 5.10 of the Core Strategy and while they reflect a number of material considerations to be addressed by policy CP2, particular attention is drawn to the established demand for both market and affordable housing outside the three main towns. In particular the results of local projections of overall housing requirement are an important consideration.
- 2.29 The 2009 SHMA correctly identifies that PPS3 contains a central policy objective that is one of delivering housing to ensure everyone has the opportunity of living in a decent home. Statements by the new government have stated that they are amending to planning system to increase the delivery of housing describing the RSS approach as being undemocratic and accusing the process of restricting the ability of local authorities to deliver the required level of housing. More recent correspondence from the CLG suggests that the evidence base for the RSS maybe a consideration even if councils decide to place less weight on the RSS housing figures while the government move to revoke this part of the planning system.

- 2.30 PPS3 paragraph 33 also sets out a number of considerations that development plans are required to consider. This includes the most recent household projections and the results of the councils SHMA.
- 2.31 PPS12 requires the Core Strategy to be sound based on credible evidence.
- 2.32 The RSS figure although a starting point in the determination of the Core Strategy should be subject to investigation.
- 2.33 As a point of fact the emerging RSS was based upon 2004 projections, consideration of the 2006 projections was only given after at the Examination stage. As such the strategy, the housing requirement and the evidence base cannot be regarded sound.
- 2.34 In terms of the two most direct inputs to the CLG projections and the SHMA the facts are as follows:
- Paragraph 2.3 of the councils 2011 “Background paper 9: Housing Target” states that the 2006 projections indicate an increase in households from 2011 to 2026 will be of the order of 8,000 households (an average of 530pa). This has now been updated by the 2008 projections which suggest an average of 508 pa (2011 to 2026) as shown in our table below.
 - Paragraph 2.4 of the councils 2011 “Background paper 9: Housing Target” states that the SHMA demonstrates an annual need for affordable housing of 409 dpa over the next five years.
 - What the Background Paper omits for no apparent reason is the conclusion from the SHMA regarding the demand for market housing. Paragraph 5.18 of the SHMA concludes that the market requirement for future housing in the district is 710 dwellings a year.
 - The Background Paper also omits the final conclusion of the SHMA (paragraph 5.21) that the total requirement for housing in the district is 1,119 dwellings a year.
- 2.35 The Council have addressed the issue of future housing requirement in their background paper 9. We welcome this approach but would disagree with the conclusions for the reasons set out below.

The Council’s justification for the rejection of a higher target

The rejection of evidence from the most recent CLG projections

- 2.36 The council rely upon the DCLG note that these projections do not take into account of potential policy interventions and have not been subject to Public Examination, to imply that they might not be relied upon.
- 2.37 Under the merging localism agenda it is clear that it will be the Core Strategy stage at which these matters are required to be determined. There is clearly the potential to discuss the implications of these projections at the forthcoming Core Strategy Examination.
- 2.38 The argument that the council should not utilise the most up to date evidence but instead rely upon the “undemocratic” RSS figures and suppress the debate of both the more up to date information and the locally derived information appears to run completely contrary to the movements towards “Localism”. If “Localism” is to deliver an increase in the level of housing with support of the local population then it is clear that

the development plan process should be based upon the most up to date information on housing demand and need. Without such information it is unlikely that “localism” will deliver the promised increase in housing. Local authorities and communities cannot be expected to act responsibly with regard to housing if they are not asked to address the most recent evidence.

- 2.39 The suggestion that the projections do not take into account policy interventions is only partially correct. The projections do of course take into account the results of previous policy and therefore do reflect what may happen if the policy environment remains unchanged.
- 2.40 To reject the projection requires the council to demonstrate in evidence that there will be changes to policy.
- 2.41 The SHMA highlights that part of the housing growth will due to in migration. According to figure 3.1 of the SHMA the main source of this migration is from Leeds and York. The comparison of the most recent projections and the RSS show that the continued implementation of the approved policies will increase this pressure for migration into Selby from both Leeds and York. The annual difference between the planned level of provision in these two locations and the most recent projections is 1,500 dwellings. This is a substantial shortfall which is clearly going to increase the demographic pressure for higher rather than lower levels of migration than that predicted in the CLG projections.
- 2.42 A further consideration is the potential for increased demographic pressure into the district to be offset by increased levels of out migration. Again the SHMA figure 3.1 shows that the main recipient of migration out of Selby is East Riding but again the substantial shortfall of housing in East Riding will significantly inhibit this areas ability to accommodate any increase in out migration from Selby. In fact there must be considerable doubt that the past rates of out migration can be maintained.

