

The schedule covers the following topics

Policy CP1 / Spatial Development Strategy

1. Settlement Hierarchy (paras 1.1 □ 1.36)
2. Control of Development in Secondary Villages (paras 2.1 □ 2.14)
3. Development in the countryside (paras 3.1 □ 3.2)
4. The sequential approach (paras 4.1 □ 4.3)
5. PPS 25 Sequential Test (paras 5.1 □ 5.5)
6. PDL targets (paras 6.1 □ 6.2)
7. Green Belt and Development Limits (paras 7.1 □ 7.4)
8. Lack of Overarching Policy (paras 8.1 □ 8.5)
9. Impact on environment and biodiversity (paras 9.1 □ 9.2)
10. Freight Transport (paras 10.1 □ 10.2)
11. Location of Office Development (paras 11.1 □ 11.2)
12. Figure 3/ Key Diagram and other diagrams (paras 12.1 □ 12.3)
13. Figure 4 / Selby AAP (paras 13.1 □ 13.2)

Policy CP(A) / Scale and Distribution of Housing

1. Overall Scale of Housing Growth (paras 14.1 □ 14.2)
2. Selby (paras 15.1 □ 15.2)
3. Local Service Centres (paras 16.1 □ 16.20)
4. Designated Service Villages (paras 17.1 □ 17.5)

Policy CP2(B) / Strategic Development Sites

1. Alternative Sites (paras 18.1 □ 18.5)
2. Alternative Approaches (paras 19.1 □ 19.6)
3. Level of Detail (paras 20.1 □ 20.4)
4. Site Specific Issues (paras 21.1 □ 21.16)

Policy CP5 / Affordable Housing

1. Affordable Housing Target (paras 22.1 □ 22.2)
2. Viability (paras 23.1 □ 23.2)
3. Site Thresholds (paras 24.1 □ 24.3)

Spatial Development Strategy (Policy CP1)

1. Settlement Hierarchy

- 1.1 This issue attracted the most comments with 17 general supports and a further 10 agreeing with the aim of concentrating growth in Selby, although a number of these have reservations about the intended role / scale of growth in lower order settlements. One respondent specifically felt that Policy CP1 places too much emphasis on growth in Selby and fails to provide sufficient growth in the Local Service Centres.

a) Selby (Paragraphs 4.14 □4.17)

- 1.2 As indicated above there was strong support for focussing growth on Selby. One representation specifically objects to the inclusion of the villages of Barlby/Osgodby, Brayton and Thorpe Willoughby within a wider Selby area and the prospect of those villages accommodating a disproportionate amount of development. Another representation positively supported this approach.

Decision

- 1.3 **Issues concerning housing land availability and strategic development sites raised in other representations have led to the conclusion that it would be more appropriate to produce a combined allocations DPD for the whole District to be reflected in an amended LDS. The identification of land for development in all the service villages, including those referred to above, will therefore be considered as part of a combined exercise. The precise amount of land identified in each settlement will of course be dependant on a range of issues including housing demand, land availability and constraints, and relative sustainability.**

b) Local Service Centres (Paragraphs 4.18 □4.24)

- 1.4 No representations challenged the classification of Tadcaster and Sherburn in Elmet as Local Service centres.
- 1.5 One representation, however, considers that there should be a greater differentiation within the policy between Local Service Centres and Designated Service Villages. It is suggested that the focus for additional

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development should be on the Local Service Centres in order to support services and facilities not only for the Centre itself but for its rural hinterland. Development in Service Villages should reflect the approach outlined in Paragraph 2.47 of the Regional Spatial Strategy.

- 1.6 Conversely, one representation considers that as currently worded the policy is in conflict with Regional Spatial Strategy Policy YH6 because it fails to explicitly state that development in these centres should meet only locally generated need for both market and affordable housing.
- 1.7 The Local Government Yorkshire and Humber (LGYH) response recommended that further consideration be given to the reasons for restricting housing delivery in the western part of the District. LGYH consider that basing decisions on the presumption this would encourage further commuting to Leeds City Region is at odds with Selby's role in the Leeds City Region. The response does acknowledge, however, that the role of Selby District within the Leeds City Region, particularly the western part of the District close to Leeds, is dependant on further work on the North Yorkshire and York and Leeds City Region Sub-Regional Strategies.
- 1.8 LGYH also support the general objective of balancing employment and housing growth.
- 1.9 The LGYH response also refers to the need for an alternative strategy(ies) in the event that the envisaged scale of growth cannot be accommodated within Selby Town.
- 1.10 Issues with regard to the scale of proposed development in the two Local Service Centres are dealt with under Policy CP2 in Section 5.

c) Service Villages / Secondary Villages (Paragraphs 4.9 – 4.13)

- 1.11 A number of villages are the subject of comment on the level of services available and the future role of the settlement, including suggestions for reclassification.
- 1.12 **Wistow** attracted 5 comments, (including the Parish Council), opposing its inclusion as Designated Service Village, principally on the grounds of lack of services and the high risk of flooding.
- 1.13 Conversely there is a very positive representation from **Appleton Roebuck** Parish Council in favour of inclusion as a Designated Service Village rather than a Secondary Village.
- 1.14 Three representations, (including the Parish Council), consider that **Hemingbrough** should be downgraded to a Secondary rather than Designated Service Village; and one representation expressed support for the current designation. The principal reason given for downgrading to a Secondary Village is that the bus service is inadequate to support it as a Designated Service Village.
- 1.15 The representations from Hambleton, Whitley and Barlby and Osgodby Parish Councils are more equivocal on the proposed designations for **Hambleton, Whitley and Osgodby** villages. In the case of **Hambleton**, the Parish Council would welcome more houses and services within the village, but take the view that the current lack of services in the villages does not

justify its categorization as a Designated Service Village.

