

3

Ryan King

From: CAA Aerodrome Standards Department
[CAAerodromeStandardsDepartment@caa.co.uk]
Sent: 27 November 2012 16:14
To: ldf
Subject: Your Ref: Submission Draft Core Strategy

Follow Up Flag: Follow up
Flag Status: Red
Attachments: 20121127SelbyDistrictCouncilLocalismAct.doc

Dear Ms Gregory

Further to your letter dated 12 November 2012 please see attached CAA response:-

<<20121127SelbyDistrictCouncilLocalismAct.doc>>

Kind regards

CAA Aerodrome Standards Department

Before Printing consider the environment.

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Safety Regulation Group
Aerodrome and Air Traffic Standards Division



Ms Helen Gregory
Policy Officer
Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT

Your Ref: Submission Draft Core Strategy

Dear Madam

CONSULTATION ON PLANNING MATTERS

While the CAA has a duty to provide aviation safety advice when requested, it is not a statutory consultee for planning applications (unless its own property is affected). In order to reduce the time devoted to unnecessary consultations, the following guidance aims to clarify requirements.

Other than the consultation required by Section 110 of the Localism Act 2011, it is **not** necessary to consult the CAA about:

- Strategic Planning Documents (e.g. Local Development Framework and Core Strategy documents) other than those with direct aviation involvement (e.g. Regional Renewable Energy Plans);
- Waste Plans;
- Screening Options;
- Low-rise structures, including telecommunication masts. With the exception of wind turbine developments, the CAA is unlikely to have any meaningful input related to applications associated with structures of a height of 100 feet or less that are situated away from aerodromes or other landing sites;
- Orders affecting Rights of Way or Footpaths;
- Sub-surface developments;
- General planning applications not affecting CAA property.

In all cases where the above might affect an airport, the **airport operator** is the appropriate consultee. Where the above might affect a NATS installation the consultee is:

NATS
Mailbox 27
NATS Corporate and Technical Centre
4000 Parkway
Whiteley
Fareham
Hants PO15 7FL

Please be advised that we will no longer respond to future correspondence received regarding the above subjects. Where consultation is required under Section 110 of the Localism Act 2011 the CAA will only respond to specific questions (but will nevertheless record the receipt of all consultations).

It is necessary to consult the CAA in the following situations:

- When a Local Planning Authority is minded to grant permission for a development to which a statutorily safeguarded airport or NATS Plc has objected, write to:

Aerodrome and Air Traffic Standards Division
Civil Aviation Authority
Aviation House
Gatwick Airport
West Sussex RH6 0YR

- When a Local Planning Authority is considering a proposed development involving wind turbines, write to:

Renewal Energy Project Officer
Directorate of Airspace Policy
Civil Aviation Authority
CAA House
45-59 Kingsway
London WC2B 6TE
email: windfarms@caa.co.uk (preferred option)

- When a development involves structures of a height of 90 metres or more, lasers or floodlights, write to:

Off Route Airspace 5
Directorate of Airspace Policy
Civil Aviation Authority
CAA House
45-59 Kingsway
London WC2B 6TE
Email: [REDACTED]

Please could you ensure that your Planning Officers are aware of these principles and the revised policy and that **any associated procedures are amended with immediate effect.**

Yours faithfully

S Doherty
Head of Strategy, Risk and Business Management

Civil Aviation Authority
2W Aviation House Gatwick Airport South West Sussex England RH6 0YR
Telephone 01293 573419 Fax 01293 573971 www.caa.co.uk



Ryan King

From: [REDACTED]
Sent: 12 November 2012 11:35
To: ldf
Cc: helen gregory
Subject: Fwd: Cllrs Crane/Chilvers predetermination has been costly to SDC taxpayers
Attachments: Cllrs Crane/Chilvers predetermination has been costly to SDC taxpayers

For submission as particularly relevant to 'Submission Draft Core Strategy - Further Proposed Changes (7th Set)' within 12th November 2012 and closing at 5.00pm Friday 28th December, as requested in Ms Helen Gregory's letter 12 November, received 11.30am, 12th November.

Ryan King

From: [REDACTED]

Sent: 12 November 2012 08:15

To: [REDACTED]

Cc: [REDACTED]

Subject: Cllrs Crane/Chilvers predetermination has been costly to SDC taxpayers

Communities and Local Government – 'A Plain English Guide to the 'Localism Bill' (Updated)

(June, 2011) Rt Hon Greg Clark MP , Minister of State For Decentralisation. (Download it)

"Abolition of the Standards Board. (Page 7)

".....the Government will abolish the Standards Board regime Instead it will become a **criminal offence** [for councillors] to deliberately withhold or misrepresent a personal interest"

Clarifying the rules on 'predetermination'. (Page 7)

In parallel with the abolition of The Standards Board, the Government intends to clarify the rules on 'predetermination' developed to ensure councillors came to council discussions – on, for example, planning applications – with an open mind. In practice, however, these rules have been interpreted in such a way as to reduce the quality of local debate and stifle valid discussion. In some cases [Mr Crane's agenda-less and minute-less 'cabal politic' at Selby District Council (admitted to in the Selby Times) and regarding especially the 'Olympia Park' housing build, of which Ousebank residents were totally ignorant until it was signed, sealed and (almost) delivered!] councillors have been warned off doing such things as campaigning, talking with constituents, or publicly expressing their views on local issues for fear of being accused of bias or fear of facing legal challenge.

The Localism Bill makes it clear that it is proper for councillors to play an active part in local discussions, and that they should not be liable to legal challenge as a result. This will help them better represent their constituents and enrich democratic debate. "

And firstly by a Council meeting which informs Selby District taxpayers, threatened with bankruptcy by eventual closure of the railway if the 'Olympia Park' build goes ahead, and also imminent and dangerous flooding by a dangerously narrow height difference in the 1.9 kilometres of flood-defence wall, of the issues Councillors have been prevented from mentioning to their electorate in the recent past by abuse of the predetermination rule by vested interests, namely, the criminal conspirators.

Mr M. Crane, Head of Council and representing Brayton, and Mr I Chilvers 'Planning Committee', also representing Brayton, have deliberately set out to keep themselves willingly blind to the criminal conspiracy unequivocally evidenced as existing by the acceptance of an unlawful planning application by Selby District Council and Planning Committee, and where conspirators agreed to pervert the course of justice by removing Public Records which might reveal the application's unlawful nature and so as to prevent public challenge to the applicatio's acceptance by Council, and, further, went on to unlawfully prefer the unlawful site to 'core strategic site' of the Selby District Core Strategy/ Local Plan, because both were

willing to enter into a criminal conspiracy which reveals a predetermination to protect Brayton from planning development by protecting the 'Brayton Gap', the land being prime for development by being in a non-flood zone, and its 'Gap' status being the reason given by Selby District Council for choosing an unlawful 'Flood-zone 3' site over and above two better suited sites - better suited because not requiring expensive bridge-building, and infrastructure cost to add to cost per dwelling and make cutting corners more likely.

And by ensuring Selby District Council did not have to arrive at a coherent Planning Restraints Policy which would make a sure guide to substantive planning applications accessible to all, and to thereby create a much speedier local planning process and which would **prevent costly future challenge** to, for example, a Selby District Council Core Strategy, as exemplified recently by Samuel Smiths Brewery Ltd 'Green Belt' challenge of September 2012 at The Inspectors 'Matters 6' meeting, which has held up and extended (at **what cost to Selby District taxpayers?**) the Independent Government Inspector's Examination by causing 'Matters 7' October 2012 (unresolved until February, 2013), and a Planning Restraints Document which has been available to Selby District Council and the Chief Planning Officer for a decade from Communities and Local Government "Strategic Gap and Green Wedge Policies in Structure Plans – January, 2001" (Download it) and to thus avoid a re-evaluation of Planning Restraints which would threaten development in the 'Brayton Gap' and to adversely affect Mr Crane's/Mr Chilvers' Brayton property prices, protection of which is their predetermination.

Forcing distant developments the 'other side of the tracks, the other side of town' and into a 'Flood-zone 3' area by a criminal conspiracy offering imminent threat to many lives by a height difference in flood-defence wall the conspirators refused to publicly reveal, and to eventually bankrupt Selby District taxpayers by the build eventually causing closure of the railway track as the defence wall has to be built higher than the railway track, all for financial gain, reveals to all just how many criminal offences may be prompted by a grasping of the opportunity to promote criminal 'predetermination'!

What can the future be for 'Localism' if this particular local criminal conspiracy succeeds?

Sincerely

Ian T Hinchey Ousebank where (nearly) forty families live in continual fear of

permanent threat to life and limb and livelihood,

(by 'Updated Masterplan and Delivery Document - November 2010'

claiming mass access by instigating mass trespass by land theft and

which Ousebank residents must contest to prevent occupier liability costs)

contrary to Statute Law : NPP Sect.8 - Para 69. Bullet point 2.

representing Section 17 Crime & Disorder Act, 1998, and as this

Law represents mandated compatibility with ECHR (1950) 'Article 2'

'Rights and Freedoms' - 'Everyone's life shall be protected by law'.



Ryan King

From: [REDACTED]
Sent: 15 November 2012 11:03
To: Ryan King
Subject: Fwd: Why did a technicality take precedence over criminality in Inspection?
Attachments: Why did a technicality take precedence over criminality in Inspection?
FOR SUBMISSION TO Draft Core Strategy Set 7 Changes prior to 28th December, please.

5

Ryan King

From: [REDACTED]
Sent: 15 November 2012 10:57
To: programmeofficer
Subject: Why did a technicality take precedence over criminality in Inspection?

Mr Martin Pike -- Independent Government Inspector

Sir,

I requested 6th November 'Document regarding 'absence of Document' absent as well' to be informed of which of the 69 Core Strategy Documents, or what extant rule/s or ruling/s, permitted Selby District Council/ Planning Committee/Chief Planning Officer to absent the Document 'Design out Crime' from its submission to Mr Jim Shanks at North Yorkshire Police

And whether this was acceptable behaviour regarding a Core Strategy 'core strategic site'?

I have had no response to date.

At the 'Matters 6' meeting 30 September, 2011 (and with later comment on October 23rd 'Matters 7' meeting) I submitted to you the evidence existing to reveal the criminal conspiracy at Selby District Council/SDC Planning Committee/SDC Chief Planning Officer dedicated to attempting to make acceptable the 'Olympia Park' build of 995 dwellings, unlawfully accepted and unlawfully preferred to 'core strategic site' of the Selby District Council Core Strategy by Selby District Council/Chief Planning Officer/ Planning Committee given the extant but unlawfully deleted 'Emaus' Planning Decision Documents of 2002.

But it was a 'Green Belt' issue at Tadcaster which caused a halt to and a time extension for a continuation of the Inspector's Examination, and, to the best of my knowledge and research, I can find nothing relating to the evidence of criminality I presented to you.

This evidence should surely have had precedence of consideration over and above a technicality (which my 12/11/2012 email 'Cllrs Crane/Chilvers predetermination has been costly to SD taxpayers' showed to be due to Selby District Council/Planning Committee/ Chief Planning Officer having ignored a Communities & Local Government 'Strategic Gap & Green Wedge Policies - 2001' advice which had existed for a decade) and to call a halt to any further progressing of the unlawfully accepted and 'preferred' application's Inspection.

And which surely is demanding also of a full Public Enquiry when such activity is revealed?

And especially when fully evidenced from Public Documents, and more especially when life is seen to be put at and remains at imminent risk?

Might I please ask for an explanation on these several counts which remain in limbo with regard the Core Strategy, and to provide the 'evidence base' for continual future challenge?

Sincerely

Ian T Hinchey Ousebank where (nearly) forty families HAVE BEEN UNLAWFULLY PLACED

in fear of permanent threat to life and limb and livelihood

CONTRARY TO LAW : NPP Sect8 Para 69 Bullet Point 2 !

21/11/2012

Helen Gregory

5

From: [REDACTED]
Sent: 23 December 2012 16:12
To: Martin Connor
Cc: LDF; Helen Gregory; [REDACTED]
Subject: 'Brown envelope' payments to criminal conspirators

FOR SUBMISSION PRIOR TO 28th December CUT _OFF DATE INTO
DRAFT CORE STRATEGY - FURTHER PROPOSED CHANGES (7th Set)

Mr Martin Connor - Chief Executive, Selby District Council

Sir,

I have told you before, but repeat yet again, a growing and rampant criminality in Selby District Council and Planning Department has been the feature of your tenure displaying little to prevent criminal conspirators benefiting from their criminality during what must be now your very short-lived tenure as Chief Executive.

For, how many people would participate in the progressing of a criminal conspiracy, risk the chance of a gaol sentence, out of the kindness of their hearts?

Very few, it must be agreed. If any at all!

So the assumption has to be that 'brown envelopes' will scatter like confetti to the conspirators from the near £40 million profit to be made by all who agreed to **allow submission** of the BOCMPauls Ltd unlawful planning application for 'Olympia Park' to Selby District Council; those in the Planning Department/Selby Council placed to use the internal 'Write permission' to **unlawfully delete** the Public Documents relating to the refusal of the 'Emaus, Yorkshire' planning application CO/2002/0634 - 8/16/255E/PA; those on the Planning Committee **able to 'prefer'** the 'Olympia Park' site to 'core strategic site' of Selby District Core Strategy; and the people with **access to the means to make illicit payments; and those in a position able to call a halt to the criminality when given the evidence, and evidence I supplied to you.**

'Back-pocket cash' able to be paid without the notice of the Inland Revenue, must itself come from illicit sources, unless the BOCMPauls Ltd directors Mr Richard Cooper, Mr WFS Mayne and Mr Mr GCJ Powell intend that their Three Swans Property Ltd, Norwich, will pay the conspirators officially, through 'the books', and thus blatantly, which seems most unlikely.

Materials supplied for the build of 995 'built for profit' houses over some 17 years will be a lot easier to manipulate than the lesser amount of materials for the original 600 dwellings over a shorter time scale proposed in the 2008 partnership build with Bellway Homes, who may well have 'walked away' from the partnership build - when offered, but who, being nation-wide, would obviously refuse - the criminal conspiracy as being a way past the mentioned at the time 2002 Planning Decision preventing such a venture - the Company should be asked.

So manipulation of the materials for the 995 dwellings will have to be the source of illicit payments!

28/12/2012

I am told that 'agreements' can be made to supply materials 'guaranteed' to get a signature for 100% when a lesser percentage is actually delivered, and materials which can generate the 'back-pocket' cash required for illicit payments by sale of the missing percentage on the 'black market', or to the 'good customers' of material suppliers for whom half-price materials offer a considerable advantage.

The only people to suffer because of such a scam will be the future residents of sub-standard 'built for profit' dwellings, who have to live with, for example 'less slates than should officially be on their roofs'.

That the entered into material losses might even have to be put down to 'theft by local people' and claimed against insurance, will be neither here nor there to directors of Three Swans Property Ltd, who will simply accept the drop in their £40 million profit as part of their exceptional 'cleverness' in having reduced taxable profit whilst using the 'loss' to make illicit 'back-pocket' cash payments to their colleagues in crime, in 'brown-paper envelopes' of course – or perhaps, or as well, make legitimate purchase of properties in the Caribbean where colleagues in crime may holiday on a regular basis to celebrate : a lot can be done with a near £40 million!

A QUORUM of ELEVEN responsible Selby District Councillors is all that is required to get rid of the future shock to Selby District taxpayers, of bankruptcy caused by closure of railway, for example, or continual repair costs to sub-standard housing 'built only for profit', or by the wiping-out of Barlby village and Barlby First School and forty Ousebank families, **THIS WINTER** possibly, and by getting rid of the criminals and their damaging influence which still threatens, and will threaten even more if managing to get away with such blatant and well advertised criminality.

Sincerely

Ian T Hinchey Ousebank where (nearly) forty families live in continual fear of
permanent threat to life and limb and livelihood
contrary to law.

Helen Gregory

From: [REDACTED]
Sent: 28 December 2012 16:52
To: LDF
Subject: Fwd: I do nothing underhand ever, so be warned : RESIGN NOW!
Attachments: I do nothing underhand ever, so be warned : RESIGN NOW!

Thank you for confirming the receipt of my email 'Brown envelope payments to criminal conspirators' 23/12/2012.

Please accept this copy email originally sent 26th December, 2012, and sent in case 'lost' in the Christmas mail

Regards

Ian T Hinchey Ousebank

Helen Gregory

From: Helen Gregory on behalf of LDF
Sent: 28 December 2012 16:59
To: [REDACTED]
Subject: RE: I do nothing underhand ever, so be warned : RESIGN NOW!

I confirm receipt of your email.



HELEN GREGORY
Policy Officer

Tel 01757 705101 Email info@selby.gov.uk Web www.selby.gov.uk
Selby District Council Civic Centre, Doncaster Road, Selby YO8 8FT

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From: [REDACTED]
Sent: 26 December 2012 15:15
To: LDF
Cc: [REDACTED]
Subject: I do nothing underhand ever, so be warned : RESIGN NOW!

For Pre- 28th December Submission to EIA ADDENDUM RE-CONSULTATION

RISKING, IF REFUSING, CRIMINAL INDICTMENT IN JANUARY 2013, FOR

Perverting The Course of Justice in order to Conspire To Defraud The Ousebank Community of Their Statutory Right To Lawful Protection From Crime And Disorder According To 1998 Crime & Disorder Act : Section 17, and National Planning Policy Framework : Section 8 : Paragraph 69 : Bullet Point 2 : and aiding and abetting the conspiracy by either actively or passively permitting the progressing of the criminal documents informing the conspiracy either by their presence or their absence

IMMEDIATE RESIGNATION of ALL Parties below from either elected or appointed office/s

Mr Martin Connor (et al), Chief Executive Officer, Selby District Council

Mr Richard Sunter (et al), Chief Planning Officer , Selby District Council

Mr Richard Cooper (et al), Group Controller, BcmPauls Ltd/Director, Three Swans Property Ltd,

Mr GCI Powell , Director, Three Swans Property Ltd, Norwich/ ALL other Directorships

Mr WFS Mayne, Director, Three Swans Property Ltd, Norwich/ All other Directorships

Mr Adrian Spawforth (et al), Managing Director, Spawforths Ltd, producer of criminal 'UMaDD'

Mr Paul Bedwell (et al), Director, Spawforths Ltd, co-author of criminal land-theft 'Public

Document' – 'Updated Master-plan and Delivery Document – Nov, 2010'

Mr Mark Crane, Councillor for Brayton, Head of Council, Selby District Council

THE TWELVE MEMBERS of The Planning Committee, Selby District Council

Councillors J Dean, Chair; C Pearson, Vice-Chair; J Cattnach; I Chilvers (also Brayton); Mrs D Davies; D Mackay; Mrs E Metcalfe; S Shaw-wright; D Peart; S Ryder; J Crawford; J McCartney

Plus the immediate resignation of all councillors who know their names will arise during the Open Reconciliation Meeting by **NEW** Selby District Council aimed at discovering and apportioning responsibility for issues and policies kept secret by abuse of the policy of 'predetermination' which, for example, kept the 'Olympia Park' development from public knowledge until made incontestable.

