Agenda

Meeting: **Executive**

Members: **Councillors Carl Les OBE (Chair), Gareth Dadd, Derek Bastiman, Michael Harrison, Simon Myers, Janet Sanderson, David Chance, Keane Duncan, Greg White and Annabel Wilkinson.**

Date: **Tuesday, 6th February, 2024**

Time: **11.00 am**

Venue: **Meeting Room 3, County Hall, Northallerton, DL7 8AD**

Members of the public are entitled to attend this meeting as observers for all those items taken in open session. Please contact the Democratic Services Officer whose contact details are below if you would like to find out more.

This meeting is being held as an in-person meeting that is being broadcasted and recorded and will be available to view via www.northyorks.gov.uk/livemeetings. The meeting is also 'hybrid', which enables people to attend the meeting remotely using MS Teams. Please contact the Democratic Services Officer whose contact details are below if you would like to find out more.

Recording is allowed at Council, committee and sub-committee meetings which are open to the public, please give due regard to the Council's protocol on audio/visual recording and photography at public meetings, a copy of which is available to download below. Anyone wishing to record is asked to contact, prior to the start of the meeting, the Democratic Services Officer whose details are at the foot of the first page of the Agenda. We ask that any recording is clearly visible to anyone at the meeting and that it is non-disruptive.

Business

1. Apologies for Absence

2. Minutes of the Meeting held on 23 January 2024 **(Pages 5 - 16)**

3. Declarations of Interest

4. Public Participation

Members of the public may ask questions or make statements at this meeting if they have given notice to Will Baines of Democratic and Scrutiny Services and supplied the text (contact details below) by midday on Thursday 1 February 2024, three working days before the day of the meeting. Each speaker should limit themselves to 3 minutes on any item. Members of the public who have given notice will be invited to speak:

- at this point in the meeting if their questions/statements relate to matters which are not otherwise on the Agenda (subject to an overall time limit of 30 minutes);

- when the relevant Agenda item is being considered if they wish to speak on a matter which is on the Agenda for this meeting.

If you are exercising your right to speak at this meeting, but do not wish to be recorded, please inform the Leader who will instruct anyone who may be taking a recording to cease while you speak.

5. Revenue Budget for 2024/25 and Medium Term Financial Strategy to 2026/27 - Revision following additional Government funding (Pages 17 - 22)

Recommendations:

i) That the Executive revises the recommended Budget for 2024/25 and the MTFS for the period to 2026/27 to reflect the additional government funding as set out in paragraph 3.1.

ii) That the Executive gives delegated authority to the Corporate Director, Resources, in consultation with the Executive Member for Finance, to make consequential changes to the report to Council relating to the Budget for 2024/25 and the MTFS for the period to 2026/27 for Council consideration on 21 February 2024.

6. Selby District Local Plan - Revised Regulation 19 (Publication version) draft plan for public consultation (Pages 23 - 776)

Recommendations:

i) To recommend to Full Council that the Draft Revised Publication Local Plan document at Appendix 1 of this report is approved for consultation in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) regulations 2012 (as amended); and

ii) Delegate to officers the arrangements for the consultation to take place for six weeks between 8 March and 19 April 2024; and

iii) Delegate to the Head of Policy and Place and Assistant Director of Planning in consultation with the Executive Member for Open to Business, any minor amendments required to the documentation for typographical, grammatical and factual or Plain English purposes and any amendments required to address issues raised in the final HRA and SA reports to the documents prior to publishing for consultation.

7. Maltkiln New Settlement - Submission of the New Settlement (Maltkiln) Development Plan Document (Pages 777 - 792)

Attached is the covering report and feedback from the Development Plans Committee and Selby & Ainsty Area Constituency Committee in respect of the Maltkiln New Settlement Plan.

The full report, including the appendices, was considered by the Development Plans Committee on 16th January 2024 and a link to the full report is provided here, rather than replicate that information in duplicate, in its entirety: -

To see the publicly available information, follow the link: Agenda details on public web site

Please contact Will Baines (contact details at the end of the agenda) should you require a printed version of this document.