Table 406: Household projections by district, England, 1991- 2033	2001	2006	2008	2013	2018	2023	2028
East Riding of Yorkshire UA	131	141	144	154	165	176	187
York UA	77	81	84	91	97	104	110
North Yorkshire	238	248	252	266	281	297	311
Craven	23	24	24	26	27	29	31
Hambleton	35	36	37	38	40	41	43
Harrogate	63	66	67	71	75	80	84
Richmondshire	18	19	20	21	22	23	24
Ryedale	21	22	23	24	25	26	28
Scarborough	47	48	49	51	53	55	58
Selby	31	32	33	36	39	41	44
West Yorkshire (Met County)	855	900	918	981	1,049	1,113	1,174
Bradford	181	189	192	205	220	234	248
Calderdale	81	84	86	91	96	102	107
Kirklees	159	164	167	175	185	195	204
Leeds	302	325	334	365	394	421	447
Wakefield	132	138	139	146	154	161	168

Table 406: Household projections by district, England, 1991- 2033	total dwelling change 2011 to 2026	annual dwelling change 2011 to 2026	RSS	Difference between CLG and RSS
East Riding of Yorkshire UA	31,312	2,087	1,150	-937
York UA	18,746	1,250	850	-400
North Yorkshire	43,466	2,898	3,170	272
Craven	4,738	316	250	-66
Hambleton	4,326	288	280	-8
Harrogate	12,566	838	390	-448
Richmondshire	2,884	192	200	8
Ryedale	3,296	220	200	-20
Scarborough	6,180	412	560	148
Selby	7,622	508	440	-68
West Yorkshire (Met County)	187,048	12,470	10,970	-1,500
Bradford	40,994	2,733	2,700	-33
Calderdale	15,450	1,030	670	-360
Kirklees	27,604	1,840	1,700	-140
Leeds	81,164	5,411	4,300	-1,111
Wakefield	21,218	1,415	1,600	185

- 2.43 The Council's justification for not wishing to consider the CLG projections is that they have not been subject to public examination, and yet the council do not wish to subject this most recent evidence to public examination through the Core Strategy Examination.
- 2.44 The second reason is that the projections do not take into account future policy although they are a reflection of past policy. An examination of available up to date evidence including projections and extant policy suggest that pressure for in migration is likely to increase above past levels while the capacity of areas which have traditionally accepted out migration for Selby will decrease.
- 2.45 The impact of the new projections and extant policy are clear and that is the RSS figure set utilising what is now superseded data will not be sufficient to address the demographic pressure for housing within the District.
- 2.46 Localism requires council's to react responsibly to the evidence base and as such there is a clear requirement for a higher figure to be chosen.

The rejection of evidence from the SHMA

- 2.47 The Council simply chose not to address the evidence for additional market housing as set out in the SHLAA. The inability to offer an explanation for rejecting evidence places the Core Strategy at risk of being unsound.
- 2.48 It would appear that the council have misinterpreted the results of the SHLAA by suggesting that the high level of market housing is driven by the high requirement for affordable housing. paragraph 2.4 states:

"Given that the majority of affordable housing is likely to be provided in association with market housing this level of need could only be satisfied by significantly increasing house-building rates generally. This issue is common to many rural areas. However, it is considered that significantly increasing market house building in order to provide a relatively smaller proportion of affordable dwellings is not an appropriate solution in rural areas such as Selby District as it would contradict a number of sustainability and environmental objectives".

- 2.49 This interpretation of the SHMA results is incorrect. The SHMA's conclusion on the requirement for market of housing in table 5.1 is based upon the analysis of the 2008 household survey and has not been derived as a figure required to delivery the level of affordable housing.
- 2.50 The above statement also appears to accept no responsibility in so far as the level of supply of market housing does have an impact on the issue of affordability.

