

connect ID DCS/41

ryan king

From: Wadsworth, Steve [REDACTED]
Sent: 16 March 2010 11:48
To: ldf
Subject: consultation
Follow Up Flag: Follow up
Flag Status: Red
Attachments: 100218_Core_Strategy_Final_Comments_Form_Feb_2010.doc

Hello,

Please find attached comments.

Regards

Steve



**Comments Form
Consultation Draft Core Strategy
for Selby District
February 2010**

IDF LOCAL DEVELOPMENT FRAMEWORK

Office use
ID No:

Find out more and Let us Know your Views.....

Consultation on the Draft Core Strategy begins on Thursday 18 February 2010 and comments should be submitted by **1 April 2010**.

Details of consultation events are available through the Council's Citizenlink newspaper, the local press, and our website www.selby.gov.uk.

Copies of the accompanying evidence base including the Sustainability Appraisal Report and Background Papers can also be viewed on our website or at Access Selby, contact centres in Sherburn in Elmet and Tadcaster and local libraries in the District.

You can now submit your comments directly online and we will keep you informed about future stages of the LDF. Please go to our dedicated consultation website for the LDF at <http://selby-consult.limehouse.co.uk> to register your details and submit comments.

Alternatively you can complete a comments form (like this one) which is available from the Core Strategy pages of our website www.selby.gov.uk and e-mail to ldf@selby.gov.uk. Comments forms are also available from the 'consultation points' referred to above and may be posted to the LDF Team, Development Policy, Selby District Council, Civic Centre, Portholme Road, Selby YO8 4SB. Faxed comments, using this form should be sent to (01757) 292090.

Please submit your comments by 5pm on Thursday 1 April 2010

Please provide your contact details below. We do not accept anonymous comments.

b) Personal details		a) Agent details if you are using one	
Name	Stephen Wadsworth	Name	
Organisation	Cliff Developments	Organisation	
Address	Orchard Croft Caudle Hill Fairburn Knottingley Yorkshire	Address	
Postcode	WF11 9JQ	Postcode	
Tel		Tel	
Fax		Fax	

Email	[REDACTED]	Email	
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Please tell us on which part of the document you are commenting:

Section Number / Paragraph(s) / Policy Number

CP1 A d

Do you agree with this text / policy? Partly

Please add any comments below

What is wrong with it? How should it be changed? Does anything need adding?

For service villages in green belt there is not enough scope for development, there should be provision to redraw the village envelopes to include suitable land at the edges of those service villages to accommodate small scale developments of 1-5 dwellings to round off the envelope

Please copy / print extra sheets and use a new sheet for each section / policy

Please tell us on which part of the document you are commenting:

Section Number / Paragraph(s) / Policy Number

Do you agree with this text / policy? Yes / No / Partly

Please add any comments below

What is wrong with it? How should it be changed? Does anything need adding?

Please copy / print extra sheets and use a new sheet for each section / policy

Please add any further comments you may have about the Draft Core Strategy including:

- Any omissions
- The Background Papers / Reports
- The Sustainability Appraisal

Please sign and date the form

Signed *Steve Wadsworth*

Date 16.03.2010

If you have any questions or need some further information please contact the
Local Development Framework Team on 01757 292034 or by email to ldf@selby.gov.uk.

Please return this form **no later than 17.00hrs (5pm) on Thursday 1 April 2010**
to the LDF Team, Development Policy, Selby District Council, Civic Centre, Portholme Road,
Selby, North Yorkshire, YO8 4SB

**Please answer a few more questions on the attached sheet
which will help us to improve the way we consult in the future**

Comment

Consultee	Miss Rachael Bust (169659)
Email Address	planningconsultation@coal.gov.uk
Company / Organisation	Coal Authority
Address	200 Lichfield Lane Mansfield NG18 4RG
Event Name	Consultation Draft Core Strategy February 2010
Comment by	Coal Authority (Miss Rachael Bust)
Comment ID	DCS/1
Response Date	16/03/10 12:36
Consultation Point	Section 3. Vision, Aims and Objectives (View)
Status	Submitted
Submission Type	Web
Version	0.2

Please tell us which part of this section you are commenting:

Paragraph(s) / Policy Number

The Coal Authority is a Non-Departmental Public Body sponsored by the Department of Energy and Climate Change (DECC). The Coal Authority was established by Parliament in 1994 to undertake specific statutory responsibilities associated with the licensing of coal mining operations in Britain; handle subsidence claims which are not the responsibility of licensed coalmine operators; deal with property and historic liability issues and provide information on coal mining. The Coal Authority set up a new Planning and Local Authority Liaison Department in 2008 to re-engage with the three planning systems across England, Scotland and Wales. The main areas of planning interest to the Coal Authority in terms of policy making relate to: • the safeguarding of coal as a mineral in accordance with the advice contained in MPS1 and MPG3 in England; and • ensuring that future development is undertaken safely and reduce the future liability on the tax payer for subsidence and other mining related hazards claims arising from the legacy of coal mining in accordance with the advice in PPG14 and MPG3 in England. Coal Resources Although it is acknowledged that the Selby Core Strategy does not cover minerals specifically as this is contained within the North Yorkshire Minerals and Waste Development Framework you will be aware, the Selby area contains deep coal resources which also offer future potential for Coal Bed Methane extraction as some parts of the district have licences issued for the potential of such extraction to be investigated. Coal Mining Legacy As you will be aware, the Selby area has been subjected to coal mining which will have left a legacy. Whilst most past mining is generally benign in nature potential public safety and stability problems can be triggered and uncovered by development activities. Problems can include collapses of mine entries and shallow coal mine workings, emissions of mine gases, incidents of spontaneous combustion, and the discharge of water from abandoned coal mines. These surface hazards can be found in any coal mining area where coal exists near to the surface, including existing residential areas. The new Planning Department at the

Coal Authority was created in 2008 to lead the work on defining areas where these legacy issues may occur. Within Selby area the main mining legacy issues which need to be identified are 15 mine entries which exist from historic deep mining activity in the district. The Coal Authority has records of over 171,000 coal mine entries across the coalfields, although there are thought to be many more unrecorded. Even in areas where coal mining was deep, in some geological conditions cracks or fissures can appear at the surface. It is estimated that as many as 2 million properties of the 7.7 million properties across the coalfields may lie in areas with the potential to be affected by these problems. In our view, the planning processes in coalfield areas needs to take account of the coal mining legacy issues. The principal source of guidance is PPG14, which despite its age still contains the science and best practice on how to safely treat unstable ground. Mine entries may be located in built up areas, often under buildings where the owners and occupiers have no knowledge of their presence unless they have received a mining report during the property transaction. Mine entries can also be present in open space and areas of green infrastructure, potentially just under the surface of grassed areas. Mine entries and mining legacy matters should be considered by the Local Planning Authority to ensure site allocations and other policies and programmes will not lead to future public safety hazards. Although mining legacy is as a result of mineral workings it is important that new development delivered through the Local Development Framework, recognises the problems and how they can be positively addressed. Land instability and mining legacy is not a complete constraint on the new development, rather it can be argued that because mining legacy matters have been addressed the new development is safe, stable and sustainable. As The Coal Authority owns the coal and coal mine entries on behalf of the state, if a development is to intersect the ground then specific written permission of the Coal Authority may be required. The changes and/or comments which The Coal Authority would like to see/make in relation to mining legacy are: Objective No.7 Test of Soundness Justified Effective-X Consistency With National Policy-X The Coal Authority fully supports the re-use of previously developed land, which includes areas utilised in connection with former mining activity. However it is imperative to ensure that such land is appropriately remediated to ensure that the development will not be affected by any future ground instability or other hazards which may pose public safety concern for any future residents or occupants. The Coal Authority would like to see Objective No.7 reworded slightly as follows: "Promoting the efficient use of land including the re-use of APPROPRIATELY REMEDIATED previously developed land for appropriate use in sustainable locations." Reason – To comply with the national policy advice in PPG14 relating to the need to take account of ground stability issues within development plan making and decision making on planning applications.

Do you agree with the text/policy?

Partly

Please add any comments below

What is wrong with it? How should it be changed? Does anything need adding?

The Coal Authority would like to see Objective No.7 reworded slightly as follows:

"Promoting the efficient use of land including the re-use of APPROPRIATELY REMEDIATED previously developed land for appropriate use in sustainable locations."

Reason - To comply with the national policy advice in PPG14 relating to the need to take account of ground stability issues within development plan making and decision making on planning applications.

Comment

Consultee	Miss Rachael Bust (169659)
Email Address	planningconsultation@coal.gov.uk
Company / Organisation	Coal Authority
Address	200 Lichfield Lane Mansfield NG18 4RG
Event Name	Consultation Draft Core Strategy February 2010
Comment by	Coal Authority (Miss Rachael Bust)
Comment ID	DCS/2
Response Date	16/03/10 12:49
Consultation Point	Section 6. Promoting Economic Prosperity (View)
Status	Submitted
Submission Type	Web
Version	0.2

Please tell us which part of this section you are commenting:

Paragraph(s) / Policy Number

Policy CP9, Scale and Distribution of Economic Growth Test of Soundness Justified Effective-X Consistency With National Policy-X The Coal Authority supports the recognition within this policy of the contribution that the beneficial re-use that the district's former mining sites can make to the future economic prosperity of the area, with the economic activities obviously needing to be appropriate to their countryside locations. As indicated above it may be necessary to undertake appropriate remediation measures on these sites to make them safe for future beneficial use, this is equally applicable for built development and non-built development such as green infrastructure use. Such remediation measures will ensure public safety and will allow their effective re-use. It will be necessary to draw attention of developers to the need to consider the potential need to remediate and/or mitigate mining legacy issues on these sites. It is noted that Whitemoor and Riccall mine sites already have the benefit of planning consents for employment purposes, whilst the two other mine sites at Stillingfleet and Wistow do not yet have any consents nor does the Gascoigne Wood mine site. The Coal Authority would like some reference included within an appropriate DPD about the need to consider mining legacy issues on these sites, this may be more appropriate in a future DPD dealing with site allocations. Alternatively the following wording could be added at the end of paragraph 6.22: "...economic activities. IT WILL BE NECESSARY FOR ANY RE-USE OF THESE FORMER MINING SITES TO CONSIDER AND REMEDIATE ANY MINING LEGACY ISSUES THAT MAY BE PRESENT TO ENSURE THAT NO PUBLIC SAFETY ISSUES ARISE FROM THEIR BENEFICIAL RE-USE ." Reason – To ensure that potential developers are aware of the potential need to consider and address ground stability issues on these sites in accordance with the advice set out in national planning policy in PPG14.

Please add any comments below

What is wrong with it? How should it be changed? Does anything need adding?

The Coal Authority would like some reference included within an appropriate DPD about the need to consider mining legacy issues on these sites, this may be more appropriate in a future DPD dealing with site allocations. Alternatively the following wording could be added at the end of paragraph 6.22: "...economic activities. IT WILL BE NECESSARY FOR ANY RE-USE OF THESE FORMER MINING SITES TO CONSIDER AND REMEDIATE ANY MINING LEGACY ISSUES THAT MAY BE PRESENT TO ENSURE THAT NO PUBLIC SAFETY ISSUES ARISE FROM THEIR BENEFICIAL RE-USE ."

Reason - To ensure that potential developers are aware of the potential need to consider and address ground stability issues on these sites in accordance with the advice set out in national planning policy in PPG14.

Comment

Consultee	Miss Rachael Bust (169659)
Email Address	planningconsultation@coal.gov.uk
Company / Organisation	Coal Authority
Address	200 Lichfield Lane Mansfield NG18 4RG
Event Name	Consultation Draft Core Strategy February 2010
Comment by	Coal Authority (Miss Rachael Bust)
Comment ID	DCS/3
Response Date	16/03/10 12:54
Consultation Point	Section 7. Improving the Quality of Life (View)
Status	Submitted
Submission Type	Web
Version	0.2

Please tell us which part of this section you are commenting:

Paragraph(s) / Policy Number

Policy CP12. Climate Change Test of Soundness Justified Effective-X Consistency With National Policy-X The Coal Authority fully supports the re-use of previously developed land, which includes areas utilised in connection with former mining activity. However it is imperative to ensure that such land is appropriately remediated to ensure that the development will not be affected by any future ground instability or other hazards which may pose public safety concern for any future residents or occupants. The Coal Authority would like to see criterion b) of Policy CP12 reworded slightly as follows: "Give preference to the use of APPROPRIATELY REMEDIATED previously developed land where this is sustainably located." Reason – To comply with the national policy advice in PPG14 relating to the need to take account of ground stability issues within development plan making and decision making on planning applications.