- 1.16 One representation, (accompanied by a detailed analysis of other settlements and the methodology used to identify service villages), promotes **Whitley** as a Service Village. **Whitley** Parish Council recognise that there are split views in the village between those who wish to see growth of the village limited and those who consider classification as a Designated Service Village will draw in investment in much-needed facilities in the village. There is also a representation from a local company that part of Whitley parish in Whitley Bridge (between Eggborough and the M62) should be linked to Eggborough as part of the Designated Service Village.
- 1.17 **Chapel Haddlesey and Kelfield** Parish Councils support their village designations, although the latter have reservations with regard to the restrictive nature of the Secondary Village policy.
- 1.18 **South Milford** Parish Council do not question their village classification but consider that the Secondary Villages of **Barkston Ash, Church Fenton Airbase and Ulleskelf** are comparable with South Milford, in terms of their sustainable access to local facilities and transport links.
- 1.19 Representations have also been received supporting the current classification of the following settlements: Bolton Percy, Brayton, Church Fenton, Colton, Monk Fryston and Stillingfleet. There is one representation for, and one against, re-designation of **Stutton** and three representations in favour of more growth at **Church Fenton Airbase** either in its own right or linked to Church Fenton as a Designated Service Village.
- 1.20 One representation considers the rejection of **Ulleskelf** on flooding grounds to be a subjective appraisal suggesting that the village (which was identified as a Primary Village at the Preferred Options stage) should be reclassified as a Designated Service Village. Other suggestions for service villages were **Byram, Brotherton, Camblesforth, Cawood** and **Escrick**, although no evidence has been put forward.
- 1.21 Another representation objects to the inclusion of **Kellington** as a Designated Service Village.

Comments

- 1.22 The classification of the following villages is the subject of challenge / objection: Appleton Roebuck, Church Fenton Airbase, Hambleton, Hemingbrough, Osgodby, Ulleskelf, Whitley and Wistow. Some responses criticise the methodology used for determining the list of Designated Service Villages. It is acknowledged that the methodology has its limitations and only represents a starting point. However, the issues involved, particularly that of the sustainability of settlements, have many facets and are often of a relative rather than an absolute nature. Whatever methodology is adopted there are no definitive cut-off points and there will always be marginal cases where a case can be made on the basis of the individual circumstances appertaining locally.
- 1.23 It should be noted that since the publication of the Draft Core Strategy, the Environment Agency have updated the flood risk maps for the River Ouse catchment. This affects Selby town and a number of designated service

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Villages and requires a review of the PPS25 Sequential Test. Preliminary indications are that Ulleskelf and Cawood, which were previously eliminated on flood risk grounds but which otherwise satisfy the sustainability tests, are now less constrained in flood risk terms and could be added to the list of Service Villages. Wistow conversely is now more constrained.

Appleton Roebuck

- 1.24 The Parish Council (and others) have put forward compelling arguments for the re-classification of Appleton Roebuck which confirms the Parish Council's willingness to accept a modest amount of further development, sufficient in their view to support and contribute to the development of local services. The representation(s) demonstrates a pro-active approach to the provision of local services and outline the way in which local villages are networking to increase the provision of services and facilities within the local area. In this respect therefore it is suggested that Appleton Roebuck could justifiably be viewed in a similar light to that of North Duffield as providing a service focus for the surrounding local rural area and re-classifying it as a Designated Service Village.
- 1.25 While part of the village and some surrounding land is subject to high flood risk there is sufficient low risk land to accommodate future growth in line with Service Village status.

Cawood

- 1.26 The classification of Cawood as a Secondary Village was not contested by respondents. Although Cawood was included as a Primary Village at the Further Options stage, it was subsequently not included as a Designated Service Village because it failed the PPS25 Sequential Test undertaken as part of the Level 2 Strategic Flood Risk Assessment. As referred to above, the updated flood risk data recently released by the Environment Agency demonstrates that the village is less constrained in flood risk terms than was previously thought to be the case. Given the availability of a range of services and public transport opportunities Cawood has the potential for limited growth and should be re-classified as a Designated Service Village.

Church Fenton Airbase

- 1.27 Three separate representations promote further residential growth at Church Fenton Airbase. The Airbase as a whole was the subject of detailed investigation at the Selby District Local Plan inquiry. The Inspector concluded that it was not a very sustainable location and was not an appropriate site for further large scale housing. A subsequent proposal for an eco town at this location has also been rejected on sustainability grounds, and notwithstanding the availability of a limited rail service from Church Fenton, it is considered that this is not an appropriate location for future growth.

Hambleton

- 1.28 Those respondents who question the classification of Hambleton as a

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Designated Service village do so on the basis of a perceived lack of key services within the village at the present time. Whilst this circumstance is acknowledged, provision of services within the settlement is only one of the factors which have previously led to the view that Hambleton is an appropriate location for some planned growth.

- 1.29 For example as one of the larger villages within the District Hambleton has potential for the future reinstatement of some of the services, particularly if there is the stimulus of a further increase in the local population. In other respects it has good links with Selby which provides a high level of services and a good range of employment opportunities. Hambleton, therefore, is a relatively sustainable settlement which has the potential to benefit from some limited further growth. The Parish Council indicate that they would support some additional housing. It is therefore considered that Hambleton should be retained as a Designated Service Village.

Hemingbrough

- 1.30 The designation of Hemingbrough as a service Village is contested principally on the grounds of an inadequate bus service. While it is acknowledged that the service is relatively poor, it is considered that being classified as a Designated Service Village, with the prospect of modest expansion, will help to achieve some improvement of the service to the village. In other respects the village has good local services and is relatively close to the services, facilities and employment opportunities available in Selby. It is therefore considered that Hemingbrough should remain a Designated Service Village.

Osgodby

- 1.31 A number of respondents including Barlby and Osgodby Parish Council are concerned that linking of Osgodby with Barlby (for policy purposes) may result in excessive development in Osgodby. While the two villages share a number of facilities it is clear that Barlby is the larger and more dominant settlement. In cases where villages are linked for policy purposes it may be appropriate to ensure that the majority of future development is located within or immediately adjacent to the larger settlement. Development in the smaller settlement (which is dependant on the larger settlement for the majority of services) should be commensurate with size of that settlement and be consistent with its form and character. It is therefore considered that Osgodby should remain as a linked village but that further clarification be included in the Strategy outlining the subordinate role of the smaller settlement in accommodating future growth and services, and that this principle be applied to all linked settlements.

Stutton

- 1.32 The representation in favour of amending the classification of Stutton to

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Designated Service Village considered that further development would help to support the prosperity of Tadcaster. However, Stutton is a relatively small compact village with none of the key local services and a relatively sensitive landscape setting. It does have the benefit of being located just over 1 mile from the centre of Tadcaster but it is considered development would be more sustainably located within the town itself to the north of the A64.

