

**Response to PLAN Selby consultation****Riccall Parish Council****Jan 2015****Question 4 – General Comments**

**The timescale for the consultation has been unrealistic for local Councils and is not balanced with the importance of the process. There should have been enough time to research all aspects of the document, to engage electors, hold public meetings, to plan, attend presentations at Selby DC and then prepare a meaningful response, based fully on the views of the Council along with those of the residents of Riccall. The timescale did not support a meaningful consultation and therefore the views of local residents are not reflected within our reply to you.**

The following points are pertinent:

This process should not have happened over the Christmas break.

A statutory consultation period was not relevant for this. Much longer was needed.

Initial letters and presentations to Councils should have been organised much earlier.

The initial 4 questions require people to read 413 pages! It has to be assumed that this is off-putting for the vast majority of people, who would not have the time to consider a document of that length.

There are far too many topics within one consultation document.

An assumption appears to have been made that local Councils are able to 'drop everything' in order to take the time out of regular commitments and workloads to deal with this in a short space of time. That is certainly not the case at Riccall, where the office workload is already busy and where the Council is very active.

The inefficiencies of this process have become the emergencies of those of us trying to do credit to it and respond to it, at the expense of other necessary work.

Developers, experienced at consultations such as these will dominate the consultation process, at the expense of those living in the district.

The consultation does not feel like a meaningful process.

Further consultations should not be held in December or August, when the response rate will be at its lowest, making it as difficult as possible to people to respond due to holidays.

**Question 1 Sustainability**

On page 20 the statement is made that:

*'This document has been prepared for consultation alongside PLAN Selby Initial Consultation Paper. At each stage of PLAN Selby preparation, a Sustainability Appraisal report will be prepared to document how the SA process has been applied and what changes*

*have been made as a result. The updated SA Report will be issued out for consultation with the relevant version of PLAN Selby. Once PLAN Selby is adopted, a SA/SEA Post Adoption Statement will be prepared, which will explain how the SA and consultation process have influenced the final document.'*

This seems to be an overly complex and expensive process – has SDC explored ways in which to streamline the process and incorporate sustainability criteria as the plan is developed, using the sustainability report as it stands as a reference document?

The proliferation of incinerators raises questions about air pollution and the sustainability of such plant which requires hundreds of thousands of tons of rubbish per year.

### **Question 2 – Habitat Regulation Assessment Report**

There is an abundance of wildlife within Selby District, all of which requires protection, not simply wildlife with a European designation. It would be useful to show where the wildlife lives over the district in general as part of the plan.

### **Question 3 – Duty to Co-operate**

It is important to Selby District that:

York meets its housing targets and these are pro rata with those of Selby. We should not be building houses in Selby to compensate for houses that are not being built in York.

We do not want to see more incinerators and other such plant built on land adjacent to Selby District.

Action by Leeds on flood prevention should not be allowed to increase the risk of flooding in Selby District. These are just a few things that come to mind. Beyond that the Council is unable to comment because of insufficient time given for this consultation.

The document would have been far more meaningful if it had identified the cross border issues and said how they will be managed.

### **Question 5 - Objectives**

Objectives all good

### **Question 6 - Topics**

Consider defining areas for promoting development and protecting key assets and climate change from renewable energy and have eight topics not six.

6C - T2 promoting prosperity is the most important, as without this the rest will not happen. The rest are about the same level of importance.

Trying to cover too large an area here within one question

### **Question 7 – Housing Baseline Numbers**

a) Yes

b) The treatment of windfalls is not satisfactory. According to paragraph 5.9 of the core strategy there are typically 105 windfalls and this represents 23% of the 450/ year growth

forecast to deliver the 7200. In other words if this level of windfall continued for the plan period the target would be exceeded by 23%.

With the exception of the above we consider the proposed development numbers to be unfair, history shows that Riccall has had far more development in recent years than other communities such as Escrick and other villages and so we would expect in the spirit of the plan this trend to be reversed and fairness to prevail in calculating numbers for the future.

### **Question 8 – Allocating sites**

Windfall should account for over allocation – no more than that

### **Question 9 – Growth Projections by Village**

9a) No, a simple growth percentage across all the DSV's is not acceptable, some DSV's, such as Riccall have been over developed in recent years. It is suggested that we take recent history into account and have a more balanced and a fairer allocation of development growth.

9b) Flood plains should not be built upon. Infrastructure needs to be considered in local terms and specifically to any potential development.

A19 access should be carefully considered and a roundabout needs to be planned in for both the northern and southern Riccall junctions, particularly in the case of significant development. Separate discussions should be included with highways to agree a way forwards before new large estates are given outline permission.

The local primary school in Riccall has capacity for growth but not significant growth. Funding would need to be provided alongside any significant development to develop the school. Access is along a narrow and unsuitable road (Coppergate). Issues with parents parking and the potential safety of children walking along Coppergate has forced the school to close its car park, in order to force parents to park elsewhere and to improve the safety of the route to school for children. Access is already unsuitable and further housing allocations would be likely to compound the situation – a solution would need to be considered in partnership with any significant development.

