

Selby District Local Plan

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Part 1 – General Policies

**M Connor
Chief Executive**

**T R Heselton, BA (Hons), Dip. TP, MRTPI
Planning Policy Manager**

**Selby District Council
Civic Centre
Portholme Road
Selby
North Yorkshire
YO8 4SB**

CONTENTS

PART ONE: GENERAL POLICIES

	Page No
Contents	i
Index of Policies	Viii
1. INTRODUCTION	1
BACKGROUND	1
DEVELOPMENT PLAN SYSTEM	1
ROLE AND PURPOSE OF THE LOCAL PLAN	1
LOCAL PLAN PROCESS	2
FORMAT	3
a) Part One – General Policies and Proposals	3
b) Part Two – Detailed Policies and Proposals	4
c) Part Three – Proposals Map	4
INTERPRETATION	4
2. PLANNING STRATEGY	6
INTRODUCTION	6
THE LOCAL PLAN AREA	6
PRIMARY AIMS AND OBJECTIVES	7
1) Promotion of Sustainable Development	7
2) Protection and Enhancement of Environmental Quality	9
3) Planning for Contemporary Patterns of Development	12
3. GREEN BELT AND CONTROL OF DEVELOPMENT IN THE COUNTRYSIDE	17
INTRODUCTION	17
STRATEGIC FRAMEWORK	17
OBJECTIVES	17
Section One: Green Belts	18
Extent of the Green Belt	19
Control of Development in the Green Belt	20
a) Agriculture and Forestry	20
b) Limited Residential Development in Villages	20
c) Limited Affordable Housing for Local Community Needs	20
d) Extension, Alteration or Replacement of Dwellings	21
e) Re-use of buildings in the Green Belt	21
f) Small scale extensions (to Existing Business Premises)	21
g) Limited Infilling or Redevelopment of Major Developed Sites	21
h) Other Appropriate Forms of Development	22
Major Developed Sites in the Green Belt	23

	Page No
The Character and Visual Amenity of the Green Belt	25
Section Two: Safeguarded Land	25
Section Three: Control of Development in the Countryside	27
Development Limits	28
Development Limits affecting Green Belt settlements	31
Section Four: Strategic Countryside Gaps	31
4. ENVIRONMENT	33
INTRODUCTION	33
STRATEGIC FRAMEWORK	33
OBJECTIVES	33
Section One: General Considerations	34
Control of Development	34
- Suitability of use	35
- Effect on Neighbouring Properties and the Surrounding Area	35
- Access and Highway Considerations	36
- Design and Layout of New Development	36
- Landscaping	38
- Capacity of Services and Local Facilities	38
Environmental Assessment	39
Environmental Pollution and Contaminated Land	40
- Air Pollution	40
- Contaminated Land	41
- Groundwater Protection	41
- Light Pollution	42
Hazardous Substances	42
Flood Risk	43
Renewable Energy	46
Section Two: Nature Conservation	48
International Wildlife Sites	48
National Wildlife Sites	49
Sites of Importance for Nature Conservation	50
General Nature Conservation Sites	51
Ancient Woodland	52
River and Stream Corridors	52
Ponds	53
Protected Species	53
Section Three: Landscape	54
Locally Important Landscape Areas	54

	Page No
Historic Parks and Gardens	55
Historic Battlefields	56
Landscape Enhancement	56
Countryside Management	57
Trees and Woodland	57
Tree Preservation Orders	58
Hedgerows	59
Strategic Landscaping	59
Landscaping Requirements	60
Section Four: Built Environment	61
Protection of Listed Buildings	61
Demolition of Listed Buildings	62
Alterations to Listed Buildings	63
Maintenance of Listed Buildings	64
Designation of Conservation Areas	64
Control of Development in Conservation Areas	65
Demolition in Conservation Areas	66
Article 4 Directions in Conservation Areas	67
Conservation Area Enhancement Proposals	67
Scheduled Monuments and Important Archaeological Sites	68
Other Archaeological Remains	69
Local Amenity Space	70
Street Furniture	70
Floorspace	71
Shopfronts	72
Advertisement Control	72
Advertisements in Conservation Areas	73
Advertisements and Listed Buildings	74
5. HOUSING	75
INTRODUCTION	75
STRATEGIC FRAMEWORK	75
OBJECTIVES	75
POLICIES AND PROPOSALS	76
Housing Land Requirements	76
Managing the Release of Housing Land	77
Renewal of Outstanding Planning Permissions	78
The Location of New Housing Development	79
Phasing	81
Housing Density	84
Affordable Housing	85
Mixed Housing Schemes	90
Retention of the Existing Housing Stock	90
Housing within Development Limits	91
- Housing Development in the market towns and villages that are capable of accommodating additional growth	93
- Housing development in villages that are capable of	94

	Page No
accommodating only limited growth	
Re-use of upper floors for residential purposes	96
Housing in the Countryside	97
Agricultural Dwellings	98
Rural Affordable Housing	100
Conversion to Residential Use in the Countryside	102
Replacement Dwellings in the Countryside	104
Extensions to Dwellings in the Countryside	105
Extensions to Curtilages in the Countryside	105
Gypsy Site Provision	106
6. ECONOMIC DEVELOPMENT	108
INTRODUCTION	108
STRATEGIC FRAMEWORK	108
OBJECTIVES	109
POLICIES AND PROPOSALS	109
Employment Land Requirements	109
The Location of Economic Development	111
Renewal of Industrial and Business Commitments	112
Retention of Established Employment Areas	112
Non-conforming Uses	113
Employment Development Within Development Limits and Established Employment Areas	114
Employment Development in the Countryside	116
Conversions to Employment Use in the Countryside	117
Expansion of Existing Employment Uses in Rural Areas	118
Homeworking	120
Coal Mining and Power Generation Industries	120
Additional Industrial Development at Drax and Eggborough Power Stations	122
Exceptional Major Industrial and Business Development	123
Agriculture and Related Development	124
- Protection of Agricultural Lane	124
- Agricultural Development	125
- Quasi-Agricultural Activities	125
- Intensive Livestock Units	126
- Redevelopment of Intensive Livestock Units	127
7. TRANSPORTATION AND VEHICLE PARKING	129
INTRODUCTION	129
STRATEGIC FRAMEWORK	129
OBJECTIVES	130
POLICIES AND PROPOSALS	131
Development in Relation to the Highway Network	131
Access to Roads	132
Programmed Road Schemes	133
- A1 Motorway	133
- A63 Selby Bypass	134
- A63 Hambleton and Monk Fryston Bypasses	134

	Page No
A63 Osgodby Bypass	134
Local Highway Improvements	135
- Department of Transport Schemes	135
- County Council Schemes	135
Traffic Management	135
Public Transport	136
Provision for Cyclists	137
Public Rights of Way	139
Roadside Facilities for the Travelling Public	139
Motorway Service Areas	140
Freight Traffic	143
Vehicle Parking	144
- Vehicle Parking Standards	144
- Existing Off-Street Car Parking	144
- Future Car Parking Requirements	145
- Parking for People with Disabilities	145
8. RECREATION AND TOURISM	147
INTRODUCTION	147
STRATEGIC FRAMEWORK	147
OBJECTIVES	147
POLICIES AND PROPOSALS	148
Recreation Open Space	148
Additional Recreation Open Space	149
Open Space Requirements for New Residential Development	150
Formal Sport and Recreational Facilities	152
Golf Course and Golf Driving Range Development	153
Informal Recreation and Access in the Countryside	155
Recreational Use of Waterways	156
- Lower Derwent Valley Area of Restraint	156
- Selby/Barlby Bridge Urban Area	157
- Remote Areas	157
- Selby Canal	158
The Trans-Pennine Trail	159
Horse Related Development	159
Tourism Related Attractions	160
Tourist Accommodation	161
Caravan and Camping Sites	162
Signposting	163
9. SHOPPING	164
INTRODUCTION	164
STRATEGIC FRAMEWORK	164
OBJECTIVES	164
POLICIES AND PROPOSALS	165
Retail Development in Existing Centres	165
Edge-of-Centre and Out-of-Centre Retail Development	165
Local Shops	167

	Page No
Retail Development in the Countryside	169
Garden Centres	170
10. COMMUNITY SERVICES	171
INTRODUCTION	171
STRATEGIC FRAMEWORK	171
OBJECTIVES	171
POLICIES AND PROPOSALS	171
Health Care	171
Education	172
Children’s Nurseries	173
Community Halls and Places of Worship	174
Libraries	176
Cemeteries	176
Emergency Services	176
Telecommunications	177
Developer Contributions to Infrastructure and Community Facilities	178
11. IMPLEMENTATION	180
INTRODUCTION	180
IMPLEMENTING AGENCIES	180
Selby District Council	180
Other Public Sector Agencies	183
The Private Sector	183
The Voluntary Sector	184
SPECIFIC PROPOSALS	184
12. MONITORING AND REVIEW	186
INTRODUCTION	186
THE MONITORING PROCESS	186
ALTERATIONS TO THE LOCAL PLAN	186
REVIEW OF THE LOCAL PLAN	187
MONITORING PROGRAMME	187
13. APPENDICES	
1. NORTH YORKSHIRE COUNTY STRUCTURE PLAN POLICIES	191
2. SELBY DISTRICT COUNCIL MISSION STATEMENT	222
3. PLANNING STRATEGY – SUPPLEMENTARY INFORMATION (INTEGRATION OF ENVIRONMENTAL OBJECTIVES AND DEVELOPMENT NEEDS)	223
4. ADOPTED CAR PARKING STANDARDS	226
5. SCHEDULE 1 AND SCHEDULE 2 PROJECTS	238
6. SITES OF SPECIAL SCIENTIFIC INTEREST	246
7. SITES OF IMPORTANCE FOR NATURE CONSERVATION	247
8. HISTORIC PARKS AND GARDENS	252
9. EXTRACT FROM THE COUNTY LIST OF	253



	Page No
SCHEDULED MONUMENTS	
10. 1999 ASSESSMENT OF AFFORDABLE HOUSING NEED	256

PART TWO: DETAILED POLICIES AND PROPOSALS
(see separate document)

PART THREE: PROPOSALS MAP AND INSET MAPS
(see separate document)

INDEX OF GENERAL POLICIES

	Page No
3. Green Belt and Control of Development in the Countryside	
GB1 Extent of the Green Belt	20
GB2 Control of Development in the Green Belt	22
GB3 Major Developed Sites in the Green Belt	24
GB4 Character and Visual Amenity of the Green Belt	25
SL1 Safeguarded Land	27
DL1 Control of Development in the Countryside (Development Limits)	28
SG1 Strategic Countryside Gaps	32
4. Environment	
<i>Section 1: General Considerations</i>	
ENV1 Control of Development	39
ENV2 Environmental Pollution and Contaminated Land	41
ENV3 Light Pollution	42
ENV4 Hazardous Substances	43
ENV5 Development in Flood Risk Areas	45
ENV6 Renewable Energy	47
<i>Section 2: Nature Conservation</i>	
ENV7 International Wildlife Sites	49
ENV8 National Wildlife Sites	49
ENV9 Sites of Importance for Nature Conservation	51
ENV10 General Nature Conservation Considerations	51
ENV11 Ancient Woodland	52
ENV12 River and Stream Corridors	52
ENV13 Development Affecting Ponds	53
ENV14 Protected Species	53
<i>Section 3: Landscape</i>	
ENV15 Conservation and Enhancement of Locally Important Landscape Areas	55
ENV16 Development Affecting Historic Parks and Gardens	56
ENV17 Historic Battlefields	56
ENV18 Tree Preservation Orders	58
ENV20 Strategic Landscaping	60
ENV21 Landscaping Requirements	61
<i>Section 4: Built Environment</i>	
ENV22 Protection of Listed Buildings	62
ENV23 Demolition of Listed Buildings	62
ENV24 Alterations to Listed Buildings	63
ENV25 Control of Development in Conservation Areas	65
ENV26 Demolition in Conservation Areas	66

		Page No
ENV27	Scheduled Monuments and Important Archaeological Sites	69
ENV28	Other Archaeological Remains	69
ENV29	Protection of Local Amenity Space	70
ENV30	Shopfronts	72
ENV31	Advertisements in Conservation Areas	74
ENV32	Advertisements and Listed Buildings	74
5.	Housing	
H1	Housing Land Requirement	77
H2A	Managing the Release of Housing Land	79
H2	Location of New Housing Development	83
H2B	Housing Density	85
H4	Affordable Housing (see also Policy H11)	88
H4A	Mixed Housing Schemes	90
H5	Retention of the Existing Housing Stock	91
H6	Housing Development in the Market Towns and Villages that are capable of accommodating additional growth	94
H7	Housing Development in villages that are capable of accommodating only limited growth	95
H8	Re-use of Upper Floors for Residential Use	96
H9	Control of Housing Development in the Countryside	97
H10	Agricultural, Horticultural and Forestry Workers' Dwellings in the Countryside	99
H11	Rural Affordable Housing (exceptional to Policy H9)	101
H12	Conversion to Residential Use in the Countryside	103
H13	Replacement Dwellings in the Countryside	104
H14	Extensions to Dwellings in the Countryside	105
H15	Extensions to Curtilages in the Countryside	106
H16	Gypsy Site Provision	107
6.	Economic Development	
EMP1	Employment Land Requirement	110
EMP2	Location of Economic Development	111
EMP3	Renewal of Industrial and Business Commitments	112
EMP4	Retention of Established Employment Areas	113
EMP5	Non-Conforming Uses	114
EMP6	Employment Development within Development Limits and Established Employment Areas	115
EMP7	Employment Development in the Countryside	116
EMP8	Conversions to Employment Use in the Countryside	118
EMP9	Expansion of Existing Employment Uses in Rural Areas	119
EMP9A	Homeworking	120
EMP10	Additional Industrial Development at Drax and Eggborough Power Stations	122
EMP11	Exceptional Major Industrial and Business Development	123
EMP12	Protection of Agricultural Land	125

		Page No
EMP13	Control of Agricultural Development	125
EMP14	Intensive Livestock Units	127
EMP14A	Redevelopment of Intensive Livestock Units	128
7.	Transport and Vehicle Parking	
T1	Development in Relation to the Highway Network	132
T2	Access to Roads	132
T3	Safeguarding of Preferred A1 Motorway Route	133
T4	Safeguarding of Approved A63 Selby Bypass Route	134
T5	Safeguarding of A63 Hambleton/Monk Fryston Bypass Corridor	134
T5A	Safeguarding of A63 Osgodby bypass	135
T6	Public Transport	137
T7	Provision for Cyclists	138
T8	Public Rights of Way	139
T9	Roadside Facilities for the Travelling Public	140
T10	Motorway Services Areas	142
VP1	Vehicle Parking Standards (see also Policy VP4)	144
VP2	Retention of Existing Off-Street Car Parking	145
VP4	Parking for People with Disabilities	146
8.	Recreation and Tourism	
RT1	Protection of Existing Recreation Open Space and Allotments	149
RT2	Open Space Requirements for New Residential Development	151
RT3	Formal Sport and Recreation Facilities	153
RT4	Golf Course and Golf Driving Range Development	154
RT5	Informal Recreation and Access in the Countryside	155
RT6	Control of Recreational Development in the Lower Derwent Valley	156
RT7	Control of Riverside Recreational Facilities in Selby/Barlby Bridge	157
RT8	The Trans-Pennine Trail	159
RT9	Horse Related Development	159
RT10	Tourism Related Attractions	160
RT11	Tourist Accommodation	161
RT12	Touring Caravan and Camping Facilities	162
RT13	Signposting of Tourist Facilities	163
9.	Shopping	
S1	Existing Shopping Centres	165
S2	Edge-of-Centre and Out-of-Centre Retail Development	167
S3	Local Shops	168
S4	Retail Development in the Countryside	169
S5	Garden Centres	170

10.	Community Services	
CS1	Health Care Facilities	172
CS2	Educational Establishments	173
CS3	Children’s Nurseries	174
CS4	Community Centre, Places of Worship and Church Halls	175
CS5	Telecommunications	177
CS6	Development Contributions to Infrastructure and Community Facilities	179

SECTION 1 - INTRODUCTION

INTRODUCTION

BACKGROUND

- 1.1 The Town and Country Planning Act 1990 introduced a mandatory requirement for district wide local plans to be prepared for all areas. This document is the adopted District-Wide Local Plan for Selby District. It has been prepared in accordance with the Act and Town and Country Planning (Development Plan) Regulations.

DEVELOPMENT PLAN SYSTEM

- 1.2 The Local Plan should be read in conjunction with the adopted North Yorkshire County Structure Plan, including the Third Alteration to the Structure Plan (1995), and the Minerals Local Plan (1997) which are the responsibility of North Yorkshire County Council. The Plan is also compliant with the Regional Spatial Strategy for Yorkshire and The Humber (incorporating the selective review of RPG12) which was issued by the Secretary of State in December 2004. These documents jointly form the 'development plan' for Selby District.
- 1.3 Development Plans have a key role to play in providing a framework for consistent decision making, and in determining the future location of development, in a way which promotes the principles of sustainable development.
- 1.4 The Local Plan is intended to cover the period up to the end of 2006 although some sites have been identified for potential development beyond this period, through phasing.
- 1.5 Following changes introduced by the Planning and Compulsory Purchase Act 2004 Local Plans are being replaced with new style development plans, known as the Local Development Framework¹. In the interim the policies and proposals in the Selby District Local Plan are being 'saved', and will remain in force for up to three years (until 8 February 2008), or until replaced with new development plan documents.

ROLE AND PURPOSE OF THE LOCAL PLAN

- 1.6 The plan provides an up-to-date, comprehensive statement of planning policy for the whole District. It sets out the District Council's proposals for promoting, coordinating and controlling future development and use of land by:
 - 1) Taking account of national planning advice and relating this to local circumstances.
 - 2) Developing the general policies of the North Yorkshire Structure Plan, and relating them to precise areas of land.

¹ The Local Development Framework will comprise a portfolio of development plan and other documents covering matters such as the core strategy, development control policies and land use allocations that will help deliver spatial planning for the area. The sequence for preparing these individual documents will reflect local priorities, and the first development plan documents are expected to be in place by 2007.

- 3) Providing a detailed and consistent basis for determining planning applications.
 - 4) Incorporating proposals for the necessary development and use of land at locations which do not compromise irreplaceable environmental resources.
 - 5) Providing guidance to enable long term coordinated planning and investment by public services, utilities and businesses.
 - 6) Establishing a framework for continued liaison with relevant organisations and securing public involvement in shaping local planning issues.
- 1.7 The Local Plan replaces the following statutory planning documents, so far as they relate to Selby District.
- The East Riding County Development Plan
 - The West Riding County Development Plan
 - The Selby Town Map (approved 1966)
 - The Sherburn in Elmet Local Plan (adopted September 1984)
 - The Rural Areas Local Plan (adopted June 1990)
 - The Rural Areas Local Plan, Alteration No 1 (Village Envelopes) (adopted September 1993)
- 1.8 It also replaces various locally approved planning documents including the informal Selby Area Local Plan (approved by the Council in 1982) and the York Green Belt Local Plan (approved by the County Council as interim policy in 1995).
- 1.9 The Plan complements other Council strategies and programmes such as the Housing Strategy, and the Corporate Plan which focuses on key issues such as affordable housing, environmental quality and safety, and the creation of employment opportunities. It also links with the Community Strategy for the area produced in partnership with other organisations.

LOCAL PLAN PROCESS

- 1.10 A Pre-Deposit Consultation Draft of this Plan was published in June 1995 for a ten week consultation which produced 2793 written responses from 963 individuals or organisations. A revised Plan, which took into account changes in local authority administrative boundaries in 1996 entailing the transfer of 13 parishes to the City of York Council, was placed on Deposit in July 1997. The Deposit Plan, together with 5 sets of proposed Pre-Inquiry Changes (published between October 1998 and May 2000) resulted in the submission of 4,172 individual objections.
- 1.11 An Inquiry was held into objections to the Deposit Draft Plan between July 1999 and March 2001, and the Inspector's Report was received in May 2002. This was published in June 2002 and the Inspector's recommendations were considered by the Council in April 2003. As a result a total of 585 Modifications to the Plan were placed on deposit in

June 2004 which produced a further 93 representations (including 57 objections).

- 1.12 After considering objections to the published Modifications in November 2003 the Council decided not to make any further modifications and to proceed to adoption. Following publication of the Notice of Intention to Adopt the Plan in December 2003 the Secretary of State decided to intervene because of concerns about the scale of greenfield housing in the Plan and Directed the Council to make changes to the housing delivery policies.
- 1.13 In order to satisfy the Direction further modifications were placed on Deposit for a six week period in August 2004. These principally concerned the phasing of housing allocations linked to monitoring and future needs, and the removal of any allowance for greenfield windfalls. After considering objections to the second set of Modifications in November 2004 the Council decided not to make further changes and to proceed to adoption.

FORMAT

- 1.14 The Local Plan is divided into three parts; general policies and proposals, detailed policies and proposals and the proposals map, which are cross referenced to each other.

(a) Part 1 – General Policies and Proposals (This Document)

- 1.15 Part One of the Local Plan establishes the broad planning strategy and general policies against which all development proposals will be considered, and the justification for them. The document is sub-divided into chapters as follows:-

- | | | |
|-----------------------|---|---|
| The Strategy | - | This describes the Plan area, the key issues and the guiding principles which have shaped the overriding aims and objectives of the Plan. The development strategy for the Plan area is set out at the end of the chapter. |
| Topic Chapters | - | Individual topic chapters (such as housing and recreation) present the strategic framework, and principal issues and objectives which have influenced the formulation of policies. This is followed by policies and proposals which will apply throughout the entire Plan area. |
| Implementation | - | This sets out the means by which policies and proposals will be implemented, and identifies the organisations involved in the implementation of the Plan, and the envisaged timescale. |
| Monitoring and Review | - | Regular monitoring will be undertaken to identify where revision of policies is necessary to ensure that the Plan remains relevant and |

that an adequate supply of development land is available.

- Appendices - These provide more detailed technical information in relation to particular issues.

(b) Part 2 – Detailed Policies and Proposals

- 1.16 Part Two of the Local Plan incorporates site specific policies and proposals relevant to particular settlements and explains how the Local Plan strategy and general policies and proposals will apply to those settlements.
- 1.17 These “settlement statements” are arranged in alphabetical order and subdivided into sections providing information in relation to the location, form and character, housing and population of settlements, and the availability of employment opportunities, community and utility services. This is followed by consideration of the proposed planning strategy and presentation of detailed policies and proposals.
- 1.18 In a small number of cases site specific policies in respect of land outside existing settlements have been incorporated within individual settlement statements.
- 1.19 In the case of the remaining villages and hamlets which are not affected by site specific policies and proposals the general policies and proposals set out in Part One of the Local Plan will apply. Settlement statements for these settlements will be published at a later date for information purposes only.

(c) Part 3 – Proposals Map

- 1.20 The Proposals Map defines the location of site specific proposals and the areas to which particular policies will apply on an Ordnance Survey map base. It also provides a comprehensive index of all Local Plan policies and proposals. The Proposals Map comprises a map at 1:50,000 scale covering the entire Plan area, incorporating 72 Inset Maps at a variety of larger scales where it is necessary to show certain proposals in more detail.
- 1.21 The boundaries and reference number of each Inset Map are shown on the main Proposals Map. Inset Maps are arranged in numerical order. The District wide Proposals Map, and the Inset Maps for Selby, Tadcaster and Sherburn in Elmet are contained in the sleeve attached to the back cover.

INTERPRETATION

- 1.22 Part One and Part Two form the Written Statement of the Local Plan and must be read in conjunction with each other. For ease of reference, policies and proposals are preceded by a written justification and are distinguished from the rest of the text by being printed in bold text.
- 1.23 In many instances more than one policy or proposal is relevant to a particular issue. Applications for development will be considered against all relevant policies and it is essential that the plan is considered as a whole.

- 1.24 Whilst some cross referencing between policies is provided in the written justification, it is not possible to anticipate all circumstances. Cross referencing between policies themselves is generally avoided since there is a risk of implying that only those policies mentioned apply. Reference should therefore be made to the policy index at the front of Part One and Part Two of the Plan.
- 1.25 Policies and proposals are denoted on the Proposals Map as appropriate. Should there be any contradiction between the Written Statement and the Proposals Map then the Written Statement prevails.
- 1.26 'The phrase 'significant adverse effect' is used in policies throughout the Plan, to help establish tolerance limits when considering the potential impact of development proposals on the environment. For example, new development may often inevitably have some effect, however small, on certain aspects of the environment, such as residential amenity and the general character of the area, and to require proposals to have no adverse effect, could lead to an almost total embargo on new development. The wording is intended to acknowledge the need, when considering proposals, for a value judgement concerning the relative significance of any such impact, taking into account previous experience and the particular circumstances and nature of the proposal. Where there is a demonstrably harmful effect, which cannot be overcome by condition or planning obligation, planning permission will be refused.
- 1.27 In some cases, such as acknowledged nature conservation interests, there is less scope for flexibility and any adverse effect would normally be unacceptable. In such cases, a higher level of protection is implied and the phrase 'must not harm' is used within policies.
- 1.28 More detailed guidance on the operation of certain policies and complex proposals will be published in the form of Supplementary Planning Guidance. The District Council's requirements with regard to the development of major allocations will be amplified in a series of development briefs.

SECTION 2 - PLANNING STRATEGY

PLANNING STRATEGY

INTRODUCTION

- 2.1 This section of the Plan outlines the District Council's overall land use strategy for guiding development. The strategy is intended to provide a framework for consistent decision making, enabling the District's needs to be met and new opportunities realised, without harming the best of today's environment.

THE LOCAL PLAN AREA

- 2.2 The Local Plan covers the whole of the administrative area of the Selby District which is the most southerly (60,190 hectares) District in North Yorkshire. It extends over an area of 237 square miles being broadly contained by the A1 trunk road in the west and the river Derwent to the east.
- 2.3 Selby District is primarily a rural area, with a dispersed settlement pattern of market towns, villages and hamlets. It is mostly low lying, comprising parts of the Vale of York and a series of drainage basins and associated washlands. The District is characterised by open sparsely wooded arable landscapes, consisting of generally high quality farmland. Several major watercourses including the rivers Ouse, Wharfe, Aire and Derwent cross the Plan area and are fed by numerous drainage ditches. To the west a north-south running outcrop of magnesian limestone has produced a generally undulating ridge, giving extensive views over adjacent lowlands.
- 2.4 The Plan area benefits from well developed transportation links. It is crossed by a number of railway lines, including the electrified east coast line between London and Edinburgh and the Liverpool to Hull trans-Pennine line. A number of trunk roads including the M62 and A1 national routes, and the A19, A63 and A64 regional routes also cross the Plan area. The A1 is currently being upgraded to three lane motorway standard. Port facilities are available on the river Ouse at Selby.
- 2.5 The mid 1994 population of the District was estimated at 72,150 and is concentrated mostly in the three market towns of Selby, Tadcaster and Sherburn in Elmet, and a number of service villages. These provide a range of shopping, leisure and community facilities for surrounding rural areas, including numerous smaller villages and hamlets. Many settlements exhibit considerable environmental quality and contribute significantly to the character of the area. This has been acknowledged through the designation of 23 conservation areas.
- 2.6 Selby, with a population of approximately 12,600 (at the 1991 Census) is the largest settlement as well as the administrative and principal shopping centre in the District, serving a large rural catchment. It is noted for its magnificent Abbey and historic waterfront. Tadcaster is situated on the river Wharfe and has links with the brewing industry. Sherburn in Elmet is an expanding town, and one of the principal employment centres of the District.

- 2.7 In spite of its rural character the economy of the area is dominated by industrialised forms of employment. Selby District is the powerhouse of the region and has been affected by the recent development of the Selby Coalfield and coal fired electricity generating stations in the Aire valley which, together with industrial development around Selby, dominate the landscapes in the southern part of the Plan area. There is high unemployment associated with the recession and structural weakness in the local economy.

PRIMARY AIMS AND OBJECTIVES

- 2.8 The Plan Strategy has been drawn up having regard to the wider planning framework outlined in the Introduction to the Plan. It has also been informed by local considerations, including results of Local Plan studies described in Appendix 3, which explains how environmental objectives and development needs have been integrated in the Plan.
- 2.9 The primary aims and objectives of the Plan are concerned with:
- 1) the promotion of sustainable development;
 - 2) the protection and enhancement of environmental quality; and
 - 3) planning for contemporary patterns of development.
- 2.10 The primary aims and objectives have been translated into more detailed land use objectives at the beginning of each topic chapter. They provide the framework within which individual policies and proposals have been formulated.

1) Promotion of Sustainable Development

AIM:

To meet the assessed employment, housing and other needs of the district in a way which does not compromise the ability of future generations to meet their own needs.

KEY OBJECTIVES:

- (1) To balance competing demands on a finite quantity of land and make the best use of resources.
- (2) To ensure an adequate supply of suitable land for employment, housing and other purposes whilst safeguarding environmental and natural resources from inappropriate development.
- (3) To facilitate economic recovery and diversification in a way which enhances environmental quality.
- (4) To ensure full and effective use of land and property within existing settlements and to maintain the quality of the countryside.

- (5) To assist in meeting the national goal of reducing harmful CO₂ emissions.
- (6) To encourage energy efficient forms of development and renewable forms of energy.

- 2.11 The environment is under constant pressure for development and change. In particular the demands and aspirations of society for increasing prosperity, better living standards, new homes, jobs and leisure activities creates competing demands on finite land and other resources.
- 2.12 Because the Selby District is less constrained than other parts of North Yorkshire, it is capable of sustaining continued growth, without affecting sensitive locations to an unacceptable degree. The County Structure Plan requires an additional 9,300 dwellings to be provided in the District in the period 1991-2006 of which approximately 4,100 (44%) will be needed to cater for new household formation from the indigenous population and 5,200 (56%) for inward migrants. This level of growth is considered necessary to achieve a satisfactory balance between the environmental costs of new house building and the potentially damaging effects of excessive restraint on the local economy and the District's housing needs. The Plan also reflects the Council's concern that significant provision should be made for affordable housing in both urban and rural areas.
- 2.13 It is equally important to promote and strengthen the economic base of the District, which exhibits severe structural weakness and high unemployment. Economic recovery and diversification have previously been hindered by the unavailability of an adequate supply of serviced land and the Structure Plan identifies a need for an additional 125 hectares of employment land. Policies are also required to protect existing employment opportunities, to facilitate the expansion and relocation needs of existing businesses, to attract inward investment and to take a positive approach to small firms and the promotion of tourism.
- 2.14 There are concerns that the scale of previous population growth has not been matched by the provision of adequate social and recreational facilities and services. This is exacerbated by the decline of rural facilities and local shops. Additional demands are likely to be placed on existing infrastructure, health, education and leisure facilities. The Plan will therefore seek to safeguard and improve existing facilities and services, including open space, and to encourage additional investment particularly where this will overcome existing deficiencies.
- 2.15 These demands are occurring at a time when there is greater concern than ever before about the environment, ranging from issues such as the effects of global warming to the impact of development proposals at local level. The Government White Paper, "This Common Inheritance", published in 1990, set the scene for ensuring that future development and growth respect environmental objectives. This commitment has been reaffirmed both at international level at the South American Summit in Rio in 1992 (through the global environmental action plan, "Agenda 21") and at national

level through the UK Strategy for Sustainable Development published in 1994.

- 2.16 The concept of sustainable development has subsequently been endorsed in Government White Papers and national planning guidance. Local Plans are expected to find the right balance between conservation and development and considerable emphasis is placed on reducing the environmental impact of transport, (particularly CO₂ emissions, pollution and congestion) by influencing the nature and location of development.
- 2.17 More recently attention has been focused on the desirability of recycling resources through encouraging development on redundant land and buildings (brownfield sites) in preference to greenfield sites, and by encouraging renewable forms of energy.
- 2.18 Whilst changes in both the urban and rural environment are clearly inevitable and necessary, development must be managed and controlled in a way that preserves and enhances the District's environmental quality. Overriding importance will be given to ensuring, through the allocation of land and the application of policies, that development is sustainable.
- 2.19 PPG12 (Development Plans and Regional Planning Guidance) suggests that Local Authorities should demonstrate how environmental considerations have been taken into account in formulating policies for development and transportation.
- 2.20 Whilst the policies and proposals in the Plan have not been subjected to a formal 'environmental appraisal', the environmental implications of alternative development options have been taken into account at each stage of the plan preparation process. Details of how environmental objectives and development needs have been integrated in the Plan are set out in Appendix 3.

2) Protection and Enhancement of Environmental Quality

AIM:

To conserve and enhance cultural heritage and natural resources, and to improve the quality of life of residents.

KEY OBJECTIVES:

- (1) To protect and enhance the special character and wildlife habitats of the Selby District.
- (2) To protect the countryside for its open character and its landscape, wildlife, recreational and natural resource value.
- (3) To protect built heritage including important buildings, conservation areas, open spaces and historical sites.

- (4) To ensure control over the pollution of water, air, soil and other environmental assets.
- (5) To promote excellence in the quality of design of new development.
- (6) To safeguard the amenity of existing and proposed sensitive developments such as homes and schools.

2.21 Local Plans are specifically required to include policies for the conservation of the natural beauty and amenity of land, and policies for the improvement of the physical environment.

2.22 The Selby District contains rich environmental resources in terms of its built heritage, natural features and wildlife habitats, some of which have received national and international recognition. Many of these resources are irreplaceable and their loss, depletion or fragmentation should be avoided at all costs. These include:

- 1) Sites of International Wildlife Interest – Within the Plan area the Derwent Valley, River Derwent and Skipwith Common are recognised as international wildlife sites. A total of approximately 543 hectares are affected by international designations and/or EC Directives (0.90% of the Plan area).
- 2) Sites of Special Scientific Interest (SSSIs) – SSSIs are designated by English Nature under the Wildlife and Countryside Act 1981. These are areas of special interest by reason of their flora, fauna, geological or physiographic importance. Within the Plan area there are 13 SSSIs covering approximately 739 hectares (1.21% of the Plan area).
- 3) Scheduled Monuments – There are 52 scheduled monuments within the Plan area designated by English Heritage. Many of these are highly fragile and vulnerable to destruction.
- 4) Listed Buildings – Listed Buildings represent the best examples of built heritage in terms of architectural and historic interest. They are a finite resource. There are 631 listed buildings in the Plan area.
- 5) Conservation Areas – These are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance. There are currently 23 conservation areas within the Local Plan area covering a total of approximately 449 hectares (0.75% of the Plan area).
- 6) Historic Parks and Gardens – The best examples are identified by English Heritage as part of a national register. There is a need to protect such sites from development which would destroy their historic interest or setting. Whilst only two sites in the Local Plan area are currently included in the national register, a further 8 are considered by the District Council to be worthy of protection for their

local importance. The 10 sites identified in the Local Plan area cover an area of approximately 92 hectares (0.81% of the Plan area).

- 7) Best and Most Versatile Agricultural Land – Grade 1, 2 and 3a agricultural land represents an important national resource and considerable weight should be afforded to its protection. Grades 1, 2 and 3 agricultural land (including land graded 3b) covers approximately 66% of the Local Plan area (40,000 hectares).

2.23 Other resources are recognised by the District Council and other organisations for their particular importance. These include:

- 1) Locally Important Landscape Areas – These are areas considered worthy of special protection to ensure that new development does not detract from the particular landscape character. The principal area identified in the Local Plan affects the belt of magnesian limestone running through the western part of the District. This covers an area of approximately 8,665 hectares (13.4% of the Plan Area).
- 2) Non-scheduled Archaeological Remains – National Planning Guidance advises that all archaeological remains shall be seen as a finite non-renewable resource. The County Council maintains a Sites and Monuments Record containing details of known, unscheduled archaeological remains.
- 3) Sites of Importance for Nature Conservation (SINCS) – Following analysis of a Phase I Habitat Survey of the District by English Nature and a review of Grade 3 sites in 1993, a total of 144 sites have been identified for their local significance. Although these sites are not of national importance they are of such quality and importance that they cannot be adequately recreated, relocated, or compensated for elsewhere.
- 4) Areas of ancient woodlands, ponds and areas of amenity space within settlements also make an important contribution to the character of the District, the loss of which would cause irreparable damage to the environment.

2.24 It is acknowledged that the wider countryside of the District represents an important asset in its own right. The impact of modern agriculture practices, road building and development associated with the needs of town dwellers however has had a profound effect leading to erosion of traditional landscapes and loss of tree and hedgerow cover. Recent surveys reveal a continuing loss of wildlife habitats and less than 4% of the Plan area is now covered by natural or semi-natural habitats.

2.25 High priority is therefore given not only to protecting the Plan area's special designations, but to avoiding, minimising or compensating for the impact of development on other natural and man-made features, which contribute to the character and identity of the Plan area and to the quality of life of residents. A high quality environment is also important to the local economy assisting in the attraction and retention of business, investment and visitors.

- 2.26 The Council is committed to protecting as much of the historic and natural heritage of the District as possible, including its wildlife habitats. It will also seek to accommodate development in ways that enhance rather than detract from the quality of the environment. Where appropriate, improvements will be promoted in areas in need of regeneration and/or enhancement.

3) Planning for Contemporary Patterns of Development

AIM:

To shape development patterns and concentrate development in a way which minimises the need to travel by car and ensures that future growth is sustainable.

KEY OBJECTIVES:

- (1) To concentrate new development within or close to market towns and selected villages that are capable of accommodating additional growth.
- (2) To sustain rural communities and the growth of the rural economy in a way which respects the character and appearance of the countryside.
- (3) To strengthen town and local centres by encouraging community, shopping and employment opportunities.
- (4) To maintain and improve choice for people to cycle, walk or use public transport rather than drive between home, jobs and facilities they use regularly.
- (5) To maximise the use of existing facilities and investment in infrastructure including public transport.

- 2.27 The established settlement pattern within the Plan area comprises the three market towns of Selby, Sherburn in Elmet and Tadcaster, numerous service villages where basic services, housing and employment opportunities are available to serve the surrounding area, and the network of smaller villages and isolated hamlets.
- 2.28 In line with strategic and national planning guidance, the Plan aims to meet the development needs of the District by directing development to the market towns and selected villages that are capable of sustaining continued growth. Concentrating development in this way will maximise the number of people with reasonable access to a wide range of facilities, jobs and choice of transport, maximise the use of existing infrastructure and services, help to sustain existing town and local centres and to protect more sensitive areas. A high priority is given to restricting the need to travel by private motor car and encouraging public transport; cycling and

walking through the appropriate location of new development, although in rural areas that are not well served by public transport the private car will remain the principal means of transport, in the short-term.

(i) Housing Development in Market Towns

- 2.29 The Plan allocates nearly two thirds of new housing development to Selby and Sherburn in Elmet. These are the largest centres of population and employment, and physically and environmentally are best able to accommodate significant additional growth.
- 2.30 Selby is the principal settlement in the District. Some recent residential and commercial development has already taken place in connection with the development of Selby coalfield. The town will benefit from a new bypass which is planned to start in the year 2000.
- 2.31 Sherburn in Elmet has acted as a focus for residential and employment growth for a number of years, and the principle of continued long-term expansion was established in a previous Local Plan by excluding land from the Green Belt for this purpose. The town is close to the A1 which is planned for upgrading to motorway status, and enjoys good accessibility, particularly following the opening of its bypass. Major investment in infrastructure has already taken place. Whilst further upgrading of water and electricity supply is required the comprehensive nature and scale of additional planned development will help offset costs.
- 2.32 Less development is directed to Tadcaster, the third market town, which has less scope for expansion being partially constrained by Green Belt, the A64 bypass and the flood plain of the river Wharfe. The Plan seeks to consolidate the town's role as a service centre by making limited provision for additional housing and employment growth and by aiming to regenerate the central area. Major growth at this stage would be likely to attract commuters from York and Leeds rather than meet the needs of District residents.

(ii) Housing Development in Rural Settlements

- 2.33 The strategy for rural areas directs housing growth to villages that have the capacity to absorb additional development and discourages significant development in sensitive locations and settlements likely to generate commuting. The Plan rejects total dispersal of new development on the grounds that this would not be sustainable, and because such an approach may forfeit the potential benefits of development by not maintaining and perhaps accelerating the loss of an adequate range of services and facilities for the rural population as a whole.
- 2.34 The extent of the built-up area of each settlement is defined on the Proposals Map, in the form of 'development limits'. The Plan provides for continued development within defined Development Limits appropriate to the form, character and circumstances of each settlement.

Villages with the capacity for additional growth

- 2.35 The following settlements have been identified where there is scope for additional housing development on brownfield sites (ie redundant land or buildings).

Appleton Roebuck	Church Fenton	Monk Fryston
Barlby	Cliffe	North Duffield
Barlby Bridge	Drax	Osgodby
Barlow	Eggborough	Riccall
Brayton	Fairburn	South Milford
Brotherton	Hambleton	Stutton
Byram	Hemingbrough	Thorpe Willoughby
Camblesforth	Hensall	Ulleskelf
Carlton	Hillam	Wistow
Cawood	Kellington	Whitley

- 2.36 All of these settlements have a reasonable service base and can absorb development of an appropriate scale without compromising the basic form and character of the settlement. The aim is to utilise spare capacity in services and infrastructure, to maximise the use of non-greenfield sites, to consolidate existing development and wherever possible, to help sustain local services.

- 2.37 A number of these settlements are also capable of accommodating additional residential development in the form of planned allocations of land (amounting to approximately 1/3 of all allocations). Land is allocated for development where it is well related to existing settlement patterns and close to existing and/or proposed sources of employment, and where the maximum benefit from infrastructural improvements and economies of scale can be achieved.

Villages capable of accommodating only limited development

- 2.38 The Plan provides for more limited development in remaining villages to meet local housing and employment needs. These tend to be smaller villages with an inadequate service base to support development on any significant scale, and where development could adversely affect the form and character of the existing settlement. At the same time it is acknowledged that there is scope for limited development in most settlements which can have desirable environmental, social and economic benefits, and which can contribute to achieving a wide distribution and choice of housing.

- 2.39 The following settlements have been identified where sensitive infilling on brownfield sites (including changes of use and conversions) may be appropriate within defined Development Limits subject to safeguarding local amenity and other planning considerations.

Barkston Ash	Cridling Stubbs	Newland
Beal	Escrick	Newton Kyme
Biggin	Gateforth	Ryther
Bilbrough	Great Heck	Saxton
Birkin	Healaugh	Skipwith

Bolton Percy	Hirst Courtney	South Duffield
Burn	Kelfield	Stillingfleet
Burton Salmon	Kellingley Colliery	Thorganby
Chapel Haddlesey	Kirk Smeaton	Towton
Church Fenton Airbase	Little Smeaton	West Haddlesey
Colton	Lumby	Womersley

Hamlets and Isolated Dwellings

- 2.40 In addition to the market towns and villages, the Plan area contains numerous dispersed hamlets, small groups of dwellings and isolated dwellings. These have very few, or none, of the basic facilities normally associated with villages capable of absorbing even minor development. They are therefore treated as part of the wider countryside and no Development Limits are defined. Residential development is limited to sensitive infilling within residential cartilages within small groups of houses where there would be no adverse effect on the character of the area.

(iii) Employment Opportunities

- 2.41 The Plan aims to provide a range of new employment opportunities throughout the District, taking account of the locational demands of businesses, unemployment rates, the availability of DTI and EC Funding and infrastructure, transportation and labour supply issues.
- 2.42 A significant increase in employment land supply is proposed in and around the market towns.
- 2.43 The Plan also aims to counter the problems brought about by declining agricultural employment and loss of rural services. Encouragement is given to appropriate forms of diversification and development that will improve the employment prospects of those living in rural areas, where this respects the character and appearance of the countryside. There is scope for small-scale employment development in and around many rural settlements. The eastern part of the District is also served by a limited amount of employment land at Cliffe Common. In addition, proposals for the conversion of redundant buildings to employment use, including tourism and the reasonable expansion of existing businesses, will often be acceptable in many rural areas.

(iv) Vitality and Viability of Town and Local Centres

- 2.44 Considerable importance is placed on improving the vitality and viability of existing town and local centres. Whilst policies to concentrate development in and around the market towns and selected villages will assist this objective, it is equally important to ensure that an attractive range of services and facilities are available to meet changing needs.
- 2.45 The future wellbeing of existing centres is also directly related to their attractiveness as places to live, visit and shop. Changing retail trends and advertising, and associated vehicular and pedestrian movements have had a significant cumulative effect on the character and appearance of many centres, particularly throughout a period of economic decline.

- 2.46 Selby and Tadcaster town centres fall within conservation areas and it is important that new proposals enhance the historic fabric of both centres. The Plan emphasises the importance of economic regeneration and also provides the framework for a series of environmental initiatives, such as pedestrianisation schemes and landscaping, to enhance the quality of the environment.
- 2.47 Other measures are aimed at encouraging the retention and provision of residential accommodation in town centres.

SECTION 3 - GREEN BELT & CONTROL OF DEVELOPMENT IN THE COUNTRYSIDE

GREENBELT AND CONTROL OF DEVELOPMENT IN THE COUNTRYSIDE

INTRODUCTION

- 3.1 The Plan area is predominantly rural in character, although pressure for housing and economic development associated with the development of the Selby Coalfield and inward migration from adjoining conurbations has been evident. Once taken for development, the countryside cannot be easily replaced or restored. Sporadic development in the countryside can not only lead to a cumulative change to the character of the countryside but is unsustainable in both economic and environmental terms. The protection of the countryside from inappropriate development is therefore a fundamental objective of the Local Plan.
- 3.2 It is equally important to regulate the growth of towns and villages which may otherwise have a significant impact on their character and setting, particularly where there is a risk of coalescence. New development on the edge of a settlement can put pressure on its environment, infrastructure and facilities. In addition to the normal policies of restraint in the countryside, there are specific areas of the District where development pressures merit further measures to contain urban growth and maintain the open character of the countryside. These comprise the northern and western fringes of the District close to York and Leeds, and the 'wedges' of countryside which extend into and between a number of settlements.
- 3.3 Policies in this chapter deal with the definition and control of development in Green Belts, Safeguarded Land, Strategic Countryside Gaps and Development Limits.

STRATEGIC FRAMEWORK

- 3.4 PPG2 (Green Belts, 1995) reaffirms the Government's commitment to the designation and maintenance of areas of Green Belt around towns and cities. The advice describes the purposes of Green Belts, and emphasises the importance of preventing urban sprawl by keeping land permanently open. Guidance on controlling development and promoting specific land uses and management of land within Green Belts is also provided.
- 3.5 The Regional Planning Guidance (RPG 12, 2001) (now Regional Spatial Strategy) for Yorkshire and the Humber confirms the primacy of Green Belt policy within the Region.
- 3.6 The general extent of Green Belt within the Plan area is defined in the North Yorkshire County Structure Plan (Alteration No 3, 1995), which also sets out the County Council's approach to different forms of development within Green Belts, including the expansion of settlements.

LOCAL PLAN OBJECTIVES WITH REGARD TO THE COUNTRYSIDE AND GREEN BELT

- 3.7 The following objectives are the guiding principles behind policies controlling development in the countryside and in areas of Green Belt.

Whilst the last three objectives are specific to the Green Belt, the first two apply to the countryside generally, whether it is Green Belt or not.

- a) To safeguard the open appearance of the countryside and to prevent the uncontrolled expansion of towns and villages.
- b) To maintain the separate identity of settlements and prevent the coalescence of settlements and the erosion of largely undeveloped gaps.
- c) To indicate the precise areas to which Green Belt policies apply within the Plan area, and to restrict development within Green Belts to land uses which are compatible with the objectives of designation.
- d) To improve the environmental amenity and recreational value of the Green Belt.
- e) To allow for the longer-term development needs of towns and villages located in the Green Belt beyond the Plan period.

SECTION ONE: GREEN BELTS

3.8 Green Belts have been a fundamental element of national planning policy for more than four decades. The five purposes of the Green Belt, as defined in PPG2, are as follows:

- a) To check the unrestricted sprawl of large built-up areas;
- b) To prevent neighbouring towns from merging into one another;
- c) To assist in safeguarding the countryside from encroachment;
- d) To preserve the setting and special character of historic towns; and
- e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

3.9 Whilst landscape quality is not a material factor in designation, Green Belts do have a positive role to play in safeguarding attractive areas of countryside and providing opportunities for outdoor leisure pursuits and access to the countryside, and securing nature conservation interests.

3.10 The essential characteristics of Green Belts are their permanence and open appearance, and their protection must be maintained as far as can be seen ahead.

3.11 The Plan area incorporates part of the West Yorkshire and York Green Belts. The West Yorkshire Green Belt was originally established in the 1960s with the principal objective of checking the further growth of the West Yorkshire conurbation. The Green Belt around York was approved in principle in 1980 as part of the North Yorkshire County Structure Plan. Its

principal objective is to protect the setting and special character of the historic City.

Extent of the Green Belt

- 3.12 The general extent of the West Yorkshire Green Belt was established through the West Riding Development Plan, First Review, (1966). Several settlements were subsequently excluded from the Green Belt through the delineation of detailed Inset boundaries in the adopted Sherburn in Elmet Local Plan (1984) and the adopted Rural Areas Local Plan (1990). A number of extensions to the Green Belt were also formally incorporated into the Rural Areas Local Plan, at Newton Kyme and to the north-west of Tadcaster, to the south of Balne and around Monk Fryston and Birkin. This revised outer boundary had previously been adopted as interim policy guidelines in March 1982.
- 3.13 Interim Green Belt boundaries were approved by the County Council in respect of the York Green Belt in April 1995, following a Public Local Inquiry and after consideration of representations to published Modifications. The Green Belt boundaries are expected to be formally established through the preparation of individual district-wide Local Plans.
- 3.14 The general extent of Green Belt is a strategic planning matter and will be reviewed, if necessary, in conjunction with the preparation of a Replacement Structure Plan, or revised Regional Planning Guidance. The adopted outer boundaries of the West Yorkshire Green Belt and the interim boundaries of the York Green Belt generally follow easily recognisable physical features. No proposals are therefore put forward in this Local Plan to amend the outer boundaries.
- 3.15 Whilst areas of Green Belt are intended to ensure for the long-term, Local Authorities are also required to take the legitimate development needs of an area into account in preparing development plans. In view of the overall scale of the District housing and employment land requirement and in order to provide the necessary degree of permanence associated with Green Belt, which might otherwise be subject to encroachment, a number of Inset boundaries have been reviewed.
- 3.16 In considering future development requirements, account has been taken of Regional Planning Guidance (now Regional Spatial Strategy), which encourages the establishment of future development in sustainable locations and the reduction of past levels of inward migration to North Yorkshire, particularly from West Yorkshire. Within this context, in formulating its development strategy, the Council has attempted to also recognise the existing, strong development pressures in order to produce a balanced solution. The potential of Sherburn in Elmet, as one of the District's three market towns, is recognised, and changes to the Green Belt to cater for development within the Plan Period and beyond have been made. A more limited change at South Milford to cater primarily for development within the Plan period is also included. The District Council is satisfied that some growth at these locations is justified and that other opportunities for development beyond the Green Belt are less sustainable.

- 3.17 In reviewing Inset boundaries, land has also been added to the Green Belt where it is considered to fulfil a Green Belt function, and where future development would be inappropriate. This applies at Brotherton, Monk Fryston and adjacent to Kellingley Colliery. A number of minor boundary changes have also been necessary to correct anomalies at Sherburn in Elmet, Brotherton and Hillam.
- 3.18 Only a small part of the Green Belt around York remains within the Plan area following the recent Local Government Review. The outer edge of the Green Belt identified on the Proposals Map reflects the Interim Boundary approved by the County Council in April 1995.
- 3.19 Escrick is the only settlement in the Plan area which is Inset in the York Green Belt. A number of minor changes have been necessary to rationalise Green Belt Boundaries and Development Limits in order to ensure contiguous boundaries.

GB1 The areas to which Green Belt policies apply are designated on the proposals map

The Control of Development in the Green Belt

- 3.20 PPG2 (Green Belts 1995) confirms that the protection of areas of Green Belt is an overriding planning consideration and that there is a general presumption against inappropriate development within Green Belts. Approval should not be given, except in very special circumstances, for the construction of new buildings, or for other forms of development, other than for the following purposes.

Agriculture and Forestry

- 3.21 Whilst development in connection with agriculture or forestry will normally be appropriate in the Green Belt, proposals will also need to be considered in relation to other Local Plan policies, such as POLICY H10 concerning agricultural and forestry workers' dwellings.

Limited Residential Development in Villages

- 3.22 Within existing Green Belt villages, proposals for small-scale development and infilling are generally considered acceptable. Development Limits have been defined in order to clarify the extent of settlements within which particular policies will apply. Proposals for development inside the Development Limits of settlements that are washed over by Green Belt will be considered in relation to POLICY H7. Hamlets and small clusters of dwellings in the Green Belt for which Development Limits have not been defined will be subject to more restrictive controls.

Limited Affordable Housing for Local Community Needs

- 3.23 Special considerations arise in areas where Local Plan policies permit limited infilling within small settlements that are washed over by Green Belt. Subject to evidence of local need the release, exceptionally, of land for small-scale affordable housing schemes may be equally appropriate. The

District Council considers that the PPG advice is applicable to small villages, such as Womersley and Kirk Smeaton, that are relatively remote and unlikely to derive any benefit from the provision of affordable housing on allocated sites in larger settlements. In addition to complying with the provisions of POLICY H11 (The Rural Housing Exceptions Policy), proposals should be small-scale, and located on sites which minimise the impact on the open character of the Green Belt.

Extension, Alteration or Replacement of Dwellings

- 3.24 Proposals for extensions to dwellings and replacement of existing dwellings are also acceptable in principle within the Green Belt, subject to the provisions of POLICIES H13 and H14. Extensions and alterations must not result in disproportionate additions over and above the size of the original building. Replacement dwellings must not be materially larger than the dwelling to be replaced.

Re-Use of Buildings

- 3.25 The re-use of buildings inside a Green Belt is generally desirable since this may assist rural enterprise and diversification, and avoid problems of vandalism and dereliction. Proposals should not prejudice the openness of the Green Belt. Strict control will be exercised over the extension of re-used buildings and over any associated uses of land surrounding the building which might conflict with the openness of the Green Belt, for example because they involve extensive external storage, or extensive hardstanding, car parking, boundary walling or fencing. Alterations to buildings in terms of form, bulk and general design should be in keeping with the surroundings. Proposals should also comply with the requirements of POLICY EMP8.

Small-Scale Extensions to Existing Business Premises

- 3.26 In order not to unnecessarily restrict rural enterprise, the conversion of buildings to new uses and the limited redevelopment, alteration, and small-scale extension of existing commercial premises may be acceptable, provided they do not have a materially greater impact than the present use on the openness of the Green Belt. Similar considerations as those used to assess proposals for the re-use of buildings will apply, and proposals should also comply with POLICY EMP9.

Limited Infilling or Redevelopment of Major Developed Sites

- 3.27 PPG2 (Green Belts, 1995) acknowledges that areas of Green Belt may contain some major developed sites including factories, collieries, water and sewage treatment works, and research and education establishments, which often pre-date the Green Belt designation, but which are subject to Green Belt controls. These substantial sites may be in continuing use or redundant. The advice indicates that limited infilling or redevelopment will not be regarded as inappropriate development provided such sites are specifically identified in Local Plans. Specific provision for continued development in major developed sites is made in POLICY GB3.

Other Appropriate Forms of Development

- 3.28 Other forms of development which require a rural location and which may not be inappropriate in Green Belts include mineral extraction, engineering and other operations, and open uses of land such as sport and recreation. The provision of essential facilities associated with an appropriate use of land may also be acceptable. Such facilities may include small changing rooms, unobtrusive spectator accommodation, or small stables for outdoor sport and outdoor recreation. In each case the key tests are whether proposals preserve the openness and do not conflict with the purposes of including land in the Green Belt.
- 3.29 Minerals can only be worked where they are found and extraction is a temporary activity. Proposals should however maintain high environmental standards and ensure that the site is well restored.
- 3.30 Engineering and other operations, includes the tipping of waste, and the provision of road and other infrastructure developments such as sewage works and pumping stations.
- 3.31 Proposals for outdoor sport and recreation such as playing fields and golf courses cover extensive areas and may help maintain the open character of the area. The suitable conversion of existing buildings to provide ancillary facilities such as club houses, changing rooms and stables will often be appropriate. However, the construction of new buildings for such purposes will only be acceptable where they are essential to the functioning of the use, and no greater in size that that necessary to fulfil the intended purpose.
- 3.32 Cemeteries, being substantially open in character, are also acceptable in Green Belts, including essential related facilities.
- 3.33 Small-scale proposals for touring caravans and camping sites which do not involve the erection of substantial permanently-sited ancillary buildings are unlikely to breach Green Belt objectives. Proposals considered to be acceptable must comply with the provisions of POLICY RT12. Static caravans, cabin or chalet developments are not considered appropriate development in the Green Belt and will be treated as proposals for new dwellings.

GB2 Within the Green Belt, development will not be permitted except for the purposes listed below. Proposals that are acceptable in principle must also comply with policies intended to control development in the countryside, and with all other relevant policies.

- 1) **New buildings justified in connection with the needs of agriculture or forestry, including agricultural or forestry workers' dwellings;**
- 2) **Small-scale residential development and infilling within the defined development limits of settlements;**

- 3) **Limited affordable housing for local community needs on sites adjoining existing villages which minimise the impact on the open character of the green belt;**
- 4) **The replacement, extension or alteration of existing dwellings;**
- 5) **The conversion of buildings to new uses and the limited redevelopment, alteration and small-scale extension of existing commercial premises which do not have a materially greater impact than the present use on the openness of the green belt;**
- 6) **Limited infilling or redevelopment of major developed sites, as defined on the proposals map, subject to the provisions of POLICY GB3; and**
- 7) **Proposals for uses of land, the carrying out of engineering and other operations, and the provision of essential facilities associated with the use of land, including essential facilities for outdoor sport and outdoor recreation, cemeteries, and for other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it.**

Major Developed Sites in the Green Belt

3.34 The Green Belt contains a number of major developed sites including Tadcaster Grammar School, the sewage treatment plant at Byram and a number of factories and commercial enterprises that are important to the local economy. PPG2 (Green Belts, 1995) recognises that the limited infilling or redevelopment of such sites may help to secure jobs and prosperity without prejudicing the Green Belt. Complete or partial redevelopment may also provide opportunities for environmental improvement. Limited infilling or redevelopment of the following sites which are defined on the Proposals Map in accordance with PPG advice, will therefore be treated as appropriate development within the Green Belt.

Major Developed Sites	Inset Map No
Byram cum Sutton Waste Water Treatment Works	12A
Bilbrough Top (roadside services)	8A
Former Bacon Factory Site, Sherburn in Elmet	54
Papyrus Works, Newton Kyme	46A
Tadcaster Grammar School	60A
Triesse Vulcan Works, Church Fenton	20A

3.35 Proposals should not exceed the height of existing buildings and should have no greater impact on the purposes of including land in the Green Belt than the existing development. The impact of additional traffic generated will be an important consideration in this respect.

- 3.36 For the purposes of this policy, infilling means the filling of small gaps between built development. Such infilling should not lead to a major increase in the developed proportion of the site.
- 3.37 PPG2 (Green Belts, 1995) indicates that redevelopment should have no greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it, and where possible have less. It should not occupy a larger area of the site than the existing buildings (unless this would achieve a reduction in height which would benefit visual amenity). For this purpose the relevant area is the aggregate ground floor area (footprint) of the existing buildings, excluding temporary buildings, open spaces with direct external access between wings of a building, and areas of hardstanding. The character and dispersal of proposed development will also need to be taken into account. The location of the new buildings should be decided having regard to the openness of the Green Belt and the purposes of including land in it, the objectives for the use of land in Green Belts, the main features of the landscape, and the need to integrate the new development with its surroundings. For instance it may be more appropriate to site new development closer to existing buildings.
- 3.38 Any proposals for partial redevelopment should be put forward in the context of comprehensive, long-term plans for the site as a whole.
- 3.39 In considering proposals for the redevelopment of major developed sites in the Green Belt, the District Council will discriminate positively in favour of re-use or redevelopment for employment purposes. This accords with the Plan's employment objectives of providing an adequate supply of land and range of sites, whilst minimising the development of greenfield sites and sustaining the rural economy.

GB3 Proposals for limited infilling or redevelopment within major developed sites in the Green Belt, as defined on the proposals map, will be permitted provided:

- 1) **There is no greater impact than the existing or former use on the purposes of including land in the Green Belt;**
- 2) **The proposal would not exceed the height of the existing buildings;**
- 3) **Infilling would not lead to a major increase in the developed proportion of the site;**
- 4) **Redevelopment would achieve environmental improvements and would result in no greater impact than the existing development on the openness of the Green Belt. Any new buildings resulting from a redevelopment scheme should not occupy a larger area of the site than the existing buildings, unless this would achieve a reduction in height which would benefit visual amenity; and**

- 5) **In the case of proposals for non-employment uses on sites of existing or former employment use it can be demonstrated that the premises are unsuited to commercial, industrial or recreational uses or there is no demand for these purposes in the locality.**

The Character and Visual Amenity of the Green Belt

- 3.40 Proposals may be made for types of development which are acceptable in principle in the Green Belt, but whose scale, location or design may impair the open character or visual amenity of the Green Belt. Similarly, proposals located beyond, but conspicuous from, the Green Belt may have an adverse effect on areas of Green Belt. In such circumstances PPG2 (Green Belts, 1995) indicates that it would be appropriate to resist development. These considerations apply equally to the impact of development proposals on the form and character of settlements within the Green Belt.

GB4 Proposals for development in the Green Belt, or which are conspicuous from an area of Green Belt, will only be permitted where the scale, location, materials and design of any building or structure, or the laying out and use of land, would not detract from the open character and visual amenity of the Green Belt, or the form and character of any settlement within it.