Please add any comments below

What is wrong with it? How should it be changed? Does anything need adding?

The Coal Authority would like to see criterion b) of Policy CP12 reworded slightly as follows: "Give preference to the use of APPROPRIATELY REMEDIATED previously developed land where this is sustainably located."

Reason - To comply with the national policy advice in PPG14 relating to the need to take account of ground stability issues within development plan making and decision making on planning applications.

Comment

Consultee	Miss Rachael Bust (169659)
Email Address	planningconsultation@coal.gov.uk
Company / Organisation	Coal Authority
Address	200 Lichfield Lane Mansfield NG18 4RG
Event Name	Consultation Draft Core Strategy February 2010
Comment by	Coal Authority (Miss Rachael Bust)
Comment ID	DCS/4
Response Date	16/03/10 12:55
Consultation Point	Section 7. Improving the Quality of Life (View)
Status	Submitted
Submission Type	Web
Version	0.2

Please tell us which part of this section you are commenting:

Paragraph(s) / Policy Number

Other Comments on the Plan Policies and Content The changes which The Coal Authority would like to see in relation to New Technologies are: Policy CP12, Climate Change The Coal Authority supports the recognition in paragraph 7.26 of the potential future role the extraction of coal bed methane may have within the district.

Do you agree with the text/policy? Partly

Comment

Consultee	Miss Rachael Bust (169659)
Email Address	planningconsultation@coal.gov.uk
Company / Organisation	Coal Authority
Address	200 Lichfield Lane Mansfield NG18 4RG
Event Name	Consultation Draft Core Strategy February 2010
Comment by	Coal Authority (Miss Rachael Bust)
Comment ID	DCS/5
Response Date	16/03/10 12:57
Consultation Point	Section 4. Spatial Development Strategy (View)
Status	Submitted
Submission Type	Web
Version	0.2

Please tell us which part of this section you are commenting:

Paragraph(s) / Policy Number

The changes which The Coal Authority would like to see in relation to New Technologies are: Policy CP14, Renewable Energy The Coal Authority supports the recognition in policy CP14 of the potential future role the extraction of coal bed methane may have within the district. The Coal Authority welcomes the opportunity to make these early comments, we are of course willing to discuss the comments made above in further detail if desired and would be happy to negotiate alternative suitable wording to address any of its concerns. The Coal Authority also wishes to continue to be consulted both informally if required and formally on future stages.

Do you agree with the text/policy? Partly



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Please submit your comments by 5pm on Thursday 1 April 2010

Please provide your contact details below. We do not accept anonymous comments.

Personal details		a) Agent details if you are using one	
Name	MR. C.M. PICKUP	Name	
Organisation	PRESIDENT: OLD SERBIANS	Organisation	
Address	43, BRIDLE WALK SELBY N. YORKS.	Address	
Postcode	YO8 9DE	Postcode	
Tel	[REDACTED]	Tel	
Fax	—	Fax	
Email	—	Email	

SELBY DISTRICT COUNCIL PLANNING	
19 MAR 2010	12 APR 2010
DATE RECEIVED & LOGGED	LAST REPLY DATE

Please tell us on which part of the document you are commenting:

Section Number / Paragraph(s) / Policy Number

GENERAL

Do you agree with this text / policy? Yes / No / Partly

Please add any comments below

What is wrong with it? How should it be changed? Does anything need adding?

This document was discussed at our last meeting and the consensus of opinion was that it is fine for land to be released for building throughout the area, but it would appear that the land at the southern edge of the Crosshills area is actually very low lying and overflows from Selby Dam on a regular basis. If this land is built up where will the water level out, because it has already flooded on to Leeds Rd. in previous years at heavy rain.

Further opinion was that the quantity of housing built should be in the relation to the number of new jobs provided in the area, and not so as to increase the already large percentage of commuters daily out of the area. Effort should be made to develop the economy and also to improve the recreational facilities. Generally there was a guarded approval.


President.

Je Fraternite of Olde Selebians

Please copy / print extra sheets and use a new sheet for each section / policy

Please tell us on which part of the document you are commenting:

Section Number / Paragraph(s) / Policy Number

Do you agree with this text / policy? Yes / No / Partly

Please add any comments below

What is wrong with it? How should it be changed? Does anything need adding?

**SELBY DISTRICT COUNCIL
PLANNING**

19 MAR 2010

12 APR 2010

DATE RECEIVED
& LOGGED

LAST REPLY
DATE

Please copy / print extra sheets and use a new sheet for each section / policy

Please add any further comments you may have about the Draft Core Strategy including:

- Any omissions
- The Background Papers / Reports
- The Sustainability Appraisal

Please sign and date the form

Signed _____

Date _____

If you have any questions or need some further information please contact the
Local Development Framework Team on 01757 292034 or by email to ldf@selby.gov.uk.

Please return this form no later than 17.00hrs (5pm) on Thursday 1 April 2010
to the LDF Team, Development Policy, Selby District Council, Civic Centre, Portholme Road,
Selby, North Yorkshire, YO8 4SB

**Please answer a few more questions on the attached sheet
which will help us to improve the way we consult in the future**

ryan king

From: [REDACTED]
Sent: 19 March 2010 21:31
To: ldf
Subject: Local Development Framework Feb 2010

Having ploughed thro the 117pages of the Draft Core Strategy

Yes we need a plan but surely it could have been put before the public in a language that most of us could understand without the need for a degree in "Glossary of Terms" or acronyms. This is the major problem with the document, or is this deliberate policy so that the general public do not understand.

I am extremely disappointed that the services to support this major development/expansion of Selby District only have a passing mention, and further documents will be issued.

Schools Healthcare (Doctors Dentists etc) The Hospital Old Peoples services, Jobs etc.

These are the subjects which are of great concern, where you build houses, people will just shrug their shoulders and thats that but access to medical services etc does interest them.

The Hospital or should I say the New Hospital will come to haunt the Council.

Here we present a doc. which speaks of a population increase from the present by some 65 to 70 percent and are currently building a place smaller than existing.

It is acknowledged by NHS Trust that we have an ageing population with the current hospital predominately occupied by the aged

No doubt someone will produce a document which will require a large increase in council staff.

Too much paper printed on 'Council Speak and Government Jargonese', 10 pages of understandable

English could have told us more simply. The map on page 29 tells us everything unless you are qualified in map reading it is at best a blur and a waste of paper.

Last comment I read the book , I shall not watch the film (D V D)

Barry Hague,
34 Haig Street Selby YO8 4BY
[REDACTED]

Our Ref: MJT/GMW

17th March 2010

SELBY DISTRICT COUNCIL PLANNING	
22 MAR 2010	13 APR 2010
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townsendplanning
consultants

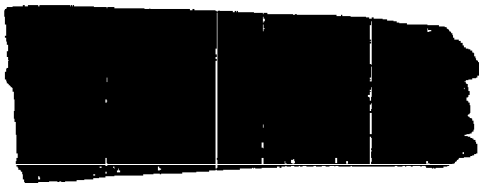
Selby District Council,
LDF Team,
Planning Services,
Civic Centre,
Portholme Road,
Selby,
North Yorkshire, YO8 4SB.

Dear Sir / Madam,

RE: REPRESENTATION TO DRAFT CORE DOCUMENT

Please find enclosed representations submitted in respect of the above matter.

Yours faithfully,



Michael Townsend BA (Hons) MRTPI
Chartered Town Planner

Encs



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Please submit your comments by 5pm on Thursday 1 April 2010

Please provide your contact details below. We do not accept anonymous comments.

a) Personal details		a) Agent details if you are using one	
Name	M TOWNSEND	Name	M TOWNSEND
Organisation		Organisation	TOWNSEND PLANNING CONSULTANTS
Address	SEE →	Address	10 RISHWORTH ST WAKEFIELD
Postcode		Postcode	WF13 6Y
Tel		Tel	01924 366735
Fax		Fax	01924 367317
Email		Email	SELBYDISTRICTCOUNCIL@selby.gov.uk selbydistrictcouncil@selby.gov.uk

22 MAR 2010 13 APR 2010
DATE RECEIVED & LOGGED LAST REPLY DATE

Please tell us on which part of the document you are commenting:

Section Number / Paragraph(s) / Policy Number

4.39

Do you agree with this text / policy? ~~Yes~~ / No / ~~Partly~~

Please add any comments below

What is wrong with it? How should it be changed? Does anything need adding?

SEE ATTACHED

Please copy / print extra sheets and use a new sheet for each section / policy

SELBY DISTRICT COUNCIL
PLANNING

22 MAR 2010

13 APR 2010

DATE RECEIVED
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LAST REPLY
DATE

Please add any further comments you may have about the Draft Core Strategy including:

- Any omissions
- The Background Papers / Reports
- The Sustainability Appraisal

Please sign and date the following
Signed _____

Date 17/3/10

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Please return this form no later than 17.00hrs (5pm) on Thursday 1 April 2010 to the LDF Team, Development Policy, Selby District Council, Civic Centre, Portholme Road, Selby, North Yorkshire, YO8 4SB

Please answer a few more questions on the attached sheet which will help us to improve the way we consult in the future

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22 MAR 2010

13 APR 2010

REPRESENTATION TO SELBY DISTRICT CONSULTATION DRAFT CORE STRATEGY – FEBRUARY 2010

GREEN BELT

The only detailed reference to how the Council intend to deal with the Green Belt is set out at 4.39 which states:-

“While the strategy aims to maintain the overall extent of 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 principles established in RSS.”

It is considered that the approach of the Council is wholly inadequate and the review of the Green Belt should include whether:-

- (i) A full review of the Green Belt for the district; or
- (ii) A review of anomalies within the Green Belt.

It is considered, however, that the Council's proposed approach is not fundamental enough to deal with all of the issues of the Green Belt and indeed it is considered that if the Council properly want to consider the future of parts of the Green Belt it could only reasonably do so by undertaking a full review. Notwithstanding this, even if the Council are not persuaded that a full review is required, it is contended that the circumstances for a review set out currently should be extended to include addressing anomalies in the Green Belt. By reference to national and regional policy it is considered that the Council will be failing in its duty if it fails to amend the approach to this issue as follows:-

- (i) National Planning Policy Guidance PPG2 – Green Belts

The functions of Green Belt are summarised in PPG2 which states:-

“That these are fivefold:-

- ***To check unrestricted sprawl of large built up areas;***
- ***To prevent neighbourhood towns from merging into one another;***
- ***To safeguard the countryside from encroachment;***
- ***To safeguard the special character of historic towns;***
- ***To assist urban regeneration.”***

At para 2.3 the advice states:-

“Green Belts are established through Development Plans”.

With regard to defining boundaries at para 2.6 the advice states:-

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"Once the general extent of Green Belt has been approved it should be altered only in exceptional circumstances through Development Plan."

With regard to defining boundaries at para 2.8 it states that Green Belt boundaries:-

"Should be carefully drawn so as not to include land but it is unnecessary to keep permanently open otherwise there is a risk that encroachment on the Green Belt may have to be allowed in order to accommodate future development. If boundaries are drawn excessively tightly round existing built up areas it may not be possible to maintain the degree of permanence that Green Belt should have. This would devalue the concept of the Green Belt and reduce the value of local plans in making proper provision of necessary development in the future."

At para 2.9 with regard to defining boundaries it goes on to state:-

"Boundaries should be clearly defined, using readily recognisable features such as roads, streams, belts of trees or woodland edges where possible."

It is considered that the review of the Development Plan is the appropriate time to consider the extent and nature of the boundaries and not only deal with issues such as growth as "exceptional circumstances" but also deal with clear anomalies where the inclusion of land within that Green Belt devalues the concept of Green Belt and does not provide the degree of permanence required by Green Belts.