The Doctor's surgery in Riccall is struggling under current demand and there is some concern amongst Selby practices about the developments planned & the impact on local practices. As far as Riccall is concerned, any significant development would increase pressure on a service which is already under strain. The building itself is not ideal for modern health care and requires improvement; it is too small for the community that it currently serves, has insufficient car parking, is not compliant with the equality act, has consultation rooms that are too small and would benefit from improvements, corridors that are too narrow & confidentiality is an issue difficult to resolve.

That said, the surgery is trying to improve what it can, based on the current footprint & taking into account the conservation area, neighbouring listed buildings & surrounding trees with TPO's. You may be aware that SDC recently refused a planning application to extend.

To summarise, at present we are stuck with what we have with little scope to increase provision & little chance of support from NHS England to build on an alternative site. Given this, a substantial rise in the population will only negatively affect the service provision with longer waits to see a G.P etc. The Doctor's surgery is a valuable community asset in Riccall and the Parish Council would like to see an improvement in the overly strained service for residents and a new community health centre.

The Parish Council would consider a housing growth of 4-5% in Riccall to be appropriate, based on the growth that has already happened in recent years. Any growth above that would need a major investment in the current infrastructure available in Riccall.

#### **Question 10 – Rules for choosing sites**

Affordable housing should be based on the needs of the local community. The level of affordable housing allocated to a site should be linked directly to the amount of affordable houses required by that particular village also people housed in these homes should have a direct link to the village. It is not acceptable to have an across the board figure of say 40% affordable houses per development. Also 35 homes per hectare if this is one of the rules is too dense, twenty five is more acceptable. The District Council should take this as an opportunity to review housing density and the percentage targets for affordable homes.

Whatever level that is agreed upon for a new housing estate should be adhered to, regardless of the views of the developer.

#### **Question 12 - Suggestions**

Development should be on existing sites.

#### **Questions 13 & 14 – Site Selection Criteria**

Refer to 12

#### **Question 15 – Employment areas**

##### ***Paras 3.61 through to 3.69***

The future economic prosperity of Selby district depends heavily upon encouraging more high value add businesses to come to the area. There is little value to Selby in allocating large areas of land for development in industries such as distribution if they do not provide sufficient employment with reasonable levels of pay and job security to justify the land take. While it may not form part of this plan there needs to be a clear strategy for getting major businesses to invest in Selby district. It might be better if this is done by a separate document and plan Selby is the vehicle for making the land available, however in doing so there must be some means of being selective about what sort of business growth that we are trying to encourage.

While broadly supportive of everything in para 3.61 through to 3.69 we would like to add the following comments:

1. Further expansion of the distribution sector should not be a primary objective, we should be seeking to expand the manufacturing and knowledge work.
2. In order to reduce out commuting it will be essential that the rate of job creation is such

that a higher than the current average percentage of people who occupy new homes have jobs within the district.

3. There is too little emphasis on providing allocations for commercial premises in the DSVs. High value businesses tend to be relatively small and because they are quite often client focused they require premises in attractive buildings. While not advocating that they be within residential areas because of potential parking and traffic problems they can very comfortably sit alongside and in close proximity to residential areas. While large older buildings can provide suitable accommodation new build and farm conversion can also yield accommodation which is very suitable for high value-add businesses. Such development should be encouraged in preference to the development which occurs around a number of villages with paddocks and stable blocks.

4. The Council disagrees with the final comment in table 6 that the area has experienced growth within the renewable energy sector which continues to represent a significant opportunity for growth within the district. Renewable energy in the form of wind farms and solar farms does not create permanent jobs and has a very large negative impact on the attractiveness of the district. It is also an industry which is entirely dependent upon subsidy. When the subsidy stops such industries will not be able to sustain themselves.

5. There is no mention of tourism. This is a significant opportunity for Selby district and provides major opportunities in rural areas as well as our towns and villages. Simple things like the increasing popularity of cycling is leading to new tea rooms and cafes being set up. While small they all provide new employment opportunities and new revenue coming into Selby district

#### ***15 a and b***

In order to develop the economy the existing employers need a supportive planning regime, such that they can expand their business within the district rather than moving elsewhere. The success of businesses in Selby district is not something over which plan Selby has any control.

Effort should be focused on delivering the support infrastructure that the businesses require and leaving them to get on with running and building their businesses.

However the sort of supportive infrastructure which will be of high value to them is :-

- Superfast broadband access
- good road network access
- parking facilities for employees
- sympathetic planning regime which assists when businesses require more space to expand

In terms of attracting new business this should be done via a marketing activity which is separate from PLAN Selby. This marketing activity should be targeting higher value-added businesses and trying to cluster them around particular industry specialities. We should try to build on what we are good at rather than try to start from scratch.

