

Comment ID DCS/70  
 Consultee ID 416250  
 Agent ID 416257

ryan king

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**From:** ryan king  
**Sent:** 01 April 2010 13:35  
**To:** 'Mike Bottomley'  
**Subject:** RE: Selby Draft Core Strategy Representations

Dear Mike

I acknowledge receipt of your comments in respect of the Draft Core Strategy.

Kind regards.

**Ryan King**  
**Assistant Planning Officer (LDF Team)**

**SELBY DISTRICT COUNCIL**  
*An 'Excellent' Council*

**Tel:** 01757 292034  
**Fax:** 01757 292090  
**Email:** [rking@selby.gov.uk](mailto:rking@selby.gov.uk)  
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Selby District Council, Civic Centre, Portholme Road, Selby, North Yorkshire, YO8 4SB - DX 27408 Selby

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**From:** Mike Bottomley [<mailto:mib@dacres.co.uk>]  
**Sent:** 01 April 2010 11:52  
**To:** ldf  
**Cc:** Mark Johnson  
**Subject:** Selby Draft Core Strategy Representations

Dear Sirs,

Please find attached representations, made on behalf of Persimmon and Redrow Homes, in respect of the Draft Core Strategy.

I would be grateful if you could acknowledge receipt.

Kind regards, Mike

**Mike Bottomley**  
**Senior Planning Consultant**

**Dacres Commercial**  
 9 York Place  
 Leeds  
 West Yorkshire  
 LS1 2DS  
 Tel: 0113 204 2247  
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01/04/2010

ID 416250

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

**LDF** 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](http://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](http://www.selby.gov.uk) and e-mail to [ldf@selby.gov.uk](mailto: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.**

a) Personal details		a) Agent details if you are using one	
Name		Name	Mark Johnson
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	Persimmon Homes Yorkshire Ltd		
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Redrow House  
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West Yorks WF2 0X9

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

Section Number / Paragraph(s) / Policy Number

Policy CP1 Spatial  
Development Strategy

Do you agree with this text / policy? No

Please add any comments below

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

Policy CP1 sets out the over-arching context for the spatial distribution for new development within the District. As such it is essential that it shows conformity with the core approach and spatial strategy set out in RSS and in particular under Policies YH5 and YH6. With regard to these Policies it is considered that CP1 places too much emphasis upon growth in Selby, as Principal Town and the lower tier settlements defined as Service Villages, and fails to provide sufficient growth to the YH6 Local Service Centres.

It is agreed that Selby should, as Principal Town, be the main focus for development in accordance with RSS Policy YH5. It is not however considered appropriate to include reference to allowing complimentary growth within the villages of Barlby/Osgody, Brayton and Thorpe Willoughby. Including these lower tier settlements, designated as Service Villages, within the spatial strategy approach to the Principal Town falls contrary to RSS Policy YH7 (which cross references to Policies YH5 and YH6) and suggests a level of growth beyond that anticipated under the Policy. Paragraph 2.28 of RSS makes clear that the aim is to "prevent the dispersal of development to smaller settlements and open countryside" and the grouping of these smaller settlements within the Principal Town falls contrary to this approach. As worded under CP1 policy suggests that these settlements will accommodate growth both as Service Villages and as part of the Principal Town, again contrary to the RSS core approach. Whilst this is to some degree clarified in respect of housing growth by paragraph 5.19 and Policy CP2 of the Core Strategy the wording lacks clarity and the approach is completely at odds with RSS Policy YH7. In our opinion it therefore fails the soundness test of conformity.

It is agreed that, in line with RSS, Sherburn in Elmet and Tadcaster should be designated as Local Service Centres. CP1 should however better reflect RSS Policy YH5 and clearly differentiate between the Local Service Centres and Service villages in terms of intended growth. RSS, at paragraph 2.47, states that:

"A slower pace and scale of growth, compared to urban areas, forms the overall approach in rural areas, *with development being focused on Local Services Centres*. LDFs will need to identify Local Service Centres, i.e. towns and villages that provide services and facilities that serve the needs of, and are accessible to, people living in the surrounding rural areas."

As noted above RSS continues by indicating that plans should, outside of the Principal Towns and Local Service Centres, aim to "prevent the dispersal of development to smaller settlements". LDFs should establish local development needs that are essential to support smaller settlements.

Part A of Policy CP1 should reflect this core approach and clearly state that, outside the Principal Town, the focus for additional development should be on the Local Service Centres in order to

support and service not only the sustainability of the settlement but also the wider rural hinterland. Development within Service Villages should, reflecting the commentary in paragraph 2.47 of RSS, be clearly expressed as being that essential to support the smaller settlements.

**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 CP2: The Scale and Distribution of Housing

**Do you agree with this text / policy? No**

**Please add any comments below**

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

Whilst some minimal adjustment has been made since the Further Options consultation in 2008 to the proposed housing distribution, Policy CP1 retains a disproportionate focus upon Selby and its surrounding villages and fails to reflect the RSS Core Approach in respect to growth within the Local Service Centres and most notably Sherburn in Elmet.

Approximately 57% of the proposed housing growth in the District is directed towards Selby and its surrounding villages without full regard to the flood risk associated with these areas. The Council's Strategic Flood Risk Assessment and PPS25 Sequential Test confirms the level of risk associated with the settlement types within the spatial hierarchy and their proposed housing distribution:

Settlement Type	Settlement Name	Percentage within Flood Zone 3 (High Risk)	Proposed Percentage Housing Distribution
			Commitments + allocations
<b>Principal Town</b>	Selby	38%	57%
	Barlby		
	Bridge/Osgodby	99%	
	Barlby Village	12%	
	Brayton	0%	
	Thorpe Willoughby	2.5%	
<b>Local Service Centres:</b>	Sherburn in Elmet	4%	9%
	Tadcaster	8.5%	9%
<b>Service Villages:</b>	Carlton	43%	20%
	Church Fenton	2%	
	Eggborough	0.5%	
	Fairburn	1.5%	
	Hambleton	0%	
	Hemingbrough	1%	
	Kellington	62%	
Monk Fryston	4%		

	North Duffield	--	
	Riccall	1%	
	South Milford	1%	
	Wistow	8%	

RSS Policy YH1(8) and YH2(B) 1 indicates that plans, strategies and investment decisions should avoid increased flood risk. RSS Policy ENV1(B) states that the allocation of areas for development should follow a sequential approach and be located in the lowest risk sites appropriate for the development, as identified by Strategic Flood Risk Assessments. In respect of Selby part C of ENV1 indicates that flood management will be required to facilitate development "provided the sequential approach has been used to inform decisions regarding flood risk." This approach follows guidance in PPS25 which aims to ensure that "flood risk is taken into account at all stages of the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk."

Whilst it is acknowledged that, in order to secure the spatial objectives of the RSS, flood management will be required within Selby to accommodate growth it is the level of growth proposed which is questioned having regard to the known flood risk issues.

Following the Further Options consultation in 2008 the Council has now completed a PPS25 Sequential Test for the Spatial Strategy (February 2010). This informs that Selby town is unable to accommodate the levels of housing growth anticipated on low flood risk land either within the existing built up area or through urban extensions. This contrasts with capacity identified within the Strategic Housing Land Availability Assessment for Sherburn in Elmet and Tadcaster which is on land at low risk of flooding. Whilst the sequential approach and exception testing has been carried out this is based upon a narrow assessment, predicated upon all strategic housing and employment sites being accommodated within Selby and the adjoining villages. It is recommended that the scope of sequential testing be widened to consider more fully the ability of the Local Service Centres, in particular Sherburn in Elmet which has more available land in low flood risk areas and better sustainability characteristics to Tadcaster, to accommodate additional growth.

