



Examination Ref: 01/RV/ARAS/NP

Dear Mr Yuille

Thank you for your letter dated 10 April 2017 regarding Policy H1 of the proposed Neighbourhood Plan and for allowing further comments on the definition of small scale developments.

Selby District Council (SDC) has worked positively with Appleton Roebuck Parish Council (PC) since the designation of the neighbourhood area. During this period council officers have held regular meetings to discuss the policies contained within the plan with both the Planning Policy Team and Development Management. These discussions have included officer advice to try and ensure the policies are in line with national legislation and SDC Core Strategy. SDC has discussed Policy H1 and the evidence base behind the policy with the PC at various stages.

SDC officers met with the PC on 23 February 2017 to discuss the consultation responses received during the pre-submission consultation. During the discussion Policy H1 was discussed:

#### ***4.5.1 Housing scale, location and density***

*Residents' overwhelming preference is for small scale housing development of 5 units or fewer (see App. 4). However, Selby District Council's definition of 'small scale development' is 10 houses or fewer. Therefore this figure has been adopted in order to comply with their policy.*

It was agreed at the meeting that there had been some confusion over the definition of small scale housing and that Selby do not have a definition of small scale housing in the core strategy or any supplementary planning documents. Officers informed the Parish Council they would approach the examiner and ask that the above reference to SDC policy be removed. The Parish Council agreed this was acceptable.

Therefore SDC would like the above reference to SDC Policy removed.

SDC will also respond in regards to Policy H1 of the proposed neighbourhood plan:

#### ***Policy H1: NEW HOUSING DEVELOPMENT DESIGN AND SCALE***

- a) New housing developments should be small in scale (under 10 units) and not overwhelm their surroundings.***

SDC has worked closely with the parish council and had previously expressed concern at various meetings that that an artificial limit of 5 dwellings on developments as originally proposed by the Parish Council, could be seen as being anti-housing development and not in line with positive

approach to development underpinning the NPPF and localism. The council has also discussed the extent of evidence collected by the PC in support of this policy and has raised concerns that there is not a strong evidence base behind limiting applications for new housing to this extent, and that further evidence should be provided for Examination in Public (EIP).

Following a number of meetings and discussions, the parish council raised the limit proposed to 10 dwellings per development. After this change the Parish Council held a further consultation on the plan and the council submitted the following (Attached) response:

*Officers would advise the explanation of this policy is expanded and that there is substantial evidence and background documents to support the proposed numbers.*

The councils concerns remain, as SDC has not seen further evidence base to support this policy. SDC are currently in the process of considering the appropriate levels of housing growth in designated service villages (core strategy distribution policy). Therefore the policy could be seen as an attempt to pre-empt this process and unfairly place pressure on housing development in other DSVs in the district.

Regards

Phil Crabtree



**Please ask for** : Tom Ridley  
**Direct Dial No** : 01757 292092      **E-Mail** : [tridley@selby.gov.uk](mailto:tridley@selby.gov.uk)

Date: 22/07/16

Dear Appleton Roebuck Parish Council

**RE: Appleton Roebuck Neighbourhood Plan consultation**

Thank you for consulting Selby District Council (SDC) Planning Department on the latest draft of the Neighbourhood Plan. During this consultation period, Council Officers representing Planning Policy and Development management met with representatives of the Parish to discuss the policies and talk through the plan. This is now being followed up with this formal written response to aid the development and next stages of the plan. SDC would like to continue to build a strong relationship with the Parish Council and will continue to provide officer support beyond this consultation.

**General Comments**

The design and structure of the document is of a very high standard, the use of appropriate colour, text, photos and graphics have given the document a quality feel and produces a professional document the community can be proud of.

The introduction and pre-policy sections of the document give a good understanding of the area and the reasons for producing a Neighbourhood Plan. The Vision and Objectives also give a clear direction for the plan and an idea of what the community and Parish want the area to be like after plan adoption.

In this section officers would suggest the Parish consider what happens in terms of monitoring the plan once adopted, and if there is any plan to retain a steering group or what happens next. It may be useful to include this as a section in the plan so the Parish and Community know what to expect or to aid your own monitoring process.