An example is in the energy industry where the major power generators are the centre of a cluster of other businesses which include

- used of waste materials for building products - gypsum based and ash based
- use of direct access electric supply for glass manufacture
- use of direct access electric supply for gas and air products

It would be positive to see knowledge based and manufacturing jobs within the district.

#### **Question 16 – Employment land**

Yes the plan should be specific about the use of particular sites.

#### **Question 17 – Employment land in villages**

Riccall Business Park is already in existence and ready for further use in the future for local businesses. The site appears to be underdeveloped at present.

#### **Question 18 – Rural areas and employment land**

Yes. We should maintain and preserve the character of the local area.

#### **Question 19 – Special designations for the large sites**

Yes we need policies that ensure the district has and maintains an outstanding environment with attractive, vibrant villages in which the residents have a high quality of life.

#### **Question 21 – Safeguarded areas**

1. The vision makes it clear that the rural character of the district needs to be protected. **By 2027 Selby District will be a distinctive rural District with an outstanding environment, a diverse economy and attractive, vibrant towns and villages. Residents will have a high quality of life and there will be a wide range of housing and job opportunities to help create socially balanced and sustainable communities, which are less dependent on surrounding towns and cities.** In order to do this protection of the countryside should be an overriding policy that runs through the whole of plan Selby.
2. There is very little mention of HS2, the impact which will be felt to some considerable distance from the centre line of the track. It is suggested that 500 m either side of the route be safeguarded until full details of the route are known.
3. The plan needs to be flexible in that it can accommodate future rail development. With widespread electrification expected to be completed during the plan period provision should be made for additional stations and rail infrastructure.

#### **Question 22 – Development limits**

These should be tightly controlled so that the character of Riccall is maintained.

#### **Question 24 – Safeguarded land/ Green Belt**

We would encourage a meaningful consultation in the future.

#### **Question 25 -Infrastructure**

We would reiterate the points made in Question 9

**A19 access should be carefully considered and a roundabout needs to be planned in for both the northern and southern Riccall junctions, particularly in the case of significant development. Separate discussions should be included with highways to agree a way forwards before new large estates are given outline permission.**

The local primary school in Riccall has capacity for growth but not significant growth. Funding would need to be provided alongside any significant development to develop the school. Access is along a narrow and unsuitable road (Coppergate). Issues with parents parking and the potential safety of children walking along Coppergate has forced the school to close its car park, in order to force parents to park elsewhere and to improve the safety of the route to school for children. Access is already unsuitable and further housing allocations would be likely to compound the situation – a solution would need to be considered in partnership with any significant development.

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#### **Question 26 - Climate change and renewable energy**

The question is very broad, it covers both energy generation and energy consumption. It also covers energy generation from micro scale (solar panels on roofs) through small-scale (farm turbines), medium scale generation from wind farms and large scale from biomass. Across this range the generating capacity increases by a factor of 100,000 - from 10 KW for a roof installation to over 1000 MW for Drax co-firing.

Energy generation is the driving force for the Selby economy and should be given commensurate coverage in plan Selby. The document has 117 pages but coverage of climate change and renewable energy is lumped together and gets only five pages.

During the plan period policies for energy generator are likely to see significant change - plan Selby must be capable of adapting to such changes.

There is also expected to be a significant change in the relative priority given to climate change matters by government. If the current pause in Global warming which has now lasted for 15 years continues for another five it will undoubtedly bring about change in government policy.

While we will respond to the individual questions we contend that the subject needs to be broken down into a number of component parts.

These being:

1. Energy generation
2. Energy consumption
3. Adaptation and climate change mitigation.

As further subdivision energy generation should be planned on the basis that it comprises:

- Macro energy generation, broadly described as generation measured in units of 100 MW generated output.
- Mid scale generation – Output between between 1 MW and 100 MW
- Small scale generation - from 20 kW through the 1MW
- Microgeneration – domestic scale up to about 20KW

Note that the subdivisions relate to expected output rather than nameplate capacity. It is necessary to do this because it is output that generates revenue and different forms of generation have very different load factors. A wind farm of 100MW nameplate capacity will generate an average of about 30MW , while a 100MW biomass facility would generate an average of 80% or more.

## **Chapter T5 - Climate Change**

### **Key message**

The definition of renewable energy given in the introduction does not accord with National Policy. If Selby district is to be aligned with national policy the key measure is for low carbon generation. It does not matter whether it is centralised or decentralised. Selby district should not be using measures which do not align with government policy. Broadly speaking government targets are matched by corresponding systems of incentive – micro-generation and small scale generation is covered by the fit system, larger scale generation is covered by the CFD system (which is replacing the ROC )

### ***Para3.125 - Reference to the AECOM report***

The AECOM report has been used at a number of wind farm appeal hearings as evidence and has been discredited. The document contains a range of inaccuracies and simply could not be relied upon in 2011. For example it assigns Marr as a windfarm in Selby district.

