

Selby District Core Strategy

SDC Position Statement
to accompany 6th Set of Proposed Changes

7 June 2012



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Council's Position regarding issues raised at the Core Strategy April 2012 EIP, to accompany 6th Set of Proposed Changes.

Summary and Purpose of Paper

This paper provides background for the Consultation June-July 2012 and sets out the Council's position on a number of issues raised through the EIP process and in the light of the NPPF.

It should be read alongside:

- CS/CD2f - 6th set of Proposed Changes and Appendices (7 June 2012)
- CS/CD64 - SDC NPPF Compliance Statement Part 1 The 3 Topics (13 April 2012)
- CS/CD64a - SDC NPPF Compliance Statement Part 2 Remainder of Core Strategy (7 June 2012)
- CS/CD65 - SDC Response to Representations received on the NPPF (7 June 2012)
- CS/CD63 - Duty to Cooperate Compliance Statement (13 April 2012)
- Background Papers and other Core Documents (as set out in this paper)
- SDC Response to Inspector's Note on Windfalls (31 May 2012)

This paper is intended to assist participants and the Inspector in understanding the Council's case/views/position at the September 2012 EIP.

It seeks to clarify particular points on specific issues where this is considered helpful. It does not repeat evidence provided elsewhere in other background papers and reports.

1. Background

- 1.1 Council approved Proposed Changes to the Selby District Core Strategy on 13 December 2011 in the light of the suspension of the EIP in September 2011 in order to address concerns raised by the Inspector. The Proposed Changes were subject to consultation in January and February 2012.
- 1.2 Further EIP hearing sessions took place on 18 and 19 April for the purpose of considering the following three topics in the light of the further work undertaken by the Council, and considering the responses to the consultation on the Council's Proposed Changes:
 - (i) The strategic approach to Green Belt releases
 - (ii) The scale of housing and employment development proposed for Tadcaster and the implications for the Green Belt
 - (iii) The overall scale of housing development over the plan period
- 1.3 In addition, because the NPPF had been published on 27 March the

Inspector also examined the consistency of the Council's proposals, on the three topics, with that framework.

- 1.4 Additional sessions have been arranged in September in order to re-examine all other elements of the Core Strategy in the light of the NPPF (and other remaining issues highlighted by the Inspector) and is not another opportunity to revisit matters which have been fully considered during the September 2011 and April 2012 EIPs.

2. New Information

- 2.1 The Inspector has published two notes explaining the process (see Core Strategy EIP web page). There is also the revised timetable for consultation and the September 2012 EIP.

- 2.2 Since the close of the EIP in April 2012, the Council has therefore:

1. Assessed whether the Core Strategy policies are consistent with the NPPF and if any further changes are required to ensure consistency.
2. Considered any further changes which are necessary in the light of the discussion at the April EIP including issues highlighted by the Inspector
3. Published a 6th Set of Proposed Changes and associated documents for consultation between 7 June and 19 July 2012

- 2.3 The Inspector asked all third parties for comments on the implications of the NPPF for the Core Strategy and the deadline for submission of those comments was 11 May 2012. Twelve responses were received. These have been considered by the Council in formulating any Proposed Changes. A separate paper (CD65) sets out the Council's individual responses to the representations to assist participants and the Inspector in understanding the Council's views at the September 2012 EIP.

Key Issues

3. The Overall Scale of housing development over the plan period

- 3.1 At the September EIP the Inspector concluded that the Council's case for relying on the Regional Spatial Strategy figure was not sufficiently robust and the Council should reconsider the overall housing target in the light of the most up-to-date evidence. The Council commissioned Arup Consultants to undertake a robust and rigorous review of all of the available sources of evidence on future housing growth requirements. They considered the various sources of evidence on population growth, household formation, the housing market, housing completions, housing land availability, and the economy.
- 3.2 Their full report (November 2011) is available (and a further paper is attached to Executive Report E/11/43 on 1 December 2011). They recommend that 450 dwellings per annum (dpa) over the plan period is the

most robust figure to use based on the 2004 government sub-national population projections (SNPP) which most accurately reflect current and expected market conditions.