Such an approach would not conflict with the core approach of RSS and Policy YH7, and by extension Policies YH5 and YH6, which does not set out an explicit requirement for development growth in Principal Towns to exceed 50% of overall targets. With the proposed distribution at 57% under the draft Core Strategy there is considered scope, in the light of the flood risk issues to redistribute an element of this to the Local Service Centres where land is available and deliverable in low flood risk areas.

A redistribution on this basis will be demonstrably sustainable and address the significant imbalance in the proposed spatial distribution which allocates only 18% of future housing growth to the Local Service Centres. Supporting text to Policies YH5 and YH6 of RSS recognises that local circumstances can and should provide the Council with a degree of flexibility to enable the apportionment of development to reflect the roles of settlements in each district. Within the draft Core Strategy the role of the Local Service Centres, their employment function and key transport linkages to other Regional Cities and Sub-Regional Cities and Towns has not been adequately reflected in the proposed distribution.

In respect of Sherburn in Elmet paragraph 5.16 of the draft Core Strategy confirms that the proposed development allocation is less than that suggested in the recent Strategic Market Assessment. The justification for this is stated as being based upon the scale of recent development and current permissions, including provision for "significant numbers of affordable properties in the short term." The SHMA Final Report was published in June 2009 and indicates that supply remains below current need in respect of affordable housing and well below market demand for open market housing within Sherburn. This becomes more pronounced on future

need figures for affordable housing. Notably current need for affordable housing in Selby is outstripped by short term supply, the reverse of the position for Sherburn where such a situation is used as the basis for restricting housing growth. In respect of the two Local Service Centres both need and demand, on short term and future profiles, are considerably higher within Sherburn as compared with Tadcaster and this highlights the need to reconsider the distribution between the Centres with more growth targeted towards Sherburn in Elmet.

A further justification set out in paragraph 5.16 for restricting growth within Sherburn is order to "not exacerbate high levels of commuting, particularly to Leeds." Whilst it is acknowledged that commuting patterns, and the self containment of the Selby housing market area, are matters to be addressed through the Core Strategy, this singular approach to Sherburn in Elmet, and focus upon Leeds, is inconsistent with the evidence base. The 2008 Household Survey, reproduced in Table 3.6 of the SHMA, highlights the percentage of economically active residents working outside of the District based upon sub area:

Western	74.8%
Southern	68.1%
North East	66.5%
Northern	63.4%
Tadcaster	61.4%
<i>Sherburn in Elmet</i>	<i>61.0%</i>
Central	54.5%
South East	48.8%
Selby	45.4%

It is also notable that whilst commuting to Leeds is singled out in respect of Sherburn in Elmet at 19.0% a similar pattern is identified between Selby and York at 18.3%. In addition outward commuting from Tadcaster is marginally higher and yet a similar approach to restraint as adopted for Sherburn in Elmet is not highlighted within the Strategy. Percentages are also higher within the majority of the other sub-areas where housing growth within the Service Villages will exceed that for the Local Service Centres. The figures produced should also be cross referenced to the modes of transport available, for example the Principal Town and Local Service Centres will have better accessibility to public transport.

Our own evidence indicates that 5% of new home sales in Sherburn originated from the Leeds market area and this is the same percentage as that for Staynor Hall in Selby. This further highlights the inconsistency in the Council's approach and the absence of justification to support its assumptions with respect to new homes exacerbating outward commuting patterns.

The above is not to diminish the need to address the issues surrounding outward commuting but rather to highlight the need for a District wide and consistent approach. Both PPS3 and RSS indicate that the Strategic Housing Market Assessments should be taken into account in the preparation of LDFs and are one of the main delivery mechanisms for RSS Policy H2. It is considered that the proposed draft Core Strategy housing distribution fails to take sufficient account of this requirement and in particular the housing growth for Sherburn should be increased.

The proposed housing distribution also fails to adequately reflect the sustainability credentials of the Local Service Centres and constraints on growth. Whilst the allocations for both settlements are considered too low, having regard to the comments made above, Sherburn in Elmet has better sustainability characteristics to accommodate growth than Tadcaster. Release of land for development at Tadcaster has been constrained over many years for land ownership reasons. Sherburn has excellent access to an employment park, two train stations with links to Leeds, York and Selby, two Primary Schools, one Secondary School and Sixth Form College, shops and health facilities. On this basis a greater balance of the allocation to the Local Service Centres

should be directed to Sherburn in Elmet.

**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 CP3 Managing Housing  
Land Supply

**Do you agree with this text / policy? No**

**Please add any comments below**

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

The Policy wording and justification for CP3 should be amended to better reflect RSS guidance on early years housing delivery in respect of existing housing allocations, in this case those identified under Policies H2A/H2 of the Selby District Local Plan. Table 2.2 and Paragraph 12.18 in delivering the Core Approach of RSS indicates that in early years the focus should be on "making best use of existing allocations and already identified urban potential in cities and towns" and that this should be reflected in interim guidance prior to the adoption of the Allocations DPD. Clarity should therefore be given on the interim SPD and reference made to the SHLAA in respect of early years sites.

**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 CP5 Affordable Housing

**Do you agree with this text / policy? No**

**Please add any comments below**

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

We consider that the target percentage of 40% affordable housing from qualifying schemes is unrealistic in current market conditions and this is supported by the Council's Affordable Housing Viability Study conducted in 2009. Paragraph 5.81 of the draft Core Strategy confirms that this is a "challenging" target and the Viability Study evidences that, at present, only a minority of housing sites are viable even without the provision of affordable housing.



The Viability Study indicates that, currently, only 4% of those housing sites tested would be viable under the proposed affordable housing requirement of 40% (paragraph 5.6). This situation is likely to remain in the short to medium term until market conditions improve. On this basis there is a clear need for a realistic and flexible policy to reflect changing market conditions and review the affordable housing requirement regularly during the lifetime of the Strategy. Whilst this is referenced within the proposed Policy drafting, the current and medium term market is unlikely to allow the delivery of 40% affordable housing. It is therefore recommended that this target is lowered to 30% as more realistic and reflective of the current housing market, with subsequent reviews through SPD as conditions improve. The target should be expressed as a maximum and be balanced by overall scheme viability and the level of other developer contributions. As worded, having regard to the Viability Study, negotiation would be required on viability issues on 96% of housing sites coming forward under the 40% target.

We would also object to the lower threshold target for Selby as opposed to the Local Service Centres. This approach fails to reflect the role of Selby in meeting the affordable housing needs of its settlement and rural hinterland. Thresholds should therefore be set consistently between the two settlement types.

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

**Section Number / Paragraph(s) / Policy Number**

Policy CP9 Scale and  
Distribution of Economic

**Do you agree with this text / policy? No**

**Please add any comments below**

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

Given the identified flood risk constraints in respect of the strategic allocations at Selby and in line with RSS guidance we would suggest that consideration be given to additional allocation at Sherburn in Elmet, including the expansion of the Sherburn Enterprise Park. The proposed policy approach of solely "renewal and intensification" (paragraph 6.16) is not considered to adequately reflect the Local Service Centre role of Sherburn as a focus for further housing, employment, retail, commercial and leisure growth.

The Employment Land Study 2007 states that "as with Tadcaster, it is imperative that Sherburn in Elmet/A1 (M) and A63 Corridor is promoted as a complementary location relative to the employment provision to emerge in Selby town". Sherburn is described as "an established employment location, with continued strong market interest in new developments alongside the existing floorspace provision". The settlement is identified as a primary industrial focus within the District, particularly for national and regional operators with demand typified by medium to large scale warehousing/logistic building. Given this the report suggests that it continue to be promoted for such activities and forecasts land requirement for freight related activity.