SECTION TWO: SAFEGUARDED LAND

- 3.41 If Green Belt designations are to endure beyond the Plan period, there is a need to allow for the realistic and desirable longer-term development needs of towns and villages. National planning advice (PPG2, Green Belts, 1995) indicates that proposals in Local Plans affecting Green Belts should be related to a timescale which is longer than that normally adopted for other aspects of the Plan. It is also necessary to establish boundaries which do not include land which it is unnecessary to keep permanently open.
- 3.42 Whilst the precise scale of long-term land requirements will be established through the Regional Planning Guidance (now Regional Spatial Strategy) and the subsequent review of the County Structure Plan, recent national projections indicate continuing need for housing land in North Yorkshire at a similar level to that catered for in the current Structure Plan. In reviewing Inset boundaries account has been taken of their relevance and value in defining land which fulfils the purposes of the Green Belt and their continued validity as well-defined and permanent boundaries. In the latter case, consideration has had to be given to the possibility of providing for further growth in the most sustainable settlements, particularly the market towns and the larger villages. Safeguarded Land has therefore been designated after balancing the following three factors – a) the need for further growth, b) the potential for settlements to accept further development and c) the value of the Green Belt which surrounds them.
- 3.43 In assessing the opportunities to establish Safeguarded Land in accordance with the requirements of PPG2 (Green Belts, 1995), the Council has been cognisant of the principles for locating new housing

development, as set out in Paragraphs 5.21 – 5.23 of Chapter 5 (Housing) of the Plan. In this context, Tadcaster and Sherburn in Elmet have adjacent Green Belt areas and are therefore the two market towns to which Safeguarded Land could potentially be attached.

- 3.44 In the case of Tadcaster, the quality of the landscape on the western side of the town, where Green Belt designation applies, militates against the creation of Safeguarded Land there. However, Sherburn in Elmet is considered to be the most sustainable location for any further growth which may be considered necessary in the western side of the District. Areas of potential around the town have therefore been identified as Safeguarded Land.
- 3.45 Other settlements lying within the Green Belt, which are considered to have some potential for further growth and have been designated as settlements falling within Policy H6, have also been assessed. However, having regard to the requirements set out in Paragraph 5.23 of Chapter 5 of the Plan, only one other small site (2.7ha) at Hillum has been found to be suitable.

Safeguarded Land has been identified at the following locations:

Site Location	Site Area (Ha)
East of Betteras Hill Road, Hillum	2.7
South-East of SHB/1, Sherburn in Elmet	7.3
East of Prospect Farm, Low Street, Sherburn in Elmet	12.8
West of Hodgsons Lane, Sherburn in Elmet	11.8
East of Hodgsons Lane, Sherburn in Elmet	10.6
West of Garden Lane, Sherburn in Elmet	6.3
Total	51.5

- 3.46 Land safeguarded for development in the Plan amounts to 51.5 hectares, which could accommodate over 1500 dwellings at a minimum density of 30 dwellings per hectare. While, in the light of the plan, monitor and manage approach as advocated in PPG3, it is not appropriate to make precise quantitative predictions regarding longer-term housing requirements, 50 hectares is considered to be a reasonable amount of land to meet future needs for this area, taking into account the scale of future house building rates in North Yorkshire up to 2016, as set out in Regional Planning Guidance (RPG12, published October 2001).
- 3.47 It is emphasised however that this land is specifically not allocated for development. It forms part of a long-term resource which may be required for housing or employment growth after 2006. In the interim proposals for development which do not compromise this objective, such as open recreational uses, and small-scale farm diversification, activities may be acceptable. Proposals for affordable housing as an exception to normal policies controlling development in the countryside may also be appropriate.

- 3.48 The release of Safeguarded Land, if required to meet long-term development needs would only be made in a controlled and phased manner through future Local Plan or land supply reviews, possibly extending over successive review periods. This is to ensure that the release of Safeguarded Land takes place in a controlled and properly phased manner. The justification for releasing Safeguarded Land will be dependant upon a range of factors including the District Housing requirement and the range of environmental considerations and sustainable development objectives described in para. 5.23.

SL1 Within areas of safeguarded land as defined on the proposals map, proposals for development which would prejudice long-term growth beyond 2006 will not be permitted. It is intended that the release of safeguarded land, if required, will be carried out in a controlled and phased manner extending over successive reviews of the Local Plan.

SECTION THREE: CONTROL OF DEVELOPMENT IN THE COUNTRYSIDE

- 3.49 Whilst countryside included within Green Belts is strongly protected by Green Belt POLICIES GB1 to GB4, national planning policy indicates that development in the general countryside should also be strictly controlled and that the countryside should be protected 'for its own sake'. Long-standing strategic and local planning policies are aimed at accommodating the bulk of development in and around urban areas, market towns and service villages.

Non-Green Belt Countryside

- 3.50 In order to strengthen existing policies, and inhibit the encroachment of built form into the countryside, the County Structure Plan Third Alteration introduced a new policy aimed at restricting development in the countryside to small-scale proposals, whilst assisting rural diversification.
- 3.51 POLICY DL1 in this Local Plan provides further elaboration on Selby District Council's approach to controlling development in the countryside outside Green Belts in the light of national guidance, which is aimed at sustaining the rural economy. For example, it acknowledges that the expansion of existing businesses, including the physical extension of buildings, may often be appropriate. Similarly a variety of activities may be accommodated in the countryside without detriment, provided that their location and design are handled sensitively.
- 3.52 Whilst the Plan positively discriminates in favour of business uses rather than residential uses, there may be circumstances where conversion to residential use is appropriate, or exceptionally where infilling within existing groups of dwellings is acceptable. It is also important to maintain the vitality of rural communities by supporting proposals which are required to meet their identified social and economic needs such as those which provide essential local services, local jobs and community facilities; and where suitable alternative sites within Development Limits are not available.

Examples of such proposals may be a new community centre and affordable housing for local people.

3.53 At the same time, a balance must be struck with the need to safeguard the countryside from the adverse effects of development, including associated traffic and operational problems.

3.54 Additional guidance is provided in the Local Plan through the incorporation of 'exceptions' policies, and criteria-based policies which facilitate specific forms of development in the countryside. Development proposals in Green Belts will continue to be assessed against the provisions of Green Belt policy.

DL1 Development in the countryside, outside the Green Belt and development limits, will only be permitted where the proposal complies with all other relevant policies and the proposal:

- 1) Would be appropriate in a rural area; or**
- 2) Involves the re-use, adaptation or extension of an existing building; or**
- 3) Is required to meet the identified social or economic needs of a rural community; or**
- 4) Would be of direct benefit to the rural economy including additional small-scale employment development and the expansion of existing firms.**

Where development is considered appropriate, it must be located and designed so as not to have a significant adverse effect on residential amenity or the character and appearance of an area and must not harm acknowledged nature conservation interests.

Definition of Development Limits

3.55 Development Limits have been defined around most settlements within the District. The purpose of these Limits is to define the boundary between open countryside and the settlements themselves in a consistent manner throughout the Plan. Outside Development Limits, POLICY DL1 or, in Green Belt areas, POLICY GB2 will apply, whereas, within the settlements, POLICIES H6 and H7 will be the operational policies. In those small settlements washed over by Green Belt, Development Limits have been drawn more stringently to ensure that any development would be strictly limited and be in accordance with Green Belt policies.

3.56 The term Development Limits replaces the term village envelopes, previously used in the First Alteration to the adopted Rural Areas Local Plan. Every settlement in the Plan area has been individually appraised and the Development Limits have been drawn with regard to the particular site characteristics. However, to ensure a consistent approach the following set of criteria for defining boundaries has been applied:

a) Sites of Amenity and Conservation Value

Priority is given to the need to protect sites of nature conservation importance, scheduled monuments, village greens and other pockets of valuable amenity land such as woodlands, many of which are covered by Tree Preservation Orders.

b) Physical Boundaries

Wherever practicable and appropriate, boundaries follow well-defined physical features such as walls, fences, hedgerows, roads and streams. Apart from being readily discernible and less open to dispute these boundaries usually represent the transition between village or town and the neighbouring countryside. However, where curtilages are extensive and partially or wholly undeveloped, and where they back onto countryside, it is considered appropriate to define a tighter boundary which more closely conforms to the existing built-up limits than garden curtilages.

c) Buildings on the Edge of Settlements

Similarly, where houses stand on the outer roadside edge of a settlement, the Development Limit is frequently drawn tighter than the curtilage boundary. This indicates that housing which would effectively result in ribbon development by extending the built-up area fronting the roadside would not be considered acceptable.

d) Buildings set in Spacious Grounds

Where buildings such as halls, large houses or hotels are set in spacious grounds on the edge of settlements, their inclusion within Development Limits depends upon the extent to which they appear to relate with the overall physical fabric of the settlement. Usually, their relative isolation, attributable to their spacious setting, justifies their exclusion. Where a particular property is associated with a parkland estate, the importance of retaining this historical association and limiting new development has influenced the defining of boundaries.

e) Farmsteads

Farmsteads and associated outbuildings present their own particular problems because of their diverse forms and often sprawling nature. Commonly a number of farmsteads are located within or on the fringe of settlements, particularly smaller villages. In some instances farmsteads, although contiguous with existing built development, are excluded from Development Limits because their rural characteristics predominate and they appear to relate more strongly with the surrounding countryside. Where it is proposed to include or partially include a farmstead, the principal means of determining boundaries have been, first, to consider the extent of built development on either side of the farm and, second, to differentiate between modern agricultural buildings and their traditional counterparts. Generally, agricultural buildings of modern construction are excluded whereas traditional stone or brick-built farm buildings which normally front the roadside, and which have historically been long

associated with the settlement, are contained within the Development Limits.

f) Institutional Uses

Institutional uses such as hospitals and schools and their grounds are commonly excluded from Development Limits, except where they are deemed to comprise an integral element within the existing built framework. In some instances, the buildings are contained within Development Limits whereas the grounds are excluded.

g) Industrial Uses

Industrial uses operating from premises which extend beyond the otherwise perceived development framework are omitted from Development Limits where it is felt their inclusion could distort the pattern of existing development, should the land be subject to subsequent pressure for housing.

h) Planning History

The planning history of a site is also an important consideration when defining boundaries. Where permission has previously been refused for development on the basis that the site falls outside the established built-up limits, then it is likely, given unchanged circumstances, that such land will be excluded from the defined Development Limits. Conversely, where sites on the edge of settlements have outstanding permission for housing, or are allocated for development, then the site will normally be incorporated within Development Limits. Such a consideration would not generally apply in the case of a dwelling or dwellings to which an agricultural, or some other occupancy condition, is attached which has allowed development in a situation where it would normally be refused. In some instances however, where a long-standing occupancy condition has been in force and the house in question is now clearly well-related to the built form of the village, then the dwelling has been incorporated into the Development Limits.

i) Extent of Existing Settlements

Regard is given to the extent of existing development as seen from both outside a settlement, particularly from approach roads, and from within the settlement.

j) Form and Character of Existing Settlements

Similarly, the form and character of a settlement as defined by dwellings, other buildings and their curtilages, the road network, and open spaces will determine whether a tight boundary designed to safeguard the existing pattern of development is appropriate or not.

- 3.57 In the case of settlements where significant development in excess of minor infilling or small-scale development is not considered appropriate, the Development Limits may correspond with previously adopted village envelopes. Where settlements have been selected for continued

expansion, village envelopes (Development Limits) have been modified to incorporate housing land allocations.

- 3.58 The following settlements have Development Limits defined for the first time: Barlby, Barlby Bridge, Brayton, Lumby, Osgodby, Selby, Sherburn in Elmet, South Milford and Thorpe Willoughby.

Development Limits affecting Green Belt Settlements

- 3.59 The villages of Barkston Ash, Beal, Bilbrough, Birkin, Burton Salmon, Colton, Cridling Stubbs, Kellingley Colliery, Kirk Smeaton, Little Smeaton, Lumby, Newton Kyme, Saxton, Towton and Womersley are washed over by Green Belt. In defining Development Limits, they have been broadly treated in a similar way to those settlements which lie outside the Green Belt although a stricter interpretation has been applied when deciding whether to include or exclude 'marginal' sites on the edge of settlements in order to be consistent with Policies GB1 to GB4.
- 3.60 The definition of Development Limits does not imply any change to the Green Belt status of settlements.
- 3.61 A number of towns and villages are Inset in the Green Belt, namely; Brotherton, Byram, Escrick, Fairburn, Hillam, Monk Fryston, Sherburn in Elmet, South Milford and Whitley. Tadcaster is situated at the outer edge of the West Yorkshire Green Belt. In most instances in these towns and villages Development Limits have common boundaries with Green Belt boundaries, following well-defined physical features as far as possible. The principal exception to this rule comprises land safeguarded for longer-term development.

SECTION FOUR: STRATEGIC COUNTRYSIDE GAPS

- 3.62 Whilst it is generally desirable to preserve the character and separate identity of settlements, a number of neighbouring settlements in the Plan area have developed in very close proximity to each other. Some are separated by narrow, though as yet largely undeveloped, gaps of countryside, where continued expansion would be likely to result in coalescence and threaten the identity of individual settlements.
- 3.63 In some parts of the Plan area, the risk of coalescence is safeguarded through Green Belt designation, for example between the separate built-up parts of Monk Fryston and between Sherburn in Elmet and South Milford. Where this is not the case, important areas of open countryside between settlements, or 'Strategic Countryside Gaps', have been identified where stricter controls are necessary to safeguard the open character of the land. In a number of cases Strategic Countryside Gaps have been identified in order to maintain the individual character of different parts of settlements.
- 3.64 Strategic Countryside Gaps have been defined in respect of the following settlements:
- Barlby/Osgodby
Barlby Top/Barlby Crescent
Brayton/Selby

Church Fenton East/West
Cliffe/Hemingbrough
Gateforth
Hensall North/South
Skipwith
Stillingfleet
Thorganby

3.65 Proposals for development in these gaps will only be acceptable where there would be no risk of physical intrusion such as certain types of recreational use, or where the overall open character of the land would be enhanced through the removal of existing structures. In such circumstances, any replacement or ancillary buildings would need to be sensitively sited and landscaped in order to minimise any potential intrusive impact. Proposals for other forms of development, including agricultural dwellings and affordable housing, which may in other circumstances be acceptable outside Development Limits will not normally be permitted.

3.66 Strategic Countryside Gaps may serve other functions, such as affording access to the countryside and recreational opportunities, and may also provide wildlife corridors.

SG1 Proposals for development affecting Strategic Countryside Gaps, as defined on the proposals map, will not be permitted where there would be an adverse effect on the open character of the countryside or where the gap between settlements would be compromised.

SECTION 4 - ENVIRONMENT

ENVIRONMENT

INTRODUCTION

- 4.1 Increasing pressure for change is being placed on the environment of the Plan area which is evident in both built-up areas and the surrounding countryside. Agricultural practices have already removed many traditional landscape features and recent surveys carried out independently and on behalf of the District Council reveal continuing losses of wildlife habitats. Existing settlements are also subject to continuing development pressures.
- 4.2 The District Council's strategic land use strategy for achieving sustainable forms of development is set out in Chapter 2. An essential ingredient of sustainability is the environmental legacy likely to be left to future generations. The need to protect and enhance the environmental assets of the Plan area is therefore given primary importance in this Local Plan.
- 4.3 Alongside the more recognised concerns for the quality of the natural and built environment and the effects of new development, there is an increasing awareness about the impact of pollution and potential loss of non-renewable resources. Policies in this chapter set out the District Council's response to these concerns. The policies are arranged in four sections: General Environmental Considerations, Nature Conservation, Landscape and Built Environment.

STRATEGIC FRAMEWORK

- 4.4 The underlying strategy of the North Yorkshire County Structure Plan (Alteration No 3, 1995) is one of restraint in order to protect the important natural resources and high quality environment of the County. The Structure Plan includes conservation policies to safeguard important landscapes and wildlife habitats, and to protect buildings and areas of special townscape, architectural or historic interest, and sites of archaeological importance. Other policies are intended to control waste disposal and potentially polluting or hazardous development.
- 4.5 The North Yorkshire Conservation Strategy, adopted in July 1991, also sets out a series of policies and initiatives aimed at conserving and enhancing the landscape and wildlife habitats.
- 4.6 The Regional Planning Guidance for Yorkshire and Humberside (RPG12, 2001) echoes these themes and also promotes the desirability of protecting locally important features in development plans.

OBJECTIVES

- 4.7 The following objectives are the guiding principles behind the Environment Policies:
 - 1) To safeguard the environment and the public from the effects of pollution and to minimise the risk from flooding and hazardous development.
 - 2) To protect and enhance the character of the countryside.

- 3) To safeguard the built heritage of the District.
- 4) To protect, enhance and manage sites and habitats of nature conservation interest and to safeguard and protect species.
- 5) To ensure that new development meets appropriate technical requirements and respects the character and amenity of the locality in which it is situated.
- 6) To encourage high standards of design and landscaping, and improvements in environmental quality.

SECTION ONE: GENERAL CONSIDERATIONS

- 4.8 The Planning system has an important role to play in controlling the quality of the environment, not only through long-term planning, but also through day-to-day decisions as part of the development control process. The benefits of every proposal made should be weighed against the effects that development will have on the environment.
- 4.9 The form and design of new development has a significant effect on the environmental quality of the Plan area. Local people are naturally concerned about the impact of development on the character of the area in which they live and the amenities they enjoy. The District Council is determined to ensure that future proposals achieve a 'good quality of development' by being properly integrated into the environment of the District, respecting the form and character of existing settlements and other features that contribute to the diverse natural and man-made heritage of the Plan area. The first policy in the Plan therefore establishes the basic environmental criteria against which all new development proposals will be judged in order to achieve this objective.
- 4.10 It is equally important to control the location of potentially polluting or hazardous development, and to ensure that development does not have an adverse effect on health, safety and amenity. Selby District is the powerhouse of the region and is affected by dust and emissions associated with the Selby Coalfield and three coal-fired electricity generating power stations in the Aire Valley. Other forms of pollution, such as smells and groundwater or river contamination, have been attributed to major industrial plants and waste storage and disposal sites. Policies in this section are therefore intended not only to safeguard the local environment from the harmful effects of certain types of development, but to contribute toward achieving sustainable forms of development.

Control of Development

- 4.11 Proposals for development are required to comply with the provisions of the current development plan in accordance with Section 54A of the Town and Country Planning Act 1990¹ unless material considerations indicate otherwise.

¹ Now Section 38(6) of the Planning and Compulsory Purchase Act 2004.

- 4.12 As well as the general policies and specific provisions set out in development plans, proposals for development must also have regard to a range of technical and other legislative requirements embodied in the various Planning Regulations, Circulars and PPG notes. In particular, proposals for development should respect the surrounding area and existing development, and should minimise the impact on the amenity of adjoining occupiers. Proposals should also ensure a satisfactory environment for future occupants or users.
- 4.13 In determining applications for development, the District Council will take into account a number of principal considerations which the District Council considers important for achieving a high standard of design in new development and enhancing the quality of the environment. These considerations are set out in the following paragraphs.

Suitability of Use

- 4.14 The type of use proposed (as currently defined by the Use Classes Order, 1987, as amended) will be an important factor in determining whether a proposal is compatible with the location. This does not mean that all non-residential uses will be resisted within predominantly residential areas. For instance, the Use Classes Order specifically refers to business uses (encompassing types of office uses and industrial processes) which may be “carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit”. Similarly, certain services such as local shops, doctors’ surgeries and so forth may be acceptable provided there would be no unacceptably adverse effect on local amenity, for instance, through the operation of the business or associated traffic.

Effect on Neighbouring Properties and the Surrounding Area.

- 4.15 The extent to which proposals would impact on the character of an area and the amenity of adjoining occupiers is an important consideration. Particular attention will be paid to the effects of increased vehicular and pedestrian movements and associated car parking. There may also be occasions when otherwise compatible uses would not be acceptable because of the likely effects of noise and other forms of pollution. Where appropriate, the District Council will make a careful assessment of potential noise levels and other sources of pollution before determining planning applications. Conditions may be imposed to help regulate and minimise the impact.
- 4.16 The District Council receives a significant number of applications each year to extend or alter properties or to infill land within existing built-up areas. (Infilling for the purposes of this Local Plan is defined as the filling of a small gap in a group of houses or in an otherwise built-up frontage). Considerable resources are devoted to overcoming potential problems associated with householder applications, particularly extensions. Tandem development (consisting of one house immediately behind another and sharing the same access) and backland development is unlikely to be permitted if it results in significant overlooking or has an otherwise unreasonably adverse effect on local amenity. Potential overlooking of ground floor living rooms or gardens will be an important consideration.

Particular regard will also be given to loss of privacy, outlook, garden enclosure and daylight, although it is not possible to safeguard existing views through planning legislation. Proposals should respect the character of an area and the existing density of development, be sympathetic in design and there should be no unacceptable loss of parking, turning or garden space.

Access and Highways Considerations

- 4.17 Proposals should be well related to the highway network and include access arrangements which are appropriate to the type of road involved and the volume and character of traffic likely to use it. Points for consideration will include the width of access, alignment, gradient, visibility and the provision of on-site parking in accordance with the Council's adopted car parking standards (which are reproduced in Appendix 4). Proposals for residential development should normally accord with the advice given in Design Bulletin 32 (Second Edition April 1992) published jointly by the (former) Departments of the Environment and Transport, and the North Yorkshire County and Districts Residential Highway Design Guide.
- 4.18 The development of land and buildings provides the opportunity to secure a more accessible environment for everyone, including wheelchair users and other people with disabilities, elderly people, and people with toddlers or infants in pushchairs. Access needs can be met, through appropriate design of spaces between and around buildings and through parking provision. When a new building is proposed, or an existing building is being extended or altered, developers should consider the access needs of people who might use the building as a place of work, or as visitors or customers. Where the public are to have access to the building, the District Council will consider the extent to which the securing of provision for disabled people can be justified on planning grounds.

Design and Layout of New Development

- 4.19 The District Wide Landscape Assessment undertaken on behalf of the District Council will provide the foundation for producing a Countryside Design Summary. The District Council will encourage villages to formulate their own Village Design Statements and where appropriate will adopt these as Supplementary Planning Guidance. These will assist in implementing a whole range of development control policies contained within the Local Plan and encourage developers to respect local character.
- 4.20 There is continuing public concern about the design and scale of new buildings and the social and environmental consequences of modern building methods and materials. Whilst aesthetic judgements are to some extent subjective, PPG1 (General Policy and Principles, 1997) encourages Planning Authorities to reject poor designs which may include those inappropriate to their context, for example those clearly out of scale or incompatible with their surroundings. It is also appropriate to promote or reinforce local distinctiveness, for example in connection with the Countryside Agency's "Design in the Countryside" initiative.

- 4.21 Experience has shown that successful schemes respect, but do not necessarily mimic, the character of their surroundings. For instance, there may be occasions when the creation of a new landmark building would be more appropriate than a repetition of the local vernacular. However, unless there are exceptional circumstances, the proportion of site coverage by new buildings should tend to be compatible with that of the surrounding area.
- 4.22 Selby District Council wishes to encourage high quality design and layout of development, and applicants will be expected to demonstrate, wherever appropriate, that they have considered the wider setting of buildings. Particular weight will be given to the impact of development on existing buildings and on the character of areas recognised for their landscape or townscape value such as Conservation Areas and Locally Important Landscape Areas, where the scale of new development will often be particularly important.
- 4.23 Similarly, sensitivity in the choice of building materials is one of the most critical factors in integrating new buildings into both established built-up areas or remote countryside locations.
- 4.24 Increased emphasis will be placed on achieving quality and variety in new residential layouts, so as to provide good living conditions and standards of amenity and open space. Consideration will also be given to the adoption of appropriate measures and designs to reduce criminal activity and vandalism, in liaison with Police Architectural Liaison Officers.
- 4.25 PPG12 (Development Plans, 1999) DOE Circular 2/96 (Home Energy Conservation Act 1995) suggests that the statutory land use planning system can be used to promote energy conservation. Development Plans can help to improve energy efficiency by influencing the location and design of new buildings and development layouts, using communal rather than individual facilities and ensuring developments are served by public transport. Proposals for all new buildings and for conversion of existing buildings, whether residential, commercial or other, will be expected to demonstrate high standards of energy conservation in their design and scheme layout.
- 4.26 The use of alternative and renewable forms of energy can aid conservation of the earth's finite resources. The Local Plan contains a specific policy concerning renewable energy schemes (POLICY ENV6). Measures to harness solar energy affecting domestic or commercial property will be considered as part of the overall design and layout of development in relation to POLICY ENV1.
- 4.27 Solar energy can be harnessed in three ways; through the design and orientation of buildings to maximise the benefit of direct light and heat (passive solar design); through the installation of solar panels on roofs, walls or outbuildings utilising the sun's radiation to heat water passing through the unit (active solar systems); and by incorporating photovoltaic cells within solar panels to convert solar energy into electricity. Design of new buildings should maximise the opportunities for energy conservation through design, orientation and construction. Where the introduction of solar panels (in existing or proposed development) constitutes

development, proposals will be assessed, taking into account the effect on local amenity. In the case of conservation areas, listed buildings or other sensitive settings, particular care should be given to ensure that the proposed development is compatible with its surroundings.

Landscaping

- 4.28 The appearance and treatment of the spaces between and around buildings is of comparable importance to the design of buildings. The District Council is firmly committed to the principle of incorporating generous landscaping as an integral element of development proposals. This is particularly important bearing in mind the scale of development proposed in parts of the District and having regard to the generally flat topography of the Plan area.
- 4.29 Landscaping schemes should ensure the retention of existing site features such as individual or groups of trees, hedges and shrubs. Schemes should enhance existing vegetation and offer opportunities for habitat creation. The District Council will consider the position of trees in relation to new buildings, and their effect on future occupiers, when examining proposals. Where appropriate, schemes should also embrace the treatment of boundaries, pavements and street furniture.
- 4.30 Specific policies dealing with strategic landscaping, (POLICY ENV20), and the District Council's general requirements with regard to landscaping, (POLICY ENV21) are included in Section Three LANDSCAPE.

Capacity of services and local facilities

- 4.31 In considering proposals, account will be taken of the capacity of existing utilities such as drainage, sewers or water supply. It is important that any new development does not place undue pressure on existing infrastructure, such as water and sewerage services, to the detriment of existing users or the environment. However, it is recognised that all development envisaged in the Plan cannot be accommodated within existing infrastructure capacities, and improvements will be required before some developments can proceed. In such cases, development will only be acceptable where the provision of adequate infrastructure can be achieved in advance of or in connection with development schemes.
- 4.32 Much of the Plan area is low lying and is subjected to seasonal flooding. Development will not be permitted where it would put people or property at increased risk, unless adequate mitigating measures are undertaken. (See also Section on Flood Risk below – POLICY ENV5).
- 4.33 Where appropriate, access to local facilities such as shops, play space or other services will also be taken into account, particularly when new development would place significant demand on already strained resources.
- 4.34 A number of policies in the Plan provide guidance on the District Council's expectations with regard to design, and the creation and enhancement of attractive environments. Where appropriate, additional information and advice may be provided through Supplementary Planning Guidance. Major

proposals for development will be expected to conform to a planning brief approved by the Council indicating specific requirements in relation to such matters such as scale, density, height, layout, landscape, access and open space requirements.

ENV1 Proposals for development will be permitted provided a good quality of development would be achieved. In considering proposals the District Council will take account of:

- 1) The effect upon the character of the area or the amenity of adjoining occupiers;**
- 2) The relationship of the proposal to the highway network, the proposed means of access, the need for road/junction improvements in the vicinity of the site, and the arrangements to be made for car parking;**
- 3) The capacity of local services and infrastructure to serve the proposal, or the arrangements to be made for upgrading, or providing services and infrastructure;**
- 4) The standard of layout, design and materials in relation to the site and its surroundings and associated landscaping;**
- 5) The potential loss, or adverse effect upon, significant buildings, related spaces, trees, wildlife habitats, archaeological or other features important to the character of the area;**
- 6) The extent to which the needs of disabled and other inconvenienced persons have been taken into account;**
- 7) The need to maximise opportunities for energy conservation through design, orientation and construction; and**
- 8) Any other material considerations**

Environmental Assessment

4.35 Certain types of developments require the submission of an environmental impact assessment (EIA) in the light of E.C. Directive 85/337. In England, this requirement was introduced by the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988. The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 revoked and superseded the original 1988 regulations. Circular 2/99 (Environmental Impact Assessment) gives policy guidance on the implementation of the amendments.

4.36 The procedures provide a systematic method of assessing the environmental implications of developments that are likely to have significant effects. The local planning authority will judge planning

applications on their merits within the context of the Development Plan, taking account of all material considerations, including environmental impacts.

- 4.37 Generally it will fall to the local planning authority (LPA) to consider whether a proposal requires EIA. For this purpose the LPA will first need to consider whether the development is described in Schedule 1 or Schedule 2 to the Regulations (see Appendix 5 of this Plan). Development of a type listed in Schedule 1 always requires EIA. Developments listed in Schedule 2 requires EIA if they are likely to have significant effects on the environment by virtue of factors such as their size, nature or location. This includes changes or extensions to Schedule 1 and Schedule 2 development.

Environmental Pollution and Contaminated Land

- 4.38 Industrial, agricultural and other commercial activities can give rise to environmental problems associated with noise, smell, disturbance and traffic generation. The Plan area contains a number of existing and potential sources of pollution ranging from noisy activities associated with airfields to dust/emissions attributable to the Selby Coalfield and coal fired power stations. Problems have also been encountered with waste disposal sites.
- 4.39 The District Council attaches great importance to controlling and minimising pollution under available Environmental Health legislation and through the planning system. Where appropriate, the advice of relevant pollution control agencies, including the Environment Agency, will be sought. Development proposals likely to give rise to an unacceptable level of environmental pollution will be resisted, unless it can be demonstrated that adequate, enforceable measures will be taken to ensure environmental acceptability. Similarly, residential and other sensitive forms of development will not be permitted in locations where they are likely to be affected by existing sources of environmental pollution to an unacceptable degree, unless satisfactory mitigating measures are proposed.

Air Pollution

- 4.40 Where noise is likely to be an important factor applicants will be required to provide information about noise levels.
- 4.41 Potential for pollution also exists where development would affect air quality perhaps through smoke or dust. Although there is a myriad of existing pollution controls, which the planning system should not seek to duplicate, the effect on other land uses and loss of amenity are material considerations.
- 4.42 Proximity to sewage treatment works can subject residential properties and other development to odour and other problems associated with sewage treatment. Each proposal will be considered on its merits, taking into account local circumstances, such as climate and topography. Careful consideration will be given to, for example, types of business use which would be inappropriate in such locations.

Contaminated Land

- 4.43 Contaminated land such as former industrial sites or waste disposal sites can also have serious implications for the health and safety of the local population and the environment. When contamination is known or suspected, developers will be required to undertake proper investigations to assess the nature and extent of contamination and applicants will be required to provide sufficient information to enable the Authority to determine the application. Effective measures must be incorporated to protect the public, property and natural resources from potential harmful effects.

Groundwater Protection

- 4.44 Groundwater stored in aquifers is a principal source of drinking water supply in the Plan area. Groundwater is also widely used by industry and agriculture, as well as feeding rivers and supporting wetlands which provide wildlife habitats. Both the quality and quantity of groundwater are legally protected. If groundwater becomes polluted it is very difficult (sometimes impossible) and expensive to clean up again. It is therefore better to prevent or reduce the risk of groundwater contamination in the first place, rather than deal with the consequences.
- 4.45 Whilst it is the duty of the Environment Agency to monitor and protect groundwater, the way land is used and developed is one of the threats to the quality of groundwater. Land use planning can therefore play a key role in protecting groundwater. To assist in this process, the Environment Agency has published Groundwater Vulnerability Maps which show the areas that are most vulnerable to groundwater pollution.
- 4.46 The Sherwood Sandstone Aquifer in the Selby area has been subject to high levels of abstraction. Groundwater levels have been decreasing steadily. The issue has been recognised by the Environment Agency and is currently being investigated as part of its Catchment Abstractions Management Strategy.
- 4.47 The Sherwood Sandstone underlying the Selby area is particularly sensitive to contamination due to the area of exposed aquifer. It is important that aquifers within sensitive areas are protected from potentially polluting land uses. In addition to publishing Groundwater Vulnerability Maps, the Environment Agency is in the process of producing and amending the definition of Groundwater Protection Zones around major borehole supplies, for which a degree of protection is afforded against a range of activities.

ENV2 A) Proposals for development which would give rise to, or would be affected by, unacceptable levels of noise, nuisance, contamination or other environmental pollution including groundwater pollution will not be permitted unless satisfactory remedial or preventative measures are incorporated as an integral element in the scheme. Such measures should be carried out before the use of the site commences.

- B) Where there is a suspicion that the site might be contaminated, planning permission may be granted subject to conditions to prevent the commencement of development until a site investigation and assessment has been carried out and development has incorporated all measures shown in the assessment to be necessary.**

Light Pollution

- 4.48 Outdoor lighting is needed in certain areas in the interests of security and pedestrian/traffic safety and convenience. It is also used, on occasion, for the enhancement of historic or architecturally important buildings. However, without adequate safeguards, outdoor lighting can be intrusive (particularly in largely unlit rural areas), detrimental to residential amenity, and prejudicial to highway safety. A further consideration is the potential waste of energy involved through use of over-bright, misdirected or unnecessary illumination and the resultant consequences for the environment.
- 4.49 It is often possible, through good design and time controls, to significantly reduce the detrimental effects of outdoor lighting. By ensuring that lighting is properly directed (with minimum levels of upwards lighting), is only as bright as is absolutely necessary and is only illuminated when required, the negative impacts of outdoor lighting can be significantly reduced. Further advice on the operation of the policy and the design considerations to be taken into account will be provided in Supplementary Planning Guidance.

ENV3 Proposals involving outdoor lighting will only be permitted where lighting schemes:

- 1) Represent the minimum level required for security and/or operational purposes;**
- 2) Are designed to minimise glare and spillage;**
- 3) Would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity; and**
- 4) Would not detract significantly from the character of a rural area.**

Proposals for development involving outdoor lighting should incorporate details of lighting schemes as part of applications for development.

Hazardous Substances

- 4.50 The Plan area contains a number of sites that contain installations handling or storing notifiable hazardous substances. There are also a number of notifiable high pressure natural gas transmission pipelines.

- 4.51 Hazardous substances are subject to stringent controls under the Planning (Hazardous Substances) Act 1990 which requires hazardous substances consent to be obtained for the use or storage of certain materials. It is equally appropriate to exercise careful planning controls over development involving hazardous substances in order to ensure that installations are kept separate from housing and other sensitive land uses such as schools and hospitals with which they may be incompatible.
- 4.52 In determining whether a risk is unacceptable in considering proposals, account will be taken of the proposed amount, type and location of hazardous substances and the need for special precautions or restrictions to protect future uses of the site or adjoining land. Advice is contained in Annex B of Circular 11/92 which also outlines the issues of risk considered by the Health and Safety Executive in giving advice to Local Planning Authorities. The District Council will take particular account of advice from the Health and Safety Executive in relation to the potential risks involved within the “advised consultation distances” for any individual installation. Development likely to lead to a concentration of people close to existing hazardous installations or storage facilities will be resisted unless it can be shown that there is no special risk.

ENV4 Proposals involving the storage or use of hazardous substances, or developments in the vicinity of sites where hazardous substances are being stored or used, will only be permitted where the District Council is satisfied that:

- 1) There is no unacceptable risk to the public or the natural environment; and**
- 2) Opportunities for the development of land in the vicinity will not be severely restricted.**

Development and Flood Risk

- 4.53 The Plan area is generally low lying and is crossed by four main rivers; the Aire, Derwent, Ouse and Wharfe. Significant areas of land are protected by tidal and fluvial defence infrastructure and are at risk from flooding in the event of overtopping or breaching of these defences. Other areas are at risk from secondary flooding when, in times of flood, water cannot discharge from streams and dykes into the main rivers.
- 4.54 The susceptibility of land to flooding is a material planning consideration which is likely to become more important as the risk of flooding increases in future years due to the effects of global warming, climate change and rising sea levels. The District Council, the Environment Agency and the Internal Drainage Boards are therefore concerned to ensure that flood risk is properly taken into account in the planning of new development and in the operation of the development control process.
- 4.55 PPG25 (Development and Flood Risk, 2001) advocates the adoption of a sequential approach to development. Priority should be given to development in areas of least risk and development in functional flood plains avoided (i.e. in unobstructed areas adjacent to watercourses where

water regularly flows in times of flood or would flow but for the presence of flood defences).

- 4.56 In order to assist this process the Environment Agency has produced flood risk maps identifying the areas at highest risk (defined as having an annual probability of 1% or greater for fluvial flooding and 0.5% or greater for tidal flooding). The plans, which may be viewed on the Agency's website (www.environment-agency.gov.uk/flood), have been generated using a generalised computer technique in order to identify land that could potentially be at risk of flooding and are therefore indicative only.
- 4.57 In order to allow for the possibility of overtopping or breaching of existing defences, the plans assume that there are no flood defences in place. This means that while a very small amount of land allocated for development in the Local Plan (in Selby/Barlby) was affected by the November 2000 flood event, significant parts of the Plan area fall within the indicative flood plain, including a number of the more sustainable settlements that are otherwise capable of absorbing continued growth. Conversely those parts of the District that are subject to less risk tend to correspond with areas of Green Belt or where future development would be unsustainable. PPG25 (Development and Flood Risk, 2001) specifically acknowledges that in low lying parts of eastern England where extensive areas of land fall into high risk zones, consideration of development proposals will need to be balanced with other factors such as social and economic regeneration objectives.
- 4.58 The approach adopted by the District Council in higher risk areas, in line with national guidance, is therefore to restrict development to existing settlements, where, in consultation with the Environment Agency, it can be demonstrated that there is an appropriate standard of flood defence that can be maintained or provided for the lifetime of the development.
- 4.59 Residential, commercial and industrial development will be strictly controlled outside built-up areas, where, in consultation with the Environment Agency, there is considered to be a significant flood risk. Within the indicative flood plain, outside built-up areas, development will generally be restricted to essential transport and utilities infrastructure, agriculture related development and job related residential development or open uses associated with recreation. Within functional flood plains, although some forms of recreation, sport, amenity and conservation uses may be acceptable, built development will be permitted only exceptionally and limited to essential transport and utilities infrastructure. In all cases it will be essential to ensure that development does not increase the risk of flooding elsewhere by impeding flood flows or reducing the capacity for flood plain storage.
- 4.60 Within areas at risk from flooding, developers will be required to undertake site specific flood risk assessments in consultation with the Environment Agency in accordance with the requirements set out in PPG25. This may include hydrological surveys and other technical investigations to allow proposals to be properly evaluated.

- 4.61 Development permitted in high risk areas will be dependent on the incorporation of appropriate measures to manage the risk of flooding including:
- Incorporating flood warning procedures and means of escape,
 - Avoiding development on undeveloped land adjacent to existing flood defences,
 - Directing development away from the lowest lying areas where significant depth of flooding could occur,
 - Allowing for the storage and/or evacuation of flood water,
 - Using flood resistant construction and incorporating raised floor levels,
 - Incorporating sustainable urban drainage systems within the design.
- 4.62 It is also important that the integrity, stability and continuity of existing and proposed tidal and fluvial flood defences is maintained by resisting inappropriate development and ensuring adequate access for maintenance and emergency purposes. Developments should also be designed to serve a range of environmental benefits including public access to the waterside wherever possible.
- 4.63 A significant proportion of the District's biodiversity occurs in flood plain areas, for example, five of the UK Biodiversity Action Plan priority habitats are associated with flood plain areas in the District. These are: lowland meadow, fens, reed beds, wet woodland and grazing marsh. In addition flood plain and seasonally flooded areas in the District provide habitats for internationally important bird and plant communities. It is recognised that these flood plains and their associated habitats have high water-retention capabilities and hence contribute significantly to the control of flood risk.
- 4.64 The Council therefore advocates the prevention of development which impedes functional flood plains, as defined in Paragraph 23 of PPG25, unless it can be shown that no material harm to the flood plain will occur as a result of the development. Compensatory measures will be required where necessary. The Council advocates developments that will restore areas of flood plains in the District, improving water-retention capacity of the catchments. This will assist with the reduction of flood risk and the delivery of Biodiversity Action Plan targets.
- 4.65 Further guidelines on the Council's requirements for the management and mitigation of flood risk will be provided through supplementary planning guidance based on the Council's Strategic Flood Risk Assessment and which will incorporate up-to-date details of identified areas of flood risk.

ENV5 In areas with a high risk of flooding¹ proposals for new development will only be permitted where:

- 1) Exceptionally, within functional flood plain areas, it relates to essential transport or utilities infrastructure**

¹ Areas identified as having an annual probability of flooding (with defences where they exist) of 1% or greater for fluvial flooding and 0.5% or greater for tidal flooding, in the latest Environment Agency indicative flood plain map.

which cannot be located in a lower risk area, and which is designed to remain operational even in times of flood.

- 2) Within or adjacent to existing settlements, an appropriate standard of flood defence can be maintained or provided for the lifetime of the development, and proposals incorporate appropriate flood management and mitigation measures, including flood resistant construction, the provision of flood warning and evacuation procedures, laying out development to ensure that non-critical area flood first, and the incorporation of sustainable urban drainage systems.**
- 3) Elsewhere within undeveloped flood plains, proposals relate to agriculture, essential transport and utilities infrastructure, job related residential accommodation, or exceptionally, non-residential development with particular locational requirements for which an alternative lower risk location is not available, and for which associated compensatory flood storage measures are provided.**

Development proposals which impede the functional flood plain and flood flows, adversely affect the stability and continuity of or access to flood defences, or which materially increase the risk of flooding elsewhere will not be permitted.

All proposals in areas subject to a risk of flooding must be accompanied by a flood risk assessment appropriate to the scale and nature of the development, prepared in consultation with the Environment Agency.

Renewable Energy

- 4.66 PPG22 (Renewable Energy, 1993) and subsequent Annexes advise that local authorities should consider what contribution their area can make in meeting the need for the increased use of renewable energy within the context of sustainability.
- 4.67 The District Council acknowledges the national commitment to stimulate the development of new and renewable energy sources wherever they have prospects of being economically attractive and environmentally acceptable. This will contribute to the provision of diverse, secure and sustainable energy supplies; to reducing the emission of pollutants; and to encourage internationally competitive industries.
- 4.68 There is a wide range of renewable energy technologies now available. These include municipal solid waste schemes, landfill gas/anaerobic digestion, wind power, biogas, energy from crops and forestry, solar energy, hydro-electricity, wave and tidal power, and geothermal energy. The Secretary of State is empowered to make orders requiring the regional electricity companies to secure a specified capacity of their electricity

supply from non-fossil fuel sources. This requirement, known as the Non-Fossil Fuel Obligation (NFFO) provides the main stimulus for the exploitation of renewable energy.

- 4.69 Whilst the District is unlikely to be a suitable location for some types of renewable energy schemes (average wind speeds for example may be insufficient to make wind turbines viable), planning consent has been granted for a biomass powered gasification plant, south of Roall Lane Waterworks, Eggborough, which has been offered a contract under NFFO-3, and other proposals may come forward.
- 4.70 Proposals to harness renewable energy can display a variety of factors peculiar to the technology involved. Moreover, such schemes can have particular locational constraints since, in many cases, the resource can only be exploited where it occurs. The District Council will need to consider both the immediate impact of renewable energy projects on the local environment and their wider contribution to reducing emissions of greenhouse gases.
- 4.71 Proposals for renewable energy schemes will need to be balanced with the need to protect other important environmental features. PPG22 makes it clear for example that renewable energy proposals in designated areas will be subject to rigorous examination, and in the case of the Green Belt, very special circumstances will be needed to justify development. In addition, other Local Plan policies to protect nationally and locally important features will be taken into account when considering proposals. These will include Locally Important Landscape Areas, historic parks and gardens, archaeological sites, listed buildings, scheduled monuments, conservation areas, nature conservation sites and historic battlefields.

ENV6 Proposals for the development of renewable energy will be permitted provided that:

- 1) The scheme will not have a significant adverse effect on the immediate and wider landscape;**
- 2) The scheme is located in close proximity to the electric grid or user buildings in order to keep new power lines to a minimum;**
- 3) The proposal would not give rise to nuisance by virtue of noise, vehicular movements, emissions and electromagnetic interference;**
- 4) The proposal would achieve a high standard of design, materials and landscaping; and**
- 5) Adequate measures are incorporated to safeguard local amenity and highway safety during construction.**

Where appropriate, planning conditions will be used to secure the restoration of the site in the event of subsequent decommissioning.

SECTION TWO: NATURE CONSERVATION

- 4.72 The importance of environmental considerations in maintaining and improving the quality of life now is widely recognised. The UK Biodiversity Action Plan, which resulted from the Rio Earth Summit 1992, focuses attention on species and habitats in both a local and global context. The District Council recognises the principles set out in both the Action Programme and national planning guidance in PPG9 (Nature Conservation, 1994) for safeguarding and promoting biodiversity. In order to achieve sustainable forms of development it is important that nature conservation issues should not be viewed as subsidiary to social and economic needs but should now be a key part of all land use policies and proposals. The District Council is keen to promote biodiversity in the local environment and is working with the County Council, and a local steering group, to produce a Biodiversity Action Plan for the District.
- 4.73 A key component of the Biodiversity Action Plan (BAP) process has been the identification of 'natural areas' by English Nature. Natural areas contain a particular geology, wildlife, land use and cultural heritage which distinguish them from other natural areas in the UK. In Selby District three Natural Areas have been identified; the Humberhead Levels, the Southern Magnesian Limestone Area and the Vale of York and Mowbray Natural Area. The distinctive nature of each area generates specific objectives for habitat restoration and protection and the profiles will form an important reference point for the production of the BAPs.
- 4.74 Whilst approved Structure Plan Policy E6 affords protection to sites of national nature conservation importance, the District Council wishes to ensure that the value of the local environment is not overlooked, particularly since less than 4% of the Plan area is covered by semi-natural habitats. In accordance with PPG9 (Nature Conservation, 1994) the Local Plan acknowledges the relative significance of international, national and local designations. In all cases proposals for development will be assessed by weighing the grounds in favour of development against the nature conservation value of the site. Thus any development that would harm a site of national or international status would have to be of such fundamental national importance that it would outweigh the irreplaceable nature of the resource.
- 4.75 In addition to land use policies contained in this Local Plan it is proposed to supplement the conservation of natural habitats through positive measures such as countryside management, the management of Council owned land, the use of development briefs and by effective development control and enforcement procedures.

International Wildlife Sites

- 4.76 The extensive series of flood meadows, pastures and wet woodlands in the lower Derwent Valley are acknowledged for the international importance of the wetland and water fowl habitats. This includes designation as a

RAMSAR site¹, a Special Protection Area² and Candidate Special Area of Conservation (SAC³). The highest possible level of protection will be afforded to these habitats which contain rare and valuable species of migratory birds. The river Derwent and Skipwith Common are also Special Areas of Conservation which have been included in the Register of European Sites as they contain habitat types and/or species which are rare or threatened within a European Context.

ENV 7 Proposals for development within or which may affect a European wildlife site, a proposed European wildlife site or a Ramsar site, will be subject to the strictest control. Development not directly connected with or necessary to the management of the site and which is likely to harm the site's nature conservation interest will only be permitted if there is no alternative solution and there are imperative reasons of overriding public interest.

National Wildlife Sites

- 4.77 Nationally important sites are designated as National Nature Reserves or Sites of Special Scientific Interest (SSSIs) by English Nature. The District Council has a duty to consult English Nature where proposals are submitted for development affecting such sites.
- 4.78 There are currently 13 designated SSSIs in the Plan area which are defined on the Proposals Map and listed in Appendix 6. They represent some of the best remaining semi-natural habitats, including areas of grassland, woodland, heathland and geological importance.
- 4.79 In addition to its acknowledged international importance, the Derwent Valley has SSSI status. Part of the area is also owned and managed by English Nature as a National Nature Reserve. Skipwith Common SSSI, which is managed by Yorkshire Wildlife Trust, represents the largest, stretch of lowland heath in the north of England, and is considered by English Nature to be worthy of National Nature Reserve status. Tadcaster Mere is the only site notified because of its geological importance.
- 4.80 SSSIs are afforded a very strict level of protection and, under the terms of the Wildlife and Countryside Act 1981, owners and occupiers of land have a duty to give English Nature four months notice of their intention to carry out potentially harmful operations.

ENV8 Proposals for development within, or which may affect, sites of special scientific interest or national nature reserves will be subject to strict control. Development which is likely to harm the site's nature conservation or geological interest

¹ Ramsar Site (Wetland of International Importance) – The convention on Wetlands of International Importance, especially waterfowl habitats, was adopted by the international community at a meeting held at Ramsar, Iran in 1971.

² Special Protection Area (EC Birds Directive) – A Directive issued in April 1979 concerning the protection of Wild Birds.

³ Candidate Special Area of Conservation – Part of the European Natura 2000 series derived from the Habitats Directive and Birds Directive which aims to provide protection for the rarest sites in Europe with regards to a particular habitat.

will not be permitted unless there are no reasonable alternative means of meeting the development need and the reasons for the development clearly outweigh the value of the site itself and the national policy to safeguard the intrinsic nature conservation and geological value of the national network of such sites.

Sites of Importance for Nature Conservation

- 4.81 In addition to internationally important and statutory wildlife sites there are many other sites of county wide or local nature conservation significance that are worthy of protection. The most important sites have been identified in a field by field (Phase 1) habitat survey, undertaken by the Yorkshire Wildlife Trust and completed in 1988. This survey information is held by the District Council in a 'directory of Nature Conservation Sites', which will be available for public inspection.
- 4.82 Sites are graded from 1 to 5; Grade 5 representing the very best sites harbouring rare species and Grade 4 supporting particularly fine examples of habitat type and/or uncommon species. Most replanted ancient woodlands and sites which represent the only remaining local examples of a habitat type were classified Grade 3. Grade 1 and 2 include lesser areas of conservation interest, primarily of local interest or sites with wildlife potential or areas which could be improved given better management. Sites classified as Grade 4 or 5 which constituted the most valuable 25% of identified sites (including SSSIs), together with Grade 3 ancient semi-natural woodland and ancient replanted woodland, were considered worthy of protection by previous planning policy in the adopted Rural Areas Local Plan. Information is becoming available regarding Regionally Important Geological Sites (RIGS), which will be incorporated in future reviews.
- 4.83 Because of the continuing concerns over the loss and damage to wildlife habitats, the District Council commissioned a complete resurvey of Grade 3 sites. The study was undertaken in 1993/94 by the Yorkshire Wildlife Trust and funded jointly by the Trust, the District Council, English Nature and the World Wildlife Fund. The survey has helped establish whether sites still exist, and provides more up-to-date information in order to enable regradings to be made where appropriate. In particular, it demonstrates the continuing deterioration, especially of Grade 3 sites, which relate mainly to areas of ancient woodland and sites representing the only remaining local examples of habitat types.
- 4.84 The District Council remains committed to the protection of locally significant nature conservation sites. On the basis of more up-to-date information it is considered appropriate to extend protection to all Grade 3 sites. A total of 144 currently identified sites of importance for nature conservation are defined on the Proposals Map and listed in Appendix 7. The views of the Yorkshire Wildlife Trust will be taken into account in connection with proposals affecting such sites.
- 4.85 The Council will encourage further survey and monitoring of the wildlife resources of the District having regard to the budgetary implications of this work.

- 4.86 One of the ways in which Local Authorities may contribute toward the maintenance and enhancement of locally important habitats is through the designation and management of Local Nature Reserves. There are currently two Statutory Local Nature Reserves in the Plan area, namely Fairburn Ings and Barlow Common. Fairburn Ings comprises a series of lakes and surrounding low-lying wetland which has resulted from mining subsidence. This is managed by a consortium of Local Authorities and the Royal Society for the Protection of Birds.
- 4.87 The District Council also owns and manages the site of a former quarry and railway sidings at Barlow Common, for both nature conservation and countryside recreation purposes. With regard to this site, the area designated as a statutory Local Nature Reserve incorporates a series of lakes, woodland and remnants of the original common. A number of other sites are managed by the Yorkshire Wildlife Trust.
- 4.88 The District Council will investigate the potential for establishing additional reserves in consultation with English Nature, the Yorkshire Wildlife Trust, the Countryside Agency and other agencies.

ENV9 Proposals for development which would harm a local nature reserve, a site of local importance for nature conservation or a regionally important geological/geomorphological site, will not be permitted unless there are no reasonable alternative means of meeting the development need and it can be demonstrated that there are reasons for the proposal which outweigh the need to safeguard the intrinsic local nature conservation value of the site or feature.

General Nature Conservation Considerations

- 4.89 The District Council is concerned that all development proposals should minimise the effect on nature conservation interests. On the rare occasions when the need for development overrides the nature conservation interests on designated sites, the District Council will, through the use of planning obligations, ensure that appropriate measures are undertaken to minimise disturbance or to create new habitats elsewhere.
- 4.90 In addition to acknowledged sites of nature conservation importance, the Plan area contains a rich variety of habitats, including sites with recreational and amenity potential. Whenever any potentially damaging development is allowed, care must be taken to minimise the harm caused and it may be appropriate to incorporate arrangements for managing the remaining nature conservation interest. The following policy is intended to apply across the whole of the Plan area not just to designated sites.

ENV10 Where development proposals, which affect a site of nature conservation interest, are acceptable in principle, any harm to the nature conservation interest should be kept to a minimum. Where appropriate the developer will be expected to incorporate compensatory measures including the implementation of schemes for habitat creation and/or enhancement within the site or locality, and proposals to ensure future management.

Ancient Woodland

- 4.91 Ancient woodlands have existed from at least medieval times without ever having been cleared for uses other than wood or timber production. Many are relics of Britain's prehistoric woods which developed after the last ice age representing the last direct links with the lost lowland forests. Ancient woodlands are important for nature conservation because their wildlife communities are generally richer than those of recently planted woodlands, often containing a high proportion of rare and vulnerable species which require the stability afforded by the continuity of woodland cover. Existing plant communities include the tree and shrub layer, the ground vegetation, lichens and mosses and undisturbed soils. Even when felled and replanted they retain much of their special wildlife interest. English Nature estimated that ancient woodlands represent only 1.8% of the total Plan area, the majority of which are under 10 hectares in size (Inventory of Ancient Woodlands 1987). In view of the small number of remaining ancient woodlands, their small extent as a proportion of land area and their high nature conservation value it is important that remaining ancient woodlands and ancient replanted woodlands are protected and managed sympathetically.

ENV11 Development will not be permitted where it is likely to cause loss of, or damage to, an ancient woodland, unless the reasons for the development outweigh the nature conservation value of the woodland.

River and Stream Corridors

- 4.92 Linear features such as rivers, streams and canal corridors provide important amenity and wildlife resources. The importance of such features cannot be underestimated, since it is increasingly recognised that wildlife cannot survive in isolated sites separated by development or hostile environments. This is particularly relevant in Selby District which has been subjected to intensive farming practices for several decades.
- 4.93 In addition to providing important resources for nature conservation, many river and stream corridors provide valuable opportunities for informal recreation, outdoor relaxation and education. Within urban areas, particularly where they are tree-lined, they also contribute to the visual character and general amenity of an area.
- 4.94 It is important to ensure that the nature conservation, recreational and general amenity of river and stream corridors is not impaired by new development. Existing features may be enhanced and new links provided in association with specific development allocations and through other proposals for development.

ENV12 Proposals for development likely to harm the natural features of or access to river, stream and canal corridors will not be permitted unless the importance of the development outweighs these interests, and adequate compensatory measures are provided.

Ponds

- 4.95 A National Survey carried out by DeMontfort University between 1983 and 1992 indicates that 65% of ponds (approximately 500,000) have been lost in Britain in the last 100 years. According to this research, ponds are still being lost at a rate of 1.5% (4,000 ponds) per year. Changes in agriculture, pollution, increased land drainage, neglect and development have all contributed to this loss.
- 4.96 Many ponds provide wildlife habitats supporting a wide variety of wetland plants and animals, although their value has often been overlooked and undervalued. Ponds can also be important for the contribution they can make to village character and landscape in the wider countryside. Proposals for development which may have an impact on such features will be assessed in consultation with English Nature, the Yorkshire Wildlife Trust and the Pond for People Conservation Trust.

ENV13 Proposals for development which would harm the landscape, townscape, historical or wildlife value of a pond will not be permitted unless:

- 1) The need for a particular development outweighs the particular value of the pond;**
- 2) An equivalent habitat can be created on site or elsewhere in the locality which will provide the same landscape, townscape or wildlife value of the existing pond; and**
- 3) Appropriate management measures are incorporated in the scheme.**

Protected Species

- 4.97 Part 1 of the Wildlife and Countryside Act 1981 establishes the level of protection which may be afforded to wild plants and animals. Legislation such as the Badgers Act 1992 exists to allow special protection to certain species. Such legislation is reinforced by the 1992 EC Habitats and Species Directive. Clearly it would be unacceptable for planning permission to be implemented where this would be detrimental to the habitats of protected species. PPG9 (Nature Conservation, 1994) advises that the presence of a protected species is a material planning consideration and suggests precautionary measures such as the use of planning conditions or planning obligations to secure their protection. Consultation with English Nature will be undertaken on all occasions when development may affect protected species.

ENV14 Development and other land use changes which may harm badgers and other species protected by Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981, as amended, or the EC Habitats and Species Directive will not be permitted.

To avoid harm to the species the local planning authority may consider the use of conditions and planning obligations which seek to:

- 1) Facilitate the survival of individual members of the species;**
- 2) Reduce disturbance to a minimum; and**
- 3) Provide adequate alternative habitats to sustain at least the current levels of population.**

SECTION THREE: LANDSCAPE

- 4.98 Virtually the whole of the Plan area is low lying. It comprises generally open, sparsely wooded, arable landscapes dissected by a number of major watercourses, including the rivers Ouse, Wharfe, Aire and Derwent (which forms the eastern boundary of the Plan area) and numerous drainage ditches.
- 4.99 To the east, the landscape is formed by a series of drainage basins and associated washlands and is typified by large open fields with low intermittent hedges. It is dominated by extensive views of industrial development around Selby and coal fired power stations along the Aire Valley to the south. To the west, a north-south running outcrop of magnesian limestone has produced a generally undulating lowland ridge, giving extensive views over adjacent lowlands.
- 4.100 As in other areas, the impact of modern agricultural practices, road building and urban development has had a profound effect with extensive loss of hedgerows, woodland, grassland and other features. Surviving woodlands (many of which are of ancient origin), parklands, copses, hedgerows and individual trees contribute significantly to the appearance of the countryside particularly in the absence of prominent topographical features. The District Council recognises the need to resist proposals that will further erode traditional landscapes and surviving tree cover and to promote the re-establishment of landscape structure. Policies and proposals in this section are intended to ensure that new development enhances the landscape and promote sound management practices.

Locally Important Landscape Areas

- 4.101 A Landscape Assessment of the District was undertaken by consultants on behalf of the District Council in 1998, which identifies 10 Local Landscape Character Areas reflecting the Countryside Agency's classification of Countryside Character. These areas are based on the three Regional Character Areas (RCAs) which affect the District. These RCAs comprise:
- The Vale of York
 - Southern Magnesian Limestone, and
 - The Humberhead Levels

Of the 10 identified character areas, 8 lie within the Humberhead Levels RCA, whilst the 'York Fringe Character Area' lies within the Vale of York RCA and the 'Selby Limestone Ridge Character Area' lies within the Southern Magnesian Limestone RCA. Any proposals for development and associated landscaping will need to have regard to the various characteristics of each area.

- 4.102 Unlike other parts of North Yorkshire, the Plan area contains no landscape features worthy of national or regional recognition. The most attractive landscapes are associated with the belt of limestone country in the western part of the Plan area. Here, the landscape exhibits a more undulating topography and richer tree cover than that encountered elsewhere, including remnants of ancient woodland and parkland. Settlements are characterised by the use of local limestone in traditional buildings, including a number of prominent stone walls. In order to help conserve the landscape character of this area, additional controls are proposed to ensure that development proposals achieve a high standard of design although these controls are not intended to restrict development.
- 4.103 Two other landscape features are considered worthy of local recognition in an otherwise low lying landscape. These comprise Hambleton Hough and Brayton Barff located to the south-west of Selby. Their significance is attributable to the outcropping of Triassic sandstone above the glacial till of the surrounding area. Both are extensively wooded, further enhancing their prominence.
- 4.104 The above areas have been defined as Locally Important Landscape Areas, the boundaries of which are defined on the Proposals Map. In considering proposals for development, the District Council will resist schemes that would be harmful to their character and scenic quality.

ENV15 Within the locally important landscape areas, as defined on the proposals map, priority will be given to the conservation and enhancement of the character and quality of the landscape. Particular attention should be paid to the design, layout, landscaping of development and the use of materials in order to minimise its impact and to enhance the traditional character of buildings and landscape in the area.

Historic Parks and Gardens

- 4.105 The Plan area contains a number of historic parks and gardens that make a significant contribution to the landscape quality and character and appearance of the countryside. Nun Appleton Hall is included within the national register of Parks and Gardens of National Historic Interest. This Register is maintained by English Heritage.
- 4.106 Other sites of local importance have been identified following research carried out by the District Council in collaboration with the Institute of Advanced Architectural Studies at York University. These sites are significant because of their local historical interest or because they contain significant open space, nature conservation and/or archaeological features. Many represent a potential education resource although not all are publicly accessible. The views of English Heritage and the Garden History Society

will be sought regarding development proposals which may affect an historic park or garden, whether in the national register or of more local interest.

- 4.107 The following policy is intended to safeguard the character, appearance and historic value of both nationally and locally important sites. In its application, greater weight will be attached to sites on the national register than to sites of local importance. The sites are defined on the Proposals Map and listed in Appendix 8. Whilst sources of funding may be limited, the Countryside Stewardship Scheme, currently administered by DEFRA, may assist appropriate works. Proposals for the restoration of historic parks and gardens should be based on thorough historical research.

ENV16 Development proposals affecting historic parks or gardens will only be permitted where the appearance, setting, character or amenity of an historic park or garden would not be harmed.

Historic Battlefields

- 4.108 English Heritage has compiled a Register of Historic Battlefields, based on archaeological remains and other records, in relation to sites associated with significant battles. Towton Battlefield (as defined on Inset Map 63 and the main Proposals Map) was the site of an historic battle which took place on 29 March 1461 in which it has been estimated that around 28,000 men were killed. The Battle represents a decisive point in the War of the Roses, and resulted in a significant victory for the Yorkists over the Lancastrians.
- 4.109 The designation is a material planning consideration which will need to be taken into account in any proposal for development which may affect this site, and any future designations. In assessing proposals for development, the Council will consult English Heritage.

ENV17 Development proposals likely to harm the historical, archaeological or landscape interest of a registered historic battlefield will not be permitted.

Landscape Enhancement

- 4.110 In recognition of the considerable pressures acting on the countryside, the County Council adopted a Conservation Strategy in 1991 identifying priorities for countryside conservation. The Strategy aims to ensure that the most valuable habitats and landscapes are protected. Encouragement is also given to the development of new landscapes and landscape restoration in those areas which have experienced greatest landscape change.
- 4.111 Many woodland features such as hedgerows and trees have been lost through the incremental effects of intensive agricultural practices over a prolonged period of time. More recently the effects of urbanisation and improvement in road infrastructure have had a significant impact. In many areas there is little remaining landscape structure worthy of restoration. Positive action will be needed to create new landscapes and to encourage

the conservation and maintenance of remaining features such as trees, hedges, ponds and woodlands.