ALSO IMMEDIATE RESIGNATION OF

ALL OFFICERS, elected and appointed, of Barlby & Osgodby Parish Council

for criminally conspiring, by invention and promulgation of a falsely misleading doorstep survey and ensuing false document, to defraud Ousebank residents of their statutory right to freedom from fear of crime and disorder in the community and for community safety, by their **ACTUAL** and aimed for actual incitement of crime and disorder in the Ousebank community by setting neighbour against neighbour with the evidentially-false document ensuing from the deception of the doorstep survey.

Helen Gregory

From: [REDACTED]
Sent: 28 December 2012 17:48
To: LDF
Subject: Fwd: I do nothing underhand ever, so be warned : RESIGN NOW!
Follow Up Flag: Follow up

Flag Status: Completed

Attachments: RE: I do nothing underhand ever, so be warned : RESIGN NOW!

I note with incredulity the avoidance of confirmation of submission of my email 26th December, resubmitted to guarantee submission 28th DEcember prior to 5.00 clock cut-off!

Judgemental censoring, necessarily based on biased value judgement, is not a requisite element of any LAWFUL SUBMISSION.

Be warned again!

Ian T Hinchy Ousebank

(7)

Ryan King

From: Claire Streater [redacted] on behalf of The Coal Authority-Planning
[planningconsultation@coal.gov.uk]
Sent: 13 December 2012 15:48
To: ldf
Subject: UNCLASSIFIED: Draft Core Strategy - Further Proposed Changes (7th Set)
Follow Up Flag: Follow up
Flag Status: Red

Dear Helen

Thank you for consulting The Coal Authority on the above.

Having reviewed your document, I confirm that we have no specific comments to make on this document at this stage.

We look forward to receiving your emerging planning policy related documents; preferably in an electronic format. For your information, we can receive documents via our generic email address planningconsultation@coal.gov.uk, on a CD/DVD, or a simple hyperlink which is emailed to our generic email address and links to the document on your website.

Alternatively, please mark all paper consultation documents and correspondence for the attention of Planning and Local Authority Liaison.

Should you require any assistance please contact a member of Planning and Local Authority Liaison at The Coal Authority on our direct line (01623 637 119).

Regards

 cid:image001.png@01CDD

Claire Streater
Admin Officer
T : (01623) 637 119
E : planningconsultation@coal.gov.uk
W : coal.decc.gov.uk

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21/12/2012



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Ryan King

From: Ann Barker [REDACTED]
Sent: 13 November 2012 11:30
To: ldf
Subject: Selby Submission Draft Core Strategy - Further Proposed Changes (7th Set)
Attachments: Selby No Comment Nov 2012.doc

Dear Policy and Strategy Team

Thank you for asking the Homes and Communities Agency to respond to the Draft Core Strategy in our role as Statutory Consultee. We have no comments to make at this time and I attach a formal letter in response.

Please continue to send Planning Consultee requests to me at: [REDACTED]

Regards
Ann

Ann Barker
Senior Information Officer – North East, Yorkshire and The Humber
Homes and Communities Agency
First Floor, Lateral, 8 City Walk,
Leeds, LS11 9AT
Tel: [REDACTED]
Tel: 0300 1234 500 (switchboard)
www.homesandcommunities.co.uk

Follow us on [Twitter](#)
Join our [LinkedIn](#) group
Sign up for our [weekly newsletter](#)

The format of my email address has changed from @hca.gsx.gov.uk to @hca.gsi.gov.uk. Please update your address book.

Please note: The format of my email address has changed from @hca.gsx.gov.uk to @hca.gsi.gov.uk. Please remember to update your address book.

HELP SAVE NATURAL RESOURCES. THINK BEFORE PRINTING THIS EMAIL
Homes and Communities Agency; Central Business Exchange II, 404 - 412 Midsummer
Boulevard, Central Milton Keynes, MK9 2EA (reg.address for legal documents) 0300 1234 500
mail@homesandcommunities.co.uk VAT no: 941 6200 50

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(10)
Homes &
Communities
Agency

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

13 November 2012

Dear Sirs

Submission Draft Core Strategy – further proposed changes (7th Set)

Thank you for requesting comments from the Homes and Communities Agency (HCA), the national housing and regeneration agency.

Our enabling role is to support our local authority partners in creating opportunity for people to live in high quality, sustainable places. We are a national agency working locally. We help provide funding to deliver affordable housing, bring land back into productive use and improve quality of life by raising standards for the physical and social environment.

The HCA support the proposals being put forward but have no specific comments to make at this stage of the consultation process.

Yours faithfully

David Curtis
Director
North East, Yorkshire and The Humber

Homes and Communities Agency
2nd Floor, Lateral, 8 City Walk, Leeds, LS11 9AT

0300 1234 500
homesandcommunities.co.uk

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Ryan King

From: SMITH, Ian [REDACTED]
Sent: 19 December 2012 13:54
To: LDF
Subject: Selby Core Strategy - Further Proposed Changes

Follow Up Flag: Follow up

Flag Status: Red

Attachments: c9.5 7thPpsdCngs19dec12.pdf; c5 7thPrpsdChngsSA 19dec12.pdf

Dear Sirs,

Thank you for consulting English Heritage about the Selby Core Strategy - Further Proposed Changes and the associated Sustainability Appraisal. Please find attached our comments on those documents. Copies of these letters are in the post for your records.

If you have any queries about any of the matters raised in our responses or would like to discuss anything further, please do not hesitate to contact me.

Regards

Ian Smith | Historic Environment Planning Adviser (Yorkshire)
Direct Line: [REDACTED]
Mobile phone: [REDACTED]

English Heritage | 37 Tanner Row
York | YO1 6WP

www.english-heritage.org.uk

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<http://www.english-heritage.org.uk/professional/archives-and-collections/portico/>

16

Policy and Strategy Team,
Selby District Council,
Civic Centre,
Doncaster Road
SELBY
North Yorkshire
YO8 9FT

Our Ref: HD/P5342/03
Your Ref:
Date: 12 September 2008

Dear Sirs,

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

I refer to the recently-published seventh Set of Proposed Changes which the Council is proposing to make to the Submitted Plan. I can confirm that English Heritage has no comments to make on the latest set of amendments to the document.

If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me.

Yours faithfully,

Ian Smith
Historic Environment Planning Adviser (Yorkshire)
Telephone: [REDACTED]
e-mail: [REDACTED]

15

Policy and Strategy Team,
Selby District Council,
Civic Centre,
Doncaster Road
SELBY
North Yorkshire
YO8 9FT

Our Ref: HD/P5342/04
Your Ref:
Date: 19 December 2012

Dear Sirs,

Selby Local Development Framework: Sixth and Seventh Set of Proposed Changes to the Submission Draft Core Strategy - Sustainability Appraisal Addendum Report

Thank you for consulting English Heritage about the above document.

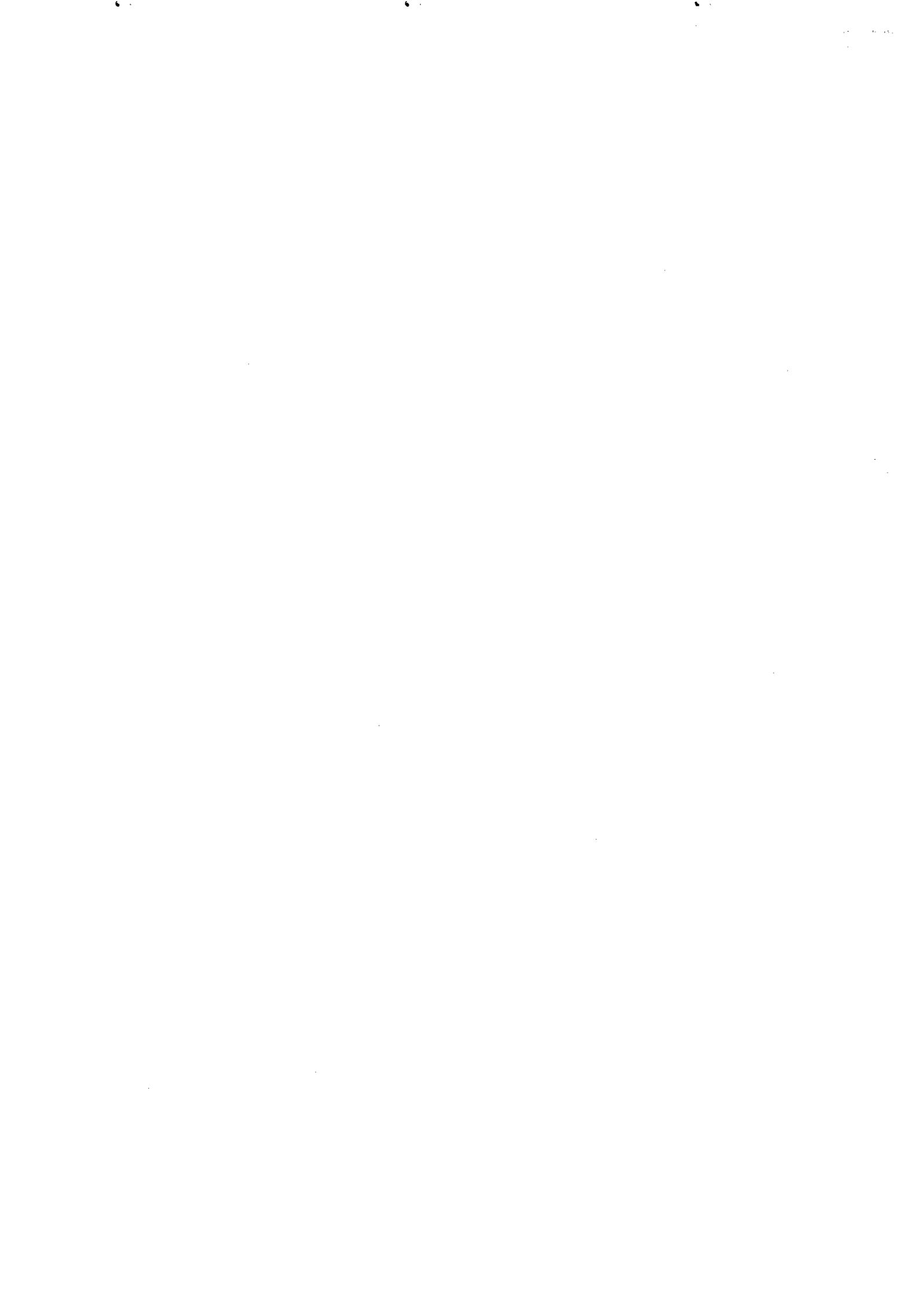
We would concur with the conclusions reached about the likely significant effects which the Sixth and Seventh set of Proposed Changes to the Core Strategy might have upon the historic environment.

We should like to stress that this opinion is based on the information provided by you with your letter dated 12th November, 2012. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the Plan) where we consider that, despite the SA/SEA, these would have an adverse effect upon the historic environment.

If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me.

Yours faithfully,

Ian Smith
Historic Environment Planning Adviser (Yorkshire)
Telephone: [REDACTED]
e-mail: [REDACTED]



20

Ryan King

From: Leeming, Paul [REDACTED]
Sent: 21 December 2012 12:37
To: LDF; Helen Gregory
Subject: Selby Local Plan Core Strategy - Proposed Changes No.7

Follow Up Flag: Follow up

Flag Status: Red

Attachments: 16098 191212 GPE HELEN GREGORY PC7.pdf, Reps Set 1.pdf, Reps Set 2.pdf

Dear Mrs Gregory

Following our conversation please find attached representations on behalf of the Grimston Park Estate. There are three pdf files attached a cover letter with all comments and two containing the relevant forms. These have split due to file size.

Yours sincerely

Paul Leeming MRTPI
Senior Associate

For and on behalf of Carter Jonas LLP
T: [REDACTED]
M: [REDACTED]
W: carterjonas.co.uk



Carter Jonas LLP
Regent House
13-15 Albert Street
Harrogate HG1 1JX



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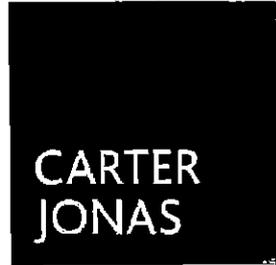
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Your Ref:

E: [REDACTED]

DD: [REDACTED]

Mrs H Gregory
Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT



The Property People

Regent House
13-15 Albert Street
Harrogate HG1 1JX
T: 01423 523423
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19th December 2012

Dear Mrs Gregory

SELBY LDF SUBMISSION CORE STRATEGY SEVENTH SET OF PROPOSED CHANGES

Carter Jonas represents the Grimston Park Estate, a major landowner in the northern part of the District. Representations have been submitted to each stage of the Core Strategy so far and sessions of the Examination have been attended where they affect the Estate's interests.

Comments have been submitted in respect of the Estate's land and property interests around Tadcaster, Ulleskeif and Towton. Those areas remain the key points of interest.

In submitting further comments we have regard to the Inspectors' note as issued on 16th November 2012. Within that note the Inspector recognises that the areas where the need to recommend main modifications "to achieve a sound plan are relatively few". Within those comments the Inspector has helpfully brought a number of issues to the fore in relation to exceptional circumstances for a Green Belt Review, the scale of housing and windfall (particularly calculation of the five year supply plus buffer) rural affordable housing and economic growth.

A number of other matters are covered including changes to the DSV designations and the Duty to Cooperate. On the latter issue it is clearly correct that detailed consideration must await the various legal submissions which are anticipated early in the New Year.

NPPF requires that at para 182 that

"The Local Plan will be examined by an independent inspector whose role is to assess whether it is sound..... namely that it is:

- **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.

Turning to the Proposed Changes No.7 we consider these in detail below. A copy of the necessary forms (where we consider the changes or the policy and justification to be unsound and a further change or reversion required) is attached to this correspondence:

PC7.1: Para 4.9

The clarification is broadly supported as stated. However, we would suggest that the three main towns (Selby, Tadcaster and Sherburn) are set identified in the paragraph for the avoidance of doubt.

PC7.2 Para 4.39 CPXX Supporting Text

Within this broad set of proposed changes, amendments are included to reflect the wording and intent of NPPF to substantially increase the delivery of housing and promote sustainable patterns of development (Para 84).

NPPF at Para 83 suggests that Green Belt remains an important tool alongside settlement policy. It continues that Green Belt boundaries should be drawn up with regard to their intended permanence and to endure beyond the plan period (i.e. beyond 2027 or later). Boundaries should only be reviewed in exceptional circumstances through the preparation or review of a Local Plan. Para 85 sets out the considerations for defining boundaries, using recognisable features and ensuring that areas of safeguarded land are identified to meet the longer term needs beyond the plan period.

This latter issue does not appear to be explicit within the justification particularly para 4.39g. In order to address these matters we would suggest that proposed paragraph 4.39g should have the additional words inserted:

"[patterns of development] and to accommodate the longer term development needs beyond the plan period".

Paragraph 4.39h seeks to protect the settlement hierarchy and suggests that this is the most appropriate mechanism for delivering housing in sustainable locations. Changes introduced through PC7.2 remove reference to the "meet their own needs", to one of provide for an "appropriate level of growth." This change is supported as it moves away from the simplistic distributional approach based upon housing need, advocated in the (post submission) changes to Policy CP2.

Where we would then diverge from the Council's position is that the Submission Core Strategy includes an equal distribution of housing between both Tadcaster and Sherburn in Elmet of the District's housing provision at 9% each. A variation was produced in subsequent Proposed Changes to reduce Tadcaster's proportion (by 2%) and a similar hike in Sherburn's; providing a



differential of Sherburn 11% and Tadcaster 7%. This change was predicated on the case for housing need,; we no longer consider that policy approach to be justified and it is therefore unsound. .

To resolve this concern we consider that now the housing need element is replaced by a wider "basket" of sustainability measures we would suggest that the proportions revert back to those set out in the Submission Core Strategy.

Paragraph 4.39j sets out what the Council considers to be the exceptional circumstances to justify a Green Belt Review through the Local Plan process. In broad terms, it suggests that where non-Green Belt land around higher order and selected settlements is not available the Council will need to review the Green Belt to deliver development in sustainable locations. This approach is sensible and therefore supported.

We would suggest that the phraseology in para 4.39j in relation to identifying areas of safeguarded land should be changed from "may" to "will". NPPF advocates that considering the potential for safeguarded land [s a pragmatic requirement in identifying and defining Green Belt boundaries; not an optional exercise as the current wording suggests.

Paragraph 4.39oo suggests what the Green Belt review will do. In light of our comments above, we would suggest that the word "and" is inserted between the third and fourth bullet points. In our view this improves the legibility of the paragraph.

PC7.3 Amended CPXX policy Text

A number of amendments are proposed to Policy CPXX within PC7.3. The intent of these changes is broadly supported. We would suggest however, that the policy should be more definitive and allows for the review of Green Belt boundaries to exclude land which no longer performs a Green Belt function, consistent with the provisions of the NPPF.

In our view the revised CPXX does not provide a policy "hook" for the Green Belt Review and is therefore unsound. We would suggest that the beginning of provision C is reworded as follows:

"A comprehensive review of Green Belt boundaries will be undertaken through the Local Plan. Boundaries will only be altered in exceptional circumstances. Such [exceptional circumstances may exist where:]"

To deal with the second point, we would suggest that a fourth criterion is added which deals more prosaically where a Green Belt designation is anomalous or no longer required, or where land is no longer considered to serve a Green Belt function.

*"[iii) land], or
iv) in localised areas the Green Belt designation is anomalous, or the land is not considered to serve a Green Belt function due to incremental changes in land use around it."*

PC7.4 Para 4.29

Makes reference to the Development Limits which are to be defined as part of the Policies Map; we have no comments upon this change.

PC 7.5 Amended para 4.29 (Well designed new buildings)(

We have no comment about this particular change.

PC 7.6 Policy CP1 Part A (a)

We have no comment about this particular change.

PC7.7 CP1 Part A (a) Fairburn status

We have no comment about this particular change.

PC7.8 CP1 Part A (b) Development Limits

We have no comment about this particular change.

PC7.9 CP1 Part A (c) Development in the Countryside

We have no comment about this particular change.

PC7.10 CP1A Para 4.47

We would suggest that the word "liner" be replaced with "*linear*"; the statement would then make sense.

PC7.11 CP1A

Minor changes to the wording of the policy are proposed. These add to the clarity and legibility of the policy; we have no comment on these minor wording changes.

PC7.12 CP2 Paras 5.28 Onwards

We assume that the heading block for this proposed change includes the section from paragraph 5.25 onwards (as changes to this paragraph do not appear to be referred to elsewhere); otherwise the Proposed Changes are not complete or coherent.

Paragraph 5.27 as drafted following the current set of Proposed Changes is factually incorrect and is therefore unsound.. The Core Strategy will not be adopted until 2013. We would suggest therefore that PC5.22 and 5.23 be deleted and updated to reflect the actual likely adoption date and a 15 year end point identified there from, i.e. 2028.

An approach which accepts windfall sites as a "bonus" rather than as an integral part of the "planned for" housing supply is supported. Taking the estimate that the Council anticipates that a lean year will produce around 100 dwellings from windfall sites we are satisfied that the Council is seeking to support an annualised housing figure of **at least** 550 units per year.