It is acknowledged that Selby should remain the focus for employment land provision, however due regard should be given to the constraints on further development and the role of the Core Strategy in promoting and fostering the roles of the Local Service Centres. In addition historical take up rates in Tadcaster have been low and some doubt must be raised on deliverability. On this basis some redistribution of employment land allocation to Sherburn is recommended. This approach will also be in line with the stated objective of the Core Strategy to reduce outward migration in employment markets.

**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 CP12 Climate Change  
part d) and supporting text

**Do you agree with this text / policy? No**

**Please add any comments below**

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

Previous comments have been made in respect of the inconsistency between the proposed spatial distribution and the requirement, set out in PPS25 and RSS Core Approach, to reduce flood risk and direct development away from areas at risk of flooding. This should be clearly set out as the starting point within CP12 in order to conform with the RSS stated approach.

RSS ENV1 confirms that flood risk management will be required within the Selby urban area in order to facilitate growth. This approach does not however sanction development in high risk areas without a robust SFRA, sequential and exception testing and justification based upon a clear sustainability case. It is considered that this should be better articulated with CP12.

**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

**Sustainability Appraisal Report**

**Table 6: Policy CP2 The Scale and Distribution of Future Housing**

The Appraisal fails to adequately assess the sustainability issues in respect of the proposed distribution of housing to Selby in the light of the acknowledged flood risk and SA Objective of

reducing flood risk (SA16) and sub-objective 16.2 which aims to direct development away from flood risk areas. The commentary states that the effects of this Policy upon reducing flood risk are uncertain at this stage and that the SFRA should be used to inform subsequent site allocations under future LDDs.


However, the scale of future housing development and its distribution is clearly articulated by draft Policy CP2 and the SFRA identifies the fact that Selby and its adjoining settlements are significantly constrained by flood risk. Commentary provided in Council's PPS25 Sequential Test document confirms that Selby is unable to provide for the proposed future housing growth without significant development of land within Flood Zones 2 and 3.

The evidence base is therefore considered sufficient to allow for the Sustainability Appraisal to assess in more detail impacts upon SA16 arising from the proposed distribution. This will serve to highlight the major inconsistency between Policy CP2 and this objective.

### **General**

In a number of instances the Sustainability Appraisal fails to have sufficient regard to the spatial development strategy set out in the draft Core Strategy in terms of specific reference to housing numbers and employment land allocations. This strategy is considered sufficiently definitive to enable impacts, particularly in respect of flood risk and SA16, to be assessed at this stage, having regard to the evidence base. This should be addressed and corrected at this stage in order to properly assess the Core Strategy proposals rather than deferring detailed consideration until DPD and SPD stages.

**Please sign and date the form**

Signed 

Date 1 April 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](mailto: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

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**From:** terry heselton  
**Sent:** 06 April 2010 10:16  
**To:** ryan king  
**Subject:** FW: Environment Agency Response to: DN/2006/000341/CS-02/PO1-L01  
**Attachments:** PlanningProposal.rtf

EA comments received before deadline  
terry

**Terry Heselton BA (Hons), Dip TP, MRTPI**  
**Principal Planner (LDF Team)**

**SELBY DISTRICT COUNCIL**  
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**From:** janet morley  
**Sent:** 01 April 2010 13:38  
**To:** terry heselton  
**Subject:** FW: Environment Agency Response to: DN/2006/000341/CS-02/PO1-L01

please see attached

Janet Morley  
Support Clerk  
Development Support

**SELBY DISTRICT COUNCIL**  
*An 'Excellent' Council*

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06/04/2010

-----Original Message-----

From: sandra.botham@environment-agency.gov.uk [mailto:sandra.botham@environment-agency.gov.uk]

Sent: 01 April 2010 13:26

To: development support

Subject: Environment Agency Response to: DN/2006/000341/CS-02/PO1-L01

The Local Development Document has been reviewed and I enclose the Environment Agency's comments on:

Core Strategy

Selby District Council

Core Strategy

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Mr Terry Heselton  
Selby District Council  
Environmental Services  
Civic Centre Portholme Road  
Selby  
North Yorkshire  
YO8 4SB

**Our ref:** DN/2006/000341/CS-  
02/PO1-L01  
**Your ref:** FP/L140  
**Date:** 01 April 2010

Dear Mr Heselton

### **Selby Draft Core Strategy Consultation Response**

Thank you for the opportunity to comment on your Draft Core Strategy. We have reviewed the draft document and have the following comments:

#### **General Comments**

Overall, we feel that the document addresses most of the pertinent environmental issues which will impact, or be impacted upon by Selby's development in the future. However, there are areas where we believe that insufficient weight is afforded to environmental concerns, resulting in guidance which could be more helpful to both the local environment and the development community. We wish to see clearer guidance in relation to flood risk, safeguarding of water resources and promotion of Green Infrastructure.

#### **Key Issues Section**

Paragraph 2.6 – We are pleased to see that the risk of flooding in some areas of the district is highlighted.

Paragraph 2.13 – The paragraph should be updated to take account of the findings of the Level 2 Strategic Flood Risk Assessment.

#### **Aims**

Paragraph 3.4 – We are pleased that environmental considerations are pursued through the aims of the Core Strategy.

## Objectives

3. Determining the most sustainable locations for concentrating new development must take account of the spatial distribution of flood risk areas and other environmental constraints throughout the district. The objective could be reworded as:

*"Concentrating new development in the most sustainable locations, taking full account of local needs and environmental, social and economic constraints"*

6. The word 'either' should be deleted from the objective to reflect the sequential approach advocated in PPS25. It should be made explicit that development will be acceptable in flood risk areas only where it complies fully with the requirements of PPS25. The objective could be reworded as:

*"Locating new development first in areas of lowest flood risk, but when development cannot be steered from flood risk areas, only permitting development where it can be made safe and where the development is proved to be important to the wider sustainability aims of the plan"*

7. We welcome the promotion of brownfield redevelopment, as a mechanism for the remediation of historically contaminated land.

14. The promotion and extension of Green Infrastructure is welcome. In accordance with policy YH8 of the RSS, the council should look for opportunities to extend and enhance existing Green Infrastructure. The objective could be reworded as:

*"Protecting, enhancing and extending the Green Infrastructure of the district, including sensitive natural habitats and the wider countryside for its important landscape, amenity, biodiversity, flood management, recreation and natural resource value, in accordance with the emerging Leeds City Region Green Infrastructure Strategy"*

16. We suggest that the wording is amended to include the protection of existing water resources from over-exploitation:

*"Protecting against pollution, improving the quality of air, land and water whilst avoiding over-exploitation of water resources"*

## Spatial Development Strategy

Paragraph 4.33 -- It may also be useful to offer further clarity in relation to the PPS25 Sequential and Exception Test as this would apply to, and restrict, many such developments across Selby. In fact, we would strongly recommend that you consider producing a specific SPD or local guidance note detailing how the Sequential and Exception Tests will be applied to Selby's local circumstances. We feel this supporting work would benefit both planners and potential developers through promoting consistency, transparency and robustness on this complex issue.

Paragraph 4.34 -- We support the inclusion of this paragraph but feel more reference should be made to SuDs and drainage restrictions in accordance with Appendix D of the Level 1 SFRA.

## Policy CP1

We are pleased to see the sequential approach to flood risk emphasised in this policy, however, we feel that greater detail should be provided. The policy should explicitly reference the need for the Sequential Test, Exception Test and necessity for the development to be made safe. The sequential approach should also be



applied within development sites. The final paragraph of the policy could be reworded as:

*"The sequential approach outlined in PPS25 will be adopted to direct development to areas with the lowest flood risk identified through the Selby Strategic Flood Risk Assessment. Only where no reasonably available sites are identified in lower flood risk areas will development in higher flood risk areas be considered. In these circumstances the most vulnerable uses will be steered to the lowest risk parts of sites and then the most vulnerable uses steered to upper floors where possible. Some developments must then also be subject to the Exception Test. This will ensure that preference is given to previously developed sites and that developments can be made safe without increasing flood risk elsewhere. It must also be demonstrated that a development's wider sustainability benefits to the community outweigh the flood risks, by assessing it against the Sustainability Appraisal's objectives. All opportunities to reduce flood risk overall, such as through the provision of new/improved flood defences, sustainable drainage schemes, rainwater harvesting and green roofs, will also be explored and implemented where ever possible."*

### **Creating Sustainable Communities**

Paragraph 5.10 – We are pleased to see the recommendations of the SFRA feeding into the spatial distribution of new housing.