- 3.3 Responses by other parties to Proposed Changes reiterated previous opinions that the Council should be using the 2008 SNPP. The Council commissioned Arup in March 2012 to consider any new evidence since their original assessment in November 2011. Their report is also available (April 2012) and was submitted to the Inspector prior to the April EIP recommencing.
- 3.4 Arup remained of the view that the 2004 SNPP was robust. They also considered the 2008 SNPP, and the 2010 SNPP (which had been published on 21 March 2012). Arup considered the representations, reviewed the new North Yorkshire Strategic Housing Market Assessment 2011 and other data on migration and household size for example. Arup concluded that even using the latest 2010 SNPP release the housing target should be about 450 dpa. The Council also considered that the approach taken was consistent with the NPPF.
- 3.5 The discussion at the EIP was inconclusive in terms of the elements of the evidence base which the various parties could agree upon. The Inspector asked for the Council and other participants to formulate a Statement of Common Ground (SCG)¹ regarding the population and household demand data.
- 3.6 The Council has accepted that the latest population projections (2010 based) are the starting point but that there is disagreement between the parties about the assumptions on household size/migration to be used in translating these into numbers of households. The issues relate to the implications of changes in migration and natural change assumptions in the Sub National Population Projections; and the economic outlook which affects household growth and migration assumptions.
- 3.7 It is not as straight forward as calculating a figure from the SNPP because that is a 'policy-off' figure. The NPPF is quite clear that other policy considerations need to be taken into account when determining the number of dwellings that the Core Strategy should deliver over the plan period (see also SDC Part 1 NPPF Compliance Statement 13 April 0212 CD64)
- 3.8 The data on demand must be understood within both the context of the assumptions used, and taking into account the Aims and Objectives of the Core Strategy policies. For example, the Core Strategy seeks to match jobs and homes, reduce the need to travel and support growth, which have been developed, based on extensive evidence and consultation and framed in the light of the constraints and opportunities.
- 3.9 Whereas other parties consider that the figure should be higher (between 500 and 550 dpa), the Council remain of the view that the figure should be about 450 dpa which provides for objectively assessed needs in accordance with NPPF (para 154) and which is aspirational but, crucially is realistic and deliverable based on both future economic expectations and

¹ See Core Strategy EIP web page

past average completions.

- 3.10 An average annual housing growth requirement of 450 dpa represents a positive plan for growth and is still significantly above the “jobs-led” scenario B figure of 403 dpa set out in the NY SHMA (it should be noted economic conditions and forecasts have deteriorated since the NY SHMA was produced). The fact the UK has now re-entered recession, and reductions in public spending are likely to continue for several years, indicate the economic outlook remains weak.
- 3.11 Further information is provided in the SCG and previous Background Papers and Arup reports (and in paragraphs 6.4 – 6.21 of the SDC Part 1 NPPF Compliance Statement (CD64).
- 3.12 Therefore the position of the Council, in planning for annual average household growth of 450 dpa remains robust and reasonable. It must be noted that the 450 is a minimum target that the Council considers it can reasonably achieve to ensure the success of the Plan, but that additional development that comes forward as windfall will add significantly to the minimum.

4. The scale of housing and employment development proposed for Tadcaster and the implications for the Green Belt

Background

- 4.1 At the 2011 September EIP the Inspector considered that from evidence given at the hearings by agents of landowners in Tadcaster, it was clear that the Council could not deliver the housing and employment land that it argues is necessary to meet Tadcaster’s needs without releasing land from the Green Belt.
- 4.2 Notwithstanding the above conclusion, the Inspector highlighted concerns about whether the scale of growth proposed for Tadcaster was fully supported by the evidence.
- 4.3 During the suspension, the Council revisited the evidence base and reviewed whether the level of growth can be accommodated. Further details are contained in previous Executive and Council reports CD/57 – CD/60 and other Background Papers (see documents published January 2012).
- 4.4 The revised Policy CP2 sets out that Tadcaster and Sherburn in Elmet now have 7% and 11% of the District’s housing requirement respectively. This is not simply a redistribution of requirements to suit the circumstances, but now reflects more closely the evidence base and overall methodology for distribution of housing requirements across the District.
- 4.5 The Council also undertook an update on the SHLAA which identified a new non-Green belt site and assessed the Infrastructure Delivery Plan (IDP) to assess the effects of the change.
- 4.6 The revised Policy CP2 shows therefore that new allocations at Tadcaster is reduced from 475 dwellings to about 360 dwellings and increased in Sherburn in Elmet from 500 dwellings to about 700 dwellings. The SHLAA

shows sufficient land to accommodate this and responses from stakeholders on capacity of services through the IDP and the consultation has not highlighted and issues which would indicate that the revised level of growth cannot be accommodated.

- 4.7 In addition, to provide flexibility, the Council also amended Policy CP3 to ensure close monitoring and remedial actions if the numbers were not being delivered within certain timescales.
- 4.8 Further, the Council introduced a new Policy CPXX on Green Belt setting out the framework for undertaking a Green Belt review and clarifying the exceptional circumstances which would have to be met to allow alterations to the Green Belt boundaries to accommodate housing and employment growth.
- 4.9 However, further representations from third parties as part of the Proposed Changes consultation in January/February 2012 and at the April EIP highlighted that even if land were available, and it was allocated in the SADPD and given planning permission, a local landowner was likely to seek to prevent development coming forward.
- 4.10 The Inspector considered there were unusual circumstances in Tadcaster and he considered that it was necessary to include a contingency or provide a 'Plan B', to ensure that the Core Strategy was sound in its ability to deliver its proposals. He asked the Council to reflect on this and propose further amendments to the Core Strategy in Tadcaster.

Alternative Proposals

- 4.11 A number of alternative proposals were submitted by other parties at the EIP including reducing the level in Tadcaster and transferring the housing requirement to other settlements. Options put forward were:
- Reducing the level in Tadcaster because it is too high and the reduced level can be accommodated through a detailed scheme that was presented
 - the DSVs in the northern sub-area to take the development, and /or identifying an extra DSV in Escrick² to serve this purpose
 - re-distributing to other villages adjacent to Selby town to complement growth there
 - increasing the allocation to Sherburn In Elmet due to the level of land available / being promoted by landowners / developers
- 4.12 The Council's views on these options are summarised below in the context of the proposals as an alternative to the current SDGS.