Conclusion

- 2.51 The reasons given by the council for rejecting the most up to date evidence do not stand up to scrutiny and in terms of the claim that the RSS figure represents a level of democratic involvement that cannot be achieved with the Core Strategy is simply illogical.

The Council's case for maintaining the RSS Requirement

The case for democracy

- 2.52 In paragraph 4.1 the council state that the 440 dwellings per annum in the RSS target has been established through a democratic process in consultation with adjoining local authorities and the house-building industry.

2.53 This statement is clearly in direct conflict with the Government's assessment of the RSS process. It is also factually incorrect as it fails to take into account that fact that the final decision was made by the Secretary of State and that the drafting body, the Regional Assembly was not an elected body. Reference to the involvement of the house building industry is somewhat overplayed in terms of the RSS figure as views of the industry were not reflected in the final policy – particularly in relation to the impact of the then new 2006 projections.

2.54 The suggestion that a housing requirement based upon out of date evidence should be given weight over more up to date and local evidence because the earlier figure was tested at an Examination fails to recognise that the Core Strategy and subsequent site and allocation plans will also be subject to examination and perhaps more importantly everyone will have the ability to attend these examinations rather than being by invitation only.

The impact on the policy of Urban Concentration of a higher housing figure

2.55 Paragraph 4.2 of the Council's Background Paper 9 suggests that these out of date requirements should be relied upon because they reflect the strategy of the emerging Core Strategy (i.e. one of concentrating growth). This strategy does not require an adherence to a particular housing figure. In fact to be robust both the RSS and the Core Strategy would need to demonstrate that the proposed strategy is still the most reasonable strategy even if housing requirements increase.

2.56 Adherence to a strategy of urban concentration does not mean adherence to a set figure. In fact our analysis and that of the SHMA suggests that adherence to this historic low figure is likely to increase out migration to ever more distant locations as households attempt to meet their housing requirements.

The importance of previous consultations

2.57 It is argued in paragraph 4.3 that the target has been consulted on at three previous stages during preparation the Core Strategy and that a degree of consensus was achieved on both the scale of development and the spatial distribution. Again the suggestion by the council that the spatial distribution is tied to the delivery of only a set number of dwellings undermines the potential strength of the core strategy as PPS12 requires the strategy to be capable of delivering a range of housing requirements.

2.58 Both the SHMA and the 2008 based household projections are relatively recent additions to the evidence base and it cannot be concluded that the same results would have resulted from consultation if this evidence base was available at the beginning of the process.

Conclusion

2.59 The reasons given by the council for maintaining a historic housing requirement rather than utilising the most up to date evidence do not in our view stand up to scrutiny and as such the housing requirement is considered to be unsound.

2.60 It is our view that the basic strategy of urban concentration both within (and beyond) the District would not only be delivered by a higher dwelling requirement but would actually be enhanced by a higher rate of provision.

2.61 In conclusion for the Core Strategy to be found sound it will have to be able to deliver not only the current 440 net dwelling per year found in the RSS Strategy but should also

- be capable of delivering up to 1,119 net dwellings per year as suggested by the most recent SHMA findings.
- 2.62 It is clearly very important that for the Core Strategy to be found sound it should be able to demonstrate this level of flexibility, as there is clear evidence that the strategy may be required to accommodate a significant increase in housing within the Plan Period.
 - 2.63 As a further point of accuracy, the preamble to text regarding the distribution of housing throughout the District refers to the annual affordable housing need over the next 5 years amounting to an unobtainable 90% of the total housing requirement.
 - 2.64 This statistic further compounds the fundamental floor in the estimation of housing figures as it compares a housing requirement derived from one methodology with a housing requirement from another methodology which has had a policy applied to it and is based on out of date figures. The SHMA states that the housing requirement per annum amounts to 409 affordable dwellings and 710 market houses. However as the Council's target housing figure is 440 dwelling per annum as derived from the RSS as appose to the SHMA, the requirement for affordable housing cannot be read as a percentage of this figure.
 - 2.65 **Proposed change to paragraph 5.16:** Amend paragraph 5.16 to reflect that the affordable housing requirement as a percentage of the total housing requirement (based on SHMA) is equivalent to 37% of the total requirement
 - 2.66 Alternatively, delete this erroneous and misleading comment.