Paragraph 5.37 – We are pleased to see flood risk as an important consideration in the analysis of housing supply.

Paragraph 5.55 – Whilst we accept that there must be a varied housing offer to appeal to different sectors of the community, the spatial distribution of different housing types should be informed by the findings of the SFRA. In areas of high flood risk, it should be noted that bungalow and other single storey development may be unable to reasonably provide sufficient flood risk mitigation measures. Consideration should be given to the effect this may have on the delivery of the desired mix of housing types.

### **Policy CP7**

The policy should be amended to include flood risk as an important constraint in site selection, as such development is classed as 'highly vulnerable' according to table D2 of PPS25. PPS25 makes clear that such development 'should not be permitted' in areas of Flood Zone 3, and is only permitted in Flood Zone 2 subject to the Exception Test. A further point should be added to the policy:

*"vi. The pitch must be located within Flood Zone 1 or where no reasonably available sites exist in Flood Zone 1, in Flood Zone 2, subject to application of the Exception Test. No pitches shall be permitted in Flood Zone 3 because of the high sensitivity of caravans and other similar structures to flooding."*

### **Policy CP8**

The wording of the policy does not actively promote Green Infrastructure provision. Objective 14 is positive in relation to Green Infrastructure so we are disappointed by the limited aspirations and lack of local specificity of policy CP8. The Policy could be reworded in a more positive way:

*"In all circumstances opportunities to protect, enhance and better join up existing Green Infrastructure, as well as creating new Green Infrastructure will be strongly encouraged, in addition to the incorporation of other measures to mitigate or minimise the consequences of development."*

We would also encourage you to draw from your LDF evidence base on Green Infrastructure to identify which existing GI most needs strong policy protection. This same evidence should also help you to identify where the best opportunities exist to improve and extend GI and where proactive intervention would best be pursued. We recommend that this local specificity is then translated into this or other appropriate policies.

### **Tackling Climate Change**

Paragraph 7.13 - The plan recognises that groundwater supplies are over-committed and need protecting and also mentions water availability within the surface watercourses in the district. There are significant pressures on surface water availability within Selby which may impact on its ability to dilute pollution. Due to historic over-abstraction from the Sherwood Sandstone aquifer, it is unlikely that new abstraction licences will be granted by the Environment Agency close to Selby. This could be highlighted through the addition of the following comment to the end of the paragraph:

*"Due to historic over-abstraction there are significant pressures on water resources throughout the district. Protection of this resource may influence the location of certain development within the district, particularly uses which have a need for large quantities of water for such things as industrial processing or cooling."*

Paragraph 7.19 – The regional strategic importance of the Sherwood Sandstone aquifer has been highlighted, however, the Magnesian Limestone aquifer provides a vital supply which supports the brewing industry in Tadcaster. Any pollution reaching this aquifer may impact quickly upon existing abstractions in Tadcaster and Sherburn-in-Elmet. The paragraph should make specific reference to the need to preserve this resource.

*".....RSS Policy ENV2. In addition, the Magnesian Limestone aquifer provides a vital supply for the brewing industry in and around Tadcaster."*

Furthermore, in the south of the district, there are a number of wells for potable water abstraction which form part of a larger well-field operated by Yorkshire Water Ltd for public supply. In some areas the protective drift material is missing and therefore the public water supply is very susceptible to contamination. Consideration must be given to the prevention of pollution to the groundwater supply.

Paragraph 7.20 – 7.25 – The content of these paragraphs should be updated to reflect the findings of the Level 2 SFRA

Paragraph 7.23 – The paragraph should make reference to the need for the Sequential and Exception tests as outlined in PPS25, rather than developments being acceptable in flood risk areas 'provided appropriate flood risk management measures are in place'.

Paragraph 7.26 – The provision of SuDs should be added to the list of climate change mitigation measures promoted by the Core Strategy. It should also be made clear that another related benefit to SuDS is their promotion of groundwater recharge. This is particularly relevant in this over-abstracted area.

### **Policy CP12**

D, We feel that the paragraph needs re-wording to emphasise the sequential approach, avoiding inappropriate development in high flood risk areas, unless the full

requirements of PPS25 can be met, including proving that the development is safe through the use of mitigation measures. We would like to suggest the following amended wording:

- ◆ *“Ensure that development in areas of flood risk is avoided wherever possible through the application the Sequential Test and Exception Test;*
- ◆ *Ensure that where development must be located within areas of flood risk, that it can be made safe without increasing flood risk elsewhere.”*

E, We welcome the inclusion of water resource protection within the policy. However, we are concerned that this Core Strategy only gives limited guidance on protecting water quality. Many watercourses in the district are failing to achieve the targets set out in the Water Framework Directive. The council should refer to the River Basin Management Plans and relevant actions to improve water quality in the district.

Although the importance of water conservation and water efficiency measures are identified in the policy, we would like to see more emphasis on the measures which could be implemented, included within the supporting text. We suggest that bullet e) is reworded as follows:

*“e) Protect existing water resources by encouraging water-efficient design in all new development and encouraging sustainable drainage systems which promote groundwater recharge.”*

G, We feel that the Council should be moving from promoting sustainable design to requiring it. The promotion of Sustainable Drainage Systems (SuDs) should be given greater priority, especially given the risk of flooding to large areas of the district. We feel that given the national backing for SuDs through PPS1, PPS25 and building regulation requirements, the use of SuDs should be compulsory unless it can shown to be unfeasible. The supporting paragraphs should also reference the requirement under PPS25 for a 30% reduction in run-off from brownfield sites in order to mitigate the predicted effects of climate change. We feel that a further point should be included specifically relating to SuDs as follows:

*“Require the use of Sustainable Drainage Systems on all developments unless it can be demonstrated to be unfeasible or would present an unacceptable pollution risk. There must also be a reduction in surface water run-off from brownfield development sites in line with PPS25.”*

The accompanying text at 7.23 should be added to as follows:

*“Where development is proposed on Greenfield sites, run-off must be limited to the existing, un-developed run-off rate; known as the agricultural run-off rate. Where development is proposed on Brownfield sites, drainage systems will be required to reduce existing run-off rates by a minimum of 30% in order to account for the predicted impacts of climate change.”*

This would help to show the Council’s commitment to addressing climate change and flood risk throughout the district.

Furthermore, we would wish to see support in the document for sustainable flood risk management measures, such as water storage areas and the creation of/improvements to existing flood defences, and schemes promoted through local Surface Water Management Plans. These may provide a variety of benefits to the district over and above protection from flooding, such as biodiversity and amenity improvements.

H, Further clarification should be given in the supporting paragraphs as to what is meant by “improving biodiversity resilience to climate change”, along with details on the mechanisms needed to achieve this.

### Policy CP13

A, We welcome the promotion of renewable energy, but wish to see an iterative policy which seeks to increase the requirements for decentralised energy step-by-step, over the plan period. The policy should initially suggest a high threshold and low percentage, with the threshold dropping and the percentage increasing iteratively over time. This will promote the use of renewable technology and help the council to take small, gradual steps towards the government's 2016 target for carbon-neutral developments, whilst allowing the development industry time to build its experience and expertise in the use of such technology. These principles are well-established in best practice throughout the UK.

