

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

3 August 2015

Your Ref: DS/vs/230

Dear Sir / Madam

Representations towards Let's Talk PLAN Selby: Summer 2015

Land East of Selby Road, Whitley (Responder Ref No. 18)

Knight Frank LLP is instructed by the landowner of the above site to submit representations towards the Let's Talk PLAN Selby: Summer 2015 consultation, which runs from 29 June and 10 August 2015.

Knight Frank has previously made representations towards the PLAN Selby - The Sites and Policies Local Plan Initial Consultation (November 2014) in a letter dated 15 December 2014 and the Selby's Site Allocations Development Plan Document (DPD), Issues and Options Consultation (January 2011) (now archived) in a Report dated 16 February 2011. Knight Frank have also submitted SHLAA representations on 25 November 2010 and 15 November 2011 and as a part of the Council's most recent Call for Sites 2013.

Site Description

Land East of Selby Road, Whitley

Our client's site is located east of Selby Road (A19), to the south of Junction 34 of the M62 motorway, at Whitley, Selby. The site is approximately 3 hectares and comprises of greenfield land with residential dwellings to the north, south and west of the site and open countryside to the east.

The site is relatively flat and boundaries to the north and south are predominantly tree lined and has excellent access to the wider area via the A19 highway and M62 motorway. There are local services and facilities available within Whitley and Eggborough, including bus stops within 10-20 metres (Bus Services 405 and 407) and a train station within just a few minutes' walk.

The site is identified as being located in the Green Belt in Selby District Council's Local Plan (adopted February 2005) but adjoins the Whitley settlement boundary to the north, south and west.

Our client's additional land ownership

Our client's land ownership extends further to the north, with approximately 12.5ha bounded by Selby Road, the M62 motorway and the Knottingley and Google Canal. This land has been highlighted as an additional

T +44 113 246 1533 F +44 113 244 6654
9 Bond Court Leeds LS1 2JZ

KnightFrank.co.uk

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option with the potential for further development and can be brought forward should the Council wish to consider it, either collectively or separately to the land off Selby Road.

A Site Location Plan is enclosed which shows the primary site, land off Selby Road, in red and our client's other land in blue.

Strategic Housing Land Availability Assessment (SHLAA) 2015

As is set out above, representations towards the site have been previously submitted to the Council.

In June 2015 the Council published their 2015 Strategic Housing Land Availability Assessment. Land East of Selby Road, Whitley is identified within the document as 'Whitley-9 - Land North of Whitley Farm Close, Whitley', capable of delivering 82 dwellings between 2017 and 2020.

We acknowledge that the inclusion of sites within the SHLAA should not be taken to imply that the site will be allocated for housing or looked upon favourably when determining planning applications.

Our client's wider land ownership has not been included within the SHLAA and no explanation has been provided to explain why. Our client therefore seeks the reasoning behind this decision.

Let's Talk PLAN Selby: Summer 2015

The Council has published a number of Draft Studies and Evidence Base documents which, when finalised, will inform decisions made about what PLAN Selby should look like.

These representations only consider the Draft Studies and Evidence Base documents that are considered to be of relevance to our client's site. These are:

- Draft Strategic Housing Market Assessment (SHMA);
- Draft Stage 1: Green Belt Study;
- Draft Method Statement for Villages Affected by the Green Belt;
- Draft Method Statement for the Site Allocations: A Framework For Site Selection; and
- Draft Growth Options For Designated Service Villages.

Each of these documents is considered and commented on in turn below.

Draft Strategic Housing Market Assessment (SHMA)

The Selby District Core Strategy already sets out the District's housing requirement based on Strategic Housing Market Assessments undertaken in 2009 and 2011 and sets out a need to deliver 7,200 new homes across the District from 2011 to 2027, a period of 16 years. This equates to the building of at least 450 new homes per year.

The SHMA identifies that the District's objectively assessed need for housing is about 430 dwelling per annum up to 2027. The document states that this supports the adopted policy position in the Core Strategy.