The report illustrates the danger in conducting such research when renewable energy generation is in such a state of flux. The document does not include any biomass based on unit conversion. The document does not include any small-scale wind, and yet since the document was published Selby district has seen over 40 planning applications for such schemes.

The biggest concern about the report is that it states that Selby district has the capacity for 271MW (over 100 turbines with a nameplate generating capacity over 2.5 MW - in other words over 130 turbines of the size that are already operational at Rusholme). See AECOM , page 35. This is the largest allocation to any district in North Yorkshire. One of the reasons why the figure is so high is that in the model used there were no areas excluded on the grounds of the landscape impact. This is not acceptable, either socially or morally.

Government policy has shifted and more wind farms and wind turbines are being refused at appeal because of the landscape impact. See appeal decision the Wistow Lordship. The AECOM report simply states that "*Outside of Selby town, the majority of the land is rural and holds significant promise for commercial scale wind energy.*" In other words the whole of the district is suitable for wind and hence the very large number of turbines. On the other hand report says that there is zero capacity for electricity generation from Commercial and Industrial waste. We now have two planning applications at Eggborough and Kellingley with over 100 MW between them. A further shortcoming of the report is that it does not attempt to differentiate between the relative merits of any form of generation.

In conclusion the AECOM report does not provide any information on which Selby should base its plan.



**Question No. 26 a - Renewable Energy targets**

In the suggested topics – as above - this question comes under the topic of energy generation. The short answer is that targets should not be revised, they should be abolished or left as they are - for the following reasons:

- There is no benefit in having a target when the targets in the former Regional Spatial Strategy no longer applies and the NPPF makes clear that targets are taken as minima and not maxima. If the target did apply we have in any case already exceeded it.
  - When RSS targets were still in force, achievement of them carried little if any weight in planning appeals about wind farms. Example decision documents could be found if required.
  - Simple targets linked to total generating capacity are ill-conceived because they do not take into account the difference in load factor between solar, wind, biomass and anaerobic digesters. This means that the total installed capacity would bear little relationship to the actual energy generated / carbon dioxide saved because the energy is determined by the load factor and the generating capacity. For example Drax biomass has a load factor of 80% whereas solar panels are closer to 10%. Wind will vary between 10% for small turbines and 30% for larger ones in very windy locations. The objective is to GENERATE more power from low carbon sources, not to install more capacity that produces little power and damages the environment.
  - In the introduction to T5 page 56 of the consultation document “Renewable Energy” is poorly defined as incorporating “renewable and low carbon and decentralised energy”.
  - The target included in the Core Strategy is for 32MW generating capacity by 2021. SP16 Page 111. This target was based on assumptions that it would be wind energy based. Due to diversification of renewable energy generating technologies this target has already been greatly exceeded. There is 1000 MW at Drax which has converted two units to fully operate on biomass. Wind farms already operational or approved exceed 32 MW in their own right. In addition to this there are two waste incineration plants either approved or expected to be approved shortly and a number of anaerobic digesters. The total installed capacity in Selby District greatly exceeds 1000 MW and is dominated both by load factor and capacity considerations by Drax biomass.
  - Drax would like to convert other units and Eggborough would like to convert to low net CO2 biomass - but the decision rests outside of Selby District with DECC. The achievement of any target which included biomass would depend on central Government decisions and not on Selby planners. As such there is no merit in Selby setting such a target - a separate lower target for wind is pointless because Selby District has the capacity to generate far more renewable energy by other means and at lower environmental cost to the district.
  - Any target which included biomass would not be achievable by any other means because of the scale difference - 1000MW versus a few 10's for wind farms and up to 100 MW for each incinerator.
  - Granular targets which are based on current assumptions about technology serve no purpose as has been shown by the extent to which projections in the AECOM (2011) report, cited as evidence in para 3.125 are already so obviously wrong
- The goal of Selby district should be to maximise its contribution to actual energy generation, rather than maximising nameplate generating capacity. The measure of success should be contribution to UK total power and carbon reduction while minimising landscape and environmental impact.

The vision is that we have an outstanding environment and we should stick to it.

**Question No. 26b - Is it necessary for PLAN Selby to consider: Reviewing the 10% on-site requirement?**

With reference to the topics as proposed in my overview on question 26 this sub question would fit within energy generation. However the scale of generation is very modest and would come under the category of micro-generation. Given that its major impact would be on building standards it would be better dealt with under a housebuilding policy.

The question relates to policy SP 15 which says that any development of 10 or more dwellings should generate a minimum of 10% of the total predicted energy requirement from renewables, low carbon or decentralised energy sources.