- 4.112 The Conservation Strategy incorporates a number of initiatives to combat these problems including promoting woodland planting, management and hedge restoration and complementary work by other agencies and landowners. The countryside around Selby has been especially targeted for concerted action. Other priorities include efforts to upgrade the landscape along key road corridors, including the A19 south of York, and in association with the proposed upgrading of the A1 to motorway status.
- 4.113 The maintenance and improvement of the rural character of the area is important to both the quality of life and environment enjoyed by residents and visitors. It is also important as a stimulus to inward investment. The District Council supports the measures proposed by the County Council and will concentrate its own resources to help bring about improvements. Where appropriate, initiatives undertaken by other agencies which make a positive contribution to the quality of the landscape will be supported.

Countryside Management

- 4.114 Following Local Government Reorganisation in North Yorkshire in 1996, the District Council is no longer able to provide a District-wide Countryside Management Service. Resources will continue to be directed toward the management of Barlow Common Nature Reserve and to other individual projects which will enhance the countryside heritage and landscape of the District. Continued support will also be given to organisations and individuals who wish to make a positive contribution to the conservation and enhancement of the landscape and wildlife interest of the District.

Trees and woodland

- 4.115 The North Yorkshire Conservation Strategy (1991) has highlighted the deficiencies that exist within the Selby District with regard to both woodland and hedgerow cover. Less than 5% of the total area is covered by woodland, including new plantations, a figure which is approximately half the national average. Surviving woodlands and hedgerows, however, form a key component of the landscape, particularly in view of the generally flat topography and absence of other prominent features. Many are also significant in terms of the wildlife habitats they provide, particularly woodlands of ancient origin, and the District Council acknowledges the importance of resisting further losses and promoting new planting initiatives where possible. Smaller woodlands, copses and even individual trees also contribute to the character and appearance of the countryside, and the many towns and villages within it.
- 4.116 The District Council carries out tree planting principally at Barlow Common Nature Reserve. Other schemes operating within the urban areas have concentrated on estate and town centre enhancement, for example, tree planting around Selby Abbey.
- 4.117 Grants for new woodland and tree planting are available from various organisations including the Forestry Authority, DEFRA, the County Council, English Nature, the Countryside Agency and the Country Landowners'

Association. The Farming and Wildlife Advisory Group provides advice on sources of grant aid and preparing detailed plans for planting schemes. The British Trust for Conservation Volunteers provides practical help for planting and conservation schemes.

- 4.118 In carrying out or supporting proposals for new tree planting, the District Council will try to ensure the use of native species, where appropriate, according to the need to protect a site's nature conservation and landscape qualities. Similarly, when consulted by the Forestry Authority on applications in connection with Woodland Grant Schemes it will seek to ensure the replacement of felled trees with native, broadleaved species where appropriate. Care will be taken to avoid new planting within areas of existing wildlife interest or on sites of archaeological interest.

Tree Preservation Orders

- 4.119 The District Council is empowered to protect individual trees, groups of trees or woodland areas by making Tree Preservation Orders and can prevent the removal without prior consent of protected trees which have amenity, landscape or nature conservation value. Individual trees of known importance for roosting or hibernating bats are also eligible for protection under schedule 5 of the Wildlife and Countryside Act 1981. As at April 1997 there were 237 confirmed Tree Preservation Orders in force throughout the Plan area. Additional protection is afforded to trees within the boundary of a conservation area.
- 4.120 Any individuals, groups, Parish Councils or the District Council may request that a Tree Preservation Order be placed upon a tree, group of trees or woodland area regardless of whether the tree is under threat either by felling or subject to planning permission.
- 4.121 In appropriate circumstances, consent may be granted for works required to achieve proper pruning, topping or even removal of a tree provided there are sound arboricultural reasons. These may include measures to ensure the wellbeing of any particular tree, such as the need to remove dead wood to reduce the weight of the crown of large mature trees, or to remedy earlier injudicious pruning. The removal of a tree may be justified where it is overcrowding and suppressing other trees, and in other exceptional circumstances. In the event of the loss of a tree subject to a Tree Preservation Order, the District Council will normally require replacement trees to be planted to an appropriate scale and standard.
- 4.122 In considering development proposals adjacent to trees which will be retained, the Council will be guided by the system, produced by the Greater Yorkshire Tree Officers Group (GYTOG), for calculating minimum distances between trees and new residential development.

ENV18 When determining applications to fell or to carry out other works to trees subject to tree preservation orders, the council will take into account the health and stability of the trees, their likely future lifespan and the continuing contribution of the trees to public amenity.

Hedgerows

- 4.123 Hedgerows make an important contribution to the quality of the environment in terms of both their landscape and nature conservation value, for example, acting as wildlife corridors. Hedgerows have a significant part to play in conserving and enhancing biological diversity since well-established hedgerows often contain a great diversity of plants and wildlife species. The Government estimates that between 1984 and 1993 approximately 68,000 kilometres of hedgerow were grubbed out from the countryside of England and Wales. A regulatory regime which came into force in 1997 was designed in response to the problem of hedgerow destruction.
- 4.124 The Hedgerow Regulations 1997 came into force on 1 June 1997 and are likely to be amended following a review of the Regulations announced in July 1998. The Regulations aim to protect important hedgerows in the countryside by controlling their removal through a system of prior notification. The key element of the hedgerow protection system is the criteria which define importance. These criteria are based upon landscape, wildlife, archaeological and historical criteria.
- 4.125 The District Council will seek to protect important hedgerows through the operation of the Regulations and will support measures which improve the existing Regulations giving greater protection to remaining hedgerows. Grants for the voluntary restoration and management of hedgerows are available through the Countryside Stewardship Scheme operated by DEFRA.

POLICY ENV19 is deleted

Strategic Landscaping

- 4.126 The scarcity of tree cover and other landscape features in parts of the Plan area has resulted in a very harsh, and in some cases, insensitively developed edge to many settlements. Landscaping on the edge of settlements can make a positive contribution to the proper assimilation of new development in the countryside. Such landscaping can provide a positive backcloth and distinctive edge to built-up areas whilst softening the appearance of development.
- 4.127 In identifying sites for new housing and employment related development, care has been taken to select locations where development would not spoil the setting of existing settlements. At the same time, new development proposals may present opportunities for landscape enhancement including the incorporation of new tree belts, copses and hedgerows. Where development schemes are acceptable in principle, and taking account of the circumstances of the site, the District Council will require the incorporation of fully integrated landscaping proposals on a scale which will provide effective screening and enhancement of development, particularly along the approaches to settlements. This may include a specific requirement for 'strategic landscaping' of native species as part of any proposal for large-scale development or development at the edge of a built-

up area. Proposals may also incorporate provision of off-site planting. However, bulk planting or high quality landscaping should not be seen as a substitute for a well located or designed scheme.

ENV20 Where it is necessary because there is inadequate landscaping related to large-scale development or development at the edge of settlements, such proposals will be required to incorporate a substantial element of strategic landscaping (which may be off-site) as an integral part of the scheme.

Landscaping Requirements

- 4.128 POLICY ENV1 emphasises the importance that will be attached to landscaping in considering proposals for development. Where appropriate, high quality landscaping proposals should be incorporated as an integral part of development schemes. The purpose of the following policy is to give more detailed guidance in order to ensure that proper consideration is given to the retention, replacement and planting of trees, hedgerows and other landscape features. As well as strengthening existing landscape structure, the quality of new development can be greatly enhanced by the imaginative use of such features.
- 4.129 The District Council will require the early submission of landscaping proposals, including maintenance arrangements, as an integral part of applications for planning permission. In assessing new development proposals, where appropriate, conditions will be imposed to ensure that landscape features are retained or created by new planting. New tree planting and other landscaping should use native, locally occurring species as far as possible. Adequate protection should also be afforded to trees and hedgerows during construction.
- 4.130 Landscaping schemes which are required to be submitted as part of any application for development should specify the following:
- Areas to be grass seeded, turfed or landscaped;
 - The positions and species of all trees, hedgerows and shrubs to be retained;
 - The numbers, species and heights of all trees, hedgerows and shrubs to be planted;
 - The location and type of all proposed means of enclosure and hard landscaping;
 - Means of access for watercourse maintenance when schemes are situated in the vicinity of watercourses; and
 - The way in which landscaping will reflect and enhance local character.

It is proposed to publish supplementary guidance for developers and the general public elaborating the Council's precise requirements with regard to

landscaping and subsequent maintenance having regard to Circular 11/95 (The Use of Conditions in Planning Permissions).

- ENV21 A) Where appropriate, proposals for development should incorporate landscaping as an integral element in the layout and design, including the retention of existing trees and hedgerows, and planting of native, locally occurring species.**
- B) The District Council may make tree preservation orders, impose planting conditions, or seek an agreement under Section 106 of the Town and Country Planning Act 1990 to ensure the protection and future maintenance and/or replacement of existing trees, hedgerows and proposed new planting.**

SECTION FOUR: BUILT ENVIRONMENT

- 4.131 The built environment of the Plan area encompasses the three towns of Selby, Tadcaster and Sherburn in Elmet, and numerous villages and smaller hamlets in the surrounding countryside. The identity of many of these settlements is reflected in the local vernacular architecture which stands as a record of their ecclesiastical, agricultural and industrial heritage. The Local Plan seeks to protect the historic framework of settlements, the character of which is made up of buildings, open spaces, passage ways, land boundaries and backland areas.
- 4.132 Many settlements exhibit considerable environmental quality and character which has been acknowledged through the designation of 23 conservation areas. There are also over 610 listed buildings of special architectural or historic importance.
- 4.133 Policies in this section are aimed at safeguarding the built heritage of the area, including archaeological remains and preserving and enhancing the character and appearance of existing settlements.
- 4.134 Historic buildings are one aspect of today's environment. The open spaces around such buildings are also important. They provide the setting for buildings and settlements, and thus contribute to their character. Considerable emphasis is placed on the quality of new development, including the impact of advertisements, in order to enhance the built heritage of the Plan area.

Protection of Listed Buildings

- 4.135 The Plan area contains many buildings of special architectural and historic interest which make a substantial contribution to the quality of the environment. The majority reflect the agricultural and ecclesiastical history of the area, although there are some examples of more unusual building types, such as Hazlewood Castle, Steeton Hall Gatehouse, Tadcaster Viaduct and the group of Victorian and Edwardian warehouses along the Ouse frontage at Selby. Over 610 buildings are included in the list of buildings of special architectural or historic interest and therefore protected

under the provisions contained in the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 4.136 PPG15 (Planning and the Historic Environment, 1994), which provides guidance on Listed Buildings and Conservation Areas, emphasises that listed buildings are a finite resource which should be preserved. Annex C of PPG15 provides detailed guidance on alterations to listed buildings. Listed Building Consent is required prior to works that would materially affect the character of a listed building. It is a criminal offence to carry out any works of alteration including partial demolition without first obtaining Listed Building Consent.
- 4.137 The entire fabric, both internal and external, of a listed building is protected. This includes internal features such as doors, skirting and fireplaces. Similarly, the setting of a building of special architectural or historic interest is often an essential feature of its character, and listing encompasses any boundary walls, fences, curtilage buildings and associated land. Proposals for development within the garden or grounds of a listed building or within the locality should be sympathetic in scale, proportion, design and materials. This principle may extend well beyond the immediate surroundings depending on the significance of the building in the streetscene or on the skyline. Special regard will be paid to the desirability of preserving listed buildings, their settings and any features of special architectural or historic interest they possess.

ENV22 Development will not be permitted where it would have a detrimental effect on the character, fabric or setting of a listed building.

Demolition of Listed Buildings

- 4.138 PPG15 (Planning and the Historic Environment, 1994) emphasises that there must be a general presumption in favour of preserving listed buildings.
- 4.139 This means that demolition of a listed building is always an exceptional circumstance. Whilst works of alteration to Grade II buildings are usually within the control of the District Council, alterations to Grade II* and Grade I buildings, and proposals for full demolition are considered by the Secretary of State.
- 4.140 Proposals for demolition will not be allowed unless applicants can demonstrate that realistic efforts have been made to continue the present use or find a suitable alternative use. In considering proposals the Council will also take into account the merits of alternative proposals for the site including the planning benefits for the community or environment.

ENV23 The total or substantial demolition of a listed building will only be permitted where it can be demonstrated that:

- 1) All reasonable and imaginative efforts have been made to retain the existing use or find compatible alternative uses; or**

- 2) **Redevelopment would produce substantial planning benefits for the community or environment that would decisively outweigh the building's loss.**

Where a listed building is allowed to decay to the point where it is in danger of structural collapse, or is in an extremely poor state of repair, the district council will, where appropriate, exercise its powers to secure the preservation of the building.

Alterations to Listed Buildings

- 4.141 The special historical or architectural interest of a listed building reflects the completeness of its structure and fabric. A distinction must be made between works necessary to keep a building in good repair or to facilitate its future use, and alterations attributable to the personal requirements of the owner or changes in fashion that are not necessary to secure the future use of the building. Any proposal that would result in the loss or irreversible damage to the historic fabric of a listed building will be resisted. Annex C of PPG15 (Planning and the Historic Environment, 1994), gives guidance on alterations to Listed Buildings and the Council will pay particular regard to this advice when determining applications for the alteration of a listed building.
- 4.142 Proposals to extend a listed building should be sympathetic in scale, proportion, design and materials to the existing building and should not detract from the character or setting of the building.
- 4.143 Economic and social factors have resulted in certain building types, such as barns and dovecotes, falling into disuse. These are often subject to proposals for conversion and change of use for other purposes. Proposals must have regard to the overriding requirement to preserve the fabric and special interest of the building. The best use will often be the use for which the building was originally designed and this should be the first option. However, where the continuation or reinstatement of that use is not viable or appropriate, the aim should be to identify the optimum viable use that is compatible with the fabric, interior and setting of the historic building. This may not be the most profitable use.

ENV24 The conversion, alteration, extension or change of use of a listed building will only be permitted where it can be demonstrated that the proposal:

- 1) **Would not have any adverse effect on the architectural and historic character of the building, and its setting;**
- 2) **Is appropriate in terms of scale, design, detailing and materials; and**
- 3) **Would not harm the historic fabric of the building.**

Maintenance of Listed Buildings

- 4.144 A national survey of “Buildings at Risk” undertaken on a voluntary basis by Local Authorities in 1991 revealed that 3% of the listed buildings in the Plan area were in need of urgent repair, with a further 7% likely to be in need of attention in the longer term. The continuing deterioration of the structural condition of many buildings is a matter of concern.
- 4.145 The District Council’s responsibility with respect to listed buildings extends to consideration of the proper maintenance of such buildings. PPG15 (Planning and Historic Environment, 1994) emphasises that Local Authorities should make full use of the powers available to them, including serving notices requiring repair or urgent works of maintenance, on owners of listed buildings, where it is considered that the building is falling into a state of urgent disrepair, such that the structural wellbeing of the property is likely to be jeopardised.
- 4.146 It is appreciated that works to maintain or repair a listed building are often more difficult and expensive than equivalent works to buildings not on the statutory list. The District Council will continue to actively encourage the repair of buildings of special architectural or historic interest by providing advice and financial aid for eligible works, under the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990. In addition, the District Council will seek repair where appropriate, through powers to serve Repairs Notices and other statutory methods.

Designation of Conservation Areas

- 4.147 Conservation areas are defined as areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. The power to designate conservation areas is embodied in the Planning (Listed Building and Conservation Areas) Act 1990. Conservation area status acknowledges an area’s special character, declares confidence in its future and affirms that the planning authority will apply stringent control over development and demolition of property to retain its essential character and appearance. There are currently 23 designated conservation areas in the Plan area. The District Council has produced a detailed character statement for Selby Conservation Area and will carry out further assessments as necessary and as resources permit.
- 4.148 Local Authorities are required to keep under review the need for additional conservation areas. In preparing the Local Plan a number of potential new designations have been identified, which will be investigated in more detail as resources permit.
- 4.149 Village appraisals revealed a number of anomalies in existing conservation area boundaries, particularly in long standing designations. A review of Selby Conservation Area which was designated in 1969 was undertaken in 1996 and the boundary has been consequently amended¹. It is proposed

¹ Following a detailed review in 2003 the Selby Conservation Area was further revised and split into four separate Conservation Areas to reflect their individual characters. The four new areas: Selby Town, Leeds Road, Armoury Road and Brook Street, and Millgate are shown on the Inset Proposals Map.

to review, rationalise and/or extend boundaries of other conservation areas where appropriate, and in so doing, to take into account refinements in the legislation since original designations were undertaken.

Control of Development in Conservation Areas

- 4.150 The designation of a conservation area is a formal recognition of townscape quality. Many elements contribute towards the character and appearance of such areas, including the architectural and historic quality, character and coherence of the buildings, and the space around the buildings.
- 4.151 The conservation areas within the Plan area fall within 3 distinct types with respect to building materials:
- i) In the southern and western part of the Plan area, settlements sit on magnesian limestone and consequently all of the conservation areas along this belt have buildings of limestone. Throughout the remainder of the Plan area, brick is the traditional building material as the geology of the Vale of York includes an extensive drift deposit of boulder clay overlying the Bunter Sandstone.
 - ii) The villages in the eastern part of the Plan are of a dark red/brown brick which would be indicative of such clays.
 - iii) Conservation areas nearer to York have some buildings of much lighter Gault Brick, commonly found in the Cambridgeshire and Bedfordshire areas of the country.
- 4.152 It is important to ensure that proposals for new development are not detrimental to the character and appearance of a conservation area. National planning advice places the emphasis on control as opposed to the prevention of development. The continued prosperity of an area could be jeopardised if development was precluded by designation and it is not in the spirit of the legislation to create museum pieces. The recognition of the uniqueness of such areas does however necessitate that new development has due regard for the special architectural and visual qualities of that area.
- 4.153 Since the designation of an area as a conservation area is a recognition of its special character, it follows that such areas are sensitive to new development with respect to materials and design. Certain categories of minor development, which can normally be carried out without the need for planning permission under the General Permitted Development Order 1995, specifically require consent in conservation areas. These include various types of cladding, dormer windows and the erection of satellite dishes.
- 4.154 It is often not possible to assess the visual impact of a development proposal submitted in outline form. Planning legislation also empowers Local Planning Authorities to request further details of any or all reserved matters.

ENV25 Development within or affecting a conservation area will be permitted provided the proposal would preserve or enhance

the character or appearance of the conservation area, and in particular:

- 1) The scale, form, position, design and materials of new buildings are appropriate to the historic context;**
- 2) Features of townscape importance including open spaces, trees, verges, hedging and paving are retained;**
- 3) The proposal would not adversely affect the setting of the area or significant views into or out of the area, and**
- 4) The proposed use, external site works and boundary treatment are compatible with the character and appearance of the area.**

Where necessary in order to be able to fully assess proposals, the council will require applications to be accompanied by detailed plans and elevations showing the proposed development in its setting.

Demolition in Conservation Areas

- 4.155 Conservation area designation introduces additional control over the demolition of buildings. This is important because non-listed buildings within conservation areas often make an important contribution to townscape quality. Conservation Area Consent is therefore required for the total or substantial demolition of unlisted buildings within conservation areas. This enables proper assessment of the effect of demolition on the character and appearance of the conservation area.
- 4.156 PPG15 (Planning and the Historic Environment, 1994) indicates that the general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area, and proposals to demolish such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings. Consent for demolition will not be given unless there are acceptable and detailed plans for any redevelopment. It will often be appropriate to impose conditions requiring applicants to enter into contracts for the carrying out of works for development and to obtain planning permission for those works, prior to demolition.

ENV26 Within conservation areas proposals for the total or substantial demolition of buildings or features which make a positive contribution to the special architectural or historic interest of the area will only be permitted when it can be demonstrated that:

- 1) The building or feature is incapable of beneficial use; and**
- 2) Its removal and subsequent redevelopment of the site would benefit the character and appearance of the area. Consent for demolition will only be granted**

where prior approval has been given for redevelopment of the site and a building contract has been let.

Article 4 Directions in Conservation Areas

- 4.157 Additional control over development in conservation areas may be exercised by Local Authorities through the withdrawal of 'permitted development' rights for prescribed types of development covered by the General Permitted Development Order (GPDO). This may be appropriate where minor development, that can normally be carried out without the need for planning permission, is cumulatively leading to the erosion of the character of a conservation area, for example where original building features are replaced by inappropriate fittings.
- 4.158 The power to withdraw permitted development rights is embodied in Article 4 of the GPDO. Article 4(2) Directions apply to specified types of minor development that would materially affect the external appearance of dwelling houses such as replacement doors and windows, and roof materials. In making Directions, Local Authorities are required to publicise their proposals in advance and to have regard to the views of local people. The withdrawal of permitted development rights for other categories of development, through Article 4(1) Directions, requires the consent of the Secretary of State.
- 4.159 The District Council will consider making Directions in exceptional circumstances where the nature and/or extent of minor works is specifically undermining the character of a conservation area, particularly where publicly funded schemes of enhancement have been undertaken or are proposed. Subsequent applications for planning permission made necessary because of a Direction under Article 4 will be considered on their merits in the normal way.

Conservation Area Enhancement Proposals

- 4.160 The District Council has a statutory obligation under Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to seek to preserve or enhance conservation areas. Government advice recommends the adoption of a positive scheme for each area at an early stage. The majority of the conservation areas in the Plan area are centred on a main street. Such areas rely on the floorscape as an intrinsic part of their overall character and have suffered over the years from the gradual loss of traditional York Stone paving. The remainder of conservation areas focus on a village green or less formal central open space, most of which would benefit from positive enhancement in the form of sympathetic boundary treatments and the replacement of incongruous street furniture. Enhancement schemes will seek to make the most of those existing features or characteristics within conservation areas that contribute towards their special character and appearance.
- 4.161 The District Council operates a grant scheme to aid conservation area enhancement. Schemes such as the reintroduction of Edwardian lamps on Stillingfleet bridge have already been undertaken and, as opportunities arise, further proposals will be designed and implemented. In such cases

the District Council will work with the Parish or Town Council to initiate and undertake such schemes.

- 4.162 A recent survey of conservation areas has revealed the potential for such improvement. Many Parish Council responses to a Key Issues Questionnaire undertaken during the preparation of the Local Plan also highlighted possible schemes. Improvement works to village greens, village ponds, floorscape schemes and the replacement of unsympathetic street furniture will form the basis of enhancement schemes to be undertaken within the Plan period.
- 4.163 The District Council will promote the preparation of schemes for the preservation and enhancement of conservation areas, particularly in association with Parish and Town Councils. It will also seek the cooperation of North Yorkshire County Council and other organisations responsible for the provision of utility services, to ensure that features of townscape importance are retained and all new works are sympathetic in scale, form and materials to the area.

Scheduled Monuments and Important Archaeological Sites

- 4.164 Archaeological remains are a finite and non-renewable resource, in many cases highly fragile and vulnerable to damage and destruction. Appropriate management is therefore essential to ensure that they survive in good condition. In particular, care must be taken to ensure that archaeological remains are not needlessly or thoughtlessly destroyed. They can contain irreplaceable information about the past and the potential for an increase in future knowledge. They are part of our sense of national identity and are valuable both for their own sake and for their role in education, leisure and tourism.
- 4.165 The Plan area is rich in archaeological remains. Today's landscape is the product of human activity over thousands of years. PPG16 (Archaeology and Planning, 1990) states that the desirability of preserving an ancient monument and its setting is a material consideration when determining planning applications, whether the monument is scheduled or not.
- 4.166 Nationally important sites of archaeological importance are afforded statutory protection as scheduled monuments. There are 52 scheduled sites in the Plan area, which are defined on the Proposals Map and listed in Appendix 9. These include upstanding monuments such as Cawood Castle and ruins such as Kyme Castle. However, many have no visible remains but contain evidence below the surface of monuments, burial grounds, religious buildings and settlements. National planning policy advice indicates that there is a presumption in favour of the preservation of such sites. Once scheduled, the consent of the Secretary of State is required before any works affecting the monument or its setting may be carried out.
- 4.167 In addition to scheduled monuments, many other sites of archaeological importance have been identified within the Plan area. These include the site of the battlefield at Towton, the Woodhall and Skipwith moated sites and the village of Ryther.

- 4.168 The fact that a site is not scheduled does not necessarily mean that it is not of national importance and worthy of preservation. English Heritage is currently reviewing monuments and important sites in North Yorkshire as part of its ongoing Monuments Protection Programme, and additional sites may be identified for scheduling in the course of the review.

ENV27 Where scheduled monuments or other nationally important archaeological sites or their settings are affected by proposed development, there will be a presumption in favour of their physical preservation. In exceptional circumstances where the need for the development is clearly demonstrated, development will only be permitted where archaeological remains are preserved in situ through sympathetic layout or design of the development.

Other Archaeological Remains

- 4.169 The Country Sites and Monuments Record (SMR) contains information on both scheduled and unscheduled archaeological sites of national, regional and local importance as well as areas of archaeological potential. The SMR is continually being updated as sites are reassessed and new finds are made. Developers need to be aware that archaeological remains, including fossil spoil deposits, such as peat, river wash gravels and other alluvial soils, can occur almost anywhere and that the true nature and importance of remains cannot be established without appropriate archaeological evaluation.
- 4.170 Applications for development affecting sites of known or potential archaeological interest should be accompanied by an archaeological evaluation in order for the District Council to make a reasonable and informed decision. Such an investigation could take the form of a desk top study or a field evaluation and be carried out in accordance with detailed advice contained in Paragraphs 21 and 22 of PPG16 (Archaeology and Planning). Planning permission will not be granted without adequate assessment of the nature, extent and significance of the remains present and the degree to which the proposed development is likely to affect them.
- 4.171 Where the Council decides that development affecting archaeological remains should proceed, and in situ preservation is not justified, the Council will wish to satisfy itself that the developer has made appropriate and satisfactory provision for the excavation and recording of the archaeology either through a planning condition or voluntary legal agreement. However, there may be very rare occasions when the presence of archaeological remains only becomes apparent once development has commenced. Developers may wish to insure themselves against the risk of a substantial loss while safeguarding archaeological remains unexpectedly discovered on site.

ENV28 (A) Where development proposals affect sites of known or possible archaeological interest, the District Council will require an archaeological assessment/evaluation to be submitted as part of the planning application.

- (B) Where development affecting archaeological remains is acceptable in principle, the Council will require that archaeological remains are preserved in situ through careful design and layout of new development.**
- (C) Where preservation in situ is not justified, the Council will require that arrangements are made by the developer to ensure that adequate time and resources are available to allow archaeological investigation and recording by a competent archaeological organisation prior to or during development.**

Local Amenity Space

- 4.172 The built framework of settlements necessarily includes areas of open space, both public and private. This open space fulfils a number of important roles, for example, providing the setting for buildings or groups of buildings, or contributing to the character and townscape of settlements. In many instances such areas also provide opportunities for informal recreation. Village greens are particularly important having historical, townscape and local amenity value.
- 4.173 The scale of housing and employment growth required in the Plan period is likely to result in considerable pressure for development within settlements. In many circumstances, this may be preferable to development of green-field sites and consistent with acceptable principles of sustainable development. However, continued infilling may not only overload existing communities and services but may erode the character of settlements and result in the loss of valuable amenity space. It is therefore important that the most valuable open space, from an amenity or townscape point of view, is identified and protected from the outset.
- 4.174 The District Council has carried out a detailed appraisal of all settlements in the Plan area in order to identify spaces that contribute to the character and appearance of the built-up areas and which provide an important local amenity. These appraisals revealed sites in nearly all settlements that were worthy of protection. Parish Councils consulted during the preparation of the Plan have generally supported the view that such spaces be afforded special protection and many have put forward suggestions which have been incorporated, including village greens and common land as well as wide grass verges and the curtilages of religious and other buildings.

ENV29 Proposals for the development of local amenity space, as defined on the proposals map, will not be permitted.

Street Furniture

- 4.175 Street furniture in the form of benches, litter bins, lamp posts, bollards, signposts, planters and bus shelters may make a significant contribution to the character and appearance of an area. Some features, such as historic telephone boxes, lamps and Victorian and Edwardian post boxes, are

perceived as an integral part of the character of towns and villages, and many have been statutorily listed.

- 4.176 Street furniture is not necessarily a permanent feature. Outmoded design, vandalism and deterioration through use leads to the ongoing replacement of certain items with ones of more modern design or materials. In sensitive locations, particularly within conservation areas, it is important that the replacement or introduction of street furniture is properly coordinated and complements the existing character as far as possible. Too much street furniture can clutter the street scene and detract from the character of the area. Street furniture should be limited to what is useful or enhances the street scene. Superfluous furniture should be avoided.
- 4.177 Unfortunately, many conservation areas contain inappropriate and obtrusive street furniture in the form of concrete bus shelters, iron or concrete benches, plastic or concrete bins and other elements that detract from the character of the area. This is partly attributable to the past involvement of a number of different groups in the provision of street furniture, including the District Council, the Highways Authority and Parish and Town Councils. It is proposed to rectify this situation through a combination of good practice and enhancement schemes.
- 4.178 The District Council will seek the cooperation of the Highways Authority and Parish and Town Councils to promote the use of street furniture which is of a high quality and sympathetic in design, scale, materials and colour to the character of the area, particularly within conservation areas.

Floorscape

- 4.179 The use of locally available materials including stone flags, cobbles and setts was the predominant surface treatment for roads and pavements up until the middle of the twentieth century. Since that time, ongoing replacement of traditional paving with modern materials such as tarmac and precast concrete kerbs has taken place. The provision and repair of services such as underground pipework and cables has also led to the gradual loss of traditional materials as surfaces are more usually reinstated with tarmac.
- 4.180 The floorscape of an area contributes greatly towards its overall character and appearance. In this respect, the retention and maintenance of the traditional paving materials, particularly in conservation areas, is preferable to their replacement by tarmac, a comparatively lifeless surface treatment. Unfortunately, there are few remaining examples of the traditional paving in the Plan area.
- 4.181 Proposals for new development, particularly within conservation areas, should acknowledge the desirability of enhancing or reinstating traditional floorscapes where appropriate. The use of modern brick pavers or concrete setts, cobbles and flags may be appropriate in such circumstances. The District Council will promote the reinstatement of traditional paving through conservation area enhancement schemes and grant aid. It will also seek the co-operation of the local highway authority to ensure that traditional floorscapes are retained and maintained, particularly in conservation areas.

Shopfronts

- 4.182 Shopfront design has become a national issue in recent years. The introduction of standardised modern shopfronts has had a detrimental effect on the appearance of town centres, obscuring their historic character.
- 4.183 Revised PPG6 (Town Centres and Retail Developments, 1996) refers to the importance of sustaining and enhancing the vitality and viability of town centres. Good shopfront design is crucial to this and fulfils economic, civic design, conservation and tourism objectives.
- 4.184 The towns of Tadcaster and Selby have the largest concentration of retail outlets in the Plan area. There are many original Victorian shopfronts and a few that are late Georgian in both towns. These demonstrate how a shopfront can draw the eye of a customer while enhancing the character of the building it is part of and the streetscene, rather than detracting from it. The Council is committed to retaining these original shopfronts and having similar ones replicated where appropriate. However, well designed and innovative modern shopfronts will be welcomed and judged on their own merits.
- 4.185 Essentially, a shopfront should sit harmoniously with the building that it is part of. The District Council has published a Shopfront Design Guide which aims to give advice on shopfronts in order to improve the visual quality of commercial streets in the area. This Supplementary Planning Guidance will be used to assist in the assessment of proposals and the implementation of Policy ENV30.

ENV30 Proposals for new shopfronts, including the replacement of or alteration to a shopfront, will only be permitted where:

- 1) The design would be sympathetic in size, period, proportion, materials and architectural detailing to the building of which it will form a part;**
- 2) The proposal would not detract from the character or appearance of the area as a whole; and**
- 3) An existing traditional shopfront would be retained and, where necessary, repaired or, as a last resort, reinstated in replica.**

Advertisement Control

- 4.186 Advertisements have a powerful impact on the character of an area as well as the building of which they form a part. Their cumulative effect on townscape is self evident. Many modern fascias and projecting signs have little respect for the building of which they are a part. As well as modern materials, the use of internal illumination leading to bulky signage has done little to enhance town centre environments. The problem is likely to be exacerbated by increasing competition between corporate businesses and national companies leading to smaller traders and businesses being forced to compete with bold and garish advertising.

- 4.187 Control over the display of advertisements is embodied in the Town and Country Planning (Control of Advertisements) Regulations 1992, whilst further advice is contained in PPG19 (Outdoor Advertisement Control, 1992).
- 4.188 The control of advertisements principally relates to considerations of amenity and public safety. Advertisements are a necessary part of any commercial development whether it be a single retail outlet in a village, a larger shop in the commercial centre of Selby or Tadcaster, or a business on an industrial estate. However, their functional importance must not result in overstatement by way of size, colour, illumination or number.
- 4.189 The Plan area is predominantly rural in character and contains numerous settlements of an environmentally sensitive nature, where proposals for advertisements are likely to be intrusive. Advance warning signs for developments such as shops, petrol filling stations and public houses, and all advertisements, should be designed or located in a way which does not confuse or interfere with pedestrians or the movement of vehicular traffic or compromise road safety. The District Council will prepare Supplementary Planning Guidance for advance warning signs to encourage sensitive design and use of materials.
- 4.190 The illumination of advertisements, traditionally in the form of external lamps, is intended to enhance their visual prominence. The advent of new materials such as acrylic and other plastics has enabled the construction of fascias and projecting box signs independent from the building of which they are to form a part. Internal illumination allows for greater visual effect which, although making for successful advertising, can result in cumulative loss of amenity in the locality. For this reason, the use of internally illuminated signage is generally only appropriate within shopping or employment areas. In other more environmentally sensitive locations, such as in villages and conservation areas, the use of external illumination is likely to be more appropriate.
- 4.191 Where express consent is required, the Local Planning Authority will exercise control over the siting and form of advertisements in the interests of public safety and amenity by ensuring that the scale, siting, design and illumination of any advertisement does not detract from the character of the building or area.

Advertisements in Conservation Areas

- 4.192 Poorly designed advertisements are a serious threat to the intrinsic character and appearance of conservation areas. Selby town centre, for example, is dominated by advertisements along most frontages, a number of which detract from its conservation area status.
- 4.193 The majority of the conservation areas in the District include both traditional and modern buildings. Traditional forms of advertisements comprise hand painted wooden fascias or pin mounted letters. Hanging signs at fascia level are also common. Modern buildings, constructed in the latter half of the twentieth century, may not have been designed in a style and of proportions that would make such a traditional approach to advertisements appropriate. Advertisements on such buildings should have regard to the

character of the area as a whole. The District Council will expect a higher quality of design in conservation areas in order to preserve or enhance the historic character of appearance of the area. The following policy will be amplified through the publication of Supplementary Planning Guidance.

ENV31 Within conservation areas proposals for the display of advertisements will be granted consent provided the advertisement would not detract from the character or appearance of the area and:

- 1) The design, scale and materials of the advertisement are appropriate to the scale and character of the building on which it is located, and to surrounding buildings; and**
- 2) The proposal would not present a cluttered appearance with respect to existing signage on the building, and the overall streetscene.**

Advertisements and Listed Buildings

4.194 Many commercial premises occupy listed buildings, particularly those dating from the Georgian and Victorian eras. Whilst commercial activities may ensure the continued use of a building, the retention of the historic fabric of the building, including any architectural detailing, remains paramount. Proposals for advertisements should be sensitive to the architectural design of such buildings. Where premises display original fascias, proposals for new advertisements should utilise traditional elements. In instances where little remains of the original fascia or other signage, it may be appropriate to replicate the original form of advertisement.

4.195 Proposals for advertisements on listed buildings require Listed Building Consent. Specific attention will be given to the visual effect of the proposed signage in relation to the architectural and historic importance of the building. The following policy will be amplified through the publication of Supplementary Planning Guidance.

ENV32 Proposals for the display of advertisements on listed buildings will only be granted consent where:

- 1) The proposed advertisement complements the architectural and historic character of the building and uses a high standard of materials;**
- 2) The scale and design respects the proportions of the building, with original fascia depths respected or reinstated and does not obscure the architectural detail of the building; and**
- 3) If it is proposed that the advertisement be illuminated, the design and the method of illumination would not detract from the character of the building.**

SECTION 5 - HOUSING

HOUSING

INTRODUCTION

- 5.1 This chapter sets out the amount and distribution of land considered suitable for residential development, together with policies which seek to control development, both within defined Development Limits and outside these Limits, in the open countryside.

STRATEGIC FRAMEWORK

- 5.2 One of the roles of the planning system is to ensure that new homes are provided in the right place and at the right time. PPG3 (Housing, 2000) states that the aim is to provide a choice of sites which are both suitable and available for house building.
- 5.3 The North Yorkshire County Structure Plan establishes the level and broad location of housing development within the County. The overriding strategy of the Structure Plan is one of restraint in order to protect the County's natural resources and environment from the effects of continued inward migration. Policies in the Plan therefore aim to steer growth toward main towns and service villages.
- 5.4 The scale of future housing growth envisaged in the County as a whole is reflected in the Regional Planning Guidance for Yorkshire and the Humber (now Regional Spatial Strategy).

OBJECTIVES

- 5.5 The housing policies of the Plan have the following main objectives:
- 1) To ensure that an adequate supply of housing land is available to meet the requirements of the Structure Plan and in accordance with Government advice.
 - 2) To direct new housing to those locations best able to accommodate it without environmental damage, and to minimise car use for journeys to work, school and other local facilities.
 - 3) To encourage the retention of existing residential accommodation and, wherever possible, to facilitate the maintenance and improvement of the existing housing stock, including properties within town centres.
 - 4) To ensure residential development is properly located to take account of employment, environment, wildlife, infrastructure and highway considerations and that adequate provision is made for open space and community facilities.
 - 5) To meet the needs of those people unable to compete in the existing housing market, both in rural areas and in the main towns.

- 6) To ensure the location, design and layout of new housing is sympathetic to the scale and character of the locality.
- 7) To attain the highest possible standards of new housing design and to safeguard the amenity of existing residents.

POLICIES AND PROPOSALS

Housing Land Requirements

- 5.6 The Third Alteration to the County Structure Plan requires the provision of an additional 9,300 dwellings (the equivalent of 620 dwellings per annum) in the Local Plan area in the period 1991-2006. This allows for gains and losses from new building and redevelopment schemes, conversions and changes of use.
- 5.7 As at 31 March 2002 an additional 3499 (net) dwellings (the equivalent of 318 dwellings per annum) had been completed, and there were outstanding planning permissions for a further 2019 dwellings. On the evidence of the Council's Housing Potential Study, a further 312 dwellings (78 dwellings per annum) could be provided through windfall development on previously developed land and premises in existing settlements, in the remaining years of the Plan. These are sites which are considered to be genuinely available but which do not have the benefit of planning permission.
- 5.8 On the evidence of recent house building rates, however, it is apparent that unless the release of allocated sites is progressed with speed the Structure Plan total for the District will not be achieved. Account must also be taken of the fact that the house-building industry is unlikely to have the capacity to achieve levels of development to take up the shortfall in supply. Assuming the continuation of past trends concerning the non-implementation of extant permissions (for example because of site constraints and land banking, or because sites are located in poorer market areas) it is also likely that the supply of housing from this source will be significantly less than might otherwise be expected.
- 5.9 As well as the requirement to generally satisfy the level of need established in the Structure Plan, regard also must be paid to the Government's new approach to housing land provision, as set out in PPG3 (Housing, March 2000). This no longer requires a fixed total of provision over the Plan period, instead it is now more appropriate to establish annual rates, which can be monitored and reviewed over time.
- 5.10 The adoption of an annual rate of 620 dwellings per year for the remaining part of the Plan is consistent with the implied annual provision established in the Structure Plan and acknowledges the fact that it is no longer practical to satisfy the full strategic housing requirement before 2006, while providing sufficient scope to meet existing demand through allocated sites and other sustainable sources. Assuming an adoption date for the Plan of 31 December 2004, the annual requirement of 620 dwellings per annum translates into 1240 dwellings in the 24 months remaining to the end of the Plan period at 31 December 2006.

- 5.11 Careful analysis of existing commitments, with assistance from information obtained from owners/developers, indicates that the pool of unimplemented permissions at 31 March 2004 is likely to sustain substantially in excess of recent house building rates. It is expected that the granting of planning permissions on a number of brownfield sites, and the high level of permissions granted for new dwellings in the year to March 2004, will help to boost house building rates from about 300 dwellings per annum (based on the previous 5 year average) to around 400 dwellings per annum, over the last two years of the Plan period. By this time the pool of windfall permissions is expected to be significantly reduced as sites are taken up and not replaced, owing to a more restrictive approach to the release of greenfield windfalls and non-renewal of less sustainable permissions, in accordance with PPG3 advice.
- 5.12 The combined contribution to future house building up to the end of the Plan period from these sources, together with the expected contribution from allocated sites, is set out in the table below.

Housing Land Requirement January 2005 – December 2006

	Source	Dwellings
A.	Total Dwelling Requirement Jan 2005-Dec 2006 (incl.) @ 620 pa	1240
B.	Expected Delivery of Housing from Existing Commitments and Windfalls @ 400 dpa	800
C.	Dwellings to be Provided Through Allocations (A minus B)	440

H1 Provision will be made for land to accommodate about 620 dwellings per annum over the period January 2005 to December 2006 inclusive. Beyond this date the annual build rate from the Regional Spatial Strategy will apply.

Managing the Release of Housing Land

- 5.13 PPG3 (Housing) sets out the Government's approach to the delivery of housing through the planning system based upon 'plan, monitor and manage'. By managing the release of sites it is possible to influence not just the scale and location of new housing, but also to ensure that the most sustainable sites are released first.
- 5.14 The allocated sites in the Selby District Local Plan were selected before the publication of the 2000 revision of PPG3. While as described in para 5.23, sustainability criteria were a key element in their selection, it is in future necessary to apply the sequential tests outlined in paragraphs 30 and 31 of the PPG to all applications for residential development including allocated sites and significant windfalls sites. In the light of the emphasis now placed by PPG3 on carefully managing the release of land and in accordance with

the Government's good practice guidance in 'Planning to Deliver', Policy H2A divides the allocated sites into phases. As the house building rate in Policy H1 applies to the end of the Plan period, i.e. to December 2006, Phase 1 of the sites allocated in the Plan runs from Adoption (presumed to be 31 December 2004) until 31 December 2006. The release of sites phased beyond 2006 (Phase 2) will be dependent on the housing requirement established in the Regional Spatial Strategy, which is currently in preparation, and on the basis of annual monitoring. Policy H2A is intended to provide a comprehensive framework for the release of land for housing in Selby District on which decisions on all planning applications for housing development, including those relating to land allocated for housing, will be based.

- 5.15 In accordance with PPG3, Policy H2A sets out an order of priority for the release of land for housing which gives preference to 'brownfield' development within Development Limits of settlements and to allocated sites included within Phase 1. Provided allocated sites are brought forward reasonably quickly they will, together with 'brownfield' windfall sites and existing commitments, provide sufficient land to meet the target of 620 dwellings per annum up to the end of the Plan period.
- 5.16 Phase 2 contains sites which may be brought forward in the longer term. It is intended that, after the end of 2006, Phase 2 sites will be brought forward in the order of priority set out in PPG3, if monitoring shows a potential shortfall in relation to the then current required annual delivery rate in the Regional Spatial Strategy.
- 5.17 In accordance with the good practice guide – 'Planning to Deliver', the opportunity has been taken to give special recognition to one allocated site (SEL/2) which is considered to be an essential part of the strategy to meet housing requirements. The site is included for release in Phase 1. Its development will extend beyond 2006 and the site will benefit from the presumption that it will be unaffected by any review of the assignment of sites between phases in the Plan.
- 5.18 Regular monitoring of housing land taken up, including land not specifically allocated in the Plan, will be undertaken. This will take account of permissions granted, as well as the rate at which sites are being developed. Where monitoring indicates a significant under or over provision is occurring, a change of approach may be required to either restrict or increase the supply of sites after 2006. This process will apply equally to smaller sites in settlements identified in both POLICIES H6 and H7 of the Plan.
- 5.19 Any adjustments will be brought forward through the preparation of the Local Development Framework.

Renewal of Outstanding Planning Permissions

- 5.20 PPG3 (Housing) requires all applications for renewal to be thoroughly reviewed in the light of sustainability objectives, particularly having regard to the availability of previously developed sites and the criteria set out in Paragraph 31 of the Guidance. There may equally be changes of circumstance since the permission was originally approved relating to other

planning policies such as density, affordable housing and open space requirements or in relation to physical feasibility or through alternative proposals coming forward. It is appropriate therefore that applications for the renewal of existing planning permissions are reconsidered against the requirements of POLICY H2A, and other relevant policies in the Plan.

H2A In order to ensure that the annual house building requirement is achieved in a sustainable manner, applications for residential development up to the end of 2006 will only be acceptable on the following:

- 1) Previously developed sites and premises within defined Development Limits, subject to the criteria in POLICIES H6 and H7.**
- 2) Sites allocated in Phase 1.**

Sites allocated in Phase 2 will only be released after 2006 and only if monitoring shows a potential shortfall in relation to the then current required annual delivery rate in the regional spatial strategy. The exception to this is the development of the remainder of allocation SEL/2, which is designated as a strategic site and will extend into Phase 2.

The Location of New Housing Development

- 5.21 In accordance with the Structure Plan Strategy, the proposed distribution of new housing land concentrates development in and around the three market towns of Selby, Tadcaster and Sherburn in Elmet, and larger villages. Priority has been given to locations most capable of absorbing new development, close to existing and/or proposed sources of employment and where the maximum benefit from infrastructural improvements can be achieved.
- 5.22 Specific allocations of land have been made within or adjacent to selected villages where there is scope for continued expansion within the Plan period. Account has also been taken of the fact that some settlements have absorbed a disproportionately large amount of development over the last ten years, particularly those associated with the development of Selby coalfield, whilst others have encountered less pressure.
- 5.23 Individual sites have been selected for development so as to generally minimise environmental impact and ensure variety in the size and location of sites. The aim is to promote sustainable forms of development by minimising car journeys, utilising spare capacity in services and infrastructure, achieving economies of scale and, wherever possible, strengthening local services. In order to ensure consistency of approach, the following factors have been taken into account:
- a) Development of the site would be consistent with the existing form and character of the settlement and would not encourage ribbon development or the scattering of the existing settlement pattern.

- b) The site should be well-related to existing development and bounded on at least two, and preferably three, sides by existing or proposed development.
- c) The site should have obvious physical boundaries, such as roads or established tree or hedge lines, which would help check future expansion into open countryside.
- d) Development of the site would not compromise best and most versatile agricultural land, strategic countryside gaps, mineral resources, sites of nature conservation or archaeological interest, or other environmentally important resources.
- e) The adequacy of access and the effect on the wider highway network.
- f) The capacity of existing infrastructure and local services, or the scope for upgrading.

5.24 Some sites previously allocated for development in the adopted Rural Areas Local Plan (1990), or in informal Local Plans, have not been developed. Where these do not have the benefit of a valid planning consent, the opportunity has been taken to re-examine their development potential on the same basis as other sites.

5.25 In view of the time remaining in the Plan period it is envisaged that the implementation of some of the allocated sites, particularly the larger sites that require the provision of infrastructure and facilities to help build new communities, will extend beyond 2006. The precise number of dwellings provided before 2006 will be dependent on a range of factors including market conditions, infrastructure requirements and the capacity of the house-building industry.

5.26 On all allocated sites a density in excess of 30 dwellings per hectare will be required in order to make the most effective use of land and minimise the amount of greenfield land required for development, in line with PPG3 (Housing) expectations. Higher densities will be sought on larger sites, although this must be balanced with infrastructure and planning requirements (such as the need to provide adequate amounts of open space and landscaping and to ensure the provision of schools and other facilities). In some instances individual site capacities have been adjusted to take account of exceptional infrastructure and other requirements which are felt likely to significantly reduce the developable area.

5.27 POLICY H2 identifies the broad distribution of housing allocations which are intended to achieve a range of sites across the District, including sustainable urban extensions and smaller-scale schemes in villages. The District Council's detailed requirements in relation to the development of individual sites are set out in policies incorporated in Part 2 of the Local Plan.

Phasing

5.28 In order to ensure that the annual housing building rate is achieved in the most sustainable manner and that the release of sites is undertaken in a controlled manner, having regard to the changing regional context, a phased release of sites has been introduced. Sites have been allocated to Phases 1 and 2 on the basis of the following factors.

a) **Relative Sustainability**

A hierarchical approach has been adopted which recognises three descending levels of sustainability value of individual settlements.

1. Market Towns – Selby, Sherburn in Elmet and Tadcaster, of which Selby is recognised as the largest, most self-sufficient and therefore the most sustainable location of the District's settlements.
2. Larger Villages – These are listed under POLICY H6 within the Plan. The Inquiry Inspector accepted the case for significant growth at Eggborough and South Milford because of the availability of local services and the availability of increasing employment opportunities nearby.
3. Smaller Villages – These are listed under POLICY H7 within the Plan. No allocations in either phase have been proposed within H7 settlements.

b) **Delivery Pre-2006**

Because of the tight timescale implied by Phase 1, it has been assumed that only those sites on which there has already been pre-application discussions (as at 31 March 2004) justify consideration for inclusion in the Pre-2006 category; although this is insufficient in itself to warrant Phase 1 status. There is no guarantee that sites on which the planning process had not begun would be able to significantly deliver within the Phase 1 period.

c) **Post-2006 Commitments**

It is now evident that the context for the dwelling requirement within Selby District Post-2006 will indicate a substantially reduced building rate from that implied by the Pre-2006 context set by the Structure Plan. It is therefore incumbent upon the Council to ensure that sites allocated in Phase 1 do not create a commitment to unnecessarily high building rates for an extensive period beyond 2006. This could potentially be the case if care is not taken over the release of the larger strategic site allocations.

d) **Distribution of New Dwellings**

Consideration has been given to the distribution of recent completions in order to ensure that no one settlement, particularly

smaller settlements, bears an undue concentration of new development.

e) **Brownfield/Greenfield**

In accordance with national guidance, 'brownfield' sites would be expected to be released in preference to greenfield ones.

- 5.29 The allocations which are expected to contribute to future short-term housing growth (before the end of 2006) are:
- EGG/1, HAM/2 (part only), HEM/1, MONK/1, SEL/2 (part only), SHB/1 (part only), STM/1 (part only) and WHIT/1.
- 5.30 The allocations at Eggborough (EGG/1), Hemingbrough (HEM1/), Monk Fryston (MONK/1) and Whitley (WHIT/1) are expected to contribute to new housing before 2007 because they had planning permission at 31 March 2004 but, as they have already been included in the stock of commitments, they are not included in the table below which refers to additional allocations over and above existing commitments.
- 5.31 Selby town is considered to be by far the most sustainable settlement within the District in terms of availability of employment, shopping, leisure services and public transport facilities. Whilst in the longer term there may be scope for further development on previously developed land, many of the potential sites close to the centre of the town and the river do have a number of complicated issues associated with them. It is considered therefore that there is a strong case for recognising allocation SEL/2 as an essential on-going element of the Council's strategy for meeting housing requirements and designating it a 'Strategic Site', as outlined in the Government's good practice guide, 'Planning to Deliver'. As a Strategic Site its development will extend into Phase 2. This approach will secure a continuity of development within Selby beyond the end of the Plan period in the form of a sustainable urban extension, and will also ensure that the full benefits of additional facilities such as associated public open space and a school are realised.
- 5.32 Conditions will be applied restricting the rate of development of the allocation. In order that an orderly and measured development takes place without overly dominating the building rate in future years, a limitation will be placed on any planning permission of 100 dwellings per annum.
- 5.33 Allocation SEL/2 has been favoured over SEL/1 for inclusion in Phase 1 because of the greater lead time associated with the latter site, which will be required in order to address the high initial infrastructure costs associated with flood alleviation measures and access issues. These make development of the site within the Phase 1 timetable unlikely to be achievable.
- 5.34 Outside Selby town it is considered that the case for committing long-term major 'greenfield' development at this time is much weaker. The proposed target building rates for the Post-2006 period to be included in the Regional Spatial Strategy are not yet known. However it will be necessary to monitor the current increase in the take up of 'brownfield' sites throughout the

District in relation to that target, when available, before any firm assessment can be made for the need for further allocations beyond 2006.

- 5.35 In these circumstances it is considered inappropriate to designate a second 'Strategic Site' until it can be fully justified in the context of the Regional Spatial Strategy and on-going monitoring. A commitment to early release on only a part of the overall SHB/1 allocation is made (Policy SHB/1A). The site is divided internally by water courses, and the north-eastern portion of the allocation with access from Moor Lane and a capacity of approximately 165 dwellings is included in Phase 1. The remainder of the site is included in Phase 2 (Policy SHB/1B).
- 5.36 Similar considerations to those applying to SHB/1 also apply to allocation STM/1 at South Milford, in that it is inappropriate to commit to more development in the village than can be delivered prior to December 2006. The site consists of two distinct parts and only the northern half between the nursery and the main part of the village is included in Phase 1, in order to limit the future commitment, at this point in time. This smaller site corresponds with the allocation originally made in the Pre-Deposit Plan prior to it being enlarged at the Deposit Draft stage.
- 5.37 HAM/2 is the only significant 'brownfield' allocation. In accordance with PPG3, the Council is anxious to encourage its development. However, the scheme is only at a very early stage and besides its progression through the planning process, the existing business on the site will require re-location. In these circumstances only a very limited amount of new dwellings can be expected to be delivered prior to December 2006. Nevertheless, it is considered appropriate to include the site within Phase 1 in order to encourage an early proposal and provide the appropriate context within which the planning procedures could then be progressed.
- 5.38 No allocations have been included in the Phase 1 at Tadcaster and Eggborough, since there are no potential allocations at Tadcaster on which the Council could be sufficiently confident of achieving housing delivery prior to December 2006 and EGG/1 at Eggborough is nearing completion to provide a total of 89 dwellings. As other favoured, sustainable locations can accommodate sufficient dwellings for the Plan period, further significant development in the short-term has been avoided.

H2 Land is allocated for housing development in the market towns and selected villages at the following locations:

Phase 1 (To be released prior to December 2006)

Site Ref	Site Location	Inset Map	Capacity (Dwellings)	Area (Ha)	Dwellings Expected To Be Completed Jan 2005-Dec 2006
HAM/2*	Station Road, Hambleton	32	2.35	71	10*
SEL/2**	East of Bawtry Road, Selby	53	56.00	1100+	180**

SHB/1A	Moor Lane, Sherburn in Elmet	54	5.50	165	165
STM/1A	Low Street, South Milford	56	3.24	96	96
Total				1432	451

* Remaining 61 dwellings to be completed after the end of 2006

** 'Strategic Site' allocation continuing beyond 2006

Phase 2 (Post-December 2006)

Site Ref	Site Location	Inset Map	Area (Ha)	Capacity (Dwellings)
BYR/1	East Acres, Byram	12	0.70	21
CAM/1	Drax Road, Camblesforth	15	2.12	55
CAR/1	High Street, Carlton	16	2.40	79
CAR/2	Low Street, Carlton	16	2.60	12
EGG/2	High Eggborough Road	27	1.50	23
EGG/3	Selby Road, Eggborough	27	6.76	210
HAM/1	Cherwell Court, Hambleton	32	0.53	15
NRD/1	York Road, North Duffield	47	0.77	25
OSG/1	Tindall's Farm, Osgodby	48	1.47	45
SEL/1	Cross Hills Lane, Selby	53	21.90	450+
SEL/2	East of Bawtry Road, Selby	53	56.00	920+*
SEL/2A	North of Garden House, Selby	53	1.04	31
SHB/1(B)	Low Street, Sherburn in Elmet	54	39.30	900+
STM/1(B)	Low Street, South Milford	56	4.23	127
TAD/2	Station Road, Tadcaster	60	3.48	105
THW/2	Leeds Road, Thorpe Willoughby	62	4.96	148

*Remainder from Strategic Allocation released in Phase 1

Density

- 5.39 PPG3 (Housing, 2000) emphasises the need for housing development to ensure efficient use of land by adopting higher densities, as this will reduce the amount of land required for development, and help sustain local services and public transport. Proposals for housing will therefore be expected to achieve a minimum net density of 30 dwellings per hectare unless there is an overriding need to safeguard the existing form and character of the area or other environmental or physical conditions apply.
- 5.40 Whilst densities higher than 40 dwellings per hectare are unlikely to be generally appropriate within the Plan area other than in parts of the market towns, net densities within the range 30-40 dph are achievable, particularly in the larger villages and market towns and other locations with good

access to services and facilities and/or good public transport. Allocated sites in market towns will be expected to achieve densities toward the higher end of the range.

- 5.41 For the purposes of this policy, net density will be established by excluding 'non-residential' areas such as major distributor roads, schools, strategic landscaped areas and buffer strips, and open spaces serving a wider area (including open space for youth and adult use but not children's play areas or incidental/amenity open space).

H2B Proposals for residential development will be expected to achieve a minimum net density of 30 dwellings per hectare in order to ensure the efficient use of land. Higher densities will be required where appropriate particularly within the market towns and in locations with good access to services and facilities and/or good public transport.

Lower densities will only be acceptable where there is an overriding need to safeguard the existing form and character of the area or other environmental or physical considerations apply.

POLICY H3 is deleted

Affordable Housing

- 5.42 The lack of affordable private housing for both sale and rent, particularly for first-time buyers, is a widely acknowledged area of concern. Several factors have combined to exacerbate the problem in the Plan area, notably the influence of York and Leeds on the housing market, and the reduction in Council housing as tenants continue to exercise their right to buy. In some villages the number of Council houses has dwindled to single figures.
- 5.43 Local Authorities have a duty to provide an adequate range and mix of housing to meet the needs of different types of households, and the community's need for affordable housing is a material consideration to be taken into account in formulating proposals. National Planning Guidance recognises the scope for ensuring that housing schemes make provision for an element of affordable housing for those in need. In order to ensure that the dwellings remain 'affordable' in perpetuity, adequate legal and management agreements are also necessary, often with Housing Association involvement.
- 5.44 Circular 6/98 (Planning and Affordable Housing) supplements PPG3 and forms the framework for Local Plan policies and provides practical advice on the provision of affordable housing to meet identified local need. In line with the Circular, the definition of affordable housing adopted by the District Council includes both low-cost market and subsidised housing available to people who cannot afford to rent or buy houses generally available on the open market. The Circular reiterates the importance of assessing local need.

- 5.45 PPG3 (Housing, 2000) advises that Local Authorities may indicate an overall target for the provision of affordable housing through local plans, provided this is based on a realistic assessment of need. The Council therefore commissioned a comprehensive survey of need based on a detailed postal survey of approximately one third of all households in the Plan area (Housing Needs Study 1999 by David Couttie Associates).
- 5.46 The study undertaken by the District Council in 1999 confirms that a significant affordability problem exists for many.
- 5.47 The District Council therefore acknowledges that both subsidised housing for rent and sale and low-cost market housing make a contribution to satisfying housing demand for new forming households who are unable or only just able to secure a mortgage on the cheapest properties available in the existing housing stock. If additional low-cost housing is not made available in sufficient supply then these households will either leave the District or move to an area where housing at cheaper prices can be obtained, or will increase pressure on the existing terraced stock, potentially inflating terraced house prices. Provision for the low-cost market dwellings may therefore form an element in the local site negotiations, to meet the identified target figures.
- 5.48 The following table sets out the affordable housing requirement. After allowing for concealed households planning to leave the District and eliminating double counting from those already registered on the Council Waiting List, and households being formed with two persons, the total affordable concealed need is calculated as about 613 dwellings. Total cumulative affordable housing need including homeless households, households on the Active Housing Waiting List, and concealed households resulting from demographic growth, is however expected to increase to about 2586 dwellings by the end of the Plan period. Assuming re-lets (of the existing Council housing stock) continue at the rate of 270 a year, about 700 dwellings would need to be provided through new development schemes.

A. Affordable Housing Need		
i) Affordable concealed need identified in housing need study:		
Concealed Households (1999-2004)*		1 270
less 16% on Council Waiting List		- 203
less two person households (41.5% x 0.5)		- 221
less those earning > £15,000/£20,000 (27.5%)		<u>- 233</u>
		613
ii) Additional need identified from other sources:		
plus Priority waiting list (1 April 1998)		+ 948
plus Homeless Households (per annum) ^{**} (100 x 7)		+ 700
plus Demographic Growth (2004-2006) ^{***}		<u>+ 325</u>
<i>Total Affordable Housing Need 1996-2006:</i>		2586
B. Affordable Housing Supply****		
Less Net Re-lets*****1999-2006	(270 x 7)	<u>- 1890</u>
Remaining Affordable Housing Need Requirement:	of about 700

* *this figure only includes those concealed households intending to remain in Selby District, i.e. excludes those leaving District due to lack of affordable housing (approx. 140 no.) whose need, it could be argued, should be being met.*

** *homeless households figure based on actual re-housed through SDC and nominations to Registered Social Landlords rather than 'applied for'.*

*** *the Housing Needs Survey 1999 considered housing needs over five years (i.e up to 2004). An estimate for demographic growth for 2004-2006, for both subsidised and low-cost, is based on County household growth forecasts for dwelling change taking account of those unlikely to be able to afford to purchase on the open market.*

**** *supply calculations omit the figures put forward by 99HNS for Housing Association programme of 30 units per annum as this element will inevitably form part of contribution put forward by developers on windfall or allocated sites.*

***** *re-lets not including transfers.*

- 5.49 Because existing planning permissions are unlikely to contribute significantly to meeting this requirement, an unacceptably high level of new dwellings would need to be provided through the development of allocated sites and other initiatives (equivalent to more than half of all allocated dwellings), which would be neither sustainable nor financially viable.
- 5.50 In order to help achieve this target, the District Council will expect developers to include a proportion of affordable housing units on all allocated sites and windfall sites of 25 dwellings or more. The total contribution from allocated sites in the Local Plan, between October 2004 and December 2006, is expected to be about 100. Appendix 10 of the Plan provides some background explanation to the District-wide and individual site targets.
- 5.51 The target figures for individual allocated sites have been established by balancing identified local need with individual site suitability and local market conditions including the availability of affordable properties in the locality. The precise number and type of affordable homes to be provided on each site will be a matter for negotiation between the developer and the Council based on the assessment of needs, income and local house prices (if appropriate), and the economics of provision (taking account of the cost of other planning and infrastructure requirements which may affect the number of units that can realistically be provided).
- 5.52 The contribution to affordable housing provision through the development of allocated sites will clearly be insufficient to satisfy the total need identified. The remainder of the overall affordable housing target is expected to be achieved through negotiation on windfall sites of 25 dwellings or more, through public and private sector promoted schemes, (such as 'Living Over The Shop', Partnership and Challenge based initiatives), and through small sites coming forward for rural affordable housing as an exception to normal policy on the edge of villages, in accordance with POLICY H11 (the Rural Affordable Housing Policy).
- 5.53 In order to ensure the effectiveness of the policy, proposals for subsidised affordable housing will only be acceptable where adequate arrangements are made to ensure that the dwellings will be made available to meet genuine need and that the dwellings will remain affordable either initially or in perpetuity, with priority given to people living or working locally, or with local connections. Proposals only offering a discounted initial purchase price will not generally be acceptable. It is envisaged that the majority of schemes will involve an element of housing for rent or shared equity perhaps in partnership with a Housing Association. Further advice on the operation of the policy and funding mechanisms will be provided through Supplementary Planning Guidance.

