

Sophie King

From: Howard Ferguson
Sent: 19 January 2015 16:50
To: LDF
Subject: Selby District local plan consultation
Attachments: H Ferguson PLAN Selby response ONA.pdf

Name Howard Ferguson

Please see attached response submitted on behalf of Nigel Adams MP

Comment Submission Statement

Note that the first question to which a response is provided is question number 4. There are a number of concerns about the way in which the consultation is being undertaken and these are partially addressed in the response to Question 4. All other responses should be regarded as provisional and subject to change because of the reservations expressed about the consultation process and its timing. The documentation sends out mixed messages about the process by which comments and conclusions arising from this consultation will be used relative to the core strategy. There must be greater clarity in this area.

Hopefully the comments provided in this response will assist in the decision making process.

The response if provided in numerical order with one question per page so that it will make it easy for the Council to process comments on each question.

If you would like clarification on any points please ask.

All comments must be made in an email or in writing if they are to be considered. Your comments and some personal identifying details will be published in a public register and cannot be treated confidentially. Where practical, personal identifiers may be redacted, however Selby District Council cannot guarantee that all identifiers will be removed prior to publication of consultation records.

Name

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Chapter 1 - Introduction

Question No. 4 - Preliminary General Comments

Plan Selby is going to become the document that shapes Selby district over the next 15 years. The core strategy and the Plan Selby document have taken many years to develop to the present state. It is essential that people living in the district understand fully the significance of the document and the way in which it will shape the district over the next 15 years.

Selby has to be congratulated on the high quality of the document, which is far superior in terms of presentation to the core strategy on which it builds.

In the forward John Mackman sets out the vision for the district which I'm sure that most people will agree with. It is also said that for the vision to work effectively it needs our support and that the responses to the consultation will help inform our work, shape the district for the future and underpin the way settlements will grow in practice.

The problem is that the consultation in its structure, its approach and its timing is totally out of touch with what the people who live here will be able to respond to in a meaningful way.

The timing of the consultation over the Christmas period no doubt fits well with the timetable the Council and its officers find suitable to themselves, but how realistic is it to expect people to plough their way through hundreds of pages of documentation over the Christmas holiday period? It is noted that the next major phase in the consultation will be over the summer holiday period.

If the resultant Plan Selby is to reflect the wishes and aspirations of the people that live here it is essential that there are carefully considered responses from individuals, from parish councils as well as from developers who are experienced at responding to consultations such that they influence local plans in their favour.

Local people should be and must be given a fair crack of the whip. The consultation will not do this because of the complexity and size of the document. It should have been broken down into bite size chunks and consulted in stages. People need to get their heads into the importance of the consultation and the content of the draft documents.

There are 60 **questions** but not all of them need to be answered, however most people start at the beginning and in this case they would be faced with several hundred pages of documents by the time they had answered the first four questions.

The consultation document	117 pages
The Adopted core strategy	161
Sustainability report	76
Habitat	12
Duty to co-operate	34
Community engagement	13

Total to this point **413 pages**

Let us assume that they did this and completed the standard response form available on the consultation website. This form has several severe limitations - when it is completed it cannot be saved with its content. I personally spent several hours before I fully understood the deficiency of this part of the process. I have also spoken to a number of people who

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

encountered the same problem and either gave up, wasted a considerable amount of time trying to make the form work, or repeating their work, having lost it when they saved the form.

The combination of the pages and the form not working will undoubtedly have deterred a very large number of people from responding.

If I wanted to design a consultation process that discouraged people from taking part, this would be it.

In summary the consultation process

- **Should not have been run over the Christmas break**
- **Should not start with 4 questions which between them require people to read 413 pages**
- **Should not include so many topics in one consultation.**
- **Should have given more time people to respond.**
- **Should have been supported by earlier meetings and presentations to groups such as parish councils. Presentations were still being given to a parish councils when there were only 10 days remaining for completing submissions.**

The net result of these deficiencies is that there will be a low public response and the interests of the people that live in Selby district will not be included as part of the consultation

On the other hand:

Developers who are experienced at such consultations will be able to dominate the consultation process, moulding the policies in their favour at the expense of people living here.

Question No. 4 - Engagement Plan

Paragraph References are to the Engagement plan document

Para 1 Aims and objectives

This makes clear that the consultation process is a box ticking exercise being done in accordance with requirements of the NPPF. If Selby really wants to engage with local people and produce a plan that they understand and support, the engagement process will have to be much more encompassing and broader in its scope and be more sympathetic towards people who live in the district.

Para 2.8

This states that the Council wishes to engage with the public and encourage them to be actively involved. If this is a meaningful commitment it must make clear how this will actually be done.

Para 3.6

An essential part of the consultation process is to maintain a consultation database such that those members of the public who wish to take part can be easily contacted. The Council should have undertaken a preliminary exercise advising people of the upcoming consultation, setting out what it was going to cover and the significance of the end result and then asked people to register their interests.

Para 3.7

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

While this appears to be a comprehensive list it is important to understand the effectiveness of each of these communications channels. Communication needs to be continuous and consistent.

Para 3.8

Making the documents available via the library where you have to read copies on the premises is totally inadequate - at the very least loan copies should be made available.

Overall the document is very comprehensive and I am sure that you will give yourselves a tick in the box. The problem is that the message is simply not getting through. Very few people that I met had any awareness that the consultation was taking place, what the timescales were and, most importantly, what was the significance of the consultation.

When people did then look into it most of them shied away simply because of the vast scale of the documentation.

Para 3.11

A bit more work is required on the form for submission. On this stage of the consultation it has not been made easy to submit a representation.

Summary – The document is far too long – a simple statement covering

- **Who the stakeholders are with whom consultation will be carried out**
- **What communication channels will be used**
- **How the engagement process will work with and through other community representatives**
- **How the effectiveness of the engagement is to be measured and what targets are there to ensure that the engagement is being effective and meaningful**

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 1 - Sustainability

I have not spent a great deal of time on this having noted the statement that "as plan Selby is at such an early stage of preparation, there are no policies which to appraise" - this is a comment included in the executive summary to the document .

This being the case this document is premature and should have set out simply the principles of sustainability appraisal. Did it really need to be 76 pages to be sent to people trying to respond to the consultation at this early stage? It could have been done later in the year as a separate consultation, when there should have been a better response.

On page 20 the statement is made that:

'This document has been prepared for consultation alongside PLAN Selby Initial Consultation Paper. At each stage of PLAN Selby preparation, a Sustainability Appraisal report will be prepared to document how the SA process has been applied and what changes have been made as a result. The updated SA Report will be issued out for consultation with the relevant version of PLAN Selby.'

Once PLAN Selby is adopted, a SA/SEA Post Adoption Statement will be prepared, which will explain how the SA and consultation process have influenced the final document.'

This seems to be an overly complex and expensive process – has SDC explored ways in which to streamline the process and incorporate sustainability criteria as the plan is developed, using the sustainability report as it stands as a reference document?

While much of the document is standard industry boilerplate I would hope that the key objectives set out on page 8 regarding pollution are firmly embodied into the eventual plan.

Selby currently has a major environmental disaster on its hands at the Blue Lagoon, Womersley and so far no action has been taken.

Similarly the proliferation of incinerators raises questions about air pollution and the sustainability of such plant which requires hundreds of thousands of tons of rubbish per year. The total capacity of the four incinerators in the Aire Valley from Ferrybridge through to Eggborough (either approved or in the planning process) is now well over 1 million tons – all to be brought in by road. It is all very well having fancy documents which identify every consideration but there is simply no point unless the issues that are identified in them are carried through into planning decisions. See Sustainability report ,page 8, para 14.

