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**[REDACTED]**

**REPRESENTATIONS ON THE 6<sup>TH</sup> SET OF PROPOSED CHANGES TO THE  
SELBY CORE STRATEGY**

**1. THE DUTY TO CO-OPERATE**

In our letter of 21<sup>st</sup> May 2012 we indicated

*Irrespective of the Duty to Co-operate, it is now clear following the City of York Core Strategy Inspector's preliminary Notes expressing concern about the content of the CS, CYC's response and deliberations at a recent Exploratory meeting called by the Inspector, that CYC does not currently propose to meet identified housing requirements within the city. The York Green Belt extends – in general terms – from the edge of the built up area of the city to the city's administrative boundary. Any shortfall in provision in York will, accordingly, place pressures on the surrounding Districts including Selby and in these circumstances it is necessary for Selby to have a clear view based on discussions with York, how and to what extent it might (or might not) address any development pressures arising in the city.*

The Inspector should be aware that, since then, the City of York Council has formally resolved to withdraw its Core Strategy and now intends to move to the preparation of a Local Plan with an estimated timescale to adoption of 30 months but continuing to use the evidence base accumulated in connection with the Core Strategy. Our earlier comments relating to development pressures from York leapfrogging the green belt and the need for Selby's Core Strategy to understand and address those pressures, remain.

**2. POLICY CP1A(b)**

No change is proposed to this policy but the policy is entirely unclear in so far as it relates to development *inside development limits*. Are these the currently adopted development limits (adopted approaching 20 years ago) and, if not, at what stage and under what CS policy are development limits to be reviewed?

**3. POLICY CP1A(c): REUSE OF RURAL BUILDINGS**

The preference for the reuse of rural buildings for employment purposes should be deleted. This is one of a number of NPPF compliance matters raised with the Council following the last adjournment of the Examination, but which the Council has not taken on board. Retaining this preference is not consistent with the Framework or – particularly – with proposed new Policy LP1 (PC6.18) or with the text at paragraph 4.29 (PC6.24).

**4. GREEN BELT REVIEW: CS PARAGRAPH 4.39g**

The first element of PC6.20 in paragraph 4.39g (substitution of the word "or" for "and") is an important change and is supported but in consequence it is not necessary for the preceding text to refer to "exceptional circumstances".

The need to deliver the Core Approach and Sub Area policies (RSS Policy YH9) is a policy imperative and is one of the reasons why a green belt review is necessary – namely to provide an opportunity to allocate land which *offers the most sustainable option*.

## 5. POLICY CPXX: GREEN BELT

CPXX D4 should be amended by adding, at the end of the policy, the words *in the most sustainable locations* (or similar wording).

CPXX E, which is already over-complicated, should be deleted in its entirety.

In our view, the Council's approach to green belt is fundamentally flawed and in trying to wrestle with the Tadcaster problem at the same time limiting the scope for major green belt changes elsewhere, the thought process and policy have become ever more convoluted. This has been compounded by constant references to the need for "exceptional circumstances" to be present before any green belt review can be contemplated.

We do not understand why this should be the case.

As we have pointed out previously, green belt boundaries in Selby were established many years ago, long before the requirement that planning policies should seek to promote sustainable patterns of development and long before the adoption of Regional Spatial Strategy which requires lower order plans to include such policies.

These circumstances *require* the Council to ask the fundamental question – what is the most sustainable settlement hierarchy for Selby District? In reality, this exercise has progressed little further than the three higher order settlements of Selby Town, Sherburn and Tadcaster. At DSV level, a degree of confusion still reigns. The basis for designation of lower order settlements as DSVs (or not) appears to derive from a combination of the outcome of the Sustainability of Small Settlement exercise and an appraisal of the environmental constraints of settlements – with one or another of these exercises appearing to take precedence depending upon which settlement is considered (Escrick? Fairburn?). So far as we can ascertain, no account has yet been taken of which rural settlements are best located to accommodate growth in pursuit of sustainable patterns of development.

Deleting CPXX(E) and amending CPXX(D) as suggested above would provide an opportunity for the Council at the SADPD stage to properly consider the role of settlements at DSV level and below when "distributing" the rural component of the overall housing requirement.

We consider the Framework provides support for our suggestions in requiring that LPAs should establish green belt boundaries in their Local Plans which set the framework for green belt and settlement policies (para 83) and by reiterating the need for planning to promote sustainable patterns of development (para 84).

The need to identify safeguarded land to provide for development needs beyond the Plan period is plainly a requirement of the Framework and this should be reflected in the Core Strategy. The exercise of identifying the safeguarded land can be carried out at the SADPD stage as part of the green belt review. However, we recall that concerns have been raised previously at the Examination about the distance the CS has travelled from its

submission version in consequence of the accumulated main changes. The Inspector will no doubt be mindful of the implications of this for the soundness of the document.