Ulleskelf

- 1.33 Although Ulleskelf was included as a Primary Village at the Further Options stage, it was subsequently not included as a Designated Service Village because it failed the PPS25 Sequential Test undertaken as part of the Level 2 Strategic Flood Risk Assessment. As referred to above, the updated flood risk data recently released by the Environment Agency demonstrates that the village is less constrained in flood risk terms than was previously thought to be the case (although the potential for it to be cut off on occasions from the north by flooding of the highway still remains). Given the availability of a range of services and public transport opportunities Ulleskelf has the potential for limited growth and should be re-classified as a Designated Service Village.

Whitley

- 1.34 Although on the available evidence Whitley does not justify classification as a Designated Service Village in its own right, there is a case to be made that it should be classed as a linked village with Eggborough. The two settlements are relatively close, with good pedestrian links and there is a relatively good bus service between the two. They also share the primary school facility which is located south of the motorway in Whitley, and the railway station at Whitley Bridge. Overall it is considered that, subject to the caveats on the relationship between linked settlements expressed in the discussion on Osgodby above, Whitley could be included as a linked village with Eggborough.

Wistow

- 1.35 Respondents consider that the adequacy of its local services, limited bus service and the high flood risk do not justify its status as a Designated Service Village. As referred to above, the updated flood risk data recently released by the Environment Agency demonstrates that the village is more constrained in flood risk terms than was previously thought to be the case. It therefore fails the revised PPS25 Sequential test because of unavailability of low flood risk land, and it is considered that Wistow should be re-classified as a Secondary Village.

Decision on Settlement Hierarchy

- 1.36
- **Appleton Roebuck, Byram / Brotherton. Cawood and Ulleskelf be re-classified as designated Service Villages.**
 - **Eggborough and Whitley be treated as a linked service village;**
 - **Wistow be re-classified as a Secondary Village;**
 - **In respect of linked villages, that additional text be added clarifying the relationship in terms of the distribution of new development and services be focused on the larger village rather than the subordinate village.**

2. Control of Development in Secondary Villages

a) Scale of development

- 2.1 A number of responses (8) indicate a preference for a more flexible policy with regard to control of development in Secondary Villages. They consider the proposed policy is too restrictive and likely to have an adverse effect on the vitality and longer term sustainability of these smaller settlements.
- 2.2 The Draft Core Strategy is based on the principle that outside Selby itself, new development should be focussed to meet local needs and a view has been taken that the most sustainable way in which the needs of the rural areas can be met is through focussing development on the Local Service Centres and the Designated Villages. These settlements provide a network of settlements which provide the best opportunities for providing access to local services and employment. They generally have better public transport provision than is possible in many of the smaller settlements.
- 2.3 Development in Secondary Villages is considered to be less sustainable in broad terms, although the draft Core Strategy facilitates provision of affordable housing of an appropriate scale within all villages provided this meets an identified need.
- 2.4 The fact that it is not proposed to specifically allocate land within Secondary Villages does not necessarily mean no development. For example there remains potential for development arising from small scale pdl windfalls and in this respect the proposed policy is very similar to the existing SDLP policy which has been operating within H7 villages for many years which has produced a steady stream of housing completions. In the recent past windfall development in villages has contributed significantly to housing completions in the District, particularly from the use of garden land in accordance with previous Government guidance. However recent changes to PPS3 are likely to reduce the amount of development in Secondary Villages, owing to the relaxation of density controls and removal of garden land from the definition of PDL.

Decision

- 2.5 **There is a case for relaxing the policy in Secondary Villages to make**

small scale infilling acceptable (within development limits) on both pdl and Greenfield sites. All development, particularly that on greenfield sites (including garden development) would need to demonstrate that it would not compromise the quality of the form and character of the settlement and would meet all other normal planning considerations. Any development would be expected to contribute to local affordable housing need either directly or through a commuted sum.

- 2.6 **Amend Policy 1 to provide more clarity about the types of residential development that will be acceptable, in principle, in different settlement types as follows**
- **principal town, local service centres and designated service villages – conversions, replacement dwellings, development / redevelopment on pdl, and small scale development on greenfield land**
 - **secondary villages - conversions, replacement dwellings, development / redevelopment on pdl and 'filling of small linear gaps in otherwise built up frontages' .**
- and maintaining the requirement to protect local amenity and the character of the area**

b) Protection of Service and Employment Opportunities

- 2.7 One respondent suggests that directing development to previously developed land (PDL) in rural settlements could result in continuing loss of services and facilities since most PDL in rural settlements tends to comprise land and premises which provide existing or potential services and facilities to the existing community.

Decision

- 2.8 **While it has been suggested that the emphasis on utilising previously developed land for housing within smaller villages will be at the expense of land currently used for or with potential for employment and service uses it should be remembered that the Strategy still places emphasis on the protection of employment and services wherever possible, and the SDLP saved policies continue to support this approach. The relaxation of controls discussed above would help satisfy the concerns raised.**

c) Extension of Development Limits / Affordable Housing

- 2.9 One respondent suggests Policy CP1 should facilitate a review of Development Limits for Secondary Villages in order to provide the opportunity to bring rural exception sites within their boundary to facilitate cross-subsidy housing.

Comments

- 2.10 If a more relaxed approach to housing provision in these villages was adopted which permitted some market housing to cross-subsidise affordable

housing on exception site extensions to the village, it is possible that more schemes would be considered to be financially attractive and therefore more affordable housing provided locally to meet that village's need.

2.11 The potential drawbacks of operating such a scheme are:

- In satisfying identified local needs, the net result would be more overall housing development within Secondary Villages in less sustainable locations.
- Tight control would be required to ensure that the affordable housing element of schemes was not squeezed out. More rigid requirements would be needed than for normal affordable housing policy, to ensure the affordable element remained the priority provision.

Decision

2.12 **On balance it is considered that the benefits of providing affordable housing at an individual village level are insufficient to warrant any relaxation of current policy for exception sites in Secondary Villages. It is considered that focussing affordable housing on the more sustainable settlements with easier access to public transport and local services may often be a preferable policy choice.**

d) Redevelopment of Farmsteads in Villages

2.13 The previous respondent also considers that provision should be made to facilitate the redevelopment of farmsteads within villages, (based on an understanding that a change to PPS3 is in prospect in this respect) which would enable farms to relocate where current operations were constrained by, and no longer compatible with, their location within the village.