Summary comment - this appears to be very comprehensive but I would have liked more time to have considered it because it sets out the most important tests to be applied to the policies that should emerge from this process.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 2 - Habitat Regulation Assessment Report

This appears to be a number box ticking exercise but limited in scope, it is only concerned with Habitat which has a European designation. Selby district is home to wildlife which is able to roam freely because of the open landscape and lack of enclosures.

The district is home to Brown Hare and Roe Deer as well as a growing population of other smaller deer. Overwinter we also see a significant number of Whooper Swans which overwinter in the area. The population of Roe deer and Brown Hare is particularly significant. If you want to know where the best places are for such wildlife the person to ask is a poacher. It is unfortunate that due to the open character of the landscape and the amount of wildlife Selby District see more wildlife crime than any other part of North Yorkshire. This is borne out by police statistics.

Wildlife lives where it wants to and moves about freely in the district. All of this wildlife and not just that which is on European designated site deserves our protection.

Within the plan it is important that we establish where this wildlife lives and which corridors the wildlife uses to move around the district.

With respect to the Waterman report it is of some concern that it is about Habitat regulation concerning wildlife and yet on the front cover three of the four pictures are of a windfarm, a tall building and a motorway. If they would like to have pictures of wildlife that lives in Selby district to adorn the front cover of their document I would be happy to supply them.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 3 - Duty to Co-operate

It is important to Selby District that:

- York meets its housing targets and these are pro rata with those of Selby. We should not be building houses in Selby for people to live in York and commute to Selby / Leeds.
- We do not want to see more incinerators and other such plant built on land adjacent to Selby District.
- Action by Leeds on flood prevention should not be allowed to increase the risk of flooding in Selby District.

These are just a few things that come to mind. Beyond that I am unable to comment because of insufficient time given for this consultation.

The document would have been far more meaningful if it had identified the cross border issues and said how they will be managed. A large amount of the crime in Selby District is cross border, for example.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Chapter 2 - Aims and Objectives

Question No. 5 - Objectives

The vision is fully supported - **PLAN Selby's Vision** is the same as the Core Strategy's: *'By 2027 Selby District will be a distinctive rural District with an outstanding environment, a diverse economy and attractive, vibrant towns and villages. Residents will have a high quality of life and there will be a wide range of housing and job opportunities to help create socially balanced and sustainable communities, which are less dependent on surrounding towns and cities.'*

The objectives are sufficiently broad to encompass most requirements – but to deliver the economic growth consideration should be given to adding another

To encourage economic growth and high value job creation by attracting industry cluster which include knowledge workers and high value add activities.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Chapter: 3 Key Issues

Question No. 6 - Topics

Q6 a and b

The topics are broadly correct but some of the groupings and the terminology require clarification.

T1 - this is readily understandable, no change suggested.

T2 - this is somewhat confused, perhaps it would be better to describe it as encouraging economic development.

T3 - this is readily understandable

T4 - again this is understandable but the list of infrastructure items to be considered is incomplete, see a response to question 25.

T5 - the grouping of climate change and renewable energy together leads to confusion. It would be better to separate into three topics which are quite different

- Energy generation at the macro level, the major economic contribution from Selby district
- Energy efficiency and micro generation - the cover building standards and encouraging domestic scale electricity generation and heating
- Climate change mitigation - in which such things as flood prevention should be dealt with

See my response to question 26 for further details

Q6c

I would assign the relative importance as follows:

1. Encouraging economic development is the most important because if this does not take place we will be building homes for people who commute. This is in conflict with the objective of the plan.
2. Infrastructure would then follow close behind as second priority because without it nothing works.
3. Energy generation at the macro level - minimum units of 100 MW sustained generation capacity
4. The other topics are all of about the same importance.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 7 - Housing Baseline Numbers

The treatment of windfalls is not satisfactory. According to paragraph 5.9 of the core strategy there are typically 105 windfalls and this represents 23% of the 450/ year growth forecast to deliver the 7200. In other words if this level of windfall continued for the plan period the target would be exceeded by 23%.

This consultation provides an opportunity to revisit some of the content of the core strategy, while the 7200 target might be fixed that does not mean that the means of delivery as set out in the core strategy needs to be regarded as fixed.

The Council are carrying out a consultation in respect of the preparation of another segment to their Local Plan (the Core Strategy) and are directing the consultation to certain issues – development policies and allocations. However if a Local Authority is submitting such a document it is permitted by Regulation 8(5) of The Town & Country Planning (Local Planning) (England) Regulations to set out policies that supersede existing adopted policies subject only to the new document stating that the proposed policy is superseding the existing policy.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question no.: 8 Allocating sites

Some level of over allocation is desirable. Such over allocation should be limited to say 10%. It would be better to run a review, say every two years, of progress and allocations. It would then be appropriate to review progress and if necessary introduce additional allocations such that the overall plan be managed dynamically.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. Q9 - Growth Projections by Village

The question answers itself - why would houses be allocated to land that is subject to flooding, why would factors such as highways, railway stations, availability of services and other such factors not be taken into consideration. For the commercial developer the popularity of the location will be a major consideration. There is no point building houses where people do not want to live.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 10 - Rules for choosing sites

If those rules are based on 40% affordable and 35 homes per hectare they are potentially excluding sites that could be highly desirable because of an odd shape or difficulty in achieving the required density. It is not up to the council to determine viability of a development, the assessment that counts is the one done by the developer.

The council should take this as an opportunity to review housing density and the percentage targets for affordable homes. If this has been reduced to 25% in East Yorkshire it will deflect developers from Selby District further East where high targets for affordable dwellings have been revised downwards .

This is an opportunity to revisit the 40% target in the Core strategy. Note the previous comment

The Council are carrying out a consultation in respect of the preparation of another segment to their Local Plan (the Core Strategy) and are directing the consultation to certain issues – development policies and allocations. However if a Local Authority is submitting such a document it is permitted by Regulation 8(5) of The Town & Country Planning (Local Planning) (England) Regulations to set out policies that supersede existing adopted policies subject only to the new document stating that the proposed policy is superseding the existing policy.

The Council should take this opportunity revised targets where they are at risk of being counter-productive.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No.11 - Tadcaster Phasing

Why do it now when you can do it later? It would fit with the 2 year review process suggested in my response to Q8.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No.: 12 Suggestions

No specific suggestions, but maybe it would be better to have multiple small sites rather than a few big ones. The number of pitches needed should also be revised when the results of the DCLG Survey from September 2014 are published in the form of a new policy. Central to that survey is whether traveller means somebody who travels or whether it refers exclusively to ethnic origin .

If the outcome is that a traveller means somebody who chooses to live a travelling lifestyle then the needs assessment will need to be recalculated such that it excludes all travellers who can now be regarded as having a permanent residence.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question no. 13 - Site Selection Criteria

The 2013 recommendation is not consistent because it includes some villages within Green Belt while in another section it says that sites should not be within Green Belt. Recent guidance and appeal decisions have confirmed that traveller sites should not be located in Green Belt.

There is no reason why travellers should be constrained within the A19, A63 and M62 corridors. Travellers are at least as mobile as the rest of the population and have access to the same level of private transport. This applies if the definition is tightened such that they are travellers requiring temporary pitches or whether they are permanent residents.