² It should be noted that Escrick falls within the North-East sub-area in the SHMA, not the Northern Sub-area

Reducing Tadcaster's requirement

- 4.13 An agent on behalf of a local landowner has objected to the level of housing development proposed for Tadcaster in revised Policy CP2 (500 dwellings over the 16 year plan period with 360 dwellings on new allocations). Their agent's view is that the figure should be 288 dwellings and only 148 dwellings on new allocations are needed. They suggest that this could be delivered through a combination of their client's existing site at Mill Lane, implementing their new vision which includes a proposed housing scheme on the Council owned central car park and by ensuring windfall development is taken into account (through reducing the amount of new allocations which need to be found).
- 4.14 The Council does not consider this approach to be a reasonable alternative because:
- The Council's view is that 7% is the appropriate amount for reasons set out in previous reports and Background Papers.
 - It is not appropriate to discount Tadcaster's requirement by planning permissions elsewhere in the northern sub-area.
 - The SHLAA evidence considers that the two Mill Lane sites together will only deliver 104 dwellings due to Flood zone 3.
 - The detailed scheme for the town put forward by agents is more appropriate for consideration at the Site Allocation DPD (a proposal for delivery not a reasonable alternative to determining distribution).
 - The Council will consider all its land holdings and the car park role as part of the SADPD

Re-distributing Tadcaster's requirement to villages in the Northern sub-area

- 4.15 The Council does not consider this is a reasonable alternative because:
- The Council's view is that 7% is the appropriate amount for reasons set out in previous reports and background papers.
 - There are insufficient numbers of DSVs and they are small and relatively remote which means it would be inappropriate and unsustainable and contrary to the strategy of the plan for them to be expected to accommodate an additional requirement in addition to what they already have allocated to them through the DSV requirement in Policy CP2.
 - The northern sub area is the least self-contained sub-area and increasing allocations in the villages there would lead to unsustainable travel patterns (as evidenced by various other Background Papers) contrary to the plans' key aims and objectives
 - This would not support the town's regeneration and could contribute to Tadcaster's' population decline
 - Escrick is not in the Northern sub-area (but the North Eastern sub-area instead)

Re-distributing Tadcaster's requirement to the 3 villages adjacent to Selby town

4.16 The Council's view is that 7% is the appropriate amount for Tadcaster, for the reasons set out in previous reports and background papers.

4.17 The Council has already submitted a statement to the EIP (28 September 2011) on their position regarding Barlby/Osgodby, Brayton and Thorpe Willoughby, which includes the following views:

- It is acknowledged that the three villages might be expected to accommodate future housing growth in excess of the level that would be appropriate in other villages owing to their greater sustainability and close proximity to Selby. However growth should be complimentary to growth in Selby, and not risk creating a 'Greater Selby or result in a level of growth greater than that planned in Local Service Centres. The Councils priority is to maintain the separate identity of all three settlements and to ensure that growth is focussed on Selby.
- The complimentary role of the three villages is clearly articulated in both Policy CP1 and the supporting text (see paras 4.17 and 4.25 bullet point 6). The three villages are specifically referred to by name in Policy CP1 and are treated differently to the other Designated Service Villages by the expressed recognition of the scope for growth in them to complement growth in Selby. It is not considered that the soundness of the Core Strategy would be improved by identifying a separate tier within the settlement hierarchy which could potentially overcomplicate the settlement hierarchy.
- The Council also remains of the view, as set out in Written Statement No. 3, that decisions regarding the precise scale and location of development in all the Designated Service Villages, should be taken through the Site Allocations DPD, based on local circumstances and in consultation with local communities.
- In this respect it should be noted that the emerging Site Allocations DPD earmarks about 39% of planned housing growth in Designated Service Villages to Barlby/Osgodby, Brayton and Thorpe Willoughby combined. This equates to nearly 13% of all proposed housing growth across the District

Re-distributing Tadcaster's requirement to Sherburn In Elmet

4.18 The Council does not consider that a redistribution to Sherburn in Elmet based on the level of land available or being promoted by landowners / developers is a reasonable alternative because:

- Linking housing and jobs then there would be potential that too high a combined growth at Sherburn in Elmet could undermine the role of Selby as the Principal Town and regeneration objectives there.

- Increased development above that already proposed, depending on the scale, may be at odds with the town's role as a Local Service Centre, affecting its position in the settlement hierarchy.
- The existing service base is weaker than Tadcaster (with a much smaller range of retail and leisure facilities)
- The town is less self-contained than the other towns in the District. For example Sherburn in Elmet has a relatively low proportion of economically residents who live and work in the town (only 18%, compared with 27% in Tadcaster and Selby 38%)³ and a higher requirement may be more likely to exacerbate out commuting than growth at Tadcaster.