PC7.13 CP2 Windfall Footnote

If however, the Council is maintaining the current proposed end date of 2027, we would query the mathematics in the current Provision B: 7,200 – 1820 is 5,380; not 5,340. It would be appropriate for the target to be rounded up to 5,400 and set as a minimum target. It should read:

*" Taking into account current commitments, housing land allocations will be required to provide for a **minimum** target of 5,400 dwellings for the period to 2027, as follows:*

We would suggest that Column 6 of the subsequent be labelled "*Minimum New Allocations needed*". To accommodate the changes in the numbers we would suggest that the figure for Tadcaster should be rounded up to 400, and to 1,800 for the DSVs. (Subject to our comments on PC 7.2, 7.17 and 7.19).

PC7.14 CP2 Clarification

This clarification is supported and reflects comments made to the previous set of Proposed Changes (No 6).

PC7.15 CP2 Phasing

This proposed change seeks to delete parts of the policy on phasing. Confirmation of this change (PC6.40) is supported.

PC7.16 Para 5.44c-f Deletion

These changes seek to correct duplication in the supporting text which refers to the use of PDL targets. Such targets are no longer supported by national policy, so their removal is consistent with NPPF.

PC7.17 CP3 Para 5.55a (new 5.52) and PC7.19 CP3 Para 5.55e

Comments in relation to these changes replicate the matters set out above in relation to PC 7.2 where it refers to "appropriate levels of growth" and consequential reversion to the Core Strategy CP2 distribution.

PC7.18 CP3 Para 5.55d Plan Review

This proposed change is supported as the text is superseded by changes elsewhere at Policy CP3.

PC7.20 CP3 Part B (plus consequential text changes 5.44b, h, m, n and o)

Changes are imposed here to ensure consistency with the NPPF. These changes to the text and policy are supported.

PC7.21 CP5

We have no comment upon this particular change to the policy.

PC7.22 CP6 "Exceptions" sites

Changes are proposed to enable market housing to be progressed where this will enable the delivery of affordable and local needs housing where grant funding allocation may not be available to cover the cost.

PC7.23 CP9

Several changes are proposed to Policy CP9 to ensure consistency with NPPF. We have no comment upon these changes.

PC7.24 CP12 and PC7.25 CP 12 Criterion b

Both of these changes comprise minor wording changes to ensure consistency with the NPPF and clarity within the policy. We have no comments to make at this time.

PC7.26 (CP14) Para 7.53, PC 7.27 CP14 Policy and PC7.28 CP14

These changes seek to more closely reflect the wording within the NPPF. We have no comments at this time.

Conclusions

The seventh set of Proposed Changes are broadly welcomed as they more accurately reflect the contents of the NPPF. We would remain of the view that the cumulative effect of all of the Proposed Changes over the previous 18 months do not substantively change the Core Strategy as submitted, but merely seek to clarify the policy and justification and to bring the contents of the document in to line with the prevailing planning policy.

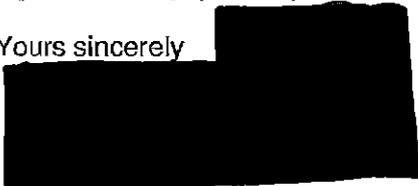
A number of concerns remain; in particular we are of the view that the Core Strategy should seek to deliver a minimum of 550 dwellings per annum over the Core Strategy period and this should be stated explicitly in Policy CP2. It is welcomed that the Council acknowledges that at least 550 dwellings should be delivered; however, this relies upon a balance of provision from as yet unknown "windfall" sites. By their very nature these cannot be predicted, as a consequence it would be prudent for the Council to ensure that sufficient land is identified and made available and that any windfall allowance should be a "bonus" not to be relied upon.

Some of the changes relating to Tadcaster suggest that it should seek to accommodate an "appropriate level of growth". A move away from a simplistic approach based upon an accumulation of the housing need of the northern sub-area is welcomed where this is instead determined by a wider basket of sustainability measures. In our view, mindful that both Sherburn and Tadcaster are Local Service Centres the housing distribution should revert to that set out in the Submission version of CP2 of 9% of the housing requirement each.

As it is we consider that there are a number of minor amendments required to Policy CP2 and the housing numbers contained within it. Should delivery of the housing numbers require a review of the Green Belt and the exceptional circumstances can be demonstrated, we have suggested a number of minor changes to Policy CPXX and the justification which we consider provides a more definitive policy stance as well as a consistent approach to the identification of safeguarded land.

If you have any queries, please do not hesitate to contact me.

Yours sincerely


Paul Leeming BA (Hons) BTP MRTPI
Senior Associate
For and on behalf of Carter Jonas LLP
Encl

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:

PC 7.12 Policy CP2 Justification

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

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.

We assume that the heading block for this proposed change includes the section from paragraph 5.25 onwards (as changes to this paragraph do not appear to be referred to elsewhere); otherwise the Proposed Changes are not complete or coherent.

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PLEASE ALSO SEE THE COVERING LETTER WHICH ACCOMPANIES THESE COMMENTS ALONG WITH OTHER REPRESENTATIONS.

Continue overleaf

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).

Grimston Park Estate is a major landowner with business and property interests in the North of the District. The matters raised through these Proposed Changes directly affect the interest of the Estate. As a consequence it is important to attend the hearings to listen and contribute to the debate as appropriate.

(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 PAUL LEEMING

Dated 21/12/12

**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.

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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:

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

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Contact Details (only complete once)

Please provide contact details and agent details, if appointed.

	Personal Details	Agents Details (if applicable)
Name		PAUL LEEMING
Organisation	THE GRIMSTON PARK ESTATE	CARTER JONAS LLP
Address		REGENT HOUSE 13 - 15 ALBERT STREET HARROGATE HG1 1JX
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.

23

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:

PC 7.13 Policy CP2 Windfall footnote and Policy Text

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.

CP2 Footnote 6 seeks to clarify the provision from planned for sites (target completions) and an anticipation of completions from windfall sites. This clarification is welcomed.

In light of the amended position on windfalls however, we would query the situation if windfall sites fail to deliver the number of dwellings anticipated. As drafted we consider that the policy is unsound as it is not effective. We would suggest that the Policy CP2 wording should be amended to carry the figures through to a policy hook.

Consistent with our previous representations we would suggest that an additional provision should be included:

"A minimum of 550 dwellings per annum will be delivered during the Core Strategy period."

Subsequent provisions should be renumbered. In line with our previous representations the numbers should be amended to take into account a 15 year end date of 2028.

Continue overleaf

Question 3 continued

PLEASE ALSO SEE THE COVERING LETTER WHICH ACCOMPANIES THESE COMMENTS ALONG WITH OTHER REPRESENTATIONS.

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Representation Submission Acknowledgement

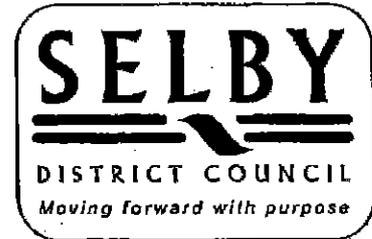
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Signed PAUL LEEMING

Dated 21/12/12

20



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.

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Part A

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Such matters have been dealt with through earlier representations.

Question 3 continued

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- 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		PAUL LEEMING
Organisation	THE GRIMSTON PARK ESTATE	CARTER JONAS LLP
Address		REGENT HOUSE 13 - 15 ALBERT STREET HARROGATE HG1 1JX
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:

PC 7.2 Para 4.39 Supporting Text for CPXX

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

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.

Within this broad set of proposed changes, amendments are included to reflect the wording and intent of NPPF to substantially increase the delivery of housing and promote sustainable patterns of development (Para 84).

NPPF at Para 83 suggests that Green Belt remains an important tool alongside settlement policy. It continues that Green Belt boundaries should be drawn up with regard to their intended permanence and to endure beyond the plan period (i.e. beyond 2027 or later). Boundaries should only be reviewed in exceptional circumstances through the preparation or review of a Local Plan. Para 85 sets out the considerations for defining boundaries, using recognisable features and ensuring that areas of safeguarded land are identified to meet the longer term needs beyond the plan period.

This latter issue does not appear to be explicit within the justification particularly para 4.39g. In order to address these matters we would suggest that proposed paragraph 4.39g should have the additional words inserted:

"[patterns of development] and to accommodate the longer term development needs beyond the plan period".

Paragraph 4.39h seeks to protect the settlement hierarchy and suggests that this is the most appropriate mechanism for delivering housing in sustainable locations. Changes introduced through PC7.2 remove reference to the "meet their own needs", to one of provide for an "appropriate level of growth." This change is supported as it moves away from the simplistic distributional approach based upon housing need, advocated in the (post submission) changes to Policy CP2.

Where we would then diverge from the Council's position is that the Submission Core Strategy includes an equal distribution of housing between both Tadcaster and Sherburn in Elmet of the District's housing provision at 9% each. A variation was produced in subsequent Proposed Changes to reduce Tadcaster's proportion (by 2%) and a similar hike in Sherburn's; providing a differential of Sherburn 11% and Tadcaster 7%. This change was predicated on the case for housing need; we no longer consider that policy approach to be justified and it is therefore unsound.

Continue overleaf

Question 3 continued

To resolve this concern we consider that now the housing need element is replaced by a wider "basket" of sustainability measures we would suggest that the proportions revert back to those set out in the Submission Core Strategy.

Paragraph 4.39j sets out what the Council considers to be the exceptional circumstances to justify a Green Belt Review through the Local Plan process. In broad terms, it suggests that where non-Green Belt land around higher order and selected settlements is not available the Council will need to review the Green Belt to deliver development in sustainable locations. This approach is sensible and therefore supported.

We would suggest that the phraseology in para 4.39j in relation to identifying areas of safeguarded land should be changed from "may" to "will". NPPF advocates that considering the potential for safeguarded land is a pragmatic requirement in identifying and defining Green Belt boundaries; not an optional exercise as the current wording suggests.

Paragraph 4.39oo suggests what the Green Belt review will do. In light of our comments above, we would suggest that the word "and" is inserted between the third and fourth bullet points. In our view this improves the legibility of the paragraph.

PLEASE ALSO SEE THE COVERING LETTER WHICH ACCOMPANIES THESE COMMENTS ALONG WITH OTHER REPRESENTATIONS.

(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).

Grimston Park Estate is a major landowner with business and property interests in the North of the District. The matters raised through these Proposed Changes directly affect the interest of the Estate. As a consequence it is important to attend the hearings to listen and contribute to the debate as appropriate.

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

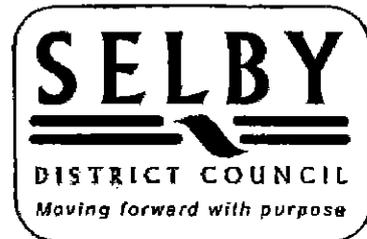
Representation Submission Acknowledgement

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 PAUL LEEMING

Dated 21/12/12



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		PAUL LEEMING
Organisation	THE GRIMSTON PARK ESTATE	CARTER JONAS LLP
Address		REGENT HOUSE 13 - 15 ALBERT STREET HARROGATE HG1 1JX
Telephone No.		
Email address		

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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:

PC 7.3 Policy CPXX

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.

A number of amendments are proposed to Policy CPXX within PC7.3. The intent of these changes is broadly supported. We would suggest however, that the policy should be more definitive and allows for the review of Green Belt boundaries to exclude land which no longer performs a Green Belt function, consistent with the provisions of the NPPF.

In our view the revised CPXX does not provide a policy "hook" for the Green Belt Review and is therefore unsound. We would suggest that the beginning of provision C is reworded as follows:

"A comprehensive review of Green Belt boundaries will be undertaken through the Local Plan. Boundaries will only be altered in exceptional circumstances. Such [exceptional circumstances may exist where:]"

To deal with the second point, we would suggest that a fourth criterion is added which deals more prosaically where a Green Belt designation is anomalous or no longer required, or where land is no longer considered to serve a Green Belt function.

"(ii) land), or

(iv) in localised areas the Green Belt designation is anomalous, or the land is not considered to serve a Green Belt function due to incremental changes in land use around it."

PLEASE ALSO SEE THE COVERING LETTER WHICH ACCOMPANIES THESE COMMENTS ALONG WITH OTHER REPRESENTATIONS.

Continue overleaf

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

Signed PAUL LEEMING



Dated 21/12/12

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

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Part A

The Tests of Soundness

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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		PAUL LEEMING
Organisation	THE GRIMSTON PARK ESTATE	CARTER JONAS LLP
Address		REGENT HOUSE 13 - 15 ALBERT STREET HARROGATE HG1 1JX
Telephone No.		
Email address		

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26

Ryan King

From: Carl Bunnage [REDACTED]
Sent: 21 December 2012 15:37
To: LDF
Subject: LDF Draft Core Strategy 7th Set of Proposed Changes Consultation : NYCC Strategic Policy (Final Submission)

Follow Up Flag: Follow up

Flag Status: Red

Dear Helen,

Thank you for your letter of 12 November 2012 consulting North Yorkshire County Council on the 7th Set of Proposed Changes to the Selby Submission Draft Core Strategy.

As an officer response and from a strategic planning perspective I do not wish to make further representations at this time in relation to matters of soundness.

I trust that you will find this response helpful. Thank you again for consulting the County Council on this matter.

Yours sincerely,

Carl

Carl Bunnage
Team Leader Regional and Strategic Policy
Business and Environmental Services
(Trading Standards and Planning Services)
North Yorkshire County Council
County Hall
Racecourse Lane
Northallerton
North Yorkshire,
DL7 8AD

Tel: [REDACTED]

e: [REDACTED]

Access your county council services online 24 hours a day, 7 days a week at www.northyorks.gov.uk.

WARNING

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21/12/2012

intended recipient. If you receive this in error, please do not disclose any information to anyone, notify the sender at the above address and then destroy all copies.

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Although we have endeavoured to ensure that this e-mail and any attachments are free from any virus we would advise you to take any necessary steps to ensure that they are actually virus free.

If you receive an automatic response stating that the recipient is away from the office and you wish to request information under either the Freedom of Information Act, the Data Protection Act or the Environmental Information Regulations please forward your request by e-mail to the Data Management Team (datamanagement.officer@northyorks.gov.uk) who will process your request.

North Yorkshire County Council.

25

Ryan King

From: Megan Lewis [REDACTED]
Sent: 10 December 2012 17:27
To: ldf
Subject: Selby SDCS Consultation on 7th Set Proposed Changes - Representations of Hogg Builders [NLP-DMS.FID165322]

Follow Up Flag: Follow up
Flag Status: Completed
Attachments: SDCS Representations - 7th Set Proposed Changes_Hogg Builders_10.12.12_pdf.PDF

Dear Sir / Madam,

Please find attached a copy of the completed representation forms for the Selby District Submission Draft Core Strategy - Consultation on Further Proposed Changes (7th Set) November 2012, submitted on behalf of Hogg Builders (York) Ltd.

Please let me know if you require any further information. I would also appreciate acknowledgement that our representations have been received.

Kind regards

Megan

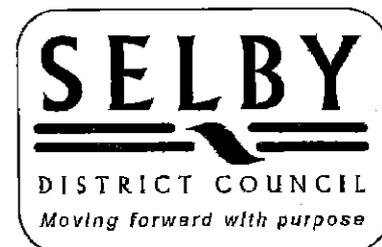
Megan Lewis
Senior Planner
Nathaniel Lichfield & Partners, 3rd Floor, One St James's Square, Manchester M2 6DN
[REDACTED]

nlplanning.com



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 Think of the environment. Please avoid printing this email unnecessarily.



**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.

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Part A

The Tests of Soundness

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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	Mr Peter Hill	Mr Michael Watts
Organisation	Hogg Builders (York) Limited	Nathaniel Lichfield & Partners
Address	Redmayne Lodge, Park Gate Strensall North Yorkshire YO3 5YL	3rd Floor, One St James's Square, Manchester M2 6DN
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:

7.3

Question 1: Do you consider the Proposed Change is:

1.1 Legally compliant Yes No

1.2 Sound Yes No

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

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

(Please identify just one test for this representation)

- 2.1 Positively Prepared
- 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.

Hogg Builders considers that Policy CPXX is unsound because it is not 'consistent with national policy'. The amended policy wording proposed by PC7.3 does not resolve the issues with Policy CPXX as raised previously through representation submissions by Hogg Builders.

Parts C and D of Policy CPXX provide the mechanism by which the LPA can allocate land from the Green Belt for the purposes of development, where the identified need cannot be met by non-Green Belt land. Hogg Builders consider that while there remain opportunities to release land in and around settlements in the district, which perform well in sustainability terms and are located outside of the Green Belt, such sites should be released before consideration is given to releasing Green Belt land. This is supported by national planning policy through the NPPF's presumption in favour of sustainable development.

Hogg Builders consider that it is possible to deliver the district's housing growth requirement outwith Green Belt land, provided that sustainable development options are not limited to one settlement but are considered on a district wide level. This means that if no suitable non-Green Belt sites are available for the delivery of housing in or on the edge of Tadcaster, for example, sustainable opportunities in other settlements, such as Sherburn, should be considered before the LPA releases Green Belt land for development purposes.

The Framework [183] states that Green Belt boundaries should only be amended in exceptional circumstances, and as the district's housing requirements can be accommodated without changes to the Green Belt, there is no justification for the removal of land from the Green Belt, or indeed the safeguarding of land within the existing Green Belt for future development.

As a consequence of the above, Hogg Builders consider that Policy CPXX should better reflect the district wide options available for sustainable development.

Continue overleaf

Question 3 continued

The best way of incorporating this approach in the Core Strategy is to provide the scope for reviewing the development limits of settlements in the district as part of the Site Allocations DPD.

As a consequence of the above, Hogg Builders consider that Policy CPXX (Part D) should include an additional point (iv) as follows:

Policy CPXX Green Belt

D.

"(iv) permit appropriate amendments to the development limits of settlements to allow for sustainable development to take place in accordance with the objectives of the Core Strategy and the Spatial Strategy."

This change would result in a sound policy, which is consistent with national policy.

(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



Dated

10th December 2012

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:

7.8

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.

Hogg Builders considers that Policy CP1 is unsound because it is not 'effective' in achieving the objectives of the Core Strategy and it has not been positively prepared under the requirements of the NPPF. The amended policy wording proposed by PC7.8 does not resolve the issues with Policy CP1 as raised previously through representation submissions by Hogg Builders.

Hogg Builders consider that the restrictions placed on residential development in Secondary Villages by Policy CP1 part A (b) are inconsistent with the objectives of the Core Strategy. Key objectives of the Submission Draft Core Strategy include the need to support rural regeneration; to reinforce the distinct identity of towns and villages; to foster the development of inclusive communities; and, to provide an appropriate mix of market, affordable and special needs housing to meet the needs of district residents, particularly young people and older people. Meeting such needs cannot be achieved by placing undue restrictions on house building. If new housing is not built in Secondary Villages, such communities will be unsustainable as young people will have no choice but to settle in larger towns where new housing provision is made, leading to an ageing population.

In order to be effective, Policy CP1 needs to include more flexibility within the policy to allow new housing development in Secondary Villages to meet local needs. Hogg Builders therefore request that part A (b) of Policy CP1 is redrafted to allow for an appropriate scale of residential development to be absorbed in Secondary Villages.