The short answer is yes, the requirement should be reviewed then removed in favour of more positive policies - for the following reasons:

- There is no benefit in Selby District setting targets which exceed national standards, especially when it is not clear if these targets can be achieved.
- Any standard which drives up the cost of new homes will act as a deterrent to developers and should be avoided. Developers should be encouraged to make provision for fitting solar panels and heat pumps but actually fitting them should not be mandatory.
- There is a greater opportunity to accelerate renewable energy deployment (solar panels and heat pumps) by supporting deployment on existing buildings than forcing it on new build.
- The market is in any case driven by market subsidies which are determined by Government. Selby District policies should not be dependent upon continued subsidies.
- Supporting the use of heat from CHP plants can be done via other policies which deal with CHP plants.

As a general principle Selby should not set policies which exceed national standards, the 10% target should be removed and replaced by one which encourages solar on existing roofs and encourages other energy resource efficiency such as heat pumps and biomass, but not to do this in such a way that it is dependent on the level of subsidy. This matter is covered by para 95 of the NPPF, it does not need additional statements.

**Question no.: 26 c Should Selby include specific requirements for sustainable design?**

NO - Selby should follow and adhere to national standards. There is no benefit to Selby of imposing different standards to those that apply in the rest of the UK. Selby would incur additional costs and if they were higher standards they would deter developers from coming to the district.

The same general principle as suggested in the response to question 26 b should apply: Selby should not set policies where the matter is already dealt with by a national standards. The inclusion of the term "*subject to viability testing*" clearly indicates that there is an expectation that it will increase costs. It will also create work that is not required in other districts and make Selby less attractive to developers.

**Question No. 26d - Is it necessary for PLAN Selby to consider identifying suitable areas for renewable and low carbon schemes?**

Wind farm planning applications see the most ferocious public resistance and a willingness on the part of communities to spend many thousands of pounds fighting wind farms through the appeal process. It is normal procedure for windfarm applicants to appeal whenever

planning applications are refused locally. It is standard procedure for local communities to face off to the windfarm developers by taking rule six status at appeals.

Any site allocation exercise would almost certainly create a hostile district wide social environment. However the biggest objection to a site allocations exercise is that it would achieve virtually nothing because of the way in which the wind industry selects sites and put them forward for development. I do not believe that identifying suitable areas for renewable and low carbon schemes is either necessary or desirable for the following reasons.

The NPPF says that doing this should be considered. It does not say that it has to be done.

Para 97 states:

*'They should: ... consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources;'*

Then in note 17 it says:

*'Where plans identify areas as suitable for renewable and low-carbon energy development, they should make clear what criteria have determined their selection, including for what size of development the areas are considered suitable.'*

Then in para 98 it says:

*'When determining planning applications, local planning authorities should: approve the application<sup>18</sup> if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should also expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.'*

In other words any area that is allocated is almost certain to see proposals that then must be approved, and if the criteria are not absolutely unique to those sites then it will be more difficult to argue against other proposals. In Selby District where the landscape is reasonably consistent having sites allocated would be an expensive and pointless exercise.

If there is no designation the local authority can refuse planning for wind farms and large solar farms. The applicant may well appeal the decision but as we saw at Wistow Lordship the appeal is then decided on its merits and gives local residents an opportunity to make their case. Where other developments have already been approved it is then possible to argue on the basis of cumulative impact, which again would be more difficult if the area had been identified as suitable.

**Recommendation - Selby should not identify areas for wind farms and solar farms because to do so would not limit them to those areas because developers would still be able to propose them on any other site.**

**Question No. 26e - Is it necessary for PLAN Selby to consider: Identifying separation thresholds? What might they be?**

The short answer is yes - separation distances are very important.

Many wind farms designed and constructed in accordance with PPS 22 are causing serious complaints. While the worst complaints arise from noise, the following problems increase as turbines get closer

- Visual dominance
- Noise
- Health
- Safety
- Shadow flicker
- Loss of property value

Minimum separation distances provide a simple set of rules which determine how close turbines can be to homes. The wording of minimum separation distance policies have to be positive. Case law can be referenced to find a form of words which is acceptable within the NPPF framework.

If Selby district is to live up to its vision of having "an outstanding environment where residents have a high quality of life" it is important to match this with an appropriate minimum distance policy.

Suggested details:

There should be minimum distances from homes, roads, paths, public areas and railways. The distances should take into account safety, amenity, visual impact noise and health issues. The distances should also be linked to turbine size. Turbines can vary in size between 25 metres and 200 metres. For that reason the distances must be related to total height.

The only rule which sets distance is indirect through the ETSU R97 noise rules. These are unique to wind turbines and allow more noise than other industrial equipment and premises. The noise rules do not provide protection for home owners. The rules are also very complex and difficult to enforce. Additional protection against noise nuisance is also required due to the unique characteristic of wind farm noise and the fact that it is more annoying to people than other types of noise - traffic, aircraft etc.

It is a principle of planning law that you are not entitled to a view, but such laws did not foresee structures like wind turbines towering over villages. A minimum distance would provide a level of protection that does not currently exist.