(ii) Regional Spatial Strategy

Policy YH9 deals with Green Belts and at sub-section 2 states:-

"Localised reviews of Green Belt boundaries may be necessary in some places to deliver the core approach and sub area policies."

The RSS indicates that a review of Green Belt may be necessary to deliver the Core Strategy. It is considered without a more general review of Green Belt boundaries the Council cannot with confidence allocate sites within the Site Specific Proposals Document that meet the objectives of the Core Strategy. Only such a review of the Green Belt will reveal the presence of previously developed sites and those sites that are within highly accessible

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and sustainable locations which might be more suited to development that achieves the objectives of the Core Strategy.

It is considered that the failure to fully review the Green Belt at this stage will result in the development and / or allocation of sites less suited to meeting the objectives of the Core Strategy. It is considered that the review of the Development Plan is the appropriate stage at which to review the Green Belt, particularly in the light of the additional requirement for development. It is considered that without a review of the Green Belt boundaries the future Site Specific Proposals Document may not be in accordance with the Core Strategy objectives and would not conform with the RSS.

2. The Issues

The case put before the Council is that the currently proposed review of the Green Belt is inadequate and that either:-

- (a) A full review is required to properly consider all issues in respect of the Council's responsibilities to meet the RSS Core Strategy;

The functions of Green Belt are set out in PPG2 outlined above. The need to provide proper definition to the Green Belt is also set out.

The Council's attention is drawn to the approach by Wakefield MDC who have now adopted its Core Strategy. The Council's approach to the Green Belt was that it would not undertake a major review of the Green Belt as this had only recently been undertaken through a previous development process.

It will be noted that the Inspector on the Core Strategy instructed the Council that it should take a full review of the Green Belt. It is considered that Selby Council should take this into account.

- (b) That if it is not persuaded to undertake a full review it recognises that anomalies do exist in the Green Belt which revalue the concept of Green Belt and the plan and that the review of the Development Plan (at Site Specific Stage) is the appropriate time to deal with this matter. It is considered that "exceptional circumstances" can exist to justify a re-examination of the Green Belt boundaries to deal with such anomalies in the Green Belt. Failure to recognise this will not only devalue the role and function of the Green Belt but also devalue the plan. If the Council can see fit to undertake local reviews of the Green Belt boundary to deal with issues of growth then equally it is contended that it would be right and proper to review anomalies in the Green Belt where these have either been recognised or been brought to the attention of the Council and this could be done without undertaking a full review of the Green Belt if the Council are not persuaded that this is the right action. It is therefore suggested that para 4.39 be reworded as follows:-

SELBY DISTRICT COUNCIL PLANNING	
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"Whilst the strategy aims to maintain the overall extent of Green Belt, in locations where there are difficulties in accommodating the scale of growth required, consideration will be given to undertaking localised Green Belt boundaries in accordance with the principles established in the RSS. 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 Green Belt."

The Council are therefore urged to reconsider its approach to the Green Belt.

SELBY DISTRICT COUNCIL PLANNING	
22 MAR 2010	13 APR 2010
DATE RECEIVED & LOGGED	LAST REPLY DATE

ryan king

Comment ID DCS|78

From: Kathy Bond [kathy.bond@bartonwillmore.co.uk]
Sent: 25 March 2010 16:30
To: ldf
Subject: Draft Core Strategy Consultation (February 2010)
Attachments: SKMBT_C25310032517220.pdf; 18638 A5 DM Selby LDF Consultation Draft Core Strategy February 2010 V3 100323.doc

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

Regards

Kathy Bond
Branch Secretary

Planning . Design . Delivery
bartonwillmore.co.uk
3360 The Pentagon Century Way, Thorpe Park
Leeds, LS15 8ZB

Phone: 0113 2044 777
Fax: 0113 2044 778
Web: www.bartonwillmore.co.uk

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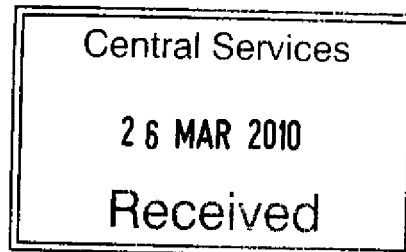
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Sent by email and post (ldf@selby.gov.uk)

Selby District Council
Local Development Framework Team
Civic Centre
Portholme Road
Selby
YO8 4SB

3360 The Pentagon
Century Way
Thorpe Park
Leeds
LS15 8ZB

t 0113 2044 777
f 0113 2044 778



25th March 2010

18638/A3/MJ/DM/kb

Dear Sir/Madam

SELBY DISTRICT COUNCIL - DRAFT CORE STRATEGY CONSULTATION (FEBRUARY 2010)

We are pleased to enclose for your attention, a submission prepared on behalf of our client Barratt and David Wilson Homes Yorkshire East Division in relation to the Draft Core Strategy Consultation.

We would be grateful if you could provide us with confirmation of receipt in due course. Our client wishes to be involved in all stages of the emerging Local Development Framework and would be pleased if you would keep us informed of the appropriate consultation opportunities.

Please do not hesitate to contact me should you require any further information.

Yours faithfully

DAN MITCHELL
Partner

Enc: Core Strategy Representations

Cc: Roy Donson – Barratt and David Wilson Homes
Paul Butler – Barratt and David Wilson Homes

tracey peam

From: Kathy Bond [kathy.bond@bartonwillmore.co.uk]
Sent: 07 April 2010 16:03
To: tracey peam
Subject: RE: Draft Core Strategy Consultation

Barratts and David Wilson Homes address is:-

6 Alpha Court
York
YO32 9WN

Regards

Kathy Bond
Branch Secretary

Planning . Design . Delivery
bartonwillmore.co.uk
3360 The Pentagon Century Way, Thorpe Park
Leeds, LS15 8ZB

Phone: 0113 2044 777
Fax: 0113 2044 778
Web: www.bartonwillmore.co.uk

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From: tracey peam [mailto:tpcam@selby.gov.uk]
Sent: 07 April 2010 15:48
To: Kathy Bond
Subject: Draft Core Strategy Consultation

Dear Kathy

Thank you for your comments in connection with the above.

We are currently updating our Limehouse Consultation website with correspondence received outside of Limehouse.

However, to be able to complete all sections we need to complete the Consultee section as well as the Agents and Limehouse requires a minimum of the address for the consultee details. I see you are acting on behalf of Barratt and David Wilson Homes Yorkshire East Division.

Could you please let me have an address for the consultees so that I am able to update the database.

If you have any comments or concerns please contact me on the number below.

I look forward to hearing from you.

08/04/2010

Kind Regards

Tracey Peam
(LDF Team)

SELBY DISTRICT COUNCIL
An 'Excellent' Council

Tel 01757 292022
Fax 01757 292090
Email tpeam@selby.gov.uk
Web www.selby.gov.uk

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Selby District Council

**Consultation Draft Core Strategy
Issued February 2010**

**Representations on behalf of
Barratt Homes and David Wilson Homes
Yorkshire East Division**

March 2010

**Selby District Council
Consultation Draft Core Strategy
Issued February 2010**

**Representations on behalf of
Barratt Homes and David Wilson Homes Yorkshire East Division**

Prepared by Barton Willmore

Barton Willmore
3360 The Pentagon
Century Way
Thorpe Park
Leeds
LS15 8ZB

Tel: 0113 2044 777
Fax: 0113 2044778

Ref: 18638.A5.DM
Date: March 2010

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EXECUTIVE SUMMARY

Barton Willmore, on behalf of Barratt Homes and David Wilson Homes Yorkshire East Division, is submitting representations to the Selby Core Strategy Consultation Draft (February 2010).

Our client is concerned regarding the formulation of the Council's strategy and the policies as drafted which are not based on a sound evidence base. This is contrary to PPS 12. We are particularly concerned that the Council's approach to both settlement expansion and 'Strategic Sites' is flawed, especially in respect of its assessment of flood risk. The Council has incorrectly prioritised poorly performing sites under PPS 25's sequential test, despite there being clearly preferential options available.

We have set out our client's concerns regarding the 'testing' of the Council's preferred Strategic Sites and the suggested timescales for delivery. We consider that housing delivery on the preferred sites will not achieve the RSS requirements in the short and medium term, effectively placing unrealistic pressure on delivery later in the plan period.

In these representations we have also set out our client's objections to the Council's approach to affordable housing. We have objected to the Economic Viability Assessment and assumptions used to underpin the Council's approach to affordable housing policy. The Council has failed to take into account the range of typical costs per dwelling and actual Section 106 costs. The EVA conclusions are extremely broad and provide no basis for formulating a sound affordable housing policy.

The representations also seek clarification on the relationship between DPDs. It is considered that the framework to be set by the Core Strategy to enable smaller sites to come forward for development is not clear enough.

Please contact us if you require any clarification.

1.0 INTRODUCTION & EVIDENCE BASE

- 1.1 These representations have been prepared on behalf of Barratt Homes and David Wilson Homes Yorkshire East Division by Barton Willmore.
- 1.2 Our client has a keen interest in the future development of Selby, and is grateful for this opportunity to engage in the forward planning process. Overall, Barratt and David Wilson Homes is keen to ensure that the Core Strategy sets a suitable framework for the delivery of housing to meet the growth needs of the district. Our client is keen to positively engage with the Council to help it achieve a robust Local Development Framework.

About Barratt and David Wilson Homes

- 1.3 Barratt and David Wilson Homes is Britain's best-known house builder. Our client has sold over 300,000 new homes around the country and is leading in the field of low carbon design, urban regeneration, social housing and innovation.
- 1.4 Barratt and David Wilson Homes is one of the largest residential developers in the UK, helping to meet housing demands in a range of towns, cities and rural areas. Our client builds a variety of housing from first-time buyer apartments to family houses to luxury penthouses, plus many homes for social rent and shared ownership.
- 1.5 Barratt and David Wilson Homes currently has a number of land interests within the district and is committed to ensuring that the right type of housing is delivered at the right time and in the right locations. Barratt and David Wilson Homes is therefore keen to work with Selby District Council to ensure that it takes forward a strategy that can meet these aspirations.

Consultation

- 1.6 The current consultation seeks comments on Selby Council's Consultation Draft Core Strategy (February 2010). This paper sets out the Council's over-arching strategic planning framework for Selby. We note that Barratt and David Wilson Homes previously submitted representations to the Issues stage and has promoted land via the SHLAA process.
- 1.7 This representation sets out our client's comments on the Consultation Draft Core Strategy which will assist the Council in preparing a 'sound' Development Plan Document. We trust that the comments provided are useful and look forward to ongoing engagement in the emerging Local Development Framework (LDF) in relation to this and other LDF documents. The structure of this report follows that of the Consultation Draft Core Strategy paper noting relevant chapters, paragraph numbers and Policies where relevant.

Representations regarding the robustness of the evidence base

- 1.8 We are aware that in connection with the Consultation Draft which runs to some 118 pages itself, a further eight background papers each with their own appendices have been produced. Additionally the Council has produced a SFRA, SHLAA, Retail Statement, Sustainability Appraisal and appendices, EVA, SHMA and Employment Study. It is not clear whether all or just some of these reports are subject to consultation alongside the Core Strategy at this stage. We have therefore set out a number of comments at this stage which question the Council's evidence base and reserve the right to make further submissions at subsequent stages.
- 1.9 As a general observation, we note that the Core Strategy as drafted is a very lengthy document and we would suggest that the Council endeavours to streamline this document.
- 1.10 Our client is concerned generally in respect of the formulation of the emerging preferred options policies, given that the Local Development Framework evidence base is still evolving. As the Council is aware, PPS 12 requires local planning authorities to justify their Core Strategies and policies founded upon a robust and credible evidence base.

