



Ryan King

From: Rachael Copping [REDACTED]
Sent: 11 December 2012 14:18
To: ldf
Cc: Richard Barker
Subject: Selby Core Strategy 7th Set of Proposed Changes Consultation Response
Attachments: Selby Core Strategy 7th Set of PCs Consultation Response - Peel Environmental Ltd.pdf;
Representation Form - Peel Environmental Ltd.pdf

Dear Sir / Madam,

Further to the publication of the above document for consultation, I am pleased to provide comments on behalf of Peel Environmental Ltd. Please find attached letter and completed representation form.

I trust the comments will be considered as part of the development plan process, however if you have any queries please do not hesitate to contact me. I would be grateful if you could acknowledge receipt of the attached. A copy of which will also be sent out in today's post.

Regards

Rachael Copping
Development Planner

Peel Environmental Limited
Peel Dome, The Trafford Centre, Manchester, M17 8PL

Telephone Number: [REDACTED]
Email: [REDACTED] **Web:** www.peel.co.uk



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11/12/2012

**Selby District Submission Draft Core Strategy
Consultation on Further Proposed Changes (7th Set)
November 2012
Representation Form**

The Core Strategy has been subject to Examination by an independent Inspector at hearings in September 2011, April 2012 and September 2012.

The independent Inspector adjourned the Examination in Public (EIP) until 27 February 2013 in order for the Council to consult on any further Proposed Changes to the Submission Draft Core Strategy in accordance with the revised timetable (available at www.selby.gov.uk/CoreStrategyEIP).

The Council is therefore publishing further Proposed Changes to the Submission Draft Core Strategy, for consultation between 12 November and 28 December 2012.

The Submission Draft of the Core Strategy (May 2011) takes into account views gathered at the previous stages of consultation. The September 2011, April 2012 and September 2012 EIPs have already heard the duly made representations on the Submission Draft Core Strategy which were submitted during the formal Publication stage (January 2011) and subsequent consultation on the previous 6 sets of Proposed Changes (January and June 2012). This is not another opportunity to make further representations on those matters.

Representations are therefore invited as part of this consultation on the 7th Set of Proposed Changes to the Submission Draft Core Strategy and the Further Sustainability Appraisal Addendum Report.

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

Completed representation forms must be returned to the Council no later than 5pm on Friday 28 December 2012

Email to: ldf@selby.gov.uk

Fax to: 01757 292229

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

Part A

The Tests of Soundness

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

Positively prepared

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

Justified

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

Effective

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

Consistent with national policy

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

Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

	Personal Details	Agents Details (if applicable)
Name	Rachael Copping	
Organisation	Peel Environmental Ltd	
Address	Peel Dome The Trafford Centre Manchester M17 8PL	
Telephone No.		
Email address		

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

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

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

Please identify the Proposed Change (which can be found on the Published Schedule, CD2g) to which this representation refers to:

PC7.26 & PC7.27

Question 1: Do you consider the Proposed Change is:

- 1.1 Legally compliant Yes No
- 1.2 Sound Yes No

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

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

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

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

Please see separate letter dated 11th December 2012.

Question 3 continued

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

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

4.1 Written Representations

4.2 Attend Examination

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

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

Representation Submission Acknowledgement

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

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

Signed R.COPPING

Dated 11th December 2012

Peel Environmental Limited, Peel Dome, The Trafford Centre,
Manchester, M17 8PL
TEL: 0161 629 8200 FAX: 0161 629 8335 www.peel.co.uk



Policy & Strategy Team
Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT

11th December 2012

BY POST & EMAIL

Dear Sir / Madam,

Selby District Local Development Framework: Seventh Set of Proposed Changes to the Submission Draft Core Strategy

Further to the publication of the Seventh Set of Proposed Changes to the Submission Draft Core Strategy for consultation, I am pleased to provide comments on behalf of Peel Environmental Ltd. Peel Environmental Ltd is currently working with UK Coal on a proposed renewable energy project within the Selby District.

We have previously commented on the Sixth Set of Proposed Changes with particular regard to Policy CP14: Low-Carbon and Renewable Energy. We note that the proposed changes continue to have a number of implications for renewable energy projects within the district and would therefore like to make the following comments. We consider that whilst a number of changes have been made to the Core Strategy within this context, some do not appear to wholly reflect our comments and we would therefore like to reiterate some of our previous points.

PC7.27 - Annex G – Proposed revised Policy CP14 post-September 2012 EIP

Policy CP14 regarding Low-Carbon and Renewable Energy now indicates at point A that in future Local Plan documents, the Council will consider identifying 'suitable areas' for renewable and low carbon energy sources and supporting infrastructure. Peel Environmental Ltd would suggest that this proposed change is unsound as it does not provide sufficient clarity for future local plan documents or developers by merely stating that the Council will *consider* this option. We suggest that it is unsound as it is not effective given that it fails to provide a positive framework and direction on whether or not suitable areas for renewable and low carbon energy sources will be identified.

Peel Environmental Ltd suggests that in order to make the policy effective and deliverable, either of the following additional changes should be considered;

- a) Remove the word 'consider' to state that **"In future Local Plan documents, the Council will identify 'suitable areas' for renewable and low carbon energy sources and supporting infrastructure"**

or

- b) Remove this point of the policy altogether

Point B of amended Policy CP14 now states that the Council will support community-led initiatives for renewable and low carbon energy developments. It also requires all new development proposals for new sources of renewable energy and low-carbon energy generation and supporting infrastructure to meet a number of criteria. Peel Environmental Ltd does not consider that this policy is positively prepared or compliant with National Planning Policy, as it fails to provide a positive framework and support proposals for all types of renewable and low carbon energy development whether these are community-led initiatives or not.

Peel Environmental Ltd suggests that the following wording needs incorporating into the policy;

"The Council will support **all development proposals** for new sources of renewable energy and low-carbon energy generation and supporting infrastructure. Such proposals must meet the following criteria..."

Peel Environmental Ltd supports the proposed change at the end of the Policy which incorporates additional wording and states that "In areas designated as Green Belt, elements of many renewable energy projects will comprise inappropriate development and in such cases applicants must demonstrate very special circumstances if projects are to proceed and proposals must meet the requirements of Policy CPXX and national Green Belt policies." This text appears to accurately reflect the policy contained within paragraph 91 of the NPPF. However, the wording in the supporting text for the policy does not appear to accurately reflect the additional wording incorporated into the policy or that of the NPPF, which is set out below.

PC7.26 – Paragraph 7.53 (CP14)

We note that there are a number of proposed changes to the supporting text of the policy which aims to more closely reflect NPPF wording, however we would suggest that this needs further modification.

The proposed change states that "However, many elements of renewable energy proposals would conflict with the openness of the Green Belt and are therefore inappropriate within the NPPF definition." Peel Environmental Ltd does not consider that this accurately reflects NPPF paragraph 91 which states that "When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development." Whilst we note that this is only a minor point, the wording of the proposed change suggests that 'many elements of renewable energy proposals are inappropriate' whereas the wording set out in NPPF is 'elements of many renewable energy projects'. We would recommend that the proposed change be amended to more closely reflect the wording in the NPPF and that contained within the policy itself to ensure consistency across the policy document and with national policy.

Despite the above comments, we support the recognition within the proposed change which states that "Very special circumstances may include wider environmental benefits associated with increased production of energy from renewable sources."

I trust the above comments will be considered as part of the plan process, however if you have any queries regarding the above, please do not hesitate to contact me.

Yours sincerely



Rachael Copping MRTPI
Development Planner

Direct Dial: 
Email: 

Enc. Representation Form