**Recommendation - Setting minimum distances is the best way to protect Selby District residents from the worst effects of wind turbines. Many argue for a minimum of 2km but this is unreasonable because it would exclude all turbines, including smaller turbines from most of the District. A minimum distance which is linked to the size of turbine is a better approach and would protect communities as turbines get bigger. 2km is reasonable for the larger turbines (say 145metres but it must be greater for 200 metres turbines).**

**The number of turbines should also be taken into consideration. It must not be permissible to have more than one turbine at the minimum distance.**

**Minimum distances should be set for distances from homes, roads, pathways, public areas and areas used for recreational activity.**

Implications:

- The wind turbine industry requires large areas of land for the deployment of turbines. Minimum distances seriously reduce the opportunity for them so they are prepared to commit resources to opposing any move to introduce minimum distances.
- It is only when home owners are faced with a proposed wind turbine that they investigate and find out what sort of problems they create and the impact that they have.
- The High Court challenge at Milton Keynes established that minimum distances can be set via an SPD provided it is positively worded. Beyond the distance the turbine will be approved unless there is an over-riding reason not to, below the distance the developer must show no harm will be done or get residents to agree to have turbines close to their homes.

**Question No. 26f = Is it necessary for PLAN Selby to consider:) Incorporating more detailed development management policies for climate change and renewable/low-carbon energy requirements? If so what do they need to cover? For example taking into account cumulative impacts of schemes?**

The wording of this question is a very confusing because it includes management policies for

climate change and renewable and low carbon energy requirements. It then goes on to provide examples which relate to renewable and low carbon energy but not to climate change itself. While the justification for the renewable low carbon energy might be climate change it is overly complicated to try to answer both cause and effect questions under this single subheading.

This answer addresses the impacts of renewable low carbon energy, and leaves the climate change part of the question for consideration elsewhere.

Four broad topic areas should be addressed:

- Environmental impact
- Amplitude modulation noise condition
- Cumulative impact assessments
- Detailed landscape character assessment

Renewable and low carbon energy technologies are evolving rapidly and there is no point developing policies which are irrelevant by the time that they are introduced. Policies should focus on issues which are expected to apply generally. For example policies to deal with Carbon capture and storage could not have been foreseen as a requirement and in any case the project will be determined by national policies. Policies should focus on matters which will relate to large numbers of planning applications and be relevant to more than one type of application.

#### **Environmental impact**

Renewable energy projects tend to be large and complex, they also pushing new ground. The environmental consequences are sometimes difficult to assess. Factors that would not normally be involved with normal development can be quite significant for renewable energy development where it is carried out on a large scale. The following should be considered for inclusion in Selby district policies:

- Light pollution - arising from industrial developments and on wind turbines but also including rural domestic.
- Air pollution - especially cumulative impact from incinerators
- Landscape and visual impact - cumulative impact from renewable energy projects and power generation and distribution.
- Traffic - especially heavy goods related to renewable and low carbon energy generation - applies particularly to incineration and anaerobic digesters.
- Fencing and enclosures resulting from large scale solar - cumulative impact on the free movement of wildlife.

#### **Amplitude modulation noise policies**

Noise at properties in the neighbourhood of wind farms is governed by a set of rules known as ETSU R 97, these rules permit more noise at night than during the day. The measurement used in the rules excludes the loudest part of the pulsing sound or swish which occurs at the same intervals at which blades pass. There has been a long running dispute between the wind industry and community groups about this form of noise and what conditions should be used to limit this noise. A large number of wind farms built to comply with ETSU R97 cause noise nuisance to the neighbours resulting in complaints that have not been resolved satisfactorily. At Den Brook wind farm in Devon a set of conditions were agreed which required peak noise levels in the pulses and frequency of noise pulses to be measured. The condition put a limit on the amplitude of regularly occurring noise pulses. The problem is not well understood and

as a consequence the wind industry could not guarantee to meet the conditions that were set at Den Brook. A separate study showed that there was a strong correlation between wind farms failing the Den Brook condition and local residents complaining about noise. This validated the Den Brook condition - when the condition was violated noise levels at

neighbouring properties were unacceptable to local residents.

The wind industry undertook its own research and proposed a much less onerous condition which when compared with the real data on wind farms where complaints were rising was shown not to be breached. This condition is the subject of heated parliamentary debate and further investigation.

Selby district should be aware that the Den Brook AM condition would provide protection for Selby district residents from excessive amplitude modulation but the condition proposed by Renewables UK Ltd would provide no protection at all. Selby district should incorporate a Den

Brook style condition into a policy. There would be no point in having a policy which was based

on the condition proposed by Renewables UK Ltd.

#### **Cumulative impact**

Cumulative impact should be considered across all energy generation technologies and energy related infrastructure.

The factors that should be covered include the topics listed above under the heading of environmental impact. This is a complex subject and will require further work.