Decision

2.14 **With regard to the redevelopment of farmsteads in villages changes to national policy are awaited on this issue. However it is appropriate to amend the policy in order to remove an existing anomaly in the current SDLP by facilitating the change of use / conversion of buildings, including farm buildings, within development limits, since conversions are acceptable in principle outside development limits.**

3. Development in the countryside

3.1 One respondent suggests that Part Ac) of the Policy be widened to include the possibility of local infilling and a positive approach to the conversion of venacular farm buildings.

Decision

3.2 **The Policy is broadly similar to that being operated through Policy DL1 in the Selby District Local Plan. It is considered there is no justification for further extension to include infilling. Conversion of buildings is**

adequately covered within the policy.

4. Sequential Approach

- 4.1 One respondent considers that the approach to the identification of land should take into account the potential environmental benefits of using under-utilised land and agricultural buildings prior to undeveloped agricultural land.
- 4.2 The respondent suggests a re-wording of Part B as follows:
- i) Previously developed land and buildings within the settlement.
 - ii) Suitable greenfield land within the settlement (Selby, Sherburn in Elmet, Tadcaster and Designated Service Villages only)
 - iii) Extensions to the settlement (Selby, Sherburn in Elmet, Tadcaster and Designated Service Villages only). Priority will be given to locations which are sustainable and will deliver environmental and amenity enhancements to the settlement being extended.
 - iv) Undeveloped greenfield land.

Decision

- 4.3 **It is considered that the 3 point sequential approach in Part B should not differentiate between the differing forms of agricultural uses. No distinction is made in national guidance between active agricultural land, underused agricultural land and agricultural buildings, and although the varying site characteristics may affect more detailed considerations, it is not considered appropriate to differentiate at this strategic level.**

5. PPS25 Sequential Test

- 5.1 Two representations refer to the need for the Strategic Flood Risk Assessment to take a broader District-wide approach, rather than be limited to the Selby Area. This might have implications for the overall strategy and the Strategic Sites proposed. One representation considered that the Strategic Site element of CP1 had the effect of directing development away from areas with the lowest flood risk.
- 5.2 Two further representations consider flood risk should be given more prominence in both Policy CP1 and its introduction. In particular the Environment Agency suggested that it may be useful to provide further clarity in relation to the PPS 25 Sequential and Exceptions Test as this will apply to many developments within Selby District. The Agency strongly recommend that a specific SPD, or guidance note, detailing how the Test will be applied. This would promote consistency and robustness on this complex issue.
- 5.3 The Agency suggested that the final paragraph of Policy CP1 Part B be reworded as follows:

“The sequential approach outlined in PPS25 will be adopted to direct development to areas with the lowest flood risk as identified through the Selby Strategic Flood Risk Assessment. Only where no reasonably available

sites are identified in lower flood risk areas will development in higher flood risk areas be considered. In these circumstances the most vulnerable uses will be steered to the lowest flood risk parts of sites and then the most vulnerable uses steered to the upper floors where possible. Some developments must then also be subject to the Exception Test. This will ensure that preference is given to previously developed sites and that developments can be made safe without increasing flood risk elsewhere. It must also be demonstrated that a development's wider sustainability benefits to the community outweigh the flood risks, by assessing it against the Sustainability Appraisal's objectives. All opportunities to reduce flood risk overall, such as through the provision of new/improved flood defences, sustainable drainage schemes, rainwater harvesting and green roofs, will also be explored and implemented wherever possible."

Decision

- 5.4 **With regard to the suggested District wide assessment it should be noted that Selby is the largest urban area in the District, the only Regional Spatial Strategy Principal Town within the District, and the main focus for new development within the District. There has been generally good endorsement of this basic element of the Strategy. The purpose of the Level 2 Assessment was to establish how best Selby could accommodate the growth expected of it in the light of its central role in the future development of the District. While it is anticipated that RSS will be cancelled the basic premise of sustaining the continued regeneration of the most sustainable urban areas is embodied in national policy, and is a principle supported by the Environment Agency.**
- 5.5 **Neither is it considered appropriate to increase the amount of text devoted to explaining the sequential test. The sequential test is one of the most thorough of its type and the document is considered sufficient in itself without the need for additional guidance notes on its application. The additional policy wording proposed repeats the national guidance on the sequential test. National guidance on Core Strategies discourages duplication of national policies and guidance in Core Strategies.**

6. PDL Targets

- 6.1 Comments were divided as to whether the target for the proportion of dwellings on previously developed land were too high (2) or too low (1). The two respondents who considered it too high were of the view that in a rural District such as Selby the opportunities for utilising previously developed land was restricted. One suggested that a target was only appropriate for Selby

itself, whilst the other suggested that the target figure be dropped and replaced with a monitoring brief. The respondent who considered the target to be low considered the Strategy neglected the amount of previously developed land in Secondary Villages.

Decision

- 6.2 **PPS 3 indicates that a target and trajectory for the future use of previously developed land should be included within the Strategy. However, projecting the availability of previously developed land is fraught with many uncertainties. Past annual take-up rates illustrate this for Selby District (Background Paper No.4). It is, however, generally acknowledged that opportunities to use previously developed land are more limited in a rural district such as Selby compared with conurbation authorities or those with larger urban areas. In recent years development within garden curtilages has been a significant contributor to the take up of previously developed land within the District but with the recent amendment to the definition of previously developed land (PPS3 – June 2010), this will no longer be the case. It is therefore evident that achievement of the 50% local target established in the draft Core Strategy is unlikely to be achievable in the future and therefore requires review. (The 65% regional target will also become obsolete following cancellation of RSS).**

7. Green Belt and Development Limits

- 7.1 Six representations promote either a general Green Belt review or at least localised Green Belt reviews around Designated Service Villages. GOYH indicate that the Core Strategy is the place to make the decision on whether localised Green Belt reviews should be undertaken, eg if these are needed to achieve delivery of housing numbers. One representation also considered there was a need to review boundaries to eliminate current anomalies within localised Green Belt boundaries and proposed the following amended wording for Paragraph 4.39:

“Whilst the Strategy aims to maintain the overall extent of the Green Belt, in locations where there are difficulties in accommodating the scale of growth required, consideration will be given to undertaking localised Green Belt boundary reviews in accordance with the Regional Spatial Strategy. Further reviews will be undertaken where it can be demonstrated that the inclusion of land within the Green Belt is clearly anomalous with the purposes of including land within the Green Belt.”

