

ryan king

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**From:** Mark Savege  
**Sent:** 01 October 2010 14:58  
**To:** ldf  
**Subject:** Interim Policy for Control of Housing Development

Dear Mr Heselton

### **Interim Policy for Control of Housing Development**

Thank you for sending your draft policy.

I would be grateful for clarification (preferably graphically - for the benefit of my clients) as to the definition of infill development in the smaller villages NOT on your list.

**Firstly**, I am having difficulty explaining to them why you have used the words:

*'...sensitive **development**/redevelopment on previously developed land...'*

Surely, if the land has already been developed, then '**redevelopment**' is the only option. If the land has not been developed before, then it cannot be developed now, so the use of the word **development** here is confusing and could be omitted to make the statement clear.

**Secondly**, since the middle of June when PPS3/Housing was reissued with some unannounced and quite dramatic changes of policy, I have been getting informal advice from your staff and planning officers that where a village was 'washed over' by the Green Belt (as a lot of them are), The Green Belt legislation should predominate over any other.

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**Thirdly**, I feel they need more explicit definition of your phrase:

*'...filling of small linear gaps in otherwise built-up frontages....'*

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This will cause considerable concern among all those householders with large gardens and 2 road frontages, who thought their pension plan lay in the potential building plot at the end of their long garden.

While I quite understand the need to stop 2 semis on a corner being redeveloped into 15 flats in the city, in order not to lose the 'lungs' of the city and refuges for wild life, I'm sure it is an unintended consequence for it to be applied across the board without further thought.

Indeed the use of the phrase in your para 1.4 under the heading '*Background*' uses the phrase:

*'..while avoiding the worst excesses of 'garden grabbing' particularly in smaller settlements.'*

Can I take it that your considered interpretation and actual intention is to avoid the 'worst excesses' only (3 three-storey detached houses currently being built on the garden of a listed building ('Old Manor House') in the Conservation Area off Main Street, Bilbrough might be an example), while still allowing low-density, well-designed houses on infill frontage plots - even where the Green Belt washes over the village?

Reading the government's new policy carefully seems to indicate that they do NOT intend to stop all development on such gardens. They simply wish to strengthen the local authorities ability to resist '**unsuitable**' development in such places.

It would be very easy for the L.A. to feel that it does not want the responsibility

to judge between suitable and unsuitable development on former gardens, and to just say it cannot happen in any case. However, this was not the governments' stated intention. Equally, your colleagues are judging each application that comes in - especially in a Conservation Area - on it's merits all the time anyway. So I was pleased to see that this Interim Policy appears to be correcting the impression I had (perhaps erroneously) from telephone conversations since June on replacement and infilling in a village with 'defined development limits' and 'washed over' by Green Belt.

You do still have the discretion to allow good designs in these places surely? The Government and Selby are - I'm sure - not intending to refuse applications within the village limits in the Green Belt on land that has no use (except excessive garden) and where good individual houses could go to enhance the Conservation Area with local, traditional features taken from the surrounding context of the site.

I do hope you will be able to give brief email replies, at least. Please use my email above in your reply - with your comments below paras, if it will save you time.

Many thanks for asking for my feedback.  
I look forward to your reply.

Yours sincerely,

Mark Savege

Senior Partner  
**ABACUS design partnership**

3 The Old Stables  
Moor Lane  
Bilbrough  
York YO23 3NT

ryan king

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**From:** Mark Savege  
**Sent:** 11 October 2010 15:49  
**To:** terry heselton  
**Cc:** ryan king  
**Subject:** Re: Draft Interim Housing Policy  
**Follow Up Flag:** Follow up  
**Flag Status:** Red

Dear Mr Heselton

### **Draft Interim Housing Policy**

To advise my clients, I need to know:

a) If a replacement dwelling is possible in '**Other Villages**' or '**Secondary Villages**', which are '**washed over**' by the **Green Belt**

YES/NO

b) Will an **excessive garden** with 2 separate road frontages - **in such a village** - will be considered for low-density domestic development of high quality and will be approved if considered **suitable**.

At present the draft seems to be seeking only to remove the possibility of '**unsuitable garden grabbing**'. What about **suitable garden grabbing**?

When the garden is **excessive**?