Selby DC say they can realistically only consider sites where there is landowner agreement to develop (paragraph 3.51). This criterion, as far as we can see, is unique to Selby and there is nothing in national policy to support it.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No.14 - Criteria

Taking any further action in working up other policies at this stage would be unwise because of the probable change arising from the September 2014 survey. However one of the major objections that people have to traveller sites is the appearance of them. The most productive strategic action that Selby District Council would take be to enforce rigorously conditions which limit what can and cannot be done in and around traveller sites.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Chapter T2 - Promoting prosperity

Question No. 15 - Employment areas

Paras 3.61 through to 3.69

In my response to question 6 I assigned greatest importance to economic development, without which none of the other objectives in plan Selby can be achieved.

The future economic prosperity of Selby district depends heavily upon encouraging more high value add businesses to come to the area. There is little value to Selby in allocating large areas of land for development in industries such as distribution if they do not provide sufficient employment with reasonable levels of pay and job security to justify the land take. While it may not form part of this plan there needs to be a clear strategy for getting major businesses to invest in Selby district. It might be better if this is done by a separate document and plan Selby is the vehicle for making the land available, however in doing so there must be some means of being selective about what sort of business growth that we are trying to encourage.

While broadly supportive of everything in para 3.61 through to 3.69 I would like to add the following comments:

1. Further expansion of the distribution sector should not be a primary objective, we should be seeking to expand the manufacturing and knowledge work.
2. In order to reduce out commuting it will be essential that the rate of job creation is such that a higher than the current average percentage of people who occupy new homes have jobs within the district.
3. There is too little emphasis on providing allocations for commercial premises in the DSVs. High value businesses tend to be relatively small and because they are quite often client focused they require premises in attractive buildings. While not advocating that they be within residential areas because of potential parking and traffic problems they can very comfortably sit alongside and in close proximity to residential areas. An example business which established itself within the district in this way is Tunstall. While large older buildings can provide suitable accommodation new build and farm conversion can also yield accommodation which is very suitable for high value-add businesses. Such development should be encouraged in preference to the shanty town development which occurs around a number of villages with paddocks and stable blocks.
4. I would disagree with the final comment in table 6 that the area has experienced growth within the renewable energy sector which continues to represent a significant opportunity for growth within the district. Renewable energy in the form of wind farms and solar farms does not create permanent jobs and has a very large negative impact on the attractiveness of the district. It is also an industry which is entirely dependent upon subsidy. When the subsidy stops such industries will not be able to sustain themselves.
5. There is no mention of tourism. This is a significant opportunity for Selby district and provides major opportunities in rural areas as well as our towns and villages. Simple things like the increasing popularity of cycling is leading to new tea rooms and cafes being set up. While small they all provide new employment opportunities and new revenue coming into Selby district.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question no. 15 - Employment areas

15 a and b

In order to develop the economy the existing employers need a supportive planning regime such that they can expand their business within the district rather than moving elsewhere. The success of businesses in Selby district is not something over which plan Selby has any control. Effort should be focused on delivering the support infrastructure that the businesses require and leaving them to get on with running and building their businesses.

However the sort of supportive infrastructure which will be of high value to them is :-

- Superfast broadband access
- good road network access
- parking facilities for employees
- sympathetic planning regime which assists when businesses require more space to expand

In terms of attracting new business this should be done via a marketing activity which is separate from plan Selby. This marketing activity should be targeting higher value-added businesses and trying to cluster them around particular industry specialities. We should try to build on what we are good at rather than try to start from scratch.

An example is in the energy industry where the major power generators are the centre of a cluster of other businesses which include

- used of waste materials for building products - gypsum based and ash based
- use of direct access electric supply for glass manufacture
- use of direct access electric supply for gas and air products

In addition to this we now lead the world in biomass combustion and with the White Rose project should be able to establish a position of leadership in carbon capture and storage.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 16 - Employment land

Yes we should be selective about which sites should focus on which industries but we should not interfere with market forces. Where businesses are already established we should not attempt to constrain them on that site because of a desire to attract another industry to that site.

The businesses that are established here are a major asset to us and we should be fully supporting them.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 17 - Employment land in villages

Employment land should be allocated in or close to all DSV's. Allocating land does not mean that it is necessarily built on. The allocation should state what sort of building would be permitted there is no reason why an attractive modern building suitable for knowledge workers could not be assimilated in every service village. To do so would provide local employment with a consequent reduction in the need to travel.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 18 - Rural areas and employment land

Para 3.72

Drax and Eggborough power stations should not be dealt with by the same policy that applies to rural areas. Further comment about energy generation is provided in the response to question 26.

Para 3.74

Similarly the development of Gascoigne wood mine site should not be included in any policy concerned with rural areas. The site has the potential for commercial development linked to its railway connection and should be identified as such. Beyond that the nature of the development is difficult to predict and should be dealt with on its own merits rather than trying to foresee what development might be appropriate and spending time and money on developing a policy based on guesswork.

Para 3.75 and 3.76

The same thing applies to other sites listed in these two paragraphs they should be classed as brownfield and dealt with within land allocations for commercial development. More general policies the development of commercial sites should apply to them, it is preferable to minimise site specific policies. For example there should be a policy concerned with cumulative impact of incinerators both from the point of view of road traffic and air pollution. This should be dealt with via a policy which also ensures sustainability - which in the case of incinerators will need to consider the sourcing of the material.

With respect to the question do we need development management policies from rural areas the answer has to be yes but these should be policies which maintain the rural character of the district, policies for development of industrial and commercial sites should be quite separate.

The heading of this section under supporting rural prosperity is misleading. While sites on former mine sites and airfields might well provide employment it is unlikely that that employment will come from rural areas. The development of sites in in these rural areas will contribute to the prosperity of the district as a whole but this could well be to the detriment of the rural communities. It is important that there are development policies from rural area but these should be oriented towards improving the prosperity in rural areas by enhancing and accentuating the rural character rather than detracting from it with commercial premises or other large structures.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 19 - Special designations for the large sites

The response to question 18 covers this point, yes there should be policies which deal with sites which could provide economic development, but such policies should be generic rather than specific to sites in the rural areas.

And to repeat, I do not consider development on the sites indicated as supporting the rural economy - the jobs generated will not be appropriate to those who live there and the development of the site is likely to detract from the quality of life for those living close by, rather than enhancing it.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 20 - Scope and range of topics

General

The list of considerations appears to be comprehensive, but is it all really necessary. Would a statement of principles concerning the preferred locations for retail premises not be sufficient.

Resisting the loss of a village shops and pubs is obviously desirable but is driven by commercial reality.

Selby

Selby town is attractive but it is not a draw for shoppers. Some of this is simply that Selby town is not and cannot be competitive with the draw from Leeds and York. The town centre needs to market itself more effectively to increase footfall from villages around, especially Sherburn. However this is a marketing exercise and should be dealt with outside of the scope of plan Selby.

Tadcaster

It is sad to see the poor performance of Tadcaster town centre compared with Boston Spa, its near neighbour. Without dealing with the root cause of this problem little progress will be made.