In addition, Policy CP1 part B still includes the sequential test for the location of new development, with priority going first to previously developed land (PDL). As stated in previous representations by Hogg Builders, the requirement for a formal sequential test has been removed from national guidance and whilst the strategy of developing on brownfield sites in advance of other types of land is appropriate in broad terms, a formal sequential test is more suitable for urban areas which have large amounts of PDL available. Selby District does not have the availability of PDL to require a formal test.

Continue overleaf

Question 3 continued

This approach does not accord with the new test for soundness within the NPPF which requires LPAs to plan positively for new development. Hogg Builders therefore request that the sequential test within Policy CP1 is removed.

As a consequence of the above, Hogg Builders consider that Policy CP1 part A (b) should be re-worded as follows:

Policy CP1 Spatial Development Strategy

b) "Residential development of an appropriate scale may be absorbed in Secondary Villages, which conform to the provisions of Policy CP1A".

The current part A (d) would then be omitted. This change is linked to the provisions of CP1A and would result in a sound policy, which is effective in achieving its objectives.

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

Signed

Dated

10th December 2012

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:

7.13-7.14

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.

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- 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.

Hogg Builders supports proposed change 7.14 which recognises the 450 dwellings per annum for the District as a minimum target, rather than an average or maximum. However, Hogg Builders still considers that revised Policy CP2 is unsound because the proposed housing distribution will not allow the required housing growth to be delivered in accordance with the spatial strategy. It is therefore not effective in achieving its objectives.

As discussed in previous representations submitted by Hogg Builders, the key issue is the proposed distribution of housing across the district's settlements, rather than the overall housing requirement figure. Hogg Builders consider that the failure of Policy CP2 to attribute a larger proportion of the district's housing requirement to Sherburn-in-Elmet over Tadcaster will undermine the prospects of required housing growth being delivered in accordance with the spatial strategy. In addition, the large proportion of housing attributed to the Designated Service Villages does not accord with the Spatial Development Strategy (Policy CP1). A summary of Hogg Builders views on the proposed distribution of housing across the district is as follows:

- 1) The proportion of housing attributed to Tadcaster is unrealistic due to significant issues of housing delivery in the town, which show no sign of being resolved. The minimum requirement from 2011 to 2027 of 500 dwellings does not represent a realistic figure for the actual delivery of housing that is likely to come forward.
- 2) As a highly sustainable settlement, with the potential for the delivery of new development, Sherburn-in-Elmet should have a larger proportion of the district's housing requirement, particularly in comparison to Tadcaster.
- 3) The majority of Designated Service Villages will be unable to support the level of development proposed, which will result in a shortfall of the housing delivery targets during the plan period. To allocate nearly one third of the housing requirement to Designated Service Villages conflicts with the Spatial Development Strategy (Policy CP1).

Continue overleaf

Question 3 Continued

To resolve this issue, Hogg Builders consider that:-

- i The higher order settlements should receive a higher proportion of new housing growth to reflect both their position in the settlement hierarchy and the objectives of achieving sustainable patterns of development; and,
- ii There should be a more equal and sustainable distribution of housing across the Designated Service Villages and Secondary Villages to ensure that housing can be built in the most appropriate locations in response to local housing needs.

The Council is keen that Tadcaster should meet its own housing needs, even if this requires the release of Green Belt land due to the issues with land availability around the settlement. However, while there remain opportunities to release land in and around Sherburn, which perform well in sustainability terms and remain outside of the Green Belt, such sites should be released before consideration is given to releasing Green Belt land, especially given the problems of delivery in the town.

Hogg Builders has undertaken work to demonstrate the deliverability and suitability of a potential new housing site in Sherburn-in-Elmet, which will meet locally identified housing needs within the town and contribute to the sustainable growth of Sherburn-in-Elmet. Details regarding the potential of this site (Land West of Garden Lane, Sherburn-in-Elmet – SHLAA ref. PHS/58/004) have previously been submitted under the Site Allocations DPD Issues and Options consultation and SHLAA 2011/12 update. This site represents an excellent example of an opportunity to deliver a sustainable housing development to Sherburn-in-Elmet, in line with the strategic aims and objectives of the emerging Core Strategy. Furthermore land to the south at Garden Lane Nurseries (SHLAA ref. PHS/58/005) represents an additional site at Sherburn-in-Elmet, outside of the Green Belt that could be considered for housing. Such sites should be allocated for housing before Green Belt land is reviewed to the west of Tadcaster for potential release.

The failure to adequately take into account the issues of sustainability across the settlements of the district has resulted in too high a proportion of housing being distributed to both Tadcaster and the Designated Service Villages. To enable the Core Strategy housing requirement to be sound, the LPA will need to adjust the proportions of housing attributed to ensure that the housing delivery figures for each settlement are realistic and that the objectives of the Core Strategy will be achieved.

(Continued Overleaf)

Question 3 continued

As a consequence of the above, Hogg Builders request that the proportion of housing development by location within Selby District should be changed to the following:-

- Selby: 50%
- Sherburn-in Elmet: 20%
- Tadcaster: 5%
- Designated Service Villages: 20%
- Secondary Villages: 5%

These proportions should be reflected in the actual housing numbers table under Policy CP2.

(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

Dated

10th December 2012

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:

7.20

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.

Hogg Builders supports proposed change 7.20. However, in line with previous representations submitted, Hogg Builders considers that Policy CP3 remains unsound because it is not 'effective' in delivering a mechanism for meeting identified potential housing shortfalls.

Hogg Builders does not consider that the Core Strategy will deliver sufficient housing to meet identified needs. Persistent problems of under delivery of housing allocations in Tadcaster due to land ownership issues and other constraints undermines the overall housing requirement attributed to the town. As such, there is a need for the Core Strategy to have procedures in place to identify when potential shortfalls in housing delivery occur and to bring new sites forward in the event of such a shortfall.

Policy CP3 sets out remedial action for addressing a potential housing delivery shortfall through employing mediation style interventions with landowners to facilitate the delivery of allocated sites in the Site Allocations DPD. Whilst this is an acceptable approach to stalled development in some instances, scope should also be provided to allow sites which have not been previously allocated to come forward, provided they are broadly in accordance with the Spatial Development Strategy.

Policy CP3 also includes a contingency plan to allow for the delivery of an appropriate level of development in Tadcaster. Hogg Builders has concerns regarding the nature of this contingency plan, which involves trying to deliver housing within two separate phases on 'preferred sites', which may include Green Belt releases. Hogg Builders consider that if the best sites in and on the edge of Tadcaster cannot be delivered under 'Phase 1', other more sustainable sites in the district should be considered for development in advance of less sustainable sites in Tadcaster being brought forward.

Continue overleaf

Question 3 Continued

Furthermore, Hogg Builders do not consider that it is appropriate for consideration to be given to releasing Green Belt land, while there remain opportunities to release land in and around other settlements, such as Sherburn, which perform well in sustainability terms and remain outside of the Green Belt.

Hogg Builders therefore consider that for Policy CP3 to be considered sound, an effective mechanism for bringing new sites forward in the event of a shortfall in the Supply Period is required.

As a consequence of the above, Hogg Builders consider that Policy CP3 (part C) should be re-worded as follows:

Policy CP3 Managing Housing Land Supply

C.

“Remedial action is defined as investigating the underlying causes and identifying options to facilitate delivery of housing, including allocated sites in the Site Allocations DPD by (but not limited to):

- 1 arbitration, negotiation and facilitation between key players in the development industry; or
- 2 facilitating land assembly by assisting the finding of alternative sites for existing users; or
- 3 identifying possible methods of establishing funding to facilitate development; or
- 4 identifying opportunities for the Council to purchase and/or develop land in partnership with a developer; or
- 5 supporting the submission of planning applications on sites that meet the objectives of the Core Strategy and the Spatial Strategy.”

Policy CP3 Part CC should be reworded as follows:-

Policy CP3 Managing Housing Land Supply

CC.

In Tadcaster, due to the potential land availability constraint on delivery, the Site Allocation DPD will allocate land to accommodate the quantum of development set out in Policy CP2 in three phases as follows:

“Phase 1: the preferred sites in/on the edge of Tadcaster [] will be released on adoption of the SADPD.

Phase 2: a range of sites in/on the edge of settlements in accordance with the hierarchy in Policy CP1 and which may require the development limits of settlements to be amended to allow for sustainable development to take place in accordance with the objectives of the Core Strategy and the Spatial Strategy. Phase 2 will only be released in the event that Phase 1 is not at least one third completed after 3 years following the release of Phase 1.

Question 3 continued

Phase 3: where need cannot be met on non-Green Belt land, sites in/on the edge of settlements, which may include Green Belt releases, in accordance with Policy CPXX. Phase 3 will only be released after 3 years following release of Phase 2 and only in the event that the combined delivery of Phase 1 and Phase 2 is less than 50% of the target yield."

The above changes would result in a sound policy, which is effective in achieving its objectives.

(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

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

Signed

Dated

10th December 2012





Ryan King

From: [REDACTED]
Sent: 13 December 2012 10:40
To: ldf
Subject: Environment Agency Response to: RA/2012/122620/CS-01/SB1-L01

Follow Up Flag: Follow up
Flag Status: Red

Attachments: PlanningProposal.rtf



PlanningProposal.rtf
f (44 KB)

The Local Development Document has been reviewed and I enclose the Environment Agency's comments on:
Core Strategy
Selby District Council
Core Strategy

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13

Ms Helen Gregory
Selby District Council
Forward Planning Team
Market Cross
SELBY
North Yorkshire
YO8 4JS

Our ref: RA/2012/122620/CS-
01/SB1-L01
Your ref:
Date: 13 December 2012.

Dear Ms Gregory

SUBMISSION DRAFT CORE STRATEGY – FURTHER PROPOSED CHANGES

Thank you for consulting us on the 7th set of proposed changes in relation to the Core Strategy which we received on 13 November 2012.

We have no comments to make on the changes highlighted yellow in the submitted documents.

Please note for your records that Zulfiqar Ali is currently on assignment until the end of March 2013, and I have taken over responsibility for dealing with Selby consultations in his absence.

Yours sincerely

Mrs Beverley Lambert
Planning Liaison Officer

Direct dial [REDACTED]
Direct fax [REDACTED]
Direct e-mail [REDACTED]



Ryan King

From: Dawn Sharp [REDACTED]
Sent: 21 December 2012 14:08
To: LDF; Helen Gregory
Cc: James Hall; Claire Harron; Butler, Paul
Subject: Further Consultation on the Selby Core Strategy - 7th Set of Changes & Associated Annexes

Follow Up Flag: Follow up

Flag Status: Red

Attachments: 18638.A3.CH.jh.ds.LtrSelbyDCReps7thSetOfChanges.121221.pdf

Please find attached our representations to the above on behalf of Barratt & David Wilson Homes, a hard copy of which will be in tonight's post.
Regards

Dawn Sharp
Branch Secretary

Planning . Design . Delivery
bartonwillmore.co.uk
3rd Floor, 14 King Street
Leeds, LS1 2HL

Phone: 0113 2044 777
Web: www.bartonwillmore.co.uk

JustGiving's Workplace Fundraiser of the Year 2012

Our offices will be closed for the Christmas break after the 21st December 2012, reopening on the 2nd January 2013. We wish all our clients, friends and colleagues a Merry Christmas and a Happy and Prosperous New Year.

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BARTON WILLMORE

By email and post – ldf@selby.gov.uk & [REDACTED]

3rd Floor
14 King Street
Leeds
LS1 2HL

† 0113 2044 777

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

18638/A3/CH/jh/ds

21st December 2012

Dear Sirs

FURTHER CONSULTATION ON THE SELBY CORE STRATEGY – 7TH SET OF CHANGES AND ASSOCIATED ANNEXES

These representations are made on behalf of Barratt and David Wilson Homes with specific regard to the Selby District Council's (the Council's) proposed housing delivery figures as set out in its 7th set of proposed changes and associated annexes to the Core Strategy.

Barratt and David Wilson Homes previously made detailed representations in February 2012 which included a critique of the Arup report, its methodology and conclusions to support the Barratt and David Wilson Homes' view that 550 dwellings per annum should be planned over the plan period. Following this, further representations were submitted in April 2012 in response to the NPPF, and a critique of the North Yorkshire SHMA was submitted to the Examination in Public (EIP) in July 2012.

The Council's revised position as set out in the 7th set of proposed changes, is to retain the housing delivery target of 450 dwellings per annum (dpa) but to allow for an additional 105 dpa to be delivered through windfalls.

This presents a number of problems. Whilst it is known that windfalls (i.e. unforeseen sites) come forward to deliver housing, there are two issues with their inclusion in the land supply calculations.

The first is a fairly academic point but pertinent to considering the effectiveness of the planned housing supply. How can a windfall site, which by definition is not identified, realistically provide part of the five year supply of "specific, deliverable sites"?

Secondly and more seriously, the reliance on windfalls will only exacerbate a lack of housing supply in Selby, if the Council allocates too little land in the forthcoming Site Allocations DPD as a result of over-reliance on windfall sites.

There will be planned under-delivery of housing unless the Council is ambitious in taking a robust view of the level of housing need, and proves willing to maintain a consistent buffer of genuinely available sites, not relying on windfalls.



Guidance in Paragraph 47 of the NPPF sets out how local planning authorities should seek to significantly boost the supply of housing noting that they should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing, and that they should identify key sites which are critical to the delivery of the housing strategy over the plan period. The guidance goes on to state local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirement with an additional 5% buffer to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20%.

The five year housing supply assessment starts from the overall requirement for housing, from which the five year requirement is calculated. If the Council takes its five year housing supply from the 450 dpa figure it will not be drawing from the figure required to meet its fully robust assessed needs and it will be planning for undersupply housing from the outset. Accordingly, the housing supply figure should be drawn from the 550 dpa figure i.e. $550 \times 5 = 2,750$ plus an additional buffer of 5% or 20%. Our clients favour the higher figure.

Barratt and David Wilson Homes therefore remains of the view that in order to achieve 'full objectively assessed housing needs' as required by the NPPF, the housing delivery target should be 550 dpa and should not include windfalls. Furthermore the five year housing supply should be based on the housing delivery target of 550 dpa.

In summary, Barratt and David Wilson Homes maintains that the evidence produced by the Council is not sufficiently robust to deviate from the most up-to-date figures, therefore a housing delivery target of 550 dpa should be included as detailed in our previous representations and supporting evidence. The five year housing supply should be based on the 550 dpa figure plus an appropriate buffer in order to ensure that the Council's full housing needs are met.

We trust these comments will be taken into consideration. Notwithstanding this, Barratt and David Wilson Homes' reserves it right to appear at the forthcoming EIP session in February to discuss its comments in further detail.

Yours faithfully



CLAIRE HARRON
Associate

Cc. Paul Butler Barratt & David Wilson Homes



Ryan King

From: Gen Berridge [REDACTED]
Sent: 20 December 2012 16:19
To: LDF
Subject: Selby Draft Core Strategy - Consultation Response on Further Proposed Changes (7th Set)

Follow Up Flag: Follow up

Flag Status: Red

Attachments: Selby CS - 7th set of Proposed Changes consultation Response 20-12-12.pdf

Dear Sir or Madam,

Please find attached on behalf of our client, a response to the 7th Set of Proposed Changes to the Draft Core Strategy.

Please could you acknowledge that you have received the attachment.

Kind regards

**Gen Berridge MRTPI
Senior Planner**

Dacres Commercial
Regent House
Queen Street
Leeds
West Yorkshire
LS1 2TW
Tel: [REDACTED]
Fax: [REDACTED]
Mob:

This year Dacres Commercial are making a donation to the Open Arms Malawi charity instead of sending Christmas cards.

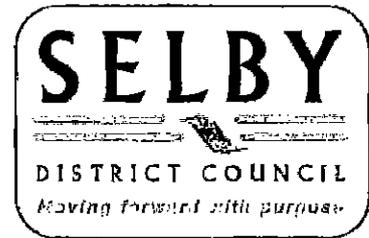
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LOCAL
DEVELOPMENT
FRAMEWORK



**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	<input type="text"/>	<input type="text" value="Mark Johnson"/>
Organisation	<input type="text" value="Redrow Homes and Persimmon Homes"/>	<input type="text" value="Dacres Commercial"/>
Address	<input type="text"/>	<input type="text" value="Regent House
Queen Street
Leeds
LS1 2TW"/>
Telephone No.	<input type="text"/>	<input type="text" value="REDACTED"/>
Email address	<input type="text"/>	<input type="text" value="REDACTED"/>

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:

PC7.12 - 14 - Housing Requirement - Windfalls - Policy CP2 and CP3

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.

Whilst we welcome the acknowledgement of the 450 housing requirement being a minimum and welcome the 105 minimum windfall target we consider that Policy CP2 should be amended in order to make it Sound (effective). We recommend, for clarity, Policy CP2 Part A should be amended as follows:

"Provision will be made for the delivery of a minimum of 555 dwellings per annum from a combination of windfall and allocated sites, and associated infrastructure in the period up to March 2027."

This amendment will clarify that the 450 dwellings consist of allocations, with an additional minimum 105 dwellings from windfalls and conform with the content of amended paragraphs 5.28 c - f.

In relation to Policy CP3 we recommend that the 555 figure should appear in Policy CP3 Part A in order to provide the appropriate and necessary clarity required in order for the release and delivery of sites to function properly. Policy CP3 Part A should read as follows:

"The Council will ensure the provision of housing is broadly in line with the annual housing target (minimum of 555 net additional dwellings) and distribution under Policy CP2 by..."

Furthermore and again for purposes of clarity, we recommend that specific reference is made within the text to the minimum 450 dwelling per annum requirement from allocations and the minimum 105 windfalls per annum together forming the backdrop for establishing the 5 year supply. Therefore 555 should be the annual requirement and 2775 (555 x 5) should be the 5 year housing requirement. Any 5% or 20% NPPF buffer should be in addition to 2,775. There is no reference in the Core Strategy to the calculation of the 5 year requirement - both in relation to Policy CP2 and CP3.

Continue overleaf

Question 3 continued

Whilst there are numerous references to the 5 year supply and consequences for instances where there is a less than 5 year housing land supply there is no definitive 5 year housing requirement on which to base the calculation. It should be clear within the Core Strategy how the 5 year requirement will be calculated in order to provide the necessary guidance to both the LPA and those tasked with making investment decisions.

(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).

Having previously attended and contributed to the debate at the Examination I would like to continue to contribute to the ongoing debate in relation to the matters raised in this consultation.

(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 Mark Johnson

Dated 20 December 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.

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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.

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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

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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	JENNIFER HUBBARD	
Organisation		
Address	ALLONBY HOUSE YORK ROAD NORTH DUFFIELD SELBY NORTH YORKSHIRE YO8 5RU	
Telephone No.	[REDACTED]	
Email address	planning@jenniferhubbard.co.uk	

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:

SEE SEPARATE SHEET

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.

SEE SEPARATE SHEET

Continue overleaf

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).

The comments set out on the attached sheet are, for the most part, the culmination of submissions made in respect of the Submission draft of the CS and carried forward into debates at the various Examination sessions beginning in September 2011, as amended by Changes to the CS produced by the Council. In my view a small number of matters remains unsatisfactory, unnecessary or unresolved - in particular relating to the green belt review and review of development limits, which can usefully be debated at the resumed Examination in February 2013.