Landscape and Visual Impact Assessment

- 1.11 We note that the Council has not undertaken any detailed evidence based work in respect of the landscape and visual impact of urban extensions, or, the impact of development and urban extension options on the Strategic Gap. Our client is concerned that this represents a fundamental omission in the Council's evidence base. Instead, the Council has a very short proforma at Appendix 5 of the Strategic Sites background paper (no. 7) which is the only work to justify major Strategic Sites in Selby.
- 1.12 It is widely accepted that in assessing development comprising urban extensions, that a comprehensive assessment of Landscape and Visual Impact should be undertaken. The methodology employed in carrying out a landscape and visual assessment should be drawn from the Landscape Institute and the Institute of Environmental Management & Assessment's "Guidelines for Landscape and Visual Impact Assessment" Second Edition (Spon Press, 2002). These guidelines present some common defining characteristics that underlie the approach to landscape and visual impact assessment. In accordance with these guidelines, landscape studies should provide a concise description of the existing character of the site and its surrounding landscape, and the classification of the landscape into distinct character areas or types, which share common features and characteristics. The condition of the landscape, i.e. the state of an individual area of landscape, should be described as factually as possible, and a judgement also needs to be made on the value or importance to society of the affected landscape. The assessment of landscape importance includes reference to policy or

designations as an indicator of recognised value, including specific features or characteristics that justify the designation of the area while avoiding generalisation about designated landscapes and their ability to absorb development.

- 1.13 Landscape assessment should also take into account Landscape Character Areas identified at the regional, county and local levels. From these assessments, conclusions can be drawn as to the overall sensitivity of the landscape and visual environment to the type of development envisaged. The sensitivity of the landscape to change is reflected in the degree to which the landscape is able to accommodate change (due to a particular development or land use change) without adverse effects on its character. This may be influenced by the extent of existing or new landform and/or existing vegetation or new planting. These and other factors determine the visibility of the proposed development and therefore influence the extent of its effect on the perceived character and visual amenity of the surrounding landscape. The Council has not undertaken such a robust assessment.
- 1.14 We note that the Council attaches great importance to the need to protect the existing Strategic Gap from development and urban expansions. This does, however, appear to be at the detriment of the consideration of strategic flood risk issues as land in the Strategic Gap is less (and in some cases not) prone to flood risk, compared with the preferred Strategic Sites advanced in the Core Strategy.
- 1.15 Effectively the Council has discounted two strategic options on the basis of landscape importance, without completing any structured evidence based work in respect of landscape and visual impact, and even though these outperform other sites in respect of flood risk. We also note that contrary to PPS 7 (paragraphs 24 & 25), the Council has not rigorously considered the justification for retention of the existing local landscape designation.
- 1.16 Our client considers that the weight attributed to the Strategic Gap should not be prioritised over the important issues of flood risk, especially without any evidence to support such a stance.

Sequential Test & Strategic Flood Risk Assessment

- 1.17 We are also very concerned in respect of the Strategic Flood Risk Assessment and the Council's approach to development in areas prone to flooding as per the Council's PPS 25 Sequential Test and having regard to the Scott Wilson Level 1 and Level 2 reports.
- 1.18 Firstly, we understand that this work is 'ongoing' (incomplete) and that Scott Wilson were only instructed at the level 2 stage to consider Strategic Site options A, D and G. Scott

Wilson have confirmed that the document is a 'living draft' rather than a fully completed document.

- 1.19 Having regard to the Council's Sequential Test, this document does not align with the tests set out in PPS 25. For example, the Council concludes in respect of site options E and F (which are part Flood Zone 1 & part Flood Zone 2), that these sites cannot accommodate *all* of the development requirements for Selby and as such, they represent insufficient opportunities and should be discounted (Selby DC: Sequential Test page 12).
- 1.20 We note that PPS 25 and its sequential test aim to locate development in those areas least at prone to flooding. It does not suggest that sites should be discounted on an 'all or nothing basis' in respect of their ability to accommodate growth. We contend this approach and suggest that the Council has incorrectly applied the Sequential Test. The correct conclusion in this background paper should have been to identify sites E and F (which are part Flood Zone 1 & only part Flood Zone 2), as the most sequentially preferable behind site B (Flood Zone 1), and entirely appropriate for residential development.
- 1.21 The Council should then continue to apply the sequential test to consider other sites which primarily fall into Flood Zones 2 and 3. We notes that Sites A,C, D and G all include large parts of Flood Zone 2 and 3 and therefore logically offer a lower priority for development.
- 1.22 We note that PPS 25 suggests that development should be directed towards areas of the lowest probability of flooding. In Selby's case this means Sites B, E and F. The Council has attached limited weight to this guidance.
- 1.23 We also note that PPS 25 states that:
"The Exception Test is only appropriate for use when there are large areas in Flood Zones 2 and 3, where the Sequential Test alone cannot deliver acceptable sites, but where some continuing development is necessary for wider sustainable development reasons, taking into account the need to avoid social or economic blight and the need for essential civil infrastructure to remain operational during floods." (PPS 25, para 18)
- 1.24 We consider that the Council has not clearly set out what the wider sustainable development reasons actually are to warrant a focus on developing Flood Zone 3 sites.
- 1.25 Unfortunately the Council's flood risk consultants, Scott Wilson, have not been instructed by the Council to consider the sequential test sites on pure PPS 25 grounds. They have instead only been asked to consider the sites the *Council* considers to be sequentially preferable and to justify these on the exceptions test basis, rather than to undertake a level 2 assessment and flood risk impact on all of the strategic growth opportunities. In the context of Selby

which is well known for its flooding issues, this appears to be somewhat misleading and a 'cart before the horse' approach.

- 1.26 Overall, our client is concerned that the Council has taken an unjustified stance in respect of protection of the strategic gap at all costs, despite this land outperforming other sites on the important issue of minimising flood risk.

SHLAA

- 1.27 In the case of Selby district, we are concerned regarding the robustness of the SHLAA process and its assessment of deliverability of a number of sites, including the suggested Strategic Sites. We amplify these concerns below, but would note that there appears to be an overreliance by the Council on larger sites to meet its housing numbers with an unrealistic assessment of likely delivery. Effectively the Council appears to be promoting an 'eggs in one basket' approach which our client is concerned will lead to a failure in the ability of the Council to deliver the required new homes.

Economic Viability Assessment

- 1.28 Our client is also concerned in respect of the Council's Economic Viability Assessment (EVA) prepared by DTZ which is being used to underpin the Council's affordable housing strategy. Whilst the preparation of such a document is supported, the findings of the DTZ report provide a very wide range of outcomes and conclude that generally sites are unviable in the district at 40% affordable housing, and, that the Council's affordable housing targets are ambitious in the short and medium term. Despite these conclusions, the report continues to suggest that affordable housing in Selby is realistic at somewhere between 0%-50%. Our client disputes these claims depending on the market at a particular time (EVA paragraphs 6.7-6.8 and 6.15).
- 1.29 We are also concerned by the statement that broad agreement was reached as part of the EVA. Barratt and David Wilson Homes participated in the Council's working group and disagrees with such statements. Our client has very real concerns about the Council's approach and does not agree with the approach and methodology used in the EVA process. In fact we understand that both Barratts and David Wilson Homes (and Persimmon Homes) have both raised concerns about the DTZ assumptions, which appear to have been ignored. Copies of the previous concerns can be provided if required.
- 1.30 Specifically, we have a number of particular concerns about the assumptions used in the DTZ report as follows: -

- The Executive Summary (3rd bullet) suggests that the current market is 'abnormal'. No definition is provided as to what this means. We are not aware of PINS setting any guidance or definition of what constitutes 'normal' housing market.
- Assuming as an arbitrary point, a 'normal' market involves 3 x Household income + 10% deposit = price, what does this imply for current price levels and thereby selling prices? Has this been inputted into the DTZ model?
- Table 3.2 includes an error as it suggests a lower area of sq ft for 5 bed house types and consequential values.
- At paragraph 3.43, we suggest that the use of £2,000 per unit for S106 costs is unrealistically low. The Council's own Developer Contributions SPD (adopted 2007) suggests typical costs of £1,095 per dwelling for recreational open space, plus negotiable health and community facilities contributions. Additionally, we would note that the costs of primary education are around £2,862 per dwelling (£11450 x 0.25) plus secondary education costs of £2,248 per dwelling (these are using 2006-7 figures which were inflated by about 17% in 2008-9). Therefore it follows that the Council's own SPD equates to a total potential S106 cost of £6,205; which also does not take into account any developer costs for either community facilities or a health contribution, both of which are required to be considered by the SPD but no costs are attributed. Therefore the DTZ £2,000 cost per unit is woefully short and even a £5,000 assumption is likely to be exceeded in many cases. We therefore object to the figures used in the DTZ report which appears unrealistic.
- We would also question whether the suggested figure is based on all units as DTZ may have failed to take into account only the qualifying units (i.e. those above each threshold).
- Section 5 includes a number of 'green', 'amber' and 'red' categories. It is not clear whether these relate to 'sites' or 'dwellings'. For example, the tables under paragraph 5.4 identify x% as green, but these could only be yielding a small number of units. The methodology needs further explanation as without this, it is potentially misleading and could be read that a larger proportion of sites are viable, rather than to reflect a true picture on the number of dwellings that would be viable.
- Amber is described in itself as only marginally viable. The counting of Amber as acceptable therefore cannot be supportive of the Council's Policy.

- The 50% 'pass rate' is not acceptable (para's 5.8 and 5.9). It has no factual support or justification and is not supported. It is not credible that a policy is acceptable if it is only half compliant. This is basically unsound thinking and represents an arbitrary approach.
- In respect of the scenarios' presented, a decreasing in build cost scenario is not credible. The Code for Sustainable homes will push up build costs over the next 6 years. Build costs at £85/sqft assume Code 3 but they are 2009 based and so will not include Code 3 compliant dwellings. To suggest a model based on decreasing build costs despite well publicised information on the implications of the Code for Sustainable Homes is naïve.
- In respect of the scenario suggestion rises in revenues, we note the irony of increases in house prices making affordable housing more deliverable. This position appears to ignore the fact that the gap in income and affordability would widen. Data from Savills suggests that house prices will not reach 25% increase in revenue from the 2009 position in Yorkshire and the Humber before 2016 (probably 2018). The Council's suggested Policy of 40% will not therefore be deliverable for 27% of dwellings (all other things being equal) at that point (para 5.20).
- Under Scenario 5, at the height of the market, even though S106 is under-estimated in the baseline, only 57% of dwellings met the Council's affordable housing Policy (70/30 tenure split) or 61% (50/50 tenure split) or 62% (30/70 tenure split) according to the tables on pages 37 and 38. By any measure at the height of the market, which represents a series of conditions which may never return, the 40% affordable housing policy does not work. The council's modelling cannot be certain that Amber sites (which are only marginal) can be counted.
- From the baseline of 2009 (50/50 split) if you take an optimistic viewpoint:
 - S106 at £5,000, increase in build costs of 25%, increase in revenues of 25% as a proxy for the future (as far as we can see it) then the sites are at green 50%. This is *less* than 61% position at the height of the market when it is alleged the policy worked.
 - For a 30/70 split (the most favourable) green sites are at 52% compared to 62% at the height of the market. In short the policy does not work for the next 7 or 8 years at least. We therefore question why have a policy that is known will not be

viable for more than half the plan period, where the second half viability is completely unknown.

- The DTZ conclusion that anywhere between 0-50% affordable is viable dependant on the assumptions (para 6.15) is not a basis for a sound development plan policy. In fact it is a meaningless conclusion.
- We note that there is nothing in this appraisal that sets out what the resultant land value is or establishes if the resultant land value is sufficient to encourage an owner to sell so that any houses of any tenure can be delivered.

1.31 Having regard to the above, our client is very concerned that Core Strategy policies are being formulated without a robust evidence base in place. Without this evidence, the Core Strategy preferred policies cannot be justified.

2.0 KEY ISSUES AND CHALLENGES (CORE STRATEGY CHAPTER 2)

- 2.1 Our client acknowledges that Selby is the largest settlement within the district with a population of around 13,000 and is the principal shopping and employment centre.
- 2.2 It is also recognised that the Regional Spatial Strategy (RSS) identifies Selby as a 'Principal Town' where future growth such as housing should be focussed. Therefore Barratt and David Wilson Homes support the need to ensure that the majority of future development is located within and adjacent to Selby. Our client accepts that this will be a key challenge for the Council, especially as a significant part of Selby is at high risk of flooding, an issue which is recognised in RSS.