The renewable energy percentage should be calculated on the basis of a % reduction in the predicted carbon emissions, rather than the predicted energy use. This is to discourage the use of carbon-inefficient electric heating and is a more meaningful method of calculating the necessary reductions.

B, Strategic energy development may require large amounts of cooling water and this may be limited in some locations due to groundwater supply. This is likely to impact upon the location of such developments and should be taken into account when spatially planning the location of such facilities.

### Policy CP15

2.C, The policy should also make clear that where development will impact unavoidably on biodiversity and where these impacts cannot satisfactorily be mitigated or compensated for, the application will be refused in accordance with PPS9.

3, We welcome the promotion of Green Infrastructure within the policy, but feel that this could go further by addressing the requirements of policy YH8 of the RSS in relation to identifying the benefits of Green Infrastructure and promoting areas for enhancement of green space. The effectiveness of Green Infrastructure is closely correlated with its connectivity and multi-functionality. As such, the following wording should be added to point 3:

*"Wherever possible a strategic approach will be taken to increase connectivity of the district's Green Infrastructure and to promote its multi-functionality. This will be informed by the emerging Leeds City Region Green Infrastructure Strategy."*

6, The need to reduce waste has been mentioned, however it is not set in the context of the waste hierarchy which defines and summarises PPS10's overarching aims for waste management. We would like to see a policy commitment to a hierarchical approach which prioritises waste reduction over reuse, over, recycling and composting, over energy recovery and finally over disposal. We understand that waste planning will be dealt with in a joint North Yorkshire CC document and feel that this should be made more explicit in this Core Strategy.

### Implementation

Figure 8, CP1 – The target for '100% development outside Functional Floodplain' needs qualifying that the definition of Functional Floodplain is presumably based on that within the Selby SFRA Level 1, rather than an Environment Agency designation, as we do not routinely map functional floodplain. This distinction needs making

explicit. It should also be made clear that the council will be responsible for capturing this information.

CP12 - Proposed indicators include 'Flood storage capacity'. It is not clear what this means. It usually refers to providing flood compensation for sites which encroach on floodplain. However, the provisions of PPS25 are that new development is steered away from floodplain. Therefore, this indicator may not be relevant in most instances. We would instead recommend the national standard indicators again permission being granted contrary to an outstanding Environment Agency objection. Given that we will object to applications which would increase flood risk elsewhere, such an indicator would capture the flood storage capacity concern. We would also advocate an indicator which measures the % of developments incorporating sustainable drainage measures. This should be accompanied with a 100% target.

I hope that the comments above are helpful in addressing the issues raised. We would welcome the opportunity to meet with yourselves to discuss the issues and work with you to resolve them. Please feel free to contact me on the details below.

Yours sincerely

**Mr Tom Pagett**  
**Planning Liaison Officer**

Direct dial 01904 822657

Direct fax 01904 822649

Direct e-mail [tom.pagett@environment-agency.gov.uk](mailto:tom.pagett@environment-agency.gov.uk)

End

Comments ID DCS/81  
Consultee ID 416414  
Agent ID 416418

ryan king

**From:** Gavin Winter [Gavin.Winter@spawforths.co.uk]  
**Sent:** 01 April 2010 14:01  
**To:** ldf  
**Subject:** Draft Core Strategy Representations  
**Attachments:** P0-TP-SPA-LT-P3313-0003-A.pdf; P0-TP-SPA-LT-P3387-0003-A.pdf

Dear Sir/Madam

Please find enclosed our representations in relation to the Draft Core Strategy.

I have also sent a hard copy of these representations in today's post.

Regards

GAVIN WINTER  
Principal Planner  
BA(Hons), MA, MRTPI

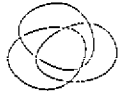
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Tel: 01924 873873. Fax: 01924 870777 VAT No: 511314405 Company Reg No: 2247289



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

SELBY DISTRICT COUNCIL PLANNING	
6 APR 2010	26 APR 2010
DATE RECEIVED & LOGGED	LAST REPLY DATE

BY EMAIL AND LETTER

26 March 2010

Dear Sir/Madam

**RE: SELBY DISTRICT LOCAL DEVELOPMENT FRAMEWORK DRAFT CORE  
STRATEGY CONSULTATION**

Following the publication of the Draft Core Strategy for the emerging Local Development Framework (LDF), Spawforths have been instructed by our client, Mrs June Langhorn to make representations to this document on their behalf.

Mrs Langhorn welcomes the opportunity to input into the Core Strategy and the decision to publish the Draft Core Strategy for consultation. Mrs Langhorn believes this is beneficial to all parties and should resolve how best to further the role of the District of Selby.

Mrs Langhorn has land interests in Osgodby at Corner Farm, South Duffield Road.

Mrs Langhorn supports the settlement hierarchy adopted in Policy CPI of the Draft Core Strategy which identifies Osgodby as part of the urban area of Selby and the parishes of Barlby and Osgodby (villages with close links and shared facilities) as designated Service Villages, which states that these sustainable settlements have scope for further growth. Mrs Langhorn also supports the approach to identify Osgodby in the Selby Area Action Plan (AAP) which will seek to identify housing allocations through this DPD.

Mrs Langhorn also welcomes the recognition and crucial role Barlby and Osgodby have in serving the communities of the surrounding hinterland.

Spawforths

Junction 41 Business Court, East Ardsley, Leeds, West Yorkshire. WF3 2AB  
t: 01924 873873, f: 01924 870777, mail@spawforths.co.uk, www.spawforths.co.uk

Mrs Langhorn supports Policy CP2 which states that in the Selby area, after taking into account the strategic sites, it needs to identify sufficient allocations to accommodate 1100 new dwellings. To meet these requirements Osgodby should be a priority for development.

Mrs Langhorn owns Corner Farm on South Duffield Road. This site in its entirety is identified in the SHLAA as a site deliverable in years 0-7, which demonstrates it is achievable, available and suitable in the short term.

Whilst we recognise the sequential approach to allocating development in Selby, Sherburn in Elmet, Tadcaster and designated service villages such as Osgodby, which identifies previously developed land within the settlement before suitable Greenfield windfall sites within the settlement, the sequential approach must still recognise existing sustainable Greenfield infill sites which can contribute towards housing requirements. The Draft Core Strategy should recognise the importance of these Greenfield sites in housing delivery.

This sequential approach should ensure a balanced approach and recognise that the previously developed land target is 50%, but not forget that Greenfield windfall sites have a role to play in the delivery of housing, some of which can be delivered quicker in some circumstances than previously developed land within the settlements. This should flow from Policy H2 of the RSS which focuses on managing the supply and delivery of housing and adopting a flexible approach by not treating housing figures as ceilings and highlighting that the release of Greenfield sites can support transformation approach.

In this respect, the currently drafted Core Strategy is unsound. In order to make it sound Policy CP3 needs to be amended to acknowledge the role that both Greenfield land and underutilised land can play in the achievement of the housing requirement in the event of a shortfall in the target for housing on previously developed land being identified.

Mrs Langhorn wishes to continue her active engagement in the emerging Core Strategy. We trust that you can give due consideration to these comments and we request that you can confirm receipt of this letter.

Please do not hesitate to contact us to discuss any issues raised in this Representation further.



Yours faithfully



GAVIN WINTER BA (Hons) MA MRTPI

Principal Planner

Gavin.winter@spawforths.co.uk

Encl:

Cc: Mrs Langhorn

P0-TP-SPA-LT-P3387-0003-A

Comment ID DCS/82  
Agent ID 416418  
Consultee ID 416427

ryan king

**From:** Gavin Winter [Gavin.Winter@spawforths.co.uk]  
**Sent:** 01 April 2010 14:01  
**To:** ldf  
**Subject:** Draft Core Strategy Representations  
**Attachments:** P0-TP-SPA-LT-P3313-0003-A.pdf; P0-TP-SPA-LT-P3387-0003-A.pdf

Dear Sir/Madam

Please find enclosed our representations in relation to the Draft Core Strategy.