(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

Dated

27th December 2012

(1)

**COMMENTS ON THE 7TH SET OF PROPOSED CHANGES TO THE
SELBY DISTRICT CORE STRATEGY**

References

Comments

PC7.2 (paras 4.39j and 4.39oo)

Paragraph 4.39j follows an (unchanged) comment in the preceding paragraph that the *overriding objective* of the CS is to accommodate development in the *most sustainable locations* as set out in the settlement hierarchy, including within the DSVs.

The Council has committed to carrying out a green belt review. Accordingly, paragraph 4.39j needs to be redrafted to be positively phrased to indicate that a green belt review will be carried out to ensure that sufficient deliverable/developable land is provided in the most sustainable settlements in the District (and to identify areas of Safeguarded Land to facilitate growth beyond the Plan period.

Paragraph 4.39oo is drafted positively, and is supported.

PC7.3
(Policy CPXX Green Belt-
sub-paras C and D)

Since the Council is committed to a green belt review, these sub-paragraphs are inappropriately drafted in that both allow the possibility of no such review being carried out. This would be inconsistent with the Council's position throughout the Core Strategy Examination in relation to the need to deliver appropriate levels of growth at Tadcaster and, elsewhere, to concentrate development in the most sustainable locations.

Paragraph 4.39g refers to RSS Policy YH9 which provides that *localised reviews of the green belt boundaries may be necessary in some places to deliver the Core Approach and Sub-Area policies*. It seems to me that Policy YH9, the text of paragraph 4.39g – together with the fact that most green belt boundaries within Selby were established many decades ago (including, in some cases, derived from the pre 1974 West Riding Development Plan) – in combination amount to the exceptional circumstances which justify a review of green belt boundaries. There is no need to refer to exceptional circumstances in the policy itself. Indeed, given the age of many green belt boundaries, their origins in plans produced by various (and in some cases long-abolished) Local Authorities and the extent to which boundaries have been “superseded” by built development within green belt, or otherwise rendered unreliable through anomalies, it could be argued that there was a need to demonstrate exceptional circumstances not to review them.

Sub-paragraph C should be redrafted positively as follows:

Prior to the adoption of a Site Allocations Local Plan, a review of existing green belt boundaries throughout the District will be carried out to ensure that:



- i. appropriate levels of development are accommodated in particular settlements to deliver the aims of the settlement hierarchy, and
- ii. in that settlement, sufficient land to meet the identified needs is not available outside the green belt, and removal of land from the green belt would represent a more sustainable solution than development elsewhere on non-green belt land

At the risk of repetition and stating the obvious, green belt policy is a policy to control the rate and direction of development: nothing more. Core Strategy green belt policy should not be drafted in a way in which it could be interpreted as taking precedence over delivering the 17 (unchallenged) Objectives of the Plan and the presumption in favour of sustainable development arising from NPPF (PC6.18)

To be consistent with the positive drafting of the policy, subparagraph D should be amended to replace the word *any* in the first line by *the*.

PC7.4
(para 4.29)

The intention to review all development limits currently identified in the SDLP is supported, in particular, the commitment to review development limits in secondary villages in light of the reliance now proposed by the Council on unidentified windfall sites to “top up” housing delivery between the requirements of the Submission Core Strategy (c.450dpa) and the higher figure indicated by the Inspector as more appropriate at the conclusion of the September 2012 Examination (c.550dpa).

See also Additional Matter below.

PC7.8
(CP1 Part A – footnote 2)

This footnote is unnecessary and unhelpful.

It is appreciated that the Inspector has expressed concerns (para 20 October 12th Notes) that inclusion of Escrick as a DSV might imply that some development on green belt land is inevitable.

However, the approach to the green belt review is set out in some detail in the CS as now proposed to be changed which makes it clear that the impact of further development on heritage assets, flood risk, landscape etc. will be taken into consideration – as well as availability of services/infrastructure/public transport – in assessing the suitability of settlements to accommodate further growth.

Byram/Brotherton, Monk Fryston/Hillam, Eggborough/Whitely and South Milford, which are also referred to in footnote 2, were all identified as DSVs in the Submission draft Core Strategy. They were at that time – and remain – settlements constrained to varying degrees by green belt. Prior to the publication of footnote 2, there has never been any suggestion that green belt needed to be highlighted as a particular constraint to development. The footnote implies that

particular weight will be given to green belt over and above other potential physical, visual, biodiversity etc. constraints. This is unjustified in planning terms particularly at this stage in the process since the other settlements to which the footnote refers have not been assessed during the Examination in terms of other potential constraints which may affect their suitability for development.

Following the adoption of the Core Strategy and completion of the green belt review and review of currently-adopted settlement development limits, the Council intends to consult upon a reconfigured Site Allocations DPD (to be entitled the Site Allocations Local Plan). The SADPD Preferred Options version of September 2011 pre-dates the publication of NPPF and also many changes to Core Strategy policy. In consequence of these policy changes, in our view, it will be necessary for the new Site Allocations Local Plan to adopt a more sophisticated approach to development land allocations in the rural areas.

Attention is also drawn to Policy CP1 which requires that the majority of new development will be directed to the towns and more sustainable villages.

In our view this more sophisticated approach will require the Council to take account of the *relative* sustainability of DSVs. Footnote 2 is unhelpful and counter-productive to such an exercise which we consider is the proper post-NPPF assessment of the suitability for development of all the settlements to which the footnote relates. It should be deleted.

ADDITIONAL MATTER

It has become clear through the 7th Set of Proposed Changes that the Council intends to review all currently adopted settlement development limits and that this work will be carried out following the adoption of the Core Strategy and, it is assumed, concurrently with the green belt review and prior to the publication of the (reconfigured) draft Site Allocations Local Plan.

The green belt review will consider (a) the development limits round 5 of the 18 proposed DSVs and (b) washed-over settlements (11 in number). Since the currently washed-over settlements tend to be the smallest villages in the District, whether or not they remain washed-over or become inset villages, it is unlikely any changes to green belt boundaries or settlement limits will result in many opportunities for additional development. In relation to the remaining 13 proposed DSVs, it is likely that a review of development limits and assessments of the suitability of the settlements to accommodate growth will be carried out in tandem. In relation to all of the DSVs, any new green belt boundaries/settlement limits would be expected to appear in the new Site Allocations Local Plan.

There are, however, approaching 40 rural settlements with adopted development limits which are not DSVs. Many of these settlements are identified in the Core Strategy as secondary villages where limited development is contemplated in given circumstances, including the conversion or redevelopment of farmsteads. As currently drafted, Policies CP1 (Part A) (b) and CP1A(b) provide that, to be acceptable, the acceptable forms

(4)

of development should be within development limits. Until these are reviewed, the development limits referred to are presumably the current development limits. It is not clear, however, when and by what process the review of the development limits for these secondary and smaller villages will take place. This needs to be clarified and a firm commitment to review the boundaries included in the Core Strategy. The footnote suggested at PC7.4 is inadequate particularly in light of the reliance now placed on the delivery of around 100 dwelling units per year throughout the Plan period from unidentified windfall sites.

To this Note is appended an extract from the 1991 - published Alteration No.1 (Village Envelopes) to the adopted Selby Rural Areas Local Plan. The extract sets out the purpose of and criteria for defining village envelopes. At the time the document was prepared, a new Local Plan had just been adopted which made adequate provision for housing within the Plan period. The village envelopes (development limits) were not intended to identify additional housing land (para 3.3) but to apply to the end of the Plan period - 1996 (para 3.5). Plainly those circumstances have changed and, equally plainly, some of the criteria used to define the village envelopes are inconsistent with current policy or lack the refinement necessary to encourage high quality development which is sympathetic to the character of the surroundings. In many cases, the development limits have been breached by planning permissions granted locally or on appeal.

A proposed change to Policy CP1A (b) is suggested for the consideration of the Council (and, if appropriate, the Inspector) which would deal with the most difficult elements of the Core Strategy policy applicable to secondary villages pending the review of development limits:

It is suggested that the first sentence of Policy CP1A(b) should be amended as follows (additional words in bold)

*Proposals for the conversion and/or redevelopment of farmsteads to residential use within **currently-adopted Development Limits (or, pending a review of Development Limits, within or adjacent to existing Development Limits)** will be treated on their merits according to the following principles.*

PURPOSE OF VILLAGE ENVELOPES

- 3.1 The purpose of village envelopes is to supplement existing local plan policies by indicating more clearly the boundary of villages beyond which development could not realistically be regarded as infill or rounding off, but which would instead result in their undesirable outward expansion. Infilling is taken to mean the filling of a small gap in an otherwise built-up frontage and development in the form of 'rounding-off' will generally only imply where the land is already substantially surrounded on three sides by existing built development.
- 3.2 The use of village envelopes or development limits within which appropriate development will be acceptable is a device widely used by planning authorities. It provides a basis for consistent decision making and offers clear guidance to everyone involved in the development process, whether they be the local planning authority, parish councils, local residents, developers, landowners or Planning inspectors dealing with appeal cases.
- 3.3 Village envelopes should not be perceived as identifying housing land over and above that which would be permissible if village envelopes were not prepared. In his Report following the Public Local Inquiry the Inspector agreed with the District Council that there can be no justification for increasing housing land allocations in the Local Plan area. Equally village envelopes should not restrict development opportunities which would reasonably expect to be permitted under existing policies. The scope for some limited development to take place in the identified settlements, within defined parameters, is considered an important aspect of the Local Plan. Such development will assist maintain rural services and contribute towards achieving a choice of housing type and location in the District while still ensuring that the overall character of the area is conserved.
- 3.4 Where land has been included within a village envelope it does not necessarily imply that development will be acceptable. It will still need to satisfy the criteria of PROPOSAL HSG4 and normal development control considerations eg suitable access arrangements, avoidance of tandem development, appropriate siting, scale and design and protection of amenity space. In many settlements in the plan area which are essentially linear, this will tend to imply that development will be limited to frontage only
- 3.5 The village envelopes will apply for the duration of the Rural Areas Local Plan which expires in 1996. In many cases they may be maintained either intact, or with modified boundaries in a District-wide Local Plan which is currently under preparation.
- 3.6 The District Council has previously defined the parameters of development for the settlements of Chapel Haddlesey, West Haddlesey, Hirst Courtney and Newland on an 'ad hoc' basis as interim planning guidance. Such guidance only defined the limits of development at either end of the respective villages as opposed to the drawing of boundaries encompassing entire settlements. The village envelope proposals for these settlements have been largely drawn to accord with the earlier interim planning guidance.

CRITERIA FOR DEFINING VILLAGE ENVELOPES

4.1 Every settlement covered by a village envelope has been individually appraised and the boundaries have been drawn having regard to the particular site characteristics. However, to ensure a consistent approach between villages the following set of criteria for defining boundaries have been applied:

a) Sites of Amenity and Conservation Value

When defining village envelopes regard is given to the need to protect sites of nature conservation importance, scheduled ancient monuments, village greens and other pockets of valuable amenity land such as woodlands, many of which are covered by Tree Preservation Orders.

b) Physical Boundaries

Wherever practicable and appropriate boundaries have followed well defined physical features such as walls, fences, hedgerows, roads and streams. Apart from being readily discernible and less open to dispute these boundaries usually represent the transition between village or town and the neighbouring countryside. However, where curtilages are extensive and partially or wholly undeveloped and where they back onto countryside it is frequently considered appropriate to define a tighter boundary which more closely conforms to the existing built up limits of a village than garden curtilages.

c) Buildings on the Edge of Settlements

Similarly where houses stand on the outer roadside edge of a village the envelope is frequently drawn tighter than the curtilage boundary. This indicates that housing which would effectively result in ribbon development by extending the built up area fronting the roadside, would not be considered acceptable.

d) Buildings set in Spacious Grounds

Where buildings such as halls, large houses or hotels, stand on the edge of villages set in spacious grounds their inclusion within the envelope depends upon the extent to which they appear to relate with the overall physical fabric of the village. Usually, their relative isolation attributable to their spacious setting justifies their exclusion. Where a particular property is associated with a parkland estate the importance of retaining this historical association and limiting new development has influenced the defining of boundaries.

e) Farmsteads

Farmsteads and associated outbuildings present their own particular problems because of their diverse forms and often sprawling nature. Commonly a number of farmsteads are located within or on the fringe of each village. In some instances, farmsteads although contiguous with a village are excluded from the envelope because their rural characteristics predominate and they appear to relate more strongly with the countryside than with the village. Where it is proposed to include or partially include a farmstead the principal means of determining boundaries have been firstly to consider the extent of built development either side of the farm and secondly to differentiate between modern agricultural buildings and their traditional counterparts. Generally agricultural buildings of modern construction are excluded whereas traditional stone or brick built farm buildings which normally front the roadside, and which have historically been long associated with the settlement, are contained within the village envelope.

f) Institutional Uses

Institutional uses such as hospitals and schools and their grounds are commonly excluded, except where they are deemed to comprise an integrated element within the village framework. In some instances the buildings are contained within the envelopes whereas the grounds are excluded.

g) Industrial Uses

Industrial uses operating from premises which extend beyond the otherwise perceived village boundaries are omitted from the village envelope where it is felt their inclusion could distort the pattern of village development should the land be subject to subsequent pressure for housing.

h) Planning History

The planning history of a site is also an important consideration when defining boundaries. Where permission has previously been refused for development on the basis that the site falls outside the village limits, then it is likely, given unchanged circumstances, that such land will be excluded from the village envelope. Conversely where sites on the edge of villages have outstanding permission for housing or are allocated for development then the site would normally be included in the built up limits.



Ryan King

From: King, John J (NE) [REDACTED]
Sent: 17 December 2012 15:26
To: ldf
Subject: Core Strategy - Further Proposed Changes

Follow Up Flag: Follow up

Flag Status: Red

Dear Sir/Madam,

Submission Draft Core Strategy – Further Proposed Changes

Thank you for your consultation dated 12 November 2012, which we received on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Our comments are based on the Proposed Changes document and SA addendum report.

Natural England has no comments to make on the proposed changes and therefore considers the submission draft of the Core Strategy to be legally compliant and in accordance with the relevant tests of soundness as set out in the National Planning Policy Framework.

However it should be noted that our position is based on the fact that further assessment (in accordance with the Conservation of Habitats and Species Regulations (2010)) will be required at a lower tier level, i.e. the Site Allocations DPD.

Natural England is keen to work with the Local Planning Authority to resolve outstanding issues and to ensure lower tier documents are compliant with these regulations.

For any queries relating to this consultation only you are welcome to contact me directly - telephone: [REDACTED] or email: [REDACTED] For all other consultations and correspondence, please contact the above address.

Yours sincerely

John King MRTPI
Lead Adviser,

Land Use Operations,
Natural England,
Queen Street,

Leeds,

LS1 2TW

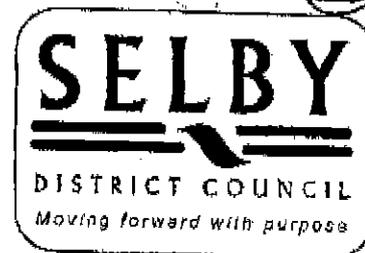
[REDACTED]

www.naturalengland.org.uk

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

This email and any attachments is intended for the named recipient only. If you have received it in error you have no authority to use, disclose, store or copy any of its contents and you should destroy it and inform the sender. Nothing in the email amounts to a legal commitment on our part unless confirmed by a signed communication. Whilst this email and associated attachments will have been checked for known viruses whilst within the Natural England systems, we can accept no responsibility once it has left our systems. Communications on Natural England systems may be monitored and/or recorded to secure the effective operation of the system and for other lawful purposes.



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**

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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		STUART VERNY
Organisation	SSOBT	CUNWANE TOWN PLANNING
Address	C/O AGENT	PO BOX 305 MANCHESTER M21 3BQ
Telephone No.		[REDACTED]
Email address		[REDACTED]

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:

PL 7.2

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 ATTACH 60.

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Question 3 continued

[Empty rectangular box for question 3 continuation]

(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).

[Empty rectangular box for question 4.3 response]

(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

[Redacted signature box]

Dated

28th December 2012



PC7.2	Para4.39j		
Legally Compliant	Yes	Positively Prepared	Yes
Sound	No	Justified	No
		Effective	No
		Consistent with national policy	No
Written Reps	Yes		

The use of the word 'constitutes' in the thirteenth line rather than the deleted 'offers' suggest that the question of whether the circumstances outlined in the earlier sections of the amendment constitute 'exceptional circumstances' has already been made.

This concern can be remedied by the addition of the word 'may' before 'constitute'. This is in order that the decision as to what may or may not be considered an exceptional circumstance is not seen to have been predetermined.



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:

PC 7.3 Policy CPXX

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 representati.
- 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 ATTACHED.



Question 3 continued

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(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).

Large empty rectangular box for the answer to Question 4.3.

(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

Signature box containing a redacted name.

Dated

Date box containing the handwritten text "28th DECEMBER 2011".



PC7.3	Policy CPXX, C		
Legally Compliant	Yes	Positively Prepared	Yes
Sound	No	Justified	No
		Effective	No
		Consistent with national policy	No
Written Reqs	Yes		

Section C of draft policy CPXX states that the Green Belt boundaries will only be altered in exceptional circumstances. Subsection C (iii) currently states that these exceptional circumstance may exist where the removal of land from the Green Belt would represent a significantly more sustainable solution than development elsewhere on non Green Belt land.

The aim of sustainable development runs as a golden thread through NPPF and is the primary test by which all development is to be considered. It is the primary objective of the planning system to encourage sustainable development. Draft policy CPXX currently fails to fully acknowledge this important strand and should be amended to properly reflect the primacy of sustainability within the decision making process.

In addition the current policy wording could be clarified by the removal of the word "elsewhere" and its replacement with the words "anywhere else". This would more accurately reflect the intention of the policy, the fact that Green Belt reviews should not be considered in a piecemeal fashion and assist in the interpretation of the overall document.

The issue of sustainability should be elevated from the last subsection of part C of the draft policy to the main part of subsection C and the word "elsewhere" clarified. The proposed text to part C is as follows:

C. Green Belt boundaries will only be altered in exceptional circumstances through the Local Plan and where such alterations represent a significantly more sustainable solution than development anywhere else on non-Green Belt land. Exceptional circumstances may exist where:

i), there is a compelling need to accommodate development in a particular settlement to deliver the aims of the settlement hierarchy, and

ii), in that settlement, sufficient land to meet the identified needs is not available outside the Green Belt, and

iii), ~~removal of land from the Green Belt would represent a significantly more sustainable solution than development elsewhere on non-Green Belt land.~~





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:

PC ALL

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 ATTACHED.



Question 3 continued

[Large empty rectangular box for question 3 response]

(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).

[Large empty rectangular box for question 4.3 response]

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

Representation Submission Acknowledgement

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

Signed

[Redacted signature box]

Dated

28th December 2012



PC ALL	ALL		
Legally Compliant	No	Positively Prepared	No
Sound	No	Justified	No
		Effective	No
		Consistent with national policy	No
Written Reqs	Yes		

I wish to reiterate that all of our previous representations made both in response to the formal consultations and the EIP session remain extant.