Recommendations:

To recommend to Full Council:

i) That the Council submit the Submission Draft DPD and accompanying submission documents to the Secretary of State for examination.

ii) That the Corporate Director Community Development in consultation with the

Executive Member for Open to Business, be authorised to make minor amendments and graphical improvements to the Submission Draft DPD and submission documents prior to submission.

iii) That for the period of the examination in public, delegated authority be given to the Head of Infrastructure and Delivery, in consultation with the Executive Member for Open to Business, to:

a. provide formal responses to questions from the Inspector alongside other supporting statements and documentation as requested by the Inspector.

b. agree modifications to the plan through the examination period in order to make the plan sound.

c. To undertake all other necessary steps required as part of the examination

8. Community Infrastructure Levy Spending Protocol and Infrastructure Funding Statement 2022/23 **(Pages 793 - 858)**

Recommendations:

1) To spend CIL monies within the same geographical area (previous local authority boundary) from which they were levied, pre and post 1/4/2023

2) To agree the process for prioritisation of CIL funded infrastructure as set out in paragraphs 3.8 – 3.15 of this report

3) To approve the 2022/23 Annual Infrastructure Statement (Appendix C) and publish it on the Council website

9. North Yorkshire Council Local Development Scheme **(Pages 859 - 886)**

Recommendations:

i. That the Executive approve that the Local Development Scheme (attached at Appendix 1) shall take effect on 7 February 2024 and be published on the Council's website.

ii. That the Corporate Director Community Development in consultation with the Executive Member for Open to Business, be authorised to make minor amendments and graphical improvements to the Local Development Scheme prior to publication on the council's website

10. NYC Pay Policy for Senior Managers **(Pages 887 - 902)**

Recommendation:

That the Executive consider the 2024-2025 Pay Policy and recommend to Full Council, at their meeting on 21 February 2024, the approval of the Pay Policy for publication.

11. Forward Plan **(Pages 903 - 922)**

12. Any Other Items

Any other items which the Leader agrees should be considered as a matter of urgency because of special circumstances

13. Date of Next Meeting - 20 February 2024

Members are reminded that in order to expedite business at the meeting and enable Officers to adapt their presentations to address areas causing difficulty, they are encouraged to contact Officers prior to the meeting with questions on technical issues in reports.

Contact Details:

Enquiries relating to this agenda please contact Will Baines, Principal Democratic Services & Scrutiny Officer
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Website: www.northyorks.gov.uk

Barry Khan
Assistant Chief Executive
(Legal and Democratic Services)
County Hall
Northallerton

Monday, 29 January 2024

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North Yorkshire Council

Executive

Minutes of the meeting held on Tuesday, 23rd January 2024 commencing at 11.00 am.

Councillor Carl Les in the Chair. plus Councillors Gareth Dadd, Derek Bastiman, Simon Myers, Janet Sanderson, David Chance, Greg White and Annabel Wilkinson.

In attendance: Councillors Caroline Dickinson, Paul Haslam, Eric Broadbent, Liz Colling, Bryn Griffiths, George Jabbour, Rich Maw, Andrew Murday and Yvonne Peacock.

Officers present: Karl Battersby, Stuart Carlton, Gary Fielding, Richard Flinton, Barry Khan, Nic Harne, Richard Webb, Melanie Carr, Daniel Harry, Steve Wilson, John Burroughs, Andrew Dixon, Carl Doolan, Amanda Newbold, Andrew Rowe, Louise Wallace, Sherri Williamson and Jane Lurcuck.

Other Attendees: Dr Gill Kelly and Mrs Anne Seex

Apologies: Councillor Keane Duncan

Copies of all documents considered are in the Minute Book

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373 Apologies for Absence

Apologies were received from Councillor Keane Duncan. In addition it was noted that Councillor Michael Harrison was attending the meeting remotely and therefore would not be able to participate in the vote on recommendations.

