

## **Officer Update Note**

**9 December 2015**

### **All Items**

Since the compilation of the committee reports, there have been two policy updates in regards to the Legal Challenge to the Core Strategy and an update on the Council's 5 year Housing Land Supply.

#### **Legal Challenge to the Selby District Core Strategy Local Plan**

Sam Smith's Old Brewery was granted leave to appeal the decision of the High Court to dismiss the Core Strategy Legal Challenge. Leave was given on only one ground, whether the Duty to Co-operate (introduced by the Localism Act 2011) applied to work done during the suspension of the Examination in Public.

The Court of Appeal decision was handed down on 5 November 2015 which dismissed the appeal, therefore the Core Strategy as the adopted Development Plan is afforded full weight.

The Brewery has subsequently applied for leave to appeal the decision to the Supreme Court. However, this does not alter the fact that the Core Strategy has been found to be the lawfully adopted Development Plan. It should therefore be afforded full weight.

#### **5 Year Housing Land Supply**

On 3<sup>rd</sup> December 2015 the Executive received and resolved to endorse the updated Five Year Housing Land Supply Methodology and resultant housing land supply figure as set out in the Statement. The Council now has a five year housing supply.

These updates do not change the overall assessment and conclusions reached as part of the applications to be determined at this Planning Committee and do not alter the Officer Recommendation or Conditions.