H4 Proposals for residential development on allocated sites and windfall sites of 25 dwellings or more will be expected to contribute toward the provision of new affordable dwellings in the period 1996-2006 for people who cannot afford to rent or buy on the open market because of the local relationship between house prices and incomes.

The precise amount and mix of subsidised housing, low-cost market housing and general market housing to be provided in each case will be determined by negotiation between the council and developers, taking into account the extent of local need, site size, suitability and the economics of provision.

In negotiating for an element of affordable housing on allocated sites, the council will seek the following targets:

Site Ref.	Site Location	Inset Map	Area (Ha)	Capacity	Expected Affordable Units Before 2006
HAM/2	Station Rd, Hambleton	32	2.35	71	-
HEM/1	Back Lane, Hemingbrough	34	0.76	23	-
MONK/1	Main Street, Monk Fryston	44	0.88	26	5
SEL/2	East of Bawtry Road, Selby	53	56.00	Phase 1 200	45
SHB/1(A)	Moor Lane, Sherburn in Elmet	54	5.50	167	33
STM/1(A)	Low Street, South Milford	56	3.24	96	18
WHIT/1	South of Lea Lane, Whitley	66	0.50	13	-
Total					101

All proposals will be subject to conditions and/or planning obligations to ensure that:

- i) An appropriate number of dwellings will be provided to cater for people who are unable to afford open market prices;**
- ii) The affordable element of any scheme will be affordable either initially or in perpetuity; and**
- iii) Initial and subsequent occupiers of subsidised dwellings live or work locally*, or have local connections**, unless after a reasonable period of time***, the accommodation remains unallocated when properties may be made available, in turn, to households or persons: living or working in the District; living in an adjoining local authority area; or living elsewhere.**

Notes

* *Living locally in this context means living within the Parish or Town, or adjoining Parish or Town, for a continuous period of two years up to the release of the accommodation. The term working locally applies to those in permanent employment in the Parish or Town, or adjoining Parish or Town, including those taking up employment, and those providing an important service requiring them to live locally.*

** *Local connections are defined as continuous residence for two years out of the last five, or immediate family having lived in the*

Parish or Town, or adjoining Parish or Town, for a minimum of five years.

**** For the purpose of this policy a reasonable period of time means 12 weeks in the case of rental schemes and 6 months in the case of owner occupier or shared ownership schemes.*

Mixed Housing Schemes

- 5.54 The Government is placing increased emphasis on reducing the incidence of social exclusion and the creation of balanced communities. The planning system can assist this objective by ensuring that new housing schemes provide a mixture and range of types of housing to meet increasingly varied future housing requirements. In particular a high proportion of new dwellings are expected to be occupied by single or two person households, including elderly people.
- 5.55 Whilst POLICIES H4 and H11 provide for an element of affordable housing on certain allocated sites, larger windfall sites and rural exception sites respectively, it is equally important that a variety of house types (e.g. terraced, semi-detached/detached houses, flats and bungalows) and sizes is provided to meet wider community needs. For the purposes of this policy the term 'community' generally relates to the village or town.
- 5.56 The Council is concerned that many new developments have failed to provide a variety of house types and sizes, which are essential for sustainable growth. This has contributed to an apparent mismatch between household size and dwelling size in many localities. The mix of dwelling types in new housing developments is not required solely to redress existing imbalances in provision but is to avoid the creation of large areas of housing of similar characteristics. In considering proposals account will therefore be taken of the availability of different house types and sizes within the locality, including the scope for providing different house types and sizes on allocated sites or sites with planning permission.
- 5.57 Subject to respecting the character of the area and site suitability proposals will be expected to provide a mix of house types. The precise mix will be a matter for negotiation at the time of a planning application.

H4A Subject to respecting the character of the area and site suitability new housing development will be required to provide an appropriate mix of dwelling types and sizes in order to:

- 1) Avoid the creation of large areas of housing of similar characteristics;**
- 2) Help create mixed and inclusive communities; and**
- 3) Assist in redressing shortages of particular types of dwelling as may be indicated by housing needs assessment and annual monitoring of housing provision.**

Retention of the Existing Housing Stock

- 5.58 The housing strategy of the Plan is designed to bring forward sufficient new housing land, through the allocation of sites for residential development, whilst

encouraging a continued contribution from smaller unidentified brownfield sites within existing built-up areas. It is equally important to make the best possible use of the existing housing stock in order to reduce the demand for greenfield sites. Many older properties contribute significantly to the overall character and quality of towns and villages and, if retained, can contribute effectively toward the provision of a varied housing stock.

- 5.59 The retention of housing in and around town centres is particularly important as this not only helps to sustain their special character and vitality, but may also provide a source of cheaper rented accommodation catering for small households such as the elderly and young persons.
- 5.60 Proposals involving the potential loss of housing accommodation will be weighed against the potential benefits arising from new development such as the provision of community uses and services, including shopping, medical and recreational facilities. There may also be instances where continued residential use is inappropriate owing to the nature of surrounding uses or unsuitability of the property. Wherever possible the retention or provision of an element of residential use will be encouraged.

H5 Proposals involving a nett loss of residential accommodation will only be permitted where:

- 1) The existing premises are unsuitable for residential use; or**
- 2) The environment is unsuitable for residential use; or**
- 3) The retention of the building for residential purposes would prevent a comprehensive development with significant environmental or highway gain or the achievement of a wider community benefit. Wherever practical, schemes should include some residential accommodation; or**
- 4) The building is required in connection with a small-scale community use or service which requires to be located in a residential area. Wherever practicable, some self-contained residential accommodation should be retained as part of the scheme.**

Housing Within Development Limits

- 5.61 Paragraphs 69 to 71 of PPG3 (March 2000) indicate that only a limited amount of housing can be expected in expanded villages. Villages will only be suitable for accommodating additional housing where:
- (a) It can be demonstrated that additional housing will support local services. This may particularly be the case where the village has been identified as a local service centre in the development plan.
 - (b) Additional houses are needed to meet local needs, such as affordable housing.
 - (c) The development can be designed sympathetically and laid out in keeping with the character of the village.

- 5.62 Development Limits have been defined around all towns and most villages in the Plan area to assist in guiding and controlling new development (See POLICY DL1). Although delineated prior to PPG3, the Development Limits have, in general, been drawn tightly around settlements. They therefore assist in limiting inappropriate expansion of villages as well as protecting the surrounding countryside from encroachment.
- 5.63 PPG3 and POLICY H2A of the Plan do not encourage greenfield windfalls. ('Windfalls' are proposals which have not specifically been anticipated in the Plan, but which have been brought forward through the normal planning application process). PPG3 encourages the use of windfalls on previously developed land, i.e. 'brownfield', but discourages accepting proposals on greenfield land. PPG3 (Annex C) defines residential curtilages as previously developed land but not land and buildings that are currently in use for agricultural purposes. Development opportunities within villages are therefore limited but, as a general principle, within Development Limits, proposals for residential development of an appropriate scale will be permitted on brownfield sites. This may involve proposals on sites within residential or commercial curtilages, or for the redevelopment or conversion of existing premises (both residential and non-residential), including the displacement of un-neighbourly uses. This will enable a wider choice of housing type at a variety of locations to be made available, whilst reducing pressure on greenfield sites. Such development is also likely to be well-related to existing services and facilities and, in the case of development in smaller villages, may assist the objective of sustaining rural communities.
- 5.64 At the same time, it is important to protect the amenity of local residents and safeguard the character of settlements from the cumulative effects of higher density development. For example, there may be small areas of open space which are intrinsically part of the character of an area and which should be protected from development in addition to the larger spaces that are specifically identified on the Proposals Map and protected by POLICY ENV29. In other cases, a well-designed scheme might have the effect of improving the appearance of the village. The overriding criterion for determining planning applications will be the objective of maintaining and enhancing the character of settlements and their immediate surroundings.
- 5.65 Similarly, proposals to demolish existing dwellings and redevelop at a higher density will be scrutinised very carefully, as will proposals to place additional dwellings in the grounds of an existing dwelling. Developments which significantly increase the proportion of plot coverage or increase the scale of proposed buildings may be out of keeping with their surroundings.
- 5.66 Within Development Limits, conversion of buildings, including listed buildings which are no longer suited or required for their original purpose provides a further opportunity to increase the housing stock without encroaching into the countryside or spoiling the character of settlements. This is particularly important in the case of buildings which are an integral part of the character of the area and which, without the introduction of a new use, might fall into a state of disrepair.
- 5.67 In determining planning applications for new housing or for the conversion of existing buildings to residential use, it will be necessary to ensure that satisfactory standards of access and parking arrangements are available, and that full consideration is given to matters which impact upon neighbouring properties. In

particular, inappropriate forms of backland or tandem development will generally be resisted. This is where one house is sited immediately behind another one with the access to the rear house running to the side of the front house. This form of development is generally unsatisfactory because of the difficulties of access to the house at the back and the disturbance and lack of privacy suffered by the house in front.

- 5.68 It is equally important to ensure a reasonable standard of residential amenity for new occupiers. For example, new housing should not be located in close proximity to established uses that are likely to cause significant amenity problems. In rural areas and on the edge of settlements, intensive livestock units can create problems associated with smell. PPG7 suggests that new residential development should not normally be permitted closer than 400 metres from existing intensive livestock units.
- 5.69 In order to maintain and enhance the character of the settlements in the Plan area, several of which include designated conservation areas, due regard should also be given to matters of siting, appearance, design, use and colour of external materials, boundary treatment and landscaping. The District Council will expect all new buildings to be sympathetic to the character and appearance of the locality.
- 5.70 There is a considerable difference in the size and nature of settlements within the Plan area, and the impact of development will vary accordingly. It is essential that the scale of development is appropriate to the form and character of the particular settlement, and that proposals for development do not conflict with the overriding strategy of the Plan which is to direct the majority of new housing development to market towns and selected service villages.

Housing development in the market towns and villages that are capable of accommodating additional growth

- 5.71 Villages identified in POLICY H6 have a reasonable service base in their own right, or are located relatively close to larger settlements and employment opportunities. In these village proposals utilising previously developed land, which may include small infilling plots, residential or commercial curtilages and the redevelopment or conversion of existing premises (both residential and non-residential), will be acceptable subject to the criteria in POLICY H6.
- 5.72 In the case of proposals not involving previously developed land, the burden of proof will be placed on applicants to demonstrate whatever exceptional circumstances they might weigh in the balance in support of the proposal. Example of circumstances which may be considered as exceptional are:
- a) Revised proposals, which are more in accordance with the requirements of PPG3, submitted to replace an extant permission, e.g. providing a higher density.
 - b) Proposals which significantly improve environmental conditions in the village, e.g. displacement of 'un-neighbourly' uses.
 - c) Provision of housing to meet specific identified local needs.
 - d) Proposals which facilitate the release of significant brownfield sites.

All such proposals will be expected to comply with the criteria in POLICY H6.

H6 Within the defined Development Limits of the market towns and villages listed below, residential development will be permitted where the proposal meets the requirements of POLICY H2A or involves the conversion or change of use of a building and provided the proposal:

- 1) Is of a scale and design appropriate to the form and character of the settlement or immediate locality;**
- 2) Would provide a satisfactory standard of residential accommodation and amenity;**
- 3) Would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity;**
- 4) Would not compromise the future comprehensive development of land;**
- 5) Would not constitute an unacceptable form of backland or tandem development;**
- 6) Would not harm acknowledged nature conservation interests or result in the loss of open space of recreation or amenity value or which is intrinsically important to the character of the area; and**
- 7) Would not be subject to overriding considerations that would render the site unsuitable or the development inappropriate.**

Market towns

Selby	Sherburn in Elmet	Tadcaster
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Villages

Appleton Roebuck	Church Fenton	Monk Fryston
Barlby	Cliffe	North Duffield
Barlby Bridge	Drax	Osgodby
Barlow	Eggborough	Riccall
Brayton	Fairburn	South Milford
Brotherton	Hambleton	Stutton
Byram	Hemingbrough	Thorpe Willoughby
Camblesforth	Hensall	Ulleskelf
Carlton	Hillam	Wistow
Cawood	Kellington	Whitley

Housing development in villages that are capable of accommodating only limited growth

5.73 Whilst a number of settlements have a good range of facilities and some capacity for continued growth, locational factors and other constraints mean that development on any significant scale may not be sustainable. For instance smaller villages tend to have an inadequate service base to support development on any significant scale making it necessary to travel outside the village for facilities such as shops and schools, and even further distances for employment

opportunities. Some larger villages are relatively remote and/or contain insignificant amounts of brownfield (redundant) land.

- 5.74 Other villages are unsuitable for significant additional development because of their sensitive character and pattern of development. Part of the character of many villages is made up of gardens, paddocks and other gaps between buildings which it is desirable to safeguard. The definition of Development Limits around a settlement does not necessarily imply that development will be acceptable. Proposals will still need to satisfy normal development control considerations in terms of access arrangements, avoidance of tandem development, appropriate siting and design, protection of existing open space, and the need to safeguard the form and character of the settlement. In linear settlements development will tend to be limited to frontage only, provided that this does not detract from the appearance and character of the settlement.
- 5.75 In those settlements identified in POLICY H7, development will generally be restricted to infilling within garden curtilages, conversions or other small-scale redevelopment. Proposals involving greenfield land will not normally be permitted. All development should be in accordance with the criteria in POLICY H7. However, the overriding objective in considering proposals for new housing will be the need to safeguard the character and amenity of the particular locality where development is proposed.

H7 Within the defined Development Limits of the villages listed below, residential development will be restricted to sensitive infilling on previously developed land, and other small-scale redevelopment of previously developed land and premises, or the conversion or change of use of existing buildings and provided the proposal:

- 1) Would not detract from the form and character of the settlement;**
- 2) Would provide a satisfactory standard of residential accommodation and amenity;**
- 3) Would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity;**
- 4) Would not constitute an unacceptable form of backland or tandem development;**
- 5) Would not harm acknowledged nature conservation interests, or result in the loss of open space of recreation or amenity value, or which is intrinsically important to the character of the area; and**
- 6) Would not be subject to any overriding considerations that would render the site unsuitable or the development inappropriate.**

Barkston Ash
Beal
Biggin

Cridling Stubbs
Escrick
Gateforth

Newland
Newton Kyme
Ryther

Bilborough	Great Heck	Saxton
Birkin	Healaugh	Skipwith
Bolton Percy	Hirst Courtney	South Duffield
Burn	Kelfield	Stillingfleet
Burton Salmon	Kellingley Colliery	Thorganby
Chapel Haddlesey	Kirk Smeaton	Towton
Church Fenton	Little Smeaton	West Haddlesey
Airbase	Lumby	Womersley
Colton		

Re-use of Upper Floors for Residential Use

- 5.76 The under-use of upper floors of commercial and other premises causes deterioration and decay of buildings. The District Council attaches high priority to bringing empty property back into use. As well as helping to improve the general environment of an area, this will relieve pressure for new development on greenfield sites, and increase the stock of affordable accommodation for small households.
- 5.77 Particular encouragement will be given to the residential use of upper floors above shops in connection with the 'Living Over the Shop' initiative (LOTS). This is a national scheme established in 1989 specifically to help promote the revitalisation of town centres, and provide additional accommodation. Such properties are attractive to the young and elderly who require homes conveniently accessible for work, public transport, community services and facilities. Specific policies are incorporated in Part Two of the Local Plan to encourage the residential use of town centre properties in both Selby and Tadcaster (POLICY SEL/2 and POLICY TAD/7).
- 5.78 The following policy is intended to encourage the maximum use of existing property within all built-up areas. In appropriate cases a flexible approach will be taken toward the application of parking standards (POLICY VP1) and other requirements.

H8 Proposals for the re-use and conversion to residential use of upper floors of premises will be permitted within defined Development Limits provided:

- 1) The proposal would provide a satisfactory standard of residential accommodation;**
- 2) The environment is suitable for residential use;**
- 3) The proposal would not harm the architectural and historic character or fabric of the building; and**
- 4) The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity.**

Housing in the Countryside

- 5.79 Protection of the countryside is an important aim of this Local Plan, and this accords with both Structure Plan policy and national planning policy. PPG7 (The Countryside - Environmental Quality and Economic and Social Development) stresses that new house building in the countryside, away from established settlements, should be strictly controlled and that new houses require a special justification. This will help to preserve best and most versatile agricultural land, conserve attractive and accessible countryside, minimise the problems caused by heavy flows of traffic on unsuitable country lanes, and ensure the most efficient use of facilities and services which are already provided within towns and villages.
- 5.80 The definition of Development Limits (see POLICY DL1) is intended to identify the boundary of settlements within which continued residential development may be acceptable and beyond which policies of restraint will apply. Consequently, proposals for new residential development will not normally be permitted in the countryside. Proposals affecting the following small villages and hamlets, and other isolated clusters of dwellings, where Development Limits have not been defined, will be treated as falling within the open countryside: Acaster Selby, Balne, Catterton, Grimston, Huddleston with Newthorpe, Kirby Wharfe, Lead, Little Airmyn, Little Heck, Little Fenton, Long Drax, Lund, North Milford, Nun Appleton, Oxton, Scarthingwell, Stapleton, Steeton, Sutton, Temple Hirst and Walden Stubbs. In some circumstances limited, sensitive infilling, utilising previously developed land, as defined in Annex C to PPG3 (2000), may be acceptable within existing small villages and hamlets beyond the Green Belt where there is no significant adverse effect on the character of the area.
- 5.81 Acceptable types of residential development in the countryside include dwellings required in connection with agriculture or forestry, or conversion of an existing building in compliance with POLICY H12. In addition, the provision of affordable housing for local community needs may be appropriate if compliant with POLICY H11. Replacement dwellings and extensions to dwellings may also often be acceptable. Where established livestock units represent an un-neighbourly use on the edge of settlements, proposals for residential redevelopment may be acceptable in accordance with POLICY EMP14A. Proposals in more remote locations will be considered on their merits and will need to demonstrate exceptional circumstances to warrant approval in view of the reduced incidence of complaints and the greater potential to create isolated unsustainable forms of development.

H9 Outside defined Development Limits residential development will not be permitted except for the following forms of development:

- 1) New agricultural, horticultural or forestry workers dwellings;**
- 2) Rural affordable housing in compliance with POLICY H11;**

- 3) **Conversion of rural buildings to residential use in compliance with POLICY H12;**
- 4) **Replacement dwellings;**
- 5) **Extensions to dwellings;**
- 6) **In non-Green Belt areas, sensitive infilling within residential curtilages within small groups of houses, where there would be no adverse effect on the character of the area; and**
- 7) **Redevelopment of intensive livestock units adjoining defined Development Limits.**

Agricultural Dwellings

- 5.82 In most instances agricultural workers, like other employees in rural areas, will be expected to live in dwellings within settlements. More often than not the nature of the employment does not require the close physical proximity of employees to their work. There are also domestic and social advantages in avoiding isolated locations through the availability of schools, shops and other facilities in villages and towns. However, it is recognised that the proper management or operation of rural enterprises connected with farming, horticulture or forestry may require the erection of dwellings for key workers on the holding itself, for example when 24 hours supervision is required and suitable accommodation is not available nearby.
- 5.83 In spite of the reduction in numbers of agricultural workers, the District Council is continuing to receive applications for agricultural dwellings outside recognised settlements, including the relaxation of agricultural occupancy conditions, at the rate of about 15 a year. It is therefore necessary to establish strict guidelines against which proposals will be considered, in order to avoid abuse of existing planning controls and to safeguard the countryside.
- 5.84 In considering proposals for agricultural dwellings, the District Council will expect applicants to demonstrate that there is an exceptional case, based on the needs of the enterprise rather than the needs of the intended owner or occupier.
- 5.85 Where the application is to erect a dwelling in connection with a new enterprise, particular attention will be paid to the viability of the holding as a full-time unit. In certain circumstances, it may be appropriate to apply a financial test in accordance with Annex I of PPG7. Where this is in doubt, planning permission may be granted for temporary accommodation for a limited period to enable the viability of the holding to be assessed. This will allow the District Council to give proper consideration to the need for a permanent dwelling. In considering proposals, the District Council will seek to ensure that the practice of selling off dwellings separately from a holding and subsequently applying for permission for a new dwelling is curtailed.

- 5.86 To ensure permitted dwellings are retained for the purpose originally approved, the District Council will impose conditions restricting occupation to persons solely or mainly employed in agriculture. Conditions will not be removed unless it is clearly demonstrated that the property no longer has a role to play in supporting the rural economy and there is clear evidence of attempts to market the property at a price which reflects the occupancy conditions.
- 5.87 Where acceptable in principle, new dwellings should be carefully sited and designed to ensure that development is in keeping with the character of the area. A site adjacent to an existing group of farm buildings will generally be preferred, since this is likely to minimise the impact on the landscape and can more easily be provided with public services and facilities. New dwellings should also share an existing access rather than necessitate the creation of a new access to the public highway. Where a more remote location is justified, for example, to supervise an outlying part of the enterprise, the siting must have regard to existing features such as farm buildings, the contours of the land, trees and hedgerows, supplemented where necessary by new planting, whether or not it is attached to an agricultural holding.

H10 Proposals for new agricultural, horticultural or forestry workers dwellings in the countryside will only be permitted where:

- 1) It can be demonstrated that there is a need for a new dwelling to be sited on the holding and that existing accommodation on or near to the holding is inadequate to cater for the worker(s) required to live on the holding for essential purposes;**
- 2) A functional requirement is established;**
- 3) The new dwelling(s) would be appropriately sited within or adjacent to an existing complex of buildings unless it can be clearly established that the practical requirements of the enterprise necessitate a more isolated location;**
- 4) The new dwelling(s) would be unobtrusive in the landscape and of a scale and design appropriate to its intended purpose and setting; and**
- 5) The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity.**

Occupancy conditions will be attached to all new dwellings permitted to ensure that the dwelling is kept available to meet agricultural needs and, in those circumstances, where a farming enterprise is relocated from a village to open countryside, the new farm buildings will be required to be erected and operational before the agricultural dwelling is built.

Rural Affordable Housing

- 5.88 The Council's Housing Need Study, undertaken at the end of 1994, has provided evidence of widespread local need throughout the Plan area. POLICY H4 is intended to address this problem by ensuring the provision of a significant element of affordable housing at key locations in conjunction with the development of allocated sites and larger windfall sites. However, it is apparent that the policy will not necessarily assist rural communities which face particular difficulties in securing suitable housing which meets their housing needs.
- 5.89 The District Council may therefore give favourable consideration to limited affordable housing development outside the defined Development Limits of villages, provided it can be demonstrated that there is a particular local need that cannot be accommodated in some other way. Proposals must be substantiated either by the results of the Council's Housing Need Study or a more up-to-date survey carried out locally in full consultation with the Parish Council prior to the submission of a planning application. The application of the term 'local need' may embrace groups of villages depending on the particular circumstances of each case.
- 5.90 POLICY H11 provides for small-scale schemes in direct response to an identified local need. There will be a requirement to ensure dwellings are available for those who live or work locally or have local connections. However, it is recognised that subsequent occupiers may need to be found from a wider catchment if local demand has changed. The search for qualifying occupiers will be expected to be carried out in a sequential manner, in line with national planning policy, by offering accommodation first to local people then to those in adjoining parishes, and then to those living elsewhere in Selby District before considering households from outside the District.
- 5.91 Schemes should be affordable for rent or sale, capable of proper management by, for example, a housing association, village trust or similar local organisation, and available to subsequent occupiers as affordable housing. Proposals involving market housing with an element of cross-subsidised affordable housing will not be acceptable since this may generate hope value among landowners and reduce the supply of land for purely affordable schemes. The success of the policy will be dependent on the willingness of landowners to accept a land valuation at less than housing market price but greater than agricultural worth, so enabling a subsidy to be passed on to local purchasers.
- 5.92 The policy requires that affordable housing schemes may occur in locations where permission would normally be refused. This does not mean that proposals will be acceptable in remote locations or in open countryside. Sites should normally be well related to, and immediately adjoining, the Development Limits of existing settlements. Due regard should also be given to normal criteria including access, layout, effect on infrastructure and traffic implications. Development should also respect the character of the village and adjoining countryside. Proposals should normally be on sites of no more than 0.4 hectares and involving less than 10 dwellings, depending on the level of need and site characteristics.

5.93 Dwellings likely to be built as a result of this policy have not been anticipated in the housing supply figures set out in paragraph 5.12. However, the contribution which such housing makes towards meeting the overall housing requirement will be taken into account when the Plan is formally reviewed.

H11 The District Council may grant planning permission for small-scale affordable housing schemes which meet an established local need, as an exception to POLICY H9, provided:

- 1) The site is immediately adjacent to the Development Limits of a village;**
- 2) There is a proven local need supported by a detailed local survey;**
- 3) It can be demonstrated that the proposed housing will be affordable by local people identified in the survey as being in housing need;**
- 4) The need for affordable housing could not reasonably be met in other ways which accord with Local Plan policy;**
- 5) The proposal is well-related in scale, location and design to the adjoining settlement, and its impact on the character of the settlement or the adjoining countryside is minimised;**
- 6) The proposal would not prejudice the maintenance of a Strategic Countryside Gap between settlements in accordance with POLICY SG1, or result in the loss of an attractive view into or out of a settlement; and**
- 7) The scheme would meet all other planning and highway requirements.**

All proposals will be subject to conditions and/or planning obligations to ensure that the dwellings remain affordable in perpetuity and initial and subsequent occupiers live or work locally*, or have local connections, if after a reasonable period of time*** the accommodation remains unallocated, properties may be made available, in turn, to households or persons: living or working in the Parish for less than two continuous years; living or working in an adjoining Parish or Town; living or working in the District; living in an adjoining local authority area; or living elsewhere.**

Notes:

- * *'Living locally' in this context means living within the Parish or Town for a continuous period of two years up to the release of the accommodation. The term 'working locally' applies to those in permanent employment in the Parish or Town, including those taking up employment, and those providing an important service requiring them to live locally.*
- ** *'Local connections' are defined as continuous residence for two years out of the last five, or immediate family having lived in the Parish or Town for a minimum of five years.*
- *** *For the purposes of this policy a reasonable period of time means 12 weeks in the case of rental schemes and 6 months in the case of owner-occupier or shared ownership schemes.*

Conversion to Residential Use in the Countryside

- 5.94 Many buildings in the countryside, including barns, outhouses and redundant institutional buildings, are now unsuited to the purpose for which they were originally built. There is continuing pressure for the conversion of such buildings to residential use. PPG7 (The Countryside – Environmental Quality and Economic and Social Development 1997), emphasises that conversion to commercial, industrial or recreational use will normally be preferred in order to help diversify the rural economy and provide a variety of local employment opportunities.
- 5.95 In order to avoid a proliferation of isolated dwellings in the countryside, the District Council will continue to exercise careful control over the conversion of rural buildings to residential use. The conversion of a rural building to a dwelling potentially deprives that area of the opportunity for the establishment of new enterprises and the local workforce of the opportunity of employment close to the areas where they live. Applicants will in future, therefore, be required to demonstrate why the building cannot be used for commercial, industrial or recreational uses, or that there is no demand for such buildings in the immediate area.
- 5.96 Since the reason for permitting residential use contrary to normal countryside policies is to preserve attractive buildings in their setting, it is important to ensure that the conversion can be carried out sympathetically without damaging the intrinsic character of the building and without substantial rebuilding, extension or alteration.
- 5.97 Proposals for residential conversion which are subordinate to a scheme for the re-use of a building or complex of buildings for employment purposes may be granted planning permission under POLICY H12. In such circumstances, conditions may be attached requiring the works necessary for the establishment of the enterprise to have been completed before the dwelling is occupied and/or to tie the occupation of the dwelling to the operation of the enterprise in order to prevent it being sold separately. Alternatively, a planning obligation (Section 106 Agreement) may be sought to tie the dwelling to the rest of the re-use.

- 5.98 Conversion should not have a detrimental effect on the amenities of adjoining properties. Similarly, the close proximity of existing uses, such as intensive livestock units or industry, may make conversion impractical due to the poor level of amenity that would result.
- 5.99 Rural buildings are often nesting and roosting sites for barn owls and bats, which are protected under the Wildlife and Countryside Act 1981. Proposals for re-use of such buildings will be subject to the provisions of that Act and POLICY ENV14.
- 5.100 Further advice on the operation of the policy and the design considerations to be taken into account will be provided in Supplementary Planning Guidance.

H12 Proposals for the conversion of rural buildings to residential use in the countryside (outside defined Development Limits) will only be permitted where:

- 1) It can be demonstrated that the building, or its location, is unsuited to business use or that there is no demand for buildings for those purposes in the immediate locality;**
- 2) The proposal would provide the best reasonable means of conserving a building of architectural or historic interest and would not damage the fabric and character of the building;**
- 3) The building is structurally sound and capable of re-use without substantial rebuilding;**
- 4) The proposed re-use or adaptation will generally take place within the fabric of the building and not require extensive alteration, rebuilding and/or extension;**
- 5) The conversion of the building and ancillary works, such as the creation of a residential curtilage and the provision of satisfactory access and parking arrangements, would not have a significant adverse effect on the character or appearance of the area or the surrounding countryside;**
- 6) The building is not in close proximity to intensive livestock units or industrial uses which would be likely to result in a poor level of amenity for occupiers of the dwelling;**
- 7) The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity; and**
- 8) In those cases where the proposed residential conversion is part of a scheme for business use, the**

residential element is clearly subordinate to the business use.

In order to control future extension and/or alteration to the building, appropriate conditions may be imposed on any permission granted, including withdrawal of permitted development rights under the General Development Order, or the restriction of activities within the curtilage of the site which might be harmful to the character of the area.

Replacement Dwellings in the Countryside

- 5.101 In areas where new housing would normally be allowed, there is no objection in principle to the demolition and replacement of existing dwellings, provided the redevelopment of the site respects normal planning criteria. However, in the open countryside a stricter policy will be applied. Where a dwelling has been demolished or the habitable use has clearly been abandoned and the building has fallen into a state of dereliction, proposals for new building work will be treated the same as proposals for a new dwelling and will be resisted.
- 5.102 A judgement on whether abandonment has occurred is very much a matter of fact and degree and its definition is a complex one informed by various court and appeal cases. Each case will be determined on its merits although it will be considered that residential abandonment has occurred if a building has been deliberately left vacant for a substantial period of time with no intention of resumption.
- 5.103 In other circumstances, for example, where a dwelling has been damaged by fire or other accident, or where the cost of renovation of an existing dwelling would be uneconomic in comparison with its replacement, planning permission may be granted provided the replacement is on a one-for-one basis. Proposals will be expected to reflect the scale of the original dwelling and be of a design appropriate to its rural setting.

H13 Replacement dwellings in the countryside (outside defined Development Limits), will be permitted on a one-for-one basis provided:

- 1) The original dwelling has not been abandoned or allowed to fall into such a state of dereliction and disrepair that it no longer has the appearance of a dwelling;**
- 2) The original dwelling is not of architectural merit (when restoration and renovation will be preferred to replacement);**
- 3) The proposed replacement dwelling is located on the site of the existing dwelling or there is a condition or legal obligation to ensure its demolition on completion of the new dwelling;**

- 4) **The size and scale of the proposed replacement would be similar to the original dwelling and be no more obtrusive in the landscape; and**
- 5) **The design and materials of the proposed dwelling would be appropriate to the character of the area.**

Extensions to Dwellings in the Countryside

5.104 Whilst proposals for extensions to dwellings will normally be acceptable within existing built-up areas, the enlargement of existing dwellings in open countryside may have a more conspicuous effect on their individual character and could lead, cumulatively, to an erosion of the attractive, undeveloped nature of the countryside. More sensitive controls are therefore required to ensure that development is acceptable. Particular emphasis is placed on good design and materials, and the need to safeguard the countryside against visually dominant development.

H14 Outside defined Development Limits, proposals for the extension of existing dwellings will be permitted provided:

- 1) **The proposal would be appropriate to its settings and not visually intrusive in the landscape;**
- 2) **The proposal would not result in a disproportionate addition over and above the size of the original dwelling and would not dominate it visually; and**
- 3) **The design and materials of the proposed extension would be in keeping with the character and appearance of the dwelling and, where appropriate, other buildings in the area.**

Extensions to Curtilages in the Countryside

5.105 An increasing number of proposals are being made involving the extension of residential curtilages into the countryside. This can have a suburbanising effect on the natural landscape which may, cumulatively, alter the character and appearance of the open countryside. In considering such proposals, the District Council will need to be satisfied that there is likely to be no adverse effect on the appearance or nature of the countryside, particularly in the light of national policy to safeguard the countryside for its own sake, as a largely irreplaceable resource.

5.106 In some cases it will be particularly important to incorporate safeguards in a planning consent to prevent the over-development of the curtilage area through the introduction of structures such as stables, sheds or garages. Such development may adversely affect amenity and the environment and allow the built area to unacceptably encroach into the open countryside. Some substantial structures may create future pressure for residential or other development which may not be appropriate in planning terms. In appropriate cases permitted development rights may be removed.

H15 Proposals to extend the curtilage of properties outside defined Development Limits will only be permitted if there is no significant adverse effect on the character and appearance of the surrounding countryside, and the proposed means of enclosure would be appropriate to the adjoining countryside.

Any permission granted may be made conditional upon the removal of permitted development rights in relation to that part of the curtilage outside Development Limits.

Gypsy Site Provision

- 5.107 Local Authorities are required to provide accommodation for gypsies residing in or resorting to their areas. Although the statutory duty to provide accommodation lies with North Yorkshire County Council, there has been close cooperation between both Councils on the identification of sites, and the District has achieved Designated Status under the Caravan Sites Act 1968. Two sites are currently operated on publicly-owned land within the Plan area, at Burn Airfield and at Lynwith Lane, Carlton, which provide a combined total of 24 pitches.
- 5.108 Proposals have previously been put forward to reform the Caravan Sites Act 1968 replacing the duty on Local Authorities to provide accommodation for gypsies with a discretionary power. Circular 1/94 (Gypsy Sites and Planning) suggests that this is expected to lead to more applications for private gypsy sites. Whilst the existing level of provision is adequate to meet the traditional need for sites for gypsies in the area, private applications will need to be considered on their merits, taking into account up-to-date information on the number of gypsy families who reside or resort within the Plan area at the time of the application and the number, location and nature of existing pitches.
- 5.109 Circular 1/94 indicates that planning applications on behalf of the gypsy community should be determined solely in relation to land use factors. The aim is to encourage gypsies themselves to identify and secure the kind of sites they need, whilst protecting amenity and avoiding potential breaches of planning control. It is accepted that locations outside existing settlements will generally be necessary. The following policy therefore sets out criteria to avoid conflicts with existing land uses and safeguard the environment, and the character and appearance of the countryside.
- 5.110 In view of the potential visual impact, it will not normally be appropriate to make provision for gypsy sites in sensitive areas of open countryside, particularly within Locally Important Landscape Areas and Strategic Countryside Gaps or where development could adversely affect significant nature conservation and archaeological sites or the heritage of the Plan area. Similarly, gypsy sites are not regarded as being among those uses of land which are normally appropriate within areas of Green Belt.
- 5.111 Sites on the outskirts of built-up areas may be appropriate, provided that care is taken to avoid encroachment into open countryside and the visual impact on nearby properties is minimised. Substantial natural screening may be appropriate in maintaining visual amenity and privacy, and will help

sites blend into their surroundings. Small sites will normally be less intrusive.

- 5.112 Sites should be self-contained as far as possible, and should provide a reasonable level of services including electricity, drinking water supplies, washing facilities, sewage disposal, and regular refuse collections. Individual site pitches should have access to their own drinking water supply and sanitation.

H16 Small-scale proposals for the accommodation of gypsies may be permitted as an exception to POLICY H9, provided there is an established traditional need and:

- 1) The site is not situated within Green Belt, a Locally Important Landscape Area, an Historic Park and Garden or an area of archaeological importance, and the proposal will not harm a site of acknowledged nature conservation importance;**
- 2) The site has reasonable access to schools, shops and other facilities;**
- 3) The proposal would provide a reasonable standard of residential amenity and on-site services and facilities;**
- 4) The site is well screened, or capable of being screened, and would not have a significant adverse effect on the character and appearance of the surrounding countryside;**
- 5) The proposal would not have a significant adverse effect on agricultural interests or on the amenities of adjoining occupiers; and**
- 6) The site has good access to the strategic road network and would not create conditions prejudicial to highway safety.**

On-site business activities will only be permitted where they will not result in undue disturbance to nearby uses, risk of pollution, or significantly detract from the character of their surroundings.

SECTION 6 - ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT

INTRODUCTION

- 6.1 In spite of its rural character, the economy of the Plan area is based on industrialised forms of employment, including coal mining and power generation. There is acute unemployment owing to difficulties associated with the recession and structural weakness in the economy.
- 6.2 The Plan area supports over 33,000 jobs. Most employment is concentrated in Selby and adjacent Parishes, Sherburn in Elmet, Tadcaster and Eggborough/Whitley Bridge, with isolated pockets at rural locations, including six coal mines and two electricity generating power stations. Whilst employment in agriculture is declining, agriculture remains an important use of land and source of opportunities for rural diversification. Other employment in rural areas is concentrated in service villages in the form of shops and other local services.
- 6.3 Although significant out-commuting occurs to surrounding employment centres such as Leeds and York, there is expected to be significant growth in the number of people seeking local employment.
- 6.4 This chapter considers the amount and distribution of additional land to be allocated for economic development, together with policies to promote economic recovery and control proposals for particular types of employment development.

STRATEGIC FRAMEWORK

- 6.5 National planning guidance emphasises the importance of stimulating continued economic development in a way which is compatible with environmental objectives. Development plans are expected to give greater certainty about the types of industrial and commercial development that will be permitted at different locations, whilst taking into account the locational demands of businesses, and the desirability of safeguarding and enhancing the environment. There is also a long-standing commitment to promote diversification of the rural economy.
- 6.6 These themes are echoed in the Regional Planning Guidance (now Regional Spatial Strategy), which also stresses the importance of creating the right conditions to attract inward investment. Local authorities are encouraged to ensure that a good supply of attractive and developable sites is available, particularly in areas of high unemployment. Government and European initiatives, such as the Single Regeneration Budget and the Rechar Programme, are expected to be complemented by appropriate planning policies.
- 6.7 The North Yorkshire Structure Plan establishes the level and broad location of economic development within the County. Policy I5 requires that provision for industry and other businesses is mainly in and around urban areas and towns, whilst Policy I6 states that industrial and commercial development will normally be permitted within or, where appropriate, adjoining existing industrial estates/areas and on sites located within or in close proximity to a built-up area.

Provision is also made for small-scale industrial development in rural settlements, and for commercial development in and around town centres.

- 6.8 The Third Alteration to the County Structure Plan rolls forward the employment land requirements to 2006. A significant increase in the supply of employment land is proposed in order to address the acknowledged structural weakness in the local economy.
- 6.9 The District Council's Economic Development Strategy is also relevant to the formulation of Local Plan policies. This aims to promote and secure the regeneration and diversification of the local economy through the creation of new employment opportunities and inward investment. The Strategy also supports the expansion of existing businesses.

OBJECTIVES

- 6.10 The employment policies of the Plan have the following main objectives:
- 1) To ensure adequate provision of employment land and a range of sites in terms of type and location to cater for the needs of differing businesses, and to encourage inward investment.
 - 2) To safeguard existing employment land and premises.
 - 3) To promote the diversification of the local economy, including rural diversification, where this is compatible with the character of the area.
 - 4) To support the needs of agriculture where compatible with the Plan's environmental objectives.
 - 5) To encourage the expansion of existing businesses and the establishment of small local firms.
 - 6) To create opportunities to improve the quality of the existing business environment and to ensure a high standard of design and landscaping in new economic development.
 - 7) To improve opportunities for people to live near their work and minimise traffic movements.

POLICIES AND PROPOSALS

Employment Land Requirement

- 6.11 The Local Plan employment land requirement has been calculated on the basis of the County Structure Plan Third Alteration. This suggests a requirement of 125 ha of land for industrial/business development in the Plan area in the period of 1991-2006, in order to create the additional jobs needed to help overcome high unemployment, and to meet the projected increase in the size of the workforce.
- 6.12 The Structure Plan requirement should not be seen as a 'target' level to be achieved, but rather as a guide to the level considered appropriate to the area. After taking account of net completions and the expected contribution from

outstanding commitments at 31 March 1998, the employment land requirement to be met through Local Plan allocations is broadly as follows:

	Area (Ha)
Structure Plan Requirement 1991-2006 (Alteration No. 3)	125.00
Land taken up 1.4.91 to 31.3.98 ¹	7.50
Expected contribution from outstanding planning consents at 31.3.98 ²	68.57
RESIDUAL REQUIREMENT TO BE MET THROUGH LOCAL PLAN ALLOCATIONS	48.93

¹ excluding small sites in rural settlements,

² excluding Weeland Road, Eggborough which is allocated for residential purposes.

- 6.13 The expected contribution from outstanding commitments has been discounted by 20 ha to allow for the fact that not all sites with planning permission are likely to be fully taken up, or are capable of being developed, within the Plan period owing to ownership, marketing, infrastructural and other constraints. These include 3.32 ha at Roman Road, Tadcaster (unlikely to be taken up until after the Plan period), 10.97 ha at Roall Lane, Eggborough (overhead lines) and 29.1 ha at Sherburn in Elmet (outline planning consent extended beyond the Plan period to 2012), for which a combined allowance of about 50% has been made.
- 6.14 The employment land requirement excludes small-scale (ie <0.4 ha) industrial/business development in rural settlements, the extension, expansion or replacement of existing businesses, and the establishment of business uses in and adjacent to town centres for which additional unspecified provision can be made in accordance with Structure Plan Policies I4, I8 and I12. It also excludes land which may come forward through the 'Strategic Exceptions' Policy (POLICY EMP11).
- 6.15 Local Plan allocations are intended to accommodate manufacturing, commercial office and storage activities, corresponding with Use Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987.
- 6.16 Although only 48.93 ha of land for new industrial/business development are required to be allocated to meet Structure Plan guidelines, a total of 58.6 ha has been allocated. It is considered that this small degree of over provision (8% of total required provision) will provide an element of flexibility in the choice and variety of sites available to help stimulate economic recovery, and to replace older employment premises which may be redeveloped for other purposes. For example, about 4 ha of employment land may be displaced from The Holmes, Selby within the Plan period in connection with proposals to redevelop the site with a modern mixed development including residential and business uses.

EMP1 Provision will be made for about 125 hectares of land for industrial/business purposes within the plan area in the period from 1991-2006.

The Location of Economic Development

- 6.17 Provision for new industrial/business development has mainly been made in and around Selby, Sherburn in Elmet, Tadcaster and Eggborough, including the granting of consent for a major inward investment proposal south of Eggborough Power Station in the form of the St Gobain float glass plant. These locations provide the best opportunities for job creation without compromising the environmental objectives of the Plan. They are conveniently located for the workforce and accessible by public transport, and will assist one of the Plan's principal objectives of improving opportunities for people to live near their work. Smaller allocations of land and other policies in the Plan are intended to facilitate small-scale development in villages and rural areas, in order to strengthen the rural economy and to consolidate existing employment development.
- 6.18 In identifying locations for future development, the District Council has taken a range of factors into account including unemployment levels, market demand, constraints on land and the availability of funding through Government and European investment initiatives.
- 6.19 Individual sites have been selected for development on a similar basis as potential housing allocations, in order to minimise environmental impact, utilise spare capacity in services and infrastructure and to promote sustainable forms of development. Some sites that were previously allocated for development in the adopted Rural Areas Local Plan (1990), or in informal Local Plans, have not been developed. Where these do not have the benefit of a valid planning consent the opportunity has been taken to re-examine their development potential.
- 6.20 POLICY EMP2 identifies the broad distribution of employment land allocations. The District Council's detailed requirements in relation to the development of individual sites are set out in Policies incorporated in Part Two of the Local Plan.

EMP2 New employment development will be concentrated in and around Eggborough, Selby, Sherburn in Elmet and Tadcaster. Encouragement will also be given to proposals for small-scale development in villages and rural areas in support of the rural economy. Land is allocated for industrial/business development at the following locations:

<i>Site Ref</i>	<i>Site</i>	<i>Proposals Map</i>	<i>Ha</i>
		<i>Inset No.</i>	
BAR/1	Magazine Road, BARLBY	4	5.4
BAR/1A	Rear of Olympia Mills/BOCM, BARLBY	4	7.0
BRAY/1	Selby Business Park, BRAYTON	11	8.5
BRAY/2	East of Bawtry Road , BRAYTON	11	1.6
CLF/1	Cliffe Common, CLIFFE	23	1.5
EGG/5	Selby Road (north), EGGBOROUGH	27	5.2

EGG/7	Selby Road (south), EGGBOROUGH	27	2.4
SEL/3	Bawtry Road, SELBY	53	3.2
SEL/4	Denison Road, SELBY	53	12.4
SHB/2	Enterprise Park, SHERBURN IN ELMET	54	2.4
TAD/3	London Road, TADCASTER	60	9.0
		Total	58.6

Proposals for the development of allocated sites should meet the detailed requirements set out in specific policies contained in Part Two of the Local Plan.

Renewal of Industrial and Business Commitments

- 6.21 A number of sites in the District have planning permission for employment development. These sites make an important contribution to future employment land supply and it is important that they continue to be available for development within the Plan period.
- 6.22 Progress on meeting the employment land requirement will be monitored to ensure that there is always an adequate range and size of sites available. If the supply should fall short of meeting the Local Plan requirements, the District Council will consider other means of increasing supply through the granting of further planning consents, or review of the Plan.
- 6.23 Whilst applications for renewal of outstanding planning consents will normally be approved, where continued failure to begin development would jeopardise the Council's employment strategy, permission may not be renewed and consideration will be given to granting consents at other appropriate locations. Similarly, where circumstances have changed since the original approval, it may not be appropriate to renew consents.

EMP3 Applications for the renewal of existing or expired planning consents for industrial and business development will be permitted, and proposals for other uses will not be permitted on such sites, unless:

- 1) **There has been a material change in circumstances since the previous permission; or**
- 2) **Continued failure to begin the development will result in a shortfall of employment land supply within the locality before the end of the plan period.**

Retention of Established Employment Areas

- 6.24 The main concentrations of employment in the Plan area are found in and around market towns and service villages. It is important that these areas, which have proved acceptable locations for employment uses, are retained

as they make an important contribution to the local economy and are well related to the local workforce and public transport, providing a variety of premises and opportunities for the relocation and/or expansion of businesses.

- 6.25 The retention of established employment areas which are identified on the Proposals Map may help give confidence to investors whilst releasing the pressure for development in less sustainable locations. Proposals for changes of use or redevelopment of the following areas to non-employment uses will therefore be resisted unless there would be significant amenity, highways or other benefits in permitting other uses, for example by removing non-conforming uses, or it can be shown that there is either no demand for employment development locally or there is an adequate supply of land and premises to meet planned requirements over the Plan period.

<i>Employment Area</i>	<i>Proposals Map Inset Map Number</i>
Selby Business Park, Brayton	11
Selby Road, Eggborough	27
Station Road, Tadcaster	60
York Road, Tadcaster	60
Sherburn Enterprise Park/Trading Estate	54

- 6.26 Unless there are strong overriding environmental objections, proposals for infilling, redevelopment or expansion of existing businesses within safeguarded employment areas will normally be acceptable in accordance with POLICY EMP6.

EMP4 Development proposals which would result in the loss of industrial/business floorspace within established employment areas, as defined on the proposals map, will not be permitted unless:

- 1) **Significant environmental, highway or community benefits would be achieved; or**
- 2) **The development would overcome or alleviate significant environmental or amenity problems; or**
- 3) **The supply of industrial/business land and premises is sufficient to meet the requirements over the plan period; or**
- 4) **Evidence can be provided that no suitable industrial/business occupier can be found.**

Non-Conforming Uses

- 6.27 Within the Plan area there are some existing firms which, by their very nature, cause environmental problems through noise, smoke, vibration, pollution or the effects of associated traffic. A number of firms have also

outgrown their original site and operate in cramped conditions with poor access and servicing arrangements. In some cases such businesses are located in or near predominantly residential areas, where it is desirable to safeguard and improve the living conditions of residents. In other cases, outside built-up areas, existing operations can detract from their surroundings.

- 6.28 The District Council will strongly resist the establishment or expansion of firms which create serious environmental problems. In a limited number of cases it is acknowledged that remedial action may be required through negotiation, in order to introduce physical improvements or changes in site management. Where appropriate, firms will be encouraged to relocate to a more acceptable location. Such a move can often be funded by the redevelopment of an existing site.
- 6.29 Environmental objectives must also be balanced with the desirability of safeguarding local jobs. Only in the most severe cases will the District Council use its legal powers to discontinue a non-conforming use of a long-standing nature.

EMP5 Proposals for the creation or expansion of non-conforming industrial/business uses which are likely to create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity will not be permitted.

In cases where existing operations cause significant environmental, amenity or highway problems, the district council will encourage firms to overcome such problems or to relocate to a more suitable site or premises.

Employment Development Within Development Limits and Established Employment Areas

- 6.30 Sites which have been allocated for industrial and business development are considered to most appropriately meet the future economic needs of the Plan area, and to minimise the impact on the environment and the amenity of adjoining occupiers.
- 6.31 This does not mean that other proposals for economic development will necessarily be refused. Considerable opportunities exist for continued development within established employment areas either by making better use of the available land or through the redevelopment, subdivision and refurbishment of existing premises, particularly to provide low-rent starter units. The District Council wishes to encourage the selective redevelopment of premises in order to help overcome existing environmental problems in older estates, such as lack of landscaping, inadequate access and car parking, and poor boundary treatment. The modernisation and enhancement of established employment areas will help create a better business environment as well as reduce the pressure for release of greenfield sites.

- 6.32 The District Council is also concerned that policies should not operate so as to threaten the economic wellbeing of existing local firms by preventing reasonable future expansion. Similar encouragement must be given to the establishment of new employers, not only to create additional employment opportunities but to diversify the local employment base.
- 6.33 PPG4 (Industrial and Commercial Development, 1992) indicates that many types of industry and commerce can be carried out in residential areas, without causing unacceptable disturbance. This is a particular characteristic in a number of settlements where the mixture of small-scale business, residential and other uses is an essential element in the character and vitality of the area.
- 6.34 Proposals for the provision of local employment opportunities will therefore be supported in most towns and villages provided the nature and scale of the proposal is appropriate to the locality, and development would not be at the expense of residential amenity or the character of the area. This stance is compatible with Policy I8 of the County Structure Plan and reflects PPG advice aimed at supporting the establishment of small businesses particularly in smaller, rural settlements.
- 6.35 The following policy is intended to clarify the circumstances in which economic development will be permitted within towns and villages and established employment areas. It does not apply to rural areas outside defined Development Limits where different considerations apply (see POLICY EMP7).

- EMP6 (A) Within allocated sites and established employment areas, as defined on the proposals map, proposals for new industrial and business development, including infilling, extension or expansion of existing firms, redevelopment of existing sites, or the change of use of land or premises, will be permitted provided:**
- 1) There is no significant adverse effect on existing businesses;**
 - 2) The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity; and**
 - 3) The proposal would achieve a standard of design, materials and landscaping appropriate to the locality and would not have a significant adverse effect on the appearance or character of the surrounding area.**
- (B) Elsewhere, within defined development limits, such development will be permitted provided the above criteria are satisfied and:**
- 1) The nature and scale of the proposal is appropriate to the locality;**

- 2) **The proposals would not prejudice the future comprehensive development of land; and**
- 3) **The proposal would not harm acknowledged nature conservation interests or result in the loss of open space of recreation or amenity value or which is intrinsically important to the character of the area.**

Employment Development in the Countryside

- 6.36 PPG7 (The Countryside – Environmental Quality and Economic and Social Development, 1997) outlines the national commitment to promoting a healthy rural economy. The advice indicates that the countryside can accommodate many forms of development without causing unacceptable planning problems, provided the location and design of development is handled with sensitivity. Particular encouragement is given to farm diversification activities and the establishment of small-scale enterprises, including new development in and around settlements.
- 6.37 Whilst the Plan provides for the bulk of new employment opportunities to be accommodated in the market towns and service villages, encouragement is given to the re-use or adaptation of existing rural buildings through POLICY EMP8, and to the expansion of existing businesses in the countryside through POLICY EMP9. The scope for significant amounts of unobtrusive new development is, however, more limited. Isolated development also places a greater strain on services and infrastructure and is less conveniently located for workers.
- 6.38 The following policy is intended to support small developments of an appropriate scale where a rural location is justified, for example in associated with farm diversification activities, or for operational reasons, such as agricultural engineers, or where premises are required in connection with leisure or tourism activities. In order to safeguard the countryside from unnecessary development, applicants will be encouraged to consider using existing buildings where these are available on the farm holding, or within the locality. Development will not be permitted where it is likely to adversely affect the character of the countryside or create other planning problems. It is not intended that the Policy will apply within areas of Green Belt which are covered by POLICIES GB1-4.

EMP7 Outside areas of Green Belt, small-scale business and farm diversification development will be permitted in the countryside (outside defined development limits), provided the proposal:

- 1) **Requires a countryside location which will benefit the rural economy;**
- 2) **Is of a sensitive design and scale appropriate to the locality;**

- 3) **Would not have a significant adverse effect on the character and appearance of the surrounding area or harm acknowledged nature conservation interests;**
- 4) **Would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity; and**
- 5) **Is adequately screened and landscaped.**

Conversions to Employment Use in the Countryside

- 6.39 PPG7 (The Countryside – Environmental Quality and Economic and Social Development, 1997) makes it clear that proposals for the re-use and adaptation of existing rural buildings can provide valuable workspace and help reduce the demand for new buildings in rural areas. Such developments can often be carried out without damage to their surroundings, and may give rise to no greater disturbance or traffic generation than the former use. A significant number of jobs have already been created in this manner in connection with a variety of commercial, industrial and recreational uses, in accordance with Structure Plan policies and policies in the adopted Rural Areas Local Plan (1990).
- 6.40 In particular, the re-use or adaptation of existing farm buildings can often provide accommodation for farm diversification activities. With the changes that are continuing to occur in agriculture, it is increasingly important for farmers to be able to look outside agriculture for sources of income and to generate rural employment.
- 6.41 In line with national planning policy, the District Council will in future give preference to the conversion of buildings to employment uses rather than residential use because of the greater economic and social benefits involved, and because it is often easier to retain the existing character of the building and minimise the impact on the locality. The conversion of buildings to employment uses will also be acceptable in principle in areas of Green Belt, subject to the normal restrictions and conditions applied to such areas, as outlined in Chapter 3, Paragraph 3.25 and POLICY GB2.
- 6.42 When considering proposals, it is important to ensure that the form, bulk and general design of the building will be in keeping with its surroundings. In any conversion, the District Council will also ensure that the intrinsic character of the building will not be lost through unsympathetic alteration. Buildings must be structurally sound and proposals for major reconstruction or extensions will not be acceptable, since this is likely to fundamentally alter the character of the building.
- 6.43 Care will also be taken to ensure that any incidental outside areas required as part of the scheme can be provided without adversely affecting the appearance and character of the surrounding area or encroaching into the open countryside.
- 6.44 Some rural buildings may provide nesting and roosting sites for barn owls and bats which are protected under the Wildlife and Countryside Act

(1981). In such circumstances, proposals will need to comply with the requirements of POLICY ENV14.

- 6.45 PPG advice indicates that Local Authorities may wish to take steps to ensure that the construction of new farm buildings with the intention of early conversion to another use is strictly controlled. In considering proposals for the re-use of modern buildings, particularly those erected under permitted development rights, applicants will be required to demonstrate that the building has been used for its originally intended purposes. The Council will investigate carefully the history of a building proposed for conversion in order to guard against abuse of the system.

EMP8 Proposals for the conversion of rural buildings for commercial, industrial or recreational uses, including appropriate farm diversification activities, will be permitted provided:

- 1) **The building is structurally sound and capable of re-use without substantial re-building;**
- 2) **The proposed re-use or adaptation will generally take place within the fabric of the building and will not require extensive alteration, re-building and/or extension;**
- 3) **Conversion would not damage the fabric and character of a building of architectural or historical interest, or a traditional building which makes a positive contribution to the character of the countryside;**
- 4) **The form, bulk and general design of the building is in keeping with its surroundings;**
- 5) **The conversion of the building and ancillary works, such as the creation of incidental outside areas, and the provision of satisfactory access and parking arrangements, would not have a significant effect on the character and appearance of the area, or encroach into open countryside; and**
- 6) **The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity.**

Expansion of Existing Employment Uses in Rural Area

- 6.46 Many small businesses make a valuable contribution to the rural economy and provide wide and varied employment opportunities for local people, including those formerly employed in agriculture. The District Council wishes to encourage the continued availability of employment opportunities on existing sites by permitting reasonable redevelopment and/or expansion of existing businesses.

- 6.47 There is no specific national planning advice regarding the scope for expansion of existing business premises in the countryside. Policy IND5 in the adopted Rural Areas Local Plan (1990) is generally accommodating in this respect subject to amenity, agricultural land and Green Belt considerations. No significant problems have been encountered with the operation of this policy to date and it is proposed to carry the policy forward subject to the incorporation of additional controls to safeguard the character and amenity of the countryside.
- 6.48 In particular, proposals must be of a scale and design which is in keeping with the surrounding area, and not create or exacerbate highway or amenity problems. Proposals will not be permitted where it is considered that the scale or nature of the use suggests it would be more appropriately located within an industrial area intended for that purpose. Proposals which impact upon areas within the Green Belt will be considered in accordance with Paragraph 3.40 of Chapter 3 (Green Belt and Control of Development in the Countryside) and the provisions of POLICY GB4.
- 6.49 Generally, redevelopment or expansion proposals will be expected to take place within the confines of existing sites. Where expansion onto adjoining land is proposed, this has to be balanced against the need to protect the character and appearance of the countryside and other significant environmental resources, in addition to safeguarding best and most versatile agricultural land. Where proposals are acceptable in principle they must be accompanied by appropriate landscaping.
- 6.50 In areas of Green Belt, strict controls will be applied to ensure that any expansion and/or redevelopment would not affect the openness of the Green Belt and the purposes of including land in it, in accordance with paragraph 3.26 and POLICY GB2.

EMP9 Proposals for the expansion and/or redevelopment of existing industrial and business uses outside development limits and established employment areas, as defined on the proposals map, will be permitted provided:

- 1) The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity;**
- 2) The nature and scale of the proposal would not have a significant adverse effect on the character and appearance of the area, or harm acknowledged nature conservation interests;**
- 3) The proposal would achieve a high standard of design, materials and landscaping which complements existing buildings; and**
- 4) Proposals involving expansion onto adjoining land would not result in the loss of best and most versatile agricultural land and the site would be well related to existing development and well screened and/or landscaped.**

Homeworking

- 6.51 Recent developments in computing and tele-communications have led to more and more people working from home – a trend which is likely to increase in future years. Homeworking does not necessarily need planning permission, which is generally only required when the business use is of sufficient intensity as to affect the overall character of the property's use as a single dwelling. For example, the use by a householder of a room as an office, or childminding complying with the Department of Health's standard recommended ratios¹ is unlikely to change the character of the house's use. In such cases the Council would not require planning permission to be sought. However, if the business is not, or has ceased to be, ancillary to its use as a single dwelling as a result of the intensity of the business activity, planning permission will be required.
- 6.52 The Council is anxious to protect the amenity of residential areas from unreasonable nuisance caused by homeworking, which, for example, may be caused by increased traffic generation, noise, fumes or unreasonable hours of working. Anyone considering working from home is advised to seek advice from the Council at an early stage.
- 6.53 In cases where a planning application is deemed to be necessary because there is a possibility that the use will change, or has already changed, the overall character of the property's use as a single dwelling house, the Council will judge proposals in accordance with the following policy.

EMP9A Business uses operating from a single dwelling house, or within its curtilage, will only be permitted where the proposal:

- 1) Would not generate visitors, traffic, noise or fumes over and above what might be expected if the property were in use as a single dwelling without ancillary use;**
- 2) Would not have a significant adverse effect on the visual amenity of the local residential area; and**
- 3) Would not create conditions prejudicial to highway safety.**

Coal Mining/Power Generation Industries

- 6.54 The Selby District has a major interest in energy from fossil fuel. The Plan area contains the Selby Coalfield, Kellingley Colliery and Drax and Eggborough coal-fired power stations. Ferrybridge coal-fired power station is situated adjacent to Brotherton. In addition, an innovative renewable energy scheme involving the combustion of willow, to supply electricity to the national grid, is located near Eggborough.