Relationship between DPDs

- 2.3 We note that paragraph 2.14 of the draft suggests that matters such as the amount of new development, where it will be accommodated, flood risk and highway capacity issues will be dealt with at a later stage in an Area Action Plan for Selby and the adjoining villages. We are concerned with this statement which does not align with the wider strategy outlined in the draft Core Strategy or the information contained in the background papers. The Council in its draft Core Strategy is advancing a number of Strategic Sites, to be allocated in the Core Strategy now. Therefore such issues cannot be deferred until a later date in any AAP.
- 2.4 We would therefore seek clarification from the Council on the scope of the Area Action Plan and the relationship between the Core Strategy and Selby Area Action Plan DPD. There is the potential for considerable overlap, and if Strategic Sites are being proposed at this stage (rather than broad areas of search), then the suggested sites should be fully justified and supported by a thorough and credible evidence base as advised by PPS 12. Equally, the Core Strategy as drafted does not set a clear framework for the prioritisation of Strategic Sites versus other allocations that may be contained in the Area Action Plan.
- 2.5 At this point we would also question the extent of the proposed boundary for the Selby Area Action Plan which does not appear to be justified and covers a much larger area than Selby (Core Strategy Figure 4).

3.0 VISION, AIMS AND OBJECTIVES (CORE STRATEGY CHAPTER 3)

3.1 Barratt and David Wilson Homes generally supports the Vision statement in the box on page 11 and the 16 Strategic Objectives listed in paragraph 3.5. This chapter usefully sets the overall context for growth in Selby and the key issues to be addressed.

Strategic Objective 1

3.2 We note in paragraph 3.4 that the Core Strategy will pursue the listed Strategic Objectives to guide the location, type and design of new development which our client supports. Barratt and David Wilson Homes supports Objective 1 which seeks to enhance the role of the three market towns as accessible service centres, and agree that in particular, it is important to emphasis Selby's role given that it is the Principal Town.

Strategic Objective 6

3.3 Our client also considers that Objective 6 is very important given that Selby has significant flooding problems, something which is specifically referred to several times in the RSS. Therefore sensitive land uses such as housing need to be directed to areas of low flood risk or where there is evidence to demonstrate that development is important to the delivery of the Core Strategy. However, our client wishes to object to Strategic Objective 6 as drafted which is contrary to PPS 25.

3.4 PPS 25 requires local planning authorities in preparing development documents to adopt a sequential approach, prioritising land which is the lowest flood risk and only considering other sites where there are *no* reasonable alternatives in the lowest flood zone areas. Only if there are no sequentially preferable sites available, can the exception test be used and other areas considered.

3.5 Strategic Objective 6 as drafted suggests that the Council is attaching equal weight to other '*sustainability aims of the plan, where flood risk can be mitigated*'. PPS 25 does not allow for such a strategy as part of the Sequential Test, which suggests that there must be no sites available in the lowest flood zone areas, before other sites can be considered. Equally, we note that such overriding '*sustainability aims*' are not defined or identified in either RSS or the draft Core Strategy.

3.6 To make the document sound, we would suggest rewording Strategic Objective 6 to read:

"Strategic Objective 6: Prioritising new development in those areas at lowest risk of flooding"

Additional Strategic Objective

3.7 To further strengthen the Strategic Objectives, we would suggest adding a further Objective as follows:

"Additional Strategic Objective: To provide land for at least 440 net additional homes per year in the district to meet the challenge of increasing housing delivery"

4.0 SPATIAL DEVELOPMENT STRATEGY (CORE STRATEGY CHAPTER 4)

Settlement hierarchy

- 4.1 Our client supports the proposed settlement hierarchy shown in paragraph 4.13 of the document which will be used to guide future development. Selby is rightly identified as the key location for growth.

Representations to Policy CP1 (pages 18-30)

- 4.2 Paragraphs 4.14 to 4.40 provide further justification to the Council's overall spatial development strategy which is then set out under Policy CP1. We have already outlined above many of our concerns over the evidence base and the Council's strategic approach to considering the Strategic Sites. We do not repeat these concerns here, but nonetheless note that there are a number of other flaws in the Core Strategy draft.

"Strategic Sites" v "Broad Areas"

- 4.3 The Council is conflating the promotion of 'Strategic Sites' against 'broad areas of search'. The majority of the evidence base has been prepared on the basis of an assessment of 'Strategic Development Site Options' which have been assigned a letter (A-H). However, we note that paragraph 4.16 and Policy CP2 refers only to 'north west' and 'east' Selby, which we consider more closely represent 'broads areas of search', even though there is no description of what actually 'north west' and 'east' Selby actually means in terms of location.
- 4.4 None of the actual draft Policies refers to Strategic Sites in their wording, yet the Key Diagram (fig 3, p27) specifically refers to Strategic Sites. The document is therefore not clear on whether Strategic Sites are actually being included in the spatial planning policies.
- 4.5 Should the Council decide that it is not actually promoting Strategic Sites, we would suggest that there is a need to review the evidence base which has been prepared on this basis only.

Policy CP 1 – Spatial Development Strategy

- 4.6 In respect of the actual wording of Policy CP1, Barratt and David Wilson Homes welcomes and supports the need to focus on Selby and the service villages. We do, however, note that Selby cannot accommodate all of the RSS growth within the settlement boundary and as such we consider that Policy CP1 should reflect this. We therefore suggest the following wording to be added to the first bullet under part A):

- **"To accommodate the growth extensions to the built up area are required".**

- 4.7 In respect of Part B), we support generally the approach by the Council to considering a range of sites via an Area Action Plan for Selby. However, we have set out above our concerns in respect of the relationship between DPDs and note that Policy CP1 as drafted does not set any framework for how sites will be prioritised for development, given the time delay before an adopted Area Action Plan is in place.
- 4.8 To amplify these concerns, we note that it is entirely feasible for a well located, sustainable green field site falling into flood zone 1, to be held from coming forward at this stage despite a contribution to housing land supply at a time of short supply, purely because Policy CP 1 as drafted, includes the broad approach to locations to be identified within the AAP.
- 4.9 To make Policy CP1 sound, the Council should set out the general location principles for development within Policy CP1, and then to refer to its Area Action Plan as a separate note.
- 4.10 Policy CP1 also suggests that the Council will adopt a sequential approach to direct developments away from the lowest flood risk areas. As we have set out under chapter 1 above, this is not the strategy that has been adopted by the Council. There are Strategic Site options that outperform the Council's preferred development options.

Representations to the Key Diagram (fig.3) & AAP boundary (fig. 4)

- 4.11 In respect of the key diagram, it would be helpful for a more detailed version perhaps with an inset for Selby, given the importance of the Town as a centre for growth.
- 4.12 We would also request that the Strategic Gap be deleted as the Council has not produced any evidence to support the retention of this Local Plan policy. We note that no justification has been provided to support its retention, contrary to PPS 7.
- 4.13 With regard to Figure 4, the map shows the Selby urban area and the area to be covered by the Selby Area Action Plan. It also shows the existing development limits as shown in the present Selby District Local Plan. The Core Strategy will need to ensure that it accords with the Selby Area Action Plan in terms of the same area for the Selby AAP and the same development limits for Selby.

5.0 CREATING SUSTAINABLE COMMUNITIES (CHAPTER 5)

Representations to Policy CP2

- 5.1 Our client wishes to make a number of comments in respect of Policy CP2 and its supporting text on pages 31-35.

Housing distribution (CP2, Part A)

- 5.2 Firstly, our client broadly supports the suggested housing distribution set out under Policy CP2 part A. This generally conforms to RSS and the strategy to focus development towards Selby.
- 5.3 For clarity, we would however seek clarification on the capacity of the Service Villages to accommodate 1265 dwellings, and whether Barlby, Osgodby, Brayton and Thorpe Willoughby have been factored out of this figure, given that they appear alongside Selby in the first row. This would ensure that these settlements are not being double counted in respect of their ability to accommodate growth.

Strategic Site delivery

- 5.4 Our client wishes to object to part B) on several grounds.
- 5.5 Part B as drafted prioritises 'north west' and 'east' Selby. Due to the time taken to prepare an AAP for smaller sites, the Council is effectively suggesting that these two major locations will be the only source of housing in the shorter to medium term. We have set out in our earlier comments that there are no definitions of what is meant by 'north west' and 'east' Selby and have raised objections to what appears to be a conflation between broad areas of search and a Strategic Site.
- 5.6 Whilst PPS 12 includes no definition of Strategic Sites, it does suggest that such sites need investment and a long lead in time, and that the Core Strategy should include a submission proposals map and more site specific criteria to allow a more precise definition. The Core Strategy as drafted fails to set out any greater detail in respect of these PPS 12 requirements.
- 5.7 We also refer to the latest NHPAU guidance "Housing Supply and Planning Controls" (January 2010). This documents sets out a range of issues affecting the delivery of housing sites and suggests that larger sites can take 4-5 years from planning decision to completion of housing on site. Adding the complexity of gaining planning consent and preparing masterplans, it is

not uncommon for larger sites to take 7 years plus to achieve completions on site from inception.

5.8 In respect of the suggested Strategic Sites at north-west and east Selby, we understand that:

- there are no current planning consents in place;
- there are no masterplans or development briefs available setting design standards for each site;
- we are not aware of any public consultation in support of the major strategic sites proposed;
- there are several of landowners involved without overall consensus;
- the sites are subject to major flooding mitigation works which would need to be completed prior to any development commencing;
- contamination and remediation issues are yet to be addressed; and
- there are major highway infrastructure works required.

On this basis, we are concerned that the lead in time for these sites will be substantial and make take several years. The Council has presented very little evidence to suggest the *certainty* of the Strategic Sites preferred. Even if Strategic Sites A and D are successful and gain consent, it is unlikely that delivery rates on these large sites will be any greater than 50-100 dwellings per year in totality on a phased basis. As such, the housing shortage is more acute than that suggested by the Council.

5.9 The implications of Policy CP2 B are that the Council will continue to fail to meet its housing targets in the short term. We are concerned that the Policy as drafted effectively seeks to back load delivery to unrealistic levels which may never be achieved. With the Area Action Plan not scheduled for adoption until late 2012 (Selby LDS), this could leave a sizeable shortfall against the RSS housing requirements.

Policy CP 3 - Managing Housing Land Supply

5.10 Our client is concerned with the justification and wording of Policy CP3. The trajectory at figure 5 clearly identifies that the Council is forecasting a shortfall in its housing delivery up until 2014, and has not sought to identify how an increased output later could make up that shortfall. On this basis alone, we see no justification for having Policy CP3 at all.

5.11 PPS 3 requires local planning authorities to have a clearly identifiable rolling 5 year land supply of specific sites that are available now, and identify specific sites for 6-10 year and broad locations for 10-15 years.

- 5.12 RSS requires local authorities to manage the release of land and to adopt a flexible approach by not treating RRS housing figures as ceilings (Policy YH2 B5).
- 5.13 Given that Selby itself has identified such a shortfall in its housing delivery and major constraints such as flooding, we see no justification for Policy CP3 and this should be deleted.
- 5.14 Part B in any event refers to the potential of a drawdown from the Area Action Plan DPD. Given that the AAP is only schedule to be adopted in late 2012, Policy CP3 provides no mechanisms at all for addressing the highly probable housing shortage. Its inclusion appears only to reinforce the general reluctance of the Council to embrace the 'new' PPS 3 culture of proactively planning for and increasing housing opportunities.

Policy CP 5 - Affordable Housing

- 5.15 We have set out under section 1 above, our concerns regarding the approach to affordable housing and evidence base. The EVA is flawed and there is simply no basis for the 40% target suggested by the Council. We do not repeat those concerns here but would note that our client objects to this Policy.
- 5.16 We are concerned in respect of the last two sentences at paragraph 5.89 which suggests that even if sites are proved to be unviable, the Council will ignore such testing and require at least some contribution to affordable housing in some way, except in the most exceptional of circumstances. Such a comment ignores the council's own approach to affordable housing, its evidence base and suggests a mistrust of developers generally. It is not helpful and should be deleted.
- 5.17 We do wish to add our objections to part E which suggests that on larger schemes affordable housing provision will be reviewed prior to the commencement of each phase. Our client objects to this approach which provides no definition of what constitutes a 'larger scheme' and would cause delays to completions. The council has suggested no Policy basis for the operation of such a requirement which appears at odds with affordable housing guidance.