Consideration of Options

- 4.19 The Council has already considered a number of alternative options of accommodating Tadcaster's housing requirement following the September EIP in the light of addressing the Inspector's concerns on the level of growth at Tadcaster and deliverability issues.
- 4.20 The preferred option (Option A, 1a to 1c) was chosen - which sought to accommodate Tadcaster's needs through: identifying further sites in Tadcaster on non-Green Belt land through the SHLAA update; working with landowners / last resort CPO to bring existing sites forward (mechanisms incorporated into revised Policy CP3); and establishing exceptional circumstances for a Green Belt review to deliver the plan's vision, aims and objectives if the alternative sites on non-Green Belt land would be less sustainable overall (new Policy CPXX).
- 4.21 However it is clearly of concern to the Inspector that the Core strategy is flexible enough to ensure delivery if these plans fail. As such the Council has considered a "Plan B".
- 4.22 The following alternatives (Option B) were considered in November/December by the Council (in December 2011 – see core documents CD57-60) and were subject to Sustainability Appraisal:
2. Reduce numbers at Tadcaster and increase housing figures at Selby
 3. Reduce numbers at Tadcaster and share the increase between Selby and Sherburn in Elmet
 4. Reduce numbers at Tadcaster and increase figures at Sherburn in Elmet.
 5. Reduce numbers at Tadcaster and increase figures for the 3 settlements closest to Selby town (Barlby/Osgodby, Brayton and Thorpe Willoughby).
 6. Reduce numbers at Tadcaster and increase figures in the Designated Service Villages.

³ See Table 3.6 in the SHMA (CD24)

- 4.23 The Addendum to the Sustainability Appraisal is available as a Core Document (CD17h) and that appraisal has been taken into account in choosing the Plan B, in addition to ensuring that the Plan B accords with the vision, aims and objectives of the Core Strategy.
- 4.24 Option B6 was rejected because that would undermine the overall strategy. The alternatives within Option B2-5, which would redistribute development to other settlements, were not supported by the Council at that time.
- 4.25 However, in the light of the Inspector's request, Council has re-considered these options in order to ensure that there is a contingency / Plan B in the Core Strategy.

Delivery of Tadcaster sites - Plan B / Contingency

Proposals

- 4.26 The Council remains of the view that the level of growth identified in Policy CP2, as distributed through the settlement hierarchy is the most sustainable option and the appropriate level, and is based on the evidence. Any further reductions at Tadcaster would be contrary to the Core Strategy and Regional Spatial Strategy which says that the Local Service Centres should accommodate local needs.
- 4.27 However it is clear that the Core Strategy must incorporate flexibility to ensure the proposed strategy can be delivered, and if not precisely in line with the broad numbers envisaged in Policy CP2 then the plan should incorporate an alternative approach.
- 4.28 As such, the proposed 'Plan B' involves the Site Allocations DPD identifying sufficient / additional land to deliver the requirement in Tadcaster and the release of further sites should those not come forward, and then the release of additional sites in settlements in accordance with the hierarchy in Policy CP1 in the event that those do not come forward. The sites would be released after a certain time period following the adoption of the SADPD.
- 4.29 The Plan B being proposed retains the overall strategy and intentions of Policy CP2 and provides flexibility to ensure the required housing is delivered in line with the NPPF.
- 4.30 The full revised text and amended Policy CP3 are provided in the 6th Set of Proposed Changes (CD2f). The additional section being added to set out Plan B is reproduced below:

CC. In Tadcaster, due to the potential land availability constraint on delivery, the Site Allocation DPD will allocate land to accommodate the quantum of development set out in Policy CP2 in three phases as follows:

Phase 1: the preferred sites in/on the edge of Tadcaster which may include Green Belt releases in accordance with Policy CPXX. Phase 1 will be released on adoption of the SADPD.

Phase 2: a second choice of preferred sites in/on the edge of

Tadcaster which may include Green Belt releases in accordance with Policy CPXX. Phase 2 will only be released in the event that Phase 1 is not at least one third completed after 5 years following the release of Phase 1.

Phase 3: a range of sites in/on the edge of settlements in accordance with the hierarchy in Policy CP1 and which may include Green Belt releases in accordance with Policy CPXX. Phase 3 will only be released after 3 years following release of Phase 2 and only in the event that the combined delivery of Phase 1 and Phase 2 is less than 50% of the target yield

Strategic Environmental Assessment and Sustainability Appraisal (SEA/SA) of the Contingency

