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Policy and Strategy Team,  
Selby District Council,  
Civic Centre,  
Doncaster Road,  
SELBY,  
North Yorkshire  
YO8 9FT

Our Ref: HD/P5342/03  
Your Ref:  
Date: 23 December 2014

Dear Sirs,

**Selby Local Plan - Sites and Policies Local Plan : Initial Consultation**

Thank you for consulting English Heritage about the Initial Consultation on the Sites and Policies Local Plan. At this stage we have few comments to make in response to the Questions posed in the document other than the following:-

**Question 1**

Our comments on the Sustainability Appraisal Report are set out in the accompanying letter.

**Question 3**

English Heritage is listed as one of the "prescribed" bodies relating to the Duty to Co-operate on the planning of sustainable development. The Duty requires such bodies and local planning authorities to co-operate with one another constructively, actively and on an ongoing basis in the preparation of development plans in relation to Strategic Matters.

In the case of the emerging Sites and Policies Local Plan, at this stage in the process, we have not identified anything which could be classed as a Strategic Matter as set out in S33A(4)(a) of the Planning and Compulsory Purchase Act, 2004 which affects the historic environment. However, bearing in mind that the Duty to co-operate is an ongoing process, we would hope that, should any Strategic Matters arise which would be likely to affect the historic environment, English Heritage will be able to continue to work closely with the Council in the Policy framework for these areas.

**Question 5 (a)**

Given the purpose of the document, in general terms we would agree that Chapter 2 has set out the right objectives for this Plan. However, consideration should be given to the following:-

### Objective 2

As currently worded, this Objective gives the impression that the site-selection procedure will simply “include consideration of” sustainability objectives rather than sustainability being an integral part of the site-selection process. NPPF Paragraph 6 makes it clear that the whole purpose of the planning system is to deliver sustainable development. In practice, this means delivering the economic, social and environmental roles jointly and simultaneously. Therefore it is suggested that this Objective in amended to read:-

*“The site-selection procedure will ensure that the sites chosen are those that will deliver sustainable development”*

### Objective 3

NPPF Paragraph 6 makes it clear that the whole purpose of the planning system is to deliver sustainable development. In practice, this means delivering the economic, social and environmental roles jointly and simultaneously. However, this Objective makes no mention of the social dimension. Moreover, the NPPF also makes it clear that the environmental role of sustainable development is not limited to simply protecting environmental assets but also to enhancing them. Therefore it is suggested that this Objective in amended to read:-

*“.. promote growth, deliver strong, vibrant and healthy communities and protect, and enhance its environmental assets.*

### Objective 6

It would be preferable if this Objective set out more specifically where more detailed policies might be necessary (in line with the guidance provided in the NPPF). If amended as suggested below, Objective 7 could be deleted. Therefore it is suggested that Objective 6 in amended as follows and Objective 7 deleted:-

*“... Travellers) where needed to amplify the Strategic Policies of the Core Strategy or to provide sufficient guidance to assist decision-makers”*

### **Question 6 (a)**

We agree that the topics set out in Paragraph 3.2 are the correct ones which this Local Plan needs to address.

### **Question 6 (c)**

NPPF Paragraph 6 makes it clear that the whole purpose of the planning system is to deliver sustainable development. In practice, this means delivering the economic, social and environmental roles jointly and simultaneously. Therefore, none of the Topics should be more or less important than the others.

#### **Question 9 (a)**

Whilst a simple percentage growth across all the Designated Service Villages is a reasonable starting point for the debate about the level of housing growth in each DSV, such an approach can only be a starting point. A key factor which needs to be taken into account is the capacity which each settlement has to accommodate further additional growth without harm to its character, landscape setting or its other environmental assets. Just because a settlement is bigger does not necessarily mean it has greatest capacity to accept further growth.

#### **Question 9 (b)**

In assessing the final minimum target for any of the DSVs, account must also be taken of the capacity of that settlement to accommodate further additional growth without harm to its character, landscape setting or its other environmental assets.

#### **Question 20**

With the current changes that are taking place in the retail sector, it is almost inevitable that there will need to be some review of the extent of the existing retail areas in order to achieve a more focussed, vibrant, retail cores. As part of such an approach, however, it will be necessary for the Plan to set out a strategy for managing the buildings and areas where retailing is no longer the principal land use. This may necessitate the plan specifying uses for particular blocks within the town centres.

With the current difficulties facing retailing, it is becoming increasingly apparent that, in order for the traditional retail areas to succeed, strategies for these areas may need to be more flexible than they have done in the past. Thus the Plan is likely to need to make it easier for one use to change to another or to enable temporary uses (especially those which will assist the delivery of a vibrant town centre) to become established. However, it is essential that any increased flexibility does not compromise the “quality” that is on offer.