#### **Landscape character assessment and visual impact**

More time is spent on landscape character assessment at windfarm appeal hearings than any other subject, the situation has shifted over the last five years in that it is now recognised that wind turbines have at least as big an impact in flat landscapes as they do in hilly landscapes. Landscape character assessments need to be comprehensive and detailed down to a local level. Selby should review current landscape character assessment of the district and revise them where necessary. Wind farm developers play on this district being part of the Humberhead levels which was classified as having a low sensitivity to wind farms. This landscape character assessment underlies the AECOM study that says that Selby district has the capacity for 270 MW of wind turbines - equivalent to 130 turbines of the size of the ones at Rusholme.

Selby district with this number of turbines would not be a distinctive rural district, it would be a

wind farm landscape stretching the length and breadth of the district.

Priority should be given to getting such a landscape character assessment done by a company that is not linked to the wind industry.

#### **Question No. Q 26 g - Is it necessary for PLAN Selby to consider: What topics should instead be left to subsequent SPD or guidance**

The best way to answer this question is to see what subjects other authorities deal with via SPD and select those which are relevant to Selby District.

Candidates would be in the following areas

- Minimum separation distances for turbines
- Amplitude modulation noise conditions for wind farms - although the need for such policies will be influenced by ongoing court cases and Government review.
- Fencing and enclosure issues to do with solar farms.
- Incinerators
- Anaerobic digesters

While not an SPD the most urgent requirement is to do a detailed landscape character assessment. See also question 26f.

This is the key evidence base for wind farm and solar farm proposals. Government has recognised by Ministerial statement that wind farms in flat landscapes have as much impact as they do in hilly landscapes and this has had a significant impact on planning appeals.

The local landscape character is one of the most important factors in determining wind farms applications at appeals.

*“By 2027 Selby will be a distinctive Rural District with an outstanding environment, a diverse economy and attractive towns and villages. Residents will have a high quality of life and there will be a wide range of housing and job opportunities to help create socially balanced and sustainable communities, which are less dependent on surrounding towns and cities.”*

**Landscape polices must be put in place if this vision it to be delivered.**

**Question No. 26h - Is it necessary for PLAN Selby to consider: How should each of the site allocations (to be identified in later stages) deal specifically with climate change and renewable energy issues?**

Short answer - this is difficult to answer without knowing what other site allocations are to be produced and the extent to which climate change occurs over the PLAN period.

The question should be asked when the subjects to be covered by site allocations are known. However the following are examples of things that should be included in baseline considerations:-

- Flooding - which is attributed to climate change but is more about drainage.
- CHP- ensure that sources of heat from CHP plants is considered in conjunction with potential use of the heat
- Encourage industrial developments to deploy solar panels on roofs
- Encourage biomass heating of industrial premises
- Encourage use of heat pumps - preference should be given to ground source and potential for shared use of the underground heat exchangers.
- Consider the impact and opportunity provided by carbon capture and ensure that sources of carbon other than Drax can use the facility. Site allocation for industrial use should have this as a prime consideration.

**Question 27 – Protecting and enhancing the environment**

*The key messages*

The key terms on which this topic is based and not defined. For the purpose of this response the following definitions apply:

- Green space for recreation use – is taken to mean any green space that would be part of the enjoyment of people engaged in recreational activity. This would include open space in villages, along the routes of footpaths and bridleways and around popular cycle routes.
- Areas of nature conservation value – is taken to mean any areas where there is flora and fauna of conservation value - with conservation value taken to mean those animals and flowers that people like to see in the countryside around them. They do not have to be rare or protected. They do not have any level of protected status.

Selby district is rich in environmental assets and should strive to protect them all. The diversity of wildlife depends on many things one of which is critical mass. Wildlife cannot be sustained in a few small designated areas. This applies particularly to the larger birds and mammals which are free to roam. In this respect wildlife corridors are especially important. Deer, brown hare, owls and kestrels all follow regular routes around the area. These routes are usually lines between areas which provide them with cover and for nesting and breeding. Again many of these sites have no designation that they have a very important role to play in maintaining the wildlife population that we enjoy having within the district.

Environmental protection should be much more extensive just that required to cover the sites listed in table 8.

**Question 28 – Heritage Assets**

The wording suggests that policies for heritage assets are limited to listed buildings and Conservation areas. Policies should be broader than this and provide protection for other buildings of a historic nature. They should encourage modification and re-use of old buildings that have character but which are no longer required for their original purpose. For example old warehouses and farm buildings that can be converted for other uses should be converted in preference to demolition.

**Question 29**

Yes

**Question 30**

All of the above

**Question 31**

Amend policies to reflect Selby's own needs where possible. Each application must be taken on its own merit – a one size fits all approach will not work in a district with a mix of very different urban and rural needs. Adherence to the Village Design Statements should happen when considering planning applications.

**Question 32**

We are not aware of the current policies so unable to comment

**Question 33**

Please give appropriate weight to the Riccall Village Design Statement if appropriate for this question.