Question 1 of the Let's Talk PLAN Selby: Summer 2015 consultation asks, '*Do you have any comments on the trend based demographic projections?*'

The Council's Core Strategy was adopted on 22 October 2013. This shows that in less than two years the housing requirement has dropped by 20 dwellings per annum. Given the Development Plan covers a period to 2027 and trend based demographic projections are likely to change over that length of time, the requirement set out within the adopted document should be a minimum requirement, in order to allow for

an element of flexibility. Were the Council able to demonstrate a five year housing land supply, for example, our client has concerns the Council may restrict further residential development from coming forward.

Our client would like to make the Council aware of an appeal decision for 100 dwellings at Upper Chapel, Launceston (APP/D0840/A/13/2209757), which was allowed on 11 April 2014. At paragraph 51 of the decision letter the Inspector *considered* ‘..irrespective of whether the five year housing land supply figure is met or not, NPPF does not suggest that this has to be regarded as a ceiling or an upper limit on permissions. On the basis that there would be no harm from a scheme, or that the benefits would demonstrably outweigh the harm, then the view that satisfying a 5 year housing land supply figure should represent some kind of limit or bar to further permissions is considerably diminished, if not rendered irrelevant. An excess of permissions in a situation where supply may already meet the estimated level of need does not represent harm, having regard to the objectives of NPPF.’

We suggest that the adopted document needs to make it explicit that the housing requirement figure per annum is the minimum requirement and that, should the Council be able to demonstrate a supply, this would not limit proposals which come forward where there would be no harm from a scheme, or where the benefits would demonstrably outweigh the harm.

Draft Stage 1: Green Belt Study

The Selby District Core Strategy confirms the establishment of the Green Belt across the west of the District and parts of the north of the District and acknowledges that the most sustainable pattern of growth for the District may require PLAN Selby to allocate land for new development that currently lies within the Green Belt. Our client is keen for a Green Belt review to progress.

This Stage 1 Study comprises an assessment of areas of the Green Belt against the purposes of the Green Belt and concludes with a schedule of scores in Table 8 that reflect how strongly each area of the Green Belt is considered to perform against the five purposes of the Green Belt.

The five purposes of the Green Belt, as set out in paragraph 80 of the NPPF are:

- To check the unrestricted sprawl of large built-up areas;
- To prevent Neighbouring Towns from merging into one another;
- To assist in Safeguarding the Countryside from Encroachment;
- To preserve the setting and special character of historic towns; and
- Assisting in Urban Regeneration by encouraging the recycling of derelict and other urban land.

Question 3 of the Let’s Talk PLAN Selby: Summer 2015 consultation asks, ‘Using the information within Table 8 of this study, do you have any comments on the approach by which General Areas could be defined as ‘weakly’ or ‘more strongly’ fulfilling the five national purposes of the Green Belt (as defined within NPPF Paragraph 80)?’

Question 4 asks, ‘Do you have any comments on the approach to defining purpose 5 of the Green Belt Review?’

Our client’s site is identified within Table 8 as falling within General Area ‘South 10 - Area to the east of Whitely’, which covers an area of 1,220 ha.

Whilst our client does not necessarily disagree with the scores set out within the Green Belt Assessment at Table 8, it is considered that the size of the area being assessed is far too large to accurately reflect the impact upon the Green Belt.

The representations we previously submitted towards the PLAN Selby - The Sites and Policies Local Plan Initial Consultation (November 2014) in a letter dated 15 December 2014, included an assessment of the site's impact on and importance to the Green Belt.

By way of an example, when assessing the Area's ability to prevent neighbouring towns from merging into one another, Table 8 suggests the Area represents an essential gap, where development would significantly perceptually, visually or physically reduce the perceived distance between settlements to an unacceptable degree. Whilst our client agrees with this statement generally, this certainly isn't correct for our client's site. As is set out in the previously submitted representations, were development to come forward on our client's site, this would not need to project any further into the Green Belt than any of development surrounding it, could be well screened and would not physically reduce the distance between settlements to an unacceptable degree.