The distribution of future housing requirements

- 2.67 The approach of the core strategy for concentrating development into sustainable settlements within the district is supported.
- 2.68 For the strategy to be successful it is important that the general distribution and the sites themselves recognise that they are trying to influence choice and provide an attractive alternative to more rural locations. As such there will need to be a selection of sites in a selection of locations.
- 2.69 This projection also supports a higher level of provision but highlights the majority of the projected growth is in the rural areas including service villages.

Tempro Projection (5.4) 2010 to 2026 summary of population changes

Name	< 16	16 to 64	65+	Total
Selby	1916.4	3748.4	6837.6	12502.4
rural (Selby)	1730	3959.6	4228	9917.6
Selby	-24	-471	1283	788
Tadcaster	53.4	58.6	593.4	705.4
Sherburn in Elmet	74.8	64.4	441.4	580.6
Barlby	82.2	136.8	291.8	510.8

Tempo Projection (5.4) 2010 to 2026 summary of changes

Name	HHs	Jobs	Workers	workers per job	total dwellings	average dwellings per year
Selby	8406	3845	5425.8	1.4	8658	577
rural (Selby)	5926.8	1841.6	4591.4	2.5	6105	407
Selby	1061.6	1178.8	150	0.1	1093	73
Tadcaster	578.6	376.6	237.2	0.6	596	40
Sherburn in Elmet	491.6	386.4	236.4	0.6	506	34
Barlby	347.4	61.6	210.8	3.4	358	24

2.70 Initially this would appear to be at variance with the Core strategy however the definition of Selby does not include the very close villages of Barlby, Hambleton (including Thorpe Willoughby) and Brayton. Using small area statistics for these wards and it can be seen from the table below that the demand from the immediate area is likely to be 147 dwellings a year.

Projection of housing needs in Wards in and around Selby

	Selby North	Selby South	Selby West	Barlby	Hambleton	Brayton	Selby	Selby
	Ward	Ward	Ward	Ward	Ward	Ward	Wider Urban area	Non-Metropolitan District
Persons	5,726	3,447	3,839	3,852	5,226	5,514	27604	76,468
Households	2,570	1,470	1,520	1,600	2,050	2,103	11313	30,836
growth factor 2001 to 2011	1.2306	1.2306	1.2306	1.4161	1.4161	1.4161		1.4437
2026 total	3,163	1,809	1,871	2,266	2,903	2,978	14989	44,518
2026 addition	593	339	351	666	853	875	3676	13,682
annual	24	14	14	27	34	35	147	547

2.71 Policy CP1 states that development in the settlements adjoining Selby may complement the growth of Selby in is important to highlight that the above analysis illustrates these locations are in themselves generators of housing demand.

2.72 It is considered that given the wide range of settlements identified in policy CP1 the importance of the three villages surrounding Selby maybe underplayed and that the central policy of urban concentration maybe diluted by spreading development between the smaller service centres on a more even basis.

2.73 The actual annual projected dwellings requirements of Barlby, Hambleton (which includes Thorpe Willoughby) and Brayton for the 16 years 2010 to 2026 would total 2,394 dwellings, of which some 853 would be required for the Hambleton ward within which Thorpe Willoughby is located.

2.74 Given the very good relationship in sustainability terms between these settlements and Selby it would appear appropriate to encourage the concentration of development into these settlements rather than the more remote rural locations in the district. The total

allocation of 1,500 dwellings to all DSV implies under providing against further demand in these most sustainable of the DSV locations.

The distribution of new allocations

- 2.75 In terms of the level of new housing allocations that are required, the table below sets out the proposed Policy CP2 housing targets against the potential yield from sites identified in the Strategic Housing Land Assessment document.
- 2.76 The DLP figure for available land has critically considered the likelihood of identified SHLAA sites coming forward based on major constraints of flood risk and green belt boundaries. The number of dwellings that may be provided on sites is based on a density of 30 dpa to reflect the lower density of recently delivered schemes. The potential numbers do not take into account site specific issues of physical constraints within the site or reductions in developable area based on provision of open space etc.