- 4.31 The SEA Directive states that the environmental report should consider reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme.
- 4.32 The detailed sustainability appraisal of the options (Option A, 1a-1c and Option B 2-6) may be found in Appendix B of the SA Addendum (Core Document reference CS/CD17h).
- 4.33 The above revision to Policy CP3 as the plan's contingency, is a combination of all the options which were subject to SA. Overall, looking at all the options, there are neutral and or positive effects from directing new development in accordance with the hierarchy of settlements; for example improving accessibility to culture, leisure and recreation facilities and improving quality of housing available to all. Therefore the contingency is considered sustainable overall.
- 4.34 The strategic nature of the Core Strategy policies has made more detailed assessments difficult: due to the size and location of site allocations being unknown at this stage, uncertainties were identified in the appraisals regarding the effects on biodiversity, heritage, flood risk and the promotion of brownfield sites. However, other Core Strategy Policies seek to minimise and/or mitigate any potential adverse effects. These issues will be considered in more detail as part of any additional work to the Site Allocations DPD.
- 4.35 A correction to the Addendum should be noted in relation to Option 1c (taking land out of the Green Belt to accommodate development). This Option had been identified as least sustainable because the appraisals stated that Green Belt sites are more likely to have ecological effects than non-Green Belt sites, given that Green Belt is generally outside the settlement boundary and also likely to be greenfield (and therefore is probably more likely to have higher ecological value). However, given that Green Belt is a planning policy designation not an environmental designation (biodiversity, ecology or landscape), development of Green Belt land should not be in theory any less sustainable than greenfield non-Green Belt land. Clearly this is dependent on the site in question and therefore, on further consideration, the appraisal summary (Appendix B of the SA

Addendum) is amended to “uncertain” rather than “negative”.

- 4.36 In conclusion, the SA as a strategic assessment, with numerous unknowns to consider, does not demonstrate that the policies are not sustainable. Instead it flags those issues to consider at the appropriate time when allocating sites in the Site Allocations DPD.

5. Windfalls

- 5.1 There was debate at the EIP regarding the monitoring of windfalls and how such sites are taken into account as part of the housing land supply calculations.

- 5.2 The NPPF (paragraph 48) says that LPAs may make an allowance for windfalls in their 5 year land supply. It does not allow for windfalls to form part of the housing land target:

“Local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens.”

- 5.3 The NPPF says that LPAs may make an allowance for windfalls in their 5 year land supply. It does not allow for windfalls to form part of the housing land requirement. As such it is clear that windfalls are an issue for supply and not part of the housing target.

- 5.4 The Council considers that existing text at paragraph 5.28 which deals with windfalls in the Core Strategy is clear but it is proposed to be expanded for further clarity.

Windfalls Evidence base

- 5.5 Evidence from the Council’s AMRs since 2005, presented to the EIP in April by agents of a landowner, and confirmed by SDC, demonstrated that historically windfalls have contributed significantly to housing land supply.

- 5.6 The Inspector has, since the EIP, asked for further information from the Council regarding their definition of windfalls and to provide a more detailed breakdown of the monitoring data relating to past completions and this has been submitted. The figures below are taken from the information submitted to the Inspector.

Period	Completions total			Figures for non-allocated sites (SDC definition)				Figures for only those non-allocated sites which are also PDL	
		Completions on allocated sites	% of completions On allocated sites	Completions on all other sites (windfall)	% of Completions on all other sites (windfall)	All completions on PDL	% of all completions on PDL	Of windfalls, how many on PDL*	% of windfall completions on PDL
2010-11	366	155	42.3	211	57.7	181	49.5	174	82.5
2009-10	270	107	39.6	163	60.4	125	46.3	117	71.8
2008-09	222	59	26.6	163	73.1	154	69.4	146	89.6
2007-08	583	240	41.2	343	58.8	299	51.3	271	79.0
2006-07	874	187	21.4	687	78.6	585	66.9	585	85.2
2005-06	633	53	8.4	580	91.6	473	74.7	473	81.6
2004-05	469	167	35.6	302	64.4	242	51.6	242	80.1
TOTAL 2005-2010	3417	968	-	2449	-	2059	-	2008	-
Average 2005-2010	488	138	30.7%	350	69.2%	294	58.5	286.9	81.4%

5.7 The reasons for this reflect policies in the Selby District Local Plan (SDLP). It is fair to say that SDLP policies allowed for more opportunities for allowing windfalls and that the high level of windfalls positively contributed to the 5 year land supply and Phase 2 allocations releases were only necessary in 2011. These patterns will not necessarily be repeated during the coming plan period as land releases will reflect the policies contained in the Core Strategy. Whereas the SDLP sought to control development, the SDCS (and SADPD) seeks to promote development in line with Government objectives for growth and has been positively prepared. Further, sites allocated in the SADPD will be released without phasing (apart from 'Plan B' sites) and will have been assessed for suitability, availability and deliverability in line with the latest government requirements and thus there should be more certainty that the sites will come forward and windfalls will be in addition to the minimum target.

5.8 Notwithstanding the above, Policy CP1A of the SDCS provides for the

management of residential development in settlements. This provides the criteria for allowing new housing development on non-allocated sites in the three towns and DSVs and the secondary villages, including conversions and redevelopments. This is effectively planning for windfalls to contribute to housing land supply over and above allocations.

