



Report Reference Number: E/22/12

To: Executive
Date: 4 August 2022
Status: Key Decision
Ward(s) Affected: All Wards
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Lead Executive Member: Councillor Mark Crane, Leader of the Council
Lead Officer: Martin Grainger (Head of Planning and Interim Head of Regulatory Services)

Title: Publication Local Plan Consultation Document and Revised Local Development Scheme

Summary:

On 17 September 2019 Council gave approval for work to commence on the preparation of a new comprehensive Local Plan for the District. A Local Development Scheme was also brought into effect following Council approval.

In accordance with the Local Development Scheme, consultation took place on the Local Plan Issues and Options in early 2020. Consultation on the Preferred Options for the Local Plan took Place in early 2021, with subsequent consultations taking place on Additional Sites and Local Plan Evidence later that year.

Approval is now sought for consultation to take place on the Publication Local Plan which will be undertaken under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

This is slightly later than set out in the current Local Development Scheme and therefore a revised document is also attached for consideration.

In order to complete the Local Plan a request is also made for additional resources to be drawn down from reserves.

Recommendations:

That the Executive:

- i. approve the Publication Local Plan consultation document at Appendix 1 of the report for consultation in accordance with the Town and Country Planning (Local Planning) (England) regulations 2012 (as amended);

- ii. delegate to Officers the arrangements for the consultation to take place for six weeks between 26 August and 7 October 2022;
- iii. delegate to the Head of Planning and Interim Head of Regulatory Services, in consultation with the Leader of the Council, any minor amendments required to the documentation for typographical, grammatical and factual or Plain English purposes to the documents prior to publishing for consultation;
- iv. recommend the updated Local Development Scheme at Appendix 2 to Council to be brought into effect; and
- v. recommend to Council the drawdown of £313k of funding from the contingency reserve to support the completion of the Local Plan.

Reasons for recommendation

Executive are asked to approve the Selby District Publication Local Plan document for public consultation in order to further progress the adoption of a Local Plan.

1. Introduction and background

- 1.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements in relation to the preparation of Local Plans. This version of the Local Plan seeks views on whether it is “sound” and “legally compliant”. At this stage Officers consider that the plan is ready to be submitted to the Secretary of State for examination. The Publication Local Plan is attached at Appendix 1. This report provides a summary of the Publication Local Plan Document and outlines the proposed consultation arrangements.
- 1.2 The current Local Development Scheme sets out the timetable for the preparation of the new Local Plan and includes consultation on the Publication Local Plan. A Local Development Scheme is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). A new Local Development Scheme has been prepared to reflect the updated timescales and is attached at Appendix 2.
- 1.3 Further consideration is sought on additional funding from reserves in order to complete the Submission, Examination and Adoption stages of the Local Plan and this is set out in section 8.2.

2. Local Plan Publication Consultation Document

- 2.1 The Publication Local Plan has been prepared in line with the National Planning Policy Framework, National Planning Practice Guidance and has been informed by a number of technical evidence documents. The Publication Local Plan has also been informed by the comments received to previous consultations and through ongoing engagement with a number of Specific Consultees and Neighbouring Authorities.

- 2.2 The Publication Local Plan sets out the Council's Vision and Objectives for the Local Plan, which aim to create well-designed high-quality places to live with well-paid employment opportunities, an attractive rural environment and lower carbon emissions.
- 2.3 The Plan also allocates site for new development to meet the growth of the District up to 2040. The site allocation policies set out what will be required for each site and the development policies set out a framework against which new development proposals will be determined.
- 2.4 The Local Plan contains allocations to meet the District's future growth up to 2040 as evidenced in the Housing and Economic Development Needs Addendum 2022. This evidence says that 12,312 FTE jobs could be delivered over the plan period, equating to a requirement for 91.2ha of employment land. With regards to new housing growth the Government's Standard Methodology figure sets out a target for the delivery of 333 dwellings per annum. However, in order to address economic growth this is increased to 368 dwellings per annum and with a 5% buffer for flexibility over the lifetime of the plan this totals 7,728 new dwellings up to 2040, which is equivalent to 386 dwellings per annum. This is a slightly lower target than that included in the Preferred Options consultation and reflects changes to the local economy resulting from the pandemic and Brexit.
- 2.5 The Local Plan spatial strategy seeks to focus new growth in the District's most sustainable locations which have a range of local facilities in addition to good access to public transport and employment opportunities.
- 2.6 At the Preferred Options stage three new settlement options were put forward for public consultation. Over the last 18 months significant additional work has been undertaken by all three site promoters to support their allocation in the Local Plan. This has included workshops with Duty to Co-operate partners and Specific Consultees including National Highways and the Environment Agency. A New Settlement Paper has been drafted which considers the merits of each site and the additional technical information submitted by site promoters. Officers conclude that based on the information presented the proposed new settlement option at Heronby is the most suitable site as it will create a well-designed mixed community which will be developed through a Master Developer method which will ensure that the high-quality aspirations are met.
- 2.7 In addition to the provision of a new settlement a large site is allocated to the west of the village of Eggborough. The development of this site is considered appropriate as it gives the opportunity to provide new housing to meet needs generated from the large new employment sites which have been granted planning permission at the former Kellingley Colliery and former Eggborough Power Station.
- 2.8 It is recognised that the delivery of both Heronby and the expansion at Eggborough will be challenging as they require significant new infrastructure which will need to be delivered in a phased way to support new residents. The longer lead in times for development are reflected in anticipated delivery rates,