6.0 IMPROVING THE QUALITY OF LIFE

Policy CP 13 – Improving Resource Efficiency

- 6.1 Our client wishes to object to Policy CP13 as drafted which sets a Policy framework requiring developers to 'employ the highest viable level in respect of the Code for Sustainable Homes'. This suggests that the Council will seek viability assessments from developers demonstrating that any scheme delivers the absolute highest Code level. Such an approach is not aligned with Government guidance.
- 6.2 We object to this Policy and note that the Council itself has rejected specific requirements for developers on the basis of changes to the Government's approach on the Code for Sustainable Homes and its own conclusions that there is no robust local evidence to support such requirements.
- 6.3 We also note that the Consultation Draft PPS: 'Planning for a Low Carbon Future in a Changing Climate' (2010) suggests that local planning authorities should assess their area for opportunities for decentralised energy. The assessment should focus on opportunities at a scale which could supply more than an individual building and include up-to-date mapping of heat demand and possible sources of supply. It is not clear whether such evidence based work has been completed to support the Core Strategy policy. We therefore consider part a) to be unsound as there is no evidence to suggest the 10% target for reduced energy from decentralised and / or renewable sources is realistic.

7.0 CONCLUSIONS

- 7.1 Barratt and David Wilson Homes has concerns regarding aspects of the Core Strategy and is submitting these representations.
- 7.2 In particular, our client has raised concerns regarding the evidence base and what appear to be a blanket stance in considering the option of development in the current Strategic Gap, even though this meets other policy objectives most notably PPS 25. The Council is instead promoting two Strategic Sites, both of which are very seriously affected by flooding.
- 7.3 We have made representations in respect of the framework set for considering smaller sites in the context of the Area Action Plan and sought clarification regarding the approach to Strategic Sites in the spatial policy wording.
- 7.4 Additionally, we have raised a number of fundamental questions in respect of the Council's approach to affordable housing and the somewhat wide ranging findings of the EVA. It is our client's view that with such an open conclusion in the EVA, it is impossible for the Council to formulate and justify its approach to affordable housing as set out in the draft Core Strategy. The Council's evidence base and approach to affordable housing does not support the 40% affordable housing suggested and is contrary to PPS 3.
- 7.5 We would be grateful if you would acknowledge these representations and keep us informed of future stages of the Local Development Framework.

Consultation ID 415894
Agent ID 415898

ryan king

Comment ID DCS/46

From: Amy Denton [Amy.Denton@jmp.co.uk]
Sent: 26 March 2010 16:43
To: ldf
Subject: Highways Agency Response

Attachments: Core Strategy HA Response Feb 2010.doc



Core Strategy HA
Response Feb ...

Please find attached response on behalf of the Highways Agency to the current Consultation on Draft Core Strategy.

Please do not hesitate to contact me with any comments.

Regards,
Amy Denton
Principal Transport Planner
JMP Consultants Ltd, Minerva House, East Parade, Leeds LS1 5PS

[D] 0113 2045768
[T] 0113 244 4347
[F] 0113 242 3753
[W] <http://www.jmp.co.uk>

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JMP Consultants Ltd
Registered office: Mercantile Chambers, 53 Bothwell Street, Glasgow, G2 6TS
Registration number: SC88006

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Your ref: NEA2049

LDF Team
Development Policy
Selby District Council
Civic Centre
Portholme Road
Selby
YO8 4SB

Simon Jones
Highways Agency
3 South
Lateral
8 City Walk
Leeds LS11 9AT

Direct Line: 0113 2834710
Fax: 0113 2835367

25th March 2010

Dear Sirs

Draft Core Strategy

Thank you for your invitation to consult on the Selby Local Development Framework (LDF). The Highways Agency has reviewed the document and would wish to comment on issues that are relevant to the interests of the Agency.

The Highways Agency's key concern is to protect the primary role of the Strategic Road Network (SRN) and to ensure its safe and efficient operation. The Highways Agency would therefore have concerns over any development proposals or plans which could have a material impact on this. Circular 02/2007, Planning and the Strategic Road Network, sets out the Highways Agency's role in the LDF process.

The Highways Agency provide the following statement and request it is included in the transport evidence base for the plan.

SRN Description and Operational Conditions

Within Selby District there are three sections of the Strategic Road Network (SRN) managed by the Highways Agency on behalf of the Secretary of State for Transport. Those sections are:

- M62 from east of Ferrybridge to Great Heck, including Junction 34 with the A19,
- A1(M) at Bramham Crossroads, and
- A64(T) from Bramham Crossroads to Bilbrough.

The M62 and A1(M) are three lane dual carriageway motorways with grade separated junctions. The A64(T) is an all-purpose two lane dual carriageway with grade separated junctions.

Operational conditions

At present no sections of the SRN within Selby district have regular weekday traffic congestion problems. However, the A64(T) acts as a commuter route between York and the towns and villages beyond and the West Yorkshire urban centres. Thus there is a predominant traffic flow in the westbound direction in the morning peak and eastbound in the evening peak.

In addition the A64(T) is subjected to a considerable amount of leisure traffic as it is a route from the urban conurbations of south and west Yorkshire to the Yorkshire coastal towns and North York Moors

National Park. This can result in a considerable variation in traffic demand levels, particularly at weekends and on bank holidays.

Traffic congestion can occur on the A64(T) and its junctions within the vicinity of York as a result of the more-popular race meetings at York Racecourse.

Proposed Network Enhancements

The Highways Agency has no proposals for capacity enhancements to the M62 or A64(T) within Selby District. However, the A1 to the north of Bramham Crossroads is currently being upgraded from all-purpose trunk road to motorway. As part of this upgrade a parallel all-purpose service road has been constructed between Bramham Crossroads and Wetherby to the north.

Locational Policies

It is Government policy to encourage the use of sustainable modes of transport in order to reduce dependency on the private car and the consequent adverse impact car use has on the environment. Thus accessibility to travel options and mode choice are fundamental elements to be considered in the location of new developments.

The Highways Agency recognises that some employment sites identified already have extant planning permission which includes B1 office use. The Agency fully supports the locational requirements for office use set out in PPS6 and in the RSS Policy E2A. Thus for those employment sites in the vicinity of the SRN for which planning applications will need to be submitted the Agency will seek to oppose proposals including B1 office use other than as ancillary to the main employment use.

Chapter 3 Vision, aims and objectives

The Highways Agency supports the inclusion of objectives 3, 8 and 16. These objectives are all in line with the Highways Agency's approach to Planning and the Strategic Road Network highlighted in Circular 02/2007.

Chapter 4 Spatial Development Strategy

The Core Strategy emphasizes the desire to develop more balanced communities through reducing out commuting to Leeds by the provision of enhanced services, facilities and jobs. As such the settlement hierarchy focuses development on Selby and local service centres Tadcaster and Sherburn in Elmet. If current work and travel patterns continue then it is likely that this development pattern will impact upon the SRN. Are checks and balances in place to ensure the desired change in work and travel patterns occurs? The infrastructure requirement of the continuation of existing patterns compared with that proposed in the Core strategy would be quite different.

Chapter 5 Creating Sustainable Communities

The Highways Agency support the inclusion in Paragraph 5.122 of Highways works and Public transport infrastructure and request that they are involved in the development of the Infrastructure Delivery Plan. Circular 02/2007 states that

"... the Agency will also provide guidance for the incorporation in the plan, on the scale and nature of improvements to the strategic road network and demand management measures that will be considered in order to facilitate development."

In relation to CP8 the policy needs to identify any infrastructure which is critical to the delivery of the Core Strategy and need to identify how improvements included in the Core Strategy will be funded. Without a

realistic agreed identified funding source infrastructure improvements are merely aspirations. If these infrastructure improvements are considered critical to the delivery of the Core Strategy and they do not have a realistic funding source the Core Strategy would be considered unsound.

Chapter 6 Promoting Economic Prosperity

The Highways Agency supports the approach to reduce out commuting through restructuring the local economy. However as highlighted earlier it is important to have checks and balances in place in order to ensure current patterns of out commuting to Leeds are not continued.

The document does not give any indication of the likely quantum of different development types. The Highways Agency would like to understand the likely split of development land use types so they are able to model the potential impact. Different land use types generate different trip patterns so it important to understand the likely quantities and locations of B1, B2 and B8 development anticipated within the plan. The Highways Agency would also like to understand the scale of development envisaged as part of the A19 corridor as this is likely to have implications on the SRN.

The Highways Agency were involved in a number of meetings last year regarding modelling the impacts of development on the local road network. It was understood that outputs from this modelling would feed into the Highways Agency's strategic model the Network Analysis Tool (NAT). These outputs have not yet been received by the Highways Agency. The Highways Agency have therefore been unable to assess the potential impact of Selby's development aspirations on the SRN.

Chapter 7 Improving Quality of Life

The Highways Agency support the inclusion of policy CP12 a) on reducing the need to travel especially by private car. A key mechanism for supporting this policy is to encourage developers to provide a range of sustainable travel options for people using their development through the use of Travel Plans.

The Highways Agency request the requirement for a travel plan is more strongly reflected in the Core Strategy Policies. Travel Plans are an integral part of the planning process and an essential measure to mitigate the impact of traffic generated by new development. A Travel Plan will be used as the foundation for a Transport Assessment prepared in accordance with the Department for Communities and Local Government / Department for Transport guidance and it should be in conformity with prevailing guidance.

Travel Plans should demonstrate a firm commitment by developers and occupiers to reduce the number of single occupancy car trips generated by, or attracted to, their site. They should set out mode options available to travellers, identify interventions to enhance the availability and capacity of sustainable transport modes (such as walking, cycling and public transport), set mode share targets based on those modes, identify a system for monitoring the effectiveness of the plan and a programme for reviewing and modifying it to ensure agreed outcomes are achieved.

Working with the District Council the Highways Agency will advise developers how to prepare, implement, monitor, review and update Travel Plans to support their development and will consider tri-partite agreements with the Council and developers where appropriate. The Highways Agency has developed toolkits of Active Traffic Management and Integrated Demand Management which can be used to regulate traffic on the Strategic Road Network. These interventions are preferred to capacity improvements.

If after Travel Plan measures have been considered there is still a likelihood of traffic from development having a material impact, either in terms of safety or capacity, on the strategic road network then the cost of any improvements deemed necessary will have to be met by those developments materially

contributing. Operational conditions on the strategic road network and its interface with the local highway network and the potential implications of new development will be kept under review and the most up to date information will inform decisions about proposals for development.

The document makes no reference to the emerging North Yorkshire third Local Transport Plan (LTP3). This is an important delivery mechanism for the Selby Core Strategy. The Highways Agency would like to see evidence of partnership working with the emerging LTP3. This is particularly important if Selby are to successfully achieve the policy 12 a) reducing the need to travel especially by private car and CP8 Access to Services, Community Facilities and Infrastructure.

Chapter 8 Implementation

As a strong theme of the Core Strategy is reducing the districts dependency on out commuting to Leeds it is suggested that this needs to be reflected in the indicators. It will be important to identify if the self sustaining principles are not being effective as continuation and exacerbation of the existing travel to work patterns would require different infrastructure provision over the plan period. It is therefore requested that the plan include an indicator relating to the net number of people commuting out of the district and the number of people living and working within Selby district. Implementation chapter also needs to outline what contingencies are in place should existing commuting patterns continue.

Our LDF consultants, JMP Consultants Ltd supported by Aecom have a team of transport planners and engineers available to work with you to support a sustainable development framework. The contact at JMP is Amy Denton on 0113 2444 347 (amy.denton@jmp.co.uk). **Please contact Amy to arrange a meeting to discuss this response. The Highways Agency request that a written response to their comments is provided, making available additional evidence where it has been highlighted as necessary.**

I hope that the above comments are helpful. Should you require further information or clarification, please do not hesitate to contact me.