- 7.2 Another respondent is opposed to any changes to Green Belt boundaries.
- 7.3 In a similar vein, three respondents suggest that there is a need to review both the Green Belt boundary and Development Limits for Designated Service Villages if growth is to be accommodated. One of these considers that the reliance on existing Development Limits is not helpful and suggests that Policy CP1 should make it clear that the Development Limits of Designated Service Villages will be reviewed and that there will be an opportunity to review Development Limits for Secondary Villages where

appropriate, to include the opportunity to bring rural exception sites within their boundary to facilitate cross-subsidy housing.

Decision

- 7.4 **It is accepted that for those settlements where planned growth is proposed (Local Service Centres and Designated Service Villages) reviews of the Development Limit boundaries may be necessary, perhaps in conjunction with future allocations, if sufficient suitable development sites are not available within the existing development limits. The assessment of sites and reviews of boundaries will be undertaken through Allocations / Development Management Policies DPD's. For settlements surrounded, or abutted, by Green Belt this may also involve a localised review of Green Belt boundaries. This does not necessarily mean that changes to Green Belt will be required only that the settlement boundaries will be reviewed. Any Green Belt changes would be of a localised nature and their impact would be assessed against the basic purposes of the Green Belt set out in PPG2. This situation to be made more explicit in the Strategy, which also clarifies the continuing role of strategic countryside gaps.**

8. Lack of Overarching Policy

- 8.1 Two respondents consider there should be an overarching policy which prioritises how the Council will deliver the Regional Spatial Strategy Targets across the District. They consider Policy CP1 should have regard to the review, consideration and designation of Development Limits and a review of the Green Belt.
- 8.2 A further response also expresses concern that the Strategy does not set a framework for how sites will be prioritised for development. This concern was particularly related to the interim period prior to the Selby Area Action Plan being adopted. The respondent is concerned that, as drafted, it is feasible that a well located greenfield site falling into Flood Zone 1 could be held from release, purely because CP1 includes the broad approach to locations to be identified within the Selby Area Action Plan.
- 8.3 The respondent suggests that the general locational principles be set out within policy CP1 and then refer to the SAAP as a separate note.

Decision

- 8.4 **Two comments were made indicating the lack of an overarching policy. One referred to impact on Development Limits and Green Belt which may have been answered in part in the previous section above. In any event it is not considered appropriate for the Strategy to be unnecessarily prescriptive on this point. A combination of monitoring progress towards the longer term targets and management of the five**

year supply in accordance with Policy CP3 is sufficient.

- 8.5 **A second comment was also concerned about a framework for the release of sites prior to the adoption of the Selby AAP and the Allocations DPD. It is anticipated that the timescale between the adoption of the two plans will be small (2 years) and that it is projected that the current Five Year Supply of land can be maintained utilising some of Selby District Local Plan Policy H2/H2A sites. Sites which are clearly not in conflict with the emerging Core Strategy will provide an initial tranche, should this be necessary. It is therefore not considered necessary for the Core Strategy to have a detailed policy on this point.**

9. Impact on Environment and Biodiversity

- 9.1 Two respondents express concern that CP1 does not make sufficient reference to the environmental and biodiversity impacts when considering the location of development.

Decision

- 9.2 **Environment and Natural Resources are listed in the Draft Core Strategy as factors which can influence the location of Development (Paragraph 4.36). They have been taken into account in Background Paper No.6 - Village Growth Potential and will also feature more strongly in the Selby AAP and Allocations DPD. It is not considered appropriate to include reference in Policy CP1 itself as it is a strategic policy which cannot make meaningful reference to all the detailed factors involved in development location. Other policies in the Strategy are aimed at protecting and improving the environment. However it is appropriate to add a reference to biodiversity in Paragraph 4.36.**

10. Freight Transport (Paragraph 4.35)

- 10.1 One respondent suggests adding the following sentence to the end of Paragraph 4.35:

“...; regional guidance also seeks to make the best use of the existing transport infrastructure and capacity and to maximise the use of rail and water for uses generating large freight movements.”

Decision

- 10.2 **This point about maximising use of transport infrastructure is accepted in principle and an appropriate addition is to be made to Paragraph 4.35. However the context provided by RSS is likely to become obsolete in the near future.**

11. Location of Office Development

- 11.1 The Highways agency sets out its policy with regard to B1 office use, pointing out that it will seek to oppose proposals for B1 uses on employment sites in the vicinity of the Strategic Route Network.

Decision

- 11.2 **The Highways Agency's policy is noted. No amendments required to Section 4 in response to this.**

12. Figure 3 - Diagrams / Key Diagram

- 12.1 Points relating to the content and presentation of the Key Diagram are:
1. The Strategic Countryside Gaps should not be shown on the Key Diagram as they may prejudice future housing sites and the Council has not produced evidence in support of retention of this Local Plan policy.
 2. Government Office suggest that the inclusion of more detail in the Key Diagram would help illustrate how places within the District will change over time. This could include annotations to indicate housing and employment land distribution in different settlements □ for example translating the information in Policies CP2 and CP9.
 3. Additional diagrams are suggested. One setting out the District's context within the region and the second being an inset diagram for the Selby area showing more detail.

Decision

- 12.2 **Point 1 relates as much to the principle of a continuing SDLP Strategic Countryside Gap policy as to its depiction in the Key Diagram. However, it is accepted that more detail concerning the implications of this and how it will be interpreted in later DPDs should be included within the text of the Core Strategy. Whether and how the policy is illustrated on the Key Diagram will follow from this.**
- 12.3 **The other points are more presentational. They would improve the readability of the document and contribute to 'telling the story', and the suggestions will be taken on board as far as possible.**

13. Figure 4 - Boundary of Selby Urban Area and SAAP

- 13.1 One respondent considered it to be inappropriate to define the boundary of the Selby Area Action Plan at this stage as use of historic parish boundaries may preclude consideration of potential development sites in adjacent parishes.

Decision

- 13.2 **This is a valid point. In any case issues concerning housing land availability and strategic development sites raised in other representations have led to the conclusion that it would be more appropriate to produce a combined allocations DPD for the whole District to be reflected in an amended LDS.**

Scale and Distribution of Housing - Policy CP2 (A)

1. Overall Scale of Housing Growth

- 14.1 Two representations question the level of housing growth, relative to the

level of employment growth which could be expected.