#### **Question 28**

Although the total number of designated heritage assets in Selby may be relatively small compared to some of its neighbouring authorities, nonetheless, the area has a significant legacy of important buildings and features. These include the following:-

- Medieval sites – particularly moated and manorial sites – are an important feature of the District, particularly in the Vale of York and in drier areas to the north and west of the Humberhead Levels.
- The Newton Kyme Henge is a significant site in the distribution of Neolithic ritual and funerary sites at the intersection of major Pennine rivers with Southern Magnesian Limestone ridge (in this case, the Wharfe);
- The Roman heritage of the Tadcaster area is particularly significant;
- The District has a significant ecclesiastical history:-

- Selby Abbey is one of the relatively few extant Abbey churches of the medieval period. It contains significant Norman (tower) and decorated Gothic elements (chancel and eastern end);
- Cawood Castle, the former residence of the medieval Archbishops of York, lies in the north of the District;
- The Bishop's Canal, built to transport stone for the construction of York Minster, joins the River Ouse near Cawood;
- The Battle of Towton, fought in 1461 during the Wars of the Roses, was the bloodiest engagement ever fought on British soil and a pivotal battle in the Wars of the Roses;

Therefore, it is important that the Plan, as a whole, sets out a robust strategy for the management of this resource.

The Policies for the historic environment that are set out in the Selby District Local Plan are now ten years old. Since the Adoption of that Plan, the Government has published the NPPF which not only sets out a more holistic approach to the management of the historic environment than did the PPGs in force when the Local Plan was produced, but now give greater weight to the protection and enhancement of certain designated heritage assets than was the case in 2005.

Core Strategy Policy SPI8 is an extremely high-level strategic Policy. As such, it provides little in the way of specific guidance to help decision-makers determine how they should react to applications affecting the historic environment. Consequently, there is a clear need for the Sites and Policies Local Plan to include more specific guidance on the considerations that will need to be taken into account in determining applications affecting Selby's heritage assets. These areas which this would need to cover include the following:-

Those areas about which the NPPF is largely silent

The NPPF provides very little advice on how local planning authorities should determine applications affecting archaeological remains of less than national importance. As a result, the Local Plan should set out the considerations which will need to be taken into account for any development proposals affecting such assets.

Those areas where Development Management policies are necessary to address the local circumstances of the Plan area

Whilst the NPPF provides a broad overview of the main considerations regarding development proposals which are likely to affect the character or appearance of a Conservation Area, it would be helpful if the Local Plan amplified this with a more-detailed Policy addressing the particular issues likely to affect the management of the Conservation Areas within the District. This would also provide a means to ensure that the Authority's Conservation Area Appraisals are linked into the Development Plan.

Those areas where the NPPF is very generalised

Because of the considerations which need to be taken into account in determining proposals which might affect the Registered Battlefield at Towton and Selby's Historic

Parks and Gardens, it would be helpful if the Plan included a more detailed policy covering these areas.

English Heritage would be pleased to assist in helping to draw up a suitable Policy/Policies for the historic environment.

#### Question 29

Although Selby's designated heritage assets are undeniably of vital importance, they represent only a fraction of the heritage resource of the District. Indeed, it is the wealth of non-designated elements which help to give Selby's towns, villages and countryside their distinct identity. These non-designated heritage assets are a vital part of the social and cultural identity of the District helping to provide distinctiveness, meaning and quality to the places in which its communities live, providing a sense of continuity and a source of identity and are valued by local people as part of the familiar and cherished local scene. Such assets include the following:-

- There are known to be significant undesignated archaeological remains along both the Southern Magnesian Limestone Ridge and within the Humberhead Levels;
- Skipwith Common, one of the few surviving areas of lowland heath in England, is a significant resource for both biodiversity and archaeology. Prehistoric ritual and funerary remains are an important feature of the area;
- The 19<sup>th</sup> century farming heritage of the District provides an important record of the intensification of production catering to the needs of the growing urban centres of Doncaster and Leeds. This is illustrated most strongly in the impressive dairy buildings on many larger holdings;
- 20<sup>th</sup> century military remains are a significant feature of the District's historic environment, most notably the airfields of former RAF Riccal and RAF Church Fenton;

Consequently, we would support the drawing up a Local List of heritage assets. How the decision-maker deals with applications affecting these assets would also need to form part of the Policy framework for the management of the historic environment.