Sherburn

Sherburn is without doubt has been the economic powerhouse the Selby district over the last 10 years because of the expansion of the industrial estate. While it has a vibrant centre, it has reached the stage where it needs a planning rethink and a clear strategy to take it forward. The new Aldi will bring more traffic into the village and this needs to be carefully considered. However the model of a settlement around a central area with shops, and a large industrial estate close by is likely to become much more of an advantage over the plan period. This model reduces the need for travel both for work and for shopping.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 21 - Safeguarded areas

1. The vision makes it clear that the rural character of the district needs to be protected. **By 2027 Selby District will be a distinctive rural District with an outstanding environment, a diverse economy and attractive, vibrant towns and villages. Residents will have a high quality of life and there will be a wide range of housing and job opportunities to help create socially balanced and sustainable communities, which are less dependent on surrounding towns and cities.** In order to do this protection of the countryside should be an overriding policy that runs through the whole of plan Selby.
2. There is very little mention of HS2, the impact which will be felt to some considerable distance from the centre line of the track. It is suggested that 500 m either side of the route be safeguarded until full details of the route are known.
3. The plan needs to be flexible in that it can accommodate future rail development. With widespread electrification expected to be completed during the plan period provision should be made for additional stations and rail infrastructure.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 22 - Development Limits

The argument for and against tightly drawn development limits is as follows

- Loosely drawn development limits enable the boundary between the village and the countryside to be softer and therefore more sympathetic in visual terms. It would also enable sites which span the development limits boundary to be developed in their entirety. However the disadvantage of use development limits is that eventually development would take place out to the extended boundary and the eventual outcome after progressive development would be a boundary that was just as sharp as that if tight limits were applied. The difference would be that development would simply extend further out from the village.
- Tightly drawn limits result in sharp boundaries to villages which can be less attractive than less distinctive boundaries which many villages currently have.

It is my opinion that sharp boundaries are better.

However if loose boundaries are used then such boundaries might be associated with policies which reduce the affordable Housing percentage and also dramatically reduce the density of this housing. This would ensure that the edge of the village retained the softness that so many of the villages currently have.

Another factor which should be taken into consideration and warrants clearer planning policy is the segmentation of fields around villages into small paddocks for horses. This creates a shantytown image of small fields with stable blocks which do not enhance the rural character of the district.

Taken overall my preferred option would be tightly drawn boundaries.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 23 - Strategic Gaps

Q23 a

This is a very selective question and what is not clear is why there are only two strategic gaps in Selby district. If the rural character of the district is to be maintained there should be strategic gaps between most pairs of villages. The strategic gaps should be the space between the development limits of the paired villages. This should apply equally to all pairs of villages.

If there is a strategic gap between Thorpe Willoughby and Selby there should also be strategic gaps between other pairs of villages, with the following as examples:

- Sherburn to South Milford
- Monk Fryston to South Milford
- Monk Fryston/Hillam to Gateforth
- Gateforth to West Haddlesey
- Gateforth to Hambleton
- Gateforth to Thorpe Willoughby.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 24 - Safeguarded Land / Green Belt

The question does not seem to link tightly with the text that precedes it. Para 3.113 discusses Green Belt and a proposal to review green belt boundaries. It is worded almost exclusively in the direction of removing land from green belt, if Selby district is to maintain its rural character consideration should be given to extending green belts such that at least as much land is added to the green belt as that which is removed from it. If the argument can be made one-way it can be made the other as well. Green belt has traditionally prevented the agglomeration of towns and the creation of conurbations.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 25 - Infrastructure

The following should be added:

- **Broadband** - it is essential that superfast broadband is made a standard for all housing developments and commercial development. Infrastructure should be put in place such that commercial developments are supported by FTTP which delivers 100 Mb per second plus, and housing developments should have FTTC which delivers at least 25 Mb per second and up to 80 Mb per second for premium service. All developments should incorporate broadband as a basic requirement. Broadband is a key enabler reducing the need to travel and supports working from home.
- **4G coverage** - Selby needs to be proactive in ensuring that 4G coverage is made available across the district. For places too far from the telecommunications core infrastructure superfast broadband via 4G is a potential alternative.

The above 2 telecommunications services will provide a true value add and make Selby district a more attractive place to live and work.

- **CCS project** - the pipeline represents a very valuable infrastructure. Plan Selby should include policies and land designation which enable CCS to achieve maximum possible benefit to the district.
- **HS2** - while it gets a brief mention in the Infrastructure plan it warrants much greater coverage and needs to be factored into housing allocations. See also response to question 21.
- **Coalbed methane** - it would be advisable for Selby district to set out policies for coalbed methane extraction before the planning applications start to arrive.
- **Flooding** - this problem is inadequately dealt with by plan Selby. Flooding is a problem in the Tadcaster, Kirby Wharfe, South Milford and Saxton. The infrastructure plan needs to deal with the problem.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 26 - Climate change and renewable energy

The question is very broad, it covers both energy generation and energy consumption. It also covers energy generation from micro scale (solar panels on roofs) through small-scale (farm turbines), medium scale generation from wind farms and large scale from biomass. Across this range the generating capacity increases by a factor of 100,000 - from 10 KW for a roof installation to over 1000 MW for Drax co-firing.

Energy generation is the driving force for the Selby economy and should be given commensurate coverage in plan Selby. The document has 117 pages but coverage of climate change and renewable energy is lumped together and gets only five pages.

During the plan period policies for energy generator are likely to see significant change - plan Selby must be capable of adapting to such changes.

There is also expected to be a significant change in the relative priority given to climate change matters by government. If the current pause in Global warming which has now lasted for 15 years continues for another five it will undoubtedly bring about change in government policy.

While I will respond to the individual questions I contend that the subject needs to be broken down into a number of component parts.

These being:

1. Energy generation
2. Energy consumption
3. Adaptation and climate change mitigation.

As further subdivision energy generation should be planned on the basis that it comprises:

- Macro energy generation, broadly described as generation measured in units of 100 MW generated output.
- Mid scale generation – Output between between 1 MW and 100 MW
- Small scale generation - from 20 kW through the 1MW
- Microgeneration – domestic scale up to about 20KW

Note that the subdivisions relate to expected output rather than nameplate capacity. It is necessary to do this because it is output that generates revenue and different forms of generation have very different load factors. A wind farm of 100MW nameplate capacity will generate an average of about 30MW , while a 100MW biomass facility would generate an average of 80% or more.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Chapter T5 - Climate Change

Key message

The definition of renewable energy given in the introduction does not accord with National Policy. If Selby district is to be aligned with national policy the key measure is for low carbon generation. It does not matter whether it is centralised or decentralised. Selby district should not be using measures which do not align with government policy. Broadly speaking government targets are matched by corresponding systems of incentive – micro-generation and small scale generation is covered by the fit system, larger scale generation is covered by the CFD system (which is replacing the ROC)

Table 7

Comment: I found this table a very confusing because it mixes a number of topics which I believe should be separated. I therefore object to the table in its present form. However I recognise that some of the content of the table is covered by the eight sub questions in question 26, for which I provide separate answers.

If more time had been made available I would have provided more detailed comment on the table.

Para3.125 - Reference to the AECOM report

The AECOM report has been used at a number of wind farm appeal hearings as evidence and has been discredited. The document contains a range of inaccuracies and simply could not be relied upon in 2011. For example it assigns Marr as a windfarm in Selby district.

The report illustrates the danger in conducting such research when renewable energy generation is in such a state of flux. The document does not include any biomass based on unit conversion. The document does not include any small-scale wind, and yet since the document was published Selby district has seen over 40 planning applications for such schemes.