I have also sent a hard copy of these representations in today's post.

Regards

GAVIN WINTER  
Principal Planner  
BA(Hons), MA, MRTPI

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

DATE RECEIVED & LOGGED	LAST REPLY DATE
6 APR 2010	26 APR 2010

SELBY DISTRICT COUNCIL  
 PLANNING

BY EMAIL AND LETTER

26 March 2010

Dear Sir/Madam

**RE: SELBY DISTRICT LOCAL DEVELOPMENT FRAMEWORK DRAFT CORE STRATEGY CONSULTATION**

Following the publication of the Draft Core Strategy for the emerging Local Development Framework (LDF), Spawforths have been instructed by our client, Mr and Mrs Stephenson to make representations to this document on their behalf.

Mr and Mrs Stephenson welcome the opportunity to input into the Core Strategy and the decision to publish the Draft Core Strategy for consultation. Mr and Mrs Stephenson believe this is beneficial to all parties and should resolve how best to further the role of the District of Selby.

Mr and Mrs Stephenson have land interests in the area, in particularly in Osgodby.

Mr and Mrs Stephenson support the settlement hierarchy in Policy CPI of the Draft Core Strategy which identifies Osgodby as part of the urban area of Selby and identifies the parishes of Barlby and Osgodby (villages with close links and shared facilities) as designated Service Villages, which states that these sustainable settlements have scope for limited further growth. Mr and Mrs Stephenson also support the approach to identify Osgodby in the Selby Area Action Plan (AAP) which will seek to identify housing allocations through this DPD.

Mr and Mrs Stephenson welcome the recognition and crucial role Barlby and Osgodby have in serving the communities of the surrounding hinterland.

Spawforths

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We support Policy CP2 which states that in the Selby area after taking into account the strategic sites, it needs to identify sufficient allocations to accommodate 1100 new dwellings.

Mr and Mrs Stephenson support Policy CP2 which states that in the Selby area, after taking into account the strategic sites, it needs to identify sufficient allocations to accommodate 1100 new dwellings. To meet these requirements Osgodby should be a priority for development.

Mr and Mrs Stephenson own Tindells Farm in Osgodby. This site in its entirety is allocated as a Phase 2 housing allocation OSG/1 in the SDLP and is identified in the SHLAA as a site deliverable in years 0-7, which demonstrates it is eminently achievable, available and suitable in the short term.

Whilst we recognise the sequential approach to allocating development in Selby, Sherburn in Elmet, Tadcaster and designated service villages such as Osgodby, which identifies previously developed land within the settlement before suitable Greenfield sites within the settlement, the sequential approach must still forget existing allocated Greenfield allocations in the SDLP which can contribute towards housing requirements. The Draft Core Strategy should recognise the importance of these Greenfield sites in housing delivery, some of which can be delivered quicker in some circumstances than previously developed land within the settlements.

The Core Strategy proposes through Policy CP3 Managing Housing Land Supply that should there be a shortfall in the District's 5 year land supply prior to the adoption of the Selby AAP or Allocations DPD and that the Phase 2 sites will provide the source for future housing.

The Council acknowledge that through the trajectory there could be a shortfall in housing supply in the next couple of years but still maintain that in respect of overall numbers, a 5 year land supply exists. The approach to Policy CP3 is ambiguous and needs clarification. Mr and Mrs Stephenson consider that the delivery of Greenfield sites could overcome this shortfall plus a robust assessment of delivery and the acceptance of the RSS target as a minimum to be achieved.

Policy CP1 states that the previously developed land target is 50 percent. Policy CP3 housing land supply should reflect Policy H2 of the RSS, which focuses on managing the supply and delivery of housing and adopting a flexible approach by not treating housing figures as ceilings and highlighting that the release of Greenfield sites can support the transformation approach. The approach to the land supply calculations in the Core Strategy needs to be clarified as the Council appear to have discounted their

overprovision in previous years, which is not in accordance with Government guidance. Adopting this approach will artificially reduce what the Council needs to achieve in future years and inflates their housing land supply.

In this respect, the currently drafted Core Strategy is unsound. In order to make it sound, the following changes are suggested:

- Include reference to the role Greenfield underutilised land can play in the achievement of the housing requirement in the event of a shortfall in the target for housing on previously developed land being identified.

Mr and Mrs Stephenson object to Policy CP4 housing mix which creates a policy that explains that size and types of dwellings on sites should reflect the need and demand for the area. Mr and Mrs Stephenson consider that this policy should recognise that local needs can often change over time and the policy should not include a level of detail within the policy which may become outdated and subject to change over time.

Policy CP5 affordable housing adopts a similar prescriptive approach which is very specific in regards to the level and tenure mix of affordable housing on sites, which does not recognise the need to permit a degree of flexibility as local needs can often change over time.

In this respect, the currently drafted Core Strategy is unsound. In order to make it sound, the following changes are suggested:

- The policy should be amended to reflect the evidence base and should be flexible and incorporate flexibility taking account the viability of sites.

Mr and Mrs Stephenson also object to the wording of Policy CP8 'Access to Services, Community Facilities and Infrastructure' which states that infrastructure and community facilities needed in connection with new development "must" be in place or provided in phase with development. We consider that this policy is too onerous. This policy should permit a degree of flexibility in the contribution and commitment to infrastructure being in place, given this requirement could in some circumstances affect the viability of some schemes.

In this respect, the currently drafted Core Strategy is unsound. In order to make it sound, the following changes are suggested:

- The policy should be amended to reflect the evidence base and should be flexible and incorporate flexibility taking account the viability of sites.
- The terminology should be changed and the word "must" be replaced with "should".

Mr and Mrs Stephenson wish to continue their active engagement in the emerging Core Strategy. We trust that you can give due consideration to these comments and we request that you can confirm receipt of this letter.

Please do not hesitate to contact us to discuss any issues raised in this Representation further.

Yours faithfully



GAVIN WINTER BA (Hons) MA MRTPI  
Principal Planner  
Gavin.winter@spawforths.co.uk

Encl:

Cc: Mr and Mrs Stephenson

P0-TP-SPA-LT-P3313-0003-00

**tracey peam**

---

**From:** Gavin Winter [Gavin.Winter@spawforths.co.uk]  
**Sent:** 07 April 2010 15:57  
**To:** tracey peam  
**Subject:** RE: Draft Core Strategy Representations

Tracey,

We would prefer it to remain C/o Spawforths, with any further contact through ourselves as agents.

Regards

GAVIN WINTER  
Principal Planner  
BA(Hons), MA, MRTPI

---

**From:** tracey peam [mailto:tpeam@selby.gov.uk]  
**Sent:** 07 April 2010 15:40  
**To:** Gavin Winter  
**Subject:** RE: Draft Core Strategy Representations

Hi Gavin

Is it not possible to have their actual contact details rather than the address they are interested in?  
This is to complete mandatory fields within the Limehouse database.

**Tracey Peam**  
**(LDF Team)**

SELBY DISTRICT COUNCIL  
*An 'Excellent' Council*

Tel 01757 292022  
Fax 01757 292090  
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**From:** Gavin Winter [mailto:Gavin.Winter@spawforths.co.uk]  
**Sent:** 07 April 2010 15:33  
**To:** tracey peam  
**Subject:** RE: Draft Core Strategy Representations

Tracey,

I can give you the full site address they have land interests in:

Mrs June Langhorn  
Corner Farm  
South Duffield Road  
Osgodby

08/04/2010

Mr and Mrs Stephenson  
Land at Tindalls Farm,  
Sand Lane,  
Osgodby

GAVIN WINTER  
Principal Planner  
BA(Hons), MA, MRTPI

---

**From:** tracey peam [mailto:tpeam@selby.gov.uk]  
**Sent:** 07 April 2010 15:24  
**To:** Gavin Winter  
**Subject:** Draft Core Strategy Representations

Dear Gavin

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 Mrs June Langhorn and Mr and Mrs Stephenson. 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.