374 Minutes of the Meeting held on 9 January 2024

Resolved –

That the public Minutes of the meeting held on 9 January 2024, having been printed and circulated, be taken as read and confirmed by the Chairman as a correct record.

375 Declarations of Interest

Councillor Michael Harrison declared a personal non-prejudicial interest in regard to Agenda item 5 - Revenue Budget 2024/25 & Medium Term Financial Strategy (MTFS) Report as an employee of an organisation named in the Treasury Management report. He confirmed the Standards Committee had given a dispensation for this, enabling him to participate in, and vote at the meeting.

Councillor Gareth Dadd declared a personal non-prejudicial interest in regard to Agenda item 6 – Second Homes Council Tax Premium, as the owner of a small number of holiday lets. He confirmed the Standards Committee had given a dispensation for this, enabling him to participate in, and vote at the meeting.

Councillor Greg White also declared a personal non-prejudicial interest in regard to Agenda item 6 – Second Homes Council Tax Premium, as his family owned a second home in Scarborough.

376 Public Participation

A public question was received from Mrs Anne Seex in relation to Agenda item 13 – Allocations Scheme for Social Housing as follows:

"The Council and 3 Registered Social Landlords operate the Choice Based Lettings Partnership, and a number of other Registered Social Landlords are 'encouraged' to make lettings through the scheme.

Section 166 A (1) of the Housing Act 1996 requires that "Every local housing authority in England must have a scheme (their "allocation scheme") for determining priorities, and as to the procedure to be followed, in allocating housing accommodation. For this purpose 'procedure' includes all aspects of the allocation process, including the persons or descriptions of persons by whom decisions are taken."

There are at least 21 points in the Allocations Policy before the Executive today at which it fails to comply with that requirement. I list them below. They include very important decisions such as eligibility to go onto the Housing Register (2.2); whether a homeowner will be allowed onto the housing register (2.4), what 'banding' will be applied to an application (4.3); whether an applicant will be removed from the Register for not bidding; how applicants are ranked in priority order and whether a tie break will apply (5.4).

There appears to be only 4 points at which descriptions of decision makers are given and these are extremely vague e.g. 'senior housing officer', 'allocations staff'. It is not even clear which organisation those staff are in.

Will the Executive ensure that the information required by law is incorporated into the Allocations Policy? Paragraphs 2.2, 2.4, 2.6, 2.7, 2.8, 3.3, 3.6, 3.8.1, 3.9,3.10, 3.13, 3.14, 3.15, 3.18, 5.1, 5.4, 6.3, and Appendices 2 and 4."

Councillor Simon Myers thanked Mrs Seex for her contribution and confirmed her comments had been taken on board and that the Scheme had been amended accordingly. He noted that her particular concern regarding the persons making decisions when applying the policy, had been addressed in line with how other Council's had dealt with it i.e. through the insertion of the following paragraphs:

> 'The terms "Senior Manager" and "Senior Housing Manager" and any other job titles are used in this policy for ease of reference only. The exact titles of the officers within the Council and our partner landlords will vary and may be subject to change from time to time. The Council and our partners will have designated officers responsible for the operation of the North Yorkshire Home Choice Scheme and Allocation Policy and details of these officers are available on request.
>
> Furthermore, and unless it is specifically expressed, any decisions taken in the application of this policy will be made by such members of staff from the Council and our partners and will be subject to review by the applicant.'

Councillor Myers also acknowledged the detailed and helpful comments provided by Mrs Seex through the consultation exercise and confirmed a number of the suggestions for rewording had since been added to a revised version of the policy thereby providing greater clarity on some specific points of the policy for any applicant. He agreed to provide Mrs Seex with a copy of the updated Policy.

As a final comment, Mrs Seex suggested that for applicants the decisions being taken were life changing and therefore they had a right to know who the decision maker was. Councillor Carl Les thanked Mrs Seex for her contribution to the meeting.