The biggest concern about the report is that it states that Selby district has the capacity for 271MW (over 100 turbines with a nameplate generating capacity over 2.5 MW - in other words over 130 turbines of the size that are already operational at Rusholme). See AECOM , page 35. This is the largest allocation to any district in North Yorkshire. One of the reasons why the figure is so high is that in the model used there were no areas excluded on the grounds of the landscape impact. This is not acceptable, either socially or morally. Government policy has shifted and more wind farms and wind turbines are being refused at appeal because of the landscape impact. See appeal decision the Wistow Lordship. The AECOM report simply states that *"Outside of Selby town, the majority of the land is rural and holds significant promise for commercial scale wind energy."* In other words the whole of the district is suitable for wind and hence the very large number of turbines. On the other hand report says that there is zero capacity for electricity generation from Commercial and Industrial waste. We now have two planning applications at Eggborough and Kellingley with over 100 MW between them.

A further shortcoming of the report is that it does not attempt to differentiate between the relative merits of any form of generation.

In conclusion the AECOM report does not provide any information on which Selby should base its plan.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 26 a - Renewable Energy targets

In the suggested topics – as above - this question comes under the topic of energy generation.

The short answer is that targets should not be revised, they should be abolished or left as they are - for the following reasons:

- There is no benefit in having a target when the targets in the former Regional Spatial Strategy no longer applies and the NPPF makes clear that targets are taken as minima and not maxima. If the target did apply we have in any case already exceeded it.
- When RSS targets were still in force, achievement of them carried little if any weight in planning appeals about wind farms. Example decision documents could be found if required.
- Simple targets linked to total generating capacity are ill-conceived because they do not take into account the difference in load factor between solar, wind, biomass and anaerobic digesters. This means that the total installed capacity would bear little relationship to the actual energy generated / carbon dioxide saved because the energy is determined by the load factor and the generating capacity. For example Drax biomass has a load factor of 80% whereas solar panels are closer to 10%. Wind will varies between 10% for small turbines and 30% for larger ones in very windy locations. The objective is to GENERATE more power from low carbon sources, not to install more capacity that produces little power and damages the environment.
- In the introduction to T5 page 56 of the consultation document "Renewable Energy" is poorly defined as incorporating "renewable and low carbon and decentralised energy".
- The target included in the Core Strategy is for 32MW generating capacity by 2021. SP16 Page 111. This target was based on assumptions that it would be wind energy based. Due to diversification of renewable energy generating technologies this target has already been greatly exceeded. There is 1000 MW at Drax which has converted two units to fully operate on biomass. Wind farms already operational or approved exceed 32 MW in their own right. In addition to this there are two waste incineration plants either approved or expected to be approved shortly and a number of anaerobic digesters. The total installed capacity in Selby District greatly exceeds 1000 MW and is dominated both by load factor and capacity considerations by Drax biomass.
- Drax would like to convert other units and Eggborough would like to convert to low net CO2 biomass - but the decision rests outside of Selby District with DECC. The achievement of any target which included biomass would depend on central Government decisions and not on Selby planners. As such there is no merit in Selby setting such a target - a separate lower target for wind is pointless because Selby District has the capacity to generate far more renewable energy by other means and at lower environmental cost to the district.
- Any target which included biomass would not be achievable by any other means because of the scale difference - 1000MW versus a few 10's for wind farms and up to 100 MW for each incinerator.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

- Granular targets which are based on current assumptions about technology serve no purpose as has been shown by the extent to which projections in the AECOM (2011) report, cited as evidence in para 3.125 are already so obviously wrong.

The goal of Selby district should be to maximise its contribution to actual energy generation, rather than maximising nameplate generating capacity. The measure of success should be contribution to UK total power and carbon reduction while minimising landscape and environmental impact.

The vision is that we have an outstanding environment and we should stick to it.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 26b - Is it necessary for PLAN Selby to consider: Reviewing the 10% on-site requirement?

With reference to the topics as proposed in my overview on question 26 this sub question would fit within energy generation. However the scale of generation is very modest and would come under the category of micro-generation. Given that it's major impact would be on building standards it would be better dealt with under a housebuilding policy.

The question relates to policy SP 15 which says that any development of 10 or more dwellings should generate a minimum of 10% of the total predicted energy requirement from renewables, low carbon or decentralised energy sources.

The short answer is yes, the requirement should be reviewed then removed in favour of more positive policies - for the following reasons:

- There is no benefit in Selby District setting targets which exceed national standards, especially when it is not clear if these targets can be achieved.
- Any standard which drives up the cost of new homes will act as a deterrent to developers and should be avoided. Developers should be encouraged to make provision for fitting solar panels and heat pumps but actually fitting them should not be mandatory.
- There is a greater opportunity to accelerate renewable energy deployment (solar panels and heat pumps) by supporting deployment on existing buildings than forcing it on new build.
- The market is in any case driven by market subsidies which are determined by Government. Selby District policies should not be dependent upon continued subsidies.
- Supporting the use of heat from CHP plants can be done via other policies which deal with CHP plants.

As a general principle Selby should not set policies which exceed national standards, the 10% target should be removed and replaced by one which encourages solar on existing roofs and encourages other energy resource efficiency such as heat pumps and biomass, but not to do this in such a way that it is dependent on the level of subsidy. This matter is covered by para 95 of the NPPF, it does not need additional statements.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question no.: 26 c Should Selby Include specific requirements for sustainable design?

NO - Selby should follow and adhere to national standards. There is no benefit to Selby of imposing different standards to those that apply in the rest of the UK. Selby would incur additional costs and if they were higher standards they would deter developers from coming to the district.

The same general principle as suggested in my response to question 26 b should apply: Selby should not set policies where the matter is already dealt with by a national standard. The inclusion of the term "*subject to viability testing*" clearly indicates that there is an expectation that it will increase costs. It will also create work that is not required in other districts and make Selby less attractive to developers.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 26d - Is it necessary for PLAN Selby to consider identifying suitable areas for renewable and low carbon schemes?

Wind farm planning applications see the most ferocious public resistance and a willingness on the part of communities to spend many thousands of pounds fighting wind farms through the appeal process. It is normal procedure for windfarm applicants to appeal whenever planning applications are refused locally. It is standard procedure for local communities to face off to the windfarm developers by taking rule six status at appeals.

Any site allocation exercise would almost certainly create a hostile district wide social environment. However the biggest objection to a site allocations exercise is that it would achieve virtually nothing because of the way in which the wind industry selects sites and put them forward for development. I do not believe that identifying suitable areas for renewable and low carbon schemes is either necessary or desirable for the following reasons.

The NPPF says that doing this should be considered. It does not say that it has to be done.

Para 97 states:

'They should: ... consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources;'

Then in note 17 it says:

'Where plans identify areas as suitable for renewable and low-carbon energy development, they should make clear what criteria have determined their selection, including for what size of development the areas are considered suitable.'

Then in para 98 it says:

'When determining planning applications, local planning authorities should: approve the application¹⁸ if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.'

In other words any area that is allocated is almost certain to see proposals that then must be approved, and if the criteria are not absolutely unique to those sites then it will be more difficult to argue against other proposals. In Selby District where the landscape is reasonably consistent having sites allocated would be an expensive and pointless exercise.

If there is no designation the local authority can refuse planning for wind farms and large solar farms. The applicant may well appeal the decision but as we saw at Wistow Lordship the appeal is then decided on its merits and gives local residents an opportunity to make their case. Where other developments have already been approved it is then possible to argue on the basis of cumulative impact, which again would be more difficult if the area had been identified as suitable.