Yours sincerely

Simon Jones
NO Yorkshire and the Humber Planning
Email: Simon.Jones@highways.gsi.gov.uk

Consultee ID 415894

Agent ID 415895

Comment ID DCS/46

ryan king

From: Amy Denton [Amy.Denton@jmp.co.uk]
Sent: 12 April 2010 15:20
To: ldf

Dear LDF Team

I recently responded to the Draft Core strategy consultation on behalf of the Highways Agency. Please do not hesitate to contact me if it would be useful to arrange a meeting to discuss the Highways Agency's comments in more detail.

Regards,
Amy Denton
Principal Transport Planner
JMP Consultants Ltd, Minerva House, East Parade, Leeds LS1 5PS

[D] 0113 2045768
[T] 0113 244 4347
[F] 0113 242 3753
[W] <http://www.jmp.co.uk>

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JMP Consultants Ltd
Registered office: Mercantile Chambers, 53 Bothwell Street, Glasgow, G2 6TS
Registration number: SC88006

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ryan king

Comment ID DCS/47

From: Carolyn Wilson [carolyn.wilson@monoconsultants.co.uk]
Sent: 26 March 2010 17:06
To: ldf
Subject: Selby Draft Core Strategy Consultation
Attachments: Selby Core Strategy Rep.pdf

Dear Sirs

Please find attached a response on behalf of the Mobile Operators Association in respect of the above.

Carolyn Wilson

Carolyn Wilson MRTPI
Senior Planner
Mono Consultants Ltd
Tel: 0141 270 2736
Mob: 07917 172 789
E-mail: carolyn.wilson@monoconsultants.com

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29/03/2010



Terry Heselton
Principal Planner (LDF Team)
Selby District Council
Civic Centre
Portholme Road
Selby
North Yorkshire
YO8 4SB

Date: 26th March 2010

Dear Sir

SELBY LOCAL DEVELOPMENT FRAMEWORK: CONSULTATION ON DRAFT CORE STRATEGY

The Mobile Operators Association (MOA) represents the five UK mobile network operators – 3, O2, Orange, T-Mobile and Vodafone – on radio frequency health and safety and associated town planning issues.

The MOA has commissioned MONO Consultants Ltd to monitor all emerging development plan policies and supplementary planning guidance relating to telecommunications development on its behalf.

Please find attached a response to the current consultation documents prepared by MONO Consultants Ltd on behalf of the MOA.

Yours faithfully,

John Cooke
Executive Director



Terry Heselton
Principal Planner (LDF Team)
Selby District Council
Civic Centre
Portholme Road
Selby
North Yorkshire
YO8 4SB

MONO CONSULTANTS LIMITED
48 ST VINCENT STREET
GLASGOW G2 5TS
t. 44 (0)141 566 6660 f. 44 (0)141 566 6661
www.monoconsultants.com

Date: 26th March 2010
Our Ref: CW/dpm

Dear Sir

SELBY LOCAL DEVELOPMENT FRAMEWORK: CONSULTATION ON DRAFT CORE STRATEGY

Thank you for your recent consultation on the above.

We have no comments to make in respect specific issues & options for the Core Strategy as we understand that this is a strategic document. We would take this opportunity however to comment that we consider it important that there remains in place a telecommunications policy within the emerging Local Development Framework. It is recognised that telecommunications plays a vital role in both the economic and social fabric of communities. National guidance recognises this through PPG8, which provides clear guidance as to the main issues surrounding telecommunications development. These include the legislative framework, siting and design issues, levels of consultation and issues surrounding electromagnetic fields (EMFs). Clear guidance is also given regarding what should be included within local plan (now LDD) policy.

This guidance states that local plans (LDDs) should set out criteria based policies to guide telecommunications development and that whilst regard should be had to siting and design considerations, operational efficiency should not be inhibited. PPG8 also makes clear that "*Criteria should be flexible enough to allow for the efficient development of the network and the demands imposed by the technology*".

Since the revision of PPG8 in 2001, the Office of the Deputy Prime Minister (ODPM) has produced, in conjunction with the industry, a Code of Best Practice. This builds on the Ten Commitments to ensure that the industry is alive to the concerns of local communities and consultation is built into the development process.

As indicated above the formulation of policy does not exist in isolation and there are numerous documents which will affect the formulation of any telecommunications policy, the most important of these being PPG8. On this basis we would suggest that within the Local Development Framework there should be a concise and flexible telecommunications policy contained within one of the Council's statutory Local Development Document. We recognise that this is likely to be contained in a Development Control/Management DPD rather than the Core Strategy which is of a strategic nature. Such a policy should give all stakeholders a clear indication of the issues which development will be assessed against. We would suggest a policy which reads;

Proposals for telecommunications development will be permitted provided that the following criteria are met: -

- (i) ***the siting and appearance of the proposed apparatus and associated structures should seek to minimise impact on the visual amenity, character or appearance of the surrounding area;***



- (ii) *if on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact to the external appearance of the host building;*
- (iii) *if proposing a new mast, it should be demonstrated that the applicant has explored the possibility of erecting apparatus on existing buildings, masts or other structures. Such evidence should accompany any application made to the (local) planning authority.*
- (iv) *if proposing development in a sensitive area, the development should not have an unacceptable effect on areas of ecological interest, areas of landscape importance, archaeological sites, conservation areas or buildings of architectural or historic interest.*

When considering applications for telecommunications development, the (local) planning authority will have regard to the operational requirements of telecommunications networks and the technical limitations of the technology.

it will of course depend on your Local Development Scheme as to which documents are produced, which documents have a statutory role in development control and which would be considered as material considerations. We would suggest that this policy be a stand alone policy within one of the main LDDs, with any back ground information, such as electromagnetic fields (EMFs) and public health, being contained within a separate LDD or what is currently termed Supplementary Planning Guidance (SPG). This could then be read with PPG8, the Code of Best Practice to give a comprehensive background to any proposed development. We would consider it appropriate to introduce the policy and we would suggest the following;

Modern telecommunications systems have grown rapidly in recent years with more than two thirds of the population now owning a mobile phone. Mobile communications are now considered an integral part of the success of most business operations and individual lifestyles. With new services such as the advanced third generation (3G) services, demand for new telecommunications infrastructure is continuing to grow. The Council are keen to facilitate this expansion whilst at the same time minimising any environmental impacts. It is our policy to reduce the proliferation of new masts by encouraging mast sharing and location on existing tall structures and buildings. Further information on telecommunications can be found in Local Development Document.....

In summary, we recognise the early stage of LDFs and the early stage of the consultation process at which we are being asked for comment. We are suggesting that a clear and flexible telecommunications policy be introduced in one of the main LDDs. This should be introduced by a short paragraph outlining the development pressures and the Councils policy aims. We have suggested text for both above. In keeping with the aims and objectives of the new legislation any background information should be contained within a separate LDD which would not need to go through the same consultation process.

We trust you find the above comments of assistance. Please do not hesitate to contact me should you have any queries relating to the above matters.

Yours faithfully


Carolyn Wilson MRTPI
 SENIOR PLANNER

direct dial: 0141 270 2736

e-mail: carolyn.wilson@monoconsultants.com

Comment

Consultee Mr Steve Cobb (413332)
Email Address [REDACTED]
Address 11
Fairfield Way
Tadcaster
LS24 9SP
Event Name Consultation Draft Core Strategy February 2010
Comment by Mr Steve Cobb
Comment ID DCS/6
Response Date 27/03/10 13:40
Consultation Point Section 2. Key Issues and Challenges ([View](#))
Status Submitted
Submission Type Web
Version 0.1

Please tell us which part of this section you are commenting:

Paragraph(s) / Policy Number

CP1

Do you agree with the text/policy? No

Please add any comments below

What is wrong with it? How should it be changed? Does anything need adding?

CP1 and 2 and 5 Tadcaster's contribution to the district's housing needs could be met by developing the many empty properties in and around the town's centre owned by SSOB

6 A significant move towards prosperity in the Selby District would be created by improving the junction between the A64 and the A162 to improve the connection with the A1

Land between Tadcaster and the A64 should be available for development baring in mind some is Wharfe Flood Plane

Comment

Consultee Mr David Brewer (413345)
Email Address [REDACTED]
Address 4 Watson Garth
Appleton Roebuck
York
YO23 7EE
Event Name Consultation Draft Core Strategy February 2010
Comment by Mr David Brewer
Comment ID DCS/7
Response Date 27/03/10 18:07
Consultation Point Draft Core Strategy - Full Document ([View](#))
Status Submitted
Submission Type Web
Version 0.2

To make any further comments you may have about the Draft Core Strategy including any omissions, the Background Papers/Reports or The Sustainability Appraisal please pick the relevant document in the drop down list and leave you comments in the box below.

Background Paper 5 - Sustainability Assessment of Rural Settlements

Please add any comments here.

This paper has been used to justify the Spatial Development Strategy (DCS page 23) but on close inspection it seems to be nothing more than a blatant attempt to justify previously agreed conclusions as the "indicators" chosen can only favour the largest settlements, and even then some of the information presented is not correct. Classification by Size; By now it is quite clear that the Council think that big is beautiful and have come up with a classification system that completely ignores the fact that the majority of people in the district live in the rural areas and they have as much right as any other resident in the District to an "improved quality of life" as promised in the Council's own Mission Statement. To deny nearly 50% of the population the means to improve their quality of life is not only inequitable it is probably against the Council's own constitution; it is almost certainly against the European Human Rights Laws. Basic Local Services; Table 2 on page 7 of this background paper ignores Appleton Roebuck's excellent Post Office service - why? Surely Appleton Roebuck should be in Overall

Classification 2. Public Transport; The convoluted statistical approach adopted again seems to have been used in order to discriminate against smaller rural settlements. A resident of one of these settlements could legitimately believe that the Council have looked at the situation from the wrong perspective. All villages above 600 population have some form of service allowing commuting to Principal or Local Services. If the Council think that this basic service should be improved, to enhance the sustainability of these villages, then the Council should be considering ways of encouraging more frequent services. It may surprise the Council to know that people have enough sense to gear their journeys around the service available, and they are usually only going to work once in the day. Having made that journey it is completely irrelevant whether there are another one or one hundred and one services as they can't use any of them having already arrived at work! Access To Local Employment Opportunities; The Council's objective of restricting commuting distances within the District to 5 miles or less is totally unrealistic, ignores basic geography, and discriminates against rural settlements. Why have the Council used such a low, unattainable, and arbitrary figure? Why not 6 miles or a more realistic 10 miles, which is still less than commuting out of the District as 59% of the working population currently do. No explanation is given for choosing this figure of 5 miles. However, using the 5 mile limit set by the Council, the statistics offered do not bear scrutiny. Escrick is shown in Category 2 (within 5 miles of Major Employment Location) but it is more than 5 miles from both York and Selby. It is suspected that the Council will argue that it is within 5 miles of Greater York (as it would not be sensible to assume that all jobs are located at the Minster) but in that case Appleton Roebuck should also be in Category 2. In the same discriminatory and arbitrary way the considerable Employment Location of Bilbrough Top is ignored, which also requires explanation. If the DCS is implemented then by design every worker in the building industry, living in Secondary villages, will have to travel more than 5 miles to work as all building work will cease in these settlements - not very "sustainable". Conclusion; The Core Strategy Background Paper 5 seems to be nothing more than a blatant attempt to justify previously agreed conclusions, using methodology that by its very nature discriminates against the rural population, with statistical analysis that does not stand up to critical scrutiny.

ryan king

Comment ID DCS/7

From: [REDACTED]
Sent: 28 March 2010 11:49
To: ldf
Cc: selby-consult.limehouse.co.uk@bttestdom.co.uk
Subject: Comments on Draft Core Strategy

- Comments already
Submitted under
Full Doc.

Dear Sirs

Yesterday (saturday 27th march) I began the process of filling out the appropriate comments form on-line but things have not gone to plan. I was attempting to do everything in "draft", but I seem to have "submitted" my first comment and now cannot add any other comments or fill in page 5 (the contact questionnaire). Consequently I am going to revert to "long-hand"

and fill out the whole document physically and drop it in to the Council offices before the deadline as I am concerned that my comments should be classed as acceptable within the process. This probably means that you had better delete my current comments from your system (I will be including them in my hard-copy version). Please let me know if you require any alternative action.