Table 1 Land supply to meet the Core Strategy Distribution

Location	Policy CP2 housing target	DLP calculated land supply
Selby	2336	-
Tadcaster	457	646
Sherburn in Elmet	498	797
Designated Service Villages	1573	3913
Barlby, Brayton and Thorpe Willoughby (if considered separate from DSV)	n/a	1508

- 2.77 The results demonstrate that there are a proportionate number of allocations in comparison to the proposed housing targets in the Key Service Villages of Tadcaster and Sherburn based on what would reasonably be expected to come forward when account is taken of ownership and physical constraints to development.
- 2.78 The table shows that based on the proposed grouping of Designated Service Villages including Barlby, Brayton and Thorpe Willoughby there appear to be a significant number of available sites beyond the proposed target level. However if the three key DSV's are removed from this group it is clear that the contribution from these villages makes up a significant proportion of this figure i.e. 1573.
- 2.79 The table has omitted to provide a figure for deliverable housing land supply in Selby town based on the particular concern to the approach to medium to high flood risk, which affects all sites in this location. The Core Strategy will need to demonstrate that the distribution is in accordance with guidance in PPS25 on sequential and exceptions testing. This coupled with the fact that the 3 surrounding wards include the villages of Barlby, Thorpe Willoughby and Brayton have a large population and hence a higher projected dwelling requirement and a significant number of available sites suggest that the Core Strategy distribution requires alteration.
- 2.80 The results suggest that Selby has a more than sufficient supply of sites in relation to the housing target in CP2, however there is significant uncertainty as to the deliverability of these sites given flood risk issues as set out below.

- 2.81 In comparison, the identified sites within designated service villages are relatively unconstrained and offer a significant degree of choice. It is acknowledged in the Sustainability Appraisal prepared to inform the preparation of the Site Allocations document that a number of DSV's are only suitable for a limited amount of development due to their isolated location within the District. As such it is suggested that further guidance is required within the Core Strategy to ensure site allocations support the objectives of the strategy.
- 2.82 In this context, the table above demonstrates that there is sufficient capacity within the three primary DSV's to meet the target for this tier of settlement or alternatively for these settlements to support the provision of housing as part of Selby.
- 2.83 The table above demonstrates that although it would appear a sufficient amount of sites have been identified within the SHLAA, this does not take into account physical or economic constraints or a reduction in the developable area due to open space requirements and highways works. Furthermore, as set out above it is argued that the housing need is significantly higher than the proposed targets and should this be reflected in the final adopted DPD there will be a shortfall in the sites identified in the SHLAA to achieve the required levels of provision. This highlights two issues:
- a. The Council will have to include policies to positively address known constraints on otherwise suitable sites and
 - b. The reliance on constrained sites enhances the potential problems with delivery and so a flexible approach is required to the timing of the release and the development of land. This has serious implications for Policy CP2 (see our objections to this policy).
- 2.84 There is concern that the levels of housing given to Selby will be severely restricted by the physical and economic implications of flood mitigation requirements, which may also result in a significantly slower rate of development than is required in the Plan period.
- 2.85 It is suggested that identification of Barlby, Brayton and Thorpe Willoughby as part of the Selby area will offer the flexibility to bring forward sustainable development in the short and longer term and will better meet the identified needs and demand in the District as a whole.
- 2.86 In contrast to earlier drafts of the Core Strategy, part B of CP2 proposes that 1,000+ dwellings can be delivered through an extension to the east of Selby, with additional sites within the boundary of the urban area being identified in the Site Allocations DPD to meet the remain requirement for 1,350 dwellings.
- 2.87 As a result of up to date Environment Agency mapping, the addendum to the Level 2 SFRA that was previously undertaken shows that all identified sites within Selby are in medium to high risk flood areas. It is noted in Core Strategy Background Paper 7 and the related addendum regarding Strategic Development Sites that the economic and physical means to mitigate against flooding in delivering the identified sites remains to be investigated in detail and will be explored as part of the Site Allocations preparation.
- 2.88 On this basis there is a significant concern that the distribution of housing as proposed in the current draft Core Strategy will unduly restrict the delivery of housing, particularly

in relation to Selby should sites be discounted following further investigation of flooding issues.