- 5.9 Appendix 3 of the Council's Written Statement No. 6 (WS6) submitted to the EIP indicates that the likely contribution from garden curtilages under CP1A would account for approximately 10% of new development across the District.
- 5.10 Appendix 4 of WS6 indicates that the additional contribution under CP1A from infill, frontage development in Secondary Villages might be up to about 60 dwellings in total over the Plan period.
- 5.11 Appendix 5 of WS6 indicates that a further contribution from the redevelopment of farmsteads in Secondary Villages under CP1A could be about 500 dwellings over the Plan period (the maximum if all known farmsteads within these villages were redeveloped).
- 5.12 Therefore the Council accept that historically there has been a high proportion of completions from non-allocated sites. However, historic performance is not necessarily an indicator of future potential and it is considered that windfalls will not continue to provide a significant or reliable source of supply at the scale experienced in the past, and therefore the Core Strategy should not make an allowance for windfalls as part of the expected delivery of the housing target in Policy CP2.

How windfalls will be taken into account when determining scale and distribution of allocations

- 5.13 An agent took the view that because the 'calculation' of Tadcaster's proportion of housing distribution is based on the identified need in the Strategic Housing Market Assessment (SHMA) pooling together Tadcaster parish and the northern sub-area then any windfall permissions in the northern sub-area should be used to discount against the Tadcaster's new allocations requirement. For example, a case was cited that because Newton Kyme Papyrus Works site has planning permission for 140 dwellings which falls within the northern sub-area, then this should be taken off the Tadcaster requirement for 360 dwellings.
- 5.14 However it is not appropriate to discount Tadcaster's requirement by other permissions in the northern sub area for a number of reasons, including the incompatible comparison with how the distribution was 'calculated'. The complex and detailed issues of how the district wide distributions of housing growth are covered variously in the Core Strategy and Background Papers and other EIP submissions. Background Paper 3 (and superseded versions which are on the background paper archive webpage) clearly set out how the various proportions for all the layers in the settlement hierarchy have been derived and this complex issue is not repeated here.
- 5.15 However, in summary a number of objectives were considered and the preferred and most sustainable solution was derived from a balanced approach of :

- Matching affordable housing need
 - Maximising use of previously developed land
 - Maximising the amount of development in Selby
- 5.16 The preferred distribution also took into account other locational factors such as flood risk and highways.
- 5.17 Taking all the considerations into account and seeking to meet RSS and the most sustainable option, at least 50% should be in Selby (limited by flood/highways) and that Local Service Centres should meet local needs.
- 5.18 In determining the proportion then to go to the LSCs, the SHMA evidence on affordable housing needs was used as an indicator. The Council has not used solely affordable housing to determine the distribution. To do so would mean that 59% of development would be located outside of the 3 main towns, and Selby would only be allocated 27% and clearly this is not a sustainable solution.
- 5.19 This also shows that Selby's requirement of 51% includes meeting the needs of the District and wider rural area, which is considered entirely appropriate. Tadcaster has not therefore been treated any differently (in being allocated a proportion of development based on the results of the SHMA for Tadcaster and the northern sub-area). Other papers set out why the Council considers that it is important that Tadcaster, as a LSC performs the function of supporting the surrounding rural area, especially in the light of having only two small DSVs (which is different to Sherburn in Elmet where there are a number of larger DSVs in the western sub-area).
- 5.20 In conclusion / summary the SHMA evidence has been used as an indicator to inform the broad distribution of housing requirement to Sherburn and Tadcaster. It is a mechanism used as part of a wider methodology and does not define the specific numbers of homes that are needed there.
- 5.21 Further it is not sustainable to rely on windfalls in the northern sub-area to be used to reduce the development which ought to be provided in the Local Service Centre. This would be contrary to the plan's strategy.

6. Employment land availability in Tadcaster

- 6.1 The scale and distribution of economic growth was debated at the September 2011 EIP in the context of Policy CP9 which established an overall District-wide requirement for 37 – 52 hectares of employment land and the precise location of sites to be determined through the Site Allocations DPD. The Core Strategy text (and Figure 12) suggests the broad distribution for Tadcaster to be 5-10 hectares based on the Employment Land Studies that have been undertaken.
- 6.2 At the April 2012 EIP the Inspector raised specific concerns about the lack of evidence presented by the Council on land availability for employment sites. He suggested that a further update to employment land supply be provided and additional text might be added in the Core Strategy to set out the approach to delivering employment sites in the light of the clear problems in

the town.

6.3 The latest information (Employment Land Refresh 2010 as updated by information on Land availability provided by the 2011 SHLAA) indicates that there are no sites currently available to deliver employment land of this scale in the town. The evidence indicates therefore difficulties in delivering the 5-10 hectares of employment land in Tadcaster broadly indicated in the text (Figure 12 of the SDCS). Officers indicated that the Council plans to undertake a joint Strategic Housing and Employment Land Availability Assessment as part of the SADPD. This would be consistent with the NPPF as Policy CP9 provides flexibility by stating that the precise location of sites to be allocated will be undertaken in the SADPD.