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:

PC 7-12 and 13, CP2, Text and Annex X

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:

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PLEASE SEE ATTACHED



Question 3 continued

[Empty rectangular box for question 3 response]

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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

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

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(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

[Redacted signature box]

Dated

28th December 2012



PC7.12 and 13	CP2, Text and Annex X		
Legally Compliant	Yes	Positively Prepared	Yes
Sound	No	Justified	No
		Effective	No
		Consistent with national policy	No
Written Reps	No – The issue is fundamental to the interpretation of an important policy within the Core Strategy and needs to be clarified and discussed within an EIP session.		

Main Modification

Firstly, we disagree that the amendments proposed here can be accurately defined as a 'non-main modification'. The introduction of windfalls as a source of supply significantly alters the likelihood that the Council will substantially exceed its delivery target for new dwellings over the plan period, with consequent implications for the application of other policies within the Core Strategy and its daughter documents. The amendment should be defined as a main modification.

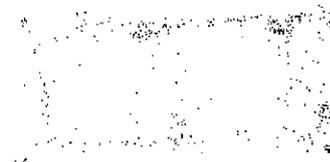
Consistency

Secondly, the proposed introduction of windfalls as a potential source of supply is welcomed. The contribution from windfalls can however be clarified to assist in the interpretation of the policy and intended strategy.

The NPPF states at paragraph 48 that Local Planning Authorities can make an allowance for windfall sites in the five year supply if they have compelling evidence that such sites have consistently become available and will continue to do so. It is clear that this guidance is aimed at Local Authorities that consistently deliver a high percentage of their total new housing from windfall sources. This is the case in Selby.

The guidance provides for such authorities to introduce a mechanism by which significant delivery from windfall sources can be accommodated within the strategy going forward. The overarching aim of this guidance is to ensure that sufficient housing to meet identified needs is delivered *sustainably*. This is the 'golden thread' running through planning policy both at the national and local levels.

The 7th Set of Proposed Changes contains recognition that windfalls offer the potential to sustainably meet housing needs from previously unidentified sources and that this can contribute to delivery of the housing target under policy CPXX. However, the method by which they are proposed to be taken into account needs to reflect the potential of these sites to offer a more sustainable option than 'identified' sources of supply.





In essence, in the interests of sustainability, the mechanism by which the supply of windfalls complements the release of allocations in meeting the minimum identified requirement needs to be made clear and unambiguous. A five year supply of deliverable allocated sites should of course still be maintained, in order that a dependable source of new housing remains available if delivery falls below the minimum of 450 dpa for a 3 year period (as per policy CP3).

The proposed amendments to the Core Strategy inconsistently recognise that the addition of new dwellings into the supply within the District will have an effect on the release of housing land within the District.

The proposed application of windfalls is set out in draft Appendix X, contained within the Annex D to the 7th Set of Changes. This envisages windfalls are categorised into two types; 'Known Windfalls' and 'Unknown Windfalls'. The known windfalls are effectively commitments that '*...at the time of determining allocations...*' will contribute to the 450 dwelling per annum target. The 'unknown windfalls' are sites which come forward following the determination of allocations and will not be counted against the 450 dwelling per annum target, unless the delivery from allocated sites falls below 450 dwelling per year. The text goes on to describe that Policy CP3 provides the underperformance mechanism to deliver 450 dwellings per year from allocated sites, and therefore the contribution from windfalls is likely to be on top of the 450 dwelling per annum minimum requirement.

We consider that the supply of new dwellings from all windfall sources is a significant source of supply that must be taken properly into account for the Core Strategy to be robust, sustainable and sound. Whilst the amendments seek to do this the Core Strategy could be amended further to ensure that the policy is clear and unambiguous. Not doing so may lead to an interpretation that fails to recognise that this source of supply can make a sustainable contribution to meeting the identified needs of the District as an alternative to allocated sites.

For clarity, nowhere within NPPF is there guidance or suggestion that the delivery of a Councils' identified housing needs to be achieved *only* via identified, allocated sources of supply. NPPF simply states that Councils should identify deliverable sites to meet five years of identified need (with additional buffers) and bring these forward to ensure that identified requirements are met. If a previously unidentified source of supply meets a significant proportion of these needs then this will be reflected in the release of identified sites to ensure sustainable patterns of development are achieved and, for example, that undesirable commuting patterns are not created.

The current wording of policy CP3 A, B and C does not differentiate between types of supply and the Core Strategy should make this clear.

Tadcaster

Thirdly, Tadcaster has been provided with a specific mechanism within policy CP2 (subsection CC) which seeks to allocate 3 phases of development for the town, each capable of meeting the entire identified needs of the settlement for the plan period. We have already set out in previous representations to the emerging Core Strategy our concerns that this may result in the release of



allocated sites at double the rate required to meet identified needs leading to unsustainable patterns of development.

The contribution from windfalls that applies to part B of CPXX will of course apply to part CC of the policy, however this is not clear from the current wording of the Core Strategy. The underperformance mechanism within section CC of policy utilises delivery only upon sites which have been identified and allocated as the trigger for the release of future phases. This is distinct from the trigger used in part B of the policy which uses a shortfall of delivery more generally against the annual target for a period of three years. Logically windfalls will of course contribute to either of these triggers, however this needs to be made clear in the wording of the policy.

Policy CP3 needs to be amended in order recognise that windfalls are consistently taken into account when considering the issue of under performance in relation to the Tadcaster and District.



Ryan King

From: Tracey Williams [REDACTED]
Sent: 21 December 2012 15:59
To: LDF
Cc: Charlotte Blinkhorn
Subject: Selby District Council Submission Draft Core Strategy 7th Set of Proposed Changes (Nov 2012)

Follow Up Flag: Follow up

Flag Status: Red

Attachments: let.052.CB.AM reps seventh set of changes to core strategy.pdf

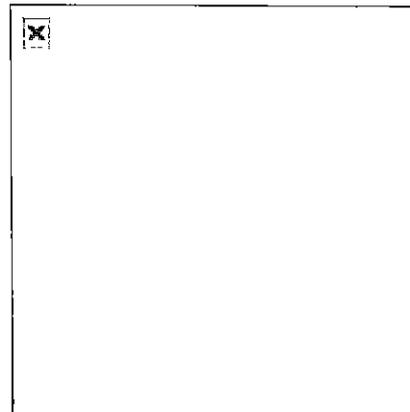
Dear Sirs

Please find attached letter.

Kind regards

Tracey
Sent on behalf of Charlotte Blinkhorn

Tracey Williams
PA
[REDACTED]



Indigo Planning Limited
Lowry House, 17 Marble St, Manchester, M2 3AW

T 0161 836 6910 F 0161 836 6911 W indigo-planning.com

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SL



Selby District Council
Civic Centre
Portholme Road
Selby
North Yorkshire
YO8 4SB

By email
ldf@selby.gov.uk
tel.052.DH.AM.11700001

21 December 2012

Indigo Planning Limited

Dear Sirs

Lowry House
17 Marble Street
Manchester
M2 3AW

**SELBY DISTRICT COUNCIL SUBMISSION DRAFT CORE STRATEGY
SEVENTH SET OF PROPOSED CHANGES (NOVEMBER 2012)**

T 0161 836 6910
F 0161 836 6911
info@indigoPlanning.com
indigoPlanning.com

We write to enclose our comments relating the seventh set of proposed changes to Selby Core Strategy. Our comments are submitted on behalf of Connaught Consultancy LLP. Connaught own land at Hodgsons Lane in Sherburn in Elmet and we have represented them in respect of the Core Strategy and the ongoing examination. This letter should be read in conjunction with our previously submitted representations to each stage of the process.

Our comments are as follows:

Policy CP2

We support the policy clarification that windfalls are additional to the identified housing requirement and therefore the allocations paper should provide for the 450 dwellings per annum as a minimum target and any windfalls shall be delivered above this. This is the correct approach as NPPF Paragraph 48 allows the inclusion of windfalls within a five year supply providing there is compelling evidence that they have, and will continue to, consistently come forward. We support the Council's view that the evidence is not sufficient and therefore no allowance is made. Given the need to deliver increased housing within the Borough, for the plan to be sound, it should positively plan to deliver housing with windfalls allowing for additional growth.

We support the footnote to policy CP2 noting that the figure of 105 dwellings per annum from windfalls is to be additional to the 450 dwellings per annum, but we suggest that the footnote is also placed on the trajectory to make the same point if windfalls are to be included in housing supply trajectory.

With respect to the figure of 450 dwellings per annum itself, this has been previously debated, and we would reiterate our views that the figure ought to be increased to plan positively for the delivery of housing to meet the needs of Selby and also neighbouring boroughs.

Indigo Planning Limited
17 Marble Street
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Fax: 0161 836 6911
info@indigoPlanning.com
indigoPlanning.com

Axis in London, Leeds
and Dublin

indigo

We trust the above points will be taken into consideration.

Kind regards



Charlotte Blinkhorn





Land and Development Practice
CHARTERED TOWN PLANNERS

71

Our Ref: 9697A/MM/EM/1201

21 December 2012

Planning Policy Officer
Selby District Council
Doncaster Road
Selby
YO8 9FT

Dear Sir/Madam,

Comments on the Seventh Set of Proposed Changes to the Draft Core Strategy

1.0 INTRODUCTION

- 1.1 These representations have been prepared by LDP Planning on behalf of our Client Bayford Developments Ltd.
- 1.2 Our Client is the owner of land at the former Monk Fryston Filling Station which has been identified as part of a larger potential mixed used development site in the Preferred Options Site Allocations Development Plan Document ("SADPD"). Representations were made on behalf of our Client in relation to the SADPD in December 2011.
- 1.3 Monk Fryston has been identified in the SADPD as a settlement that could potentially accommodate a shortfall in housing land provision identified elsewhere within the district. Our Clients land, together with adjacent land has been identified as a more suitable development site, despite it being situated within the Green Belt, than the currently safeguarded site which is not located within the Green Belt.
- 1.4 Representations were made on behalf of our Client in respect of the fifth set of proposed changes to the Draft Core Strategy in February 2012.



LDP Planning LLP registered in England and Wales
(Registered number OC385157)

1 Horsefair, Wetherby, Leeds LS22 6JG. Tel: 01937 588833; Fax: 01937 580358; Website: www.ldpplanning.co.uk; email: planning@ldpplanning.co.uk
A list of members' names is available for inspection at the registered address: 1 Horsefair, Wetherby, Leeds LS22 6JG

- 1.5 The soundness of the Core Strategy was questioned in its current format at the Examination in Public in September 2012. The examination is due to reconvene in 2013 and this representation makes comments on the seventh set of proposed changes to the Draft Core Strategy, specifically the alterations to Core Strategy Policy CPXX (Green Belt).

2.0 POLICY CPXX GREEN BELT

- 2.1 We continue to support the proposal to incorporate a Green Belt Policy within the Core Strategy ("CS").
- 2.2 We would continue to question the requirement for Part A of Policy CPXX given that it is clear that the extent of Green Belt will be defined on the Proposals Map. The overarching aim of the Policy would not be weakened by the removal of this part of the Policy.
- 2.3 Given that the CS must be consistent with the principles and policies contained within the National Planning Policy Framework ("NPPF") we would question whether it is necessary to state that it is in accordance with the Framework at Part B of Policy CPXX. Also historically Selby District Council, in terms of its detailed policy wording, has been more pragmatic in respect of 'appropriate' development in the Green Belt. Such pragmatism could not be continued into the SADPD or any other DPD if 'NPPF' is left in.
- 2.4 The removal of the PC6.19 revision of Part C of Policy CPXX and its replacement with PC7.3 is welcomed. This section of the Policy clearly outlines the circumstances in which Green Belt land will be released through the alteration of existing Green Belt boundaries. We would reiterate that criterion (iii) of Part C should be amended to **recognise that there may be planning/environmental/community benefits other than sustainability that justify the consideration of alternative options**. For example in the case of our Client's site it was demonstrated in our SADPD representations that there were significant benefits to the community (providing school parking, a cemetery extension together with alternative access and parking, public open space, an alternative traffic system which would alleviate existing congestion problems, a traditional form of linear development, retention of the existing gap in built development between settlements, reuse of previously developed land, removal of an eyesore and an opportunity to significantly enhance

the entrance to the village) that could be delivered by the development of this site but which would not be possible to achieve through the development of other potential site allocations currently outside Green Belt.

- 2.5 We support the contents of the revised Part D of Policy CPXX and consider that it offers flexibility by identifying safeguarded land to facilitate development beyond the plan period.

3.0 CONCLUSION

- 3.1 We fully support the provision of Policy CPXX within the CS to enable the local planning authority to carry out a comprehensive review of the existing Green Belt boundaries.
- 3.2 We consider that a review of Green Belt and development limit boundaries is necessary to ensure that housing delivery targets can be met in appropriate locations where there is an identified need and consider that the proposed policy is therefore justified.
- 3.3 However it is considered that the wording of the proposed policy CPXX requires amendment to remove unnecessary repetition of national policy and to recognise sites that have potential to deliver greater benefits than non Green Belt sites.
- 3.4 I trust that our comments will be given due consideration.

Yours faithfully
LDP PLANNING



Melissa Madge



Helen Gregory

From: wadsworth stephen [REDACTED]
Sent: 27 December 2012 16:50
To: LDF
Subject: core strategy letter
Attachments: Selby DC letter 7th changes.docx

(2)

To LDF Team,

Please ensure the Inspector receives this attachment in full.
Please acknowledge receipt.

Thanks

S & T Wadsworth

Orchard Croft,
Caudle Hill,
Fairburn,
Knottingley,
WF11 9JQ

27th December 2012

To The Inspector, Selby DC Submission Draft Core Strategy 7th Set Proposed Changes.

We would first like to tell the Inspector that the 7th set of proposed changes are unsound and probably unlawful as it is not providing for the need for development in many of the villages including Fairburn, therefore it is at odds with NPPF 14 that states there is a presumption in favour of sustainable development.

Selby DC is proposing to concentrate the vast majority of development on Selby, Tadcaster, Sherburn, Brayton, Thorpe Willoughby and Barby/Osgodby when it should be seeking to disperse development to both help sustain rural villages and their services and not worsen the overload of aforementioned settlements with infrastructure deficit that already exists, eg. The lack of recreational/sports halls, swimming facilities etc etc.

Much of this land is also waterlogged and suffers from surface ponding and should not ever be built on as this will only worsen flooding and drainage problems this also applies to villages such as Cawood, Ulleskelf, Church Fenton and other low lying villages.

The towns and villages on the magnesian limestone ridge running from Tadcaster in the north of the district to Kirk Smeaton in the south of the district do not have that problem as the land is free draining and they are therefore more suited to development as per NPPF section 10.

Fairburn was a designated sustainable village throughout the previous Selby DC plans and all the way through this plan until proposed 7th changes, that makes no sense, we and everyone who we have spoken to is disgusted with Fairburn being removed from the list of designated service villages and demand that it be reinstated immediately as a Designated Service Village.

Fairburn needs development it has been restricted for too long by the village envelope being drawn too tightly around the village and Selby DC restricting what would be sustainable development in the village.

Proposed Core Strategy 4.3900 states, 'Define the Green Belt Boundary using landmarks and features that are easily identifiable on a map and on the ground' we ask whose map? Maps are often incorrect and out of date, it should use NPPF 85 that says 'define boundaries clearly using physical features that are readily recognisable and likely to be permanent.'

Regarding Annex D we consider it to be unsound as it is including windfalls in the projections when it should not include windfalls for the first ten years according to the NPPF. Also the figure of 450 dpa is way too low as Selby DC should be planning for at least 620 dpa not including windfalls to meet demand that has been restricted in the past and according to the 2011 Census can be expected in the plan period.

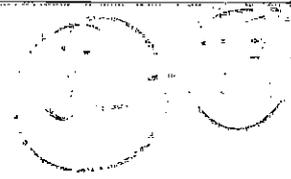
Selby DC is counting windfalls already granted planning permission and future windfalls towards the overall total and is therefore restricting development and not following the 'Golden Thread' of the NPPF of a presumption in favour of sustainable development.

Selby DC has always sought to restrict numbers to around 450dpa, in the last plan 2005, the figure they used was 440dpa, nothing changes!!!!!!!!!!!!!!!!!!!!

Yours sincerely
Steve and Trisha Wadsworth

Helen Gregory

From: Helen Gregory
Sent: 28 December 2012 15:21
To: Ian Reynolds
Cc: Ryan King
Subject: RE: Core Strategy Re: 7th Set of Changes



Thank you Councillor Reynolds.

Unfortunately, my computer does not recognise the file type. Is it possible that you could re-send it as a 'word' document?

Kind regards, Helen



HELEN GREGORY
Policy Officer

Tel 01757 705101 E-mail info@selby.gov.uk Web www.selby.gov.uk
Selby District Council Civic Centre, Doncaster Road, Selby YO8 6FT

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From: Ian Reynolds
Sent: 28 December 2012 13:56
To: Helen Gregory
Subject: Core Strategy Re: 7th Set of Changes

Dear Helen,

I am attaching representations / objections on behalf of Coun. Casling and myself.

Yours sincerely

Coun. Ian Reynolds

CORE STRATEGY
Re: 7th Set of Proposed Changes

Proposed Policy/
Change Paragraph/
Number section

PC7.8 Policy CPI
 Part A(b)

We OBJECT to the proposed change which will stifle development within the development limits of the secondary villages. We suggest that residential development in respect of any site within development limits (including gardens) should be allowed subject to compliance with Village Design Statements or local vernacular. Such 'windfall sites' can only help achieve total housing numbers required

PC7.10 Para 4.47
 (CP1A)

We OBJECT to the wording as residential development in the secondary villages is important to maintain their viability. There is no reason why development should be more restrictive provided it is within the defined development limits. The redevelopment of farmsteads and gardens have, in the past, contributed hugely to 'windfall sites' and consequentially housing numbers. Any residential development should comply with village Design Statements or local architectural features but other restrictions are not necessary.

PC7.21 CP5

We OBJECT to any financial contribution to affordable dwellings from sites for small scale developments. This will simply result in a reduction of such developments to the detriment of overall housing numbers. The 40% target elsewhere for affordable developments is seriously flawed. A number of 'needs surveys' submitted in the recent past with planning applications, bear this out. A requirement for 409 affordable dwellings per annum is inconsistent with an overall requirement for 450 D.P.A through the plan period.

Review of Development Limits

We support the reviews of the development limits of all settlements including the secondary villages and endorse the views that the approach in Policy CP1A which restricted development on garden land is overly restrictive. We agree with the Council's position statement of 31st August 2012 which suggested amending Policy CP1A to remove the differentiation between the treatment of garden land on D.S.V's and Secondary Villages. We agree with the view that restrictions in Secondary Villages should be lifted to make them equal to D.S.V's

Green Belt Policy

The importance of the Green Belt cannot be overstressed and any review of the same must be objectively undertaken. It must not be used as any excuse to review boundaries of settlements simply to allow residential development to take place. The Inspector suggested some re-phrasing in the Policy CPxx. The Inspector considers that the identification of Escrick as a D.S.V is soundly based but suggests that Policy CP1A (a) be annotated to clarify that Escrick is 'largely' surrounded by Green Belt and any development on Green Belt land would have to accord with Policy GBxx and the result of any Green Belt reviews. The word 'largely' is difficult to understand as the village is entirely surrounded by Green Belt. The York Green Belt is principally required to protect the approaches to the ancient City of York and its setting. It was only from 1996 that parishes to the

North of Escrick have been excluded from Selby District but the importance of the Green Belt around Escrick is in no way diminished.