**Question 34**

Rural community facilities have to be supported by the community. The simple option is for the community to be given an option to take over such assets at market valuation. With respect to tourism, it is reasonable to protect assets which are valued or used by tourists who bring wealth into the District. If we are serious about encouraging tourism we must be equally serious about not allowing developments which reduces the appeal of the District to tourists. Further information - example situations

***Village pubs***

There is a general decline in the number of pubs due to fewer people using them. This makes them uneconomic and yet pubs often stand on large plots of land which can be developed for other uses - like house building. The profit margin for conversion is often large enough to act as a disincentive to the pub owners to continue to run and invest in the pub business.

Example - Demise of the Three Horseshoes at Brotherton. The pub is a social centre for celebrations such as weddings, funerals, christenings, birthdays, Halloween, Christmas, New



Year etc. The last owner of the pub got himself into financial difficulties which resulted in him being declared bankrupt and the pub was repossessed to recover some of his debt. For the last 30 months the pub had been managed on his behalf by a group of local people who were determined to keep it open and they report that the pub itself was a viable business but had to close due to the owners other debt problems. The pub should be made available for the community to buy at market price before it is offered for re-development?

#### ***Tourist facilities and holiday accommodation***

Holiday cottages at Riccall - a 250ft wind turbine has been proposed a short distance from 3 holiday bungalows and a caravan park designated for 5 caravans. 87% of the visitors surveyed said they would be less likely to book another holiday if the turbine was there. Should PLAN Selby promote tourist accommodation, recreation, open spaces, community and sports facilities? To answer this you should consider whether or not Selby Council should be marketing tourism or facilitating tourism through having sympathetic planning policies.

#### **Questions 35 & 36**

It is better to develop large derelict or unused sites than to allow them to become a local eyesore. If the site has conditions that it be restored to agricultural use it should generally be restored to agricultural use because not to do so simply undermines confidence and credibility in the planning system. However this must be weighed against the alternative if it is to develop greenfield land elsewhere.

#### **Question 37**

Not enough time available to consider these – refer to Q4

#### **Question 55 - Riccall**

Our response is based on the principles of **fairness**. Riccall is a Designated Service Village, yet we have **some allocated sites** in the early planning stages, earmarked for development which could give us in the region of 200+ new dwellings in the short term. There are a total of seven allocated sites for Riccall, with the possibility of 339 dwellings in total.

Settlement history over the past 30-50 years should be considered - since the 1960's, Riccall has had around 20 new estates built (in comparison to our neighbouring village, which has had 4). Should the green belt that prevents other communities taking their fair share of development be re-defined?

**As stated in Question 9, the existing infrastructure within Riccall and its potential for growth A19 access should be carefully considered and a roundabout needs to be planned in for both the northern and southern Riccall junctions, particularly in the case of significant development. Separate discussions should be included with highways to agree a way forwards before new large estates are given outline permission.**

The local primary school in Riccall has capacity for growth but not significant growth. Funding would need to be provided alongside any significant development to develop the school. Access is along a narrow and unsuitable road (Coppergate). Issues with parents parking and the potential safety of children walking along Coppergate has forced the school to close its car park, in order to force parents to park elsewhere and to improve the safety of

the route to school for children. Access is already unsuitable and further housing allocations would be likely to compound the situation – a solution would need to be considered in partnership with any significant development.

The Doctor's surgery in Riccall is struggling under current demand and there is some concern amongst Selby practices about the developments planned & the impact on local practices. As far as Riccall is concerned, any significant development would increase pressure on a service which is already under strain. The building itself is not ideal for modern health care and requires improvement; it is too small for the community that it currently serves, has insufficient car parking, is not compliant with the equality act, has consultation rooms that are too small and would benefit from improvements, corridors that are too narrow & confidentiality is an issue difficult to resolve.

That said, the surgery is trying to improve what it can, based on the current footprint & taking into account the conservation area, neighbouring listed buildings & surrounding trees with TPO's. You may be aware that SDC recently refused a planning application to extend.

To summarise, at present we are stuck with what we have with little scope to increase provision & little chance of support from NHS England to build on an alternative site. Given this, a substantial rise in the population will only negatively affect the service provision with longer waits to see a G.P etc. The Doctor's surgery is a valuable community asset in Riccall and the Parish Council would like to see an improvement in the overly strained service for residents and a new community health centre would need to be considered.

Whatever housing allocation numbers are agreed upon for Riccall, it would be **unfair** not to consider the developments that are already at early planning stages.

Riccall Parish Council accepts the need for housing growth but this process should be **fair** amongst all of the designated service villages, not just the larger ones and Riccall should be allowed to maintain its heritage, sense of rich history and community identity.

#### **Questions 59 & 60**

The consultation has not gathered enough evidence as it has not achieved its aim in being a true reflection of the views of the people of Selby District.