With the introduction of the Community Infrastructure Levy (CIL) 1/1/16 by SDC, it may be useful and helpful to set out items or priorities for the CIL meaningful proportion funding the Parish will receive. Once the Neighbourhood Plan is adopted the Parish will receive an extra 10% CIL funding and will need to publish an annual report on what they have spent the funds on. As this extra funding comes from the introduction of a Neighbourhood Plan, it is normally expected for the plan

to identify deficiencies or spending priorities from the research, consultation and background documents which support the plan.

This is not compulsory but it may help keep a clear and transparent process for developers who contribute the funds and for the community who will expect the extra funding to be spent wisely on items or projects they have helped feed into the plan and see what new development has provided for the community. This may be suitable as an appendix if you choose to include it.

Officers would also suggest restructuring the policy sections by having a justification/explanation section prior to each policy. That way developers and Development Management Officers (DM) will be able to understand the policy better within context and it will improve the implementation of the plan. This will also help at examination and clearly demonstrate to the examiner what the policies are trying to achieve as well as the evidence behind them.

Although there is a good range of policies, Officers' feel that there seems to be some sections and policies which replicate local and national policy, and some that are not based on evidence or need. There is a strong likelihood of being asked to remove these policies at examination as they replicate or reproduce local or national guidance, this unnecessary inclusion may also water down the overall effect of the plan. This is discussed in more detail below:

#### Specific Policies

##### CF1

This policy does not conflict with any local or national policies.

##### CF2

Officers appreciate the good intentions of this policy, however it is deemed to add unnecessary red tape and procedure that will not assist the school or education providers. It is strongly advised this policy is removed as it does not deliver its aims and may slow down and ultimately hinder development of the school.

##### DBE2

You may wish to review the Village Design Statement (VDS) and feed that into this section, as the VDS is a material consideration but is not an adopted policy. You will be able to add extra weight to design requirements in this way and better deliver your visions.

Officers would also advise you delete the reference to solar panels, as this is in conflict with national permitted development rights (PD). The conservation area which part covers Appleton Roebuck also has stricter PD rules but again this is not something the Neighbourhood Plan can conflict with.

##### DBE3

As discussed in the general comments, this policy needs an explanation section and further information to help inform those following or implementing the policy.

##### DBE4

Officers advise this section is removed; SDC is a district council and does not have control over the implementation of this policy. SDC would be happy to provide the Parish Council contact details of North Yorkshire County Council (NYCC) Highways Department if they wish to discuss this with them.

#### DBE5

This policy does not go any further than local or national policy, it is also the responsibility of Yorkshire Water as the statutory responsible body to assess and approve this work as part of the planning application stage. This policy will not add anything to the current SDC planning application assessment.

The plan may wish to consider other water management solutions, such as permeable surfaces or water runoff and collection methods.

#### ELH1

Officers have no comments on this policy.

#### ELH2

Officers strongly advise the wording of this policy is changed, as it stands the tree survey stipulation is currently required for all development. This will have to be read as the legal definition of development, meaning all development of any size or nature will require a tree survey. This will result for example in a householder garage application on brownfield land requiring a tree survey regardless of there being any trees in the proximity.

Officers also believe the request for a biodiversity or habitat survey is also unreasonable for all development as above. Officers suggest this is refined to achieve the aim of the policy while not being overly restrictive.

#### ELH3

Officers have no comments on this policy.

#### ELH4

Due to a change in national policy, officers would point out that policy ELH4 effectively makes Appleton Roebuck the only area in the district which can accommodate wind turbines. This policy sets out criteria for their installation which currently no other areas in the district have. This therefore identifies Appleton Roebuck as being the only settlement in the district which is not only allowing wind turbines, but actively encouraging their installation. The aims of this policy and what it actually delivers may need to be considered.

#### ELH5

Officers advise this section is removed; SDC is a district council and does not have control over the implementation of this policy. SDC would be happy to provide the contact details of NYCC Highways Department if they wish to discuss this with them.

#### ELH6

Officers would advise the wording of this policy is reviewed as it could effectively encourage development outside of development limits.

H1

Officers would advise the explanation of this policy is expanded and that there is evidence and background documents to support the proposed numbers.

H2

Officers have no comments on this policy

H3

Officers have no comments on this policy

WB1

Officers advise the implementation of this policy could not conflict with PD rights.

WB2

Officers have no comments on this policy.

WB3

Officers have no comments on this policy.

Officers would welcome the opportunity to discuss this feedback further and wish to continue providing support the Parish Council.

Regards

Tom Ridley