#### Question 30 (a)

PLAN Selby needs to concentrate on those areas where the Core Strategy does not provide sufficient clarity to enable a decision-maker determine how they should react to a development proposal.

We have already set out in our response to Question 28 that there is a need for the provisions of Core Strategy Policy SPI8, insofar as they relate to the historic environment, to be amplified in a more detailed Development Management Policy. It also seems likely that the other elements of this Core Strategy Policy would also benefit from more specific Policy guidance.

**Question 30 (b)**

The Policy for Olympia Park (Policy SP7) is a Policy which does not seem to require a further detailed Development Management Policy.

**Question 33**

In order to assist those proposing detailed schemes for the allocated sites and to help to ensure that their development is achieved in a sustainable manner, the plan should set out the key considerations that would need to be taken into consideration in the development of each of those areas. Such an approach has been used in a number of other Local Plans and helps to provide certainty to all concerned about precisely what will, and will not, be permitted on those sites.

**Question 37 (b)**

In our response to Question 28 we have set out our view that there needs to be a comprehensive review of the saved historic environment Policies of the Selby District Local Plan in order to reflect the approach set out in the NPPF.

**Question 37 (c)**

The Selby District Local Plan identifies a number of locally-designated Historic Parks and Gardens (such as those at to the south of Escrick and the east of Carlton). Whilst we wholeheartedly support the plan identifying and safeguarding such areas, PLAN Selby would need to review the basis upon which these areas have been identified to ascertain whether or not they still warrant protection through (presumably) the plan's Policies for the protection of locally-important heritage assets.

**Question 38 (a)**

In terms of the direction in which Selby might grow, there would seem to be little opportunity for the town to expand in a south-westerly direction without harming the Brayton Conservation Area (which occupies the central portion of the Strategic Countryside Gap which separates the edge of Selby from Brayton) or the setting of the Grade I Listed Church of St Wilfred. Before allocating any sites for development to the south-west of Selby, it would have to be clearly demonstrated that the loss of any of this open area and its subsequent development could be achieved in a manner which is compatible with statutory duty placed on the Council under the Planning (Listed Building and Conservation Areas) Act, 1990

**Question 41 (a)**

The requirement to ensure that the significance of the Scheduled Monument at Brocket Hall is not harmed would limit any eastern extension of Appleton Roebuck. Any southern

extension of the village would need to demonstrate that the setting and key views from the Registered Historic Park and Garden at Nun Appleton Hall would not be harmed.

**Question 43 (a)**

In terms of the direction in which Brayton might grow, there would seem to be little opportunity for the settlement to expand in a north-easterly direction without harming the Brayton Conservation Area (which occupies the central portion of the Strategic Countryside Gap which separates the edge of Selby from Brayton) or the setting of the Grade I Listed Church of St Wilfred. Before allocating any sites for development to the north-east of the village, it would have to be clearly demonstrated that the loss of any of this open area and its subsequent development could be achieved in a manner which is compatible with statutory duty placed on the Council under the Planning (Listed Building and Conservation Areas) Act, 1990

**Question 45 (a)**

A large area to the east of the village falls within the boundary of the locally-designated Historic Park and Garden around the Grade I Listed Carlton Tower (and forms a key element of the setting of this important building). Before allocating any sites for development to the east of the village, it would have to be clearly demonstrated that the loss of any of this open area and its subsequent development could be achieved in a manner which is compatible with statutory duty placed on the Council under the Planning (Listed Building and Conservation Areas) Act, 1990

**Question 46 (a)**

Given the extent of the Cawood Conservation Area (which covers the majority of the northern part of the village including the surrounding field systems), the prospects for any growth other than in a south-westerly direction seems extremely limited. Before allocating any sites for development to the east and north of the village, it would have to be clearly demonstrated that the loss of any of this open area and its subsequent development could be achieved in a manner which is compatible with statutory duty placed on the Council under the Planning (Listed Building and Conservation Areas) Act, 1990

**Question 47 (a)**

The Church of St Mary the Virgin is a Grade I Listed Building. Before allocating any sites for development to the east of the Church, it would have to be clearly demonstrated that the loss of any of this open area and its subsequent development could be achieved in a manner which is compatible with statutory duty placed on the Council under the Planning (Listed Building and Conservation Areas) Act, 1990

**Question 49 (a)**

Given the extent of the Escrick Conservation Area (which covers some two-thirds of the village and includes the large area of Parkland to the south of the settlement (which, itself, forms the setting of a number of highly-Graded Listed Buildings)) the prospects for any growth other than to the east seems extremely limited. Before allocating any sites for development to the west or south of the village, it would have to be clearly demonstrated that the loss of any of this open area and its subsequent development could be achieved in a manner which is compatible with statutory duty placed on the Council under the Planning (Listed Building and Conservation Areas) Act, 1990