6.4 In order to make it clear that the strategic policy provides the appropriate flexibility, and that the precise scale and location of sites will be determined through the SADPD taking into account the most up-to-date evidence on land availability in the settlements, it is proposed to amend and reformat criterion (i) of Policy CP9 as follows (in purple):

- “1. Providing for an additional 37 – 52 ha of employment land across the District in the period up to 2026 2027 (PC5.42),**
- 2. Providing for including 23 ha of employment land as part of a ~~mixed strategic housing / employment expansion~~ the Olympia Park mixed strategic housing/employment site (PC1.35) to the east of Selby to meet the needs of both incoming and existing employment uses.**
- 3. The precise scale and location of smaller sites in Selby, Tadcaster, Sherburn in Elmet and rural areas will be informed by an up-to-date Employment Land Availability Assessment and determined through a Site Allocation DPD.”**

6.5 In addition, in response to the Inspector’s request for further clarification in the Core Strategy of how the Council expects employment growth to be delivered in Tadcaster, it is proposed to amend the supporting text to Policy CP9 to provide further analysis and emphasise the key points from the evidence base. These text changes and the entire proposed amended wording for Policy CP9 is provided in the 6th Set of Proposed Changes (CD2f) which also takes into account amendments proposed as a result of the assessment against NPPF.

7. The strategic approach to Green Belt releases

7.1 The Inspector’s view at the September 2011 EIP was that the over-arching strategy for the District should establish the principles that will govern any Green Belt boundary reviews that are deemed necessary at the Site Allocations DPD (SADPD) stage. The Council considered a revised approach and published for consultation a new Policy CPXX as part of the January / February consultation on Proposed Changes.

7.2 The proposed new Green Belt policy covered the following general points:

1. the general extent of the Green Belt will be protected and control of inappropriate development within the Green Belt;
 2. reference to Major Developed Sites in the Green Belt;
 3. that a Green Belt review will be undertaken at a lower DPD stage;
 4. establish the broad scope of the review; and
 5. as part of the review what exceptional circumstances need to exist if boundaries are to be altered.
- 7.3 Following the consultation and prior to the April EIP the Council published an NPPF Compliance Statement Part 1 (3 Topics) which assessed the policy's consistency with the NPPF.
- 7.4 That paper proposed further changes to the Green Belt policy to take account of the NPPF. The proposed changes included:
- deletion of reference to Major Developed Sites;
 - incorporation of wording to refer to review of all village boundaries; and
 - minor text changes to bring detailed wording more in line with that used in the NPPF.
- 7.5 Debate at the April EIP seemed to indicate that the principle of the Council's proposed new policy was accepted, however the Inspector did have some concerns about the lack of clarity in Part E of the amended policy.
- 7.6 The Council has redrafted the wording and circulated to all parties who were at the hearing session in order to seek views prior to the further consultation in June. The following rewording does not materially change the policy but simplifies the last criterion in the spirit of the Inspector's comments and is provided for information:

E. Under Criterion D4 (above), the SADPD may in exceptional circumstances remove land from the Green Belt and allocate it to deliver the Policies, Vision, Aims and Objectives of the Core Strategy by accommodating the identified development needs in the established settlement hierarchy, where such need cannot be met on non-Green Belt land, or where removal of land from the Green Belt offers a significantly more sustainable option overall. Safeguarded land may also be identified to secure options for delivery in future plans.

Other Green Belt issues

- 7.7 An agent had raised the issue that windfalls should be taken into account when determining the level of allocations required and further, that windfalls coming forward on non-Green Belt land outside Tadcaster in other parts of the District / in the northern sub-area should be used as a reason for not needing to take land out of the Green Belt in Tadcaster.

- 7.8 It is considered that the assessment of land availability and delivery / supply would be properly part of the future assessment of whether there are exceptional circumstances to alter Green Belt boundaries in the planned review. The review methodology is the proper place for the level of detail referred to and not the strategic policy in the Core Strategy.

8. Status of Villages

(i) *Consideration of Change from Designated Service Villages (DSVs) to Secondary Village status*

Fairburn and Appleton Roebuck

- 8.1 The Inspector asked the Council to further reflect on whether the evidence supported the designation of these two villages as DSVs.
- 8.2 The Council has reviewed the evidence base upon which the Council relied to designate both Fairburn and Appleton Roebuck as DSVs. The Council has also reviewed any new evidence, including the information that was submitted by other parties during the EIP process. The Council has also taken account of the debate at the EIP and views of the Inspector. In addition an assessment has been made against the guidance in the new NPPF.
- #### *Fairburn*
- 8.3 The evidence presented in the Council's Background Paper 5 and Background Paper 6 recognises that local services were an important factor in giving weight to the designation of Fairburn as a DSV. Access to public transport has already been considered as poor and requires improvement.
- 8.4 The original assessment in Background Paper 5 (sustainability assessment of rural settlements) and Background Paper 6 (village growth potential) provide the consistent and most appropriate basis for defining DSVs. Whilst recognising that the Post Office / Shop has since closed this could be seen as a temporary result of the current economic climate and other shops may well open. The assessment also recognised that the village requires improved bus services.
- 8.5 New evidence was put forward at various stages by third parties relating to water infrastructure capacity which have been dealt with by Yorkshire Water. The Council and third parties also agreed on bus services (see other submissions to the EIP).
- 8.6 Whilst accepting that Fairburn is a marginal settlement in terms of the assessment and other evidence submitted to the EIP, the Council takes the view that this is why it should be a DSV on balance because the status provides the opportunity to identify appropriate future growth for both housing and employment development to support and expand local services, through positive planning in line with the NPPF.
- 8.7 Paragraph 70 of the NPPF says that planning policies should guard against

the unnecessary loss of valued facilities and services particularly where this would reduce the community's ability to meet day-to-day needs. Paragraph 55 of the NPPF says that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