- 2.89 It is considered pertinent in this case to acknowledge (as in previous drafts of the Core Strategy) the contributory role of Brayton, Barlby and Thorpe Willoughby, all of which are less restricted by flooding issues in a supporting role. This will enable housing need to be met within a flexible structure and will enable appropriate levels of growth within sustainable service villages, to support rural communities and the role of Selby as principal town
- 2.90 It is not proposed to increase the allocations to the two Local Service Centres in recognition of the evidence of the limited housing requirement and availability constraints in these settlements. Furthermore such increased allocations in these locations are not considered to support the role of Selby as principal town.
- 2.91 In terms of distribution evidence from the projections suggest that much of the demand is in the rural areas hence the policy of urban concentration is acting against the existing demographic pressures. In these circumstances it is considered important that the policy offers a range of attractive sites in sustainable locations in or close to the main urban area. Our proposed distribution takes into account the proximity of Thorpe Willoughby to Selby and by making explicit the level of housing to be delivered this actually increases the % located in the wider Selby area to 62%.
- 2.92 In light of this and evidence of need in villages and rural areas we consider that an alternative distribution should be set out within CP2 as set out in the table below.
- 2.93 There is clearly an issue in considering the distribution of housing and this is linked to what the overall figure should be. There is no up to date evidence to support the historic figure of 440 dwellings per year. The SHMA figure of 1,119 a year, while based on local up to date information has not been shown to be a compatible projection with neighbouring authorities, although clearly it holds considerable weight.
- 2.94 The DCLG projection of households suggests 508 dwellings per year, while this figure is substantially lower than the SHLAA it does have greater weight as it reflects the impact of previous policies and has a methodology which takes into account both in and out migration. While the pressures from migration will change over the next 16 years and the SHLAA figure is a good indication as to what level of demand these changes might lead to, taking the minimum figure of 510 dwellings per year is in our view a credible and defensible proposal.
- 2.95 While it is considered that CP2 should contain actual figures for the distribution of dwellings it should also include a % so that any change in the requirement does not require a change to the policy.

Proposed changes to Policy CP2

- 2.96 Taking into account all of the above the following changes are proposed to the wording and distribution in CP2.

CP2 The Scale and Distribution of Housing

- A. Provision will be made for the delivery of 510 dwellings per annum and associated infrastructure in the period up to 2026:*

Policy CP2 - Distribution as proposed

Location	Total Minimum requirement	Requirement for new allocations	Distribution as %
Selby	3576	2336	51
Barlby, Brayton and Thorpe Willoughby (if considered separate from DSV)	0		
Tadcaster	650	498	9
Sherburn in Elmet	650	457	9
Designated Service Villages	1929	1573	27
Secondary Villages	235	0	3
	7040	4864	100

Policy CP2 - Proposed change

Location	Contribution from existing Commitments	DLP Projection distribution	DLP Projection distribution %	DLP housing requirement	Indicative annual rate	DLP land supply	DLP distribution as %
Selby	1240	1283	9	3,575	223	2,335	44
Barlby, Brayton and Thorpe Willoughby (if considered separate from DSV)		2394	17	1,500	94	1,500	18
Tadcaster	152	596	4	650	41	498	8
Sherburn in Elmet	193	506	4	650	41	457	8
Designated Service Villages	356	8903	65	1,550	97	1,194	19
Secondary Villages	235		0	235	15	-	3
	2176	13682	100	8,160	510	5,984	100

Objection 4: Managing Housing Land Supply

- 2.97 The above factors are subject to changing physical and economic factors and as such potential development sites within service villages should not be unduly restrained prior to detailed examination of potential sites within the latter DPD documents.
- 2.98 Policy CP3 regarding how the supply will be managed to ensure a five-year supply is generally supported. Prior to the adoption of the Site Allocations document the Council should enforce the approach in paragraph 5.50 of the Strategy with regard to the release of windfall sites in order to avoid unduly restraining housing delivery by limiting release to Phase 2 Local Plan sites only.
- 2.99 We would highlight as in previous representations that the RSS figures are minimum levels and overprovision in itself need not be a cause for concern. By way of an example the following section sets out how a deliverable, sustainable site may be restricted until such time as the Site Allocations DPD is adopted by the wording of CP3.