In the light of the above we contend that the proposed wording of Policy CPxx Green Belt is not strong enough and is against the spirit of the Inspectors view that boundaries (of the Green Belt) should not be amended to simply accommodate development, that in any event might be more appropriately located elsewhere. The proposed Revision C (i) (ii) and (iii) quite specifically conflicts with the views of the Inspector with regard to Escrick. This wording invites 'the development of limits of Escrick to be reviews as very obviously 'exceptional circumstances' will be argued by landowners.

We therefore strongly OBJECT to the rewording and to the alteration of Paragraph E (was F). In this case the deletion of the words 'sites considered for removal from' weakens seriously the aims of the Policy. We contend that these alterations are specifically designed with Escrick in mind and yet would do nothing to help the housing requirements of Selby District.

We fully appreciate that the Core Strategy is intended to set the principles for a Green Belt review but consider that the suggested amendments to Policy GBxx are ill conceived. Policies amend at dealing with the problems at Tadcaster unfortunately will open the flood gates for development elsewhere.

Coun. Ian Reynolds
Coun. Elizabeth Casling



Helen Gregory

From: Brian and Suzie Forster [REDACTED]
Sent: 28 December 2012 16:48
To: LDF
Cc: steve smowton; Escrick Parish
Subject: LDF Representations - 7th set of changes

Importance: High

Attachments: ESCRICK PARISH COUNCIL reps 28.12.12.docx

Please find attached the representations on behalf of Escrick Parish Council.

I would be obliged to receive your formal confirmation of their receipt and your comments in due course. Please advise us when this matter will be discussed further and any future amendments to the LDF in due course.

Brian Forster
Vice Chair
Escrick Parish Council

ESCRICK PARISH COUNCIL

Chair S.R. Smowton chair@escrick.org

Clerk V. Cumberland clerk@escrick.org [REDACTED]

**Escrick Parish Council Representations to Selby District Submission Draft
Core Strategy Consultation on Further Proposed Changes (7th Set)**

**Re: Green Belt policy – and the implications to the proposed change of
designation of Escrick from a Secondary Village to a Designated Service
Village (DSV).**

The importance of the Green Belt cannot be overstressed and any review of the same must be objectively undertaken. It must not be used as any excuse to review boundaries of settlements simply to allow residential development to take place, especially if this would in other circumstances be regarded as 'inappropriate'. The Inspector has suggested some re-phrasing in the Policy CPxx. We understand that the Inspector considers that the identification of Escrick as a DSV is soundly based but suggests that Policy CPIA (a) be annotated to clarify that Escrick is 'largely' surrounded by Green Belt and any development on Green Belt land would have to accord with Policy GBxx and the result of any Green Belt reviews. The word 'largely' is difficult to understand as the village is entirely surrounded by Green Belt and for this reason the Parish Council maintains its previous objection to the proposed change in designation from a secondary village to a DSV and asks the Inspector to reconsider his position on this issue. The York Green Belt is principally required to protect the approaches to the ancient City of York and its setting and is a longstanding strategic policy. It was only from 1996 that parishes to the North of Escrick have been excluded from Selby District and are now located within the City of York, but administrative boundaries do not affect the importance of the role of the Green Belt in this location in preserving the setting of the City of York. The importance of the Green Belt around Escrick is in no way diminished and must not be harmed when the majority of the rest of the District is located outside of the Green Belt and can provide alternative more suitable locations for development.

In the light of the above, we contend that the proposed wording of Policy CPxx Green Belt is not strong enough and is against the spirit of the Inspector's view that boundaries (of the Green Belt) should not be amended to simply accommodate development that, in any event, would be more appropriately located elsewhere. The proposed Revision C (i) (ii) and (iii) quite specifically conflicts with the views of the Inspector with regard to Escrick. This wording invites 'the development of limits of Escrick to be reviewed' and 'exceptional circumstances' will be argued by landowners who will claim that land **must** be excluded from the Green Belt to allow Escrick to fulfil its DSV function, rather than looking at whether 'exceptional circumstances' truly exist.

We therefore strongly OBJECT to the rewording and to the alteration of Paragraph E (was F). In this case the deletion of the words 'sites considered for removal from' weakens seriously the aims of the Policy. We contend that these alterations are specifically designed with Escrick in mind and yet would do nothing to help provide for the housing requirements of Selby District when more appropriate available locations exist.

We fully appreciate that the Core Strategy is intended to set the principles for a Green Belt review but consider that the suggested amendments to Policy GBxx are ill conceived. Policies aimed at dealing with the problems at Tadcaster unfortunately will open the flood gates for development elsewhere.

Due to the environmental constraints and geographical limitations discussed previously, there are very limited opportunities for potential development in Escrick. It is therefore not possible for a flexible approach to be applied to Escrick should it become a DSV. The change in status would therefore not be sound as there is no certainty that the role of a DSV could be accommodated. We therefore request that the Council and Inspector reconsiders our previous representations in this regard, as well as these representations regarding the proposed Green Belt policy, in determining these issues.

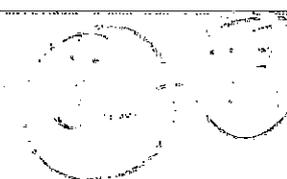
We would be obliged to be kept informed of all proceedings and in particular to those relating to these issues.

Steve Snowton
Chair, Escrick Parish Council
28.12.12



Helen Gregory

From: Helen Gregory
Sent: 28 December 2012 15:21
To: Ian Reynolds
Cc: Ryan King
Subject: RE: Core Strategy Re: 7th Set of Changes



Thank you Councillor Reynolds.

Unfortunately, my computer does not recognise the file type. Is it possible that you could re-send it as a 'word' document?

Kind regards, Helen



HELEN GREGORY
Policy Officer

Tel 01757 705101 Email info@selby.gov.uk Web www.selby.gov.uk
Selby District Council Civic Centre, Doncaster Road, Selby YO8 9FT

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From: Ian Reynolds
Sent: 28 December 2012 13:56
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Subject: Core Strategy Re: 7th Set of Changes

Dear Helen,

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Yours sincerely

Coun. Ian Reynolds

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Re: 7th Set of Proposed Changes

Proposed Policy/
Change Paragraph/
Number section

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 Part A(b)

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PC7.10 Para 4.47
 (CP1A)

We OBJECT to the wording as residential development in the secondary villages is important to maintain their viability. There is no reason why development should be more restrictive provided it is within the defined development limits. The redevelopment of farmsteads and gardens have, in the past, contributed hugely to 'windfall sites' and consequentially housing numbers. Any residential development should comply with village Design Statements or local architectural features but other restrictions are not necessary.

PC7.21 CP5

We OBJECT to any financial contribution to affordable dwellings from sites for small scale developments. This will simply result in a reduction of such developments to the detriment of overall housing numbers. The 40% target elsewhere for affordable developments is seriously flawed. A number of 'needs surveys' submitted in the recent past with planning applications, bear this out. A requirement for 409 affordable dwellings per annum is inconsistent with an overall requirement for 450 D.P.A through the plan period.

Review of Development Limits

We support the reviews of the development limits of all settlements including the secondary villages and endorse the views that the approach in Policy CP1A which restricted development on garden land is overly restrictive. We agree with the Council's position statement of 31st August 2012 which suggested amending Policy CP1A to remove the differentiation between the treatment of garden land on D.S.V's and Secondary Villages. We agree with the view that restrictions in Secondary Villages should be lifted to make them equal to D.S.V's

Green Belt Policy

The importance of the Green Belt cannot be overstressed and any review of the same must be objectively undertaken. It must not be used as any excuse to review boundaries of settlements simply to allow residential development to take place. The Inspector suggested some re-phrasing in the Policy CPxx. The Inspector considers that the identification of Ebscric as a D.S.V is soundly based but suggests that Policy CP1A (a) be annotated to clarify that Ebscric is 'largely' surrounded by Green Belt and any development on Green Belt land would have to accord with Policy GBxx and the result of any Green Belt reviews. The word 'largely' is difficult to understand as the village is entirely surrounded by Green Belt. The York Green Belt is principally required to protect the approaches to the ancient City of York and its setting. It was only from 1996 that parishes to the

North of Escrick have been excluded from Selby District but the importance of the Green Belt around Escrick is in no way diminished.

In the light of the above we contend that the proposed wording of Policy CPxx Green Belt is not strong enough and is against the spirit of the Inspectors view that boundaries (of the Green Belt) should not be amended to simply accommodate development, that in any event might be more appropriately located elsewhere. The proposed Revision C (i) (ii) and (iii) quite specifically conflicts with the views of the Inspector with regard to Escrick. This wording invites 'the development of limits of Escrick to be reviews as very obviously 'exceptional circumstances' will be argued by landowners.

We therefore strongly OBJECT to the rewording and to the alteration of Paragraph E (was F). In this case the deletion of the words 'sites considered for removal from' weakens seriously the aims of the Policy. We contend that these alterations are specifically designed with Escrick in mind and yet would do nothing to help the housing requirements of Selby District.

We fully appreciate that the Core Strategy is intended to set the principles for a Green Belt review but consider that the suggested amendments to Policy GBxx are ill conceived. Policies amend at dealing with the problems at Tadcaster unfortunately will open the flood gates for development elsewhere.

Coun. Ian Reynolds
Coun. Elizabeth Casling





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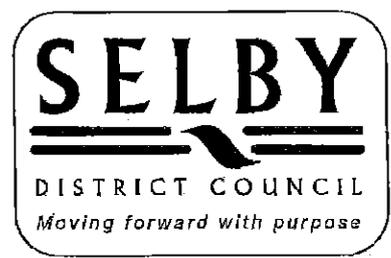
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**Selby District Submission Draft Core Strategy
 Consultation on Further Proposed Changes (7th Set)
 November 2012
 Representation Form**

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

Helen Gregory

From: Roland Bolton [REDACTED]
Sent: 28 December 2012 16:12
To: LDF
Subject: YK2058-further_submissions_v1
Attachments: YK2058-further_submissions_v1.docx

Please find our comments attached

Roland G Bolton
Senior Director
DLP Planning Ltd
11 Paradise Square,
Sheffield, S1 2DE



www.dlpconsultants.co.uk

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(3)

**Examination of Selby Core Strategy
Further submission on Council's Position Statement, 7th Set of Proposed
Changes to the Core Strategy**

EXAMINATION OF SELBY CORE STRATEGY

Further Submission on 7th Set of Proposed Changes to the Core Strategy

Prepared by
DLP Planning Ltd

December 2012

1 Introduction

1.1 The purpose of this paper is to address the issues raised by the 7th set of Proposed Changes to the Selby Core Strategy and the accompanying Council's Position Statement.

1.2 DLP do not consider the Plan that the changes proposed are capable of making the plan sound and it is maintained that the plan has not been positively prepared and is not justified by reference to evidence consistent with national policy.

1.3 DLP's case as set out in our original representations remains the same and reference should be made to our previous submissions including the implications of the 2010 based population projections.

2 Minor word changes to CP1A – PC7.11

12 References to Development Limits in this document refer to the Development Limits as defined on the Policies Map. Development Limits will be reviewed through further Local Plan documents (PC7.8)

2.1 In the case of Selby the evidence is that to meet even the proposed level of housing of 3,700 dwellings (including the 1,500 dwellings outside of the existing settlement boundary paragraph 5.12) there will need to land identified in the form of a further strategic sites. We have previously suggested that reference to the site to the North West of Selby as previously identified in paragraphs 4.16 and 5.12 of the Consultation Draft (2010) should be reinstated. It is now known that this area is being positively promoted by a developer (The Gladman Group). The justification of reinserting this reference is that without it there is no clarity or evidence that the scale of housing required by the strategy can actually be delivered in Selby.

2.2 The most recent evidence in the 2012 SHLAA identifies this site as PHS/19/023. Appendix 8 suggests that it is capable of delivering some 500 dwellings in the next 15 years. The SHLAA identifies provide a total of 2,791 dwellings to be delivered in Selby during the plan period (appendix 8). This compares to the 3,700 minimum required by the plan.

2.3 In light of this evidence it is considered that the minor change needs to be more positive regarding the action that is to be taken in the following replacement footnote is suggested:

12 References to Development Limits in this document refer to the revised Development Limits which will be defined in future Local Plan documents (PC7.8)

3 Windfall changes to paragraph 5.28c

3.1 The inclusion of windfall is not considered entirely appropriate for the following reasons:

a. The previous rate of windfall occurred during a different policy regime first there was no up to date local plan and therefore it would be expected that a high level of completions would be on unallocated sites.

b. There was a policy presumption in favour of urban intensification including development in rear gardens.

Submissions to the 7th Set of Proposed Changes to the Core Strategy

- c. The inflated housing market created by the restriction of housing land supply increased the viability of marginal sites – if the government's objective is for objectively assessed needs to be met then one can longer rely upon such high levels of return to bring forward marginal sites and so the level of windfall will be lower.
 - d. The council in supporting a lower level of housing than suggested by the latest population and household projections have consistently made the point that the economic recession is likely to continue for the whole of the plan period. This means many of the windfall sites which rely upon redevelopment or subdivision will simply not be economically deliverable.
- 3.2 It is accepted that the recessionary pressure will not last the whole of the plan period then the level of windfall being suggested might be considered to be acceptable. If the level of housing remains unaltered then the logic needs to be consistent and as such there should be a much lower level of windfall consistent with the councils assumptions regarding low levels of demand due to the continuing poor performance of the economy.
- 4 PC7.14 Proposed changes to paragraph 3.28f, policy CP3 and appendix x regarding the justification for 450 dwellings a year.**
- 4.1 The fact that the councils proposed figure of 450 dwellings cannot reasonably be considered to the "objectively assessed need" as required by paragraph 14 of the NPPF has been well rehearsed in other submissions. It is common ground between parties that the more recent government projections would require a higher level of dwelling provision. The council and their consultants argument is with the unreliability of the government's most recent projections – an argument that to date has been rejected by every other inspector at development plan examinations.
 - 4.2 Like other strategies that have been rejected by the inspectorate this housing figure is not supported by a Strategic Housing Market Assessment that considers the whole of the housing market. The council readily accept that Selby is within both the Leeds and York housing markets and yet has presented no coordinated evidence on how the needs of this larger housing market area will be met in full (see decision on East Hampshire).
 - 4.3 The NPPF does provide a mechanism for councils to provide less than their objectively assessed need and lower levels of provision can be planned for if the tests in paragraph 152 are undertaken. The council have not attempted to justify the lower figure by reference to these tests.
 - 4.4 The NPPF also requires councils to enter into arrangements so that requirements of the wider housing market area can be met in full (paragraph 179). The council have to date supplied no evidence to how this might be addressed.
 - 4.5 In light of these very serious failings that have caused other examinations to be abandoned are the words "a minimum of" in policy CP2 as proposed by PC7.14 sufficient to render the plan sound?
 - 4.6 It is understood that the implication is that if sufficient allocations are made to meet the full 450 dwellings a year then the additional windfall estimated at over 100 dwellings a year will result in a level of provision close to that suggested by the more recent projections (but takes no account of the policy positions of Leeds and York).



Submissions to the 7th Set of Proposed Changes to the Core Strategy

- 4.7 In this situation it is important to be clear what the known and unknown windfall elements will count towards and appendix x makes it clear that the council will intent to count completions from both sources as meeting the 5 year land supply requirement of 450 dwellings a year this is confirmed by appendix x paragraph 7 which states:

'Known windfalls' will, and 'unknown windfalls' may contribute to the delivery of the housing target of 450 dpa in some years until the new allocations in the Site Allocations Local Plan begin delivering homes. From that time (after 2015), the delivery from 'known windfalls' will gradually diminish as those sites are built out and delivery from new allocations will form the full source of supply to meet the 450 dpa target over the remaining plan period. The 'unknown windfalls' will continue to contribute towards overall housing supply on top of the 450 dpa target. Only if delivery from the allocated sites falls below the 450 dpa target will the 'unknown windfalls' contribute to meeting a shortfall rather than providing an additional amount.

- 4.8 The level of 450 dwellings per year is clearly being regarded as the "objectively assessed need" in the context of this plan. This means there will be little pressure for the council to deliver higher levels of provision as they are clearly relying upon windfall to make up any failure to deliver the plans allocations as such they are unlikely to result in a significant increase in the level of housing supply.
- 4.9 The provision of a minimum of 450 dwellings against clear evidence of higher demand is not considered to be sound as it cannot be considered to pass the tests in paragraph 182 of the NPPF.
- 4.10 Such a plan cannot be "**positively prepared**" as it simply does not identify the needs for the area and so the resulting overall level of provision is unknown.
- 4.11 The use of the words "a minimum of" are being suggested to avoid having to plan for the higher levels of housing required by more recent projections the resulting distribution will be determined by the over 20% windfall. There is only limited strategic guidance over the location of windfall it is difficult to conclude that such a strategy is the **most appropriate** as one simply does not know what the final distribution will be.
- 4.12 The evidence of the location of windfalls is that if they occur in a similar pattern to that which occurred recently then they will tend to dilute the concentration of development into the larger urban areas (appendix x table 2).
- 4.13 The policy cannot be considered **effective** as there are considerable doubts regarding the deliverability and location of the windfall element of the policy which according to the council represents over 20% of the future expected level of provision. It is also clear that there is no effective joint working on cross boundary issues.
- 4.14 While the plan is clearly not **consistent with national policy** as regards the approach to housing it is recognised that in this transition period an inspector may not wish to reject a plan outright and that he may weigh the advantages of a plan that makes provision for a significant level of additional housing. In this case the significant increase in the level of housing provision will be entirely dependent upon the performance of windfall sites.

- 4.15 It is understood that planning applications have been lodged for large sites at Sherburn in Elmet and East of Selby so unless the strategy seeks to identify further locations (as suggested by our representations) then there is no real argument that the positive aspects of providing a plan (by facilitating a significant increase in housing supply) actually outweighs the plans inconsistency with national planning policy.
- 4.16 It is our view that the proposed changes do not go far enough to render the plan sound.
- 4.17 As there are no capacity issues it would seem a relatively risk free approach to simply increase the requirement to that required to meet the most recent projections in the short term subject to a quick review once a joint SHMA has been completed for the whole of the market area.

5 PC7.20 and minor changes to paragraph 5.44h

- 5.1 This paragraph suggests that the council will only take action after 3 years of continuous undersupply. The problem with this approach is that paragraph 49 of the NPPF would potentially allow appeals as soon as delivery falls below 450 a year if this is a result of there being an insufficient 5 year supply. Allowing such a situation to perpetuate for three years before starting to react cannot be considered to be a "positive" approach to planning and is unsound.
- 5.2 This lack of action for 3 years is further compounded by the length of time it will take to produce a plan to identify further deliverable allocations which, even in the best intentions, will take 5 years between inception and adoption.
- 5.3 Although a small change this alteration effectively allows the council some 8 years between identifying a problem of delivery and resolving it.
- 5.4 In considering the appropriateness of this approach one must also consider that the undersupply is going to be judged against the delivery of 450 dwellings a year (including windfall) which is already significantly below the most recent government projections.