Kind Regards

Tracey Peam  
Development Policy  
Tel: 01757 292022

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ID 416427

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ryan king

Comment ID DCS/69

**From:** ryan king  
**Sent:** 01 April 2010 14:29  
**To:** 'Will Mulvany'  
**Subject:** RE: LDF - Core Strategy Consultation Feb-April 2010

Dear Mr Mulvany

I acknowledge receipt of your comments on the Selby District Draft Core Strategy.

Kind regards.

**Ryan King**  
Assistant Planning Officer (LDF Team)

**SELBY DISTRICT COUNCIL**  
An 'Excellent' Council

**Tel:** 01757 292034  
**Fax:** 01757 292090  
**Email:** [rking@selby.gov.uk](mailto:rking@selby.gov.uk)  
**Web:** [www.selby.gov.uk](http://www.selby.gov.uk)

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Selby District Council, Civic Centre, Portholme Road, Selby, North Yorkshire, YO8 4SB - DX 27408 Selby

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**From:** Will Mulvany [<mailto:will.mulvany@sandersonweatherall.com>]  
**Sent:** 01 April 2010 14:11  
**To:** ldf  
**Cc:** Linda Crackles; David Chary  
**Subject:** LDF - Core Strategy Consultation Feb-April 2010  
**Importance:** High

Dear Sir or Madam

Please find attached comments in respect of the Core Strategy consultation.

A hard copy is in tonight's post, but please confirm safe receipt.

Regards

Will Mulvany MATRP MRTPI  
Senior Consultant  
Planning  
For and on behalf of Sanderson Weatherall LLP

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01/04/2010

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Leeds London Newcastle  
Manchester Teesside

31 March 2010

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

SELBY DISTRICT COUNCIL PLANNING	
6 APR 2010	26 APR 2010
DATE RECEIVED & LOGGED	LAST REPLY DATE

25 Wellington Street  
Leeds  
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By Post and Email

Dear Sir

**CONSULTATION DRAFT CORE STRATEGY FOR SELBY DISTRICT, FEBRUARY 2010  
COMMENTS ON BEHALF OF THE DIOCESE OF YORK**

We write with regard to the above document, on behalf of our client, the Diocese of York.

Our client is the owner of Land to the south-west of Selby, north-east of Brayton.

We enclose a completed Comments Form, as requested, and trust that the comments are given due consideration and incorporated within the further stages of the LDF.

If you have any queries, please do not hesitate to contact this office. In the meantime, please ensure that we are informed of further stages of consultation for the Core Strategy and other LDF documents.

Yours faithfully

  
**Will Mulvany MATRP MRTPI**  
**Senior Planning Consultant**  
**For and on behalf of Sanderson Weatherall LLP**

DD: 0113 221 6136  
Email: [will.mulvany@sandersonweatherall.com](mailto:will.mulvany@sandersonweatherall.com)

Enc

cc L Crackles – Dioces of York  
D Chary – Sanderson Weatherall LLP



**Chartered Surveyors and Property Consultants**  
Sanderson Weatherall LLP  
Registered in England - company number 4870380.  
Registered Office 25 Wellington Street Leeds LS1 4WG  
Regulated by RICS





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

**LDF** LOCAL DEVELOPMENT FRAMEWORK

SELBY DISTRICT COUNCIL  
PLANNING

26 APR 2010

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DATE

### 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](http://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](http://www.selby.gov.uk) and e-mail to [ldf@selby.gov.uk](mailto: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.**

a) Personal details		a) Agent details if you are using one	
Name		Name	Will Mulvany
Organisation	The Diocese of York	Organisation	Sanderson Weatherall LLP
Address	C/o Agent	Address	25 Wellington Street Leeds
Postcode		Postcode	LS1 4WG
Tel		Tel	0113 221 6136
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Email		Email	<a href="mailto:will.mulvany@sandersonweatherall.com">will.mulvany@sandersonweatherall.com</a>

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

**Section Number / Paragraph(s) / Policy Number**

Key Diagram

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

**Please add any comments below**

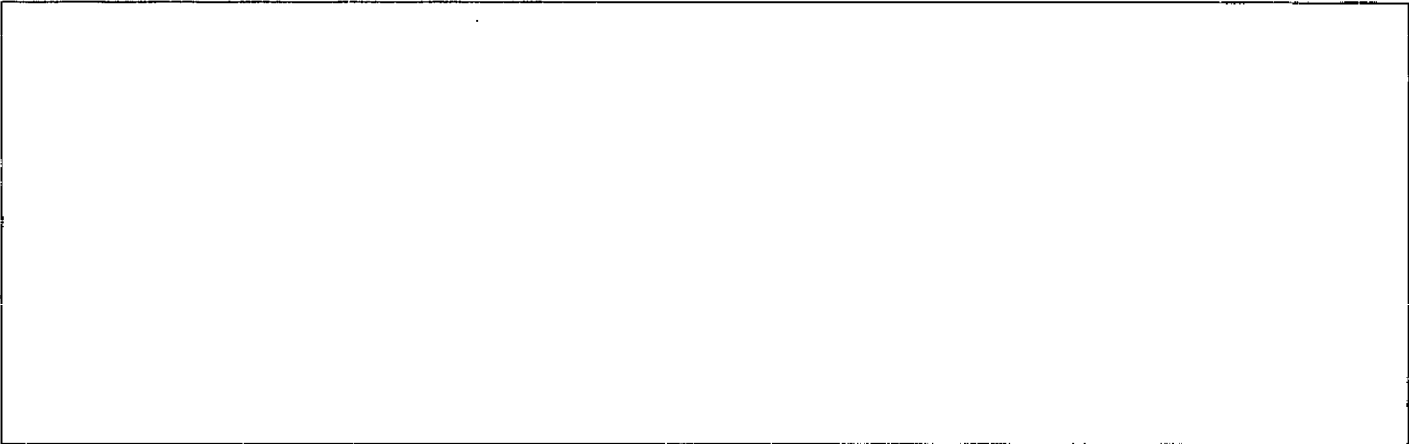
*What is wrong with it? How should it be changed? Does anything need adding?*

Our client is the owner of land to a south-west of Selby, north-east of Brayton.

It is noted that the land in question is shown as a strategic countryside gap and the development limits for Selby and Brayton do not include it.

That is understandable as that is the current policy situation and we do not dispute that fact. However, it is the firm intention of my client to seek allocation of their land for residential development as a sustainable extension to the Town.

It is our understanding that such matters are to be determined through the Selby AAP, which is only at its very formative stage. It would therefore appear premature to define development limits or preclude certain forms of development, without more detailed consideration. Whilst it does state that the Key Diagram is for illustrative purposes only, the final version should reflect any final Proposals Map and Site Allocations Document.



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**

Section 5

**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?*

Section 5: Creating Sustainable Communities makes reference to the proposed scale and broad distribution of housing. Whilst our client welcomes the approach to direct new development to the main settlements, including Selby, Sherburn in Elmet and Tadcaster, it would appear to be unduly specific in identifying where such development will come forward (e.g. at para 5.12, it is indicated that Selby's needs will be met through development to the north-west of the town and a housing/employment site by the River Ouse).

At para 5.14 it dismisses development of land between Selby and Brayton, part of which is in the ownership of our client.