377 Revenue Budget 2024/25 and Medium Term Financial Strategy

Considered – The joint report of the Chief Executive and the Corporate Director - Strategic Resources setting out the financial issues and risks for the new North Yorkshire Council and asking the Executive to make recommendations to the County Council regarding the Revenue Budget for 2024/25, the Council Tax for 2024/25 and the Medium Term Financial Strategy (MTFS) for 2025/26 to 2026/27.

County Councillor Gareth Dadd introduced the report and thanked the Corporate Director for Resources and his team for their work on the budget, and for the production of the detailed report and the set of options detailed therein. He acknowledged the financial and operational challenges facing the Council and noted the intention to deliver a sustainable Plan that would deliver the administration's moral case for the advancement of services that would protect and support the most vulnerable. Finally he also confirmed the Government's local government financial settlement had not yet been finalised and released and therefore the report had been produced with that in mind allowing for a £7.5m variance.

Gary Fielding, Corporate Director for Strategic Resources thanked officers for their work on the savings plan and other components of the Budget, and made the following key points:

- Last year the Council approved an in year deficit of £30m in order to buy time and deliver a plan that would start to enjoy the benefits of unitarisation, to get a sustainable budget position.
- The budget under consideration delivered that in the short term but in the longer term that was questionable given the financial pressures across the country and the number of councils facing Section 114 notices.
- There were significant pressures in the system and there was still more work to be done
- There were a number of areas under significant spending pressure e.g. SEND, Adult Social Care, Children's Placements, and the supply change in general.
- There were gross savings proposals of £23.7m in 2024/25 rising to £46.2m by 2026/27
- £36m of savings had been generated through Local Government Reorganisation to date and some harder to deliver savings proposals had been identified for the next 12/24/36 months
- There were two proposed investments – a one-off investment of £5m to aid the delivery of the new Local Plan, and an additional £1m for the Local Assistance Fund in recognition of ongoing cost of living pressures
- A proposed increase in Council Tax in 2024/25 of 4.99% - the second year of Council Tax Harmonisation

He went on to draw specific attention to Equality implications shown at section 7 of the Revenue report and to his Section 25 statement set out a paragraph 8.11 of the Revenue report.

Councillor Carl Les reiterated the thanks to the Director of Resources and the Management Board and was pleased to note the Section 25 statement.

Councillor Bryn Griffiths noted the proposed 50% saving from the Locality Budget as detailed in Appendix B of the Revenue report suggesting it would have a marked adverse effect on local communities and their support groups etc. He asked that the Executive reconsider this proposal and suggested this could be accommodated through use of some of the £7.5 variance. In response it was confirmed this issue could be debated alongside the rest of the proposed budget when it was considered by full Council in February 2024.

Councillor Eric Broadbent raised the issue of homelessness and temporary

accommodation and questioned whether this was being given its due consideration. In response Councillor Simon Myers confirmed the Council's commitment to housing the homeless and would invest in its own temporary accommodation in due course. He also acknowledged the lack of a dedicated homeless shelter in Scarborough which needed to be addressed.

Nic Harne - Corporate Director for Community Development, confirmed that the Council would also be looking to maximise it use of national homelessness grants and reduce the use of expensive bed and breakfast temporary accommodation and instead optimise the use of home-based accommodation.

Councillor Rich Maw raised the issue of additional early years funding and questioned what provisions were in place if the budget allocation did not go far enough and did NYC nurseries had the necessary funding to respond to the changes in rates for 2-year olds.

Stuart Carlton – Corporate Director for Children & Young People's Services confirmed there all early years providers had been consulted on the coming changes. He confirmed all funding received as part of the early years block was passed on to providers. It was also confirmed that a Members Seminar would be held in the future to ensure Members were kept fully informed on the coming changes etc.

Barry Khan again drew attention to Section 7 of the report and the Council's duties under section 149 of the Equalities Act 2010 and Appendix 1 – a high level equality impact assessment, both of which the Executive was asked to note when considering the report recommendations.