however both offer the opportunity to create well-designed mixed new communities, which will help to meet the longer-term growth of the District.

- 2.9 Selby Urban Area continues to be the District's most sustainable settlement as it has the greatest range of facilities and services. There are also a number of opportunities for the regeneration of brownfield land, particularly around the railway station and this is reflected in Policy SP1 Selby Station Quarter. The Council are keen to encourage improvements to the gateway into the town via Barlby Road which are reflected in the approach set out in Policy SP2 Selby Gateway.
- 2.10 A heritage-led regeneration approach is proposed for Tadcaster which seeks to bring forward the re-development of the Central Area car park for new residential use, with replacement provision delivered through a new underground car park located underneath a new publicly accessible Town Green. Alongside the allocation of a number of greenfield sites this approach will help to bring forward the regeneration of the town and support bringing a number of empty properties back into use.
- 2.11 One large site has been allocated in Sherburn in Elmet to support some further limited development recognising the scale of development which is already committed in this location and its position in the West Yorkshire Green Belt.
- 2.12 A number of other allocations are proposed in villages across the District which are set out in a table on page 111 of the Publication Local Plan. All sites have been assessed against the Site Selection Methodology and have been considered in the Sustainability Appraisal and Habitats Regulations Assessment. All the sites have been assessed to be both viable and deliverable based on the information available.
- 2.13 There is already a high supply of employment sites in the District however the Local Plan allocates Olympia Park for employment use due its proximity to Selby Town, the brownfield element of Gascoigne Wood recognising it's importance as a rail interchange and further land at the former power station in Eggborough.

Development Management Policies

- 2.14 The Publication Local Plan includes five separate chapters which include specific Development Management Policies, which will be used to assess future planning applications, these are:
- Strategic Growth Policies
 - Supporting a Diverse Local Economy and Thriving Town Centres
 - Providing the Right Infrastructure to Support Local Communities
 - Creating High Quality Places to Live
 - Maintaining a High-Quality Natural Environment

2.15 These policies are intended to help deliver the vision and objectives of the Local Plan.

3. Supporting Evidence

3.1 The Local Plan must be prepared in accordance with a Sustainability Appraisal and Habitats Regulations Assessment that meet the relevant legal requirements. This should demonstrate how the Plan has addressed relevant economic, social and environmental objectives. Significant adverse impacts should be avoided and where possible, alternative options which reduce or eliminate such impacts should be pursued. A Sustainability Appraisal and Habitats Regulation Assessment have been prepared to support the Publication Local Plan and Draft Versions for the Executive meeting are attached at Appendices 3 and 4. Final versions of the documents will be available as part of the public consultation.

3.2 The Publication Local Plan has been informed by a number of key pieces of evidence which will be published alongside the consultation document:

- Strategic Flood Risk Assessment
- Retail and Leisure Survey
- Housing and Economic Development Needs Assessment and Addendum
- Indoor and Outdoor Sports Facilities Study
- Stage 1 and Stage 2 Highways Modelling Report
- Traveller Needs Assessment
- Landscape Character Study
- Landscape Sensitivity Study
- Site Assessment Methodology
- CIL Review and Whole Plan Viability Appraisal
- Draft Infrastructure Delivery Plan

Background Papers

- Spatial Strategy Approach
- Settlement Hierarchy
- New Settlement
- Tadcaster
- Approach to Green Belt
- Safeguarded Land
- Development Limits
- Strategic Countryside Gap Background Paper
- Sequential Test Approach

4. Proposed Consultation Arrangements

4.1 The consultation is proposed to take place over a six-week period between 26 August and 7 October 2022.

4.2 In addition to contacting everyone on the Local Plan database the consultation will include:

- Advertising
- Social media campaign,
- A series of public consultation events,
- Member Briefings.

4.3 At this stage in the Local Plan process consultees will be asked whether they consider the Local Plan to be legally compliant, sound and does it comply with the Duty to Co-operate.

5. Next Steps

5.1 The next step in the programme will be the drafting of the Proposed Modifications and preparation to submit the Local Plan to the Secretary of State for Examination in Public in February 2023.