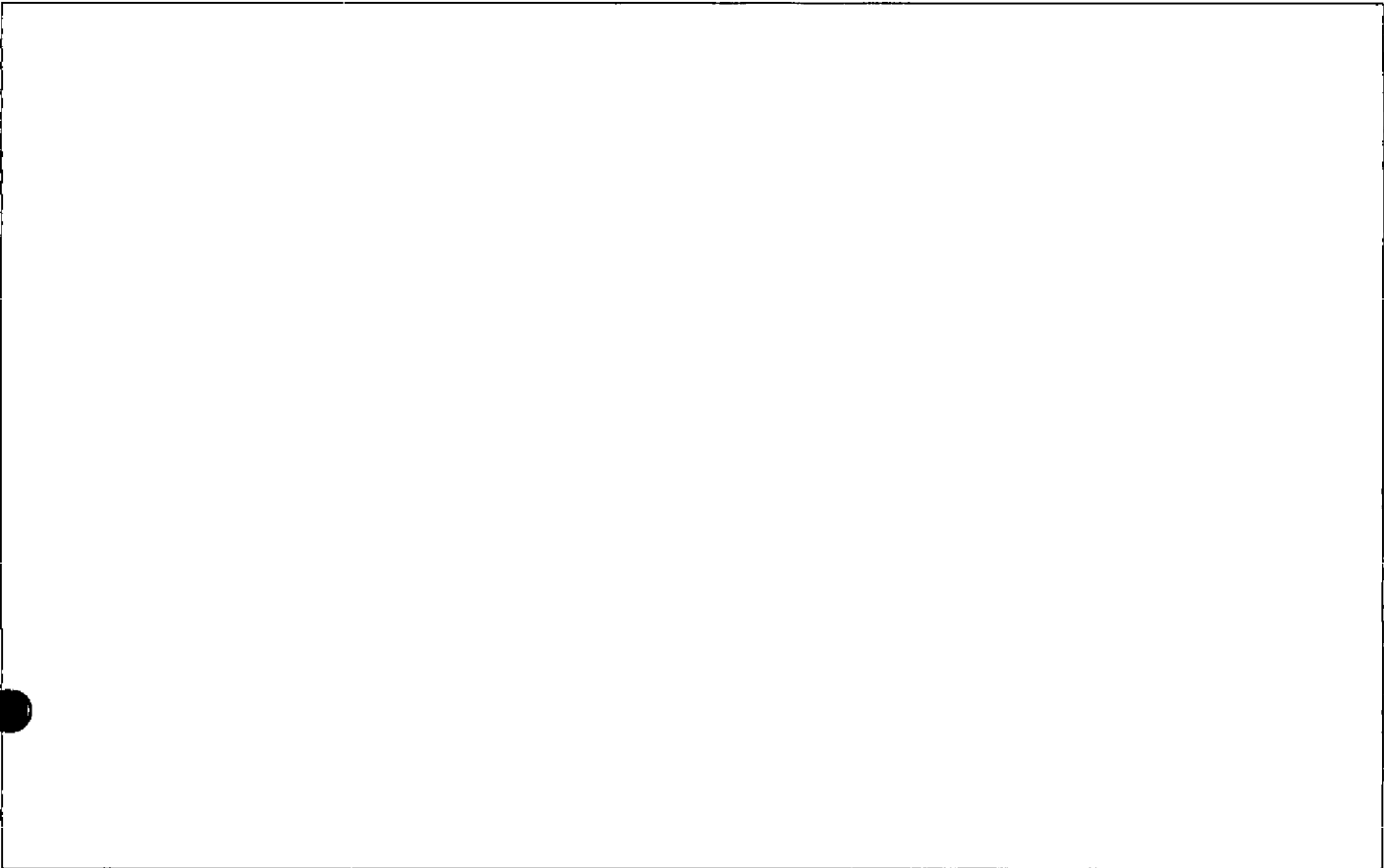
Whilst background information has been compiled that has informed this strategy, it is premature to set out where development may or may not go, ahead of more detailed consideration within the Selby Area Action Plan (SAAP). Other sites may indeed come forward for development, but their proposed densities and yields may not be realised once more detailed feasibility work is undertaken. Indeed it is yet to be proven that such sites are indeed deliverable.

The land in the ownership of my client is available in its entirety. It is considered to be suitable and achievable. Certain further investigation may be required to demonstrate its deliverability further, but that should be within the context of the SAAP and not the Core Strategy.

Our client would therefore ask that the text of Section 5 is revised to reflect that the specific sites, or indeed areas for new development within the SAAP will be discussed and considered in that context. Until specific sites are subject to detailed examination, they should not be dismissed 'out-of-hand'.

It should be noted that Policy CP2 does reflect a broad approach without necessarily ruling out specific sites at this strategic stage. The supporting text should be along the same lines.





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

*For + on behalf of Sanderson Weatherall LLP  
For the Diocese of York*

Date

*31/3/2010*

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](mailto: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

Comments ID DCS/72

**ryan king**

**From:** Rose Freeman [rose.freeman@theatrust.org.uk]  
**Sent:** 01 April 2010 15:25  
**To:** ldf  
**Subject:** Draft Core Strategy

Our Ref.: RF/2876

### **Draft Core Strategy**

Thank you for your letter of 18 February consulting The Theatres Trust on the Draft Core Strategy.

The Theatres Trust is The National Advisory Public Body for Theatres. The Town & Country Planning (General Development Procedure) Order 1995, Article 10, Para (v) requires the Trust to be consulted on planning applications which include 'development involving any land on which there is a theatre.' It was established by The Theatres Trust Act 1976 'to promote the better protection of theatres'. This applies to all buildings that were either built as theatres or are used for theatre presentations, in current use, in other uses, or disused.

Due to the specific nature of the Trust's remit we are concerned with the protection and promotion of theatres and therefore anticipate policies relating to cultural facilities.

### **Tests of Soundness**

We support the Core Strategy and find it to be Sound (from our point of view) in respect of Policy CP11 Town Centres and Local Services.

### **Comments**

We support Objective 13 to improve the range and quality of cultural and leisure opportunities across the District and note ¶4.15 which acknowledges that Selby town has a key role as the cultural and social hub for the District, and ¶6.37 which describes Selby as the principal town of the region and is the prime focus for housing and all community activities including the cultural offer. These main town centre uses are confirmed in the entry in your Glossary of Terms under 'Principal Town'.

However, we would suggest that Policy CP11 should include the protection and enhancement of your existing established local cultural facilities. This policy should also state that the loss of an existing facility will be resisted unless it can be demonstrated that the facility is no longer needed, or it can be established that the services provided by the facility can be served in an alternative location or manner that is equally accessible by the community.

Our comments in the paragraph above should also be applied to Policy CP8 Access to Community Facilities. We also suggest for clarity that a description for the term 'community facilities' be included in the Glossary as: *community facilities provide for the health, welfare, social, educational, spiritual, recreational, leisure and cultural needs of the community.*

Paragraph 6.34 on page 72 should be amended to PPS4.

We note there was no policy on Developer Contributions although the topic was mentioned at various points in the document. We suggest a policy should be included in the Core Strategy for a general approach to this matter with appropriate references to strategic sites and clear links to these details set out in the supplementary planning document.

We look forward to being consulted on other planning policy documents especially the Selby Area Action Plan and the review of the Developer Contributions SPD.

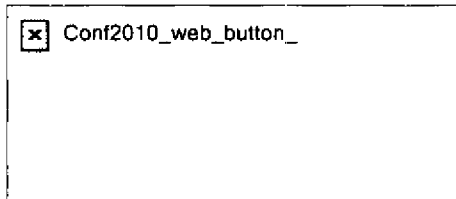
01/04/2010

We would like to be informed when the Inspector's Report has been published.

Rose Freeman  
Planning Policy Officer  
The Theatres Trust  
22 Charing Cross Road  
London WC2H 0QL  
Tel: 020 7836 8591  
Fax: 020 7836 3302

[planning@theatrestrust.org.uk](mailto:planning@theatrestrust.org.uk)

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