Recommendation - Selby should not identify areas for wind farms and solar farms because to do so would not limit them to those areas because developers would still be able to propose them on any other site.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 26e - Is it necessary for PLAN Selby to consider: Identifying separation thresholds? What might they be?

The short answer is yes - separation distances are very important.

Many wind farms designed and constructed in accordance with PPS 22 are causing serious complaints. While the worst complaints arise from noise, the following problems increase as turbines get closer

- Visual dominance
- Noise
- Health
- Safety
- Shadow flicker
- Loss of property value

Minimum separation distances provide a simple set of rules which determine how close turbines can be to homes. The wording of minimum separation distance policies have to be positive. Case law can be referenced to find a form of words which is acceptable within the NPPF framework.

If Selby district is to live up to its vision of having "an outstanding environment where residents have a high quality of life" it is important to match this with an appropriate minimum distance policy.

Suggested details:

There should be minimum distances from homes, roads, paths, public areas and railways. The distances should take into account safety, amenity, visual impact noise and health issues. The distances should also be linked to turbine size. Turbines can vary in size between 25 metres and 200 metres. For that reason the distances must be related to total height.

The only rule which sets distance is indirect through the ETSU R97 noise rules. These are unique to wind turbines and allow more noise than other industrial equipment and premises. The noise rules do not provide protection for home owners. The rules are also very complex and difficult to enforce. Additional protection against noise nuisance is also required due to the unique characteristic of wind farm noise and the fact that it is more annoying to people than other types of noise - traffic, aircraft etc.

It is a principle of planning law that you are not entitled to a view, but such laws did not foresee structures like wind turbines towering over villages. A minimum distance would provide a level of protection that does not currently exist.

Recommendation - Setting minimum distances is the best way to protect Selby District residents from the worst effects of wind turbines. Many argue for a minimum of 2km but this is unreasonable because it would exclude all turbines, including smaller turbines from most of the District. A minimum distance which is linked to the size of turbine is a better approach and would protect communities as turbines get bigger. 2km is reasonable for the larger turbines (say 145metres but it must be greater for 200 metres turbines).

The number of turbines should also be taken into consideration. It must not be permissible to have more than one turbine at the minimum distance.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Minimum distances should be set for distances from homes, roads, pathways, public areas and areas used for recreational activity.

Implications:

- The wind turbine industry requires large areas of land for the deployment of turbines. Minimum distances seriously reduce the opportunity for them so they are prepared to commit resources to opposing any move to introduce minimum distances.
- It is only when home owners are faced with a proposed wind turbine that they investigate and find out what sort of problems they create and the impact that they have.
- The High Court challenge at Milton Keynes established that minimum distances can be set via an SPD provided it is positively worded. Beyond the distance the turbine will be approved unless there is an over-riding reason not to, below the distance the developer must show no harm will be done or get residents to agree to have turbines close to their homes.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 26f = Is it necessary for PLAN Selby to consider:) Incorporating more detailed development management policies for climate change and renewable/low-carbon energy requirements? If so what do they need to cover? For example taking into account cumulative impacts of schemes?

The wording of this question is a very confusing because it includes management policies for climate change and renewable and low carbon energy requirements. It then goes on to provide examples which relate to renewable and low carbon energy but not to climate change itself. While the justification for the renewable low carbon energy might be climate change it is overly complicated to try to answer both cause and effect questions under this single subheading.

This answer addresses the impacts of renewable low carbon energy, and leaves the climate change part of the question for consideration elsewhere.

Four broad topic areas should be addressed:

- Environmental impact
- Amplitude modulation noise condition
- Cumulative impact assessments
- Detailed landscape character assessment

Renewable and low carbon energy technologies are evolving rapidly and there is no point developing policies which are irrelevant by the time that they are introduced. Policies should focus on issues which are expected to apply generally. For example policies to deal with Carbon capture and storage could not have been foreseen as a requirement and in any case the project will be determined by national policies. Policies should focus on matters which will relate to large numbers of planning applications and be relevant to more than one type of application.

Environmental impact

Renewable energy projects tend to be large and complex, they also pushing new ground. The environmental consequences are sometimes difficult to assess. Factors that would not normally be involved with normal development can be quite significant for renewable energy development where it is carried out on a large scale. The following should be considered for inclusion in Selby district policies:

- Light pollution - arising from industrial developments and on wind turbines but also including rural domestic.
- Air pollution - especially cumulative impact from incinerators
- Landscape and visual impact - cumulative impact from renewable energy projects and power generation and distribution.
- Traffic - especially heavy goods related to renewable and low carbon energy generation - applies particularly to incineration and anaerobic digestors.
- Fencing and enclosures resulting from large scale solar - cumulative impact on the free movement of wildlife.

Amplitude modulation noise policies

Noise at properties in the neighbourhood of wind farms is governed by a set of rules known as ETSU R 97, these rules permit more noise at night than during the day. The measurement used in the rules excludes the loudest part of the pulsing sound or swish which occurs at the same intervals at which blades pass. There has been a long running dispute between the wind industry and community groups about this form of noise and what conditions should be used to limit this noise. A large number of wind farms built to comply with ETSU R97 cause noise nuisance to the neighbours resulting in complaints that have not been resolved satisfactorily. At Den Brook wind farm in Devon a set of conditions were agreed which required peak noise

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

levels in the pulses and frequency of noise pulses to be measured. The condition put a limit on the amplitude of regularly occurring noise pulses. The problem is not well understood and as a consequence the wind industry could not guarantee to meet the conditions that were set at Den Brook. A separate study showed that there was a strong correlation between wind farms failing the Den Brook condition and local residents complaining about noise. This validated the Den Brook condition - when the condition was violated noise levels at neighbouring properties were unacceptable to local residents.

The wind industry undertook its own research and proposed a much less onerous condition which when compared with the real data on wind farms where complaints were rising was shown not to be breached. This condition is the subject of heated parliamentary debate and further investigation.

Selby district should be aware that the Den Brook AM condition would provide protection for Selby district residents from excessive amplitude modulation but the condition proposed by Renewables UK Ltd would provide no protection at all. Selby district should incorporate a Den Brook style condition into a policy. There would be no point in having a policy which was based on the condition proposed by Renewables UK Ltd.

Cumulative impact

Cumulative impact should be considered across all energy generation technologies and energy related infrastructure.

The factors that should be covered include the topics listed above under the heading of environmental impact. This is a complex subject and will require further work.

Landscape character assessment and visual impact

More time is spent on landscape character assessment at windfarm appeal hearings than any other subject, the situation has shifted over the last five years in that it is now recognised that wind turbines have at least as big an impact in flat landscapes as they do in hilly landscapes. Landscape character assessments need to be comprehensive and detailed down to a local level. Selby should review current landscape character assessment of the district and revise them where necessary. Wind farm developers play on this district being part of the Humberhead levels which was classified as having a low sensitivity to wind farms. This landscape character assessment underlies the AECOM study that says that Selby district has the capacity for 270 MW of wind turbines - equivalent to 130 turbines of the size of the ones at Rusholme.

Selby district with this number of turbines would not be a distinctive rural district, it would be a wind farm landscape stretching the length and breadth of the district.

Priority should be given to getting such a landscape character assessment done by a company that is not linked to the wind industry.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. Q 26 g - Is it necessary for PLAN Selby to consider: What topics should instead be left to subsequent SPD or guidance

The best way to answer this question is to see what subjects other authorities deal with via SPD and select those which are relevant to Selby District.