¹ The Children Act 1989 Guidance and Regulations, Volume 2 – Family support, day care and educational provision for young children; HMSO

- 6.55 Both deep-mined coal production and the established base of coal-fired electricity generation constitute a significant source of direct employment and support a wide range of ancillary economic activities. For example, RJB Mining (UK) Limited employs 3,000 people in the Selby Complex alone (including 1,000 people on contract to the company). The complex generates approximately £245 million per annum to the economy in equipment, labour cost and contractors and other expenses.
- 6.56 The District Council has consistently supported the development of both industries, including a proposal in 1997 to extract coal from the Stanley Main seam, in the Selby Coalfield, (in addition to the original consent to work the Barnsley seam).
- 6.57 Both industries however face major challenges, particularly through competition from gas fuel generators, following negotiations on revised coal supply contracts and the imposition of mandatory emission limits for sulphur dioxide, nitrogen oxides and particulates. Whilst the Government has taken short-term steps to assist the coal industry, changing market economics may result in increased use of cheap imported coal, displacement of coal by pet coke and with reduced demand for coal from local mines. The consequential effects of these changes would be potentially very significant for both the local economy and the environment, including the risk of increased road transport.
- 6.58 These factors, combined with continuing geological problems and the abandonment of proposals to extract coal east of the river Derwent may mean that the life of the Selby complex will not extend much beyond the end of the Plan period. The recent closure of the Whitemoor Mine is the first step taken by RJB Mining leading to the eventual de-commissioning of the Selby Coalfield. The District Council is therefore investigating the scope for European (Objective 2) funding after the year 2000 to assist in overcoming problems caused by the anticipated decline in primary sector employment.
- 6.59 Whilst the Plan assumes continued use of the remaining 4 shaft sites and Gasgoigne Wood Drift Mine for coal mining, further closures would have significant economic and planning consequences. Not only would there be an immediate impact on local employment but further consideration would need to be given to the potential after-use of sites as an alternative to agricultural restoration. Both the County Council and the District Council have supported the re-use of the remaining buildings at Whitemoor Mine for employment purposes. Other mine sites are not necessarily as well located in relation to local centres of population, road networks and public transport. Consideration would therefore have to be given to the appropriateness of different types of alternative uses or whether the original condition in favour of agricultural restoration should be applied.
- 6.60 The District Council therefore proposes to adopt a planned approach to future de-commissioning and to investigate the scope for the positive re-use of remaining sites, in liaison with both the County Council and City of York Council (North Selby Mine having been transferred as part of the 1996 Local Government Reorganisation). The results of this exercise will be incorporated in the First Review of the Local Plan, and if necessary adopted first as Interim Guidelines.

- 6.61 At the same time the Council will continue to support existing coal and power generation industries where there is no insurmountable conflict with established planning policies. It is envisaged that the continued development of environmentally-friendly technologies could have a bigger role to play in the future.

Additional Industrial Development at Drax and Eggborough Power Stations

- 6.62 The adopted Rural Areas Local Plan (1990), included a Policy (IND6) to facilitate ancillary industrial development at, or close to, Drax Power Station. The intention was to enable the manufacture of plasterboard and cement on site, using gypsum produced as the major after-product from the flue gas desulphurisation process (FGD), which has been installed in order to reduce harmful sulphur dioxide emissions.
- 6.63 Whilst the development of a wallboard factory now appears unlikely, the principle of utilising by-products in a productive way on-site is clearly preferable to the alternative of disposal of large quantities of waste. Land to the north of Drax Power Station, which was used for 'temporary development' in conjunction with the FGD installation may become available following restoration, and may be suitable for development of this nature.
- 6.64 Permission has been granted for an air separation plant within the curtilage of Eggborough Power Station, using direct electricity supply from the power station. This plant is now operational. Additional development of an ancillary nature could be accommodated to the south-west.

EMP10 Additional industrial/business development may be permitted at or close to Drax and Eggborough power stations provided the proposal:

- 1) **Is directly related to the process of generating electricity, either by making use of by-products from the power station or utilising a direct source of electricity;**
- 2) **Would be suitably linked to the strategic highway and rail networks and would not create conditions prejudicial to highway safety;**
- 3) **Would not create environmental problems associated with noise, smell or water pollution or dust emissions;**
- 4) **Would not have a significant adverse effect on residential amenity in nearby settlements;**
- 5) **Would be related to existing development and would be well screened, including provision for earth mounding and strategic off-site planting; and**

6) Would not harm nature conservation interests or sites of archaeological importance.

Exceptional Major Industrial and Business Development

- 6.65 The Third Alteration to the County Structure Plan incorporates a new Policy (I15), to facilitate the provision of large-scale industrial and business development in exceptional circumstances where proposals cannot ordinarily be accommodated within allocated employment land. The policy is intended to cater for major inward investment proposals that require large, strategically located sites that would otherwise have to be treated as a departure from the Development Plan.
- 6.66 The District Council strongly supports the policy which may assist the economic objectives of strengthening and revitalising the local economy. The relocation of a major national or industrial employer within the Plan area may, in addition to providing a significant number of jobs, also promote opportunities for creating spin-off employment through related business and services.
- 6.67 The District Council will apply the policy as an exception to normal policies of countryside restraint. Proposals will still be required to satisfy normal planning criteria and to safeguard acknowledged environmental resources such as important nature conservation and archaeological sites, and must not impact adversely on existing settlements. Proposals will not be acceptable within areas of Green Belt, Locally Important Landscape Areas or Historic Parks and Gardens.
- 6.68 The development of a major exceptions site under this Policy would be over and above the POLICY EMP1 land requirement.

EMP11 In exceptional circumstances, large-scale business or industrial development for occupation by a single large operator and any related development directly linked to its operation may be permitted provided:

- 1) The development would result in substantial employment or other economic benefits;**
- 2) There are clear and substantive reasons why the proposed development cannot be implemented on land allocated for business or industrial development in accordance with Policy EMP2;**
- 3) The site is not situated within green belt, a locally important landscape area, an historic park and garden or an area of archaeological importance, and the proposal would not harm acknowledged nature conservation interests;**
- 4) The proposal would seek to minimise the loss of the best and most versatile agricultural land and no suitable alternative site is available;**

- 5) **The proposal would be well related to the strategic highway network, and would not create conditions prejudicial to highway safety;**
- 6) **The proposal would be well related to the existing public transport network or would incorporate measures to ensure the employment opportunities are accessible to the potential workforce by a variety of transport means;**
- 7) **The proposal would achieve a high standard of design, materials and landscaping appropriate to the locality; and**
- 8) **The proposal would not have a significant adverse effect on residential amenity in nearby settlements.**

Agricultural and Related Development

6.69 Agriculture and related industries still provide a significant though declining number of jobs in the Plan area (the agricultural sector accounted for over 8% of jobs in 1991 in comparison with a national figure of 1.3%). The agricultural value of the Plan area is considerable in terms of land quality and output. In addition to safeguarding the best and most versatile agricultural land, the District Council will continue to support the modernisation and expansion of the agricultural industry subject to ensuring that such development does not threaten the character of the landscape and local amenity.

Protection of Agricultural Land

- 6.70 Much of the Plan area lies within the Vale of York, a fertile, predominantly flat area centred upon the Ouse Valley, where farming practice is mainly devoted to the cultivation of cereals and root crops. In spite of changes in agricultural policy to reduce crop surpluses, the general fertility and high yields in the Plan area suggest that the overwhelming majority of farmland will continue in productive agricultural use.
- 6.71 The richness of the land is reflected in the fact that substantial areas are classed as Grade 1, 2 and 3a by DEFRA, that is the best and most versatile agricultural land. Whilst PPG7 (The Countryside – Environmental Quality and Economic and Social Development, 1997) indicates that it is no longer necessary to protect agricultural land for its own sake, best and most versatile agricultural land retains its importance as a national resource, and considerable weight should be given to its protection.
- 6.72 Whenever possible, Local Plan allocations have avoided best and most versatile agricultural land. Proposals for acceptable forms of development in rural areas will be expected to utilise lower quality land or derelict/non-agricultural land, and to protect agricultural interests against the effects of development on neighbouring land wherever possible.

EMP12 Development proposals which would lead to the irreversible loss of the best and most versatile agricultural land (Grades 1, 2 and 3a) will not be permitted unless there is an exceptional overriding need and there is no suitable alternative site available.

Agricultural Development

- 6.73 The Town and Country Planning General Permitted Development Order (GPDO) 1995 grants consent for the principle of a wide range of agricultural development. In certain circumstances, prior notification must be given to the District Council, providing information about the proposed development. Where proposals are, in the opinion of the District Council, likely to have a significant impact on their surroundings, councils may request full details in order to influence the siting, design and use of materials. Development not permitted by the GPDO will require planning consent in the usual way.
- 6.74 Proposals for agricultural buildings which require planning permission will be expected to be sited close to existing buildings, or in a location with minimal visual impact. In view of the generally flat landscape, particular care must also be taken in respect of the scale and design of buildings, especially where they might impact on Locally Important Landscape Areas (POLICY ENV15) or Historic Parks and Gardens (POLICY ENV16).

EMP13 Agricultural development will be permitted provided the proposal:

- 1) Is necessary for agricultural purposes;**
- 2) Is well related to existing farm buildings or situated on a site which minimises its visual impact;**
- 3) Would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity;**
- 4) Is of a scale and design appropriate to its setting;**
- 5) Is adequately screened and landscaped; and**
- 6) Would not harm acknowledged nature conservation interests or a historic park or garden.**

Quasi-Agricultural Activities

- 6.75 A significant number of local businesses and manufacturing concerns are dependent on agriculture and agricultural products. Firms involved in the bulk storage and distribution of agricultural products require locations with good access to trans-shipment points, particularly the mills and wharfage facilities at Selby. Due to the high volume/low margin nature of these businesses, difficulties have been experienced in securing sites owing to higher site values commanded by other forms of development.

- 6.76 In order to address this problem, land was specifically allocated for this purpose at the former airfield, Riccall Common in the adopted Rural Areas Local Plan (1990). Some development has already taken place on this site and it is proposed to carry forward the allocation into this Local Plan (See POLICY RIC/1, Inset Proposals Map 50 in Part Two of the Local Plan).
- 6.77 The need for additional distribution and storage facilities will be kept under review. Additional proposals for development of this kind will be considered in relation to POLICY EMP13.
- 6.78 Haulage contractors and agricultural equipment suppliers, whilst serving the agricultural industry, are not intrinsically agricultural in their nature. In general, the policies of the Plan are intended to prevent non-essential development in the countryside and exceptional circumstances would need to be demonstrated for agricultural service industries to be acceptable within the countryside (See POLICY EMP7).

Intensive Livestock Units

- 6.79 Intensive livestock units comprise buildings and associated works both for the permanent indoor housing of pigs, poultry or cattle and the temporary housing of such livestock when a slurry system is adopted. By virtue of their scale and nature of their operations, there is considerable potential for water pollution and nuisance associated with noise, smells, flies and vermin. The impact is not restricted to the immediate locality but may affect properties situated adjacent to land used for spreading slurry.
- 6.80 Whilst it is recognised that country dwellers must expect to experience unpleasant smells from time to time, the District Council will seek to minimise conflicts by defining a protective distance between new units and existing occupied property. The risk of nuisance may be further reduced where the proposed buildings are suitably designed and make adequate provision for the storage of manure to prevent pollution occurring and to avoid the need for spreading in adverse conditions.
- 6.81 The spreading of slurry from livestock units for the purposes of agriculture is not subject to planning control. It remains important however to minimise the risk that such activities cause from nuisance or smell. The Council's Environmental Health Officers will need to be satisfied that neither the operation of the unit nor the use of land for spreading slurry or manure would create environmental problems, and that satisfactory arrangements are made for spreading liquid or solid manure either under an applicant's own control or by agreement with another farmer. Operators should follow the advice given in the Codes of Good Agricultural Practice for the Protection of Water, Soil and Air published by DEFRA.
- 6.82 The risk of pollution, for example from ammonia depositions close to ground water resources, is also a major consideration. The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991 set minimum standards for both new and existing operations, and the District Council will consult the Environment Agency regarding appropriate measures. Similarly, English Nature will advise on the potential implications of proposals regarding nature conservation interests.

- 6.83 In considering proposals, the cumulative impact of the new development and existing intensive livestock units will be taken into account, particularly regarding the effect on local amenity. Proposals will also be expected to comply with the normal criteria for assessing agricultural development.
- 6.84 Many established intensive livestock units are situated within or adjoining built-up areas and would not now be likely to receive approval. However, proposals for expansion may be acceptable where these would help overcome existing problems and improve operational conditions for the benefit of adjoining occupiers.
- 6.85 Further advice on the operation of this policy will be provided in Supplementary Planning Guidance.

EMP14 Proposals for new intensive livestock units or the extension of intensive livestock units will only be permitted where:

- 1) **The proposal satisfies the requirements of Policy EMP13 as an acceptable form of agricultural development;**
- 2) **The unit or any associated structure is a minimum of 800 metres from the defined development limits of any town, and 400 metres from the defined development limits of other settlements. Elsewhere, proposals may be acceptable within 400 metres of an occupied property but not nearer than 100 metres in even the most exceptional case, depending on the particular circumstances and the number of properties affected; and**
- 3) **The operation of the unit, either individually or cumulatively with existing livestock units in the locality, would not have a significant adverse effect on residential amenity or unreasonably constrain further residential development in a settlement.**

Exceptionally the expansion of existing units within the limits identified in (2) above may be permitted where it can be demonstrated that the enterprise will continue to be operated in an environmentally acceptable manner or that the proposal is necessary to achieve an improvement in the operation of the existing unit.

Redevelopment of Intensive Livestock Units

- 6.86 Whilst intensive livestock production is an important element in the local economy, units located within or adjoining settlements can give rise to complaints. In spite of recent improvements in operating conditions as a result of animal welfare and pollution control legislation, the potential for nuisance remains.
- 6.87 Environmental Health legislation empowers the District Council to prosecute operators, and where appropriate the Council will encourage

measures to overcome problems, including the possibility of relocation through POLICY EMP5. Where problems exist within or adjoining settlements, redevelopment of the site may be acceptable or even encouraged. It is envisaged that redevelopment for residential purposes would make a significant contribution to the supply of 'windfall sites'.

- 6.88 In considering redevelopment proposals, particular attention will be paid to the nature of the proposed use, and the scale and design in relation to the existing settlement. Proposals may not be acceptable if they would clearly alter the character and pattern of development.

EMP14A Applications for the redevelopment of intensive livestock units within or adjoining defined development limits will be permitted provided the proposal:

- 1) Would result in a material improvement in the amenity of adjoining occupiers;**
- 2) Is of a nature, scale and design appropriate to the form and character of the settlement and/or locality;**
- 3) Would not create conditions prejudicial to highway safety; and**
- 4) In the case of intensive livestock units adjoining development limits:**
 - i) The proposal is for commercial, industrial or recreational uses unless it can be demonstrated that the location is unsuited or that there is no demand for these purposes in the locality in which case residential use may be acceptable; and**
 - ii) The site is adequately screened and landscaped.**

SECTION 7 - TRANSPORTATION & VEHICLE PARKING

TRANSPORTATION AND VEHICLE PARKING

INTRODUCTION

- 7.1 Selby District benefits from well-developed transportation links. It is crossed by a number of railway lines and major roads, including the M62, A1, A19, A63 and A64. There are six railway stations which, whilst primarily catering for commuter traffic, also provide access to other main line stations. Port facilities are also available on the river Ouse, at Selby.
- 7.2 The maintenance and enhancement of the transport system is vital to the national and local economy. Recent improvements include the construction of the Riccall and Barlby bypass and the Sherburn in Elmet bypass. Other planned improvements include the Selby bypass and the upgrading of the A1 to motorway standard, which will further enhance the District's accessibility to the national motorway network and other port facilities. Consideration is also being given to a number of other improvements including local highway schemes and the electrification of the Hull-Liverpool railway line.
- 7.3 Whilst the District Council has no direct influence on transport investment, this being the responsibility of the Department for Transport (in relation to trunk roads), the County Council (as Local Highway Authority) and various service operators, it will use its best endeavours to secure appropriate improvements in services. The District Council will, wherever possible, also take the initiative to introduce measures relating to traffic management, the provision of off-street parking, highway layouts in new development, and the improvement of cyclist and pedestrian safety.
- 7.4 Traffic emissions are widely recognised as a major source of environmental pollution and restricting the need to travel, particularly by car, is now central to national transport policy. In July 1998 the Government published its White Paper on the Future of Transport entitled "A New Deal for Transport: Better for Everyone". This document sets out the Government's proposals to create a better, more integrated transport system to tackle the problems of traffic congestion and pollution. The Road Traffic Reduction Act 1997 (RTRA, 1997) is an important aspect of this "New Deal". The County Council's recent Local Transport Plan 2001-2006, published in July 2000, makes specific reference to the RTRA which gives measures to achieve traffic reductions which the County Council consider are mainly relevant to urban areas and tourist 'hotspots'. The Local Plan Strategy seeks to reduce reliance on the private car as much as possible by locating new development in areas which have opportunities to utilise other forms of transport where practicable. Policies and proposals in this Chapter are intended to be complementary to the Strategy.

STRATEGIC FRAMEWORK

- 7.5 National guidance on transport and land-use planning is set out in PPG12 (Development Plans and Regional Planning Guidance, 1992) and PPG13 (Transport, 1994).
- 7.6 PPG12 establishes the requirement to ensure that transport and land-use issues are addressed in a coordinated manner in development plans and that consideration is given to the inclusion of traffic management proposals.

- 7.7 PPG13 elaborates the strong commitment to reducing the environmental impact of transport, particularly vehicle emissions, and provides further advice on how local authorities should integrate transport and land-use planning. Encouragement is given to policies which aim to provide development at locations highly accessible by means other than the private car, and which maintain and improve the choice for people to walk, cycle or use public transport rather than drive between homes and facilities which they need to visit regularly.
- 7.8 The North Yorkshire County Structure Plan provides a framework for the transport strategy for the Local Plan. Policies are intended to facilitate improvements to the primary road network, sustain public transport, and encourage the provision of off-street car parking, and cycle facilities. Within built-up areas, traffic management measures will be preferred to major new road construction.
- 7.9 The County Council aims to strengthen the existing primary road network by undertaking a programme of major improvements which are identified in the Country Structure Plan and which have been updated in the Third Alteration. These, and other more localised highway improvement schemes, are reflected in the Local Transport Plan (LTP) 2001-2006, which is submitted annually as part of the County Council's bid for financial support from Central Government for transport purposes.

OBJECTIVES

- 7.10 The Transportation and Vehicle Parking policies of the Plan have the following main objectives:
- 1) To promote alternative forms of transport to the private motor car and to minimise the need to travel by appropriate location and layout of housing, employment and other uses.
 - 2) To ensure that new development is served or could be served by satisfactory transport networks giving adequate access and taking into account public health, safety and energy/resource efficiency.
 - 3) To maintain and support the improvement of transport links while managing the roads network to provide a safe and efficient system to serve different functions.
 - 4) To promote appropriate traffic management measures to reduce pedestrian and vehicular conflict and enhance the local environment.
 - 5) To support and encourage and, wherever possible, improve public transport services and associated facilities.
 - 6) To provide a better and safer environment for cyclists, pedestrians and those with mobility problems.
 - 7) To encourage movement of freight by rail and water as an alternative to road transport.
 - 8) To ensure that an appropriate level of car parking is available.

POLICIES AND PROPOSALS

Development in Relation to the Highway Network

- 7.11 The classified highways network serving the Plan area comprises trunk roads and motorways, principal (Class A) County roads and numerous Class B and Class C roads.
- 7.12 The County Structure Plan defines the primary roads which have an important strategic role in carrying traffic between major centres, and linking with other parts of the region and the national motorway network. The primary roads within the Plan area are shown below and comprise the following trunk roads and principal County roads.

Trunk Roads

M62 motorway

A1

A63

A64

A19 (north of Selby)

A1041

Principal (Class A) County Roads

A162

A163

(south of Selby)

A19

- 7.13 Many stretches of trunk roads within the Plan area are already experiencing, or will soon have, capacity problems. Development in the vicinity of these roads, or their junctions, could add significant local traffic movements which may prejudice the ability of the primary network in the area to carry long-distance traffic. It is therefore important to reduce the need to use these routes for short, local journeys and to ensure that traffic in general is served by a satisfactory highway system. Problems of congestion and the risk of accidents will otherwise continue to increase.
- 7.14 Where existing roads and their junctions cannot cater for forecast traffic generated by individual proposals, there may be scope for developers to undertake improvements to existing highways, or enhancement of proposed new highways, prior to the development, in order to accommodate envisaged flows. This may be achieved through the imposition of appropriate planning conditions or by entering into a legal obligation. In certain circumstances, there may be scope for developers to provide new road links in order to facilitate major proposals.
- 7.15 In order to ensure that traffic generated by development proposals does not prejudice the maintenance of an efficient and safe road network, the following policy will apply.

T1 Development proposals should be well related to the existing highways network and will only be permitted where existing roads have adequate capacity and can safely serve the development, unless appropriate off-site highway improvements are undertaken by the developer.

Access to Roads

- 7.16 Whilst development should be well related to the existing highways network, in accordance with POLICY T1, it is equally important to minimise interference with traffic flows and the risk of accidents.
- 7.17 PPG13 (Transport 2001), Annex B, sets out a graduated approach to new connections with trunk roads or intensified use of existing ones. Access will be most severely restricted in the case of motorways and the highest standard strategic routes. The remainder of the trunk road network will be subject to a less restrictive approach to connections, particularly with a view to assisting development of urban brownfield sites.
- 7.18 PPG13 emphasises that, whatever the type of access, safety considerations will be paramount and that similar principles should be applied by local authorities when formulating policies for local roads. The Government's policy on the control of development adjacent to trunk roads is set down in full in DTLR Circular 04/2001 (Roads).
- 7.19 All proposals for new accesses will be assessed on the basis of potential accident risk, on the advice of the Highways Authority. The type of access provided should reflect the type of road involved and the volume and character of traffic likely to use the access and the road. In all cases, good visibility will be a prerequisite for the formation of a new access.
- 7.20 Wherever possible, the combining of individual access points along a road will be encouraged.

T2 Development proposals which would result in the creation of a new access or the intensification of the use of an existing access will be permitted provided:

- 1) There would be no detriment to highway safety; and**
- 2) The access can be created in a location and to a standard acceptable to the highway authority.**

Proposals which would result in the creation of a new access onto a primary road or district distributor road will not be permitted unless there is no feasible access onto a secondary road and the highway authority is satisfied that the proposal would not create conditions prejudicial to highway safety.

Programmed Road Schemes

- 7.21 Continuing growth in road transport and consequent environmental impacts present a major challenge to the objective of sustainable development. It is increasingly recognised that forecast levels of traffic growth cannot be met in full and that new road building, or the upgrading of existing highways, will in some cases be environmentally unacceptable. Following a review of the national trunk road building programme, many schemes have recently been taken out of the programme or postponed. It is also established national policy not to build new trunk or local roads simply to facilitate commuting by car into congested urban areas.
- 7.22 At the same time, some improvements to the road network will continue to be necessary and desirable, where this enables demand to be more effectively managed, and significant environmental or road safety improvements to be secured. Added weight is placed on these improvements where they are needed to support economic growth.
- 7.23 The national road building programme currently includes three Department for Transport trunk road schemes within the Plan area, namely the proposed upgrading of the A1 to motorway standard, the A63 Selby bypass, and the A63 Osgodby bypass. Provision has also been made for a safeguarded route to bypass Hambleton and Monk Fryston.
- 7.24 There are no current County Council road schemes within the Plan area. Restrictions in public expenditure have severely affected the County Council road programme and the County Council has announced its intention to concentrate on traffic management measures within urban areas in preference to road construction.

A1 Motorway

- 7.25 The A1 in North Yorkshire forms part of the principal route from London to Edinburgh, east of the Pennines. The road has considerable strategic importance and a number of sections presently carry traffic far in excess of capacity. It is proposed to upgrade certain sections of the A1 through North Yorkshire to three-lane motorway standard, including realigning parts of the route.
- 7.26 Preferred routes have been published for all sections of the scheme which pass through the Plan area. The District Council supports the scheme in principle which will bypass Brotherton, Byram and Fairburn and will provide safer and more efficient access with consequent economic benefits to the District. The preferred alignment of the road will be safeguarded by refusing planning consent for development proposals which would compromise implementation of the scheme.
- T3 The District Council will safeguard the preferred alignment of the A1 motorway, as defined on the proposals map, by refusing proposals for development which would compromise implementation of the scheme.**

A63 Selby Bypass

- 7.27 The detailed alignment of the A63 Selby bypass was approved following a public inquiry in 1991. The route, which is defined on the Proposals Map, will also provide traffic relief to the villages of Brayton and Thorpe Willoughby, and residential development at Barlby Bridge.
- 7.28 The District Council strongly supports the scheme, which will significantly reduce traffic congestion in Selby town centre and facilitate the implementation of environmental improvements and traffic management measures within the town. The bypass also represents the key component in the implementation of a coordinated land-use/transportation strategy for the town, and will help to unlock development sites and stimulate further economic development.
- 7.29 Highway Orders for the compulsory purchase of land were the subject of a public inquiry in May/June 1995, which, following the Secretary of State's decision to confirm the Orders with amendments removed the last remaining obstacle to the bypass. The intention to commit further funding to enable construction to start by the year 2000 was announced in early 1997. The scheme will take two to three years to complete and will involve the construction of a new swing bridge spanning the Ouse. The implementation of a number of development proposals in Selby, Barlby and Brayton are dependent on the construction of the road.

T4 The District Council will safeguard the detailed alignment of the A63 Selby bypass, as defined on the proposals map, by refusing proposals for development which would compromise implementation of the scheme.

A63 Hambleton and Monk Fryston Bypasses

- 7.30 The A63 forms part of the old main route from Leeds to Hull which was heavily trafficked until the M62 motorway was built. It is still an important regional route linking the A1 to Selby. Following the public inquiry to consider objections to the proposed A63 Selby bypass the Secretaries of State for the Environment and Transport at that time accepted the case for a future review of the traffic situation in Hambleton and Monk Fryston on completion of the Selby bypass. It is therefore necessary to continue to safeguard the route corridor in the event that the need for a bypass is justified.

T5 The District Council will safeguard the route corridors for the A63 Hambleton and Monk Fryston bypasses, as defined on the proposals map, by refusing proposals for development which would compromise implementation of the scheme.

A63 Osgodby Bypass

- 7.31 Following detailed investigation and a public consultation exercise in January 2002, the Highways Agency has published, in September 2002, a preferred route for the Osgodby bypass, linking the northern end of the Selby bypass to the A63 east of Osgodby village. The bypass will remove through-traffic from the village and from the current A19/A63 junction, between Osgodby and Barlby, which has a poor safety record.

T5A The District Council will safeguard the preferred route corridor for the Osgodby bypass as defined on the proposals map, by refusing proposals for development which would compromise the scheme.

Local Highway Improvements

- 7.32 A number of smaller highway improvement schemes have been programmed or are under consideration within the Plan area. These are considered necessary to improve traffic flows and reduce accidents.

Department for Transport Schemes

- 7.33 The A63 east of Selby and the A19 north of Selby form part of an increasingly busy designated route between York and the M62 motorway junctions near Goole. Recent improvements have been carried out at the A19/A63 junction at Barlby.
- 7.34 The A64 forms an important route between Leeds, York and Scarborough. The Highways Agency is implementing measures published in its A64 Management Strategy to improve the level of service the road provides to all users and to improve safety along the route.
- 7.35 Recent improvements have included the closure of central reservation gaps and the banning of U-turns. Work on a major junction upgrading scheme at Colton Lane, Bilbrough began in early 2004; and a preferred scheme for an upgrading of the Tadcaster Bar junction is likely to be announced in 2004.

County Council Schemes

- 7.36 The County Council is responsible for identifying and implementing a programme of capital works for the non-trunk road network. Priority is given to schemes which reduce accidents, relieve congestion, provide a net environmental benefit and represent good value for money. The District Council will continue to encourage improvements to the road network within the Plan area including smaller schemes such as the provision of footways and footway improvements, traffic calming schemes and other traffic management measures. Potential schemes identified as a result of consultation with the public and relevant organisations as part of the Local Plan preparation process will be drawn to the attention of the County Council.

Traffic Management

- 7.37 Within residential areas and town centres, unmanaged traffic flows can degrade the environment and the quality of life, through air and noise pollution and risk of accidents. There is considerable scope for introducing traffic management measures, and traffic calming, within many settlements, particularly in Selby (both before and after the completion of the planned bypass). Traffic management can also be a useful tool in encouraging use of public transport, walking and cycling, improving the quality of neighbourhoods and making the streets safe for children.
- 7.38 The District Council will investigate schemes to enhance the street environment and improve road safety in sensitive locations in conjunction with the County Council. Measures to be considered will include the introduction of pedestrian priority areas, one way traffic systems, pedestrian crossings, traffic signals and

sensitive landscaping and other environmental enhancements combined with the managements of on-street parking. Physical features such as road humps, chicanes and narrowing may also help to reduce vehicle speeds and improve driver behaviour.

Public Transport

- 7.39 Many residents, particularly those in rural areas, rely on public transport to travel to work, school, shops and other facilities. The 1991 Census indicates that approximately 22% of the District's households do not own cars. It is important therefore to maintain and improve existing services for those without access to private transport.
- 7.40 Following bus deregulation in 1986, a variety of bus companies now operate within the Plan area providing access to market towns and also larger settlements beyond the Plan area. The level of service available varies considerably and many rural settlements have no connections to sources of employment or to market towns for evening entertainment or social visits.
- 7.41 There are six railway stations within the Plan area which provide only limited opportunities for local journeys. Selby is on the Liverpool to Hull trans-Pennine route and enjoys frequent services to Leeds, Hull, York, Bradford and Manchester. South Milford is on the same route with a basic hourly service to Selby, Leeds, Bradford and Manchester. Church Fenton and Ulleskelf stations have a limited service to York, Leeds and Sheffield. Sherburn in Elmet has a limited service to York, Selby and Sheffield and Whitely Bridge is served by occasional Leeds to Goole Trains. There is also an infrequent service between Selby and Doncaster.
- 7.42 The provision of public transport is primarily the responsibility of private operators in conjunction with the County Council which provides subsidies for certain services. Whilst the District Council has no direct influence over public transport investment, it will continue to support services by using its influence and by promoting measures designed to improve the efficiency and attractiveness of the public transport system. For example, discussions have taken place with Passenger Transport Executives from neighbouring Metropolitan Authorities with a view to extending cross-county subsidised rail and bus services into the District. The District Council will also promote the electrification of the Leeds-Hull railway via Selby, in view of the improved regional and inter-regional communications and other benefits which would be secured from the scheme.
- 7.43 PPG13 (Transport) emphasises that planning decisions have an important role to play in influencing the need to travel and in determining what level of provision is made for alternative methods of transport to the motor car. The locational policies in the Plan which have been designed to reduce the need for travel by car will also help to sustain public transport services, and may encourage the provision of additional services. Additional measures, such as the provision of facilities for bus users, and ensuring that buses are catered for in the design of the new housing estates, will also be investigated.

T6 The District Council will encourage the provision of effective bus and rail services by:

- 1) **Continuing to liaise with the county council, bus and train operators, and the Rail Users' Committee and other groups in order to promote satisfactory and coordinated services to market towns and all rural villages;**
- 2) **Ensuring that development proposals for housing, employment, retail, leisure and other generators of travel demand are located where they would be capable of being well served by public transport;**
- 3) **Taking full account of the needs of public transport when considering development and highway proposals, and traffic management schemes, including bus priority and integrating transport modes;**
- 4) **requiring developers to provide road layouts and roads that are suitable for buses, where appropriate; and**
- 5) **Investigating the scope for establishing additional railway stations with secure parking and attractive facilities for passenger comfort as well as the improvement of existing stations to encourage rail travel.**

Provision for Cyclists

- 7.44 Cycling is a convenient form of transport within the Plan area owing to the generally flat topography. It is also a particularly popular form of leisure activity for both road racers, tourists and casual riders owing to the availability of a number of cycleways, such as the Selby-York Spur of the Trans-Pennine Trail, and the cycleway alongside the Drax/Airmyn Link Road. A number of other initiatives are currently under investigation, or in the course of implementation, including a combined footpath-cycleway alongside Selby Canal and between Selby and Howden.
- 7.45 The District Council recognises the environmental, recreational, health and economic benefits of cycling. By encouraging people to cycle it is possible to reduce traffic congestion, pollution and conflict between pedestrians and motor vehicles.
- 7.46 The National Cycling Strategy (NCS) was published by Central Government in 1996 as an acknowledgement of the key role that cycling has to play in promoting a sustainable transport strategy. Specifically, the NCS is designed to promote cycling priority on the highway, in the centre of towns, at the workplace and in new developments.
- 7.47 The central target of the National Strategy is to double cycle trips by 2000 with a further doubling by 2012. As a complement to the National Cycling Strategy, North Yorkshire County Council adopted a North Yorkshire Cycling Strategy in June 1999. The objective, particularly in urban areas and where a proven need exists, is to promote a primary network of cycle routes to improve safety for cyclists. This process will involve the identification of appropriate locations and involve the construction of dedicated cycleways, the use of shared footpath facilities, advanced stop lines at traffic signals, traffic calming of existing roads and other facilities. The District Council will seek to ensure that new cycle

routes and facilities will be provided to the standards set out in INT/DoT/CTC/BA Design Standards (1996).

- 7.48 The District Council supports proposals to improve and create new cycling facilities and in this regard is keen to ensure that major development proposals contained in this Plan incorporate proper cycling routes and facilities. The Council will encourage the use of cycle audits for new schemes, the adaptation of more road space for cycle facilities and the taking account of cycling provision in the application of speed restraint measures. Furthermore, the District Council is assisting and encouraging the County Council in the identification of new cycling routes and facilities, primarily in the larger centres of the District such as Selby, Tadcaster and Sherburn in Elmet.
- 7.49 The District Council is also keen to implement measures in conjunction with the planned construction of the Selby by-pass, including the provision of advance cycle stop lines at traffic signal-controlled road junctions within the town. Consideration will also be given to the provision of 'safe school routes' and links between residential areas, employment areas and town centres.

T7 The District Council will seek to promote the objectives of the national cycling strategy by:

- 1) Encouraging the development of a quality cycle route network primarily in the main larger centres of Selby, Tadcaster and Sherburn in Elmet as well as having regard to the appropriateness of promoting safe routes to outlying villages and smaller hamlets.**
- 2) Having particular regard to the creation/improvement of safe cycle routes to schools.**
- 3) Ensuring that developers make fair and reasonable contributions towards the cost of providing cycle parking facilities and cycle routes on new developments which link to nearby existing or proposed routes or facilities.**
- 4) Ensuring that new development proposals do not sever points used by cyclists/pedestrians unless satisfactory alternative routes are made available.**
- 5) In assessing all development proposals, special regard will be given to the opportunity of improving/creating cycle routes and providing cycle parking.**

Public Rights of Way

- 7.50 North Yorkshire County Council, as the Local Highway Authority, is responsible for maintaining public rights of way, although the District Council has certain powers to create public rights of way and to close or divert rights of way. In assessing new development proposals, the District Council will require new rights of way to be created when existing rights of way are extinguished by new development.

7.51 The District Council will, according to the availability of resources, work with the Highway Authority and other bodies in protecting, promoting and improving public rights of way in the District.

T8 Development which would have a significant adverse effect on any route in the district's public rights of way network will not be permitted unless the following can be achieved:

- 1) Satisfactory and attractive alternative routes are provided; and**
- 2) Adequate sign posting is provided; and**
- 3) As far as is reasonable, the new route can make provision for walkers, horse riders, cyclists and people with sight or mobility problems; and**
- 4) In the case of new reasonable development, such development must replace extinguished rights of way with attractive highway infrastructure which is equally capable of accommodating appropriate users of the original right of way.**

The District Council will work with the highway authority and other interested parties to extend and improve the public rights of way network for amenity as well as highway reasons.

Roadside Facilities for the Travelling Public

7.52 There is likely to be an increasing demand for service facilities for the travelling public along the primary and secondary road network within the Plan area. Typical facilities include petrol filling stations, motorists' restaurants, car and lorry parking, overnight accommodation, toilets and telephones on principal routes. The Department for Transport is keen to encourage development of individual key sites to become the focus for the range of facilities for all motorists, including lorry drivers.

7.53 Roadside facilities are essential to ensure the safety and convenience of travellers, but their number, location and design need careful control to protect the environment. The District Council acknowledges that suitable sites will often only be available outside built-up areas. In considering proposals, care will be taken to ensure that development only takes place where there is a demonstrable need for additional facilities and that the degree of visual intrusion is minimised.

7.54 Developer assessments of the distribution of existing facilities and deficiencies in provision, including taking into account provision within adjoining settlements, will be helpful in justifying proposals. The overriding considerations in determining applications, however, will be the degree of environmental impact and highway safety. Proposals will generally not be acceptable within areas of Green Belt because of the potential conflict with the objectives of Green Belt designation.

7.55 Other, more low key facilities such as lay-bys, picnic sites, public toilets and information boards, may also be required in connection with increased tourism in more remote areas. These will also be considered within the context of POLICY RT5.

T9 Proposals for roadside facilities for the travelling public will only be permitted provided:

- 1) There is a demonstrable need for the facilities and the proposal would not result in a proliferation of facilities in the locality;**
- 2) The proposal would not create conditions prejudicial to highway safety or which would have a significant effect on local amenity;**
- 3) The nature and scale of the proposal would be appropriate to the locality and would not have a significant adverse effect on the character of the area; and**
- 4) The proposal would achieve a high standard of design, materials and landscaping.**

Motorway Service Areas

A) Local Situation

- 7.56 The motorway network affecting Selby District is currently being improved. The opening of the M1-A1 Link Road in early 1999 extends the M1 northwards to Bramham and provides a motorway standard route from the M62 (west) to the north-east. In addition work started in Spring of 2003 to up-grade, to motorway standard, the Ferrybridge to Hook Moor section of the A1 through the District, largely on a new alignment. This section of new motorway is entirely within the Green Belt within Selby District. Outside the District, to the north, the upgrading to motorway standard of the Wetherby to Walshford section of the A1 also started in Spring 2003. Following the completion of the South and West Yorkshire Multi-Modal Study, further work is being commissioned on the Redhouse (Doncaster) to Ferrybridge section of the A1 to determine viable proposals for making the best use of, or improving, this section.
- 7.57 The M1 extension has created new long-distance motorway routes from the south and west which may well require further service provision. The existing service provision is located at Woolley near Wakefield on the M1 and Hartshead Moor near Cleckheaton on the M62. Northward from these, extensive consideration has been given, within the planning and legal processes, to motorway service area proposals on the A1 within Harrogate District. A permission granted by the Secretary of State at Kirkby Hill, Harrogate was the subject of a successful legal challenge in November 2000. There has also been a successful legal challenge to the identification within the Leeds Unitary Development Plan of a motorway service area location at Skelton on the M1 extension. Consequently there are currently (June 2002) no motorway service locations definitively accepted within the planning process on either the M1 extension or the A1 north of the existing services at Ferrybridge, which are to be signed from the realigned A1 via a short length of the M62.
- 7.58 In response to the above events, the Secretary of State has convened a further public inquiry, starting in October 2002, which will reconsider the Harrogate District applications together with applications for services at Bramham, within Selby District, and Skelton, within Leeds District. This inquiry will give the

opportunity for a comprehensive appraisal of service facilities in the vicinity of Selby District.

- 7.59 The A1 corridor within Selby District has Green Belt status and, therefore, as motorway service areas constitute 'inappropriate' development, they should not normally be permitted under national Green Belt policy except in very special circumstances. The considerations the Council will take into account when assessing such circumstances are set out in POLICY T10 below.

B) National Policy

- 7.60 The basis of the Government's policy with regard to motorway service areas (MSAs) is set out in Roads Circular 1/94 as supplemented by Lord Whitty's July 1998 statement.

- 7.61 Under national Green Belt policy, MSAs are not appropriate development within Green Belt. The Council will therefore expect to see evidence, in support of a case that very special circumstances apply, that other non-Green Belt sites have been investigated and found to be unsuitable or unavailable.

- 7.62 Government policy on the spacing of MSAs, as set out in Lord Whitty's 1998 statement, is currently to establish a 'thirty mile' network although this does not amount to a presumption in favour of MSA proposals which would contribute to that network; they will continue to be subject to the normal operation of the land-use planning system. Spacing is not in itself sufficient to outweigh objections based upon a national restraint policy such as Green Belt unless reinforced by other factors. 'Infill' services in between the 'thirty miles' sites will be granted only in exceptional circumstances, even outside the Green Belt, and where a clear and compelling need and safety case has been established

- 7.63 Motorists' needs will vary depending on the type of traffic using the road as well as the characteristics of existing services. Evidence of the capacity of existing MSAs not being able to cope with the demand from motorists may include queuing on MSA approach roads or lack of car parking spaces at peak times.

- 7.64 Road safety is of paramount importance; the basis of the 'thirty mile' network is to provide drivers with adequate opportunities to stop and rest. There must be evidence of a genuine need for the proposed services rather than simply demand: it will not be sufficient to show merely that drivers would use the facility. There should be evidence of a genuine safety-related need such as a higher than normal incidence of accidents attributable to driver fatigue.

C) Local Plan Policy

- 7.65 As the entire section of proposed motorway through Selby District lies within the Green Belt, it is necessary to establish, in the first instance, whether or not very special circumstances apply. Part A of POLICY T10 sets out the considerations the Council would take into account in this respect. If the Council is of the view that such circumstances do exist, then any proposals will be judged against the criteria, as set out in Part B of the Policy. Should the Council consider that any proposal is acceptable under this policy, it would be treated as a departure from the Development Plan and would be referred to the Secretary of State.

- T10 The Council will consider proposals for the establishment of facilities to meet the needs of motorway travellers on their merits and subject to other provisions of the plan. A motorway service area is inappropriate development in the green belt and would not be permitted under Policy GB2. Such a facility would only be considered in very special circumstances.**
- A. In assessing whether such circumstances apply at the time a proposal is made, the Council would take into account the following considerations:**
- a. Whether there is a compelling need for such a facility in terms of:**
 - i. The distance between the proposal and existing and planned MSAs on the A1(M) and related motorway routes, bearing in mind government policy with regard to the spacing of services;**
 - ii. Road safety;**
 - iii. The capacity of existing MSAs to cope with the needs of motorists.**
 - b. Whether there are non-green belt sites on the A1(M) and related motorway routes which are suitable and available for an MSA and would avoid the use of a green belt site.**
- B. If it was decided that very special circumstances did apply, the council would expect the proposal to satisfy the following specific criteria:**
- 1) The proposal would minimise the impact on the openness of the green belt and the character and appearance of the countryside;**
 - 2) The proposal would safeguard and enhance the existing landscape character through new landscape massing and tree planting;**
 - 3) The development would achieve a high standard of design and materials appropriate to the surroundings;**
 - 4) The site is not within an historic park or garden, or in an area of archaeological importance, and the proposal would not harm a site of nature conservation importance;**
 - 5) The proposal would avoid the loss of best and most versatile agricultural land or comply with Policy EMP12;**
 - 6) The development would not create conditions prejudicial to highway safety or affect the free flow of traffic on the motorway; and**

- 7) The proposal meets the minimum standards for car parking and other basic services necessary to meet the needs of motorway users, including the disabled, but it is not a destination in its own right and does not provide anything beyond facilities laid down in government policy.**

Freight Traffic

- 7.66 PPG13 (Transport, 1994) indicates that, wherever possible, encouragement should be given to the carriage of freight by rail or water rather than by road, wherever it can provide a viable alternative. The Plan area is well served by excellent rail and road links and is also crossed by a number of navigable waterways, namely the river Ouse, the Selby canal and the Aire and Calder Navigation. Considerable freight movement by rail and water already takes place in connection with Selby Coalfield, the two power stations in the Plan area and the inland port facilities in Selby. There is also potential for a direct rail link into Sherburn Enterprise Park.
- 7.67 A recent study has identified considerable opportunities for expanding the port and rail facilities in Selby. The District Council is committed to the regeneration of the Selby waterfront and has secured Single Regeneration Budget funding for this purpose. Specific proposals are incorporated in Part Two of the Local Plan.

Vehicle Parking

- 7.68 A certain level of off-street parking provision is necessary to avoid causing traffic problems and to maintain a reasonable level of accessibility, particularly in town centres. At the same time, the availability of car parking has a major influence on the choice of means of transport. PPG13 (Transport, 1994) suggests that car parking policies should support the overall locational policies in development plans, and that local authorities should adopt reduced requirements for parking at locations which have good access to means of travel other than the private car.

Vehicle Parking Standards

- 7.69 Proposals for development are normally required to provide car parking in accordance with the most recent North Yorkshire County Council Parking Design Guide, which sets out maximum car parking standards for residential, commercial, employment and other types of development. The standards have been adopted by the District Council for development control purposes and are included in POLICY VP1 as Appendix 4 to this Plan.
- 7.70 Whilst it is important that adequate parking is provided to serve new development, recent national planning advice on sustainability issues, particularly PPG13, suggests that in the future there may be less justification in fully catering for the needs of motorists in order to encourage other modes of transport. This must be balanced, however, with the needs of rural communities where there are generally higher levels of car ownership and poorer public transport facilities than in urban areas, and with the need to maintain the vitality and viability of market towns by encouraging visitors and shoppers.
- 7.71 In certain circumstances, e.g. within town centres, it may not be feasible or desirable to provide full on-site parking in connection with a proposed development scheme. In certain circumstances, however, a financial contribution may be sought from developers to enable the District Council to make additional provision which is considered to be an essential consequence of the scheme, at an appropriate alternative location.

VP1 The District Council will support the provision of parking spaces/facilities in new developments up to the maximum car parking standards as set out in Appendix 4.

Existing Off-street Car Parking

- 7.72 The District Council maintains a number of 'pay and display' car parks within Selby, and free car parks in Tadcaster and Sherburn in Elmet. These are defined on the Proposals Map and identified in Part Two of the Local Plan. Public car parking provision in Selby is supplemented by a number of private car parks, operated by retailers in the town.
- 7.73 Existing car parks are generally well-used, particularly at weekends and market days, when spaces may occasionally be fully taken. The loss of existing off-street spaces would clearly have a detrimental effect on the capacity and safety of roads and, since demand is unlikely to reduce, the District Council will resist the loss of existing public or private parking spaces unless replaced by suitable

additional car parks. The following policy will apply equally to off-street car parking and domestic parking outside town centres.

VP2 Proposals which would result in the loss of off-street car parking spaces as defined on the proposals map will not be permitted unless alternative provision, for at least the same number of spaces, can be made at an appropriate location, or it can be demonstrated that there is no longer a requirement for the existing level of car parking.

Future Car Parking Requirements

- 7.74 It is anticipated that the demand for off-street and on-street car parking spaces will increase as a result of further population growth and increasing car ownership. Adequate car parking is clearly important to ensure the continued vitality and viability of market towns.
- 7.75 Car parking requirements are not necessarily restricted to the market towns, and a number of Parish Councils have expressed concerns regarding the unavailability of car parking or problems associated with on-street parking in villages.
- 7.76 It is therefore proposed to review the need for additional off-street car parking provision throughout the Plan area. Where appropriate, opportunities for securing additional provision will be incorporated in development proposals and/or brought forward as specific proposals following public consultation on the Plan. Notwithstanding recent PPG advice, it is likely that there will continue to be heavy dependence on the motor car owing to the rural nature of the Plan area.
- 7.77 One of the ways in which car parking can be regulated is through effective price controls. The District Council will ensure positive management of its car parks in order to maintain an adequate balance between short and long-term spaces to meet the needs of shoppers, workers, residents and visitors. At the same time, considerable weight will be given to the desirability of safeguarding and enhancing the vitality and viability of town centres.
- 7.78 It is also proposed to keep the demand for on-street provision under continuous review, to ensure that a level of provision is achieved which balances the needs of the motorist with conservation and environmental objectives and policies. Opportunities for a significant review of on-street provision may arise in connection with traffic management measures undertaken during the Plan period.

POLICY VP3 is deleted.

Parking for People with Disabilities

- 7.79 Motorists with disabilities have an essential need for convenient car parking. It is desirable to provide dedicated parking bays in public car parks and to reserve on-street parking spaces near shops and other key facilities, where these can be accommodated without undue traffic disruption. Parking bays of increased width are required for ease of movement and to enable convenient transfer from car to wheelchair where necessary.

7.80 In order to provide adequate access for motorists with disabilities to places of employment and shopping, recreational, health and other facilities, the District Council will require an appropriate number of car parking spaces to be reserved for disabled people, where car parking is provided in conjunction with new development. The proposed standards are based on those suggested by the Institution of Highways and Transportation.

VP4 Proposals for development that necessitate the provision of on-site car parking will be required to provide car parking spaces for motorists with disabilities on the following basis:

- 1) For shopping, recreational, health and educational development and places open to the general public, where up to 200 car parking spaces are required, 6% capacity with a minimum of 3 spaces, should be set aside.**
- 2) For employment development, where up to 200 combined car parking spaces are required for employees and visitors, 5% of capacity with a minimum of 2 spaces, should be set aside.**

For schemes requiring 200 or more car parking spaces, 4% of capacity, plus 4 spaces, should be set aside.

SECTION 8 - RECREATION & TOURISM

RECREATION AND TOURISM

INTRODUCTION

- 8.1 In recent years population growth, changing population characteristics and increases in car ownership and leisure time have created a significant potential for leisure activities. Public expectations of the quality and range of facilities available are continuing to increase.
- 8.2 Responsibility for the provision of recreation and leisure facilities lies with a number of organisations. The District Council is responsible for the promotion and management of facilities such as leisure centres and some outdoor open spaces. Town and Parish Councils are generally responsible for recreation grounds and sports pitches. Private sector provision includes sports facilities provided by private firms, and private clubs. The voluntary and community sector provides a wide range of local facilities such as tennis courts and bowling greens as well as multi-sports facilities. The Countryside Agency may provide finance for additional provision in certain circumstances. Applications may also be made to the Lottery Sports Fund administered by Sport England.
- 8.3 With continuing competition for scarce local authority financial resources, the emphasis in the future is likely to be on greater private sector provision, particularly where requirements arise as a direct result of new residential development. There is also likely to be increasing use of existing resources, both natural and man-made, including attractive areas of countryside, footpaths, woodland and waterways.
- 8.4 Improving facilities for recreation and leisure and creating new ones to cater for existing residents may also attract visitors. There is a close relationship between tourism and leisure and the District Council is keen to exploit the potential benefits to both the economy and the environment that tourism can bring.
- 8.5 The Local Plan deals only with those aspects of recreation and tourism which have land use implications. The management and promotion of facilities will be addressed through the preparation of Recreation and Tourism Strategies.

STRATEGIC FRAMEWORK

- 8.6 The recreation and leisure policies contained in the County Structure Plan aim to improve provision for recreation whilst having due regard to environmental factors. The Structure Plan also acknowledges the need to accommodate the demands of visitors from outside the County as well as encouraging the development of facilities for the indigenous population, including the dual use of existing facilities such as schools.

OBJECTIVES

- 8.7 The Recreation and Tourism Policies of the Plan have the following main objectives:
- 1) To protect existing public and private recreation open space.

- 2) To ensure that recreation open space provision keeps pace with new housing development and to seek, in partnership with other organisations and bodies, to rectify any identified shortages.
- 3) To make provision for the sport and recreational needs of the community, including the disabled.
- 4) To improve opportunities for recreation and access in the countryside, where there are no overriding conflicts with environmental objectives and existing land uses.
- 5) To encourage the provision of tourism attractions and related facilities of an appropriate scale, consistent with both environmental and economic development objectives.

POLICIES AND PROPOSALS

Recreation Open Space

- 8.8 Open spaces are essential in any community, not only for active sports and children's play, but also for general outdoor relaxation. The District Council attaches great importance to the retention of open space and recreation facilities close to where people live.
- 8.9 PPG17 (Sport and Recreation, 2002) advises that planning authorities should undertake robust assessments of existing and future needs of communities in relation to recreation open space provision, in line with guidance provided in "Assessing Needs and Opportunities: A Companion Guide to PPG17". Proposals which would result in the loss of open space should be resisted regardless of ownership, where this would conflict with the wider public interest. To underpin this requirement, the District Council undertook an assessment of recreation provision across the Plan area in 2001, in conjunction with a survey of Parish Councils. The results of the survey, which highlighted significant deficiencies in parts of the Plan area, will be used to prepare supplementary guidance on Recreation Open Space and a recreation open space strategy. Both are intended for use when dealing with planning applications for new housing.
- 8.10 Proposals which would result in the loss of recreation sites will be considered against POLICY RT1. Recreation open space protected by this policy includes public open space in the form of allotments, playing fields, courts, greens and children's play space and equipment. Sites of local amenity value are protected by POLICY ENV29.
- 8.11 Protection is also extended to some school playing fields and land owned by private sports clubs where this satisfies a community need in accordance with national planning advice. Whilst the public do not necessarily have access to such sites, PPG17 indicates that, when not required for their original purpose, such facilities may be able to meet the growing need for recreational land in the wider community. In such circumstances, partial redevelopment of a private site or school playing field may be acceptable provided the remainder would be secured for public use, or alternative provision is made elsewhere through planning conditions or a legal agreement.

- 8.12 There are a significant number of allotments throughout the Plan area. Although some are under-used, the demand for allotments fluctuates considerably through time and once lost to development, allotments cannot easily be replaced. Existing, well-used allotments should be afforded protection as recreation open space. Where allotments are under-used, priority will be given to satisfying other recreational needs in the locality before development proposals are accepted in principle.
- 8.13 Important recreation open space in the form of sports pitches, children's play space, and allotments has been identified on the Proposals Map. The omission of such a designation does not undermine the value of other recreation sites to which the policy will still apply.

RT1 Proposals which would result in the loss of existing recreation open space and allotments will not be permitted unless:

- 1) The use has been abandoned and the site is not required to remedy an existing deficiency for recreation or allotment use elsewhere in the locality; or**
- 2) Alternative provision of at least the equivalent size, accessibility and quality is made within the locality to serve the needs of the existing community; or**
- 3) Sports and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site.**

Additional Recreation Open Space

- 8.14 The District Council's 2001 survey of recreation open space revealed that the general level of provision of the Plan area falls well below the standard recommended by the National Playing Fields Association (NPFA) of 2.4 hectares (6 acres) per 1,000 population. Facilities in the educational sector are normally not included in any assessment of local requirements. Facilities that occur in the voluntary, private, industrial and commercial sectors are included in the assessment when they serve the leisure time needs for outdoor recreation of their members and/or public.
- 8.15 Considerable variations in the level and distribution of recreation open space have been identified throughout the Plan area. Within the larger settlements, the most significant deficiencies were found at Barlby, Brayton and Camblesforth, as well as the market towns of Selby, Sherburn in Elmet and Tadcaster. Many smaller settlements share facilities, or perhaps have access to one multi-purpose recreation ground, which is not necessarily located within the built-up limits.
- 8.16 The results of the survey have been reinforced through consultations with Parish Councils to identify specific local demand, and existing problems regarding availability, accessibility and suitability of provision.
- 8.17 Whilst only a limited number of opportunities to rectify deficiencies in provision have been identified in the Local Plan, the District Council will continue to promote collaborative action to provide additional open space

with other bodies, including Parish Councils and Groundwork Selby. Additional local open space provision will be secured within new developments commensurate with the needs of their residents and to avoid exacerbating existing deficiencies. Consultation with local schools reveals that there is considerable scope for dual use of educational facilities.

- 8.18 Further measures may emerge as a result of the preparation of a detailed Leisure Strategy which is being undertaken by the District Council. Wherever possible, proposals by Town and Parish Councils and other public bodies to upgrade facilities or provide additional open space will be supported. Where appropriate, the District Council will assist, through direct grant aid and the co-ordination of other funding organisations such as Sport England, the Foundation for Sport and Arts and the Lottery Sports Fund.

Open Space Requirements for New Residential Development

- 8.19 The District Council's 2001 survey of recreation open space indicates that deficiencies in provision could be exacerbated in some of the larger settlements where, in line with strategic policies, additional housing growth is proposed. It is essential that adequate provision for recreation open space related to the scale of development be incorporated in the early planning of new residential development if future deficiencies are to be avoided. Supplementary Planning Guidance (SPG) will be prepared to give detailed information on the provision of recreation open space in connection with new residential developments. This is supported by national planning guidance set out in PPG3 (Housing) and PPG17 (Sport and Recreation).
- 8.20 The following policy is intended to reflect the minimum standard of provision suggested by the NPFA of 2.4 hectares per 1,000 population. On the basis of an average occupancy rate of 2.5 persons per dwelling, this equates to 60m² open space per dwelling. Open space which is not primarily designed for recreation (for example grass verges or surface water balancing facilities) will not be counted as making a contribution to supply.
- 8.21 The precise type and nature of open space to be provided will be subject to agreement between the District Council and the developer on the basis of the Recreation Open Space Strategy and the accompanying Supplementary Planning Guidance. Various types of open space should be provided at functional and maintainable sizes.
- 8.22 For schemes larger than 10 dwellings, provision should generally be made on-site, although there may be circumstances where this is impractical because of site characteristics or other planning requirements, or where off-site provision may be appropriately located elsewhere. In certain circumstances, a financial contribution to enable the District Council to make alternative provision or to upgrade existing facilities may be acceptable in lieu of direct provision.
- 8.23 Since the area of open space required in connection with schemes for 10 or less dwellings is inadequate to provide a practical play area, it is considered more realistic in such circumstances to require developers to make a commuted payment to the provision of open space or to the

upgrade of existing play facilities, elsewhere in the locality, by the District Council. Small infill schemes of less than 5 dwellings are excluded from this requirement because the provision of play space is impractical in smaller villages or hamlets or in association with the conversion of agricultural buildings to residential use in more remote areas. It is envisaged that the establishment of Groundwork Selby will provide the scope for drawing down external funding which would add to the contribution made by developers and more easily facilitate the provision of open space or upgrading of existing facilities.

- 8.24 In considering the need for, and nature of, additional or enhanced recreation open space, account will be taken of the relationship between the new development and existing open space. Other matters that will also be taken into consideration are the types of residential accommodation being provided. For example, sheltered accommodation for the elderly would have different functional requirements to family housing.
- 8.25 Further elaboration on the operation of the policy is provided in Supplementary Planning Guidance and the Recreation Open Space Strategy. The Council's separate requirements in relation to other forms of community needs that are directly related to development proposals are set out in POLICIES DC1 (Developer Contributions to Infrastructure and Community Facilities) and H4 (Affordable Housing).

RT2 Proposals for new residential development comprising 5 or more dwellings will be required to provide recreation open space at the rate of 60 square metres per dwelling on the following basis:

- (a) For schemes of more than 4 dwellings up to and including 10 dwellings, through a commuted payment to enable the district council to provide new or upgrade existing facilities in the locality.**
- (b) For schemes of more than 10 dwellings but less than 50 dwellings, the following options would be available subject to negotiation and the existing level of provision in the locality;**
 - (i) Provide open space within the site;**
 - (ii) Provide the open space within the locality;**
 - (iii) Provide the open space elsewhere;**
 - (iv) Where it is not practical or not deemed desirable for Developers to make provision within the site the District Council may accept a financial contribution to enable provision to be made elsewhere;**
- (c) For schemes of 50 dwellings or more, provision within the site will normally be required unless deficiencies elsewhere in the settlement merit a combination of on-site and off-site provision.**

Depending on the needs of residents and the total amount of space provided, a combination of different types of open space would be appropriate in accordance with NPFA standards.

Formal Sport and Recreational Facilities

- 8.26 Indoor sports are catered for in the Leisure Centres at Barlby, Selby and Tadcaster, which are managed by the District Council, and in a number of other centres operated by private companies such as National Power. An all-weather surface adjacent to the Abbey Leisure Centre, Selby has recently been completed. In addition, a range of indoor sports may be played at community and village halls throughout the Plan area.
- 8.27 In general, a reasonable range of facilities is available to most communities, bearing in mind that additional facilities are also provided by a number of neighbouring authorities. Provision is often supplemented through dual use of school facilities. Consultation with Parish Councils reveals a small number of cases where there are local aspirations to provide additional, small-scale facilities. Provided there is a proven level of demand and subject to the preparation of the District Council's Leisure Strategy, these may be supported by the District Council, in conjunction with the Sports Council, by grant aid and other means.
- 8.28 As part of its sports development programme, the District Council may identify a need for additional types of facility such as an athletics track or indoor bowls. Proposals may also emerge for privately sponsored activities.
- 8.29 Structure Plan Policy R1 indicates that provision will be made for the development of recreational, leisure and cultural facilities in locations accessible to both public and private transport. In this context, and bearing in mind national planning advice which advocates positive discrimination in favour of non-car borne journeys, it is appropriate that future provision should be made within, or on the edge of, towns and larger villages. Careful control will need to be exercised in order to overcome potential problems associated with ancillary facilities such as car parking and floodlighting.
- 8.30 By their very nature, some forms of organised sport and recreation require extensive amounts of land, such as development in association with football clubs, and may need to be accommodated outside towns and villages in the countryside. It is essential that such uses are not intrusive and do not affect sensitive landscapes, conservation interests, or valuable agricultural land.
- 8.31 Some modern recreational pastimes, for example war games, have potential to disturb the environment in ways which threaten its appearance and character, or which may have an unacceptably adverse effect on wildlife and local amenity (for example clay pigeon shooting).
- 8.32 Many disabled people already pursue sport and recreational activities. The District Council has installed facilities such as ramps and chair hoists at the leisure centres in Selby and Barlby in order to encourage participation. It is

appropriate to ensure that additional proposals are specifically designed to enable safe and easy access by disabled people.

RT3 Proposals for sport and recreation development will be permitted, provided:

- 1) The proposal would not be so intrusive as to seriously detract from the character of the area by virtue of its appearance or associated noise;**
- 2) The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity;**
- 3) New buildings or structures would be well designed and appropriately landscaped; and**
- 4) The facilities are designed in such a way as to allow easy access and active participation by disabled people in sport.**

Within areas of green belt, proposals will only be permitted where they relate to uses of land and essential facilities for outdoor sports and recreation which preserve the openness of the green belt and do not conflict with the purposes of including land in it.

Golf Course Development

- 8.33 Since golf courses take up large areas of land and can have a substantial impact on the character of the landscape, they warrant separate consideration from other forms of recreational development.
- 8.34 The District is well catered for in terms of existing golf courses, which satisfies the standard suggested by the Royal and Ancient Golf Club of St Andrews at approximately one course per 25,000 people. Existing private golf courses are operated near Selby, Stutton, Barkston Ash, Wistow and adjacent to Eggborough and Drax Power Stations.
- 8.35 Whilst golf courses are acknowledged in national planning guidance as an acceptable use in the countryside even within areas of Green Belt, this must be balanced with careful controls to safeguard the character of the countryside, particularly wildlife habitats. The formal pattern of fairways, mown greens, trees and bunkers normally contrasts with the agricultural pattern of fields and hedgerows. Established woodlands may also be eroded. Particular care will be taken in assessing proposals which affect Locally Important Landscape Areas, Historic Parks and Gardens, and sites of nature conservation importance.
- 8.36 It is equally important to safeguard local residents from the effects of increased traffic and activity, including associated floodlighting. In this regard particular attention will be given to the issue of light pollution which could arise especially in the case of golf driving range proposals (see POLICY ENV3).

