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Delivered by Post

Mr Martin Pike
Inspector
c/o Elspeth Fowler
Programme Officer
Selby District Council
Civic Centre
Portholme Road
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Dear Mr Pike

SELBY CORE STRATEGY - REPRESENTATIONS BY THE POTTER GROUP

I write on behalf of The Potter Group in regarding their existing site on Barlby Road that is wrapped round by the Olympia Park Strategic Site.

At the outset, before proceeding to explain the purpose of this letter, The Potter Group wish to make clear their support in principle for the identification of the Olympia Park Strategic Development Site in Policy CP2A of the Submission Draft Core Strategy. The Potter Group believes that the site is a first class opportunity to deliver sustainable housing and employment to Selby town and the wider district in accordance with national and regional policy guidance.

The purpose of this letter is to bring to your attention some changes in the relationship of the promoters of the scheme that are directly relevant to the implementation and delivery of the Strategic Development Site.

You will note that on the cover of the Olympia Park Updated Masterplan and Delivery Framework (November 2011) that forms part of the evidence base of the Core Strategy - in particular Policies CP2 and CP2A - The Potter Group is named as one of the promoters of the site. In addition, at the Draft Stage of the Core Strategy, representations were made by Spawforths in March 2010 on behalf of a consortium that included The Potter Group.

More recent representations on the Submission Draft Core Strategy were made solely in the name of BOCM Pauls Ltd but made reference to matters regarding the Olympia Park site that are directly relevant to our clients interests.

Our client's specific concerns relate to the content of the Olympia Park Delivery Framework and the implications of the proposals for the continued operation of The Potter Group's business at their Selby site. The concerns relate primarily to two issues – the quantum of residential development in proximity

to The Potter Group site and the arrangements for the provision of the link road from the A63 bypass to the Potter site.

To set the context, The Potter Group is a major national freight and distribution company operating 5 sites in the north of England, the Midlands and East Anglia. The site at Selby is an important part of the Group's portfolio. The company operates a full intermodal container service on behalf of MSC, a major shipping line, loading and unloading a daily train from Felixstowe. It also provides transshipment of aggregate from rail to road for the Cemex group and waste recycling for Selby District Council. In addition part of the site is leased to Clipper Logistics who provide distribution services for Tesco.

An important selling point to customers is the unrestricted nature of the operations at the site. The lawful use of the site is unrestricted in terms of scale of operation and hours of use - being potentially 24 hours a day, 7 days a week.

The presence of the group's distribution and warehouse depot in Selby is a major consideration for the implementation and delivery of the Olympia Park Strategic Site, both in terms of rights enjoyed over land that forms part of the site and in terms of the relationship between the Potter site and future residential areas. The Potter Group site should therefore be included within the Strategic site.

Proximity of residential development

The previous version of the Masterplan and Delivery Framework (dated Feb 2010) that was submitted at the Draft stage of the Core Strategy proposed a total of up to 803 residential units, up to 600 of which would be on the land south of the railway. The potential impact of the Potter site on these residential units was to be minimised by the provision of open space (playing pitches), new B2 and B8 uses and allotments between the proposed residential and the Potter site. This would have provided a significant buffer up to 250 metres to mitigate any potential noise impact and disturbance to residents.

As important however, is that this mitigation of noise impact would mean that potential for complaints from future residents about disturbance from the Potter site was also minimised.

However, the revised masterplan now proposes – for the reasons set out in Section 6.2 in the Delivery Document - to increase the amount of residential on site and to put the majority of this in the area south of the railway. On a pro-rata basis approximately 900 units will now be built south of the railway. More significantly, the masterplan suggests that some units could be as close as 50 metres to the Potter site.

The inspector should be aware that although this revised Delivery Framework dated November 2010 has The Potter Group named as a development partner on the front cover, The Potter Group was not aware of the content of the document until after the close of the period for representations on the Submission Draft of the Core Strategy. Notwithstanding this, The Potter Group takes no issue with the quantum of residential proposed other than the implications for the future operation of the site as a result of potential close proximity of residential units. This issue must be addressed in Policy CP2A.

This could be achieved by an amendment to the policy requiring a minimum stand-off buffer between the Potter Group site and any future residential development.

Access

The Delivery Framework document and paragraph 5.37 of the supporting text to Policy CP2A of the Core Strategy propose that access to the Potter site and new employment areas will be from an existing roundabout on the A63 eastern by-pass. This is an essential pre-requisite of the comprehensive masterplan scheme because without this new access, The Potter Group will not be in a position to relinquish their existing access to their site. This access is from Barlby Road via a level crossing over the York to Selby rail line and then across land that is a central part of the proposed residential area.

The Potter Group have a right in perpetuity to use this access.

Although Policy CP2A requires the provision of an access from the A63 to the proposed employment area on Olympia Park, there is no requirement within the Policy for this new link road to provide access to the Potter Site.

This is an essential pre-requisite to enable the residential development south of the railway line to proceed and goes to the heart of the deliverability of the site.

Policy CP2A should therefore be amended to specifically include this requirement.

Summary

There has been a significant change in the proposals for the Olympia Park scheme that could impact on the ability of the business to operate in the unrestricted manner it currently enjoys on the site.

The Potter Group has been acting in good faith with other parties to ensure the delivery of the Olympia Park mixed use development. However, the changing priorities of the Parties involved means that The Potter Group must now proceed to comment independently in order to protect its interests on its existing site.

Resolving the access to the different parts of the site is an important element of the future development of the strategic site.

With your agreement, The Potter Group would appreciate the opportunity to submit representations on this matter to the Inquiry and to be represented at the examination in September.

In summary The Potter Group seeks the following changes to the Core Strategy which would be elaborated in representations:

- The Potter Group site to be included within the Olympia Park Strategic site for mixed use for either residential or employment use. The phasing of any future residential use would be determined through the site allocations DPD

- Safeguarding distance between the Potter site and residential to be incorporated in Policy CP2A
- Measures to secure the link road from the by-pass to the Potter site

If you require clarification on any point please do not hesitate to contact me.

A copy of this letter has been delivered to the Council

Yours sincerely

Eamonn Keogh
Director

CC: Mr T Heselton Selby District Council