



Councillor Richard Musgrave, Deputy Leader of the Council

Report to Council on 22 July 2021

Planning Policy & Strategy

Consultation on the Local Plan Preferred Options took place earlier this year and the team have been busy analysing the 1231 responses, (4719 individual comments) which will help shape the Publication version of the Local Plan programmed to be consulted on in early 2022. This includes working proactively with a number of landowners and developers to ensure that by the Publication Stage the Council can demonstrate that all sites are deliverable and viable.

The team have run a number of successful technical workshops with promoters of the larger strategic site options and a technical panel of experts. The workshops examined the three New Settlement proposals at Heronby, Church Fenton and Burn Airfield and the urban expansions at Eggborough and Crosshills Lane (Selby Town). The purpose was to provide promoters with the opportunity to present their emerging masterplans and technical evidence to organisations such as Historic England, the Environment Agency, North Yorkshire County Council Highways and Drainage and seek views on any concerns or further evidence which may be necessary prior to Publication.

We are continuing to work positively with Samuel Smiths Old Brewery Tadcaster on the sites which they have submitted for consideration as part of the Local Plan process to help bring forward a regeneration led approach which will improve the vitality of Tadcaster.

As a result of public consultation on the Local Plan Preferred Options a further 44 sites have been submitted to the Council for consideration. We have prioritised technical work on this to ensure progress with the plan and all these additional sites have been assessed against the Site Assessment Methodology and site visits have been undertaken. Approval to consult on these additional sites will be sought from Executive in July to ensure that all sites have been subject to the same level of public scrutiny. Consultation is due to take place between 2 August and 13 September 2021.

We are also intending to consult, over the summer, on a number of key pieces of evidence that support the Local Plan and will be important for its subsequent public examination. These include a paper on Development Limits Methodology, a Green Space Audit, and Indoor and Outdoor Sports Study and a Stage 1 Green Belt Review.

Work is continuing, in conjunction with NYCC as the Highway Authority, on the development of a new highways model for Selby District. This is a critically important piece of work for the Local Plan and will consider the implications of proposed development on

the capacity of the strategic road network. The outcomes from this work will help to identify necessary improvements and will feed into the whole plan viability work and the preparation of the Infrastructure Delivery Plan which will be completed in time for the Publication stage of the Local Plan.

The team have made final changes to the Church Fenton Neighbourhood Plan to reflect the comments from the Independent Examiner. The Neighbourhood Plan will now proceed to Referendum which will take place on 3 August 2021. If there is local support for the Neighbourhood Plan approval will be sought for it to be formally adopted at Council later this year. We have also provided comments on the Escrick Neighbourhood Plan which has now reached Regulation 14 stage (Pre-submission stage).

Following the previous consultation on the four Conservation Area Appraisals in Selby Town and Tadcaster, consultation is now underway on the Draft Conservation Area Appraisals for Appleton Roebuck, Brayton, Cawood, Escrick, Hemingbrough, Monk Fryston and Riccall.

Progress continues on the Selby High Street Heritage Action Zone project. Preparation of a shop front design guide is well under way and once adopted will provide useful guidance to property owners and help inform planning decisions. The architectural team have now undertaken surveys of a number of buildings to establish costs for repair work with a view that subject to the relevant consents that work will commence by the end of the year.

Planning Services

In the period between 1 March 2021 to 31 May 2021, 100% of major applications (Government Targets: N1 – N6) were determined within the statutory period or agreed extension of time¹¹. This equates to **4 determined**, 0 within the statutory 13 weeks, 4 within the extension of time period agreed and 0 out of time. **These figures are higher than the national designation targets set by the Government for majors which is 60%.**

In the period between, 1 March 2021 to 31 May 2021, 73.2% of minor applications (Government Targets: N13 – N18) were determined within the statutory period or agreed extension of time. This equates to 56 determined, 5 within the statutory 8 weeks and 36 within the extension of time period agreed and 15 out of time. **These figures are higher than the national designation targets set by the Government for minor applications which is 70%.**