RT4 Applications for golf courses and golf driving range developments will be permitted provided:

- 1) The proposal would not have a significant adverse effect on the character of the countryside or harm acknowledged nature conservation interests, and dominant landscape features would be retained, particularly within locally important landscape areas;**
- 2) Existing buildings within or adjacent to the site are converted to provide ancillary accommodation as far as possible;**
- 3) New building is kept to a minimum and would not be visually intrusive by virtue of scale, design, materials, colour or siting;**
- 4) The proposal would be well situated to serve existing centres of population located along or close to a primary or secondary route and would be served by roads with the capacity to accommodate the additional traffic generated;**
- 5) The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity;**
- 6) The proposal would not result in the loss of existing public rights of way and would exploit opportunities to provide new public access to the countryside;**
- 7) The proposal would not result in an undue concentration of golf-related activities which would cumulatively be likely to have a significant adverse effect on the landscape character of the area or generate levels of traffic which could not be accommodated on local roads without unacceptable alterations;**
- 8) A management plan for protecting and providing new landscape and wildlife habitats is submitted with the application;**
- 9) The proposal would not harm the character, setting or features of an historic park or garden, and would not result in the loss of important archaeological remains; and**
- 10) The proposal would not result in the irreversible loss of best and most versatile agricultural land.**

The District Council will require the submission of full details of all proposed ancillary facilities at the time the application is made and may require applicants to enter into a legal agreement controlling the operation of the golf

course or driving range or restricting further built development.

Informal Recreation and Access to the Countryside

- 8.37 Countryside recreation is the term used to describe informal use of the countryside including activities such as walking, country drives, non-competitive cycling, horse riding, visits to country parks and to historic parks and gardens, and picnicking. Countryside Agency surveys show that more than 80% of people visit the countryside at some time during the year. Countryside recreation is therefore a major tourism activity throughout England and Wales.
- 8.38 The District Council has been directly involved in the provision of visitor facilities at Barlow Common, Brayton Barff and Hambleton Hough, and with the development of new footpath routes such as the Cawood Walk, the Selby Horseshoe Walk and the Trans-Pennine Trail. Continued support will be given to proposals which increase access to the countryside and provide opportunities for informal countryside recreation, including the utilisation of disused railway lines. The District Council will also cooperate on projects with bodies such as the County Council and the voluntary sector, and with landowners, for example in connection with Woodland Access Agreements.
- 8.39 POLICY RT5 outlines the circumstances in which small-scale proposals to assist informal enjoyment of the countryside will be encouraged. The policy is equally applicable to small-scale proposals aimed at increasing the use and enjoyment of waterways.
- 8.40 Disabled people can often find it particularly difficult to obtain access to the countryside. Proposals for alternative access arrangements can improve this situation and will be supported by the District Council. Such arrangements might include tactile waymarkers in Braille for persons with impaired sight, or adapted stiles and gates to improve access for those with walking difficulties.

RT5 Proposals for small-scale developments associated with informal public use and enjoyment of the countryside will be permitted provided:

- 1) The proposal would not be intrusive by virtue of associated noise or appearance and any new buildings or structures would be well screened by existing vegetation or new planting;**
- 2) The nature and scale of the proposal would be appropriate to the locality;**
- 3) The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity; and**
- 4) The proposal would not harm acknowledged nature conservation interests or have an adverse effect on adjacent agricultural interests or other land uses.**

Recreational Use of Waterways

- 8.41 The District Council recognises the considerable potential for recreational use provided by the numerous rivers and canals within the Plan area, including the rivers Aire, Derwent, Ouse and Wharfe, the Selby Canal, and the Aire and Calder Navigation. These represent a resource of regional significance, being accessible not only to local residents but also the large population centres in West and South Yorkshire. At the same time this must be weighed with the need to safeguard the conservation and amenity value of waterways in accordance with other Local Plan objectives (see POLICIES ENV7, ENV8, ENV9 and ENV12).
- 8.42 In line with strategic advice, a balanced approach to the use of waterways has been adopted, which seeks to differentiate between those areas capable of accepting additional recreational development and more sensitive water corridors where it is important to restrain development pressures. The Plan area has been divided into zones based on differing potential to accept additional recreational facilities, accessibility, and ability to minimise disturbance to other interests. These are the Lower Derwent Valley Area of Restraint, the Urban Area of Selby/Barlby Bridge, and Remote Areas.

Lower Derwent Valley Area of Restraint

- 8.43 The Lower Derwent Valley is internationally recognised for its nature conservation importance, due to the exceptional purity of the river water and the traditional water meadow management of the seasonally flooded land on either bank. In winter the flooded meadowlands are particularly important for migrating wetland birds. There has been pressure for use of this part of the river for recreational pursuits which can interfere with the ecology of the area and increase the likelihood of river pollution.
- 8.44 Furthermore, in view of the restrictions concerning navigation rights on the Derwent, it is appropriate to restrict any new additional bankside moorings or other boating facilities.
- 8.45 Under the Land Drainage Byelaws 1991, consent for moorings is also required from the Environment Agency and appropriate Internal Drainage Board.
- 8.46 The Lower Derwent Valley Area of Restraint is defined on the Proposals Map and the following policy will apply:

RT6 Proposals for additional recreational facilities including caravan and camping development, bankside moorings or other boating facilities will not be permitted within the Lower Derwent Valley area of restraint as defined on the proposals map.

Selby/Barlby Bridge Urban Area

- 8.47 The general intention is to direct proposals for larger-scale water-based recreation facilities to within or adjacent to the built-up area of Selby and the adjoining built-up area of Barlby Bridge. This represents the largest concentration of population in the Plan area and the location most capable of accommodating further recreational developments, particularly those of a formal nature, consistent with other policies aimed at promoting tourism and revitalising the waterfront. By concentrating facilities alongside sections of the river Ouse and Selby Canal which pass through the town, it is intended to relieve pressure on other more sensitive locations.
- 8.48 There is considerable scope for increasing the recreational use of the riverside areas in Selby in conjunction with the Selby Waterfront Project. This is a major economic initiative which is aimed at regenerating the economy of the waterfront, including the commercial use of the river. Funding is available from a number of partners and the Department of Trade and Industry Single Regeneration Budget.
- 8.49 Projects under consideration include a comprehensive landscape improvement strategy to promote increased public access and enjoyment of the riverside areas, provision for riverside walkways, sitting-out areas, viewpoints and information and interpretation points. The type of recreational activity to be encouraged within these zones would be geared to accommodating increased numbers of visitors.

RT7 Proposals for riverside recreational facilities will be permitted within or adjacent to the defined development limits of Barlby Bridge and Selby, provided the proposal:

- 1) Would not jeopardise the commercial use of the waterway or the operation of existing businesses;**
- 2) Would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity;**
- 3) Is of a nature and scale appropriate to the locality and its ability to absorb visitors without suffering environmental damage;**
- 4) Contains adequate safeguards to prevent the pollution of the waterway; and**
- 5) Would not harm acknowledged nature conservation interests and wherever possible would strengthen existing wildlife corridors.**

Remote Areas (Outside Areas of Restraint)

- 8.50 Remaining waterways in the Plan area are relatively inaccessible and free from recreational development. With the exception of the Knottingley to Goole Canal and the Selby Canal, most are tidal or, in the case of the river Wharfe, non-navigable, and therefore not subject to pressures for moorings

or boating. These waterways are more suited to quiet informal activities such as angling or walking.

- 8.51 Priority will be given to safeguarding existing uses and improving access. Proposals for small-scale recreational facilities associated with the quiet enjoyment of water corridors will be acceptable. At waterside locations accessible by road, it may be possible to provide small car parks linked to the riverside path with picnic facilities to meet the needs of anglers and walkers. A scheme has recently been completed at Brayton Bridge on the Selby Canal.
- 8.52 Proposals will be considered in relation to POLICY RT5 (Informal Recreation and Access in the Countryside).

Selby Canal

- 8.53 Selby Canal forms part of a strategic waterway route through North Yorkshire linking the Aire and Calder Navigation with the river Ouse, and enabling boats to travel beyond York as far as Ripon. The 5 mile long section of canal links the river Ouse at Selby and the river Aire at Haddlesey. It passes through relatively remote areas of countryside as well as residential suburbs and older industrial development in Selby.
- 8.54 Although classed as a commercial waterway, the canal is used primarily for leisure and recreational purposes. Boating numbers have doubled since 1988, with over 2,000 boats now passing through Selby Lock each year and at least another thousand boat movements take place on the canal during the summer cruising season. A small narrow boat hire base and long-term moorings are located in Selby Basin. A small number of additional overnight moorings are provided at other locations. The canal also supports a dynamic fishery with four angling clubs. In addition, the canal towpath is used by walkers and ramblers and now forms part of the Selby Horseshoe Walk and the planned Trans-Pennine Trail (see POLICY RT8).
- 8.55 British Waterways has undertaken a comprehensive study of the canal corridor on behalf of the District Council, which was funded jointly by British Waterways, Selby District Council, North Yorkshire County Council, the Countryside Agency and the Yorkshire Tourist Board. The study examined the special contribution which the canal makes to the environment, and investigated opportunities for increasing its recreational and amenity value for both local people and visitors.
- 8.56 In particular, the Study illustrated the scope for providing additional visitor moorings, and low-key facilities such as car parking and picnic sites, provided these respect the rural nature of the waterway. Proposals affecting the rural parts of the canal (outside the defined Development Limits of Selby) will be considered in relation to POLICY RT5. Proposals to increase the enjoyment of the waterway at the Selby end of the canal will be considered in relation to POLICY RT7. Specific measures to enhance the waterside environment in combination with other development proposals are incorporated in Part Two of the Local Plan.

The Trans-Pennine Trail

- 8.57 The Trans-Pennine Trail is an ambitious project which aims to create a multi-user route between Southport and Hornsea for walkers, cyclists and, wherever possible, horse riders and the disabled. The route will link the major centres of Liverpool, Manchester, Sheffield and Hull. It involves the cooperation of a number of local authorities. Generally the trail follows disused railways, canal towpaths, riverside paths and existing rights of way. The fact that the Trail ends at Hull's Europort Terminal opens up the possibility of designating it as a Euroroute with possible linking into the network of Long Distance European Routes on the European mainland.
- 8.58 Parts of the Trail within the Plan area are already open and enjoy good use. This includes the Selby-York spur, part of which has been constructed on the course of the former York-Selby railway. The District Council will continue to support the development of the Trail. Existing sections of the Trail and the preferred routes of additional sections, which are currently being negotiated by the County Council, are defined on the Proposals Map.

RT8 Proposals to extend the route of the trans-Pennine trail, to enhance access along the trail and to establish links with other rights of way will be encouraged.

Horse-Related Development

- 8.59 Horse riding is an increasingly popular activity in the Plan area leading to pressure for the erection of stables and associated buildings and other facilities. This can have a significant impact on the countryside, particularly when linked to large-scale commercial enterprises or equestrian centres.
- 8.60 In considering proposals for horse-related development, care will be taken to protect residential amenity as well as to safeguard the character and appearance of the countryside.
- 8.61 There is potential to extend the existing bridleway network which may help to reduce conflicts between walkers and riders, and improve highway safety in those areas where horse riders use public roads. Whilst responsibility for maintaining and creating bridleways rests with North Yorkshire County Council as the Local Highway Authority, the District Council will cooperate with the County Council and other bodies to help develop the bridleway network (see POLICY T8).

RT9 Development proposals involving the erection of stables and other facilities for keeping horses in the countryside will be permitted provided:

- 1) Buildings would not detract from the character and appearance of the rural environment and, in the interests of residential amenity, would be sited at a reasonable distance from the nearest dwelling;**
- 2) The provision of foul drainage would meet the requirements of the district council and the water authorities;**

- 3) **Adequate provision is made for the storage and disposal of soiled bedding material and applicants can demonstrate that suitable arrangements are to be made for this purpose;**
- 4) **The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity; and**
- 5) **The proposal would not harm acknowledged nature conservation interests.**

Tourism-Related Attractions

- 8.62 In addition to attractive settlements and areas of countryside, the Plan area boasts a number of visitor attractions including Selby Abbey and other ecclesiastical buildings, Carlton Towers, and a number of historic parks and gardens. The natural resources of the area have led to the development of significant industries such as brewing, mining and power generation which by their presence create considerable potential interest. In addition, facilities are available for outdoor water sports at Womersley Water and for flying at Burn Airfield (gliding) and Sherburn Airfield (light aircraft), which draw members from other parts of the Region and beyond. On the whole, however, existing attractions tend to be small-scale and related to the historic, cultural and natural resources of the area.
- 8.63 Whilst accepting the dominance of York with regard to tourism potential, the District Council nevertheless believes there is further scope for the development and enhancement of small-scale attractions within the District provided these reflect the rurality of the area and the environmental objectives of the Local Plan.
- 8.64 Development of tourist facilities in the countryside can allow for a greater diversity in the rural economy. The following policy is intended to facilitate tourist development in accordance with PPG21 (Tourism) so as to maximise the economic and employment benefits of tourism whilst minimising environmental and other conflicts which tourism can cause. Wherever possible, the re-use of existing rural buildings will be preferred to the construction of new buildings. Given the likely impact on rural roads and communities, it will not normally be appropriate to encourage tourism in rural areas on a large scale.

RT10 Proposals for tourist attractions will be permitted provided:

- 1) **The nature and scale of the proposal would be appropriate to the locality;**
- 2) **The proposal would not have a significant adverse effect on the character and appearance of the area;**
- 3) **The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity; and**

- 4) **The proposal would not be likely to have a significant adverse effect on the environment or disrupt local community life.**

Within areas of green belt, proposals will only be permitted where they satisfy the requirements of Policy GB2 as an acceptable form of development in green belt.

Tourist Accommodation

- 8.65 A key factor in establishing a successful tourist industry is clearly the availability of a range of accommodation. It is also significant that the greatest number of jobs related to tourism within Selby District are directly concerned with the provision of accommodation. Research carried out by the Yorkshire Tourist Board indicates a particular lack of large hotels. The scope for additional hotel development has been confirmed through a detailed study commissioned by the District Council, which identified a specific need for a 30-bedroomed hotel serving Selby and the surrounding area in particular.
- 8.66 The District Council will encourage the private sector to provide further accommodation of the standard required by the different sectors of the tourist market. This may include extensions and refurbishment of existing accommodation, proposals for changes of use and conversion of existing buildings, or the development of entirely new accommodation. Any such proposal will need to satisfy normal planning considerations and policies set out in the Local Plan.
- 8.67 New accommodation will normally be associated with existing development rather than the open countryside. Where an entirely new development is proposed in the open countryside, the need for this location must be proven. This may take the form of close association with a particular facility, either proposed or existing.

RT11 Proposals for serviced or non-serviced tourist accommodation, including extensions to existing premises, will be permitted provided:

- 1) **The proposal would be located within defined development limits or, if located outside these limits, the proposal would represent the use of either;**
 - i) **A building of either architectural or historic interest, or;**
 - ii) **An existing structurally sound building which is suitable for its proposed function without major rebuilding or adaptation, or;**
 - iii) **An extension to an existing hotel or other form of accommodation; and**
- 2) **The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity;**

- 3) **In meeting car parking and access requirements, there would not be a significant adverse effect on the setting of the building or the character of the area; and**
- 4) **The size and scale of the proposal would be appropriate to the locality.**

In granting permission for self-catering accommodation, the local planning authority will ensure that a condition restricting the maximum period of occupation of the premises is applied.

Within areas of green belt, proposals will only be permitted where they satisfy the requirements of policy gb2 as an acceptable form of development in the green belt.

Caravan and Camping Sites

- 8.68 There are a small number of sites for touring caravans and camping in the Plan area. These are complemented by a number of certified caravan sites for five caravans or less, scattered throughout the area.
- 8.69 Suitable sites for the location of caravans are likely to be located beyond the built-up limits of towns and villages. Larger-scale proposals accommodating more than five caravans, which would require planning permission, would need to ensure that they were well integrated within the rural landscape. This can be assisted by ensuring that the scale of the proposal is appropriate to the location and through the use of sites which are well screened by existing vegetation and by extensive planting within the site. These measures are given added importance when ancillary developments such as toilets/shower blocks are proposed.

RT12 Proposals for touring caravan and camping facilities will be permitted provided:

- 1) **The proposal would not have a significant adverse effect on the character and open appearance of the countryside, or harm acknowledged nature conservation interests;**
- 2) **Any proposal for development within the locally important landscape areas, as defined on the proposals map, would conserve and enhance the landscape quality of the area in terms of scale, siting, layout, design, materials and landscaping;**
- 3) **The proposal would not be visually intrusive and would be well screened by existing vegetation, or would incorporate a substantial amount of landscaping within and around the site;**
- 4) **The site would have good access to the primary road network;**

- 5) **The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity.**
- 6) **Any new ancillary buildings or structures are essential to providing basic services on the site; and**
- 7) **The number of pitches in any one are would be in proportion to the size of the locally resident population so as not to disrupt community life**

Signposting

8.70 The District Council appreciates the need for visitors to be aware of the District's tourist facilities. This enables tourism to make a full contribution to the local economy. Clear and concise provision of information and signposting can reduce vehicle and pedestrian congestion, and this can provide benefits to local people as well as visitors. New signage should not be sited in sensitive locations and should be of good design and in accordance with the appropriate guidance issued by the Government and North Yorkshire County Council.

RT13 The District Council will, in conjunction with the county council, provide signposting to improve visitor awareness of tourist facilities. Signposting will consist of traffic and pedestrian directional signs, car park signs and tourist information points.

SECTION 9 - SHOPPING

SHOPPING

INTRODUCTION

- 9.1 Retailing in the towns and villages of the Plan area must be seen within the context of the sub-regional shopping hierarchy since a considerable number of shopping trips are made to larger centres such as York, Leeds and Doncaster.
- 9.2 The rural nature of the Plan area means that shopping facilities are very dispersed. Selby functions as the principal shopping centre and has a relatively large sphere of influence for convenience shopping, although it has a more limited attraction for comparison goods shoppers. Tadcaster and Sherburn in Elmet have a mainly local function. Smaller groups of shops are available in the larger service villages mainly serving the everyday needs of the local population, and below this level smaller local and village shops provide an essential service for local residents.
- 9.3 The retail policies of the Plan are intended to at least maintain existing shopping facilities and to strengthen the vitality and viability of town centres, whilst allowing for new development elsewhere in appropriate circumstances.

STRATEGIC FRAMEWORK

- 9.4 National planning policy guidance on retailing is set out in PPG6 (Town Centres and Retail Developments, 1996) which emphasises the need to sustain and enhance the vitality and viability of town centres, and to ensure the availability of a wide range of shopping opportunities to which people have easy access. This complements the long-standing policies in the North Yorkshire County Structure Plan which seek to encourage new shopping developments to locate in or close to existing shopping centres.
- 9.5 The Regional Planning Guidance for Yorkshire and the Humber (now Regional Spatial Strategy) echoes the provisions of PPG6 and also recognises the importance of supporting shopping centres in smaller market towns.

OBJECTIVES

- 9.6 The shopping policies of the Plan have the following main objectives:
- 1) To enhance the vitality and viability of the existing town centres of Selby, Tadcaster and Sherburn in Elmet.
 - 2) To encourage the retention, establishment or extension of local shopping facilities appropriate to the rural economy.
 - 3) To resist the establishment of retail uses outside Development Limits.

POLICIES AND PROPOSALS

Retail Development in Existing Centres

- 9.7 A principal objective of the Local Plan is to enhance the viability and vitality of existing shopping centres in the market towns of Selby, Tadcaster and Sherburn in Elmet. These centres are a vital part of the economic and social life of the Plan area, providing a range of shopping and other facilities which are accessible to a large number of people.
- 9.8 A shopping study undertaken on behalf of the District Council in 1994 revealed that, whilst there is unlikely to be a need for significant additional retail floorspace provision in Selby town in the period up to 2006, there is scope for additional comparison goods provision in order to improve the quality of shopping available. In Tadcaster, the need for both qualitative and quantitative improvements were identified in order to claw back expenditure lost to other shopping centres. Sherburn in Elmet is regarded as being vital and viable in its local centre context, but has scope for only limited additional convenience floorspace in the Plan period. There is a need to regain some expenditure which is currently being diverted to other centres.
- 9.9 The District Council will seek to enhance the attractiveness of the town centres by encouraging new developments within the existing commercial centres. New development should strengthen their commercial buoyancy and encourage investment in the historic fabric and townscape. Specific policies for promoting and controlling development within the town centres are incorporated in Part Two of the Local Plan. These policies will be supported by other measures aimed at overcoming traffic congestion, enhancing the environment, tackling crime and increasing the attractiveness of the town centre as a place to live, work and visit. The District Council recently undertook improvements to the Finkle Street and Micklegate area of Selby town and will consider schemes for excluding non-essential traffic and introducing pedestrianisation in other areas.
- 9.10 The 1994 Shopping Study undertaken on behalf of the District Council suggests that the implementation of existing planning consents within Selby, Sherburn in Elmet and Tadcaster would satisfy projected shopping floorspace requirements. In view of the limited scale of future floorspace requirements, and the established overriding need to support existing centres, it is concluded that there is unlikely to be scope for significant additional retail development outside existing centres other than on sites already identified immediately adjacent to those centres.

S1 Shopping provision will be concentrated in the commercial and shopping centres of Selby, Tadcaster and Sherburn in Elmet, as defined on the proposals map.

Edge-of-Centre and Out-of-Centre Retail Development

- 9.11 PPG6 (Town Centres and Retail Developments, June 1996) advises that, whilst new retail development will usually be located in or next to existing town centres, there may be scope for out-of-centre retail development

provided this does not undermine the vitality and viability of existing town centres.

- 9.12 The PPG emphasises the plan-led approach to promoting development in town centres, and the sequential approach to selecting sites for development. Adopting a sequential approach means that first preference should be for town centre sites, followed by edge-of-centre sites, district and local centres and only then out-of-centre sites.
- 9.13 For the purposes of this policy `edge-of-centre' is a location within easy walking distance (i.e. 200m-300m) of the defined shopping and commercial centre; `out-of-centre' is a location which is clearly separate from the town centre, but not necessarily outside the urban area; and `out-of-town' is an out-of-centre development on land which is clearly not within the current urban boundary as defined by the Development Limits.
- 9.14 The Council will rigorously assess any proposals for edge-of-centre, out-of-centre and out-of-town retail units in order to ensure that they complement and do not undermine the shopping provision within the existing centres. In considering proposals for all these forms of development (including proposals for retail warehousing) and all retail schemes over 2,500 square metres gross floorspace, a number of key considerations will be applied, based on the advice in PPG6 (Town Centres and Retail Development, 1996). All such applications should be supported by evidence on:
- a) Whether the applicant adopted a sequential approach to the site selection and the availability of suitable alternative sites;
 - b) Their likely economic impacts on town centres, local centres and villages, including consideration of the cumulative effects of recently completed developments and outstanding planning permissions;
 - c) Their accessibility by a choice of means of transport, assessing the proportion of customers likely to arrive by different means;
 - d) The likely changes in travel patterns over the catchment area; and where appropriate;
 - e) The traffic impact and any other significant environmental impacts.
- 9.15 The District Council will also require assessments for smaller developments serving a more than local function where these are considered likely to have a large impact on an established centre depending on the relative size and nature of the development in relation to the centre.
- 9.16 In considering any future retail proposals, the District Council will require the submission of shopping and traffic impact studies in order to assess how existing centres within the catchment area of the proposal would be affected.
- 9.17 The purpose of POLICY S2 is to identify factors to be taken into account when considering proposals for future shopping developments in edge-of-centre or out-of-centre locations. (The advice provided in PPG6 will also be

taken into account particularly regarding the sequential approach and when assessing the impact of proposals upon the vitality and viability of centres). Criterion 4 in POLICY S2 attempts to ensure that new developments enhance sustainability objectives by creating a reduction in the overall distances travelled for shopping purposes particularly by private car.

- 9.18 The Policy is not intended to apply to farm diversification or tourism activities which may have an acceptable retail element, in accordance with POLICIES EMP7 and RT11.
- 9.19 Where, exceptionally, proposals are permitted, planning conditions will be imposed to ensure that the character of development does not change to the extent that the District Council would have refused permission because of the potential impact on the vitality and viability of an existing centre. Planning conditions may be used, for example, to limit the range or types of goods sold.

S2 Proposals for large scale edge-of-centre, or out-of-centre retail development (serving more than a local function) will only be permitted where:

- 1) More suitable, viable and available alternative sites cannot be identified in accordance with the sequential approach; and**
- 2) The proposal would not individually or cumulatively harm the vitality and viability of existing centres; and**
- 3) The proposal is sited so as to reduce the number and length of car journeys and can serve not only car-borne shoppers but is also accessible to those on foot, bicycle or who rely on public transport.**

Local Shops

- 9.20 Outside the three market towns of Selby, Sherburn in Elmet and Tadcaster, individual shops play an important role in providing for local shopping needs, especially convenience goods. They help to reduce the need to travel, thereby contributing to sustainability objectives and also provide an essential service for those with restricted mobility.
- 9.21 The role of local facilities in furthering sustainability objectives has been increasingly recognised in Government planning guidance and PPG6 (Town Centres and Retail Developments), published in June 1996, particularly addresses the issue of village shops in Paragraph 3.20. It emphasises the crucial role local shops play in maintaining villages as viable communities and suggests local authorities should adopt a positive approach to applications for developments which improve their viability. It also notes that their importance to the community should be taken into account when considering applications for change of use of existing shops.
- 9.22 In addition to village shops, public houses often provide a distinct social and community function and act as important meeting places. Where no alternative exists within a village, the closure of the local public house not

only creates a direct loss of that facility but inevitably will generally lead to an increase in the number and length of journeys that local people make. For these reasons, POLICY S3 also includes safeguards against the unnecessary loss of public houses within village communities.

9.23 With regard to safeguarding shopping provision and public houses in rural communities, the Council will resist the change of use of individual premises unless it can be demonstrated that a suitable alternative exists, or that it can be shown to be no longer viable for retail use and that reasonable attempts have been made to sell or let the business on an operational basis. What constitutes a 'reasonable period of time' and 'reasonable terms' will depend upon prevailing market conditions but, as a guide, less than six months is likely to be inappropriate and the terms on offer should compare with similar premises and locations of such premises that are being let or sold for the existing use. In certain circumstances retail businesses may be eligible for financial assistance from the Countryside Agency.

- S3**
- A) Outside defined shopping and commercial centres, proposals for local shops (Class A1*) and commercial premises such as financial and professional services, public houses, cafes, restaurants and takeaways (Class A2* and A3*) will be permitted provided all the following criteria are met:**
- 1) The proposal is within defined development limits;**
 - 2) The proposal is intended to serve a purely local function or there is a demonstrable need for the particular outlet in the locality (including facilities related to tourism);**
 - 3) The scale of provision would be appropriate to the locality;**
 - 4) The proposal would not create conditions prejudicial to highway safety or the free flow of traffic;**
 - 5) Satisfactory parking and servicing could be achieved, and the site is accessible and safe for pedestrians and cyclists; and**
 - 6) The proposal would not have a significant adverse effect on residential amenity or the character and appearance of the area.**
- B) Outside Selby, Tadcaster and Sherburn in Elmet, proposals involving a loss of retailing (Class A1*) use, or loss of a public house (Class A3*), will not be permitted unless:**

- 1) **It can be demonstrated that there is alternative provision for a similar type of use within reasonable walking distance; or**
- 2) **It can be shown that the business is no longer viable for retail purposes within its existing use class, and that it has remained unsold or unlet for a substantial period of time, despite genuine and sustained attempts to market it on reasonable terms.**

* Town and Country Planning (Use Classes) Order 1987

Retail Development in the Countryside

- 9.24 The changes taking place in agriculture and through rural diversification are likely to give additional momentum to the practice of selling farm produce, country crafts and similar goods direct to customers within rural areas. Similarly, increasing numbers of visitors in the countryside may create demand for small-scale outlets associated with recreation and leisure uses. Careful controls are needed to ensure that this does not result in a proliferation of retail outlets outside existing settlements.
- 9.25 Proposals should not detract from the undeveloped character of the countryside. In addition care should be taken to avoid creating traffic hazards by the use of concealed entrances or by insufficient parking.

S4 Outside defined development limits, proposals for retail shops (Class A1*) and commercial premises such as financial and professional services, public houses, cafes, restaurants and takeaways (Class A2* and A3*) will only be permitted where:

- 1) **The proposal is ancillary to an existing use; or**
- 2) **It would secure the preservation of a building of architectural or historic importance; or**
- 3) **There is a demonstrable need for the particular outlet in the locality (including facilities related to tourism).**

and provided that:

- i) **The scale of provision would be appropriate to the locality;**
- ii) **The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity; and**
- iii) **The proposal would not have a significant adverse effect on the character and appearance of the countryside.**

Garden Centres

- 9.26 There are a number of garden centres located within the Plan area some of which have evolved from traditional nurseries
- 9.27 It is essential that any proposals to extend or to provide new garden centres are well related to the local highway network and will not damage the open character of the countryside. Whilst recognising the fact that nurseries tend to be established with particular regard to the presence of especially good soil, it is important that nursery shops/garden centres are not located in remote and prominent countryside locations. An urban type of development, incorporating large covered display and storage areas, and associated car parking, would have an adverse effect on the character of the area, and would not be acceptable. It is equally important to ensure that proposals are primarily related to the sale of plants and horticultural goods rather than creating outlets for other types of goods.
- 9.28 The District Council may give favourable consideration to the development of small-scale garden centres within the grounds of a Historic Park or Garden which may benefit from the development of such facilities.

S5 Proposals for garden centres will only be permitted within or close to defined development limits or within the grounds of a historic park or garden, provided:

- 1) The proposal is located along or close to a road with the capacity to accommodate the additional traffic generated;**
- 2) The proposal would not have a significant adverse effect on the character and appearance of the countryside;**
- 3) The proposal is not located within green belt;**
- 4) The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity; and**
- 5) A significant part of the site is devoted to the cultivation or sale of plants.**

SECTION 10 - COMMUNITY SERVICES

COMMUNITY SERVICES

INTRODUCTION

- 10.1 Successful implementation of the Plan's objectives will require the support of community service providers and public utilities
- 10.2 The Selby and York Primary Care Trust and North Yorkshire County Council are the major providers of health, education and personal social services. In preparing the Plan, service providers have been consulted to find out whether their land requirements are likely to change in the period up to 2006. Proposals in the Plan will also assist service providers and utilities by indicating areas for future development and population growth.
- 10.3 Whilst the District Council can have only indirect influence on the provision of services, the retention and, wherever possible, improvement of local services will be supported subject to compatibility with other planning policies.

STRATEGIC FRAMEWORK

- 10.4 PPG12 (Development Plans and Regional Planning Guidance) advises local authorities to ensure that development plans consider the land requirements of service providers and utilities whilst taking into account the environmental effects of additional provision. PPG8 (Telecommunications) stresses the need to balance the increasing demand for telecommunications development with environmental considerations. DOE Circular 17/91 (Water Industry Investment and Planning Considerations) requires Local Plans to provide for the investment programmes of the water industry.

OBJECTIVES

- 10.5 The community services policies of the Plan have the following main objectives:
- 1) To make land available for social and community facilities to meet the needs of the local population.
 - 2) To safeguard and enhance the provision of community facilities.
 - 3) To ensure that redundant community facilities are re-used for uses that benefit local communities.

POLICIES AND PROPOSALS

Health Care

- 10.6 Following the implementation of the 1990 National Health Service and Community Care Act, health services in the Plan area are mainly provided by the Primary Care Trust. Principal facilities include the Selby War Memorial Hospital that provides inpatient, outpatient and minor injuries facilities, a community unit for the elderly and mentally ill, clinics in Selby and Tadcaster, and an ambulance station in Selby.

- 10.7 Organisational changes within the Health Service mean that services will be progressively decentralised closer to where people live. Whilst no significant land use requirements have been identified to date, sites for small-scale facilities may be required in the future.
- 10.8 The Primary Care Trust co-ordinates the provision of doctors' surgeries, dental practitioners, chemists and opticians. There are currently a total of thirteen doctors' surgeries, nine dentists' surgeries, six ophthalmic surgeries and eight pharmacies serving the Plan area, mainly concentrated in and around Selby and Tadcaster. It is likely that the demand for new surgeries will increase as a result of planned residential development, and proposals for new facilities may arise from time to time. Residential accommodation may sometimes be suitable for conversion to surgeries.

CS1 Proposals for the development of additional health facilities, including clinics, general practitioners and dentists' surgeries, will be permitted, provided:

- 1) There is an identifiable local need and the proposal would improve the distribution of medical facilities;**
- 2) The proposal is situated within defined development limits unless there is a demonstrable need for the provision of a more than local facility;**
- 3) The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity; and**
- 4) Where change of use from residential is proposed, wherever practicable some self-contained residential accommodation would be retained.**

Education

- 10.9 There are numerous education establishments throughout the Plan area. Primary, secondary and nursery education is primarily the responsibility of North Yorkshire County Council which provides forty-three primary schools, six nursery classes and six secondary schools in the Plan area. Further and higher education is provided by Selby College. In addition, there are two privately-funded schools, namely Queen Margaret's School (for girls) at Escrick and the Read School (for boys) at Drax.
- 10.10 School rolls indicate that many schools in the Plan area are operating near or above capacity. The County Council has identified the need for additional school places in both Selby and Sherburn in Elmet in connection with planned development and will continue to keep the situation under review.
- 10.11 The 1988 Education Act has meant that schools can become independent of North Yorkshire County Council by 'opting out' and becoming self-funding. Whilst none have 'opted out' to date, schools remaining under the control of the County Council now manage their own budgets and can rent out buildings and playing fields.

- 10.12 It is County Council policy to promote the dual use of school facilities within the local community. Adult education is provided in fifteen schools and Youth Services have been established in a further ten. In addition, many schools permit the use of sports halls and playing fields by members of the public. The District Council will encourage the provision of dual use buildings as an integral element in the design of any new school facilities.
- 10.13 PPG17 (Planning for Open Space, Sport and Recreation) emphasises the recreational and amenity value of school playing fields. It is important that future proposals affecting school playing fields are considered against the potential loss to the community. In particular POLICY RT1 ensures that school playing fields will be protected except where there is an over supply in sports pitch provision in any locality, or where some facilities can be retained and enhanced in connection with the redevelopment of part of the site, or where alternative provision of equivalent community benefit is available.

CS2 Proposals for the development of new schools and other educational establishments, and the extension of existing premises, will be permitted, provided:

- 1) The proposal would be situated within or adjacent to defined development limits;**
- 2) Adequate access, car parking and areas for safe setting down and collection of pupils off the highway would be provided;**
- 3) The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity;**
- 4) The internal design would permit the dual use of sports and other facilities;**
- 5) A satisfactory amount of open space and playing fields to meet the needs of pupils and the local community is incorporated in the development; and**
- 6) The proposal would achieve a standard of design, materials and landscaping appropriate to the locality, and which would not have a significant adverse effect on the appearance or character of the surrounding area.**

Children's Nurseries

- 10.14 Playgroups and day nurseries are a valuable social amenity in modern society, providing care, supervision and education for children of pre-school age. The County Council has responsibility for regulating and approving these facilities and itself provides six nurseries attached to existing schools within the Plan area. The Nursery Education Development Programme includes further pre-school provision in the area. It is anticipated that proposals will come forward from private sources as a result of projected

population increases and the changing nature of employment patterns, particularly as more women enter the job market.

10.15 The District Council will encourage additional provision provided there is no conflict with other planning policies. For sustainability reasons, the Council would normally expect such proposals to be located within Development Limits but exceptionally they may also be permitted within the sites of existing schools or colleges situated beyond Development Limits. Particular consideration will be given to the impact on local amenity and the problems which may arise from associated traffic, including traffic noise and highway danger.

CS3 Proposals for the development of or change of use to a children's nursery will be permitted provided:

- 1) **The proposal would be situated within the defined development limits or within existing school or college sites;**
- 2) **The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity;**
- 3) **Adequate car parking, and an area for the setting down and collection of pupils off the highway is available, or the proposal is not situated close to a busy road junction or where peak hour loading restrictions are in operation; and**
- 4) **Adequate outdoor space for children's play is provided.**

Community Halls and Places of Worship

10.16 Community halls and places of worship represent an important community resource.

10.17 There are forty-three known community halls and village halls within the Plan area, mostly the responsibility of Town and Parish Councils. They provide a meeting place for a wide variety of organisations, including clubs, societies and toddlers groups, and cater for leisure uses such as aerobics, badminton and dancing.

10.18 Churches and other places of worship also make an important contribution to community life and many also accommodate multiple uses. There are numerous churches scattered throughout the Plan area. Many are also important local landmark buildings, and may be specifically protected as listed buildings or by virtue of their location within conservation areas.

10.19 A survey of Parish Councils undertaken in connection with the preparation of the Local Plan revealed an element of dissatisfaction regarding the availability of meeting rooms and halls or the adequacy of existing accommodation (for example many Parishes share facilities or have no easy access to community halls). Whilst the District Council is not directly responsible for the provision of community halls, grants have previously

been made available to assist with the provision of new halls or the refurbishment/extension of existing facilities. These include recent schemes at Hemingbrough and Cawood. Clearly, future provision will be dependent upon the availability of financial resources.

- 10.20 Grants are also available from the Countryside Agency and European or National Lottery funding. A number of Parish Councils have already sought such financial support and have gained planning consent for extensions to, replacement of, or new community halls.
- 10.21 In considering proposals for new community halls and places of worship, the District Council will take into account the potential impact on the amenity of adjoining residents, including the effect of increased pedestrian and vehicular movement and associated noise. In addition, it is important that they are located so as to be easily accessible for people with mobility problems. The value of community centres and church halls can also be maximised if they are flexibly designed so that they can be used by different groups for a variety of purposes.
- 10.22 Wherever possible, the District Council will encourage the provision of community halls in connection with development proposals through the process of planning gain. A replacement village hall at Wistow was secured in this manner in connection with a large housing scheme.

CS4 Proposals for new community centres, places of worship and church halls, and for extensions to community centres, will be permitted within defined development limits provided;

- 1) **The proposal, and associated activities, would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity, and adequate provision could be made for car parking;**
- 2) **The proposal would achieve a standard of design, materials and landscaping appropriate to the locality, and would not have a significant adverse effect on the appearance or character of the surrounding area;**
- 3) **The site would be accessible for the local community including those without a private car; and**
- 4) **In the case of new community centres the internal design would permit several types of activity to be accommodated.**

Exceptionally, where there is no suitable site available within defined development limits, proposals may be permitted at or close to the edge of the settlement.

Libraries

- 10.23 Library services are the responsibility of North Yorkshire County Council. There are four full-time libraries in the Plan area, at Barlby, Selby, Sherburn in Elmet and Tadcaster. There are also part-time libraries and mobile library services.
- 10.24 A comprehensive review of the library service was undertaken in 1992. Whilst there are no current plans for changes in the level of provision in Selby District, the County Council will continue to balance demand against reducing financial resources.

Cemeteries

- 10.25 Both the Parish and District Councils have powers under the Local Government Act 1972, Section 214 for the provision of cemeteries and burial grounds. The Church has the power to provide consecrated churchyards under the Consecration of Churchyards Act 1867.
- 10.26 Within built-up areas, cemeteries and churchyards often provide a 'green space function'. A number of cemeteries and churchyards have been identified as locally important amenity space (POLICY ENV29) and those will be protected accordingly.
- 10.27 Crematoria facilities are available outside the Plan area in Pontefract and York.
- 10.28 Adequate land capacity to cater for foreseeable needs exists within the majority of existing cemeteries. However, it is recognised that demographic structures are subject to change and the introduction of new legislation, for example Groundwater Regulations 1998, may affect the need to provide additional grave space. This is clearly evident for the villages of Bolton Percy and Colton. Whilst no designations are included within the Plan for new or extended graveyards, the District Council acknowledges its powers to provide cemeteries and burial grounds and as such will act as necessary. In principle, proposals for cemeteries in the countryside (i.e. outside Development Limits) fall within the scope of acceptable forms of development covered by POLICY DL1. PPG2 (Green Belts) provides that essential facilities for cemeteries are appropriate forms of development inside a Green Belt. Individual planning applications will be judged on their own merits.

Emergency Services

- 10.29 There is varied provision for emergency services throughout the Plan area, mostly concentrated in the three market towns of Selby, Sherburn in Elmet and Tadcaster.
- 10.30 A Fire and Rescue Service is provided by North Yorkshire County Council. There are staffed stations at Selby and Tadcaster. The Plan area is also served by York Fire and Rescue District, and could be supplemented by adjoining Brigades from West and South Yorkshire, and Humberside through mutual assistance arrangements. There are no plans for additional service bases or other expansion.

- 10.31 A North Yorkshire Police main station is located in Portholme Road near Selby town centre. No additional land requirements have been identified.
- 10.32 The Plan area is also served by North Yorkshire, West Yorkshire and Humberside Ambulance Services. There are ambulance stations at Selby and Sherburn in Elmet. The services have no current intention to expand or relocate prior to 2006.

Telecommunications

- 10.33 Modern communications are an essential and beneficial element in the life of local communities and the economy. New technology in this field is spreading rapidly to meet demand from businesses, homes and public services, which in turn have implications for land use.
- 10.34 With the ending of the monopoly in the telecommunications industry, there are opportunities for new companies to provide telecommunications services. Each provider of a service may wish to erect their own aerial or satellite dish mast, leading to an unnecessary proliferation of such structures and the lowering of environmental quality.
- 10.35 PPG8 (Telecommunications) advises that Local Plans should facilitate the growth of telecommunications systems where this is compatible with environmental objectives through criteria-based policies. It is recognised that there are technical and operational considerations which dictate, to a large extent, the location and design of apparatus. However, proposals for the installation of satellite dishes, microwave antennae, radio masts and other telecommunications apparatus which require planning consent should be sited so as to minimise the effect on the existing building or structure, and the character of the surrounding area. Particular attention should be paid to the siting and screening of radio and telecommunications masts and towers, in view of the generally flat landscape of the Plan area. The possibility of sharing masts should always be investigated in order to reduce the cumulative impact.
- 10.36 In sensitive areas, such as conservation areas, the District Council will seek the co-operation of telecommunications companies in providing for the undergrounding of telecommunications cables wherever possible and will encourage the removal of obtrusive wires, cables and telegraph poles in conjunction with conservation area enhancement proposals.

CS5 Proposals for the erection of telecommunications equipment will be permitted provided:

- 1) The development necessitates the form proposed and there is not a more appropriate alternative;**
- 2) There is no reasonable possibility of sharing existing facilities;**
- 3) The proposal would not have a significant adverse effect on the character of the surrounding area, and the wider landscape; and**

- 4) The proposal would achieve a standard of design and landscaping appropriate to the locality, which would minimise the visual impact.**

Developer Contributions to Infrastructure and Community Facilities

- 10.37 New development may require the provision or upgrading of existing infrastructure, including drainage, waste water treatment, water and power supply, and highways. Similarly, residential development may have a direct impact on the provision of community facilities, including recreation open space (for which separate provision is made in POLICY RT2) and education. The impact of development on pedestrian safety and highway safety is also a relevant planning consideration.
- 10.38 Where new development results in a need for new physical and social infrastructure and community facilities which are directly linked to the development, it is reasonable to expect developers to provide or contribute toward the provision of these facilities, so as not to place an undue burden on existing infrastructure or services.
- 10.39 It is equally important to ensure that, where appropriate, proposals for development incorporate measures to compensate for the consequences of development including off-site works. These may include the provision of traffic calming, footpath and cycleway links and the enhancement or creation of wildlife habitats and other resource protection.
- 10.40 DETR (now ODPM) Circular 11/95 provides guidance on the use of planning conditions to deliver facilities necessitated by new development. (See Paragraph 11.11 of Chapter 11 of the Plan). Section 106 of the Town and Country Planning Act 1990, as amended by the 1991 Act, also enables planning authorities to seek financial contributions, or contributions by way of buildings, land and direct works, to enable development to go ahead in circumstances where planning conditions are inappropriate and where the proposal might otherwise be refused.
- 10.41 DETR (now ODPM) Circular 1/97 provides guidance on the use of such planning “obligations” to enhance the quality of development. Annex B, paragraph 2, stresses the need for planning obligations to be necessary, relevant to planning, directly related to the proposed development and fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects. In the case of education, this could mean asking developers for a contribution towards the cost of providing new or extending existing educational facilities, provided it can be demonstrated that there is, or will be, no spare capacity in local schools; and a burden or “planning loss” would therefore be imposed on the community. A similar situation would exist if a development would impose a traffic problem on local roads.
- 10.42 POLICY CS6 is intended to apply over and above the provisions of site-specific policies for housing and employment land allocations. Further advice on the calculation of developer contributions for specific community needs will be provided in Supplementary Planning Guidance. The Council’s specific requirements in relation to the provision of recreation

open space and affordable housing are set out in separate POLICIES RT2 and H4.

CS6 **The District Council will expect developers to provide for or contribute to the provision of infrastructure and community facility needs that are directly related to a development, and to ensure that measures are incorporated to mitigate or minimise the consequences of that development.**

Normally, these requirements will be imposed through conditions attached to the grant of planning permission.

Where this is not appropriate, the district council will seek to negotiate planning obligations with developers to secure direct provision and/or a financial contribution towards the provision of facilities or works:

- 1) That are fairly and reasonably related in scale and kind to the proposed development; and**
- 2) Which are necessary to remedy any shortfalls or adverse impacts resulting from the proposed development; or**
- 3) Are necessary to make the proposal acceptable in land use planning terms.**

SECTION 11 - IMPLEMENTATION

IMPLEMENTATION

INTRODUCTION

- 11.1 The purpose of this section of the Local Plan is to set out where the responsibility lies for implementing the various policies and proposals of the Local Plan.
- 11.2 The Local Plan provides the land-use framework within which detailed investment plans prepared by both public and private agencies can be drawn up and implemented.

IMPLEMENTING AGENCIES

Selby District Council

- 11.3 The District Council, as Local Planning Authority, has wide-ranging powers to regulate development and to co-ordinate the activities of all the agencies involved in the development process, and the protection of the environment. The District Council is also both an investor and an enabler through the many services which it provides. Considerable emphasis is placed on establishing partnerships with other public sector agencies and private investors.

a) Development Control Policies

- 11.4 Most policies in the Plan will be implemented through the operation of the development control process to ensure that development takes place in a properly planned and ordered fashion. Section 54A of the Town and Country Planning Act¹ ensures that the current Development Plan (comprising the Regional Spatial Strategy and 'saved' Structure and Local Plans for the area) will be the first point of reference when considering proposals for the development.
- 11.5 Many policies apply generally throughout the Plan area. A number of policies apply to particular locations, such as conservation areas or shopping centres, and these are defined precisely on the Proposals Map.
- 11.6 Most policies and proposals are intended to encourage high standards of design and landscaping. The District Council will also use its development control powers to ensure that proposals provide a satisfactory standard of development in terms of physical and social infrastructure, and that proposals are properly integrated with existing development.

b) Community Benefit and Planning Agreements

- 11.7 In order to secure satisfactory provision for the necessary on-site and off-site infrastructure, and other requirements to enable development to proceed, the District Council may seek legal obligations with developers (under Section 106 of the Town and Country Planning Act 1990).

¹ Now Section 38(6) of the Planning and Compulsory Purchase Act 2004

- 11.8 Current Government advice, set out in Circular 1/97, indicates that it is quite proper for local planning authorities to seek the provision of, or contribution towards the provision of, services and infrastructure where the 'planning obligation' is fairly and reasonably related in scale and kind to the development proposed. This effectively places an obligation on developers to accept the financial consequences of their developments. The cost of the provision of necessary infrastructure and services which are directly related to the development proposed should therefore be reflected in the purchase price of the land.
- 11.9 Similarly, there may be occasions when there would be benefit to a local community through the provision of additional facilities or other benefits which, although desirable in relation to a scheme, are not essential to enable development to proceed.
- 11.10 In accordance with Circular 1/97, planning obligations may be sought only where they meet a number of tests, namely that they are:
- a) necessary;
 - b) relevant to planning;
 - c) directly related to the proposed development;
 - d) fairly and reasonably related in scale and kind to the proposed development; and
 - e) reasonable in all other respects.
- 11.11 The types of 'benefits' or contributions towards the provision of such benefits which may be sought include:
- a) the carrying out of highway improvements;
 - b) the provision of sewerage and sewage disposal facilities, surface water drainage and flood control;
 - c) the provision or enhancement of infrastructure or amenities, such as car parking, open space, or recreational facilities;
 - d) conservation of wildlife habitats;
 - e) provision of public transport infrastructure such as cycleways; and
 - f) introduction of landscape features.
- c) *Supplementary Planning Guidance*
- 11.12 Policies and proposals will be complemented by the publication of Supplementary Planning Guidance to provide more detailed guidance on the operation of policies, and the standard required to meet development control criteria. The District Council's requirements with regard to the development of major allocations of land or complex proposals will be

amplified in development briefs. Development briefs need not necessarily be prepared by the District Council, but must in all cases be approved by the Council prior to, or at the same time as, considering applications for planning permission.

- 11.13 Development briefs will be required to identify, where appropriate, site features which need to be preserved, arrangements for access (and servicing), the location of open space and community facilities, layout, design and landscaping considerations, infrastructure provision and any other relevant considerations. In particular, development briefs will need to ensure that the amenities of adjoining residents are safeguarded.
- 11.14 The District Council may also prepare development briefs for sensitive sites, for example in town centre locations, where more detailed guidance is required to resolve particular planning issues.
- 11.15 In addition, the District Council will produce schemes for environmental enhancement within conservation areas.

d) District Council Initiatives

- 11.16 The District Council is also responsible for managing Council-owned land and property, and for implementing a number of development proposals and the site specific policies. Whilst continuing restrictions on local authority expenditure will limit the extent to which the District Council can implement development proposals, the Local Plan will assist the Council in identifying priorities for its own financial investment. The Council's future expenditure programme is set out in the Annual Estimates, which are revised and rolled forward each year.
- 11.17 The current Capital Programme reflects the strong commitment to produce and develop economic development, housing and environmental enhancement strategies. The Local Plan will underpin these strategies by providing certainty and commitment in decision making, as well as providing an adequate land resource. This is particularly important with respect to the Council's Economic Development Strategy, and the annual Housing Investment Programme bid. The implementation of programmes and objectives in relation to the Selby Waterfront Project and the Single Regeneration Budget are also dependent on a complementary planning framework. Individual strategies and initiatives will in turn be instrumental in implementing the policies of the Plan.
- 11.18 The District Council provides grants for housing improvement, the repair and restoration of listed buildings, environmental enhancement schemes, the provision of recreational and community facilities, and for certain works within conservation areas.
- 11.19 Other projects may be financed through the spending of commuted payments collected in lieu of on-site provision of facilities or through planning agreements and obligations.

Other Public Sector Agencies

11.20 The effective implementation of many policies will depend upon the cooperation and involvement of a wide variety of Government and public sector agencies.

a) Liaison and Consultation

11.21 In determining planning applications, advice and assistance is sought from specialist agencies such as English Nature, the DEFRA, and the Yorkshire Wildlife Trust. Most proposals necessitate formal consultation with the County Council as local Highways Authority, the Environment Agency, water and sewage undertakers and other public utility services.

11.22 In preparing the Plan, the views of relevant organisations and the likely availability of resources have been taken into account.

b) Funding

11.23 The District Council has successfully bid for 'Single Regeneration Budget' funding to enable it to implement proposals to revitalise the waterfront in Selby, in partnership with other organisations. Grant aid is also available for economic development projects in parts of the Plan area through the Department of Trade and Industry Assisted Area Programme and the EC Rechar Programme.

11.24 The District Council has previously secured funding for the protection and enhancement of the historic fabric of the District, notably in the central area of Selby. The District Council will continue to access available funding for conservation, environmental and regeneration projects, as and when appropriate.

c) Investment Decisions

11.25 A number of public agencies, such as North Yorkshire County Council, have substantial landholdings within the Plan area. The review and rationalisation of services may result in the disposal of land and property and related development proposals. Whilst the District Council cannot directly influence these and other investment decisions, which are driven by the particular priorities and resources of any individual organisation in relation to market conditions, it will seek full cooperation in securing Local Plan objectives.

11.26 In particular, the improvement of the existing highways network within the Plan area and the introduction of traffic management measures is a key element in the Plan. The District Council will continue to promote the formulation and early implementation of proposals in conjunction with the Highways Agency and the County Council.

The Private Sector

11.27 Many proposals will be implemented by the private sector, ranging from individual landowners to large firms and developers. Collective investment

decisions over the next ten years will have a significant impact on the economy and environment of the Plan area. The Plan therefore provides a precise statement of the District Council's requirements for the development of land, in order to ensure a high standard of development consistent with the environmental and other objectives of the Plan.

- 11.28 A number of policies and proposals, including all allocations of land for housing and employment development, require major investment from private sector sources. It is important that early consultation takes place in order to avoid any waste of resources and to ensure appropriate input from all the public sector agencies who may assist with and influence development proposals.

The Voluntary Sector

- 11.29 The voluntary sector will also be active in implementing the policies of the Plan. Many grass-roots organisations are responsible for campaigns to safeguard local features and sites of environmental importance. There is a wealth of local knowledge and enthusiasm that may be harnessed to assist in securing the Plan's objectives.
- 11.30 The voluntary sector may also be a source of investment. A number of Housing Associations are active within the Plan area, and have an important role to play in securing the provision of affordable housing.

Specific Proposals

- 11.31 Specific policies of the Plan are set out below, indicating the main agencies involved in their implementation. Principal housing and employment allocations are excluded from this list. These are listed in the Housing and Employment Chapters and in Part Two of the Local Plan, together with details of proposed implementation dates.

POLICY	PROPOSAL	IMPLEMENTING AGENCY
Part One		
ENV2	Remedial Pollution measures and containment surveys	Private Sector
ENV18	Tree Preservation Orders	Selby DC
H4	Affordable housing provision	Private Developers/ Housing Associations in negotiation with Selby DC
H4A	Mixed housing schemes	Private Developers/ Housing Associations/ Selby DC
H11	Rural Affordable housing provision	Private Developers/ Housing Associations in negotiation with

		Selby DC
EMP5	Discontinuance of Non-Conforming Uses	Selby DC through negotiations or as a last resort through legal powers
T6	Effective Bus and Rail Services	North Yorks CC, Selby DC, Rail Users' Committee, Bus/Rail Operators
T7	Provision of Cyclists' facilities	Private Sector, North Yorks CC, Selby DC
T8	Extension /improvement of Public Rights of Way	North Yorks CC, Selby DC, Voluntary Organisations
RT2	Provision of public open space in new residential development	Private Sector, Developers, Selby DC, Parish Councils
RT8	Trans-Pennine Trail	Sustrans, Selby DC
RT13	Signposting of Tourist Facilities	Selby DC, North Yorks CC
CS6	Developer Contributions	Selby DC, North Yorks CC, Private Developers

Part Two

CHF/2	Land east of recreation ground, Main Street, Church Fenton, for RECREATIONAL OPEN SPACE	Parish Council, Developer
KEL/1	Land east of Kellington for RECREATIONAL OPEN SPACE	Parish Council
SEL/15	Land adjacent to Canal Road, Selby, for LINEAR CANALSIDE PARK	British Waterways, Selby DC

SECTION 12 - MONITORING & REVIEW

MONITORING AND REVIEW

INTRODUCTION

- 12.1 The Local Plan sets out the planning framework which will guide and control development in the District up to the year 2006.
- 12.2 Annual monitoring of key issues, and progress in implementing the Plans policies and proposals, will be undertaken to identify where changing circumstances make a revision of policies necessary, and to ensure that the Plan remains relevant and that a sufficient supply of land for development exists.

THE MONITORING PROCESS

- 12.3 Monitoring the Plan will be a continuous process.
- 12.4 Part II of the Town and Country Planning Act 1990² specifically requires certain matters to be kept under review, including the principal physical and economic characteristics of the area, and the size, composition and distribution of population. In practice, because of the wide range of issues covered in Local Plans and the need to promote sustainable forms of development, a more comprehensive list of topics will need to be monitored.
- 12.5 In order to ensure effective monitoring it will be necessary to collect and collate data covering selected indicators on land-use and development. This may derive from a wide variety of sources including planning applications and appeals records, specific survey work and statistics published by other organisations. A number of procedures, including monitoring housing permissions and completions, and land availability, are already well established. In other instances it may be necessary to establish appropriate qualitative as well as quantitative measures, including liaison with other organisations and local groups.
- 12.6 As part of this continuous process, it is intended to publish an Annual Monitoring Report, summarising developments that have taken place and evaluating the achievement of objectives and effectiveness of policies. This will help to identify where policies need strengthening, maintaining or altering.
- 12.7 The Annual Monitoring Report will complement other Local Plan studies which may be required, for example, to investigate issues in greater detail. As a result of these studies and monitoring procedures it may be necessary to alter or review the Local Plan (see paragraph 12.12 below)

ALTERATIONS TO THE LOCAL PLAN

- 12.8 PPG12 (Development Plans and Regional Planning Guidance) indicates that Local Plans should be reviewed at least once every five years. In practice, because of the dynamic nature of some development trends, partial review may be required earlier than this. An Alteration to the Local

² Now Part 2 of the Planning and Compulsory Purchase Act 2004

Plan would be necessary where, for example, a part or parts of the Local Plan became out of date or where a major proposal came forward which the Plan did not anticipate. Any proposed Alteration would be publicised in advance and subject to the same statutory procedures followed in preparing the Plan itself.

- 12.9 Minor changes of a technical or non-controversial nature may be addressed using the 'short procedure' under Section 40 of the Town and Country Planning Act 1990. Where no objections are received, proposed amendments may be incorporated into the Plan at the end of the deposit period, provided they are accompanied by a notice of 'disposition to be adopted'. Where exceptional circumstances require that proposals be approved contrary to the Development Plan, the District Council will invoke the departure procedure. Any decisions arising from this process which affect the principle of any policies will be reflected in a subsequent review of the Plan.

REVIEW OF THE LOCAL PLAN

- 12.10 If at some stage there is an indication that circumstances have changed so significantly (for example, following a change in Strategic Guidance) that the Plan can no longer be used as a reasonable basis for development control decisions, then the District Council will consider a Review of the Local Plan.
- 12.11 It is expected that a Review of the Local Plan will need to be undertaken following the preparation of a Replacement County Structure Plan. In any case, the Plan will be reviewed within five years of its formal adoption and rolled forward to 2011 or beyond.

MONITORING PROGRAMME

- 12.12 The following schedule identifies the main issues that will be subject to monitoring and the frequency of monitoring.

		POLICY	FREQUENCY
1.	Location, type and scale of development within the Green Belt	GB1} GB2} GB3}	Annually
2.	Protection of Safeguarded Land	SL1	Annually
3.	Effectiveness of Development Limits (and other policies) to protect the countryside and greenfield sites.	DL1	Annually
4.	Protection of Strategic Countryside Gaps	SG1	Annually
5.	Quantity and Quality of features of	ENV7}	Periodic

	nature conservation value (statutory and non-statutory)	ENV8} ENV9}	Survey
6.	Landscape, townscape, historical or wildlife value of ponds	ENV13	Periodic Survey
7.	Protection of Statutorily Protected Species	ENV14	Periodic Survey
8.	Changing landscape Quality	ENV15} ENV16}	Periodic Survey
9.	Tree Preservation Orders	ENV18}	Periodic Survey
10.	Effectiveness of policies to ensure landscaping of development proposals	ENV20} ENV21}	Annually
11.	Listed Buildings – quantity and quality of development	ENV22} ENV23} ENV24}	Periodic Survey
12.	Archaeological remains – distribution, quantity and quality	ENV27} ENV28}	Periodic Survey
13.	Local Amenity Space	ENV29	Periodic Survey
14.	Quality of shopfront design	ENV30	Periodic Survey
15.	Effectiveness of policies to control advertisements on listed buildings and in conservation areas	ENV31} ENV32}	Periodic Survey
16.	Residential permissions and completions/housing land availability	H1} H2} H2A} H2B} TAD/1}	Continuous
17.	Provision of affordable housing	H4} H11}	Continuous
18.	Effectiveness of policies to control proposals for housing development	DL1} H4A} H5} H6} H7} H8} H9} H10} H11} H12}	Annually/ Continuous

		H13} H14}	
19.	Employment permissions and completions/employment land availability	EMP1} EMP2} EMP3}	Continuous
20.	Employment floorspace in safeguarded employment areas	EMP4	Continuous
21.	Effectiveness of policies to control proposals for employment development	EMP5} EMP6} EMP7} EMP8} EMP9} EMP9A} EMP10} EMP11}	Continuous
22.	Loss of agricultural land	EMP12}	Annually
23.	Agri-business and farm diversification	EMP7} EMP13} EMP14}	Annually
24.	Avoidance of highway problems as a result of new development	T1} T2}	Periodic Survey
25.	Programmed road schemes – protection of routes.	T3} T4} T5} T5A}	Continuous
26.	Provision of alternative forms of transport	T6} T7}	Periodic Survey
27.	Location and number of motorists facilities	T9} T10}	Periodic Survey
28.	Car parking provision in developments	VP1} VP2} VP4}	Annually
29.	Recreation open space (retention and creation)	RT1} RT2}	Periodic Survey
30.	Sport and Recreation Provision (including provision in the countryside)	RT3} RT4} RT5}	Periodic Survey
31.	Location and scale of Riverside Recreational facilities	RT6} RT7}	Annually

32.	Horse related development	RT9	Annually/ Periodic Survey
33.	Tourism related development	RT10} RT11} RT12} RT13}	Annually/ Periodic Survey
34.	Permissions for new retail development (location/size)	S1} S2} S3} S4} S5}	Continuous
35.	Surveys of local shops and town centre shopping facilities	S1} S2} S3} S4}	Periodic Survey
36.	Provision of community services	CS1} CS2} CS3} CS4} CS6}	Annually/ Periodic Survey
37.	Telecommunications equipment	CS5	Periodic Survey

APPENDIX 1 - NORTH YORKSHIRE COUNTY STRUCTURE PLAN POLICIES

POPULATION AND HOUSING

POLICY H1

FOR THE PERIOD 1991 -2006 PROVISION WILL BE MADE MAINLY IN AND AROUND MAIN URBAN AREAS, MAIN TOWNS AND SMALL TOWNS FOR ABOUT 34,400 ADDITIONS TO THE HOUSING STOCK (NEW BUILD PLUS NET CONVERSIONS) IN THE COUNTY OF NORTH YORKSHIRE ON THE BOUNDARIES EFFECTIVE FROM 1 APRIL 1996 AND FOR ABOUT 10,200 ADDITIONS TO THE HOUSING STOCK (NEW BUILD PLUS NET CONVERSIONS) IN THE NEW COUNTY AND CITY OF YORK.