We acknowledge that the Stage 1 Study has already sub-divided the Green Belt into 44 General Areas and that, following the finalisation of the Study, Stages 2 and 3 will look at major development constraints and define specific parcels of land that may require further assessment in the site allocation process. However, our client is of the opinion that there needs to be some flexibility now and an acknowledgment that the assessment findings are not necessarily applicable to all parcels of Green Belt land within a specific General Area. Our client supports the intention to look at major development constraints and define specific parcels of land at Stages 2 and 3, should the Review progress to those stages.

Draft Method Statement for Villages Affected by the Green Belt

This Method Statement outlines the proposed methodology and criteria to enable the Council to determine a consistent and robust approach as to whether a village in the Selby Green Belt should be 'washed over' inside the Green Belt or be a Green Belt 'inset' and therefore outside of the Green Belt.

The Method Statement proposes six stages to this process:

- Stage 1 - Identify all villages in the Green Belt, to be considered by the assessment;
- Stage 2 - Identify current defined settlement boundaries for a village on a plan;
- Stage 3 - Review and map the degree of openness within the village based on density of development;
- Stage 4 - Review and map the relationship of the village with the Green Belt. Identify openness of the boundary to the development limits, noting and mapping views into and out of village development limit, and any perceived restrictions to the perception of openness;
- Stage 5 - A decision should be made whether the village should be washed over or inset;
- Stage 6 - Reflect outcome from Definition of Development Limits Review, which is being undertaken by Selby District Council.

Question 8 of the Let's Talk PLAN Selby: Summer 2015 consultation asks, '*Do you have any comments on the proposed approach to determining the status of villages in the Green Belt set out in section 3 of the study?*'

Our client is highly supportive of this approach. Presently Whitley is an inset village surrounded by Green Belt land. We do not envisage that this will change. The Method Statement identifies, at Stage 5, that if the majority of the village is not considered open in character and the areas of the village that demonstrate an open character do not appear continuous with the Green Belt then the village should be inset and further consideration given to the boundaries for inseting. Our client considers this to be applicable to Whitley and is keen for further consideration of the settlement boundaries to be undertaken. Were this approach taken

there would be an opportunity for our client's site to be promoted for inclusion within the inset. We therefore wish to be kept informed of the progress of this document.

Draft Method Statement For Site Allocations: A Framework For Site Selection

Paragraph 151 of the NPPF states that Local Plans must be prepared with the objective of contributing to the achievement of sustainable development. Paragraph 152 continues that significant adverse impacts on the social, environmental and economic dimensions of sustainable development should be avoided and wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Furthermore paragraph 182 advises that to be found 'sound' at public examination a Local Plan should represent the most appropriate strategy, when considered against the reasonable alternatives.

In preparing the PLAN Selby Site allocations, the Council must consider carefully whether land for new development, and in particular for new housing, if developed, would contribute to a sustainable pattern of development, and then ensure that adverse impacts on the social, environmental and economic dimensions of sustainable development are, if possible, avoided.

The Draft Method Statement for Site Allocations provides a draft process, methodology and assessment system with which, when approved, the Council will use as the basis for the selection of those site options for earmarking (allocating) for development in PLAN Selby.

Question 9 of the Let's Talk PLAN Selby: Summer 2015 consultation asks, *'Do you have any comments on the overall approach to the site selection process set out in section 6.3 of the study and do you have any comments on the details of the site assessment work proposed in Appendix A of the study?'*

Paragraph 6.1.2 provides commentary on Green Belt land and advises that any potential land release from the Green Belt, which will be identified at a later date, will be fed through the site selection methodology only if needed and where exceptional circumstances can be justified. Green Belt sites will only be considered for their potential allocation if after exhausting all non-Green Belt it is not possible to deliver the quantum of development proposed in the Core Strategy or Core Strategy settlement hierarchy. In the event that this is the case, the suitability of the potential land release from the Green Belt identified through the Green Belt Study will be considered through the same sieving process as all non-Green Belt Sites. Our client agrees with this approach and considers it to be a fair and reasonable way forward.