- 8.8 For these reasons the Council remains of the view that Fairburn should be retained as a DSV and have therefore not proposed any further changes to the SDCS in this respect

Appleton Roebuck

- 8.9 In Background Paper 5 the Council accepted that Appleton Roebuck does not meet the "minimum criteria" for the level of services to justify DSV status. However in Background Paper 6 the Council explained how Appleton Roebuck plays a leading role in the area due to its school, church and other services that should be nurtured in the interests of the local community. Appleton Roebuck is the largest of the villages and hamlets in this rural part of the District.

- 8.10 NPPF Para 55 encourages Councils to exploit such a scenario by stating: *'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby'*. The designation of Appleton Roebuck as a Designated Service Village fulfils this role and is consistent with NPPF.

- 8.11 Therefore the Council remains firmly committed to Appleton Roebuck's appropriate recognition as a Designated Service Village in the hierarchy of settlements. Further support is given by the Parish Council which recognises that in the longer term the best way to safeguard existing services and to foster additional facilities is to welcome an appropriate quantum of development to increase viability.

- 8.12 For these reasons the Council remains of the view that Appleton Roebuck should be retained as a DSV and have therefore not proposed any further changes to the SDCS in this respect

(ii) Change from Secondary Village to DSVs status

Escrick

- 8.13 There was further debate at the April 2012 EIP regarding whether Escrick had been correctly identified as a Secondary Village. Objectors contended that it met the criteria for DSV status and that its status should be changed.
- 8.14 Without going through the full detailed process, it can be confirmed that the overall ranking of Escrick in Background Paper 5 which assessed the sustainability of rural settlements should have been 2 (More Sustainable) rather than 3 (less sustainable). The mistake is in Table 7 of BP5.
- 8.15 Either way the Council accept that Escrick is a sustainable settlement. However this is of no consequence as Background Paper 5 does not classify

DSVs. Instead it is Background Paper 6 which assesses Village Growth Potential (includes an appendix for the study). In that paper Escrick is recognised as being a sustainable village, with good local services and land in low flood risk (flood zone 1), but the strong environmental and landscape constraints to development (e.g. Green Belt and Historic Park and Garden and Site of Importance for Nature Conservation) especially to the south of the village would militate against expansion (the assessment also included reference to conservation area and compact form too).

- 8.16 As such it was correctly not defined as a DSV because it could not accommodate additional development.
- 8.17 However, because the Council is now committed to undertaking a Green Belt review, this may offer the opportunity in principle to overcome one of the constraints – i.e. alter boundaries of the Green Belt to accommodate growth if there are exceptional circumstances (under the new Policy CPXX, Green Belt). As such the Council has therefore added Escrick to the list of DSVs as a proposed change to the SDCS.
- 8.18 It should be noted however, that the designation of Escrick (or indeed any other settlement) as a DSV does not necessarily mean that the boundary will change or that it will be allocated further development. That will be assessed and decided through the Green Belt review and as part of the Site Allocations DPD, which will both be subject of further consultation in due course, and of course the SADPD will be subject to another EIP.

9. Summary of key issues and main changes following EIP

- 9.1 In summary, in light of all the above issues from the April EIP, the following is a list of key issues and changes the Council is proposing:
1. **The overall scale of housing development over the plan period** – accept 2010 based SNPP as the basis of housing requirement, but disagree with other parties on assumptions (e.g. migration) and policy objectives for the components of the methodology for determining the most appropriate housing target for the District to deliver the vision, aims and objectives of the plan. No change to 450 dpa.
 2. **The scale of housing and employment development proposed for Tadcaster and the implications for the Green Belt**
 - Introduction of a Plan B / Contingency for delivering the housing requirement for Tadcaster. Proposed changes to Policy CP3 to introduce staged phasing of release of additional sites.
 - Additional text explaining evidence and approach to employment land supply at Tadcaster and revisions to Policy CP9 to link scale of allocations in the SADPD to land availability evidence
 3. **The strategic approach to Green Belt releases** – no material changes to the policy – only wording changes.
 4. Additional text to expand on approach to dealing with **windfall** development as part of housing land supply.

5. Retention of **Appleton Roebuck** as a Designated Service Village
6. Retention of **Fairburn** as a Designated Service Village
7. Upgrading of **Escrick** to Designated Service Village status

9.2 The specific amendments to the Core Strategy are set out in the 6th Set of Proposed Changes (CD2f) which forms part of the consultation between 7 June and 19 July 2012.

9.3 The Proposed Changes schedule also includes amendments the Council considers necessary to ensure consistency with the NPPF. See "NPPF Compliance Statement Part 2 (CD64a)