WITHIN THE COUNTY OF NORTH YORKSHIRE THE 34,400 DWELLINGS WILL BE BROADLY DISTRIBUTED AS FOLLOWS:

CRAVEN	2,600
HAMBLETON	4,500
HARROGATE	7,000
RICHMONDSHIRE	2,500
RYEDALE	2,700
SCARBOROUGH	5,800
SELBY	9,300

OF THE TOTAL FOR THE COUNTY OF NORTH YORKSHIRE ABOUT 500 NET ADDITIONS TO THE HOUSING STOCK WILL BE PROVIDED IN EACH OF THE NORTH YORK MOORS AND YORKSHIRE DALES NATIONAL PARKS.

THE LOCAL AUTHORITIES WILL TAKE STEPS TO ENSURE THAT THE HOUSING PROVISIONS IN THIS POLICY WILL BE PHASED TO MAINTAIN A SUPPLY OF LAND THROUGHOUT THE PLAN PERIOD.

POLICY H2 deleted

POLICY H3

OUTSIDE THE MAJOR URBAN AREAS AND THE MARKET TOWNS PROVISION WILL BE MADE WITHIN THE DISTRICT TOTALS FOR THE MAJORITY OF NEW HOUSING DEVELOPMENT IN THE RURAL AREAS TO BE LOCATED IN SERVICE VILLAGES IDENTIFIED ACCORDING TO THE FOLLOWING CRITERIA:

- (i) THE ACCESSIBILITY OF THE VILLAGE FROM THE SURROUNDING AREA AND ITS LOCATION RELATIVE TO LOCAL CENTRES OF EMPLOYMENT AND OTHER SERVICE VILLAGES;
- (ii) THE AVAILABILITY OF COMMUNITY SERVICES AND FACILITIES PARTICULARLY PRIMARY EDUCATION, SHOPS, A POST OFFICE,

AND PUBLIC TRANSPORT AND THE LEVEL OF POPULATION REQUIRED TO SUPPORT THOSE SERVICES AND FACILITIES;

- (iii) THE ABILITY OF THE VILLAGE TO ACCOMMODATE ADDITIONAL DEVELOPMENT WITHOUT DETRIMENT TO ITS BASIC FORM AND CHARACTER;
- (iv) THE ABILITY OF THE EXISTING AND PLANNED PHYSICAL SERVICES TO CATER FOR ADDITIONAL GROWTH;
- (v) CONSISTENCY WITH THE PROVISIONS OF POLICIES IN THE STRUCTURE PLAN CONCERNING THE LOSS OF AGRICULTURAL LAND AND THE PROTECTION OF THE ENVIRONMENT. SERVICE VILLAGES WILL BE IDENTIFIED IN LOCAL PLANS.

POLICY H4

IN SETTLEMENTS OUTSIDE THE MAIN URBAN CENTRES, MARKET TOWNS AND SERVICE VILLAGES, NEW HOUSING DEVELOPMENT WILL BE LIMITED TO CONVERSIONS, INFILLING AND SMALL-SCALE DEVELOPMENT PROVIDED THAT:

- (i) THE DEVELOPMENT IS OF A SCALE AND DESIGN APPROPRIATE TO THE EXISTING FORM AND CHARACTER OF THE SETTLEMENT;
- (ii) THE DEVELOPMENT IS CONSISTENT WITH THE EXISTING OR PROPOSED LEVEL OF SERVICES AND FACILITIES AVAILABLE IN THE SETTLEMENTS; AND
- (iii) THE DEVELOPMENT CAN BE PROVIDED WITHIN THE HOUSING GROWTH GUIDELINES AS SPECIFIED IN POLICY H1.

POLICY H5

ISOLATED RESIDENTIAL DEVELOPMENT WHICH IS NOT RELATED TO AN EXISTING SETTLEMENT WILL NORMALLY NOT BE PERMITTED UNLESS IT CAN BE SHOWN EITHER THAT IT IS ESSENTIAL TO THE NEEDS OF AGRICULTURE OR FORESTRY OR THAT THERE ARE OTHER EXCEPTIONAL CIRCUMSTANCES WHICH WOULD WARRANT THE GRANTING OF PLANNING PERMISSION.

POLICY H6

IN ALLOCATING LAND FOR DEVELOPMENT, PRIORITY WILL BE GIVEN TO THE USE OF LAND, PARTICULARLY VACANT OR DERELICT LAND, WITHIN THE BOUNDARIES OF EXISTING SETTLEMENTS.

POLICY H7

PROVISION WILL BE MADE TO ENSURE THAT A FIVE YEAR SUPPLY OF LAND IS ALWAYS AVAILABLE FOR HOUSING DEVELOPMENT SUBJECT TO THE HOUSING FIGURES IN POLICY H1. THE FOLLOWING CRITERIA WILL BE TAKEN INTO CONSIDERATION WHEN ASSESSING THE FIVE YEAR SUPPLY:

- (i) WHETHER THE LAND IS AVAILABLE AND CAN BE DEVELOPED WITHIN THE FIVE YEAR PERIOD; AND
- (ii) THE NEEDS OF THE LOCAL HOUSEBUILDING INDUSTRY IN TERMS OF AVAILABILITY OF LOCATION AND TYPE OF HOUSING REQUIRED BY THE MARKET.

POLICY H8

SUBJECT TO LOCAL SITE FACTORS AND THE RANGE OF HOUSING ALREADY AVAILABLE LOCALLY, NEW RESIDENTIAL ESTATE DEVELOPMENT WILL NORMALLY BE PERMITTED ONLY WHERE IT ACHIEVES AN AVERAGE DENSITY OF NOT LESS THAN 25 DWELLINGS PER HECTARE (10 DWELLINGS PER ACRE). DEVELOPMENTS PROPOSING DENSITIES BELOW THE SPECIFIED AVERAGE MAY BE APPROPRIATE IN CERTAIN CIRCUMSTANCES PROVIDED THAT THE DEVELOPMENT RELATES TO INFILL SITES, SMALL SCALE DEVELOPMENT OR TO SITES WITH PARTICULAR PHYSICAL, SERVICE OR ENVIRONMENTAL CONSTRAINTS WHICH PRECLUDE THE ACHIEVEMENT OF HIGHER DENSITIES.

POLICY H9

PROVISION WILL BE MADE FOR THE MAINTENANCE AND, WHERE APPROPRIATE, THE EXTENSION OF RESIDENTIAL USE OF PROPERTY IN AND AROUND TOWN CENTRES AND PARTICULARLY IN AND AROUND THE HISTORIC CORE OF THE CITY OF YORK, THROUGH PERMITTING SUITABLE NEW DEVELOPMENT AND THROUGH THE CONVERSION OF SUITABLE EXISTING PROPERTY AND VACANT UPPER FLOORSPACE.

INDUSTRY AND EMPLOYMENT

POLICIES I1 AND I2 deleted

POLICY I3

PRIORITY WILL BE GIVEN TO THE PROVISION OF LAND FOR INDUSTRY AND COMMERCE IN SCARBOROUGH AND OTHER COASTAL TOWNS AND IN THOSE SETTLEMENTS IN LESS ACCESSIBLE RURAL AREAS SELECTED IN LOCAL PLANS AS MOST SUITABLE.

POLICY I4

IRRESPECTIVE OF THE LIMITS OF POLICY 15, THE EXPANSION AND/OR REDEVELOPMENT OF EXISTING FIRMS WILL NORMALLY BE PERMITTED.

POLICY I5

FOR THE PERIOD 1991 -2006 PROVISION WILL BE MADE MAINLY IN AND AROUND MAIN URBAN AREAS, MAIN TOWNS AND SMALL TOWNS FOR ABOUT 430HA OF ADDITIONAL LAND FOR INDUSTRIAL/BUSINESS DEVELOPMENT IN THE COUNTY OF NORTH YORKSHIRE ON THE BOUNDARIES EFFECTIVE FROM 1 APRIL 1996 AND FOR ABOUT 145 HA IN THE NEW COUNTY AND CITY OF YORK.

WITHIN THE COUNTY OF NORTH YORKSHIRE, THE 430HA OF LAND WILL BE BROADLY DISTRIBUTED AS FOLLOWS:

CRAVEN	25 HA
HAMBLETON	70 HA
HARROGATE	65 HA
RICHMONDSHIRE	35 HA
RYEDALE	20 HA
SCARBOROUGH	90 HA
SELBY	125HA

POLICY I6

INDUSTRIAL AND COMMERCIAL DEVELOPMENT WILL NORMALLY BE PERMITTED WITHIN, OR WHERE APPROPRIATE ADJOINING, EXISTING INDUSTRIAL ESTATES/AREAS AND ON SITES LOCATED WITHIN, OR IN CLOSE PROXIMITY TO, A BUILT-UP AREA.

POLICY I7 deleted

POLICY I8

IRRESPECTIVE OF THE LIMITS OF POLICY 15, SMALL SCALE INDUSTRIAL DEVELOPMENTS OF AN APPROPRIATE TYPE WILL NORMALLY BE PERMITTED IN RURAL SETTLEMENTS.

POLICY I9 AND I10 deleted

POLICY I11

PROVISION WILL NOT BE MADE FOR THE DEVELOPMENT OF NEW, LARGE-SCALE, WHOLESALE WAREHOUSES, STORAGE DEPOTS, DISTRIBUTION OR HAULAGE BUSINESSES EXCEPT WHERE IT CAN BE DEMONSTRATED THAT SUCH DEVELOPMENT NEEDS TO BE LOCATED IN NORTH YORKSHIRE FOR OPERATIONAL REASONS AND PROVIDED THAT:

- (i) THE PROPOSED SITE HAS GOOD ACCESS, AS APPROPRIATE, TO THE MAIN ROAD NETWORK, RAILWAY OR NAVIGABLE WATERWAY SYSTEM; AND
- (ii) THE PROPOSAL IS CONSISTENT WITH THE PROVISIONS OF POLICIES CONCERNING THE LOSS OF AGRICULTURAL LAND AND PROTECTION OF THE ENVIRONMENT.

POLICY I12

IN ADDITION TO LAND PROVIDED UNDER POLICY I5, PROVISION WILL BE MADE FOR THE EXPANSION OF BUSINESS USE THROUGH THE DEVELOPMENT OF SUITABLE LAND AND/OR BUILDINGS, IN AND ADJACENT TO THE TOWN CENTRES OF HARROGATE, SCARBOROUGH AND YORK, MARKET TOWNS AND, WHERE APPROPRIATE, IN LOCAL COMMERCIAL CENTRES, WHERE DEVELOPMENT:

- (A) WOULD SIGNIFICANTLY IMPROVE THE SCALE AND RANGE OF LOCAL JOB OPPORTUNITIES.
- OR
- (B) WOULD INCREASE THE USE OF VACANT, UNDERUSED OR DERELICT PREMISES AND SITES.
- AND
- (C) COMPLIES WITH OTHER STRUCTURE PLAN POLICIES CONCERNING THE PROTECTION OF THE LOCAL ENVIRONMENT, POLICY H9 CONCERNING THE MAINTENANCE OF RESIDENTIAL USE AND POLICY E4 CONCERNING THE CONSERVATION OF BUILDINGS.

POLICY I13

PROVISION WILL BE MADE FOR THE DEVELOPMENT OF TOURIST ACCOMMODATION AND FACILITIES WHICH WILL:

- (i) HELP TO DEVELOP AND MAINTAIN THE VIABILITY OF THE TOURIST INDUSTRY;
- (ii) INCREASE THE PROVISION OF SERVICED ACCOMMODATION;
- (iii) ASSIST THE EXTENSION OF THE TOURIST SEASON, THE PROVISION OF EMPLOYMENT IN THE WINTER MONTHS AND THE DEVELOPMENT OF THE CONFERENCE TRADE, PARTICULARLY IN SCARBOROUGH, HARROGATE AND YORK;
- (iv) IMPROVE THE RANGE OF LOCAL FACILITIES.

POLICY I14

PROVISION WILL BE MADE FOR THE MAJORITY OF NEW TOURIST ACCOMMODATION AND RELATED FACILITIES (EXCLUDING CARAVANS) TO BE LOCATED WITHIN, OR IN CLOSE PROXIMITY TO, SPECIFIED TOURING BASES. OUTSIDE TOURING BASES, AND PARTICULARLY WITHIN THOSE AREAS DESIGNATED IN ACCORDANCE WITH POLICY I3, DEVELOPMENT OF AN APPROPRIATE SCALE AND TYPE WILL BE CONSIDERED SYMPATHETICALLY WHERE IT IS LIKELY TO CONTRIBUTE TO AN INCREASE IN LOCAL INCOME AND EMPLOYMENT AND WHERE IT COMPLIES WITH OTHER STRUCTURE PLAN POLICIES, IN PARTICULAR THOSE CONCERNING THE PROTECTION OF THE ENVIRONMENT.

THE FOLLOWING CENTRES ARE DEFINED AS TOURING BASES:

FILEY, HARROGATE, HELMSLEY, INGLETON/BENTHAM, KIRBYMOORSIDE, LEYBURN, MALTON/NORTON, PICKERING, PATELEY BRIDGE, RICHMOND, RIPON, SCARBOROUGH, SETTLE, SKIPTON, THIRSK, WHITBY, YORK.

POLICY I15

IN EXCEPTIONAL CIRCUMSTANCES LARGE SCALE BUSINESS OR INDUSTRIAL DEVELOPMENT FOR OCCUPATION BY A SINGLE LARGE OPERATOR AND ANY RELATED DEVELOPMENT DIRECTLY LINKED TO ITS OPERATION MAY BE PERMITTED AS AN EXCEPTION TO THE PROVISIONS OF POLICY I5 PROVIDED THAT:

- (i) THE DEVELOPMENT WOULD RESULT IN SUBSTANTIAL EMPLOYMENT OR OTHER ECONOMIC BENEFITS; AND
- (ii) THERE ARE CLEAR AND SUBSTANTIVE REASONS WHY THE

PROPOSED DEVELOPMENT CANNOT BE IMPLEMENTED ON LAND ALLOCATED IN LOCAL PLANS FOR BUSINESS OR INDUSTRIAL DEVELOPMENT IN ACCORDANCE WITH POLICY I5; AND

(iii) THERE ARE NO OVERRIDING PLANNING OBJECTIONS.

IN ALL CASES A FULL ENVIRONMENTAL ASSESSMENT OF THE PROPOSAL WILL BE REQUIRED.

TRANSPORT

POLICY T1

FOR THE PURPOSE OF THE ALLOCATION OF RESOURCES AND TRAFFIC REGULATION, THE PRIMARY ROAD NETWORK IN THE COUNTY WILL COMPRISE:

- (i) MOTORWAYS AND TRUNK ROADS;
- (ii) PRINCIPAL COUNTY ROADS (CLASS A) AND B6479 SETTLE TO HORTON-IN-RIBBLESDALE, B6255 BETWEEN HAWES AND INGLETON, B6265 BETWEEN SKIPTON AND GRASSINGTON AND B6271/B1263/B1264 BETWEEN CATTERICK AND THE COUNTY BOUNDARY NEAR YARM.

POLICY T2

CONVENTIONAL PUBLIC TRANSPORT SERVICES, BOTH BUS AND TRAIN, WILL BE SUSTAINED THROUGHOUT THE COUNTY AS FAR AS POSSIBLE. WHERE CONVENTIONAL SERVICES CANNOT REASONABLY BE SUSTAINED CONSIDERATION WILL BE GIVEN TO THE PROVISION OF ALTERNATIVE FORMS OF PUBLIC TRANSPORT. PARTICULAR EMPHASIS WILL BE GIVEN TO SERVICES FOR JOURNEYS TO WORK AND SHOPPING PURPOSES.

POLICY T3

PROVISION WILL NORMALLY BE MADE TO ENABLE PUBLIC TRANSPORT SERVICES TO PENETRATE MAJOR AREAS OF NEW DEVELOPMENT.

POLICIES T4 AND T5 deleted

POLICY T6

WITHIN BUILT-UP AREAS, TRAFFIC MANAGEMENT MEASURES WILL NORMALLY BE PREFERRED TO MAJOR NEW ROAD CONSTRUCTION AS THE MEANS OF DEALING WITH:

- (i) TRAFFIC CONGESTION;
- (ii) DELAYS TO BUS SERVICES;
- (iii) ACCIDENT BLACK SPOTS;
- (iv) VEHICLE/PEDESTRIAN CONFLICT; AND

- (v) EXTRANEIOUS TRAFFIC IN RESIDENTIAL AND HISTORIC AREAS.

IN AREAS OF CONGESTION, BUSES WILL BE GIVEN PRIORITY OVER OTHER FORMS OF TRAFFIC WHERE THIS CAN BE SHOWN TO BE OF OVERALL BENEFIT.

IN MAJOR SHOPPING AREAS AND AREAS OF TOURIST AND CONSERVATION IMPORTANCE WITH HIGH LEVELS OF PEDESTRIAN USE AND CONFLICT WITH VEHICULAR MOVEMENTS, PROVISION WILL BE MADE FOR PEDESTRIAN DOMINATED AREAS.

POLICY T7

PRIORITY WILL BE GIVEN TO THE IMPROVEMENT OR CONSTRUCTION OF THE FOLLOWING ROUTES:

- | | |
|------|---|
| A59 | FROM HARROGATE TO SKIPTON |
| A61 | FROM HARROGATE NORTHWARDS TO THE A1 |
| A61 | FROM HARROGATE SOUTHWARDS TO THE COUNTY BOUNDARY |
| A165 | FROM THE COUNTY BOUNDARY SOUTH OF FILEY TO SCARBOROUGH |
| A171 | FROM SCARBOROUGH TO THE COUNTY BOUNDARY NORTHWEST OF WHITBY |

PROVISIONS WILL BE MADE FOR THE FOLLOWING MAJOR SCHEMES ON THESE ROUTES, NOT IN PRIORITY ORDER:

- | | |
|---------|------------------------|
| A61 | RIPON BYPASS |
| A165 | REIGHTON BYPASS |
| A165 | SCARBOROUGH-LEBBERSTON |
| A171 | EVAN HOWE DIVERSION |
| A59 | BOLTON BRIDGE BYPASS |
| A59-A61 | HARROGATE RELIEF ROAD |
| A61 | KILLINGHALL BYPASS |

POLICY T7a

THE COUNTY COUNCIL'S PRIMARY ROAD NETWORK WILL INCLUDE THE FOLLOWING DEPARTMENT OF TRANSPORT TRUNK ROAD SCHEMES:

- | | |
|----|-------------------------|
| A1 | REDHOUSE – FERRYBRIDGE |
| A1 | FERRYBRIDGE - HOOK MOOR |
| A1 | HOOK MOOR – BRAMHAM |
| A1 | BRAMHAM - WETHERBY |
| A1 | WETHERBY – WALSHFORD |
| A1 | WALSHFORD - DISHFORTH |
| A1 | DISHFORTH - LEEMING |
| A1 | LEEMING - BARTON |

A19	THORMANBY BYPASS
A19	EASINGWOLD BYPASS
A19	SHIPTON BYPASS
A63	SELBY BYPASS
A64	YORK - MALTON
A64	MALTON - SEAMER
A65	GARGRAVE BYPASS
A65	CONISTON COLD BYPASS
A65	LONG PRESTON/HELLIFIELD BYPASS
A65	ILKLEY BYPASS
A629	SKIPTON - KILDWICK
A59	SKIPTON TO LOW BRIDGE
A65	CHELKER BENDS
A65	HARDEN BRIDGE TO CLAPHAM BYPASS

THE COUNTY COUNCIL WILL CONTINUE TO PRESS FOR THE REINSTATEMENT TO THE TRUNK ROAD PROGRAMME OF UPGRADING OF THE A1237 YORK OUTER RING ROAD.

POLICY T8

TRAFFIC CONGESTION AND RELATED ENVIRONMENTAL PROBLEMS WILL BE RELIEVED BY THE CONSTRUCTION OF APPROPRIATE DIVERSIONARY ROUTES WHERE THROUGH AND/OR LOCAL TRAFFIC CREATES PROBLEMS WHICH CANNOT BE OVERCOME BY THE TRAFFIC MANAGEMENT MEASURES SPECIFIED IN POLICY T6. PROVISION WILL BE MADE FOR THE FOLLOWING SCHEMES:

AINDERBY STEEPLE AND MORTON-ON-SWALE BYPASS (A684)
 SPOFFORTH BYPASS (A661)
 GLUSBURN BYPASS (A6068)
 PEASEHOLME GREEN BRIDGE, YORK
 NORTHALLERTON BYPASS
 BEDALE, AISKEW AND LEEMING RELIEF ROAD

POLICY T9

- (i) PROVISIONS WILL BE MADE FOR OFF-STREET PARKING FACILITIES IN TOWNS, WITHIN THE LIMITS OF THEIR ENVIRONMENTAL AND PHYSICAL CONSTRAINTS;
- (ii) PROVISIONS FOR CAR PARKING AND SERVICING WILL NORMALLY BE REQUIRED IN ALL NEW DEVELOPMENT. HOWEVER, THIS REQUIREMENT MAY BE WAIVED IN THE CENTRES OF THE LARGER TOWNS, IN CONSERVATION AREAS, IN OTHER AREAS OF ENVIRONMENTAL SIGNIFICANCE, ON SMALL INDUSTRIAL SITES IN RURAL AREAS, AND TO FACILITATE THE RENOVATION AND ACTIVE USE OF BUILDINGS AND AREAS WITHIN EXISTING TOWNS AND VILLAGES;

- (iii) WHERE PRACTICABLE, PROVISION WILL BE MADE FOR PARKING FACILITIES AT RAILWAY STATIONS.

POLICY T10

WHERE APPROPRIATE, PROVISION WILL BE MADE FOR CYCLISTS. RECREATIONAL CYCLING WILL BE ENCOURAGED. IN YORK, A PRIMARY NETWORK OF CYCLE ROUTES WILL BE DEVELOPED UTILISING EXISTING ROAD SPACE WHERE PRACTICABLE.

POLICY T11

AS REGARDS THE NEEDS OF INDUSTRY, COMMERCE AND OTHER MAJOR DEVELOPMENTS:

- (i) THE USE OF RAIL OR WATER TRANSPORT FOR FREIGHT WILL BE ENCOURAGED WHERE THESE FACILITIES ARE AVAILABLE;
- (ii) THE USE OF THE PRIMARY ROAD NETWORK WILL BE PREFERRED, AND UNNECESSARY USE BY HEAVY GOODS TRAFFIC OF UNSUITABLE ROADS WILL BE RESISTED;
- (iii) THE AVAILABILITY OF PUBLIC TRANSPORT SERVICES WILL BE AN IMPORTANT CONSIDERATION IN ASSESSING PROPOSALS FOR MAJOR NEW DEVELOPMENTS, PARTICULARLY THOSE PROPOSED IN PERIPHERAL LOCATIONS AND THOSE WHICH MAY BE VISITED BY LARGE NUMBERS OF PEOPLE.

POLICIES T12, T13, T14, T15 AND T16 deleted

POLICY T17

THE STANDARD OF CONSTRUCTION OR MAINTENANCE OF ROADS OTHER THAN TRUNK ROADS IN NATIONAL PARKS OR CONSERVATION AREAS WILL REFLECT THE OVERRIDING IMPORTANCE OF ENVIRONMENTAL CONSIDERATIONS IN THESE AREAS.

POLICY T18 deleted

POLICY T19

TRAFFIC MANAGEMENT MEASURES WILL BE INTRODUCED TO ALLEVIATE THE PROBLEMS CAUSED BY RECREATIONAL TRAFFIC WHERE THESE OCCUR FOR LENGTHY PERIODS OF TIME EACH YEAR.

POLICY T20 deleted

SHOPPING

POLICY S1

SHOPPING DEVELOPMENT WILL NORMALLY BE PERMITTED IN OR AS AN EXTENSION TO EXISTING SHOPPING CENTRES OR IN NEW RESIDENTIAL DEVELOPMENTS OR EXISTING RESIDENTIAL AREAS WITH LOCAL SHOPPING DEFICIENCIES PROVIDED THAT:

- (i) IT DOES NOT SERIOUSLY PREJUDICE THE CONTINUED EXISTENCE OF ESTABLISHED SHOPS; AND
- (ii) IT WOULD NOT CAUSE TRAFFIC CONGESTION; AND
- (iii) IT WOULD NOT HAVE A SUBSTANTIAL ADVERSE ENVIRONMENTAL IMPACT.

POLICY S2 deleted

POLICY S3

SINGLE SHOPPING DEVELOPMENTS OVER 15,000 SQ.FT. GROSS FLOOR AREA WILL NORMALLY BE PERMITTED ONLY IN OR AS AN EXTENSION TO AN EXISTING SHOPPING CENTRE UNLESS:

- (i) THERE IS A NEED CREATED BY A GROWTH IN POPULATION; AND
- (ii) EXISTING SHOPPING FACILITIES ARE INADEQUATE AND THE PROPOSED DEVELOPMENT CANNOT BE INCORPORATED INTO AN EXISTING CENTRE; AND
- (iii) IT CONFORMS TO THE CRITERIA IN POLICY S1; AND
- (iv) IT COULD BE READILY SERVICED BY PUBLIC TRANSPORT.

POLICY S4 deleted

AGRICULTURE AND FORESTRY

POLICY A1

DEVELOPMENT WHICH WOULD INVOLVE THE LOSS OF AGRICULTURAL LAND BUT WHICH COULD REASONABLY BE EXPECTED TO TAKE PLACE ON NON-AGRICULTURAL LAND OR ON AGRICULTURAL LAND OF A LOWER QUALITY WILL BE RESISTED. PREFERENCE WILL BE GIVEN TO THE USE OF DERELICT, UNDER-USED OR DEGRADED LAND.

POLICY A2

IN ALLOCATING LAND FOR DEVELOPMENT AND IN CONSIDERING PROPOSALS INVOLVING THE LOSS OF AGRICULTURAL LAND, ACCOUNT WILL BE TAKEN OF THE NEED TO:

- (i) ENSURE THAT THERE IS NO GREATER LOSS OF AGRICULTURAL LAND THAN IS NECESSARY IN ORDER TO CARRY OUT THE DEVELOPMENT TO A SATISFACTORY STANDARD;
- (ii) RETAIN ECONOMICALLY VIABLE FARM UNITS AND AVOID THE UNNECESSARY SEVERANCE AND SUB-DIVISION OF FARMS;
- (iii) RETAIN AGRICULTURAL LAND IN PRODUCTIVE USE FOR AS LONG AS POSSIBLE BY PHASING DEVELOPMENT PROPOSALS; AND
- (iv) MINIMISE THE CONFLICTS BETWEEN AGRICULTURE AND OTHER INTERESTS ON THE FRINGES OF BUILT-UP AREAS.

POLICY A3

ALL GRADE 1, 2 AND 3A AGRICULTURAL LAND AND THE VALLEY BOTTOM LAND IN UPLAND AREAS WILL BE SAFEGUARDED AS FAR AS POSSIBLE FROM NON-AGRICULTURAL DEVELOPMENT.

POLICY A4

THERE WILL BE A GENERAL PRESUMPTION IN FAVOUR OF THE REINSTATEMENT, TO AGRICULTURE, OF DERELICT, UNDER-USED OR DEGRADED LAND UNLESS IT CAN BE DEMONSTRATED THAT:

- (i) SUCH REINSTATEMENT WOULD BE INAPPROPRIATE BECAUSE OF THE LOCATION OF THE SITE IN, OR ON THE IMMEDIATE FRINGE OF, A BUILT-UP AREA, OR
- (ii) AN IDENTIFIABLE DEMAND EXISTS FOR ACCEPTABLE

ALTERNATIVE USES FOR WHICH NO OTHER SUITABLE SITE OF LOWER QUALITY EXISTS IN THE LOCALITY; OR

- (iii) REINSTATEMENT WOULD BE INAPPROPRIATE OR IMPRACTICAL DUE TO TOPOGRAPHY, DRAINAGE, SOIL STRUCTURE OR OTHER PHYSICAL PROBLEMS:

POLICY A5

AGRICULTURAL SERVICE INDUSTRIES WHICH ARE SMALL SCALE AND INTENSIVE LIVESTOCK UNITS WHICH WOULD BE OFFENSIVE WITHIN, OR IMMEDIATELY ADJOINING, A BUILT-UP AREA WILL NORMALLY BE PERMITTED IN THE OPEN COUNTRYSIDE PROVIDED THAT:-

- (i) SUITABLE MEASURES ARE PROPOSED TO MINIMISE THE EMISSION OF NOXIOUS ODOURS AND THE POLLUTION OF EXISTING OR POTENTIAL WATER OR FISHERY RESOURCES;
- (ii) THEIR IMPACT ON THE RURAL AND BUILT ENVIRONMENT IS ACCEPTABLE;
- (iii) THE PLANNING AUTHORITY ARE SATISFIED THAT THE CAPITAL WORKS DIRECTLY REQUIRED TO SERVICE THE DEVELOPMENT ARE PROVIDED OR WILL BE PROVIDED;
- (iv) ADEQUATE ROAD ACCESS CAN BE PROVIDED, WHERE APPROPRIATE, AND NO EXCESSIVE NUISANCE OR DANGER WILL BE CAUSED BY INCREASES IN TRAFFIC MOVEMENT.

POLICY A6

FURTHER AFFORESTATION WILL BE ACCEPTED IN AREAS WHERE IT WILL COMPLEMENT AGRICULTURAL, RECREATIONAL, LANDSCAPE AND NATURE CONSERVATION INTERESTS AND WHERE IT WILL PROVIDE ADDITIONAL EMPLOYMENT AND INCOME.

MINERALS

POLICY M1

THE COUNTY WILL MAINTAIN ITS CONTRIBUTION TO MEETING THE REGIONAL AND NATIONAL NEEDS FOR MINERALS. MINERAL WORKING AND ANCILLARY DEVELOPMENT WILL NORMALLY BE PERMITTED WHEN IT HAS BEEN SHOWN THAT:

- (i) A PROVEN NEED EXISTS FOR THE MINERAL. IN ASSESSING THE NEED FOR AGGREGATE MINERALS, THE COUNTY WILL ENDEAVOUR TO MAINTAIN MINIMUM PERMITTED RESERVES EQUIVALENT TO 10 YEARS SUPPLY OF SAND AND GRAVEL AND 15 YEARS SUPPLY OF ROCK; AND
- (ii) THE MINERAL DEPOSIT ON THE APPLICATION SITE HAS BEEN FULLY INVESTIGATED AND IS OF SUFFICIENT QUANTITY AND QUALITY TO JUSTIFY THE DEVELOPMENT; AND
- (iii) THE ENVIRONMENT AND LANDSCAPE WILL BE SAFEGUARDED, PARTICULARLY WITHIN THE SPECIAL AREAS IDENTIFIED IN POLICIES EI, E4, E5 AND E6; AND
- (iv) THE EFFECTS OF THE PROPOSALS ON THE ENVIRONMENT HAVE BEEN ASSESSED. FORMAL ENVIRONMENTAL ASSESSMENT WILL BE REQUIRED WHERE PROPOSED DEVELOPMENTS ARE LIKELY TO HAVE SIGNIFICANT EFFECTS ON THE ENVIRONMENT; AND
- (v) THE SOCIAL, ECONOMIC AND TRANSPORTATION CONSEQUENCES OF THE DEVELOPMENT ARE ACCEPTABLE; AND
- (vi) WATER SUPPLY, DRAINAGE, FISHERY AND RIVER MANAGEMENT INTERESTS WILL BE PROTECTED; AND
- (vii) THE WORKING, LANDSCAPING, RESTORATION AND AFTERCARE OF THE SITE WILL BE CARRIED OUT TO THE HIGHEST STANDARDS IN ACCORDANCE WITH AN APPROVED SCHEME. THE SCHEME SHOULD INCORPORATE PROGRESSIVE RESTORATION WHERE PRACTICABLE.

POLICY M2

WITHIN THE FOLLOWING AREAS THERE WILL BE A GENERAL PRESUMPTION AGAINST THE GRANTING OF PLANNING PERMISSION FOR MINERAL WORKING AND ANCILLARY DEVELOPMENT UNLESS IT CAN BE SHOWN THAT THE BENEFITS OF THE DEVELOPMENT WILL OUTWEIGH ANY ADVERSE ENVIRONMENTAL CONSEQUENCES:

- (i) THE YORKSHIRE DALES NATIONAL PARK;
- (ii) THE NORTH YORK MOORS NATIONAL PARK;
- (iii) THE NORTH YORKSHIRE AND CLEVELAND HERITAGE COAST;
- (iv) THE FLAMBOROUGH HEAD HERITAGE COAST;
- (v) THE FOREST OF BOWLAND AREA OF OUTSTANDING NATURAL BEAUTY;
- (vi) THE HOWARDIAN HILLS AND THE PROPOSED NIDDERDALE MOORS AREAS OF OUTSTANDING NATURAL BEAUTY.

POLICY M3

WITHIN THE NORTH YORK MOORS AND YORKSHIRE DALES NATIONAL PARKS AND IN THE HOWARDIAN HILLS AND THE FOREST OF BOWLAND AREAS OF OUTSTANDING NATURAL BEAUTY PROPOSALS FOR MINERAL WORKING AND ANCILLARY DEVELOPMENT WILL BE SUBJECT TO THE MOST RIGOROUS EXAMINATION AND WILL ONLY BE PERMITTED IF IN THE PUBLIC INTEREST AND FOLLOWING AN ASSESSMENT OF WHETHER:

- (i) APPLICANTS HAVE DEMONSTRATED A NEED FOR THE DEVELOPMENT TAKING ACCOUNT OF NATIONAL CONSIDERATIONS AND OF THE IMPACT UPON THE LOCAL ECONOMY; AND
- (ii) IT IS ESTABLISHED THAT THERE ARE NO PRACTICABLE ALTERNATIVE SOURCES WHICH COULD SUPPLY MINERAL OF COMPARABLE QUALITY FROM OUTSIDE THESE AREAS; AND
- (iii) PROPOSED MAXIMUM LEVELS OF OUTPUT HAVE REGARD TO THOSE REQUIRED TO MEET THE PURPOSES WHICH JUSTIFY THE DEVELOPMENT.

POLICY M4

PLANNING PERMISSION FOR MINERAL WORKING AND ANCILLARY DEVELOPMENT WILL BE REFUSED UNLESS SATISFACTORY PROVISION IS MADE FOR A BENEFICIAL AFTER-USE OF THE LAND. NORMALLY, THERE WILL BE A PRESUMPTION IN FAVOUR OF THE REINSTATEMENT OF LAND TO AGRICULTURAL USE UNLESS IT CAN BE SHOWN THAT THERE IS ANOTHER USE TO WHICH THE LAND CAN BE RESTORED, WHICH DOES NOT CONFLICT WITH PLANNING POLICIES FOR THE AREA.

POLICY M5

ALL GRADE 1,2 AND 3 AGRICULTURAL LAND AND THE VALLEY BOTTOM LAND IN UPLAND AREAS WILL BE SAFEGUARDED AS FAR AS POSSIBLE FROM IRREVERSIBLE DEVELOPMENT. THERE WILL BE A PRESUMPTION IN FAVOUR OF WORKING LOWER QUALITY LAND ALTHOUGH MINERAL WORKING AND ANCILLARY DEVELOPMENT MAY BE PERMITTED IN THOSE AREAS WHERE IT CAN BE SHOWN THAT THE LAND IS CAPABLE OF BEING RESTORED TO A HIGH STANDARD. DISRUPTION TO THE VIABILITY OF AN AGRICULTURAL UNIT WILL ALSO BE A MATERIAL CONSIDERATION IN DETERMINING A PLANNING APPLICATION.

POLICY M6

PROPOSALS FOR THE EXTRACTION OF MINERALS FROM BORROW PITS WILL BE CONSIDERED AGAINST POLICIES M1, M2, M3, M4 AND M5. PLANNING PERMISSION WILL NORMALLY BE REFUSED UNLESS IT IS DEMONSTRATED THAT THERE WOULD BE OVERRIDING ENVIRONMENTAL BENEFITS COMPARED WITH OBTAINING THE MATERIALS FROM EXISTING SOURCES.

POLICY M7

THE USE OF LOWER QUALITY MATERIALS IN PREFERENCE TO HIGH GRADE MINERALS AND THE USE OF SUBSTITUTES FOR NATURALLY OCCURRING MINERALS WILL BE ENCOURAGED.

POLICY M8

NON-MINERAL DEVELOPMENT WILL BE RESTRICTED IN ORDER TO PREVENT THE STERILISATION OF UNWORKED MINERAL RESOURCES OR WHERE IT WOULD NOT BE COMPATIBLE WITH MINERAL WORKING AND ANCILLARY DEVELOPMENT.

POLICY M9

THE EXTRACTION OF COAL OR OTHER MINERALS BY UNDERGROUND MINING WILL NORMALLY BE PERMITTED ONLY WHEN IT HAS BEEN SHOWN THAT:

- (i) THE PROPOSALS COMPLY WITH POLICIES M1, M2, M3, M4 AND M5; AND
- (ii) THE CONSEQUENCES OF ANY SURFACE SUBSIDENCE ARE TO BE KEPT TO AN ACCEPTABLE MINIMUM AND THAT AN AGREED PROGRAMME OF SUBSIDENCE MONITORING WILL BE CARRIED OUT; AND

- (iii) THE AMOUNT OF WASTE ARISING FROM THE DEVELOPMENT AND REQUIRING SURFACE DISPOSAL IS TO BE KEPT TO A MINIMUM;
AND
- (iv) THE PROPOSALS FORM PART OF AN AGREED DEVELOPMENT PROGRAMME FOR THE FIELD OR DEPOSIT AS A WHOLE AND THE SITING OF ANY SURFACE DEVELOPMENT HAS BEEN SELECTED SO AS TO MINIMISE THE IMPACT OF THE DEVELOPMENT.

POLICY M10

PLANNING PERMISSION FOR LAGOON FORMATION FOR THE DISPOSAL OF WET WASTES ARISING FROM UNDERGROUND MINING AND ASSOCIATED PROCESSING OPERATIONS WILL NORMALLY NOT BE GRANTED.

POLICY M11

THERE WILL BE A PRESUMPTION IN FAVOUR OF THE TRANSPORT OF THE PRODUCTS OF UNDERGROUND MINING AND ASSOCIATED PROCESSING OPERATIONS BY RAIL OR, WHERE APPROPRIATE, BY COMMERCIAL WATERWAY OR UNDERGROUND PIPELINE.

OIL AND GAS

POLICY M12

PROPOSALS FOR EXPLORATORY DRILLING OPERATIONS FOR OIL OR GAS AND SUBSEQUENT SHORT-TERM TESTING WILL NORMALLY BE PERMITTED ONLY WHEN IT HAS BEEN SHOWN THAT, IN THE CONTEXT OF THE GEOLOGICAL STRUCTURE BEING INVESTIGATED, THE PROPOSED SITE HAS BEEN SELECTED SO AS TO MINIMISE THE IMPACT OF THE DEVELOPMENT AND THE DEVELOPMENT COMPLIES WITH POLICIES M1 (iii)-(vii), M2, M4 AND M5. THERE WILL BE NO PRESUMPTION IN FAVOUR OF THE SUBSEQUENT USE OF THE SITE FOR APPRAISAL PURPOSES.

POLICY M13

APPRAISAL DRILLING FOR OIL OR GAS AND SUBSEQUENT TESTING WILL NORMALLY BE PERMITTED ONLY WHEN IT HAS BEEN SHOWN THAT THE PROPOSED DEVELOPMENT:

- (i) IS NECESSARY TO DETERMINE THE NATURE AND EXTENT OF THE RESOURCES OR TO ASSESS THE FEASIBILITY OF THEIR RECOVERY; AND
- (ii) FORMS PART OF AN OVERALL SCHEME ALLOWING FOR THE FULL EXPLORATION AND APPRAISAL OF THE FIELD AS A WHOLE; AND
- (iii) COMPLIES WITH POLICIES M1 (iii)-(vii), M2, M4 AND M5.

THERE WILL BE NO PRESUMPTION IN FAVOUR OF THE SUBSEQUENT USE OF THE SITE FOR PRODUCTION PURPOSES.

POLICY M14

THE PRODUCTION OF OIL OR GAS WILL NORMALLY BE PERMITTED ONLY WHEN IT HAS BEEN SHOWN THAT:

- (i) THE PROPOSALS FORM PART OF AN AGREED DEVELOPMENT AND DISTRIBUTION PROGRAMME SERVING THE FIELD AS A WHOLE, AND WHERE APPROPRIATE OTHER KNOWN OIL OR GAS RESOURCES IN THE AREA, AND THE SITING OF ANY SURFACE DEVELOPMENT HAS BEEN SELECTED SO AS TO MINIMISE THE IMPACT OF THE DEVELOPMENT, AND IN PARTICULAR NO DEVELOPMENT ASSOCIATED WITH PROCESSING WILL BE ALLOWED IN EITHER NATIONAL PARK; AND
- (ii) THE CONSEQUENCES OF ANY SURFACE SUBSIDENCE ARE TO BE KEPT TO AN ACCEPTABLE MINIMUM AND THAT WHERE

APPROPRIATE AN AGREED PROGRAMME OF SUBSIDENCE
MONITORING WILL BE CARRIED OUT; AND

- (iii) THE DEVELOPMENT COMPLIES WITH POLICIES M1(ii)-(vii), M2, M4
AND M5.

POLICY M15

SUBJECT TO THE ENVIRONMENTAL CONSEQUENCES BEING ACCEPTABLE,
THERE WILL BE A PRESUMPTION IN FAVOUR OF THE MOVEMENT OF OIL, GAS
OR DERIVED PRODUCTS BY UNDERGROUND PIPELINE, RAIL OR COMMERCIAL
WATERWAY.

WASTE DISPOSAL

POLICY W1

WASTE DISPOSAL WILL NORMALLY BE ACHIEVED THROUGH LAND-FILL UNDER CONTROLLED CONDITIONS. IN SELECTING SITES TO PROVIDE DISPOSAL FACILITIES, THE FOLLOWING ORDER OF PRIORITIES WILL APPLY:-

- (a) THE RECLAMATION AND RESTORATION OF VOIDS;
- (b) THE RECLAMATION AND RESTORATION OF DERELICT OR DEGRADED LAND;
- (c) IN EXCEPTIONAL CIRCUMSTANCES, AND WHEN (a) AND (b) ARE NOT PRACTICABLE, LAND OF LOW AGRICULTURAL QUALITY.

POLICY W2

PROPOSALS FOR THE DISPOSAL OF WASTE MATERIALS WILL NORMALLY BE PERMITTED ONLY WHEN IT HAS BEEN SHOWN THAT:-

- (i) A NEED EXISTS FOR THE DEVELOPMENT AND THE GRANT OF PERMISSION WILL NOT PREJUDICE THE SATISFACTORY COMPLETION OF EXISTING WASTE DISPOSAL SITES; AND
- (ii) THE SITE IS SUITABLE ENVIRONMENTALLY FOR ACCOMMODATING THE TYPES OF WASTE PROPOSED TO BE DEPOSITED; AND
- (iii) THE ENVIRONMENT AND THE LANDSCAPE WILL BE SAFEGUARDED, PARTICULARLY WITHIN THE SPECIAL AREAS IDENTIFIED IN POLICIES E1, E4, E5 AND E6; AND
- (iv) PROVISION WILL BE MADE TO REDUCE TO AN ACCEPTABLE MINIMUM THE EFFECTS OF THE DISPOSAL OPERATION ON RESIDENTIAL AND RURAL AMENITY; AND
- (v) THE MEANS OF ACCESS ONTO THE SITE IS SATISFACTORY AND THE WIDER TRAFFIC IMPLICATIONS OF THE DEVELOPMENT ARE ACCEPTABLE; AND
- (vi) WATER SUPPLY, DRAINAGE, FISHERY AND RIVER MANAGEMENT INTERESTS WILL BE PROTECTED; AND
- (vii) ADEQUATE MEASURES WILL BE TAKEN TO DEAL WITH GAS AND LEACHATE; AND
- (viii) THE DISPOSAL OPERATIONS, LANDSCAPING, RESTORATION AND AFTER-CARE OF THE SITE WILL BE CARRIED OUT TO THE HIGHEST STANDARDS IN ACCORDANCE WITH AN APPROVED SCHEME.

POLICY W3

PLANNING PERMISSION FOR WASTE DISPOSAL WILL BE REFUSED UNLESS SATISFACTORY PROVISION IS MADE FOR A BENEFICIAL AFTER-USE OF THE LAND. NORMALLY THERE WILL BE A PRESUMPTION IN FAVOUR OF THE REINSTATEMENT OF LAND TO AGRICULTURAL USE OR WOODLAND UNLESS IT CAN BE SHOWN THAT THERE IS ANOTHER USE TO WHICH THE LAND CAN BE RESTORED WHICH DOES NOT CONFLICT WITH PLANNING POLICIES FOR THE AREA.

POLICY W4 deleted

LEISURE

POLICY R1

PROVISION WILL BE MADE FOR THE DEVELOPMENT OF RECREATIONAL, LEISURE AND CULTURAL FACILITIES IN LOCATIONS ACCESSIBLE TO BOTH PUBLIC AND PRIVATE TRANSPORT WHERE THIS IS NOT DETRIMENTAL TO LOCAL INTERESTS.

POLICY R2

IN AREAS IDENTIFIED IN POLICY E1, PROVISION WILL ONLY BE MADE FOR NEW RECREATIONAL DEVELOPMENTS WHICH ARE CONSIDERED TO BE COMPATIBLE WITH THE NEED TO PRESERVE THE LANDSCAPE. SUCH DEVELOPMENTS, INCLUDING THE PROVISION OF CAR PARKS, WILL ONLY BE PERMITTED ON A SCALE RELATED TO THE ABILITY OF THE SITE AND ITS SURROUNDINGS TO ABSORB VISITORS WITHOUT SUFFERING ENVIRONMENTAL DAMAGE. PROPOSALS FOR RECREATIONAL DEVELOPMENTS WHICH WOULD RESULT IN THE INTRODUCTION OF ADDITIONAL, INTENSIVE RECREATIONAL ACTIVITIES WILL BE CONSIDERED MORE FAVOURABLY OUTSIDE AREAS WITH SPECIAL LANDSCAPE DESIGNATIONS.

POLICY R3

OUTSIDE THE AREAS IDENTIFIED IN POLICY E1, PROVISION WILL BE MADE FOR FURTHER RECREATIONAL DEVELOPMENTS IN LOCATIONS WHICH:

- (i) SAFEGUARD AGRICULTURAL LAND DEFINED BY THE MINISTRY OF AGRICULTURE, FISHERIES AND FOOD AS GRADES 1, 2 OR 3A;
- (ii) DO NOT ADVERSELY AFFECT AREAS OF NATURE CONSERVATION SIGNIFICANCE;
- (ii) AVOID SITES OF ARCHAEOLOGICAL SIGNIFICANCE;
- (iv) ARE ACCEPTABLE ON GROUNDS OF LANDSCAPE QUALITY AND CHARACTER;
- (v) MINIMISE CONFLICTS WITH OTHER RECREATIONAL USES;
- (vi) DO NOT ADVERSELY AFFECT LOCAL AMENITY;
- (vii) CAN ABSORB PARTICIPANTS AND OTHER VISITORS WITHOUT SUFFERING SERIOUS ENVIRONMENTAL DAMAGE.

DEVELOPMENT WHICH WILL INVOLVE THE APPROPRIATE USE OF PARKLANDS, DERELICT LAND, DISUSED MINERAL WORKINGS, WATER RESOURCES,

FORESTS AND WOODLANDS WILL NORMALLY BE PERMITTED. PROVISION FOR ACTIVE OUTDOOR RECREATIONAL FACILITIES WILL NORMALLY BE MADE IN URBAN FRINGE LOCATIONS

POLICY R4

OUTSIDE NATIONAL PARKS THE COUNTY COUNCIL WILL SEEK TO MAINTAIN EXISTING RECREATIONAL FACILITIES AND MAXIMISE THEIR USE.

POLICY R5

MEASURES WILL BE INTRODUCED TO MINIMISE CONFLICTS BETWEEN RECREATION AND OTHER RURAL ACTIVITIES IN AREAS WHICH ARE WELL USED FOR RECREATION.

POLICY R6

PROVISION WILL BE MADE FOR THE MAINTENANCE, REVIEW AND UPGRADING OF FOOTPATHS AND BRIDLEWAYS SUITABLE FOR THE RECREATIONAL NEEDS OF VISITORS AND RESIDENTS WHILE RECOGNISING THE WIDER INTERESTS OF RURAL LAND MANAGEMENT. PRIORITY WILL BE GIVEN TO THOSE AREAS WHERE THE NEED FOR RECREATIONAL PROVISION OR VISITOR MANAGEMENT IS GREATEST, NAMELY:

- (i) AROUND URBAN AREAS;
- (ii) AREAS ASSOCIATED WITH DESIGNATED LONG DISTANCE FOOTPATHS, INCLUDING THE CLEVELAND WAY, THE WOLDS WAY AND THE PENNINE WAY; AND
- (iii) NATIONAL PARKS AND HERITAGE COASTS.

POLICY R7

SUBJECT TO ENVIRONMENTAL AND NATURE CONSERVATION CONSIDERATIONS AND THE INTERESTS OF RURAL ACTIVITIES AND THE CONTINUING COMMERCIAL USE OF THE RIVER OUSE, PROVISION WILL BE MADE FOR THE DEVELOPMENT OF WATER-BASED RECREATION ON:

- (i) EXISTING OPEN-WATER AREAS;
- (ii) WATER AREAS CREATED AS A RESULT OF MINERAL WORKINGS, PARTICULARLY IN THE VALLEYS OF THE RIVERS URE, SWALE AND TEES AND IN THE KNARESBOROUGH AREA, AND WHERE RESTORATION TO AGRICULTURE IS NOT PRACTICABLE; AND

- (iii) NAVIGABLE WATERWAYS, INCLUDING DISUSED NAVIGATIONS WHICH ARE CAPABLE OF RESTORATION.

PREFERENCE WILL BE GIVEN TO THOSE ACTIVITIES FOR WHICH THERE IS A CLEARLY ESTABLISHED DEMAND AND TO THOSE PROPOSALS WHICH PERMIT THE MULTIPLE USE OF THE WATER AREAS. WHERE APPROPRIATE, PROVISION WILL BE MADE FOR INFORMAL COUNTRYSIDE RECREATION IN CONJUNCTION WITH THE PROVISION FOR WATER-BASED RECREATION. ADDITIONAL MOORING FACILITIES AND ASSOCIATED DEVELOPMENTS WILL ONLY BE PERMITTED ON NAVIGABLE RIVERS AND CANALS IN LOCATIONS WHICH:

- (i) DO NOT IMPEDE THE PASSAGE OF BOATS AND AVOID CONGESTION;
- (ii) ARE ACCEPTABLE ON ENVIRONMENTAL GROUNDS;
- (iii) ARE SERVED BY PUBLIC UTILITY SERVICES FOR USE BY BOATS;
- (iv) DO NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON SURROUNDING LAND USES OR OTHER ACTIVITIES
- (v) CAN PROVIDE ACCEPTABLE STANDARDS OF ACCESS AND CAR PARKING
- (vi) ARE RELATED TO EXISTING CENTRES OFFERING A RANGE OF SHOPPING AND OTHER SERVICES.

POLICY R8 deleted

POLICY R9

PROVISION WILL BE MADE FOR THE DEVELOPMENT OF COMMUNITY LEISURE FACILITIES THROUGHOUT THE COUNTY AND PRIORITY WILL BE GIVEN TO EXTENDING THE JOINT PROVISION AND DUAL USE OF EDUCATION FACILITIES AND OTHER SUITABLE PUBLICLY OWNED LAND AND BUILDINGS FOR LEISURE PURPOSES.

POLICY R10

HOLIDAY CARAVAN, CHALET AND CAMPING DEVELOPMENT WILL BE PERMITTED ONLY WHERE THE LOCAL ENVIRONMENT CAN ABSORB SUCH DEVELOPMENT. SITES SHOULD BE WELL SCREENED, PARTICULARLY FROM ROADS AND ELEVATED VIEWPOINTS, PREFERENCE BEING GIVEN TO WELL WOODED AREAS. PROPOSALS FOR SUCH DEVELOPMENT WILL BE CONSIDERED AGAINST THE FOLLOWING CRITERIA:

- (i) RECREATIONAL OPPORTUNITIES: SITES SHOULD BE LOCATED IN AREAS WITH LOCAL OPPORTUNITIES FOR INFORMAL COUNTRYSIDE RECREATION, BUT SHOULD NOT THEMSELVES BECOME DETRIMENTAL TO THOSE ATTRACTIONS;
- (ii) SERVICES: SITES SHOULD NORMALLY BE ACCESSIBLE TO EXISTING LOCAL SERVICES AND PUBLIC UTILITIES, BUT SHOULD NOT ADVERSELY AFFECT THEM;
- (iii) AMENITY: THE OVERALL LEVEL OF DEVELOPMENT IN ANY ONE AREA SHOULD NOT DETRACT FROM THE AMENITY PRESENTLY ENJOYED BY LOCAL RESIDENTS;
- (iv) ACCESS: SITES ACCOMMODATING CARAVANS SHOULD HAVE GOOD ACCESS TO THE MAJOR ROAD NETWORK DEFINED IN POLICY T1;
- (v) SITE UTILISATION: WHERE UTILISATION OF EXISTING SITES IS LOW, THERE WILL BE A PRESUMPTION AGAINST FURTHER DEVELOPMENTS; AND
- (vi) SPECIAL AREAS: PROPOSALS WILL BE RESISTED WHERE THEY WOULD ADVERSELY AFFECT AREAS OF NATURE CONSERVATION OR ARCHAEOLOGICAL SIGNIFICANCE.

POLICY R11

SUBJECT TO THE CRITERIA IN POLICY R10, THERE WILL BE A PRESUMPTION IN FAVOUR OF TOURING CARAVANS AND TENTS RATHER THAN STATIC CARAVANS. PROPOSALS FOR THE DEVELOPMENT OF TOURING CARAVANS AND TENT SITES WILL NORMALLY BE PERMITTED WHERE THEY ARE IN ACCORDANCE WITH POLICY R10 EXCEPT WHERE THEY ARE LOCATED ON GRADES 1, 2 OR 3(a) AGRICULTURAL LAND OR ON THE VALLEY BOTTOM LAND IN UPLAND AREAS.

PREFERENCE WILL BE GIVEN TO THE DEVELOPMENT OF HOLIDAY CHALET SITES RATHER THAN STATIC CARAVAN SITES. THE CONVERSION OF STATIC CARAVAN SITES TO CHALET SITES WILL NORMALLY BE PERMITTED.

ENVIRONMENT

POLICY E1

PRIORITY WILL BE GIVEN TO THE CONSERVATION OF THE LANDSCAPES AND GENERAL AMENITY OF THE FOLLOWING AREAS:

THE NORTH YORK MOORS NATIONAL PARK;
THE YORKSHIRE DALES NATIONAL PARK;
THE FOREST OF BOWLAND AREA OF OUTSTANDING NATURAL BEAUTY;
THE NIDDERDALE MOORS;
THE HOWARDIAN HILLS;
THE NORTH YORKSHIRE AND CLEVELAND HERITAGE COAST; AND
THE FLAMBOROUGH HEAD HERITAGE COAST.

WITHIN THESE AREAS:

- (i) THERE WILL BE A PRESUMPTION AGAINST NEW DEVELOPMENT OR MAJOR EXTENSIONS TO EXISTING DEVELOPMENT EXCEPT WHERE IT CAN BE SHOWN TO BE NECESSARY IN THAT LOCATION.
- (ii) WHEN DEVELOPMENT IS PERMITTED, HIGH STANDARDS OF DESIGN WILL BE REQUIRED, USING APPROPRIATE MATERIALS AND PAYING DUE REGARD TO ITS SETTING.
- (iii) MEASURES WILL BE TAKEN TO PROTECT AND ENHANCE THE LANDSCAPE, IMPORTANT BUILDINGS AND OTHER HERITAGE FEATURES.

POLICY E2

DEVELOPMENT IN THE OPEN COUNTRYSIDE OUTSIDE THE NATIONAL PARKS, AREAS OF OUTSTANDING NATURAL BEAUTY, AREAS OF HERITAGE COAST AND GREEN BELTS WILL NORMALLY BE PERMITTED ONLY WHERE IT RELATES TO:

- (i) SMALL SCALE PROPOSALS REQUIRING AN OPEN COUNTRYSIDE LOCATION FOR OPERATIONAL REASONS; AND
- (ii) SMALL SCALE PROPOSALS FOR INDIVIDUAL SITES OR FOR THE RE-USE OR ADAPTATION OF EXISTING RURAL BUILDINGS TO SECURE EMPLOYMENT USES WHICH BENEFIT THE RURAL ECONOMY

AND PROVIDED IT WOULD NOT HARM THE CHARACTER AND APPEARANCE, GENERAL AMENITY OR NATURE CONSERVATION INTERESTS OF THE SURROUNDING AREA.

POLICY E3 deleted

POLICY E4

BUILDINGS AND AREAS OF SPECIAL TOWNSCAPE, ARCHITECTURAL OR HISTORIC INTEREST WILL BE AFFORDED THE STRICTEST PROTECTION.

POLICY E5

DEVELOPMENT PROPOSALS WHICH COULD RESULT IN DAMAGE TO, OR THE DESTRUCTION OF SITES OF ARCHAEOLOGICAL IMPORTANCE WILL NORMALLY BE REFUSED.

POLICY E6

DEVELOPMENT WILL NORMALLY NOT BE PERMITTED WITHIN NATIONAL NATURE RESERVES, LOCAL NATURE RESERVES AND SITES OF SPECIAL SCIENTIFIC INTEREST OR IN ADJOINING LOCATIONS WHERE DEVELOPMENT WOULD HAVE AN ADVERSE EFFECT ON SUCH SITES. SPECIAL CONSIDERATION WILL BE GIVEN TO OTHER NOTIFIED SITES OF NATURE CONSERVATION SIGNIFICANCE AND WILDLIFE HABITATS IN EXAMINING PROPOSALS FOR DEVELOPMENT.

POLICY E7

DEVELOPMENT WHICH WOULD GIVE RISE TO SUBSTANTIALLY INCREASED LEVELS OF NOISE, WATER OR AIR POLLUTION OR WOULD BE HAZARDOUS AND SIGNIFICANTLY INCREASE THE RISKS TO MEMBERS OF THE PUBLIC WILL NORMALLY NOT BE PERMITTED, BUT THE EXPANSION OF EXISTING INDUSTRY OR DEVELOPMENT ESSENTIAL TO AGRICULTURE, MINERAL EXTRACTION AND PROCESSING OR OTHER ESTABLISHED INDUSTRIES IN NORTH YORKSHIRE MAY BE ALLOWED.

POLICY E8

THE NORTH YORKSHIRE GREEN BELTS WILL CONSIST OF:

- (i) A BAND FROM 1 TO 5 MILES WIDE ALONG THE COUNTY'S SOUTHERN BOUNDARY, FROM THE BOUNDARY OF THE YORKSHIRE DALES NATIONAL PARK TO WEST OF WETHERBY;
- (ii) A STRIP BETWEEN HARROGATE AND KNARESBOROUGH;
- (iii) A BAND SOME 4 MILES WIDE ALONG THE WESTERN BOUNDARY OF SELBY DISTRICT, FROM WEST OF TADCASTER TO THE BOUNDARY WITH SOUTH YORKSHIRE COUNTY.

THESE GREEN BELTS WILL BROADLY INCLUDE THOSE AREAS PREVIOUSLY APPROVED BY THE SECRETARY OF STATE AS GREEN BELT (SOME ON AN INTERIM BASIS) WITH THE ADDITION OF A SMALL AREA SOUTH OF BALNE MOOR:

- (iv) A BELT WHOSE OUTER EDGE IS ABOUT 6 MILES FROM YORK CITY CENTRE.

POLICY E8a

IN DEFINING THE PRECISE BOUNDARIES OF THE GREEN BELT IN LOCAL PLANS, ACCOUNT WILL BE TAKEN OF:

- (i) THE NEED TO REGULATE THE SIZE AND SHAPE OF URBAN AREAS IN ORDER TO PREVENT UNCONTROLLED GROWTH;
- (ii) THE NEED TO PREVENT THE COALESCENCE OF EXISTING SETTLEMENTS;
- (iii) THE NEED TO PRESERVE AREAS OF OPEN LAND EXTENDING INTO THE URBAN AREA FROM THE COUNTRYSIDE WHICH HAVE AN EXISTING OR POTENTIAL RECREATIONAL OR AMENITY VALUE;
- (iv) THE NEED TO PRESERVE EASY ACCESS TO OPEN COUNTRY AND OUTDOOR RECREATION IN PLEASANT SURROUNDINGS.

POLICY E9

PLANNING PERMISSION WITHIN GREEN BELT AREAS WILL NORMALLY BE GRANTED ONLY FOR THE ERECTION OF NEW BUILDINGS, OR FOR THE CHANGE OF USE OR REDEVELOPMENT OF EXISTING BUILDINGS WHICH ARE NECESSARY IN CONNECTION WITH THE FOLLOWING LAND USES:

- (i) AGRICULTURE AND FORESTRY;
- (ii) OUTDOOR SPORT AND RECREATION;
- (iii) CEMETERIES OR INSTITUTIONS STANDING IN EXTENSIVE GROUNDS; AND
- (iv) OTHER USES APPROPRIATE IN A RURAL AREA.

POLICY E10

THE EXPANSION OF SETTLEMENTS WITHIN THE GREEN BELTS, APART FROM MINOR INFILLING, WILL NOT NORMALLY BE PERMITTED. WHERE A NEED FOR EXPANSION CAN BE ESTABLISHED, THE SETTLEMENT WILL BE EXCLUDED FROM THE GREEN BELT AND THE PRECISE BOUNDARY OF THE EXTENDED SETTLEMENT DEFINED IN A LOCAL PLAN WHEN THE FOLLOWING CRITERIA WILL NEED TO BE SATISFIED:

- (i) THE DEVELOPMENT PROPOSED IS OF AN APPROPRIATE SCALE AND TYPE; AND
- (ii) THE PUBLIC UTILITIES HAVE SUFFICIENT SPARE CAPACITY; AND
- (iii) ADEQUATE SHOPS AND PRIMARY EDUCATION FACILITIES ARE AVAILABLE.