In summing up, Councillor Gareth Dadd acknowledged that if the sustainable Plan was not in place the council would be in danger of heading in to Section 114 territory which would leave the Council without the ability to make choices. He confirmed the focus would remain on the vulnerable and addressing the cost of living challenges. This would still require the use of reserves of £6.5m this year, rising to £82m by the end of the 3-year plan. Finally he noted that LGR had delivered 78% of the savings from the last year and better co-ordination of frontline services.

He went on to introduce the Capital Plan and Treasury Management sections of the report.

In regard to the Capital plan he confirmed there would be not capital spend pursued unless already pre-planned, and all ongoing projects were being carefully managed to reduce any associated inflationary risks

Gary Fielding - Director of Resources confirmed the planned capital spend in 2024/25 would be £274.8m, and £528.2m in total over the four years, a sizeable investment plan. He also noted capital pressures in two areas – spending pressures on ongoing schemes and the sizable number of one-off investments required e.g. homelessness, regeneration schemes, EPH modernisation etc

In regard to Treasury Management Gary Fielding reassured members the council's strategy was one of safety first. He also noted the Council's reducing external debt.

Finally, Members considered the Housing Revenue Account report, introduced by Councillor Simon Myers. He drew attention to the benefits of bringing three relatively small stockholding authorities together but noted the difficulties that had arisen due to the HRAs all being run differently with different policies in place etc. He acknowledged the work of officers and the external consultants over the last year to bring them all together into one and to identify a different approach for NYC, one of delivering housing for residents as opposed to the previous emphasis of the Districts/Boroughs which had been to pay off debt resulting in a gradual reduction in social housing stock through right to buy, with only a reactive maintenance approach

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It was noted NYC would in the future take a much more pro-active approach to maintenance and upgrades, and the following was also confirmed:

- The plan to deliver 500 additional council homes over the next 5 years and to seek additional government funding for social housing wherever possible.
- A rent increase of 7.7% in order to keep a healthy HRA and deliver the improvements set out in the Business Plan.
- A rent increase on shared ownership of 2%
- A £2m revenue investment to improve performance on repairs and maintenance compliance issues and stock condition information
- A £588m investment in social housing stock over a 30-year period, equivalent to around £14.5m a year
- The HRA would be a ring-fenced and appropriate risk management applied to ensure the delivery of the Business Plan

Members were pleased to note the Council's long term planned investment in social housing, only made possible because of LGR.

The Leader thanked everyone for their work on the budget, and it was

Resolved – That:

i) The delegation arrangements referred to in Section 11 of the Revenue Budget & MTFS report that authorise the Corporate Directors to implement the Budget proposals contained in this report for their respective service areas and for the Chief Executive in those areas where there are cross-Council proposals, be noted and agreed.

ii) Due regard be given to the Public Sector Equality Duty (identified in Section 7 and Appendix I) in approving the Budget proposals contained in the Revenue Budget & MTFS report.

iii) That in regard to the Revenue Budget & MTFS report, the following be recommended to full Council:

a) The Section 25 assurance statement provided by the Corporate Director, Resources regarding the robustness of the estimates and the adequacy of the reserves (paragraph 8.12) and the risk assessment of the MTFS detailed in Section 9 be noted;

b) An increase in Council Tax of 4.99% (basic 2.99% and Adult Social Care 2%) resulting in a Band D charge (including special expenses) of £1,847.62 – an increase of £87.80 (paragraph 4.3.8 and Appendix D);

c) A Council Tax requirement for 2024/25 of £454,532,423.44 be approved, in accordance with Section 31A of the Local Government Finance Act 1992 (as amended by Section 74 of The Localism Act 2011).

d) A Net Revenue Budget for 2024/25, after use of reserves, of £678,589k (Appendix G) be approved

e) In the event that the level of overall external funding (including from the final Local Government Settlement) results in a variance of less than £7.5m in 2024/25 then the difference be addressed by a transfer to / from the Strategic Capacity Unallocated Reserve in line with paragraph 4.2.3 with such changes being made to Appendix E as appropriate.