Candidates would be in the following areas

- Minimum separation distances for turbines
- Amplitude modulation noise conditions for wind farms - although the need for such policies will be influenced by ongoing court cases and Government review.
- Fencing and enclosure issues to do with solar farms.
- Incinerators
- Anaerobic digesters

While not an SPD the most urgent requirement is to do a detailed landscape character assessment. See also question 26f.

This is the key evidence base for wind farm and solar farm proposals. Government has recognised by Ministerial statement that wind farms in flat landscapes have as much impact as they do in hilly landscapes and this has had a significant impact on planning appeals.

The local landscape character is one of the most important factors in determining wind farms applications at appeals.

"By 2027 Selby will be a distinctive Rural District with an outstanding environment, a diverse economy and attractive towns and villages. Residents will have a high quality of life and there will be a wide range of housing and job opportunities to help create socially balanced and sustainable communities, which are less dependent on surrounding towns and cities."

Landscape polices must be put in place if this vision it to be delivered.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 26h - Is it necessary for PLAN Selby to consider: How should each of the site allocations (to be identified in later stages) deal specifically with climate change and renewable energy issues?

Short answer - this is difficult to answer without knowing what other site allocations are to be produced and the extent to which climate change occurs over the PLAN period.

The question should be asked when the subjects to be covered by site allocations are known. However the following are examples of things that should be included in baseline considerations:-

- Flooding - which is attributed to climate change but is more about drainage.
- CHP- ensure that sources of heat from CHP plants is considered in conjunction with potential use of the heat
- Encourage industrial developments to deploy solar panels on roofs
- Encourage biomass heating of industrial premises
- Encourage use of heat pumps - preference should be given to ground source and potential for shared use of the underground heat exchangers.
- Consider the impact and opportunity provided by carbon capture and ensure that sources of carbon other than Drax can use the facility. Site allocation for industrial use should have this as a prime consideration.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Chapter T6 - Protecting and Enhancing the Environment

Question no. 27

The key messages

The key terms on which this topic is based and not defined. For the purpose of this response the following definitions apply:

- Green space for recreation use – is taken to mean any green space that would be part of the enjoyment of people engaged in recreational activity. This would include open space in villages, along the routes of footpaths and bridleways and around popular cycle routes.
- Areas of nature conservation value – is taken to mean any areas where there is flora and fauna of conservation value - with conservation value taken to mean those animals and flowers that people like to see in the countryside around them. They do not have to be rare or protected. They do not have any level of protected status.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 27a

The problem with this list is that it includes a very small percentage the green spaces that people enjoy for recreational or enjoyed as a view when they are enjoying other recreational activities.

Limiting the areas the nature Conservancy addition value to designated areas similarly it does not take into account the rich wildlife that Selby district enjoys.

If proof were required that we have a lot of wildlife you need look no further than records held by North Yorkshire police the number of poaching incidents. There are more such incidents in Selby district than anywhere else in North Yorkshire. Around Hillam where I live the number of reported incidents where deer and Hare are hunted illegally with dogs is especially high. We also see Falconers and people hunting illegally with Eagles.

All of this occurs because of the good wildlife population that we currently enjoy but which is threatened by developments which do not take the wildlife fully into account. Wildlife lives where it wants to and not in areas that have been set aside for it.

The area where I live has no designation but to illustrate my point about it being a rich and high-value for recreation and for wildlife I will simply list some of the assets that I see in the immediate vicinity around me.

There is no doubt that the district is very rich in assets and we should make sure that we know what they are and take appropriate action to protect them for future generations.

The following list is not exhaustive it just happens to be the things that spring to mind in response to this question.

Wildlife - birds

Wide range of garden birds including:

- Tree sparrow - large population garden resident
- Pied wagtail
- Yellow wagtail
- Black bird
- Mistle thrush
- Heron
- Mallard
- Sparrowhawk
- Blizzard – overflying
- Kestrel
- Partridge present
- Moorhen- resident and nesting in the garden
- wood pigeon- a significant garden pest
- collared dove - seen in increasing numbers
- Cuckoo-heard but not seen
- barn owl- see hunting in daylight along the lines of ditches
- little owl- occasional visitor
- Kingfisher seen in the Dyke to the South of my property
- green woodpecker seen occasionally in the garden
- great spotted woodpecker a regular visitor nesting close by
- swallows- a large community visiting every summer, several nesting pairs on the property

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

- grey wagtail
- Wren
- Dunnock
- Robin
- fieldfare -seen in large flocks the winter - feeding late winter all crabapple in the garden
- Redwing occasional visitor
- Black cap Occasional visitor
- Chiff chaff - seen in the hedgerows
- longtailed Tits - a group of anything up to 10 seen at certain times of the year
- Blu tit
- Great tit
- Tree creeper
- Magpie
- Carrion Crow
- Starling-seen occasionally large flocks
- chaffinch resident
- bullfinch- we have had several pairs in the garden
- greenfinch – resident
- Goldfinch resident and nesting in summer

Of these birds the swallows bring great pleasure in summer and we usually get three or four nests with each pair having to brood is per summer and each brood having four or five birds.

Beyond the gardens we have Whooper Swan which oval winters here every year and lapwing. Within a mile we have had a nesting pair of hobby.

Wildlife - mammals

Wildlife seen in and around the garden includes:

- Bank voles
- field mice
- brown rat
- grey squirrel
- weasel
- fox
- hedgehog
- brown hare
- Roe deer.

Fungi

Fungi plays a very important role in the environment and requires well spaces and undisturbed land thrive. The following have been found in the garden:

- brown roll rim
- Shetty parasol
- shaggy ink cap
- fairy ring champignon
- glistening ink cap
- little Japanese on umbrella top
- Meadow puffball
- slippery Jack
- Stubblefield field volvar - there were many more but these were the ones that I was able to identify.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Recreational amenity

Along the road in front of my property:

- Walking - Jogging - horse riding
- Cycling- this has become extremely popular and we regularly see large groups of 20 or more cyclists going along the road in front of our house. The cyclist range from the near professional large club groups down to families with young children enjoyed the ride around the block – Hillam, Gateforth, West Haddelsey , Birkin.
- Car rallies, motorcyclists, pony and trap and the occasional steam road roller. You name it we get it because it's a quiet country lane.
- Poachers, falconers and pigeon shooters - not necessarily welcome but we get them regularly.

Further to the south dog walking on a circuit around from Birkin and along Maspin Moor road is very popular.

A popular horse riding circuit is down Hillam common Lane, and then round via to footpaths back to Roe Lane. The circuit is well used by riders and should really be reclassified as a bridle path.

Visual amenity

The area enjoys long distance views which feature occasional trees and irregular hedgerows which add interest into the foreground. In the further distance is woodland and views to Hambleton Hough, the magnesian limestone Ridge forming the western boundary of the Selby plain. Yes there are power lines and power stations in the views but the overwhelming impression is one of countryside and big sky. This is what gives the district its rural character and it is what visitors to the area enjoy.

Specific local assets include Gateforth Wood, Hambleton Hough and I would even add the former coal tip at Gascoigne wood mine to the list. It is now an attractive looking Hill and again it is rich in wildlife.

Heritage assets

Those that spring to mind in my immediate neighbourhood are:

- Gateforth wood
- Birkin - where I would include the whole village and especially the church and the old isolated gate posts
- Gateforth Hall
- the Selby canal
- Hillam Hall
- Chapel street in the centre of Hillam.

Areas of Tranquility

- The road from Gateforth to West Haddelsey.
- The path through Gateforth wood
- Birkin village especially the fishing pond area.