Let's say: **When the garden is more than twice the area of the existing dwelling's footprint and the proposed site can safely provide a separate access off an existing highway.**

This has always been allowed before and should continue where the gardens are within formally **defined village limits**.

YES/NO

There are a number of villagers in several of these villages waiting anxiously for your answer. They cannot believe that it is Selby's considered interpretation to ban

sensible development in every garden in their area. What is wrong with exercising your discretion to limit it to **suitable** one-off applications on a case-by-case basis? This is how the **PPS3: Housing** published in June reads to me. Are we really going to need Section 106 agreements for applications of this sort in future?

Can I advise them that they will still be able to apply with a good chance of success?

YES/NO

Hope the above makes it easier for you to reply and change the draft wording to include villages '**washed over by the Green Belt**' and sites '**on a linear frontage within defined village limits.**'

Yours sincerely,

Mark Savege

Senior Partner  
**ABACUS DESIGN PARTNERSHIP**

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**From:** ldf <ldf@selby.gov.uk>  
**To:** Mark Savege  
**Cc:** terry heselton <theselton@selby.gov.uk>  
**Sent:** Wed, 6 October, 2010 11:43:48  
**Subject:** RE: Draft Interim Housing Policy

Dear Mr Savege

Thank you for your e-mail with regards to the above consultation.

I have forwarded your e-mail questions to Mr Heselton, the Principal Planning Officer for the LDF Team, who will aim to contact you before the end of the week.

I hope this is helpful, however, if you have any further queries do not hesitate to contact me.

Kind regards.

**Ryan King**  
**Assistant Planning Officer (LDF Team)**

SELBY DISTRICT COUNCIL  
An 'Excellent' Council

Tel: 01757 292034  
Fax: 01757 292090  
Email: [rking@selby.gov.uk](mailto:rking@selby.gov.uk)

Web: [www.selby.gov.uk](http://www.selby.gov.uk)

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Selby District Council, Civic Centre, Portholme Road, Selby, North Yorkshire, YO8 4SB - DX 27408 Selby

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**From:** Mark Savege  
**Sent:** 05 October 2010 10:51  
**To:** ldf  
**Subject:** For the attention of Ryan King

Dear Ryan

1) Thank you for your email, but I have not received anything there that you did not send already in the post. Please note that I would much prefer to have such communication by post and trust this will continue as long as you will allow.

2) I have not had any reply to my email sent last Friday, which gave my comments (as part of the Consultation of the Draft Interim Housing Policy) in the form of QUESTIONS for which I **do require an answer, please**. Maybe it has just been added to a list of consultation responses?

Could you please forward the email to an officer who can respond and email me back to give me his/her name and also tell me how long I should expect to wait before I get a reply. Here is the content of the email (asking questions) again:

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### **Interim Policy for Control of Housing Development**

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I do hope you will be able to give brief email replies, at least. Please use my email above in your reply - with your comments below paras, if it will save you time.

Many thanks for asking for my feedback.  
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Yours sincerely,

Mark Savege



Senior Partner  
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As ever, I am grateful for your help, Ryan.

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ryan king

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**From:** Mark Savege  
**Sent:** 13 October 2010 12:32  
**To:** terry heselton  
**Cc:** ryan king  
**Subject:** Consultation Response to Draft Interim Housing Policy

Dear Mr Heselton

I am grateful for your time this morning in discussing the email contents below. It was always meant as a **Consultation Response** and I am happy to confirm that here.

I think my questions have been answered to the extent that you can, but feel we need to see a track record of decisions to know how this policy will - in practice - be implemented.

One extra point was raised to do with the definition of a linear frontage. About 7 years ago, I was surprised to see a private drive (no cars are allowed on it without written approval of the owner) - which happened to become a public pedestrian route by common use over the 12 years - deemed a '**public highway**'. I understand this could still happen today. I think your road frontage definition should clearly state a '**public vehicular right of way**' and either rule out or rule in clearly pedestrian rights of way ('public footpaths' should surely not be classed as 'public highways' for this purpose unless for public vehicles as well.)

I repeat the previous content for your convenience:

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Should a pedestrian right of way count as a '**built-up frontage**'?

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**I still do not know the answer to this, but will assume NO for the time being.**

Please give reasons, whatever your answer.

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