## 6. DESIGNATED SERVICE VILLAGES

Designating Escrick as a DSV is soundly based on the evidence and is therefore supported (PC6.32). However – and following on from the above comments regarding the green belt review – we note here that the Council’s current proposed drafting of Policy CPXX seems designed to maximise the opportunities for *not* changing the green belt boundary and allocating land for development in Escrick at the next stage of the LDF process despite Escrick’s highly sustainable location.

We also note, en passant, that paragraph 6.25 contemplates future employment developments along the A19 corridor north of Selby, also well related to Escrick.

## 7. APPROACH TO THE DEVELOPMENT OF GARDEN LAND

The NPPF requires Local Planning Authorities to consider the case for defining policies to restrict the development of residential gardens. We consider the Council’s response to this (PCs 6.33 and 6.34) as inconsistent with the Framework. It is unclear what factors the Council has considered in arriving at these two proposed changes. The Framework identifies *harm to the local area* as a potential reason for resisting the development of garden land. The Council, however, simply draws a distinction between gardens within DSVs – where development will be acceptable in principle – and gardens in Secondary Villages where development on garden land will be resisted. This distinction takes no account of the harm which the development of garden curtilages might, or might not, cause and this can only be established on a site-specific basis.

We can provide details of examples in Selby District where, for example, garden land in a DSV village has been developed at an uncharacteristically high density leading to the loss of mature trees and a pond with amenity, wildlife and “village character” value – and areas of garden land in what are now classified as Secondary Villages which possess no inherent amenity characteristics or benefits to the character of the wider area where development of an appropriate density would cause no conceivable environmental harm.

The options appear to be for the Core Strategy to remain silent on the appropriateness of developing garden land (which would not be consistent with the Framework), or for the Core Strategy to include a policy which presumes against the development of all garden land as a matter of principle (for which we do not believe there is any evidence) or for a criteria-based policy to be introduced which permits the development of garden land in given circumstances.

We do not consider it appropriate to deal with the development of garden land in the text of the CS rather than within a policy: nor is it appropriate to deal with this matter of principle in a lower order DPD. The principles need to be set out in the CS – though we appreciate the detail may appear in a subsequent DPD.

## 8. INCLUSION OF MARKET HOUSING IN RURAL EXCEPTIONS AFFORDABLE HOUSING SCHEMES

This is contemplated in the text of PC6.55. It should, however, form part of Policy CP6 to provide clarity and consistency.

The LPA say there is no evidence on which to base including this requirement in a CS policy. We do not know what evidence the Council has sought but the following may assist.

We believe only 1 rural exceptions scheme has been approved/implemented within the District. We cannot, of course, speak for other agents but can confirm that 6 Clients for whom we act have identified 8 potential rural exceptions sites all lying immediately adjacent to the development limits of settlements currently proposed as DSVs in the northern/eastern parts of the District.

Given the physical relationship of the sites to built development, all have some degree of hope value for market housing. None is required by the landowner for any operational purpose and, to that extent, all are available. However, pony paddocks on the edge of villages in this locality frequently sell for upwards of £10,000 per acre and RSLs are now limited in the price they can pay for rural exceptions sites. All of the Clients currently take the view that in present circumstances they "might just as well hang on to the land". However, all have indicated that the introduction of a small proportion of market housing would change their views.

One site where a detailed scheme is in the public domain is at Escrick. Local needs surveys were first carried out nearly 10 years ago and negotiations for the sale of the land to an RSL were well advanced when the RSL halved the price it had previously offered for the land.

More recently, a detailed scheme has been drawn up, a new Housing Needs Survey has been carried out and all necessary surveys completed to support a planning application. We have indicated to the Council that the inclusion of a small number of market houses within the scheme would enable the landowner to gift the remainder of the site to an RSL.

House prices in Escrick are amongst the highest of any settlement in the District. There is one Local Authority (Council) house only remaining in the village.

## **9. POLICY CP9: SCALE AND DISTRIBUTION OF ECONOMIC GROWTH**

The proposed changes to this policy (PC6.74) are supported and, we believe, are consistent with the Framework.

## **10. ELECTRIC VEHICLE CHARGING POINTS**

PCs 6.78 and 6.82 which encourage the inclusion of electric vehicle charging points in new developments, is supported. York City Council is currently embarking on wide-scale proposals to install charging points in the 7 largest car parks in the city. The widespread availability of charging points is recognised as crucial to the public's uptake of electric cars.

We would appreciate an opportunity to explore these matters further at the reconvened Examination.

19<sup>th</sup> July 2012