Conclusion

Selby district is rich in environmental assets and should strive to protect them all. The diversity of wildlife depends on many things one of which is critical mass. Wildlife cannot be sustained in a few small designated areas. This applies particularly to the larger birds and mammals which are free to roam. In this respect wildlife corridors are especially important. Deer, brown

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

hair , owls and kestrels all follow regular routes around the area. These routes are usually lines between areas which provide them with cover and for nesting and breeding. Again many of these sites have no designation that they have a very important role to play in maintaining the wildlife population that we enjoy having within the district.

Environmental protection should be much more extensive just that required to cover the sites listed in table 8.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 28

The wording suggests that policies for heritage assets are limited to listed buildings and Conservation areas. Policies should be broader than this and provide protection for other buildings of a historic nature. They should encourage modification and re-use of old buildings that have character but which are no longer required for their original purpose.

For example old warehouses and farm buildings that can be converted for other uses should be converted in preference to demolition.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question no.: **29**

There is no reason why Selby District should not have a list of heritage assets. If there is no list then there is no basis for saying which buildings and heritage assets should be afforded protection.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 30

The topic areas look right but I offer the following comments.

Design – Selby should not be duplicating National standards and should be imposing higher standards than those that apply nationally.

Development in the countryside - see my comments in response to question 19.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 31

Selby should not set targets specific house types and sizes because it would cause complexity and inflexibility. Demand by house type over the plan period should change if Selby district succeeds in its mission of increasing prosperity in the district.

However over the plan period it is inevitable that the population demography will shift towards an older population. This will increase the requirement for care homes and Selby should have policies and land allocated for this requirement. Care homes are ideally suited to locations away from main roads, where there is access to recreational space footpaths and where sufficient space can be allocated for Parking for staff and visitors. This is something which is outside normal housing allocations and needs to be planned accordingly.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 32

The challenge here is to achieve the right balance - para 4.12 talks about soft touch. But timing is equally important. So is recognition of the role that national projects and policies play

A few points to ponder:

- Why does the document not include reference to HS2
- Why does the document not refer to the electrification of the East West route which will bring with it major redevelopment of Selby station.
- There must be a simple way to encourage more cycling and to provide cycle parking without needing the active involvement of Selby District Council.
- Given these two major omissions why is electric vehicle charging points put forward as a suggestion. This is the sort of thing that will be driven by national policies and market demand. If charging points become financially viable the supermarkets will introduce them in their carparks.

There is certainly a lot to be done in improving transport around the District but these questions do not appear to tackle the issue and is PLAN Selby the place to do it.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 33

Building standards - Why would Selby require standards that differ from National standards?
It will inflict additional cost on the builders and on the Authority. The net result will be that Selby is a less attractive place to build and the targets will be more difficult to achieve.

Why would Selby district wish to establish design requirements in the new allocated sites that concern layout orientation and aesthetics. To do so will simply remove completely the opportunity for developers to be creative in making best use of the space and in making the development as attractive as possible. Developments need to be attractive and appealing to buyers and it is not the role of Selby district Council to do this. It is a matter for the developer and his commercial judgement

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 34

Short answer – At the end of the day rural community facilities have to be supported by the community. For example a pub cannot be prevented from closure if it is losing money. The simple option is for the community to be given an option to take over such assets at market valuation.

With respect to tourism it is reasonable to protect assets which are valued or used by tourists who bring wealth into the District. If we are serious about encouraging tourism we must be equally serious about not allowing developments which reduces the appeal of the District to tourists.

Further information - example situations

Village pubs

There is a general decline in the number of pubs due to fewer people using them. This makes them uneconomic and yet pubs often stand on large plots of land which can be developed for other uses - like house building. The profit margin for conversion is often large enough to act as a disincentive to the pub owners to continue to run and invest in the pub business.

Example - Demise of the Three Horseshoes at Brotherton. The pub is a social centre for celebrations such as weddings, funerals, christenings, birthdays, Halloween, Christmas, New Year etc. The last owner of the pub got himself into financial difficulties which resulted in him being declared bankrupt and the pub was repossessed to recover some of his debt.

For the last 30 months the pub had been managed on his behalf by a group of local people who were determined to keep it open and they report that the pub itself was a viable business but had to close due to the owners other debt problems. The pub should be made available for the community to buy at market price before it is offered for re-development?

Tourist facilities and holiday accommodation

Holiday cottages at Riccall - a 250ft wind turbine has been proposed a short distance from 3 holiday bungalows and a caravan park designated for 5 caravans. 87% of the visitors surveyed said they would be less likely to book another holiday if the turbine was there.

Should PLAN Selby promote tourist accommodation, recreation, open spaces, community and sports facilities? To answer this you should consider whether or not Selby Council should be marketing tourism or facilitating tourism through having a sympathetic planning policies.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 35

Short answer - policies should encourage re-use of assets - converting disused farm buildings for residential use has to be better than allowing them to fall derelict.

Refer back to the vision

By 2027 Selby District will be a distinctive rural District with an outstanding environment, a diverse economy and attractive, vibrant towns and villages. Residents will have a high quality of life and there will be a wide range of housing and job opportunities to help create socially balanced and sustainable communities, which are less dependant on surrounding towns and cities.'

Policies need to reflect this - the countryside between the towns and villages is what enables the Selby District to be distinctive and rural.

Any building that does take place in the country should be of appropriate scale and absorbed within the landscape. There should be policies about the height and extent of development in the countryside. There should be policies to restrict the height of structures and the extent of structures as well as limiting the construction of new roadways and support infrastructure that is out of place in rural location. .

Solar farms with miles of fencing around them are not going to create an outstanding environment, neither will wind turbines which could exceed 1000 feet in height over the plan period.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 36

It is better to develop large derelict or unused sites than to allow them to become a local eyesore. If the site has conditions that it be restored to agricultural use it should generally be restored to agricultural use because not to do so simply undermines confidence and credibility in the planning system. However this must be weighed against the alternative if it is to develop Greenfield land elsewhere.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 37

It is now very late and I was hoping to read all of the policies before going to bed but must confess that I have been overcome by acute planning fatigue. Do you really think that the public will be able to provide a meaningful answer to this question? Selby Council would be well advised to follow the lead in this has been taken by government and set itself a target for eliminating pointless bureaucracy. It is quite probable that many of the listed policies could be consolidated into far fewer documents with far fewer words.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 47 - Church Fenton

The drainage / sewage problem needs sorting out – raw sewage comes out of drain covers in periods of heavy rain.

Plans need to recognise the proposed route of HS2 which will alter the character of the village and constrain it on the Western boundary.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No. 53

Comment;

- Space should be allocated for a railway station.
- Space should be allocated for small-scale commercial / office accommodation.
- Paths, cycle routes and bridleways should be reviewed to form part of a cohesive recreational infrastructure around the village.
- There should be a clampdown on eyesores - unfinished buildings, dilapidated buildings and sites where owners have tipped rubbish.
- Space should be allocated for small-scale retail.
- Tourist assets should be included in the Selby listings and promoted as such.

**Selby District Council Local Plan
Consultation Response on behalf of Nigel Adams MP**

Question No.56 South Milford

Comment:

- The flooding problem needs to be resolved.
- Further building which can contribute to the flooding problem should not be permitted.
- The gap between Monk Fryston and South Milford must be maintained.
- The gaps between Hillam and Gateforth and between Hillam and Birkin should be maintained.