Current Development Constraints

- 2.100 Despite Thorpe Willoughby being identified as a highly sustainable settlement due to the close proximity to Selby and strong transport links and services, there are limited development opportunities in relation to the release of phase 2 Local Plan sites. The only remaining site left to come forward from existing allocations is land to the south of Leeds Road (site reference TW2), which now forms part of the wider site being promoted by our client.
- 2.101 The release/allocation of our client's site to the west of the settlement would support the objectives of the Core Strategy in identifying a site capable of delivering housing and commercial development and as a result economic support for the settlement. This is particularly appropriate as the site has clear boundaries with the A63 bypass to the south and the railway line to the north and west.
- 2.102 It is considered that should the Council continue to group the settlements of Barlby, Brayton and Thorpe Willoughby together with other service villages the delivery of appropriate sites such as this will be limited by current policy and in future the proposed total housing target for DSV's. In addition the flexibility envisaged previously in the delivery of housing, as a result of the SAAP is lost with no flexibility permitted between Selby and these three settlements.

Policy CP3

- 2.103 **Recommendation:** The wording of part B should be amended to ensure flexibility in the delivery of housing prior to the adoption of the Site Allocation Document to enable site other than Phase 2 allocations to come forward and not prejudicial to the objectives of the Site Allocations DPD.

~~**DELETE Second paragraph of part B of CP3 - Prior to the Site Allocations DPD being adopted, the pool of unimplemented Phase 2 allocations in the Selby District Local Plan (Policies H2A / H2) will provide the source from which appropriate sites will be drawn. Those sites in greatest conformity with the Core Strategy will be released first.**~~

Policy CP5

Justification of 40%

- 2.104 The figure of 40% affordability is not based upon the evidence presented it is simply a figure imported from the RSS. The SHMA clearly suggests that if the entire housing requirement was met then the 409 affordable dwellings would be some 37% of the total provision.
- 2.105 As the council are not meeting the calculated housing requirement the justification for a percentage could be simply on a pro rata basis. The impact of such a policy is that it fairly arbitrarily disadvantages household access to housing depending upon how well they meet the RSL criteria for letting and of course their ability to fund a purchase on the housing market.
- 2.106 If the council are using shortage of housing (and hence price) as a method of influencing migration then there is a strong case to under provide affordable housing and so increase the incentive for out migration from those families less well off. It is somewhat counter intuitive to use housing supply restrictions as a method of influencing net migration while at the same time increasing the level of affordable housing provision. These two policies appear to be in conflict making the SPD unsound, as it can not be in accordance with policy CSP2 of the CS.

Viability of 40%

- 2.107 The tables below paragraph 5.4 illustrates that at the present time only half of the sites being considered for allocation are viable even if no affordable housing is required.
- 2.108 In fact only 30% are comfortably viable with 0% provision compared to between 4-6% being viable at 40% affordable provision.
- 2.109 Paragraph 5.9 suggests that a 10% figure of provision would be a robust approach although even this only makes between 22 and 26% of sites comfortably viable.
- 2.110 The table under paragraph 5.25 suggest that even at the height of the market only 57% to 62% of the sites could deliver 40% affordable housing. There is no suggestion that these market conditions will return again or are in fact desirable. It is however true that part of the issue with the housing market boom and subsequent crash lies in the low level of supply compared to demand in this respect the undersupply inherent in the Core Strategy is establishing a base for a future market boom. It is our opinion that this is not a sound approach. This table suggests that at 20%, 80 to 88% of sites would have been comfortably viable.
- 2.111 The additional information (16 December 2010) suggest that for many areas the provision of low levels of affordable housing would make smaller schemes unviable and very few such small schemes were capable of delivering any affordable housing contribution.
- 2.112 It is appreciated that the part B of Core Strategy policy states that the council will negotiate up to a maximum of 40% affordable housing on each site. But as this is a maximum then it is mathematically incorrect to suggest that such a policy could result in the 40/60% split suggested in part A of the policy. The policy is internally inconsistent and hence unsound.
- 2.113 Is also clear that at least for the next few years 40% affordable housing provision is unlikely to be achieved. It has been suggested that the Core Strategy policy is amended to reflect viability as it is at present but makes reference to future reviews of

the SPD to amend the affordable housing requirement with any more up to date information on viability and need.