6. Local Development Scheme

6.1 A revised Local Development Scheme was brought into effect by the Council in February 2022. The Local Development Scheme which covers the period 2022 to 2024 shows consultation on the Publication Local Plan taking place in June and July 2022. There have been delays in finalising the Publication document and therefore consultation will now take place between August and October 2022. It is now anticipated that the Local Plan will be submitted in February 2023 and adopted by March 2024 and a revised Local Development Scheme has been prepared to reflect this and can be seen at Appendix 2.

7. Alternative Options Considered

7.1 The consultation is required to fulfil Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012 which says that before submitting a local plan to the Secretary of State under section 20 of the Act the local planning authority must make a copy of the proposed submission documents available for public consultation. There are therefore no alternative options.

8. Implications

8.1 Legal Implications

Consultation on this first stage of the Local Plan fulfils the statutory requirements as set out in Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

8.2 Financial Implications

8.2.1 The Council has a specific budget for the preparation of the Local Plan and associated development plan documents. To date the work required to support

the preparation of a new Local Plan has been delivered within the budgets established for this purpose when work commenced in 2019. However, as work has progressed a number of additional technical evidence has proved necessary to address concerns raised by Specific Consultees, this includes additional work on highways modelling, viability and the Housing and Economic Development Needs Assessment.

- 8.2.2 In order to complete the Publication Local Plan consultation and progress it through to Submission and Examination additional resources will be required as set out below:

Based on Budget allocation (reserve funded budget, not base budget)			
	Budget	Forecast spend	Variance
21/22 c/f	£291,852		
22/23 Budget	£122,000		
22/23 revised budget	£413,852	£609,977	‑£196,125
23/24 Budget	£60,000	£90,314	‑£30,314
24/25 Budget	£0	£86,000	‑£86,000
	£473,852	£786,291	‑£312,439

- 8.2.3 A significant cost of preparing the Local Plan has been in relation to Highways Modelling estimated to cost £495k. Discussions are taking place with NYCC Highways to seek contributions towards the costs for the development of the Strategic Highways model (estimated to be approximately £64k) and therefore the final sum could be reduced to -£250k.
- 8.2.4 The completion of the Selby District Local Plan will clearly need to be supported by the new North Yorkshire Council beyond 1st April 2023. At this stage no consideration has been given by the LGR Planning workstream on whether Local Plans which are in this very late of preparation should go forward. As set out in Local Government (Structural Changes) (General) (Amendment) Regulations 2018, existing plans will remain in place for the areas set out in the plan. The National Planning Practice Guidance say that Plans that are being prepared, but not yet adopted, can also carry over and continue through to adoption in the new authority. However, the regulations state that new plans covering the whole of the new area must be adopted within 5 years of the reorganisation.
- 8.2.5 Continuation of the work will have significant benefits for the new authority as a large amount of work and financial investment has already been undertaken to support the preparation of the plan to this stage and this is underpinned by robust evidence. The Local Plan aims to provide for the long-term growth of Selby District beyond the plan period of 2040 and therefore will provide the new authority with a strong supply of new housing and economic growth for the medium to long term and help to contribute to meeting 5-year housing supply.

8.2.6 In order to continue to progress the Local Plan through the consultation on the Publication version and on to adoption Members are asked to recommend approval to Full Council to draw a further £313k from the contingency reserve in order to complete the Local Plan. The balance on the contingency reserve is currently £1.1m. As this is a drawdown from the contingency reserve the final decision would need to be made at Full Council. It should also be noted that as these costs exceeds £100k for revenue that it is captured by the Section 24 notice, so would also need that additional approval to proceed.

8.3 Policy and Risk Implications

Not consulting at this stage in plan will result in failure to comply with the statutory regulations for plan making.

8.4 Corporate Plan Implications

The preparation of a new Local Plan will help the Council to deliver its Corporate Plan objectives to make Selby a great place to do business and to enjoy life. More specifically it will contribute to the objective to have a local plan in place which will deliver more houses in the District, business opportunities, promote health and well-being and protect and enhance the local environment.

8.5 Resource Implications

As set out in section 8.2.

8.6 Other Implications

None.

8.7 Equalities Impact Assessment

An impact screening assessment has been undertaken and this concludes that proposals are in place to ensure that as many people as possible are made aware of and are engaged with the consultation.

9. Conclusion

9.1 Consultation on the Publication Local Plan Document attached at Appendix 1 is a formal stage in the preparation of the plan and will ensure that the Council complies with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. A revised Local Development Scheme is also a key requirement of the regulations.

10. Background Documents

Issues and Options Local Plan
Preferred Options Local Plan

11. Appendices

Appendix 1 – Publication Local Plan

Appendix 2 – Local Development Scheme

Appendix 3 – Draft Sustainability Appraisal (to follow)

Appendix 4 – Draft Habitats Regulations Assessment (to follow)

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