In the period between, 1 March 2021 to 31 May 2021, 87% of minor others (Government Targets: N20 – N25) applications were determined within the statutory period or agreed extension of time. This equates to **124 determined**, 18 within the statutory 8 weeks and 90 within the extension of time period agreed and 16 out of time. **These figures are higher than the national designation targets set by the Government for minor applications which is 70%.**

In addition to the above during the same period we also dealt with **133 other applications** which are not reported to Government but are nevertheless important aspects of the service's work. These include the following types of application: HENS (Larger household extensions), Agricultural Prior approvals, Prior Notifications, Telecommunications, Discharge of Conditions, Minor Amendments, Works to Trees, County and other Consultations, Scoping reports and Screening opinions for EIA applications.

We also assessed **62 Permitted Development Enquiries** (PD's) and determined 10 Certificates of Lawfulness.

With regard to non-major applications (minor and minor others) whilst performance on both exceeds government targets the total numbers decided within 8 weeks is around 13%. These figures reflect the full period between 1 March 2021 and 31 May 2021. Officers are actively working to address this issue along with tackling an overall back log which requires a case load reduction by around 35 – 40% to bring it within the structural capacity. The number of live planning applications currently stands at just under 600 cases with staffing levels designed to handle around 380. An important step in this process is the successful recruitment of two new Planning Officers into the Development Management Service in May 2021. In May and June 2021 (up to week ending 18 June 2021) we have reduced the backlog of cases by 55 applications.

As part of our business planning, we have undertaken an exercise to look at comparable data of applications received, and applications made valid for the months of March, April and May 2020 and 2021. This has highlighted that there has been a 32.8% increase in received applications and 37.8% increase in valid applications. This clearly creates additional pressure in the service whilst we are also working to address the backlog of applications which is now starting to reduce. The service achieved full staffing in May for the first time in around 18 months as we continue to implement the Planning Review. We are seeking temporary additional capacity as well as introducing process improvements to address these twin challenges of increased planning application numbers and a backlog.

With regard to Planning Committee in person meetings have now commenced. In the period between 1 March 2021 to 31 May 2021 we have had 5 Planning Committees. The additional meetings are to assist with dealing with workload pressures that have developed during Covid. We have taken a total number of 20 planning applications for a Committee decision within this period. Some of these applications have been complex and have included the Olympia Park Link Road, Hilliam Gypsy and Traveller site, Nun Appleton Hall and Livestock Buildings on Low Field Road.

With regard to performance at appeal, in the period between 1 March 2021 to 31 May 2021 a total of 6 were determined of which 3 were allowed and 3 were dismissed. We have also received 12 new appeals.

The service is progressing work on the Drax Bioenergy with Carbon Capture and Storage Project (BECCS) – Nationally Significant Infrastructure Project. It will go through the Planning Act 2008 process in which there are six key steps which include pre-application; acceptance; pre-examination; examination; recommendation and decision; and post decision. Officers have taken a paper to both Executive and Planning Committee to agree in principle support for this NSIP application, subject to agreement in relation to specific and localised matters of detail.

At 1 June 2021 the Planning Enforcement team had 398 live enforcement cases open. We received 94 new cases and closed 120 within the three months' period March, April and May 2021. The Planning Enforcement Team also served 7 Enforcement notices and 1 Section 225A notice.

A significant piece of work for the Planning Enforcement Team during this period related to an unauthorised gypsy and traveller site at Hillam. The Council's application to remove the

unauthorised development on land at Hilliam Lane was heard at Leeds County Court on 2 June 2020. The site had been occupied as a residential caravan site without the necessary planning permission. A planning application was submitted by the landowner which was refused at Planning Committee as highlighted above (this can be subject to a planning appeal). The Council took action to remove the existing development and return the land to its former undeveloped state. A Consent Order has now been granted by the County Court Judge prohibiting any further development immediately and limiting current occupancy to a maximum period of two months before the site must be permanently evacuated.

Richard Musgrave
Deputy Leader of the Council

[1]An extension of time agreed with the applicant provides an opportunity to successfully progress an application to a positive conclusion. This is generally used when the proposal is acceptable in principle, but further work is required to address aspects of detail.