POLICIES E11 AND E12 deleted

POLICIES FOR THE YORK INSET AREA (YP1 TO YP22) deleted

APPENDIX 2 - SELBY DISTRICT COUNCIL MISSION STATEMENT

Our Vision, Mission and broad Objectives

Our Vision for Selby District

The District Council's vision is to be engaged with its community, leading that community and being clearly at the hub of the community in delivering the Council's Mission. It wants to work with partner organisations in improving quality of life issues and to become the first class authority local people deserve.

Our Mission and Objectives

Our mission is:

**“To improve the quality of life for those
who live and work in the District”**

The mission statement has served the Council well for six years and continues to guide staff and Councillors and to keep us focused on delivering results for the people to who we wish “to be of service”.

In fulfilling that mission we have eight broad corporate objectives:

Economic

- 1 To facilitate and encourage quality sustainable enterprise and employment.
- 2 To act and lead by example as a reputable employer.

Environmental

- 3 To promote health and leisure provision.
- 4 To protect environmental quality and safety by promoting green issues.
- 5 To promote public health and awareness.

Social

- 6 To promote community safety.
- 7 To provide suitable, quality and affordable housing.
- 8 To provide for vulnerable residents.

As we work towards these objectives we will strive to make the best use of available resources, both within the authority itself and when we work in partnership with others.

**APPENDIX 3 - PLANNING STRATEGY – SUPPLEMENTARY INFORMATION
(INTEGRATION OF ENVIRONMENTAL OBJECTIVES AND DEVELOPMENT NEEDS)**

Planning Strategy – Supplementary Information

INTEGRATION OF ENVIRONMENTAL OBJECTIVES AND DEVELOPMENT NEEDS

- 1 PPG12 (Development Plans and Regional Planning Guidance) suggests that Local Authorities should demonstrate how environmental considerations have been taken into account in formulating policies for development and transportation.
- 2 Whilst the policies and proposals in the Plan have not been subjected to a formal “environmental appraisal”, the integration of environmental objectives and development needs has been achieved in the following ways:
 - (1) *By carrying out an Audit of Environmental and Natural Resource Assets*
- 3 In order to address the issue of sustainable development, it is necessary to identify irreplaceable existing resources, the loss or depletion of which would be detrimental to the interests of future generations – otherwise known as “critical environmental capital”. Some of these resources in the Selby district have international as well as national significance, and include wildlife sites recognised by international conventions and EC directives, sites of special scientific interest (SSSIs) and scheduled monuments. Others, such as conservation areas and historic parks and gardens, have more local significance.
- 4 Where appropriate, deficiencies in information have been addressed through specific studies and research. These include a landscape appraisal, an assessment of historic parks and gardens, and a reappraisal of nature conservation sites in order to assess the scale of habitat losses since the Phase 1 Habitat Survey was published in 1988 and to assess the contribution made by non-statutory sites.
- 5 In order to develop a better appreciation of issues at local level, every village in the District has been appraised to identify key features that are worthy of retention. This exercise was supported by a questionnaire sent to all Parish Councils.
- 6 The results of some of these studies were summarised in a series of Issue Papers dealing with development issues and land requirements as well as environmental issues affecting both urban and rural areas. These were considered by the Council’s Planning Committee in order to establish a framework for the preparation of the Local Plan. The Papers were also made available to Parish Councils and the public.
 - (2) *Through a District Appraisal of Development Opportunities and Constraints*
- 7 A District wide assessment was undertaken, using sieve mapping techniques, to identify areas that are subject to environmental and other constraints, such as best and most versatile agricultural land, areas prone to flooding and areas subject to mining operations. This work was complemented by detailed information on individual settlements (obtained in conjunction with the village appraisals studies) such as infrastructure capacity and constraints, availability

of services and public transport and other technical and planning constraints to development.

- 8 The information was used to identify towns and villages that are capable of sustaining continued growth in accordance with criteria identified in the Structure Plan. It also revealed those settlements that cannot sustain significant growth owing to a combination of factors such as their sensitive form and character or other environmental considerations, remoteness from employment opportunities and public transport, or limited service base.

(3) In connection with a Potential Site Development Study

- 9 Settlements considered capable of accommodating further development, consistent with environmental objectives, were subject to further evaluation in order to assess the scope for continued infilling and development within existing development limits, and the potential for peripheral growth. A detail environmental and technical appraisal of potential development sites was undertaken, in consultation with a wide range of organisations, to assess the likely effects of development against a range of factors, including the potential impact on agricultural land, nature conservation and archaeological interests, travel patterns and the effects on the character of settlements and surrounding countryside. This has ensured that environmental factors have been fully taken into account in deciding which sites to allocate and how best to mitigate any harm likely to be caused through development.

(4) Through an evaluation of Spatial Development Options

- 10 In considering the response to the public consultation exercise, particular attention has been paid to the comparative impact of development at different locations by carrying out a further environmental and technical appraisal of allocated sites and alternative sites suggested by objectors.
- 11 A review of spatial development options has also been undertaken. The options considered by the Council's Planning Committee include consolidation of existing built up areas, peripheral growth (affecting all settlements), expansion of selected settlements, and new settlements. The evaluation assessed the positive and negative aspects of different forms of development against a range of criteria including the desirability of reducing the need to travel, environmental capacity, the potential contribution to economic development and marketability.
- 12 This analysis was assisted by studies undertaken jointly by the County Council and District Councils in North Yorkshire to help inform the "roll forward" of Regional Planning Guidance.

(5) Through the Incorporation of Environmental Safeguards in Policies

- 13 Environmental considerations appear prominently in most policies, most usually as criteria to be considered in determining planning applications.
- 14 The District Council places considerable value on the advice of national and local organisations that are concerned with the environment and natural resources. These organisations have been consulted during the preparation of the Plan. Responses at pre-deposit consultation stage revealed few policy omissions from the Plan, although amendments to policy wording have been

made in order to strengthen or clarify certain policies in the light of environmental concerns.

- 15 The expertise of these bodies will continue to be sought to ensure that environmental issues are properly addressed and that policies and proposals do not have unforeseen adverse environmental effects.

(6) *By carrying out an Audit of brownfield sites and undeveloped land within settlements*

- 16 The District Council acknowledges the importance of recycling land and concentrating development within existing urban areas. Additional work is being undertaken to assess whether there is scope for increasing the contribution made to housing land supply from within existing settlements above the level anticipated in the Plan. This may help reduce the future scale of planning development on greenfield sites, but will need to be weighed against the desirability of safeguarding the character and amenity of existing settlements.

APPENDIX 4 - ADOPTED CAR PARKING STANDARDS

Notes on the application of the standards

- 1 Plans defining the urban areas and market towns can be found in the appropriate Local Plan
- 2 These are maximum parking standards, with different values dependent on accessibility to public transport proximity of differing land uses and location.
- 3 A flexible approach should be taken in using the standards so that each development proposal is assessed on its merit. A lower parking provision may be appropriate, particularly in more central locations where public transport provision is greater, depending on the circumstances of each case. This should be established from early discussions with the highway authority.
- 4 Operational parking space is defined as the space required for cars and other vehicles regularly and necessarily involved in the operation of the business of particular buildings. It includes space for commercial vehicles delivering goods to or collecting them from the buildings, space for loading and unloading and for picking up and setting down of passengers
- 5 Where no operational requirement is specified, adequate provision for servicing must be provided. This should include sufficient space to allow the maximum number and size of vehicles likely to serve the development at any one time to manoeuvre with ease and stand for loading and unloading without inconvenience to other users of the site.
- 6 Staff requirements quoted refer to the likely maximum number of staff to be present on site at the busiest time.
- 7 In a number of cases, new development will incorporate more than one land use. In these circumstances, the standards applicable to each use simultaneously will be demanded.
- 8 All parking layouts must be designed in such a way that pedestrian and cyclist safety and convenience have absolute priority.
- 9 Where a specific category is not listed standards will be determined by negotiation.

PARKING STANDARDS

	Land Use	Use Class	Cycle Parking (Minimum)	Operational Requirement	Vehicular Parking		
					Non Operational Requirements (Maximum)		
					Rural Areas	Market Towns	Urban Areas
1	Education						
	(a) Nursery Schools	D1	1 space/5 staff	Facility for contract buses and parents to pick up and set down as appropriate School Travel Plan	1 space/1 staff Visitors 1 space/6 staff	Staff 1 space/2 staff Visitors 1 space/6 staff	Staff 1 space/2 staff Visitors 1 space/6 staff
	Primary and Secondary Schools	D1	1 space/5 staff Students 1 space/5 students	Facility for contract buses and parents to pick up and set down as appropriate School Travel Plan	1 space/1 staff Students 1 space/5 Sixth Formers	Staff 1 space/2 staff Students- 1 space/15 Sixth Formers	Staff 1 space/2 staff Students- 1 space/20 Sixth Formers
	Sixth Form Colleges and Colleges of FE	D1	1 space/5 staff Students 1 space/5 students	School Travel Plan	Staff 1 space/1 staff Students 1 space/5 students	1 space/2 staff Students 1 space/15 students	Staff 1 space/2 staff Students 1 space/20 students
2	Medical						

	Land Use	Use Class	Cycle Parking (Minimum)	Operational Requirement	Vehicular Parking		
					Non Operational Requirements (Maximum)		
					Rural Areas	Market Towns	Urban Areas
	(a) Health Centres Doctors' Surgeries Veterinary Surgeries Dentists' Surgeries	D1	1 space/3 consulting rooms	1 space/doctor or nurse Facility for patients to be picked up and set down as appropriate Disabled parking	Staff 1 space/every 3 other staff Patients 2 spaces / consulting room	Staff 1 space/every 5 other staff Patients 1 space/consulting room	Staff 1 space/every 5 other staff Patients 1 space/ 2 consulting rooms
3	Libraries/Museums/Art Galleries						
		D1	1 space/300 m ² GFA as appropriate	Space for mobile library van as appropriate.	Staff 1 space/2 members of staff Visitors 1 space/ 30 m ² GFA	Staff 1 space/3 members of staff Visitors 1 space/50 m ² GFA	Staff 1 space/4 members of staff Visitors 1 space/70 m ² GFA
4	Business Use						
	(a) Office	B1/A 2	1 space/150 m ² GFA	space for deliveries	1 space/30 m ² GFA	1 space/40 m ² GFA	1 space/50 m ² GFA
	(b) Banks		1 space/150 m ² GFA	1 suitably located space to accommodate security van for banks and building societies and other deliveries in a town centre location			
5	Industry						
	(a) Manufacturing	B2 to B7	Staff 1 space/200 m ² GFA Customers 1 space/500 m ² GFA	1 service vehicle space/500 m ² GFA	1 space/50m ² GFA	1 space/75 m ² GFA	1 space/75 m ² GFA

	Land Use	Use Class	Cycle Parking (Minimum)	Operational Requirement	Vehicular Parking		
					Non Operational Requirements (Maximum)		
					Rural Areas	Market Towns	Urban Areas
	(b) Warehousing	B8	1 space/ 400 m ² GFA	1 service vehicle space/250m ² GFA	Staff/Visitors 1 space/200m ² GFA Plus for office areas 1 space/30m ² GFA	Staff/visitors 1 space / 300 m ² GFA Plus for office areas 1 space / 40 m ² GFA	Staff/visitors 1 space / 400 m ² GFA Plus for office areas 1 space / 50 m ² GFA
	(c) Offices		1 space/150 m ² GFA		1 space/30. m ² GFA	1 space/40 m ² GFA	1 space/50 m ² GFA
6	Hotels/Motels						
	(Defined as 20 or more beds)	C1	1 space/10 bedrooms	1 space/resident member of staff. Coach pick up/set down. Taxi/car pick up/set down. Space for deliveries.	Guests 1 space/ bedroom and 1 coach space/100 bedrooms Staff 1 space/3 non-residential staff (plus requirement for public facilities)	Guests, Non residential staff 1 space/2 bedrooms (plus requirement for public facilities)	Guests, Non residential staff 1 space/2 bedrooms (plus requirement for public facilities)
7	Guest Houses						
	(Defined as under 20 beds)	C1	Space/ 10 bedrooms	1 space/resident member of staff	Guests 1 space/ bedroom	Guests 1 space/ 2 bedrooms	Guests 1 space/ 2 bedrooms
8	Restaurants						

	Land Use	Use Class	Cycle Parking (Minimum)	Operational Requirement	Vehicular Parking		
					Non Operational Requirements (Maximum)		
					Rural Areas	Market Towns	Urban Areas
		A3	1 space/ 50 m ² PFA (minimum 4 spaces)	Taxi/car pick up/ set down space for deliveries Note: these standards may be varied for town centre sites depending on the availability of public car parking	Staff 1 space/3 staff Customers 1 space/ 4 seats or 1 space/5m ²	Staff 1 space/4 staff Customers 1 space/8 seats or 1 space/10m ²	Staff 1 space/5 staff Customers 1 space/12 seats or 1 space/20m ²
9	Public Houses/Licensed Clubs						
		A3	Space/ 10 m ² PFA	Space for deliveries Note: these standards may be varied for town centre sites depending on the availability of public car parking	Staff 1 space/3 staff Customers 1 space/ 2 m ² public space	Staff 1 space/4 staff Customers 1 space/4 m ² public space	Staff 1 space/5 staff Customers 1 space/8 m ² public space
10	Public Halls/Places Of Assembly/ Community Centres/Places Of Worship						
		D1	1 space/25 m ² GFA	space for deliveries	1 space/22 m ² GFA	1 space/25 m ² GFA	1 space/50 m ² GFA
11	Garages/Service Stations/Car Repair Workshops						

	Land Use	Use Class	Cycle Parking (Minimum)	Operational Requirement	Vehicular Parking		
					Non Operational Requirements (Maximum)		
					Rural Areas	Market Towns	Urban Areas
		None	Staff 1 space/6 staff	1 space/ breakdown/ towing vehicle. Where Car Wash is provided, space for 5 cars to wait	Staff 1 space/2 staff Car Repairing/ Servicing 4 spaces/repair bay Sales 1 space/4 cars displayed Parts 1 space/25m ² GFA Paint/Body Shop 1 space/20m ² GFA	Staff 1 space/3 staff Car Repairing/ Servicing 4 spaces/repair bay Sales 1 space/4 cars displayed Parts 1 space/25m ² GFA Paint/Body Shop 1 space/20m ² GFA	Staff 1 space/4 staff Car Repairing/ Servicing 4 spaces/repair bay Sales 1 space/5 cars displayed Parts 1 space/40m ² GFA Paint/Body Shop 1 space/20m ² GFA
12	Motorist Centres						

	Land Use	Use Class	Cycle Parking (Minimum)	Operational Requirement	Vehicular Parking		
					Non Operational Requirements (Maximum)		
					Rural Areas	Market Towns	Urban Areas
	(tyre/exhaust fitting etc)	None	1 space/6 staff		Staff 1 space/2 staff Users 2 spaces/ repair bay	Staff 1 space/3 staff Users 2 spaces/repair bay	Staff 1 space/4 staff Users 2 spaces/repair bay
13	Retail						
	(a) Town Centre/ Neighbourhood shops	A1	Staff 1 space/ 200 m ² GFA Customers 1 space/ 100 m ² GFA	1 service vehicle space/500 m ² GFA	1 space/30 m ² GFA shared in a public parking area & not allocated to individual units	1 space/40 m ² GFA shared in a public parking area & not allocated to individual units	1 space/50 m ² GFA shared in a public parking area & not allocated to individual units
	(b) Supermarkets (under 1000m ² GFA)	1	Staff 1 space/ 200 m ² GFA Customers 1 space/ 500 m ² GFA	1 service vehicle space/500 m ² GFA	1 space/14 m ² GFA	1 space per 20 m ² GFA	1 space per 25 m ² GFA

	Land Use	Use Class	Cycle Parking (Minimum)	Operational Requirement	Vehicular Parking		
					Non Operational Requirements (Maximum)		
					Rural Areas	Market Towns	Urban Areas
	(c) Superstores (over 1000 m ² GFA)	A1	Staff 1 space/ 200 m ² GFA Customers 1 space/ 750 m ² GFA	1 service vehicle space/750m ² GFA	1 space/14m ² GFA	1 space per 18 m ² GFA	1 space per 20 m ² GFA
	(d) DIY Stores/Retail Warehousing	A1	Staff 1 space/ 200 m ² GFA Customers 1 space/ 750 m ² GFA	1 service vehicle space/500m ² GFA	1 space/20 m ² GFA	1 space/25 m ² GFA	1 space/30 m ² GFA
	(e) Garden Centres	A1	Staff 1 space/ 200 m ² GFA Customers 1 space/ 750 m ² GFA	1 service vehicle space/1000m ² GDA (Gross Display Area)	Staff 1 space/100m ² GDA Customers 1 space/ 25m ² GDA	Staff 1 space/100m ² GDA Customers 1 space/25m ² GDA	Not Applicable
14	Entertainment						
	(a) Cinemas and Theatres excluding multiplexes	D2	1 space/ 50 seats	Space for coaches to pick up and set down as appropriate. Space for deliveries	Staff 1 space/3 staff Patrons 1 space/5 seats	Staff 1 space/4 staff Patrons 1 space/10 seats	Staff 1 space/5 staff Patrons none

	Land Use	Use Class	Cycle Parking (Minimum)	Operational Requirement	Vehicular Parking		
					Non Operational Requirements (Maximum)		
					Rural Areas	Market Towns	Urban Areas
	(b) Dance Hall/Discotheque	D2	1 space/ 50 m2	Space for deliveries Note: these standards may be varied for town centre sites depending on the availability of public car parking	Staff 1 space/3 staff Patrons 1 space/ 10 m ² public floor area	Staff 1 space/4 staff Patrons 1 space/ 20m ² public floor area	Staff 1 space/5 staff Patrons none
15	Sports/Leisure						
	(a) Indoor/Outdoor Stadia inc Rugby League/ Football Stadia / Cricket Grounds	D2	Staff 1 space/10 staff Players & Spectators 1 space/ 10 staff	Coaches for players	Staff 1 space/2 staff Players/ Competitors 1 space/2 players Spectators 1 space/5 seats 1 coach space/ 500 spectators	Staff 1 space/3 staff Players/ Competitors 1 space/2 players Spectators 1 space/15 seats 1 coach space/500 spectators	Staff 1 space/4 staff Players/ Competitors 1 space/2 players Spectators 1 space/15 seats 1 coach space/500 spectators
	(b) Sports/Leisure Centres	D2	Staff 1 space/10 staff Players & Spectators 1 space/ 10 staff		Staff 1 space/2 staff Players 1 space/2 players 1 coach space/ 4 pitches plus suitable spectator provision	Staff 1 space/3 staff Players 1 space/2 players 1 coach space/ 4 pitches plus suitable spectator provision	Staff 1 space/4 staff Players 1 space/4 players 1 coach space/ 4 pitches plus suitable spectator provision

	Land Use	Use Class	Cycle Parking (Minimum)	Operational Requirement	Vehicular Parking		
					Non Operational Requirements (Maximum)		
					Rural Areas	Market Towns	Urban Areas
	(c) Swimming Pool/Skating Rink	D2	Staff 1 space/10 staff Players & Spectators 1 space/ 10 staff		Staff 1 space/2 staff Patrons 1 space/10m ² pool/rink Spectators 1 space/10 seats & 1 coach space	Staff 1 space/3 staff Patrons 1 space/10m ² pool/rink Spectators 1 space/10 seats & 1 coach space	Staff 1 space/4 staff Patrons 1 space/20m ² pool/rink Spectators 1 space/20 seats & 1 coach space
	(d) Golf Courses	D2	Staff 1 space / 10 staff		1 space/2 staff 3 spaces/hole Bar and Restaurant to be assessed separately	N/A	N/A
16	Residential – Special						
	(a) Frail Elderly/Nursing Homes (restricted to elderly 60/65+)	C2	1 space/ 6 staff	Staff 1 space/staff resident 1 space/2 non-resident plus Ambulance/ customised transport	1 space/5 residents	1 space/5 residents	1 space/5 residents

	Land Use	Use Class	Cycle Parking (Minimum)	Operational Requirement	Vehicular Parking		
					Non Operational Requirements (Maximum)		
					Rural Areas	Market Towns	Urban Areas
	(b) Sheltered Accommodation (restricted to elderly 60/65+ and restricted to 1 bedroom units)	C2	1 space/ 10 staff	Staff plus Ambulance/ customised transport	1 space/4 units 1 space/resident	1 space/4 units	1 space/4 units
	(c) Semi-Retirement Accommodation (where individual units are self-contained)	C2		Staff 1 space/2 non-resident Visitors 1 space/unit	1 space/10 units	1 space/10 units	1 space/10 units
	(d) Student Accommodation	C2	1 space/ 5 units	1 space/3 students	Visitors 1 space/10 students	Visitors 1 space/10 students	Visitors 1 space/10 students
	(e) Community Housing for the Handicapped	C2		Staff 1 space/resident member of staff Residents 1 space/4 residents (physically handicapped only) plus Ambulance/customised transport	Staff 1 space/3 non resident members of staff Visitors 1 space/10 units	Staff 1 space/4 non resident members of staff Visitors 1 space/10 units	Staff 1 space/5 non resident members of staff Visitors 1 space/10 units

	Land Use	Use Class	Cycle Parking	Rural Areas	Vehicular Parking		
					Non Operational Requirements (Maximum)		
					Market Towns	Inner Urban Areas	Visitors
17	Residential – Non Special						
	(a) Dwelling 4 or more bedrooms	C3	No specific provision	3 spaces	2 spaces	2 spaces	1 designated casual visitor parking space per 5 dwellings for shared access roads or estate roads with a carriageway width of less than 5.5 metres. These must be contiguous with the highway and must not be conveyed to an individual dwelling.
	(b) Dwelling 3 bedrooms	C3	No specific provision	2 spaces	2 spaces	2 spaces	
	(c) Dwelling 2 bedrooms	C3	No specific provision	2 spaces	1 space	1 space	
	(d) Dwelling 1 bedroom	C3	No specific provision	1 space For estates with more than 50 dwellings an average of 1.5 spaces per dwelling should be provided.	1 space	1 space	
	(e) Houses in multiple occupation/ Bedsitters	C3	1 per unit	1 space/ bedroom	1 space/ bedroom	1 space/ bedroom	

APPENDIX 5 - SCHEDULE 1 AND SCHEDULE 2 PROJECTS

Development Requiring Environmental Assessment in Accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999

**Schedule 1 Development
Descriptions of development**

The carrying out of development to provide any of the following –

1. Crude-oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 tonnes or more of coal or bituminous shale per day.
2. (a) Thermal power stations and other combustion installations with a heat output of 300 megawatts or more; and

(b) *Nuclear power stations and other nuclear reactors (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load).*
3. (a) Installations for the reprocessing of irradiated nuclear fuel.
(b) Installations designed –
 - (i) for the production or enrichment of nuclear fuel,
 - (ii) for the processing of irradiated nuclear fuel or high-level radioactive waste,
 - (iii) for the final disposal of irradiated nuclear fuel,
 - (iv) solely for the final disposal of radioactive waste,
 - (v) solely for the storage (planned for more than 10 years) of irradiated nuclear fuels or radioactive waste in a different site than the production site.
4. (a) Integrated works for the initial smelting of cast-iron and steel;
(b) Installations for the production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes.
5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos -
 - (a) for asbestos-cement products, with an annual production of more than 20,000 tonnes of finished products;
 - (b) for friction material, with an annual production of more than 50 tonnes of finished products; and
 - (c) for other uses of asbestos, utilisation of more than 200 tonnes per year.
6. Integrated chemical installations, that is to say, installations for the manufacture on an industrial scale of substances using chemical conversion processes, in which several units are juxtaposed and are functionally linked to one another and which are –
 - (a) for the production of basic organic chemicals;
 - (b) for the production of basic inorganic chemicals;

- (c) for the production of phosphorous-, nitrogen- or potassium-based fertilisers (simple or compound fertilisers);
 - (d) for the production of basic plant health products and of biocides;
 - (e) for the production of basic pharmaceutical products using a chemical or biological process;
 - (f) for the production of explosives.
- 7.**
- (a) Construction of lines for long-distance railway traffic and of airports with a basic runway length of 2,100 metres or more;
 - (b) Construction of motorways and express roads;
 - (c) Construction of a new road of four or more lanes, or realignment and/or widening of an existing road of two lanes or less so as to provide four or more lanes, where such new road, or realigned and/or widened section of road would be 10 kilometres or more in a continuous length.
- 8.**
- (a) Inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1,350 tonnes;
 - (b) Trading ports, piers for loading and unloading connected to land and outside ports (excluding ferry piers) which can take vessels of over 1,350 tonnes.
- 9.** Waste disposal installations for the incineration, chemical treatment (as defined in Annex IIA to Council Directive 75/442/EEC under heading D9), or landfill of hazardous waste (that is to say, waste to which Council Directive 91/689/EEC applies).
- 10.** Waste disposal installations for the incineration or chemical treatment (as defined in Annex IIA to Council Directive 75/442/EEC under heading D9) of non-hazardous waste with a capacity exceeding 100 tonnes per day.
- 11.** Groundwater abstraction or artificial groundwater recharge schemes where the annual volume of water abstracted or recharged is equivalent to or exceeds 10 million cubic metres.
- 12.**
- (a) Works for the transfer of water resources, other than piped drinking water, between river basins where the transfer aims at preventing possible shortages of water and where the amount of water transferred exceeds 100 million cubic metres per year;
 - (b) In all other cases, works for the transfer of water resources, other than piped drinking water, between river basins where the multi-annual average flow of the basin of abstraction exceeds 2,000 million cubic metres per year and where the amount of water transferred exceeds 5% of this flow.
- 13.** Waste water treatment plants with a capacity exceeding 150,000 population equivalent as defined in Article 2 point (6) of Council Directive 91/271/EEC.
- 14.** Extraction of petroleum and natural gas for commercial purposes where the amount extracted exceeds 500 tonnes per day in the case of petroleum and 500,000 cubic metres per day in the case of gas.

15. Dams and other installations designed for the holding back or permanent storage of water, where a new or additional amount of water held back or stored exceeds 10 million cubic metres.
16. Pipelines for the transport of gas, oil or chemicals with a diameter of more than 800 millimetres and a length of more than 40 kilometres.
17. Installations for the intensive rearing of poultry or pigs with more than –
 - (a) 85,000 places for broilers or 60,000 places for hens;
 - (b) 3,000 places for production pigs (over 30 kg); or
 - (c) 900 places for sows.
18. Industrial plants for –
 - (a) the production of pulp from timber or similar fibrous materials;
 - (b) the production of paper and board with a production capacity exceeding 200 tonnes per day.
19. Quarries and open-cast mining where the surface of the site exceeds 25 hectares, or peat extraction where the surface of the site exceeds 150 hectares.
20. Installations for storage of petroleum, petrochemical or chemical products with a capacity of 200,000 tonnes or more.

Schedule 2 Development

1. In the table below -
 "area of the works" includes any area occupied by apparatus, equipment, machinery, materials, plant, spoil heaps or other facilities or stores required for construction or installation;
 "controlled waters" has the same meaning as in the Water Resources Act 1991;
 "floorspace" means the floorspace in a building or buildings.
2. The table below sets out the descriptions of development and applicable thresholds and criteria for the purpose of classifying development as Schedule 2 development.

TABLE

<i>Column 1</i>	<i>Column 2</i>
<i>Description of development</i>	<i>Applicable thresholds and criteria</i>
The carrying out of development to provide any of the following -	
1. Agriculture and aquaculture	
(a) Projects for the use of uncultivated land or semi-natural areas for intensive agricultural purposes;	The area of the development exceeds 0.5 hectare.
(b) Water management projects for agriculture, including irrigation and land drainage projects;	The area of the works exceeds 1 hectare.
(c) Intensive livestock installations (unless included in Schedule 1);	The area of new floorspace exceeds 500 square metres.
(d) Intensive fish farming;	The installation resulting from the development is designed to produce more than 10 tonnes of dead weight fish per year.
(e) Reclamation of land from the sea.	All development.
2. Extractive industry	
(a) Quarries, open-cast mining and peat extraction (unless included in Schedule 1);	All development except the construction of buildings or other ancillary structures where the new floorspace does not exceed 1,000 square metres.
(b) Underground mining;	
(c) Extraction of minerals by fluvial dredging;	All development.
(d) Deep drillings, in particular - (i) geothermal drilling; (ii) drilling for the storage of nuclear waste material; (iii) drilling for water supplies; with the exception of drillings for investigating the stability of the soil.	(i) In relation to any type of drilling, the area of the works exceeds 1 hectare; or (ii) in relation to geothermal drilling and drilling for the storage of nuclear waste material, the drilling is within 100 metres of any controlled waters.
(e) Surface industrial installations for the extraction of coal, petroleum, natural gas and ores, as well as bituminous shale.	The area of the development exceeds 0.5 hectare.
3. Energy industry	
(a) Industrial installations for the production of electricity, steam and hot water (unless included in Schedule 1);	The area of the development exceeds 0.5 hectare.
(b) Industrial installations for carrying gas, steam and hot water;	The area of the works exceeds 1 hectare.

<i>Column 1</i>	<i>Column 2</i>
<i>Description of development</i>	<i>Applicable thresholds and criteria</i>
(c) Surface storage of natural gas; (d) Underground storage of combustible gases; (e) Surface storage of fossil fuels;	(i) The area of any new building, deposit or structure exceeds 500 square metres; or (ii) a new building, deposit or structure is to be sited within 100 metres of any controlled waters.
(f) Industrial briquetting of coal and lignite;	The area of new floorspace exceeds 1,000 square metres.
(g) Installations for the processing and storage of radioactive waste (unless included in Schedule 1);	(i) The area of new floorspace exceeds 1,000 square metres; or (ii) the installation resulting from the development will require an authorisation or the variation of an authorisation under the Radioactive Substances Act 1993.
(h) Installations for hydroelectric energy production;	The installation is designed to produce more than 0.5 megawatts.
(i) Installations for the harnessing of wind power for energy production (wind farms).	(i) The development involves the installation of more than 2 turbines; or (ii) the hub height of any turbine or height of any other structure exceeds 15 metres.
<p>4. Production and processing of metals</p> <p>(a) Installations for the production of pig iron or steel (primary or secondary fusion) including continuous casting; (b) Installations for the processing of ferrous metals - (i) hot-rolling mills; (ii) smitheries with hammers; (iii) application of protective fused metal coats. (c) Ferrous metal foundries; (d) Installations for the smelting, including the alloyage, of non-ferrous metals, excluding precious metals, including recovered products (refining, foundry casting, etc.); (e) Installations for surface treatment of metals and plastic materials using an electrolytic or chemical process; (f) Manufacture and assembly of motor vehicles and manufacture of motor-vehicle engines; (g) Shipyards; (h) Installations for the construction and repair of aircraft; (i) Manufacture of railway equipment; (j) Swaging by explosives; (k) Installations for the roasting and sintering of metallic ores.</p>	The area of new floorspace exceeds 1,000 square metres.
<p>5. Mineral industry</p> <p>(a) Coke ovens (dry coal distillation); (b) Installations for the manufacture of cement; (c) Installations for the production of asbestos and the manufacture of asbestos-based products (unless included in Schedule 1); (d) Installations for the manufacture of glass including glass fibre; (e) Installations for smelting mineral substances including the production of mineral fibres; (f) Manufacture of ceramic products by burning, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain.</p>	The area of new floorspace exceeds 1,000 square metres.
<p>6. Chemical industry (unless included in Schedule 1)</p> <p>(a) Treatment of intermediate products and production of chemicals;</p>	The area of new floorspace exceeds 1,000 square metres.

<i>Column 1</i>	<i>Column 2</i>
<i>Description of development</i>	<i>Applicable thresholds and criteria</i>
(b) Production of pesticides and pharmaceutical products, paint and varnishes, elastomers and peroxides;	
(c) Storage facilities for petroleum, petrochemical and chemical products.	(i) The area of any new building or structure exceeds 0.05 hectare; or (ii) more than 200 tonnes of petroleum, petrochemical or chemical products is to be stored at any one time.
7. Food industry (a) Manufacture of vegetable and animal oils and fats; (b) Packing and canning of animal and vegetable products; (c) Manufacture of dairy products; (d) Brewing and malting; (e) Confectionery and syrup manufacture; (f) Installations for the slaughter of animals; (g) Industrial starch manufacturing installations; (h) Fish-meal and fish-oil factories; (i) Sugar factories.	The area of new floorspace exceeds 1,000 square metres.
8. Textile, leather, wood and paper industries (a) Industrial plants for the production of paper and board (unless included in Schedule 1); (b) Plants for the pre-treatment (operations such as washing, bleaching, mercerisation) or dyeing of fibres or textiles; (c) Plants for the tanning of hides and skins; (d) Cellulose-processing and production installations.	The area of new floorspace exceeds 1,000 square metres.
9. Rubber industry Manufacture and treatment of elastomer-based products.	The area of new floorspace exceeds 1,000 square metres.
10. Infrastructure projects (a) Industrial estate development projects; (b) Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas; (c) Construction of intermodal transshipment facilities and of intermodal terminals (unless included in Schedule 1);	The area of the development exceeds 0.5 hectare.
(d) Construction of railways (unless included in Schedule 1);	The area of the works exceeds 1 hectare.
(e) Construction of airfields (unless included in Schedule 1);	(i) The development involves an extension to a runway; or (ii) the area of the works exceeds 1 hectare.
(f) Construction of roads (unless included in Schedule 1);	The area of the works exceeds 1 hectare.
(g) Construction of harbours and port installations including fishing harbours (unless included in Schedule 1);	The area of the works exceeds 1 hectare.
(h) Inland-waterway construction not included in Schedule 1, canalisation and flood-relief works; (i) Dams and other installations designed to hold water or store it on a long-term basis (unless included in Schedule 1); (j) Tramways, elevated and underground railways, suspended lines or similar lines of a particular type, used exclusively or mainly for passenger transport;	The area of the works exceeds 1 hectare.
(k) Oil and gas pipeline installations (unless included in Schedule 1); (l) Installations of long-distance aqueducts;	(i) The area of the works exceeds 1 hectare; or, (ii) in the case of a gas pipeline, the installation has a design operating pressure exceeding 7 bar gauge.

<i>Column 1</i>	<i>Column 2</i>
<i>Description of development</i>	<i>Applicable thresholds and criteria</i>
(m) Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works;	All development.
(n) Groundwater abstraction and artificial groundwater recharge schemes not included in Schedule 1; (o) Works for the transfer of water resources between river basins not included in Schedule 1;	The area of the works exceeds 1 hectare.
(p) Motorway service areas.	The area of the development exceeds 0.5 hectare.
11. Other projects (a) Permanent racing and test tracks for motorised vehicles;	The area of the development exceeds 1 hectare.
(b) Installations for the disposal of waste (unless included in Schedule 1);	(i) The disposal is by incineration; or (ii) the area of the development exceeds 0.5 hectare; or (iii) the installation is to be sited within 100 metres of any controlled waters.
(c) Waste-water treatment plants (unless included in Schedule 1);	The area of the development exceeds 1,000 square metres.
(d) Sludge-deposition sites; (e) Storage of scrap iron, including scrap vehicles;	(i) The area of deposit or storage exceeds 0.5 hectare; or (ii) a deposit is to be made or scrap stored within 100 metres of any controlled waters.
(f) Test benches for engines, turbines or reactors; (g) Installations for the manufacture of artificial mineral fibres; (h) Installations for the recovery or destruction of explosive substances; (i) Knackers' yards.	The area of new floorspace exceeds 1,000 square metres.
12. Tourism and leisure (a) Ski-runs, ski-lifts and cable-cars and associated developments;	(i) The area of the works exceeds 1 hectare; or (ii) the height of any building or other structure exceeds 15 metres.
(b) Marinas;	The area of the enclosed water surface exceeds 1,000 square metres.
(c) Holiday villages and hotel complexes outside urban areas and associated developments; (d) Theme parks;	The area of the development exceeds 0.5 hectare.
(e) Permanent camp sites and caravan sites;	The area of the development exceeds 1 hectare.
(f) Golf courses and associated developments.	The area of the development exceeds 1 hectare.
13. (a) Any change to or extension of development of a description listed in Schedule 1 or in paragraphs 1 to 12 of Column 1 of this table, where that development is already authorised, executed or in the process of being executed, and the change or extension may have significant adverse effects on the environment;	(i) In relation to development of a description mentioned in Column 1 of this table, the thresholds and criteria in the corresponding part of Column 2 of this table applied to the change or extension (and not to the development as changed or extended). (ii) In relation to development of a description mentioned in a paragraph in Schedule 1 indicated below, the thresholds and criteria in Column 2 of the

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Description of development	Applicable thresholds and criteria																																																
	<p>paragraph of this table indicated below applied to the change or extension (and not to the development as changed or extended):</p> <table border="0"> <thead> <tr> <th data-bbox="858 450 1018 510"><i>Paragraph in Schedule 1</i></th> <th data-bbox="1082 450 1353 479"><i>Paragraph of this table</i></th> </tr> </thead> <tbody> <tr><td>1</td><td>6(a)</td></tr> <tr><td>2(a)</td><td>3(a)</td></tr> <tr><td>2(b)</td><td>3(g)</td></tr> <tr><td>3</td><td>3(g)</td></tr> <tr><td>4</td><td>4</td></tr> <tr><td>5</td><td>5</td></tr> <tr><td>6</td><td>6(a)</td></tr> <tr><td>7(a)</td><td>10(d) (in relation to railways) or 10(e) (in relation to airports)</td></tr> <tr><td>7(b) and (c)</td><td>10(f)</td></tr> <tr><td>8(a)</td><td>10(h)</td></tr> <tr><td>8(b)</td><td>10(g)</td></tr> <tr><td>9</td><td>11(b)</td></tr> <tr><td>10</td><td>11(b)</td></tr> <tr><td>11</td><td>10(n)</td></tr> <tr><td>12</td><td>10(o)</td></tr> <tr><td>13</td><td>11(c)</td></tr> <tr><td>14</td><td>2(e)</td></tr> <tr><td>15</td><td>10(i)</td></tr> <tr><td>16</td><td>10(k)</td></tr> <tr><td>17</td><td>1(c)</td></tr> <tr><td>18</td><td>8(a)</td></tr> <tr><td>19</td><td>2(a)</td></tr> <tr><td>20</td><td>6(c).</td></tr> </tbody> </table>	<i>Paragraph in Schedule 1</i>	<i>Paragraph of this table</i>	1	6(a)	2(a)	3(a)	2(b)	3(g)	3	3(g)	4	4	5	5	6	6(a)	7(a)	10(d) (in relation to railways) or 10(e) (in relation to airports)	7(b) and (c)	10(f)	8(a)	10(h)	8(b)	10(g)	9	11(b)	10	11(b)	11	10(n)	12	10(o)	13	11(c)	14	2(e)	15	10(i)	16	10(k)	17	1(c)	18	8(a)	19	2(a)	20	6(c).
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(b) Development of a description mentioned in Schedule 1 undertaken exclusively or mainly for the development and testing of new methods or products and not used for more than two years.	All development.																																																

APPENDIX 6 - SITES OF SPECIAL SCIENTIFIC INTEREST

Sites of Special Scientific Interest

Site Name	Area (Ha)	Grid Ref	Inset No (if applicable)
<i>Bolton Percy</i> Bolton Percy Ings	7.1	SE 534401	-
<i>Cliffe and South Duffield</i> Brighton Meadows	2.7	SE 701324	-
<i>Fairburn</i> Fairburn and Newton Ings	93.8	SE 465275	29
<i>Kirk Smeaton</i> Brockadale (part in Little Smeaton and Stapleton Parish)	58.3	SE 503174	-
<i>Kirkby Wharfe</i> Kirkby Wharfe (part in Ulleskelf Parish)	21.7	SE 510400	-
<i>Selby</i> Burr Close	1.3	SE 596340	-
<i>Sherburn in Elmet</i> Sherburn Willows	5.3	SE 487325	54
<i>Skipwith</i> Skipwith Common (part in Riccall Parish)	293.0	SE 655373	55
<i>Stutton</i> Stutton Ings	5.1	SE 485405	-
<i>Tadcaster</i> Tadcaster Mere	8.7	SE 500430	-
<i>Walden Stubbs</i> Forlorn Hope Meadow	1.6	SE 543171	-
Derwent Ings (various Parishes, part in City of York)	395.0	SE 703466 - SE 703347	-
River Derwent (various Parishes, part in City of York)		SE 678287 - SE 825757	-

APPENDIX 7 - SITES OF IMPORTANCE FOR NATURE CONSERVATION

Sites of Importance for Nature Conservation

Site Name	Area (Ha)	Target Note Grade	Grid Ref	Inset Map No (if applicable)
<i>Appleton Roebuck</i> Nun Appleton Ings & Sicklebit Wood (part in Acaster Selby & Ryther Parishes) Brocket Wood	50.18 2.50	4/5 3	SE 550395 SE 568443	51 -
<i>Balne</i> Barn Fall Wood Parkshaw Wood River Went Floodbank	6.96 8.52 0.35	4/5 4/5 4/5	SE 578180 SE 584184 SE 619175	- - -
<i>Barkston Ash</i> Copley Lane Quarry	2.11	4/5	SE 483350	-
<i>Barlby & Osgodby</i> Ponds between Barlby and River Ouse	2.27	3	SE 629347	3
<i>Barlow</i> Barlow Common Meadow East of Orchard Farm Roadside Verge	4.52 0.98 0.66	4/5 3 3	SE 633287 SE 649286 SE 641298	- 5 -
<i>Bilbrough</i> Catterton Marsh Bilbrough Whin	2.63 4.00	4/5 3	SE 512469 SE 519454	- -
<i>Birkin</i> Willow Scrub - Birkin Holme Bywater Wood Near Burton Common Farm	4.5 2.8	3 3	SE 547266 SE 507277	- -
<i>Bolton Percy</i> Great Marsh Meadow (E) Meadow (W) Station Yard	3.0 1.0 0.8 0.5	3 3 3 3	SE 531412 SE 537424 SE 536413 SE 528417	10 - - -
<i>Brayton</i> Oakney Woods and Pond	2.5	3	SE 613305	11
<i>Brotherton</i> Frog Hall Quarry Bank of River Aire along Brotherton and Fairburn Ings	5.0 4.0	4/5 3	SE 486281 SE 473260	- -
<i>Burn</i> Selby Canal Banks and towpath Field Near Primrose Hill, Cat Babbleton Woodland on Barlow Pasture, Botany Bay Farm	4.0 1.50 5.00	3 3 3	SE 598296 SE 621293 SE 619291	- - -
<i>Burton Salmon</i> Byram Park	7.27	4/5	SE 493278	14
<i>Byram</i> Byram Park (Part in Brotherton)	13.39	4/5	SE 486278	12
<i>Camblesforth</i> Cobble Croft Wood Sand Pit Wood and Barffs Close	7.97 6.75	4/5 3	SE 638268 SE 633287	- -

Site Name	Area (Ha)	Target Note Grade	Grid Ref	Inset Map No (if applicable)
Plantation Common Plantation	8.00	3	SE 638275	-
<i>Carlton</i> West Marsh	7.50	4/5	SE 627233	-
Meadows Near River Aire	4.50	4/5	SE 641282	-
Carlton Park Pond	5.00	4/5	SE 650233	16
Joyland Whin, Near Quosquo Hall	4.50	3	SE 627261	-
<i>Catterton</i> Catterton Wood	1.05	4/5	SE 503448	-
<i>Cawood</i> Castle Garth	4.75	3	SE 574386	17
<i>Church Fenton</i> Pasture off Nanny Lane	1.00	3	SE 521369	19
<i>Cliffe and South Duffield</i> Cliffe Wood	3.14	3	SE 664358	-
Haymoors Wood	1.04	3	SE 685321	-
<i>Colton</i> Hagg Wood	7.86	4/5	SE 550459	-
Grassland Near Colton Bridge	1.58	4/5	SE 546449	-
<i>Cridling Stubbs</i> Womersley and Cridling Stubbs Quarry	9.82	4/5	SE 522213	-
<i>Drax</i> Brockholes	7.35	4/5	SE 675265	-
<i>Escrick</i> Hollicarrs Wood	107.76	4/5	SE 634406	-
Gashouse Plantation	5.00	3	SE 634437	28
Ponds in Grounds of Queen Margaret's School	0.25	3	SE 629425	28
Common Wood	29.90	3	SE 645402	-
<i>Gateforth</i> Selby Canal and Towpath	11.90	3	SE 575282 SE 597295	- -
Staker Wood	2.75	3	SE 557293	30
<i>Great Heck</i> Balne Moor Ponds	2.50	4/5	SE 581198	-
Disused Railway Line	2.50	3	SE 580199 SE 587209	- -
Sand Quarry	5.56 1.16	3	SE 598298 SE 595952	- -
<i>Grimston</i> Seavy Carr Wood	6.59	4/5	SE 480411	59
Dalton Wood	13.90	4/5	SE 485410	-
Area around Cock Beck, Mill Lane	12.00	4/5	SE 476402	-
Grassland by Cock Beck	0.73	3	SE 479410	-
Lower Wood, Upper Wood	6.82	4/5	SE 486414	-
<i>Hambleton</i> Swamp on Selby Dam Near Low Rest Park Farm	1.50	3	SE 548322	-
<i>Healaugh</i>				

Site Name	Area (Ha)	Target Note Grade	Grid Ref	Inset Map No (if applicable)
Shire Oaks	16.28	4/5	SE 482454	-
Catterton Rash (Part in Tadcaster)	16.43	4/5	SE 501451	-
Field Near Healaugh Manor Farm	2.30	3	SE 482468	-
Healaugh Priory Marsh	1.00	3	SE 487466	-
Healaugh Marsh	8.00	3	SE 492470	-
<i>Hemingbrough</i>				
Ponds on west bank of River Derwent Near Woodhall Farm	0.80	4/5	SE 701317	-
Loftsome Ponds, Near Loftsome Bridge	0.80	4/5	SE 703301	-
<i>Hillam</i>				
Field at Betteras Hill Road	0.80	3	SE 487291	-
Pond at Betteras Hill Road	0.69	3	SE 505290	37
Meadow Near Hillam Gates Level Crossing	5.00	3	SE 499289	-
Field at side of Hillam Gates level crossing	3.80	3	SE 501290	-
<i>Huddleston</i>				
Newthorpe Quarry, Meadow and Verge	12.39	4/5	SE 460332	-
Daniel Hartleys Wood	23.26	4/5	SE 457340	-
Huddleston Old Wood	19.40	4/5	SE 465334	-
Disused Quarry, Newthorpe	0.50	3	SE 471332	-
<i>Kexby</i>				
North end of Hagg Wood	6.00	3	SE 687540	-
<i>Lead</i>				
Bullen Wood	17.00	3	SE 457382	-
Crow Hill - Lead Hall Farm	0.90	3	SE 459370	-
<i>Long Drax</i>				
Disused railway embankment	2.50	3	SE 677275 SE 684290	- -
<i>Monk Fryston</i>				
Monk Fryston Churchyard	0.20	3	SE 505297	44
Pond north of A63	1.50	3	SE 511296	44
Meadow Nr Hillam Gates level crossing (part of larger site in Hillam parish)	0.3	3	SE514296	
<i>Newland</i>				
Newland Ings	12.61	4/5	SE 685237	-
Meadow, south of Drax	2.13	4/5	SE 679239	-
<i>North Duffield</i>				
Field at A163 and River Derwent	3.55	4/5	SE 704365	-
Pond Near disused railway line	0.10	4/5	SE 700352	-
Disused railway line NE of Skipwith (part in Thorganby Parish)	2.30	3	SE 673388	-
<i>Riccall</i>				
Small Lakes, Riccall Ings	0.80 0.80	3 3	SE 615362 SE 617360	-
<i>Ryther</i>				
Paradise Wood	4.00	4/5	SE 540372	-
Haymeadow at Ryther Ings	2.80	4/5	SE 562389	-
Haymeadow at Wharfe at Ozendyke	6.96	3	SE 534398	-

Site Name	Area (Ha)	Target Note Grade	Grid Ref	Inset Map No (if applicable)
<i>Saxton</i>				
Towton Dale Fields	7.44	4/5	SE 474385	-
Patefield Wood	24.70	4/5	SE 497382	-
Carr Wood	13.54	4/5	SE 491376	-
Roadside verge Near Lotherton Park Farm	0.40	3	SE 432366	-
			SE 456367	-
The Rein, south of Cock Beck	3.50	3	SE 370450	-
Castle Hill Wood	3.54	4/5	SE 467380	-
South of Cock Beck	2.50	3	SE 448378	-
<i>Selby</i>				
Staynor Wood	12.89	4/5	SE 627308	53
Sturges Ponds (Part in Brayton)	4.00	4/5	SE 616309	53
Ross Carr Ponds	0.80	3	SE 637313	53
Barber Rein	2.50	3	SE 588325	-
Fields Near Barlow Grange Farm	10.00	4/5	SE 629312	53
<i>Sherburn in Elmet</i>				
Bank on Staith Lane	0.20	4/5	SE 481336	-
Ringhay Wood	16.00	3	SE 455348	-
Pasture Opposite Gypsum Works	0.30	4/5	SE 508348	54
<i>Skipwith</i>				
Nightingale Wood	6.70	3	SE 651395	-
Thorganby Common Wood	20.50		SE 666402	-
<i>South Milford and Lumby</i>				
Wood on Whin Lane Near Steeton Hall	1.00	3	SE 478314	-
<i>Stapleton</i>				
Wake Wood	10.30	4/5	SE 504204	-
Woodland adjacent to Old Quarry Near Northfield	1.00	4/5	SE 514206	-
Bridleway - Cridling Stubbs crossing	4.50	4/5	SE 512209	-
Rows Wood (Part in Womersley)	4.19	4/5	SE 514200	-
<i>Stillingfleet</i>				
Moreby Wood and Moreby Far Wood	32.00	3	SE 610425	-
<i>Stutton</i>				
Hazelwood	66.60	4/5	SE 440395	-
Hayton Wood	49.74	4/5	SE 445385	-
Crag Wood	1.02	4/5	SE 464413	-
Stutton railway track	2.09	4/5	SE 483405	-
Wood Near Wingate Hill Farm	3.00	3	SE 472411	-
<i>Tadcaster</i>				
Lords Quarry	4.97	4/5	SE 464424	-
Smaws Wood	2.64	4/5	SE 470436	-
Castle Hill	2.80	3	SE 484437	60
Brickyard Pond	2.80	3	SE 487442	60
Willow Carr, Cock Bridge	12.36	4/5	SE 486423	60
<i>Thorganby</i>				
Scruton Wood	4.00	3	SE 684402	-
<i>Towton</i>				
Towton Spring	16.16	4/5	SE 491388	-
Renshaw Wood	1.59	4/5	SE 475386	-
<i>Ulleskelf</i>				
Ulleskelf Mires	0.97	4/5	SE 517387	-

Site Name	Area (Ha)	Target Note Grade	Grid Ref	Inset Map No (if applicable)
Haighs Grass	4.25	4/5	SE 513391	-
<i>Walden Stubbs</i> Fox Covert	4.5	3	SE 573171	-
<i>Whitley</i> Ditch west of Balne Moor Ponds	0.63	3	SE 579197	-
<i>Wistow</i> Bishopwood (Part in Selby and Cawood parishes)	373.25	4/5	SE 555335	-
<i>Womersley</i> Brown Ings Wood	12.89	4/5	SE 554184	-
Birdspring Wood	10.71	4/5	SE 549179	-
Ox Stocking Wood	3.31	4/5	SE 556183	-
Saulcroft Wood	32.06	4/5	SE 560192	-
Busky Wood	2.25	4/5	SE 553185	-
Broad oak Spring	8.88	4/5	SE 550192	-
Clipsall Wood	8.98	4/5	SE 544188	-
Steel Spring	1.49	4/5	SE 538193	-
Grant Spring	4.37	4/5	SE 533208	-
Womersley Park Oak Plantation	4.00	3	SE 526183	68
Belt Plantation along Churchfield Lane	2.00	3	SE 534182	-
Kingsland Wood (Part in Stapleton Parish)	3.09	4/5	SE 518192	-
Northfield Quarry	27.76	3	SE 521202	-

APPENDIX 8 - HISTORIC PARKS AND GARDENS

Historic Parks and Gardens

(Nationally and Locally Important Sites)

		Inset Map No	Grid Ref:
1	Byram Hall	-	SE 500263
2	Carlton Towers	16	SE 650235
3	Grimston Hall	-	SE 500413
4	Hazlewood Castle	-	SE 450400
5	Monk Fryston Hall	44	SE 505302
6	Moreby Hall*	-	SE 595430
7	Newton Kyme Hall	46	SE 465450
8	Nun Appleton Hall*	-	SE 510405
9	Queen Margaret's School, Escrick	28	SE 630422
10	Scarthingwell Park	2	SE 491368

* Site included in the national register produced by English Heritage

APPENDIX 9 - EXTRACT FROM THE COUNTY LIST OF SCHEDULED MONUMENTS

Extract from the County list of Scheduled Monuments

Parish	Monument No	Title	Grid Ref
ACASTER SELBY	30110	St Andrew's College and moat, 440 m north east of College Farm	SE57844181
APPLETON ROEBUCK	20521	Mote Hill: a moated site, two fishponds and part of an adjacent field system 500 m west of Nun Appleton Hall	SE55063983
	20522	Brocket Hall moated site	SE55654210
BALNE	30107	Parkshaw moated site, 170 m north west of Wood Farm	SE58341823
BARLOW	30130	Medieval settlement and early post-medieval garden earthworks around Barlow Hall	SE64312902
	30130		SE64562891
BOLTON PERCY	90	Tithe Barn	SE531412
CATTERTON	30109	Catterton Hall moated site and adjacent building platform	SE51054546
CAWOOD	20539	Cawood Castle and Castle Garth: residence of the medieval Archbishops of York and associated enclosure containing gardens, five fishponds and a quarry pit	SE57383757
	20540	Kensbury moated site, fishpond and fragment of a medieval field system	SE57553737
CHURCH FENTON	35489	World War II airfield defences at RAF Church Fenton	SE52323718
	35489		SE52463716
	35489		SE52673718
	35489		SE52943726
	35489		SE53113734
DRAX	30108	Castle Hill moated site, 350 m south of St Peter and St Paul's Church	SE67602602
	30117	Scurff Hall moated site	SE68762636
HUDDLESTON WITH NEWTHORPE	31531	Prehistoric settlement, field system and medieval wood banks 600 m east of Newton Farm	SE45243216
KELFIELD	30112	Kelfield moated site and fishpond, 180 m north of Kelfield Church	SE59513853
KELLINGTON	30128	Roman fort 600 m west of Roall Hall	SE56442520
KIRKBY WHARFE WITH NORTH MILFORD	1148	Roman villa	SE505409
LEAD	32815	Medieval manorial complex, garden and water management features, St Mary's chapel, and a linear earthwork forming part of the Aberford Dyke system	SE46283680
LITTLE SMEATON	1208	Multivallate enclosure 550 yards (500 m) west of Norton Mills	SE535158
LONG DRAX	32628	Drax Augustinian priory	SE66772847
	32628		SE66912835
NEWLAND	30117	Scurff Hall moated site	SE68762636

Parish	Monument No	Title	Grid Ref
NEWTON KYME CUM TOULSTON	26907	Two Roman forts, two Roman camps, vicus, Iron Age enclosure, Bronze Age barrows and Neolithic henge monument west of Newton Kyme	SE45574510
	26951	Fortified manor house known as Kyme Castle	SE46604493
	30122	Toulston medieval village, manor house site and early garden earthworks	SE45314411
RICCALL	30121	York prebendary manor moated site, 300 m north west of Hawthorn Farm	SE61583807
	30179	Danes Hills square barrow cemetery, 300 m south of Adamson Farm	SE64383771
RYTHER CUM OSSENDYKE	20517	Paradise Lodge moated site and grange of the Prior of Bolton	SE54133913
	35489	World War II airfield defences at RAF Church Fenton	SE53433770
SAXTON WITH SCARTHINGWELL	20518	Saxton Castle: a motte and bailey castle with a later medieval manor house and field system including a trackway and fishpond	SE47703669
	25665	Lord Dacre's Cross or Towton Cross on the west side of the B1217, 1 km south west of Towton	SE47803862
	31520	Linear earthworks known as Woodhouse Moor Rein and South Dyke, part of the Aberford Dyke system	SE44413722
	32815	Medieval manorial complex, garden and water management features, St Mary's chapel, and a linear earthwork forming part of the Aberford Dyke system	SE46283680
SELBY	387	The Abbot's Staithes	SE616326
	30113	Thorpe Hall moated monastic grange	SE57813165
SHERBURN IN ELMET	30118	Site of 'King Athelstan's Palace', immediately north of the church	SE48853361
SKIPWITH	28250	Moated site and fishpond 140 m south of St Helen's Church	SE65713836
	30176	Danes Hills square barrow cemetery on Crook Moor	SE66593991
	30177	Round barrow on Skipwith Common, 810 m south of Skipwith Church	SE65543770
	30178	Round barrow on Skipwith Common, 690 m north west of Horseshoe Pond	SE65543749
	30179	Danes Hills square barrow cemetery, 300 m south of Adamson Farm	SE64383771
	30179		SE64783775
	30179		SE64873766
	30180	Round barrow on Skipwith Common, 800 m south east of Adamson Farm	SE65283766
	30181	Round barrow on Skipwith Common, 830 m south east of Adamson Farm	SE65293763
SOUTH MILFORD	28240	Steeton Hall medieval magnate's	SE48363142

Parish	Monument No	Title	Grid Ref
		residence and manorial centre	
STEETON	30123	Steeton medieval village, moated site and fishponds	SE53344407
STUTTON WITH HAZLEWOOD	621	Roman road near Hazlewood Castle	SE439403- SE435394
	31519	Linear earthwork, part of the Aberford Dyke system, extending 700 m east from Humphrey Dale Cottage	SE43843795- SE44573823
TADCASTER	26941	Tadcaster motte and bailey castle	SE48504354
ULLESKELF	35489	World War II airfield defences at RAF Church Fenton	SE52523830
	35489		SE52893864
	35489		SE53433770
WALDEN STUBBS	30132	Medieval standing cross on Tanpit Lane, 150 m west of Wentbank House	SE54751633
WHITLEY	30111	Whitley Thorpe moated Templar grange site, 600 m north west of Fulham House	SE55502051
WISTOW	34844	World War II bombing decoy control building 270 m south of Scalm Park Cottages	SE56453254
WOMERSLEY	30131	Womersley medieval settlement remains and Victorian ice house in Icehouse Park	SE52811908

APPENDIX 10 - 1999 ASSESSMENT OF AFFORDABLE HOUSING NEED

1999 Assessment of Affordable Housing Need

1. Introduction

- 1.1 David Couttie Associates, on behalf of the District Council carried out an updated survey of housing need in January 1999 (HNS99). The results of the survey have been used to assess both the overall District requirement and individual Policy H4 site targets.
- 1.2 This appendix explains in more detail the source of the figures used in the calculation of the affordable housing requirement contained in the Table at Paragraph 5.48 of this Plan.

2. District Affordable Housing Need

- 2.1 The Table at Paragraph 5.48 indicates the calculation of need based on the up-to-date figures (from the 1999 Survey and as recommended by the Local Plan Inquiry Inspector). The Table considers the affordable housing need requirement for the remaining Plan period i.e. 1999-2006.

Concealed Need (1999-2004)

- 2.2 The 1999 update has identified 1270 in this category (excluding those intending to leave the District).
- 2.3 The figures are discounted to exclude: those on the Council's waiting list; double counting from 'joining' households (which is particularly high in Selby District compared to other studies undertaken by DCA); and those with adequate income to access the open market (i.e. in the range £15,000-£20,000 depending on location). In some of the sub-areas this still may not be possible due to high local house prices and the unavailability of property types which are needed (e.g. flats and terraces). For more details on income/house price analysis see 1999 Housing Needs Survey, Sections 4.2-4.5.

Additional Need

- 2.4 Need attributable to other sources is assessed conservatively. This reflects the current Council waiting list system that ensures that clients who have been on the waiting list for a period of time are asked regularly if they still require council accommodation. This ensures that the list is a fair reflection of the actual need at any one time. The homeless figure is about 100 per annum.
- 2.5 The demographic growth estimate for the period 2004-2006 is based on County Council household growth forecasts for dwelling change (see Core Document CD102 - 1999 Housing Needs Survey, page 53, section 5.5.2, Table 4). The allowance for two years out of the five year band 2001-2006 is 1100 (2/5 of 2750). Based on the HNS99 data, a conservative estimate of 50% has been allowed for people who are unlikely to be able to afford to purchase on the open market, which yields $1,102 \div 2 = 550$.

Supply

- 2.6 Figures from re-lets assume that the re-lets continue over the next seven years at the same level. This is a very generous figure as it is envisaged that re-lets will decline (having the effect of increasing remaining requirement/need) due to loss of units through 'right to buy'.
- 2.7 It should be noted that the 1999 DCA Survey proposes a figure for Housing Association units to be counted towards the supply of affordable units and therefore discounted from the overall requirement. This element has been omitted from the Council's table as it is considered that this is a 'delivery mechanism' for affordable housing units and it would be expected that these units will form part of the required element of affordable dwellings to be provided through allocations and windfall sites.
3. Sub-Area Profiles and Evaluation of Need
- 3.1 The 1999 Housing Needs Survey was based on seven sub-areas of the District corresponding with housing market/geographical areas, and the three market towns.
- 3.2 A profile of each sub-area is set out in a separate document published by the Council - "Assessment of Affordable Housing Need" (November 2001). This includes dis-aggregated information in relation to identified need and household income, together with data on local market prices and the existing supply of affordable housing (as at 1999).
- 3.3 The Assessment also includes, for each sub-area profile, an evaluation of need. Affordable housing targets on specific sites have been assessed taking the following factors into account: -
- i) The level of needs in any given sub-area and in the case of the market towns the level of need in adjoining areas.
 - ii) Incomes of concealed households derived from the 1999 Study.
 - iii) Availability of existing affordable housing.
 - iv) Local house prices.
 - v) Site suitability, including location factors, access to local transport, employment etc..
 - vi) Economics of provision, including exceptional infrastructure costs and/or special planning requirements.
- 3.4 It should be noted that the individual site targets set out the 1999 Assessment of Affordable Housing Need (published November 2001) have been superseded by proposed modifications to Policy H4 of this Plan in response to recommendations by the Inquiry Inspector in his report of May 2002. In particular the suggested split between subsidised units and low-cost units should be disregarded.