6 Conclusion

- 6.1 Having considered the evidence base in detail and the councils most recent proposed changes it is considered that the Core Strategy remains unsound and cannot reasonably be argued to past the test of soundness as set out in paragraph 182 of the NPPF.
- 6.2 Our clients have invested considerable time in this process and the councils failure to adequately address the requirements of the NPPF and their stubborn refusal to realistically address up to date evidence means that there can be no advantage in the inspector allowing this unsound plan to progress any further when balanced against the need for a sound plan in accordance with the NPPF. To allow the plan to proceed would undermine the approach the government are seeking to take in respect of planning for housing as set out in the NPPF.

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Ryan King

From: Stuart Pashley on behalf of programme officer
Sent: 03 December 2012 10:58
To: Helen Gregory; Ryan King
Subject: FW: 20970.A3.CH.kb.LfrSelbyCouncil.121203 - ActionItem:00003:B1UY1

Follow Up Flag: Follow up

Flag Status: Red

Attachments: 20970.A3.CH.kb.lfrselbycouncil.121123.pdf

Hi Helen, Ryan,

Please find attached Barton Willmore's comments on the 7th set of proposed changes.

Thanks,
Stuart

Stuart Pashley
Programme Officer

Mobile: 07976 071909

Please [click here](#) to view the Selby District Core Strategy page of the website.

From: Kathy Bond [REDACTED]
Sent: 03 December 2012 10:38
To: programme officer
Subject: 20970.A3.CH.kb.LfrSelbyCouncil.121203 - ActionItem:00003:B1UY1

Please find attached a copy of a letter of which a hard copy will follow in tonight's post.

Regards

Kathy Bond
Branch Secretary

Planning . Design . Delivery
bartonwillmore.co.uk
3rd Floor, 14 King Street
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JustGiving's Workplace Fundraiser of the Year 2012

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06/12/2012

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BARTON WILLMORE

By email and post to: programmeofficer@selby.gov.uk

3rd Floor
14 King Street
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LS1 2HL

t 0113 2044 777

Mr. Stuart Pashley
Programme Officer
Selby District Council
Civic Centre
Doncaster Road
Selby
North Yorkshire
YO8 9FT

20970/A3/CH/kb

23rd November 2012

Dear Stuart

SELBY CORE STRATEGY – CONSULTATION ON 7TH SET OF PROPOSED CHANGES AND ASSOCIATED ANNEXES

HARWORTH ESTATES LTD, FORMER SELBY MINE SITES AND KELLINGLEY COLLIERY SITE

On behalf of our client Harworth Estates, we set out below our representations on the 7th Set of Proposed Changes to the Submission Draft Core Strategy and associated Annexes.

Context

Harworth Estates has previously submitted representations to the Selby LDF Core Strategy and Site Allocations DPDs in respect of the Company's landholdings within the Selby district as follows:

- The Gascoigne Wood Interchange ("The Gascoigne Wood site");
- The Riccall Business Park ("the Riccall site");
- The Whitemoor Business Park ("the Whitemoor site");
- The Former Stillingfleet Mine ("the Stillingfleet site");
- The Former Wistow Mine ("the Wistow site"); and
- Kellingley Colliery ("the Kellingley site").

In respect of the Core Strategy, Written Statements were submitted and the relevant EIP Hearing Sessions attended on behalf of Harworth Estates in September 2011. Further to the debate at the Hearing Session on 28th September 2011 in relation to Policy CP9: "Scale and Distribution of Economic Growth," the Selby District Council ("the Council") published a proposed modification to the Policy which was subsequently supported by Harworth Estates in representations submitted in February 2012.

In March 2012, the Coalition Government published the National Planning Policy Framework (NPPF) which replaced a whole suite of national planning policy statements and guidance notes. The Council consulted on the implications of the NPPF for the Core Strategy in April 2012 and Barton Willmore submitted representations on behalf of Harworth Estates.

Representations were also submitted to the 6th Set of Proposed Changes and associated documents and following this Barton Willmore attended the EIP in September 2012 to discuss the proposed changes.



Comments on the 7th Set of Proposed Changes

Comments on Policy CP9

Overall Harworth Estates supports the proposed changes to Section C (Rural Economy) of Policy CP9. The proposed changes have resulted from liaison with Selby DC and NYCC and make the Policy clearer in terms of the nature of development and sites that the Council will support for employment uses in rural areas.

In particular, the identification of support for small scale rural development, re-use of existing buildings and infrastructure, and development of well-designed new buildings is welcomed and is in line with the suggestions made in representations by Harworth Estates. This approach is supported by Paragraph 28 of the NPPF which makes clear that in order to promote a strong rural economy, plans should support the sustainable growth and expansion of **all** types of business and enterprise in rural areas and Paragraph 157 of the NPPF states that Local Plans should plan positively for the development and infrastructure required in the area.

In his speech to the National House Building Council on 22nd November 2012, Deputy Prime Minister, Nick Clegg, stressed the importance of the need for a more diverse private sector with entrepreneurs and small and medium sized firms, spread across the Country and an economy where firms seeking to grow can find the staff.

In order to achieve this, local planning authorities need to provide flexible and positive Local Plans which support economic development in all areas, not just the major cities and towns.

Notwithstanding the above, it is noted that the types of uses previously listed under Section 2 included research and low carbon/renewable energy generation and these uses are no longer listed under the revised policy wording. The Council has not justified why these types of uses have now been excluded. In line with the recognition at Paragraph 28 of the NPPF, that all types of business and enterprise should be supported, it is considered that the Policy should be revised as follows in order to be compliant with national planning policy, positively prepared and therefore sound:

"4. Rural tourism and leisure developments, research, low carbon/renewable energy generation, small scale rural offices or other small scale rural development."

Comments Annex F Proposed revised Policy CP9 & Text post-September 2012 EIP

Paragraph 6.26 makes reference to PPS4 which has now been replaced by the NPPF. The reference should therefore be removed.

The supporting text to Policy CP9 states that the Council supports the reuse of the former Gascoigne Wood mine for uses linked to the existing rail infrastructure at the site. This is supported by Harworth Estates, as too is the recognition at paragraph 6.29 of the former mine sites at Whitemoor and Riccall as locations for meeting the needs of existing indigenous employment.

Paragraph 6.29 also refers to the Stillingfleet and Wistow sites describing them as "remote" and "not considered suitable for re-use for large scale or intensive economic activities." It is noted that the previous reference described the sites as "more remote" which is considered to be more accurate in the context of their comparison with the Whitemoor and Riccall sites. The Stillingfleet and Wistow sites are no more remote than many other sites located within rural areas of the Selby district.

Whilst paragraph 6.30 implies that re-use of these former mine sites would be acceptable (provided that mining legacy issues are considered and no public safety issues arise from their

beneficial re-use), given that the specific reference to former mine sites has now been excluded from Policy CP9, it is not clear what type of activities/uses would be supported at the sites. Accordingly, in order to provide clarity cross reference should be made in the supporting text to the relevant sections of Policy CP9 as follows:

"The remaining two former mine sites at Stillingfleet and Wistow are **more** remote and are not considered suitable for re-use for large scale or intensive economic activities. **The types of uses that may be considered suitable are those set out Section C of Policy CP9 which apply to rural areas.**"

Comments on Policy CP14

Further changes are now also proposed to Policy CP14 (low carbon and renewable energy). These changes are in line with Harworth Estates' previous representations and discussion at the EIP in September and amongst other things, the Policy now reflects the NPPF in relation to renewable energy projects in the Green Belt.

Harworth Estates therefore supports the proposed changes on the basis that they are considered to be sound and consistent with national planning policy.

However, further clarity is requested in respect of heading 'B'. Currently Policy 14 as worded suggest that the Council will only support community-led initiatives for renewable and low carbon energy developments being taken forward through neighbourhood plans. There is no support offered to schemes being brought forward by the private sector.

It is not clear whether the criterion set out under this header applies to all development proposals or just those which are community-led initiatives. It is presumed that the criteria should apply to all renewable and low carbon energy developments including that brought forward by the private sector, however, the policy is currently ambiguous because the paragraph is under heading B. It is therefore suggested that it is amended as follows:

"B. The Council will support community-led initiatives for renewable and low carbon energy developments being taken forward through neighbourhood plans including those outside any identified suitable areas.

C. All development proposals for new sources of renewable energy and low-carbon energy generation and supporting infrastructure must meet the following criteria..."

D. Schemes may utilise..."

We would be grateful if you could acknowledge this letter as 'duly made' and keep us informed at all future stages of the Local Plan process. In the meantime, should you have any further queries please do not hesitate to contact me on the above telephone number.

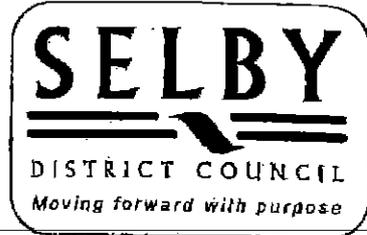
Yours sincerely



CLAIRE HARRON
Associate

Enc: Completed Comments Form

Cc: Tim Love Harworth Estates Limited
Adam Murray Harworth Estates Limited



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	TIM LOVE	CLAIRE HARRON
Organisation	HARWORTH ESTATES LIMITED	BARTON WILLMORE
Address	C/O BARTON WILLMORE	3RD FLOOR, 14 KING STREET, LEEDS, LS1 2HL
Telephone No.		0113 204 4777
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:

PC7.23, PC7.26, PC7.27 AND PC7.28

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.

SEE SEPERATE LETTER DATED 30TH NOVEMBER 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).

HARWORTH ESTATES WISHES TO CONTINUE TO ATTEND THE EIP TO DISCUSS ITS REPRESENTATIONS WITH THE INSPECTOR IN RESPECT OF THE WORDING OF POLICY CP9 AND THE SUPPORTING TEXT.

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

Representation Submission Acknowledgement

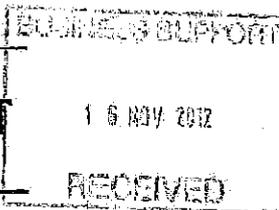
I acknowledge that I am making a formal representation. I understand that my name (and organisation where applicable) and representation will be made publically available (including on the Council's website) in order to ensure that it is a fair and transparent process.

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

Signed

Dated

30/11/2012



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.

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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

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- 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	MARK SAVEGE	(I am an agent with
Organisation	ABACUS DESIGN PARTNERSHIP	over 40 years experience & have never found
Address	3 THE OLD STABLES MOOR LANE BILBROUGH YORK YO23 3NT	the policies acting on these 'washed-over' villages so conflicting and varied. Please take these villages out of the
Telephone No.	[REDACTED]	'washed-over' status as that is allowing development
Email address	[REDACTED]	where it might not be allowed if it was taken out.)

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:

PC7-10 Para 4.47 (CPIA)

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.

'Residential development in Secondary Villages...unless it comprises the filling of a small linear gap in an otherwise built up residential frontage or conversion/redevelopment of a farmstead.'

- 1) 2 typos: 'liner' should be 'linear' & 'built up' should be 'built-up'
- 2) My solicitor tells me that it is impossible to enforce a law or rule or policy that does not have defined limits in space and/or time. There has to be a measurement otherwise it is a matter of undefined opinion as to the definition of 'gap'. This will lead to more inconsistency between planning officers' interpretations within the same office. I asked the Lead Planning Officer recently what his interpretation was of a small linear gap and he said big enough for one house, but I was later left wondering if he meant a mid-terrace house or a grand mansion. I would suggest a maximum gap of 100m from boundary to boundary; otherwise the 'gap' is actually parkland. A good illustration of the problem is the garden of Ravenscroft (15, Back Lane, Billbrough) which is more than 100m including the veg patch (see app. 2012/0080/FUL which went months over target and was only decided by the Chairman in a casting vote on 12/9/2012).

If the 100m limit was incorporated into your wording, the officers, agents and developers will know what is potential building plot, and what is parkland or open field.

Question 3 continued

3) After app. 2012/0431/FUL was approved on 4/7/2012, you need to include wording that makes it clear that 'a small linear gap' includes those at the end of a linear frontage, while still being within the *Defined Village Limit*. The officer accepted the agent's argument that this position was equally as valid as a gap in the middle of a linear frontage. He approved the application without going to committee - after NPPF, even though the same design and volume was refused on 23/12/2011. The building was 273% bigger in volume than the chalet bungalow it was replacing.

I therefore suggest this revised wording: ...

(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).

[Empty box for response to Question 4.3]

(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

[Redacted signature box]

Dated

15/11/2012

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Ryan King

From: Mawson, Sarah [REDACTED]
Sent: 18 December 2012 09:52
To: ldf
Cc: Ford, Neville

Subject: Core Strategy further changes consultation

Follow Up Flag: Follow up

Flag Status: Red

Dear Sir/Madam,

Thank you for consulting Wakefield Council on the Selby Core Strategy – further changes. Following consultation with Members at the LDF Sounding Board I can confirm that Wakefield Council has no comments to make on the document at this stage.

Yours faithfully

Sarah Mawson
Project Leader, Spatial Policy
[REDACTED]

Sarah Mawson
Spatial Policy
WMDC Planning Services
[REDACTED]

The WMDC Disclaimer can be found at:

<http://www.wakefield.gov.uk/SiteInformation/E-MailDisclaimer/default.htm>

This message has been scanned for malware by SurfControl plc. www.surfcontrol.com



107

Andrew McMillan

From: mick rhodes [REDACTED]
Sent: 28 December 2012 17:26
To: LDF
Subject: Selby District Submission Draft Core Strategy Consultation on Further Proposed Changes (7th Set) November 2012 Representation Form

Hi

I have been trying to send a comment on the above form but was not able to do so' it kept saying the e-mail address was not available.

I have copied my comment below and i would ask that this be submitted.

Thank You

Mick Rhodes

Mr M Rhodes
Peartree House
Rawfield Lane
Fairburn
Knottingley
WF11 9LD

[REDACTED]

[REDACTED]

Mr M Rhodes 28/12/2012

I wish to make a comment regarding Fairburn being made a SECONDARY VILLAGE, rather than a DESIGNATED SERVICE VILLAGE.

Fairburn needs to be a Designated Service Village. Selby Council has always supported this and i can see no reason for this change. The only thing that seems to be problem with some people in the village is the amount of future housing being built if we were to remain a Designated service Village, there has been speculation that over 200 houses would be built. It is quite clear from the SADPD that Fairburn would only be allocated 2 sites, for up to 34 new houses to be built over the plan period and i believe that Fairburn would be able to accommodate these quite easily.

Selby Council were asked at an earlier EIP to look again at the status of Fairburn which they did and still came up with the same result, that Fairburn should remain a Designated Service Village, they based their answers on the information they had and the National Planning Policy Framework, no new information has been brought up so i cannot understand this change of direction.

We dont have a Village Shop or a Post Office and only a limited Bus Service, but this is the case in many villages and should not be used as an excuse to downgrade the village status, instead things need to be put in place, so in future years some of these services might be brought back into the village. What we do have is a thriving school and Community Centre, if we were to become a Secondary Village, then in time, even these might be at risk which would be devastating for the community.

Fairburn needs some limited growth to make sure that housing is available for those people who want to stay here or indeed those who would like to move here. I would ask the Council and the Inspector to look again at the status of Fairburn and keep it as a Designated Service Village.



Helen Gregory

From: Marjorie Swales [REDACTED]
Sent: 28 December 2012 12:00
To: LDF
Subject: Local Development Plan
Attachments: Selby DC letter 7th changes[1]Swales.docx

Dear Sir,

Please see attached letter re local development plan.

Yours faithfully,

P D Swales

P R Swales

Bay Horse Farm,
Rawfield Lane,
Fairburn,
Knottingley,
WF11 9LD

28th December 2012

To The Inspector, Selby DC Submission Draft Core Strategy 7th Set Proposed Changes.

We would first like to tell the Inspector that the 7th set of proposed changes are unsound and probably unlawful as it is not providing for the need for development in many of the villages including Fairburn, therefore it is at odds with NPPF 14 that states there is a presumption in favour of sustainable development.

Selby DC is proposing to concentrate the vast majority of development on Selby, Tadcaster, Sherburn, Brayton, Thorpe Willoughby and Barby/Osgodby when it should be seeking to disperse development to both help sustain rural villages and their services and not worsen the overload of aforementioned settlements with infrastructure deficit that already exists, eg. The lack of recreational/sports halls, swimming facilities etc etc.

Much of this land is also waterlogged and suffers from surface ponding and should not ever be built on as this will only worsen flooding and drainage problems this also applies to villages such as Cawood, Ulleskelf, Church Fenton and other low lying villages.

The towns and villages on the magnesian limestone ridge running from Tadcaster in the north of the district to Kirk Smeaton in the south of the district do not have that problem as the land is free draining and they are therefore more suited to development as per NPPF section 10.

Fairburn was a designated sustainable village throughout the previous Selby DC plans and all the way through this plan until proposed 7th changes, that makes no sense, we and everyone who we have spoken to is disgusted with Fairburn being removed from the list of designated service villages and demand that it be reinstated immediately as a Designated Service Village.

Fairburn needs development it has been restricted for too long by the village envelope being drawn too tightly around the village and Selby DC restricting what would be sustainable development in the village.

Proposed Core Strategy 4.3900 states, 'Define the Green Belt Boundary using landmarks and features that are easily identifiable on a map and on the ground' we ask whose map? Maps are often incorrect and out of date, it should use NPPF 85 that says 'define boundaries clearly using physical features that are readily recognisable and likely to be permanent.'

Regarding Annex D we consider it to be unsound as it is including windfalls in the projections when it should not include windfalls for the first ten years according to the NPPF. Also the figure of 450 dpa is way too low as Selby DC should be planning for at least 620 dpa not including windfalls to meet demand that has been restricted in the past and according to the 2011 Census can be expected in the plan period.

Selby DC is counting windfalls already granted planning permission and future windfalls towards the overall total and is therefore restricting development and not following the 'Golden Thread' of the NPPF of a presumption in favour of sustainable development.

Selby DC has always sought to restrict numbers to around 450dpa, in the last plan 2005, the figure they used was 440dpa, nothing changes!

Yours sincerely

P D Swales

P R Swales

105

Helen Gregory

From: [REDACTED]
Sent: 28 December 2012 16:01
To: LDF
Subject: Draft Core Strategy

Dear Helen Gregory,

Thank you for your letter of 12th November informing Ledsham Parish Council of proposed further changes to the Selby District Council core strategy. The Parish Council has considered the changes and has no comments to make on them.

Following on from the above could I ask that future correspondence to Ledsham PC is sent to the address at the bottom of this e-mail and not to Mr B Bennett, School House, Holyrood Lane, Ledsham, Leeds, LS25 5LL.

Yours sincerely

Chris Pilkington
Clerk to Ledsham Parish Council
41 The Oval, Notton, Wakefield, West Yorkshire, WF4 2NX
Tel: [REDACTED]