Section 6.3 of the Draft Method Statement For Site Allocations identifies four stages in the Site Selection methodology, as follows:

- Stage 1: Initial Sift;
- Stage 2: Quantitative Assessment;
- Stage 3: Qualitative Assessment;
- Stage 4: Deliverability.

The Draft Method Statement sets out that during Stage 1 (Initial Sift) sites will be removed which have a significant constraint to development and do not conform to the Core Strategy settlement hierarchy. Stage 2 (Quantitative Assessment) will focus on flood risk, accessibility and on Previously Development Land / lower grade agricultural land. Stage 3 (Qualitative Assessment) will focus on environmental, social and economic criteria and will incorporate impacts upon amenity. Stage 4 (Deliverability) will confirm the site's viability and deliverability as required by NPPF.

Appendix A of the Draft Method Statement sets out the approach to site selection methodology for stages 1 and 2 above. This shows the proposed impact of a site by way of a traffic light ranking system.

Our client considers the process set out in section 6.3 and the site selection methodology set out within Appendix A to be a reasonable approach to the site selection process. Our client is pleased to see that the majority of the assessment criteria is based on factual information, from a Data Source, rather than criteria which is subjective and open to different interpretation. In instances where officer judgement is necessary, our client would like assurances that these are consistent across all sites.

In conclusion, our client agrees with the approach to the site selection process set out in section 6.3 and the details of the site assessment work proposed in Appendix A of the study.

Draft Growth Options for Designated Service Villages

Eggborough and Whitely are identified as Designated Service Villages within the Selby District Core Strategy (adopted 2013). The Draft Growth Options for Designated Service Villages identifies that when housing completions and sites with planning permission in Designated Service Villages since the 2011 are taken off the original 2,000 dwellings target for Designated Service Villages there is a requirement to allocate land for at least 769 new dwellings.

The purpose of the Draft Growth Options for Designated Service Villages document is to discuss the options for the distribution of these dwellings across the Selby's Designated Service Villages. The document sets out three options for distribution:

- Option 1 - Proportionate dispersal across all Designated Service Villages;
- Option 2 - Distribution based on services and accessibility;
- Option 3 - Growth Based on avoiding Green Belt release.

Option 1 sets out a proportionate dispersal method, applying a blanket application of 4.75% growth per settlement. Were this option adopted, there would be a need for 61 dwellings within Eggborough and Whitely.

Option 2 sets out a distribution based upon the number of services and its public transport accessibility and accessibility to employment. Those settlements ranking highest are apportioned a higher number of dwellings, and those ranking lower are apportioned a reduced number. Were this option adopted, there would be a need for 26 dwellings within Eggborough / Whitely.

Option 3 apportioned a blanket 6.5% growth to those Designated Service Villages not within Green Belt. Were this option adopted, there would be a need for 0 dwellings within Eggborough and Whitely.

Question 11 of the Let's Talk PLAN Selby: Summer 2015 consultation asks, *'If you had the choice, let us know which option for growth of the Designated Service Villages you would choose?'*

Our client strongly disagrees with the approach set out in Option 3. This option would not only prevent development in Eggborough / Whitely, it would also prevent development in Byram/ Brotherton, Escrick, Monk Fryston / Hillam and South Milford, putting additional pressure on the other Designated Service Villages to deliver housing. Furthermore, the Council have stated that there may be a need for a Green Belt Review and Green Belt land release. Were this the case, Option 1 would become redundant.

Of the remaining options, our client considers Option 1 to be the best approach. This is based on a proportional percentage split, ensuring growth across all of the Designated Service Villages and is deemed to be the most balanced and practical approach.

Conclusion

These representations have provided comments towards a number of the Draft Studies and Evidence Base documents currently being consulted on as a part of the Let's Talk PLAN Selby: Summer 2015 consultation. We appreciate that a number of these documents are higher level, rather than site specific, therefore we wish to reemphasise our client's intention to promote his site and for it to be considered and included in future assessments, at the appropriate time.

We wish to be kept informed of the PLAN Selby progress, particularly those documents identified within these representations. Should you have any queries or seek any clarification on these representations, please do not hesitate to contact me.