Decision

- 14.2 **The Council raised similar issues about the imbalance between planned housing growth and expected employment growth at the previous RSS Examination. However although RSS is due to be withdrawn it is not considered realistic to reduce the overall housing requirement established in RSS since more recent projections indicate an increase from 440 dpa in RSS to about 500dpa. This conclusion is underpinned by the Councils recent Strategic Housing Market Assessment, which identified a need for 390 affordable units per annum alone. In addition if Selby is to continue to play an active role within both the Leeds City region and the York sub-area, particularly with regard to employment growth, it would be difficult to justify a lower figure.**

2. Selby

- 15.1 Four representations express concern about the level of housing development proposed in the Selby (Area Action Plan) area. While not disputing the general focus on Selby the deliverability of the total number of dwellings identified within the SAAP area is called into question on flood risk grounds.

Decision

- 15.2 **Given the importance of concentrating growth on Selby for sustainability and regeneration reasons, a principle which has generally been endorsed through the recent (and previous) consultation, it is necessary to take a balanced view between flood risk and regeneration objectives. While Selby and adjoining settlements fall within a relatively high flood risk area (on the evidence of updated flood risk maps produced by the Environment Agency) the town is protected by modern flood defences and the recent Level 2 SFRA indicates that this affords 200 year protection from overtopping. While there remains a residual risk of flooding through a breach of the defences, or through secondary flooding caused by 'backing up' of other water courses, the Level 2 SFRA demonstrates that this is minimal risk and that the effects can be mitigated through the design and layout of development. This approach is supported by the Environment Agency.**

3. Local Service Centres

- 16.1 A small number of representations question the scale of growth proposed in the Local Service Centres, promoting more growth in Sherburn in Elmet, and either supporting the proposals for Tadcaster, or suggesting less growth.
- 16.2 Specific alternative housing figures are put forward in two representations; one proposing 50% in Selby, 20% in Sherburn, 15% in Tadcaster and 15% in Service Villages; and another suggesting 3.9% in Tadcaster based on relative affordable housing need.

Sherburn in Elmet

- 16.3 The reasons put forward for increasing the scale of growth in Sherburn are:
- Problems of deliverability elsewhere because of high flood risk;
 - The scale of growth in Designated Service Villages should be reduced, as it encourages less sustainable, dispersed development;
 - Sherburn is a relatively sustainable settlement ;
 - Evidence on housing need in Strategic Housing Market Assessment (SHMA) indicates Sherburn should have a relatively higher allocation;
 - The level of employment in Sherburn relative to Selby suggests a higher proportion of housing in the former would be appropriate.
- 16.4 Further significant growth in Sherburn may alter the character of a settlement which many people still consider to be a "village" and place a further strain on existing infrastructure and services. In determining the scale of housing growth allocated to Sherburn a balance was previously struck between the level of demand demonstrated in the Strategic Housing Market Assessment (which supports a higher figure) and the desire to avoid further stimulating outward commuting. However there is an inconsistency in this approach which does not treat Tadcaster and other settlements in the same way. LGYH have also (in
- 16.5 commenting on the Plan strategy as a whole) signalled the fact that in the longer term growth in the western part of the District will be linked with the Leeds City Region, and also recommended the need for a "plan B" if it proves unrealistic to deliver the intended scale of growth in Selby.

Decision

- 16.6 **To maintain the scale of growth proposed at Sherburn in the draft Core Strategy on the grounds that the current level of facilities, services and infrastructure are inadequate to support a higher level of growth , while noting that if these constraints can be overcome in the future, for example in conjunction with the Infrastructure Delivery Plan, that it may be possible to accommodate a higher level of growth.**

Tadcaster

- 16.7 The reasons suggested for lowering housing growth in Tadcaster are as follows:
- The SHMA results for local affordable housing need indicate a lower relative requirement than in Sherburn in Elmet;
 - The Strategic Housing Land Availability Assessment (SHLAA) does not demonstrate that the level of housing growth in Tadcaster is achievable and realistic without compromising the character and landscape quality of the town's surroundings or the integrity of the Green Belt. It is considered that capacity for only 224 dwellings has been identified in the SHLAA on sites which are not within the Green Belt, existing commitments or an existing employment land allocation. It is further considered there is insufficient justification to use Green Belt sites or the Employment Land allocation.
 - Cannot guarantee allocation can be delivered because of ownership

constraints;

- Disagree with reallocating the affordable housing need in the Northern Housing Sub-area to Tadcaster. Need in Service Village can be met through 100% affordable housing.
- On the basis of Travel to Work evidence (Background Paper No.1) the balance between allocations in Tadcaster should be amended to favour more development in Selby.

16.8 The two representations supporting the Council's approach in Tadcaster gave no further justification other than that included in the Draft Strategy.

Decision

16.9 **In determining the scale of housing growth 'allocated' to Tadcaster a balance was previously struck between the level of demand demonstrated in the Strategic Housing Market Assessment (which supports a lower figure) and the desire to overcome the negative effects of historic low completion rates and to create a more viable community, providing renewed support for facilities, services and the town centre generally, which are all reasonably well developed and appropriate for a historic small town. While it is acknowledged that the recommended designation of Appleton Roebuck and Ulleskelf as Service Villages (See comments on Policy CP1) would reduce the pressure on Tadcaster to cater for local housing need arising in the northern part of the District, there remains strong community support for further growth in the town. Tadcaster also has a role to play in both the Leeds City region and the York sub area. The proposed level of growth for the town is therefore considered to be proportionate and of benefit in boosting the town's vitality and creating a balanced community.**

16.20 **Aspirations for future growth must of course be balanced with deliverability of the key sites within the town. The SHLAA demonstrates that there are sufficient potential sites within existing Development Limits to accommodate the scale of growth envisaged which are all achievable subject to their availability. If sites prove to be unavailable within existing development limits, given the local circumstances the Council will be pro-active in securing their release and if necessary undertake a localised Green Belt review as part of the Allocations DPD.**

4. Designated Service Villages

17.1 One representation particularly disagreed with the amount of future housing allocated to Designated Service Villages on the grounds that it will encourage journeys by car to meet even basic day to day needs and will put pressure on villages for infill development. A reduction of the Designated Service Village allocation from 20% to 15% is suggested.