2.114 The proposed changes are set out below:

Policy CP5

Proposed changes to Core Strategy Policy CP5

*A The Council will seek to achieve a **20/80%** ~~40/60%~~ affordable/general market housing ratio within overall housing **delivery to 2026***

*B In pursuit of this aim the Council will negotiate for on-site provision of affordable housing up to a maximum of **20%** ~~40%~~ of total new dwellings on all market housing sites at or above the threshold of 10 dwellings (or sites of 0.3ha) or more. **As this level has been set to reflect the viability of sites as at 2010 it will be reviewed by further Supplementary Planning Guidance as a result of changes to the housing market through out the plan period. These SPD's will be subject to further public consultation prior to being adopted.** Commuted sums will not normally be accepted on these sites unless there are clear benefits to the community/or delivering a balanced housing market in relocating all or part of the affordable housing contribution.*

C. On sites below the threshold, a commuted sum will be sought to provide affordable housing within the District. The target contribution will be equivalent to the provision of 10% affordable units.

D. The tenure split and the type of housing being sought will be based on the Council's latest evidence on local need.

E. An appropriate agreement will be secured at the time of granting planning permission to secure the long-term future of affordable housing. In the case of larger schemes, the affordable housing provision will be reviewed prior to the commencement of each phase.

The actual amount of affordable housing, or commuted sum payment to be provided is a matter for negotiation at the time of a planning application, having regard to any abnormal costs, economic viability and other requirements associated with the development. Guidance will be provided through an Affordable Housing SPD.

Affordable housing 40% target based on need figures from SHMA but if these figures are considered sound enough to base general housing figures on in Core Strategy why are they being use in the SPD?

The policies set out within the SPD replicate those set out within the submission version of the Core Strategy and as such the SPD is considered to represent a stop gap piece of guidance until such time as the Core Strategy is formally adopted.

Policy CP12



- 2.115 The thrust of this policy is strongly supported in relation to avoiding flood risk and providing development in sustainable locations, subject to the comments set out above.
- 2.116 It is unclear however how the Council have justified the proposed distribution of housing in to Selby and onto the strategic site in terms of the SFRA. There appears to be a conflict between policies CP2 and CP3 and this policy CP12 particularly part D). Such a conflict would render the Core Strategy unsound.

Conclusions

The need for flexibility in a Core Strategy

- 3.1 Given the above it is clearly very important that for the Core Strategy to be found sound it should be able to demonstrate significant flexibility as there is clear evidence that the strategy may be required to accommodate a fluctuating level of housing delivery within the Plan Period.
- 3.2 It is important that there is flexibility in the Core Strategy to accommodate an increase in the overall level of housing from the present RSS figures towards those in the SHMA and to respond to the changing housing market, particularly with respect to in-migration an rate of 510 dwellings per annum is suggested.
- 3.3 We commented in the last round of consultation our concern that there was a lack of clarity with regard to the extent to which the options set out have tested different locations for development. The evidence base for the Core Strategy has recently been updated in relation to the extent of flood risk and there has been insufficient time for the Council to examine the detailed impact of these updates on the Core Strategy. The inspector will have to satisfy themselves that the Core Strategy has sufficiently tested alternative strategies as part of the Sustainability Analysis in order to ensure delivery of objectives.
- 3.4 To this ended it is suggested that the recommendations set out in this representation are implemented to ensure that a suitable level of housing can be provided within the District within the context of physical and economic limitations.
- 3.5 This report sets out the general areas of growth that are proposed to meet the identified need within the SHMA and CLG projections. The concentration of development into the main settlement and a number of the designated service villages is supported as this represents the most sustainable form of development.
- 3.6 Given the potential issue of flooding in Selby and the level of housing requirement generated in its immediate environs it is suggested that the 3 settlement of Barlby, Brayton and Thorpe Willoughby are identified differently to the other service villages and a substantial level of housing allocated to them.
- 3.7 Specific comments relating to the appropriateness of allocations within each of these settlements are made in representations on the draft Site Allocations DPD, which is submitted alongside this representation.