Regards

J David Brewer



SELBY DISTRICT COUNCIL
PLANNING

Comments Form
Consultation Draft Core Strategy
for Selby District
February 2010

29 APR 2010

DATE RECEIVED & LOGGED LAST REPLY DATE

IDF LOCAL DEVELOPMENT FRAMEWORK

Office use
ID No:

Find out more and Let us Know your Views.....

Consultation on the Draft Core Strategy begins on Thursday 18 February 2010 and comments should be submitted by **1 April 2010**.

Details of consultation events are available through the Council's Citizenlink newspaper, the local press, and our website www.selby.gov.uk.

Copies of the accompanying evidence base including the Sustainability Appraisal Report and Background Papers can also be viewed on our website or at Access Selby, contact centres in Sherburn in Elmet and Tadcaster and local libraries in the District.

You can now submit your comments directly online and we will keep you informed about future stages of the LDF. Please go to our dedicated consultation website for the LDF at <http://selby-consult.limehouse.co.uk> to register your details and submit comments.

Alternatively you can complete a comments form (like this one) which is available from the Core Strategy pages of our website www.selby.gov.uk and e-mail to ldf@selby.gov.uk. Comments forms are also available from the 'consultation points' referred to above and may be posted to the LDF Team, Development Policy, Selby District Council, Civic Centre, Portholme Road, Selby, YO8 4SB. Faxed comments, using this form should be sent to (01757) 292090.

Please submit your comments by 5pm on Thursday 1 April 2010

Please provide your contact details below. We do not accept anonymous comments.

Personal details		a) Agent details if you are using one	
Name	MR. J. D. BREWER	Name	
Organisation		Organisation	
Address	4 WATSON GARTH APPLETON ROEBUCK YORK	Address	
Postcode	YO23 7EE	Postcode	
Tel	[REDACTED]	Tel	
Fax		Fax	
Email	[REDACTED]	Email	

SELBY DISTRICT COUNCIL
PLANNING

30 MAR 2010 29 APR 2010

DATE RECEIVED & LOGGED LAST REPLY DATE

Please tell us on which part of the document you are commenting:

Section Number / Paragraph(s) / Policy Number

THE PREPARATION PROCESS
1.6 to 1.14

Do you agree with this text / policy? Yes / No / Partly

Please add any comments below

What is wrong with it? How should it be changed? Does anything need adding?

The Consultation Process should be key to the Council's development of a Core Strategy. However, 5.7 of the DCS (page 31 to 32) clearly indicates that the Council has already chosen to ignore the preference of the majority of people and organisations that took the time and trouble to contribute to the discussions at the Issues and Options, and Further Options stages. Even worse, the Council openly admit (1.14 page 3 to 4) that the current "consultation" process is unlikely to result in any fundamental changes regardless of what comments are made.

In the earlier consultations it is clear that the majority of respondents preferred "a more dispersed distribution [of housing and job opportunities] than that implied by the RSS and that proposed in the Further Options consultation, which focus strongly on Selby." The option preferred by the majority would have enhanced the sustainability of the rural settlements. To dismiss this because it reflects the fact that 69% of the population live outside the three main towns of Selby, Sherburn in Elmet and Tadcaster is undemocratic and shows that even at that early stage the whole consultation process was nothing more than a sham. It is also contrary to the letter and spirit of the Council's Statement of Community Involvement which claims to encourage participation (2.10 page 5). A process that completely ignores the views of those that make the effort to participate is clearly going to discourage people from participating.

Why is it so obvious to everyone except the Council that to refuse any inward investment in either housing or jobs into the "Secondary Villages" can only have one effect, and that will be to make them less sustainable. By 2026 the Secondary Villages will be less attractive and vibrant, contrary to the Vision set out in 3.1 of the DCS, and they will be completely dependent on surrounding towns and cities which again is contrary to the Vision. Surely it is not too late for the Council to realise this.

The Council hide behind the RSS for their actions, but as will be seen later, this document clearly does not take a balanced view of the government documents laying out National Policy (listed in 4.2 of the DCS) and so is itself flawed. In any case to carry out a consultation process, that is going to be ignored if views are expressed that are contrary to the Council's, is not a consultation process at all and lacks any credibility or sincerity and is not carried out in "good faith". The Council have already abused the Consultation process and on this point alone the DCS should be rejected by the Secretary of State.

Please copy / print extra sheets and use a new sheet for each section / policy

Please tell us on which part of the document you are commenting:

Section Number / Paragraph(s) / Policy Number

POLICY CPI

Do you agree with this text / policy? Yes / No / Partly

Please add any comments below

What is wrong with it? How should it be changed? Does anything need adding?

The Spatial Development Strategy should adhere to the basic principles set out in national Planning Policy Statements (PPS) and other guidance as listed in 4.2 and are commented on in order. It will become obvious that national Planning Policy is being ignored so the DCS is fatally flawed.

PPS1 - Delivering Sustainable Development. Section 3.3 of the DCS quotes sustainable development as defined in PPS1 as "to enable all people to enjoy a better quality of life, without compromising the quality of life for future generations". It is difficult to see how the Council are going to enable people living in the Secondary Villages to enjoy a better quality of life when there will be zero inward investment in either housing or jobs for 17 years. This lack of investment will have a profoundly negative effect on the quality of life for future generations.

PPS3 - Housing. Section 37 (page 14) of PPS3 states "The need to create and maintain sustainable, mixed and inclusive communities in all areas, both urban and rural." This is a very specific instruction which is completely ignored by the Council. First the DCS does not create any sustainable communities. All the settlements benefiting from future investment as a result of the DCS are already sustainable by the Council's criteria. Secondly there is the clear instruction that all areas should benefit, both urban and rural. This is not going to be the case as the whole of the rural area covered by the Northern Housing Sub Area will be devoid of any investment. Section 38 of PPS3 gives the clear instruction "...to develop mixed, sustainable communities across the wider local authority area.." The DCS obviously does not adhere to this instruction. Section 41 of PPS3 states "The annual target is that at least 60% of new housing should be provided on previously developed land" (PDL) but the Council have not even attempted to achieve this figure. Any remaining PDL in the Secondary Villages is totally ignored. Section 4.27 of the DCS holds out the possibility of development on PDL in the Secondary Villages, but this is a hollow gesture with a target of ZERO shown as the new allocations to be allowed in these villages (5.26).

PPS4 - Planning for Sustainable Economic Development. One of the key "policy outcomes" is to "Maximise job opportunities for all" (section 6 ii). How do the Council reconcile this instruction with the DCS, which quite clearly intends to restrict the availability of new jobs to only half the population? In fact the situation is even more negative as the Council has not considered the effect of the DCS on the significant numbers of workers in the building industry currently living and working in the Secondary Villages. Obviously all these workers will have to travel further to work which will exacerbate the unsustainable Travel Patterns quoted in DCS 2.11.

PPS7 - Sustainable Development in Rural Areas. The first objective (page 6) is "To raise the quality of life and the environment in rural areas through the promotion of; thriving, inclusive and sustainable rural communities, ensuring people have decent places to live by improving the quality and sustainability of local environments and neighbourhoods;..". The DCS includes nothing to raise the quality of life in the majority of the rural areas in the District, and there is no provision made to improve the quality or sustainability of these local neighbourhoods. Section 2 (page 8) instructs that LDDs "should include policies to sustain, enhance and, where appropriate, revitalise country towns and villages". The DCS does not adhere to any of these criteria for the Secondary Villages.

PPS25 - Development and Flood Risk. The Key Planning Objective is "... to direct development away from areas of highest risk". This is clearly not the case with the DCS. Close examination of the Strategic Flood Risk Assessment shows that the planned Olympia Park and Cross Hills Lane developments will be almost entirely built on 100 year floodplain. In both cases the 100 years seems extremely optimistic. Of most concern is the fact that the Cross Hills Lane development is adjoining Selby Dam which is a Designated Main River and in the last 6 months a significant part of this proposed development area has been under water on at least 2 occasions, so obviously it is not 100 year floodplain and should not be shown as such. Clearly the information provided by the Council does not stand up to scrutiny.

Please add any further comments you may have about the Draft Core Strategy including:

- Any omissions
- The Background Papers / Reports
- The Sustainability Appraisal

Background Paper 5 - Sustainability Assessment of Rural Settlements

This paper has been used to justify the Spatial Development Strategy in the DCS but on close inspection it seems to be nothing more than a mechanism to justify previously agreed conclusions, using methodology that by its very nature discriminates against the rural population, with statistical analysis that does not stand up to critical scrutiny. The Paper uses four indicators to categorise settlements and these are analysed in order.

Size This classification system ignores the fact that the majority of people in the District live in rural areas and they have as much right as any other resident to an "improved quality of life" as promised in the Council's own Mission Statement. To deny nearly 50% of the population the means to improve their quality of life by statute is not only inequitable it is probably against the Council's own Constitution; it is almost certainly against European Human Rights legislation.

Basic Local Services Table 2 on page 7 of this paper ignores Appleton Roebuck's much appreciated Post Office service - why? Appleton Roebuck should be in Overall Classification 2, not 3 as shown.

Public Transport The convoluted statistical approach adopted again seems to have been used in order to discriminate against smaller rural settlements. A resident of one of these settlements could legitimately argue that the Council have looked at the situation from the wrong perspective. All villages above 600 population have some form of service allowing commuting to Principal or Local Service Centre (3.16). If the Council think that this basic service should be improved to enhance the sustainability of these villages, then the Council should be considering ways of encouraging more frequent services. People have enough sense to gear their journeys around the service available, and they are usually only going to work once in the day, so having made that journey it is completely irrelevant if there are then another one or one hundred and one services as they can't use any of them having already arrived at work!

Access to Local Employment Opportunities The Council's objective of restricting commuting distances within the District to 5 miles or less is totally unrealistic, ignores basic geography, and discriminates against rural settlements. Why have the Council used such a low, unattainable, and arbitrary figure? How many of the Council's staff and consultants involved in the production of the DCS, and how many Councillors who will vote it through, travel as little as 5 miles or less to work? Why not use a figure of 6 miles, or a more realistic 10 miles, which will still be less than commuting out of the District as 59% of the working population do currently. No explanation is given, but even using this 5 mile limit the statistics presented do not bear scrutiny. Escrick is shown in Category 2 (within 5 miles of Major Employment Location) but it is more than 5 miles from both York and Selby. It is suspected that the Council will argue that it is within 5 miles of Greater York as it would not be sensible to assume that all jobs in York were located at the Minster, but in that case Appleton Roebuck should also be in category 2. In the same discriminatory and arbitrary way the considerable Employment Location of Billbrough Top is ignored, which also requires explanation. If the DCS is implemented then by design every worker in the building industry living in Secondary Villages will have to travel more than 5 miles to work as effectively all building work will cease in these settlements which will reduce access to local employment for them.

Please add any further comments you may have about the Draft Core Strategy including:

- Any omissions
- The Background Papers / Reports
- The Sustainability Appraisal

Further Comments

Having spent considerable time and effort to contribute to the consultation process I am very disappointed at my findings. The Council have taken national Planning Policy Statements and other guidance, which was specifically written to encourage positive and inclusive Local Development Documents and have produced a very negative document which excludes a large proportion of the rural areas of Selby District from the obvious benefits of job creation and new housing.

The real problem seems to be the totally Selby-centric mindset of the Council, which was emphasised by one of the officers at the Tadcaster Drop-in session who made the comment that "Appleton Roebuck is remote and inaccessible from Selby". True, but the reverse is also true that Selby is remote and inaccessible from Appleton Roebuck! It is all about perspective, and the Council's perspective seems very narrow and restricted.

The DCS is clearly going to be adopted by the Council in its present form, but when it is the Council should be prepared for a call from the Secondary Villages for a Secondary level of Council Tax to reflect the reduced opportunities and services which will inevitably follow for these settlements.

Please sign and date the form

Signed 

Date 29th March 2010

If you have any questions or need some further information please contact the Local Development Framework Team on 01757 292034 or by email to ldf@selby.gov.uk

Please return this form no later than 17.00hrs (5pm) on Thursday 1 April 2010 to the LDF Team, Development Policy, Selby District Council, Civic Centre, Portholme Road, Selby, North Yorkshire, YO8 4SB

Please answer a few more questions on the attached sheet which will help us to improve the way we consult in the future