Decision

17.2 **While conflicting views have been submitted regarding the scale of**

growth in Service Villages it should be noted that throughout the preparation of the Core Strategy there has been strong support for a Strategy which focuses growth principally on Selby but which also does not stifle continued growth in villages. The majority of the population live in villages outside the three main towns and the location of local affordable housing need reflects this distribution. On the other hand for sustainability reasons it is important to focus development of an appropriate scale in the more sustainable settlements where there is better accessibility to local services and employment and which can be better serviced by public transport.

- 17.3 **The general strategy with regard to development in Service Villages is considered sound although there may be scope to increase the numbers accommodated . It should also be noted that the number of villages in the designated Service Villages category will be increased through the decision to combine the SAAP and Allocations DPD into a single DPD.**
- 17.5 **Some concerns have also been expressed that the delivery of housing in the designated service Villages will be restricted through flood risk considerations. However, only those villages which have a significant amount of low flood risk land and which therefore pass the PPS25 Sequential Test are being promoted as Service Villages.**

Strategic Development Sites - Policy CP2 (B)

1. Alternative Sites

- 18.1 Representations submitted on behalf of two separate landowners consider that land in the strategic countryside gap between Brayton and Selby is a suitable location for strategic development and that the sites (Option E and F) should not have been eliminated after the Further Options stage. The reasons put forward are that
- The sites have been discounted on the basis of landscape importance without the benefit of a structured landscape and visual impact assessment and there is no justification in retaining the landscape designation, and
 - the sites outperform other sites in terms of flood risk but more weight has been given to the retention of the strategic gap.

Comments

- 18.2 Landscape

A comparative assessment of landscape impacts has been undertaken as part of the evaluation of strategic development site options, and the results are summarised in Background Paper No.7. The assessments were undertaken by officers in accordance with guidance and best practice produced by the former Countryside Agency. This is considered to provide a proportionate solution to the need for landscape evidence which is relevant to local circumstances, and is very much in line with the approach to evidence gathering advocated PINS. It may help to publish further details, including the methodology used in carrying out the assessments, to satisfy the concerns raised.

- 18.3 It should also be noted that the Strategic Countryside Gap designation is a policy tool intended to prevent the coalescence of settlements and not a local landscape designation.

Flood Risk

- 18.4 As well as considering relative flood risk the PPS 25 Sequential Test must also establish whether land is "reasonably available" for development. This includes consideration of landowners aspirations, whether sites can meet the functional requirements of the development proposed, and whether it would be contrary to policy considerations. Designation and protection of Strategic Countryside Gaps in order to avoid coalescence of settlements is a long established local policy, embodied in "saved" SDLP policy, with considerable support for retention.

Decision

- 18.5 **The designation of Olympia Park and Cross Hills Lane as Strategic Development Sites is confirmed subject to the satisfactory resolution of outstanding highways and flood risk issues and ensuring an up to date evidence base.**

2. Alternative Approaches

- 19.1 One representation considers the Core Strategy is unduly site specific and that decisions about future housing land are premature before the SAAP is produced.
- 19.2 Another representation objects to the over-reliance on two strategic sites to deliver housing growth prior to the preparation of the Selby Area Action Plan. It is considered that the Council will not meet short term housing requirements and the lead time for bringing strategic sites forward could be as high much as seven years since there are no consents or masterplans in place, significant highway, flood risk and other constraints need to be overcome plus the schemes will require the co-operation of several landowners.

Comments

- 19.3 The identification of strategic development sites in the Core Strategy is in line with current guidance. The most recent version of PPS 12 specifically introduces the concept of allocating Strategic Development Sites where these are considered central to the achievement of the Strategy, as has been demonstrated in Selby through the results of the SHLAA, in combination with the PPS25 Sequential Test and the relatively high housing requirement.
- 19.4 The fast tracking of an Allocations DPD instead of the SAAP which has been suggested in response to comments on other parts of the Strategy will help overcome short term housing delivery. While the CrossHills Lane site may not be available until the medium term, as referred to below landowners are already working together to bring the sites forward, and in the case of Olympia Park where a masterplan already exists (which was approved following public consultation) there is a prospect of development of phase 1 commencing soon after adoption of the Core Strategy.
- 19.5 The Council is currently working with the Homes and Communities Agency and ATLAS to ensure that the evidence base demonstrates the viability and deliverability of both schemes.

Decision

- 19.6 **The designation of Olympia Park and Cross Hills Lane as Strategic Development Sites is confirmed subject to the satisfactory resolution of outstanding highways and flood risk issues and ensuring an up to date evidence base.**

3. Level of Detail

- 20.1 One representation considers that there is confusion as to whether the Core Strategy is defining broad areas of search (as referred to in para 4.16 and Policy CP2 B) or allocating strategic sites for development (as referred to in the key diagram and accompanying evidence base).
- 20.2 Other representations favour identifying the sites as site specific allocations and providing guidance as to the manner in which the development proposals will be advanced eg through a masterplan or an area action plan.
- 20.3 GOYH advise defining detailed boundaries on a proposals map and identifying the key principles, scale and general disposition of proposed land uses, and infrastructure and development requirements to be undertaken in a subsequent masterplan / SPD. This would avoid the need for an area action plan, and GOYH consider this is particularly applicable where strategic development sites are essential for housing delivery in the early years of the strategy and there is a need to bring forward proposals quickly in order to provide an adequate lead time for infrastructure provision. If sites are not needed until later the identification of broad locations followed by an Area Action Plan will suffice.

Decision

- 20.4 **It is accepted that greater clarity is required in the document and**

current best practice seems to favour the identification of detailed boundaries and incorporation of new policies specifically setting out the detailed requirements for the development of strategic development sites.

4. Site Specific Considerations

- 21.1 A number of expressions of support for the proposed strategic development sites, as well as concerns about the physical impact of development, have been raised through the consultation process.

a)Cross Hills Lane

- 21.2 The promotion of the site as a Strategic Development Site is supported by the two principal landowners who are firmly committed to working together in a proactive and collaborative way to create a sustainable urban extension. The landowners are currently engaged in discussions to produce a Masterplan for development of the site and acknowledge the need to provide a new link road and other infrastructure, as well as the opportunity for creating a Green Corridor, and exploiting the leisure, recreation, biodiversity and water management opportunities on the site.
- 21.3 Objection to the site is made by another respondent on the grounds that it would create an awkward shape to development with harm to the surrounding countryside and entrance to Selby. The respondent considers that the previously agreed access utilising Meadway (for a smaller, extant SDLP allocation) is preferable and less intrusive, and indicates he will seek judicial review if the Council abandons this route.
- 21.4 Two other respondents are concerned about flood risk in view of the low lying nature of the site and the potential for diverting floodwater onto adjacent properties in Leeds Road if the site is developed.