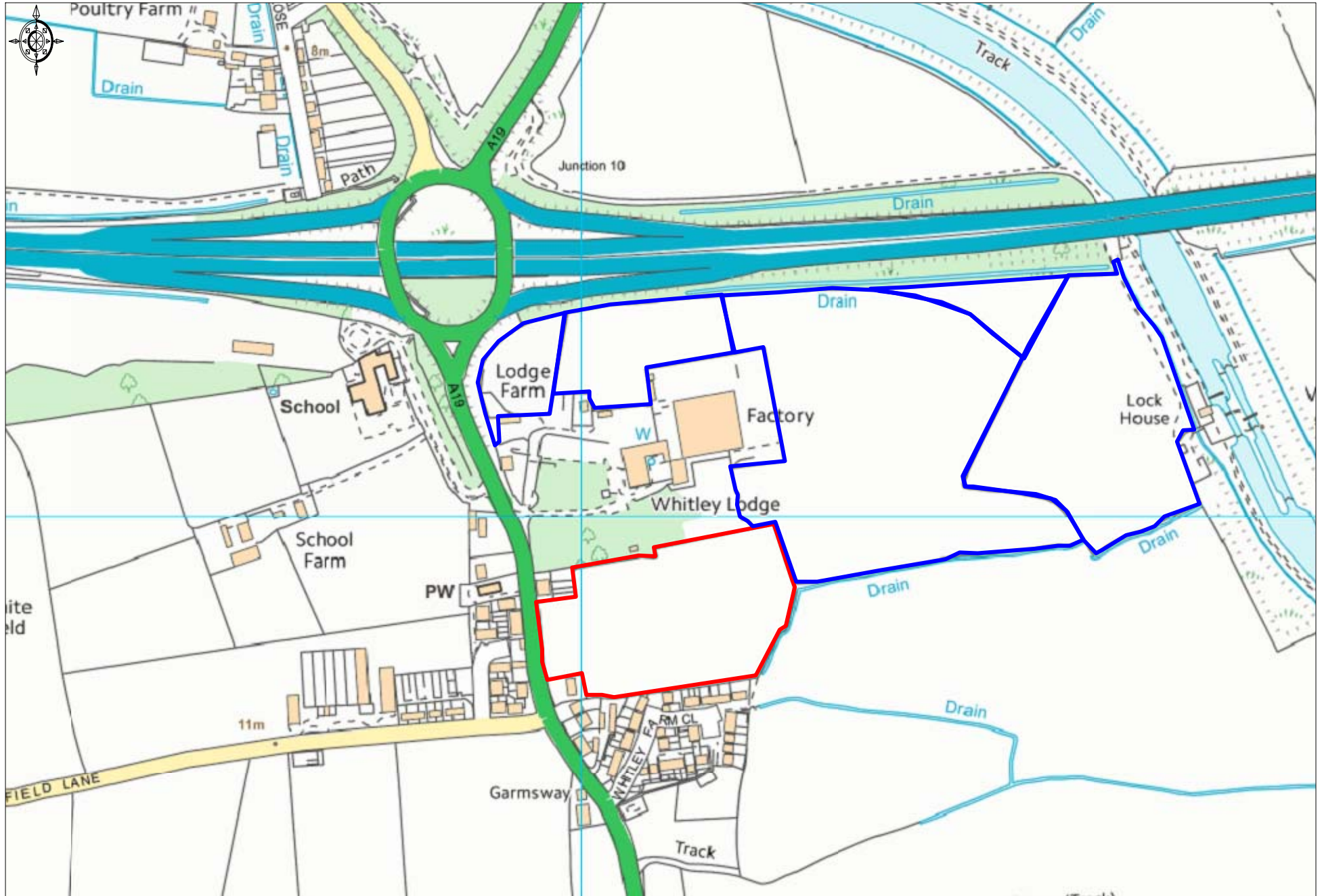
Yours sincerely

Sophie Taylor

Partner

sophie.taylor@knightfrank.com

Site Location Plan



Ordnance Survey © Crown Copyright 2014. All rights reserved. Licence number 100022432. Plotted Scale - 1:5000



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