**Question 51 (a)**

Given the fact that the Hemingbrough Conservation Area includes the majority of the land lying immediately to the west of the village coupled with the need to safeguard the setting of the Grade I Listed Church of St Mary the Virgin, the prospects for any growth in this direction seems limited. Before allocating any sites for development to the west of the village, it would have to be clearly demonstrated that the loss of any of this open area and its subsequent development could be achieved in a manner which is compatible with statutory duty placed on the Council under the Planning (Listed Building and Conservation Areas) Act, 1990

**Question 52 (a)**

The eastern edge of Kellington lies approximately half a mile from the Scheduled Monument at Roall Hall. Before allocating any sites for development on the eastern side of the village, it would have to be clearly demonstrated that the loss of any of this open area and its subsequent development would not be likely to harm those elements which contribute to the significance of this monument.

**Question 53 (a)**

Given the extent of the Monk Fryston Conservation Area (which includes the Deer Park (identified in the Selby District Local Plan as a locally-important Historic Park and Garden) which forms part of the setting of the Grade II\* Monk Fryston Hall), the prospects for any growth to the north of the village seems extremely limited. Before allocating any sites for development to the north of the village, it would have to be clearly demonstrated that the loss of any of this open area and its subsequent development could be achieved in a manner which is compatible with statutory duty placed on the Council under the Planning (Listed Building and Conservation Areas) Act, 1990

**Question 55 (a)**

There is a Scheduled moated site (with a Grade II\* Listed Manor House upon it) at the north-western edge of the village. Before allocating any sites for development on the northern side of the village, it would have to be clearly demonstrated that the loss of any of



this open area and its subsequent development would not be likely to harm those elements which contribute to the significance of this monument or the Listed Buildings upon it.

**Question 56 (a)**

There is a Scheduled Monument (with the Grade I Listed Steeton Hall in the middle of it) less than 300 metres from the western edge of the village. Before allocating any sites for development on the western side of the village, it would have to be clearly demonstrated that the loss of any of this open area and its subsequent development would not be likely to harm those elements which contribute to the significance of this monument or the Listed Buildings upon it.

**Question 57 (a)**

There is a Scheduled Monument (with a Grade II Listed Building upon it) less than 220 metres from the northern edge of the village. Before allocating any sites for development on the northern side of the village, it would have to be clearly demonstrated that the loss of any of this open area and its subsequent development would not be likely to harm those elements which contribute to the significance of this monument or the Listed Building upon it.

If you have any queries about any of the matters raised above or would like to discuss anything further, please do not hesitate to contact me.

Yours faithfully,

**Ian Smith**

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Our Ref: HD/P5342/04  
Your Ref:  
Date: 23 December 2014

Dear Sirs,

**Selby Local Plan - Sites and Policies Local Plan : Initial Consultation SA Report**

Thank you for consulting English Heritage about the Initial SA Report for the Sites and Policies Local Plan..

In terms of the historic environment, we consider that the Report has identified the majority of plans and programmes which are likely to be of relevance to the development of the Plan, that it has put forward a suitable set of Objectives and Indicators, and that it has established an appropriate Baseline against which to assess the Plan's proposals. Overall, therefore, we believe that it provides the basis for the development of an appropriate framework for assessing the likely significant effects which the more detailed proposals in the subsequent Sites and Policies Local Plan might have upon the historic environment of the Selby.

There only area where you might consider amending the Sustainability Appraisal as follows:-

Page	Section	Comments
Appendices page 32	Built/Cultural Heritage	The latest " <i>Heritage Counts</i> " has the following data of designated heritage assets for Selby:- 625 Listed Buildings 45 Scheduled Monuments 2 Historic Parks and Gardens 1 Registered Battlefield  The 2014 heritage assets shows the following number of designated heritage assets as being at risk:- 4 buildings or structures 4 places of worship 19 archaeological sites

English Heritage strongly advises that the conservation staff of the Council together with those at the County Heritage Unit and are closely involved throughout the preparation of

the SA of the plan. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the HER (formerly SMR); how the policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of historic assets.

Finally, we should like to stress that this opinion is based on the information provided by you with your letter received on 20<sup>th</sup> November, 2014. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the Plan) where we consider that, despite the SA/SEA, these would have an adverse effect upon the historic environment.

If you have any queries about this matter raised above or would like to discuss anything further, please do not hesitate to contact me.

Yours faithfully,

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