Decision

Pattern of Development

- 21.5 **The western limit to development is not defined by a physical boundary and there is scope to adjust the boundary to create a better shape to development if necessary. This site represents an opportunity to create a major planned expansion to Selby. The accompanying Masterplan will be expected to focus on ‘place shaping’ and to demonstrate a high standard of design, innovative layout and structural landscaping as an integral element of the scheme**

Access

- 21.6 **The proposed new access route is supported by NYCC, the local highways authority. It is acknowledged that it will be more intrusive and more expensive to build than the previously agreed route. As part of the ‘master-planning’ exercise the landowners will investigate, in liaison with NYCC, whether Meadway could satisfactorily accommodate the increased scale of development and what the implications would be.**

Flood Risk

21.7 The Level 2 SFRA has satisfactorily demonstrated how flood risk may be addressed without exacerbating flooding on adjoining land. Recent changes to the Environment Agency Flood Maps mean a larger area of the site is now at high risk and it will be necessary to review the PPS 25 sequential test and hazard mapping exercise to ensure that there is no significantly greater risk and that the effects can be mitigated.

b) Olympia Park

21.8 The landowners remain firmly committed to jointly bringing the site forward and have submitted a detailed delivery framework document demonstrating how the proposals can be implemented. They also suggest that part of the site is available for residential development in the short term.

21.9 The site is supported by another respondent as it will enhance the entrance to Selby.

21.10 Barlby and Osgodby Parish Council object to development on land that has previously flooded and consider that new jobs should be provided before further residential growth, although the Parish Council is not opposed to the phase 1 residential element provided there are no ground floor bedrooms, provision is made for new infrastructure (including sewage treatment) and education / other services, and the future maintenance of the jetties is resolved.

Decision

Phasing

21.11 **It is agreed that while the SHLAA suggests development is achievable in the medium – long term, the phase 1 residential (frontage land) could be available in the short term following adoption of the Core Strategy, as it relates to pdl inside development limits, and is not dependent on significant infrastructure provision.**

21.12 **In addition the requirement for an updated masterplan to accompany future applications will provide an opportunity to phase some elements of the employment part of the scheme prior to the later phases of residential, to help address the Parish council concerns.**

Flood Risk

21.13 **The Level 2 SFRA has established that the new flood defences provide 200 year protection and that while there remains a low residual risk of flooding from a breach in the defences, a number of measure are recommended to minimise and mitigate the effects (including no ground floor bedrooms).**

Infrastructure

21.14 **The updated Masterplan will provide an opportunity to ensure the provision of services and infrastructure in tandem with the**

development, for example in accordance with the developer Contributions SPD or any successor document. The jetties and associated structures remain the responsibility of the current landowner. Further consideration needs to be given to future liability, perhaps through the Masterplan.

c) Impact on Conservation Areas

- 21.15 English Heritage are concerned about the potential impact of development on the adjacent Leeds Road Conservation Area, in the case of the Cross Hills Lane site, and on the Selby Conservation area which affects a small number of riverside properties within the western part of the Olympia Park site. It is suggested that evidence is needed to demonstrate how development can be achieved in a manner which safeguards the character of each of the conservation areas. It is further suggested that the production of Conservation area assessments could assist this process.

Decision

- 21.16 **While the impact of development on existing built heritage, particularly conservation areas, is an important consideration it should be noted that it is the southern part of the Cross Hills Lane site adjacent to Selby Dam, which adjoins the Leeds Road Conservation Area and flood risk considerations will effectively preclude development in this part of the site. Similarly only a very small part of the Selby Conservation area falls within the Olympia Park site. It is therefore considered that this issue should be included in the ‘shopping list of requirements’ necessary for development to take place to be identified in the Core Strategy and that the detail be addressed through the Masterplan and at application stage.**

Affordable Housing (Policy CP5)

1. Affordable Housing Target

- 22.1 Many of the comments received were based on the misapprehension that the 40% target in the policy represented a one and only requirement from developers rather than an overall target for the Council from all sources - both publically and privately funded.

Decision

22.2 The publication at the submission stage of an accompanying SPD which includes requirements appropriate to current viability conditions should help meet many concerns. However, it is clear that the above approach also needs to be explained more clearly within the text and policy.

2. Viability

23.1 A number of respondents raised the issue of thresholds with the most substantial point concerning the lower threshold levels and their relationship with viability. The smallest theoretical sites considered in the Economic Viability Assessment (0.25 ha) would accommodate around 8 - 10 dwellings, depending upon density, and no tests were carried out on sites of 3 dwellings or less. Even so it was noticeable that the former sites were less viable than those in the larger categories. For example, in the current circumstances when viability is relatively low a threshold of three is too low to justify the provision of one dwelling.

Decision

24.2 **It is considered that this point on the close linkage between the percentage requirements and the thresholds to which they are applied is valid. It is therefore proposed to investigate the viability of smaller developments in more detail prior to finalising recommendations regarding the thresholds to be included in the policy.**

3. Site Thresholds

24.1 In addition to the point above, one or two of the responses raise issues of whether a single viability figure is appropriate across all site sizes and geographical areas. The EVA showed variations in viability across both these categories. Requirements which tried to take account of both these categories would result in a matrix of many different percentages (probably not less than twelve) which altered with the size and location of the site. Such a format for the requirement may be considered too complex to operate and maintain.

24.2 Alternatively, PPS3 suggests using a requirement which takes into account site size. Using the EVA evidence it should be possible to develop a slightly more subtle policy using 3 size categories.

Decision

24.3 **Further work to determine the figures and parameters in the Policy is required. Site thresholds to be based on either a single percentage across all sites above the thresholds, or differentiation on the basis of site size, with a preference for the latter because it is more flexible. Lower thresholds to be based on producing at least one dwelling at the appropriate viability level.**