f) The Corporate Director – Children and Young People's Service be authorised, in consultation with the Corporate Director, Resources and the Executive Members for Schools and Finance, to take the final decision on the allocation of the Schools Budget including High Needs, Early Years and the Central Schools

Services Block (paragraph 3.1.17).

g) The Medium Term Financial Strategy for 2025/26 to 2026/27, and its caveats, as laid out in Section 3.0 and Appendix G be approved in line with the proposed council tax option.

h) The Corporate Director – Environment be authorised, in consultation with the Executive Members for Highways & Transportation and Open for Business, to carry out all necessary actions, including consultation where considered appropriate, to implement the range of savings as set out in Appendix B (ENV 1 to 14).

i) The Corporate Director – Community Development be authorised, in consultation with the Executive Members for Planning for Growth and Culture, Arts and Housing, to carry out all necessary actions, including consultation where considered appropriate, to implement the range of savings as set out in Appendix B (CD 1 to 11).

j) The Corporate Director – Health and Adult Services be authorised, in consultation with the Executive Members for HAS, to carry out all necessary actions, including consultation where he considers it appropriate, to implement the range of savings as set out in Appendix B (HAS 1 to 7).

k) The Corporate Director – Children and Young People's Services be authorised, in consultation with the Executive Members for CYPS, to carry out all necessary actions, including consultation where he considers it appropriate, to implement the range of savings as set out in Appendix B (CYPS 1 to 14).

l) The Corporate Director – Resources be authorised, in consultation with the Executive Members for Finance & Resources and Corporate Services, to carry out all the necessary actions, including consultation where he considers it appropriate, to implement the range of savings as set out in Appendix B (RD 1 to 7).

m) The Chief Executive be authorised, in consultation with the Executive Members for Central Services, to carry out all necessary actions, including consultation where he considers it appropriate, to implement the range of savings as set out in Appendix B (CS 1-12 and LGR1).

n) Any outcomes requiring changes following Recommendations h), i), j), k) and l) above be brought back to the Executive to consider and, where changes are recommended to the existing major policy framework, then such matters to be considered by full Council.

o) £5,000k be provided for development of the Local Plan and the Corporate Director, Community Development be authorised, in consultation with the Corporate Director, Resources and the Executive Members for Planning and Finance, to approve spending from this sum to progress the Local Plan as set out in paragraphs 4.8.2 to 4.8.3.

p) The proposed policy target for the minimum level of the General Working Balance be £29m, in line with Appendix F.

iv) The Executive also agreed to recommend the following to full Council:

a) Approval of the refreshed Capital Plan

b) The Treasury Management Strategy Statement as shown at Annex 1 of the Treasury Management & Capital Strategy Report, consisting of the Annual Treasury Management Strategy (Section 1), Capital Prudential Indicators (Section 2), Borrowing Strategy (Section 3) and Annual Investment Strategy 2024/25 (Section 4), including in particular;

i. an authorised limit for external debt of £660.9m in 2024/25;

ii. an operational boundary for external debt of £633.3m in 2024/25;

iii. the Prudential and Treasury Indicators based on the Council's current and indicative spending plans for 2024/25 to 2026/27;

iv. a limit of £60m of the total cash sums available for investment (both in house and externally managed) to be invested in Non-Specified Investments over 365 days;

v. a Minimum Revenue Provision (MRP) policy for debt repayment to be charged to Revenue in 2024/25;

vi. the Corporate Director – Resources to report to the Council if and when necessary during the year on any changes to this Strategy arising from the use of operational leasing, PFI or other innovative methods of funding not previously approved by the Council;

c) The Capital Strategy as shown at Annex 2 of the Treasury Management & Capital Strategy Report;

d) That the Audit Committee be invited to review Annex 1 and 2 and submit any proposals to the Executive for consideration at the earliest opportunity

e) The HRA budget for 2024/25 as set out in paragraph 6.3, being a net surplus of £1.307m which will be transferred to the HRA working balance;

f) The HRA Medium term financial plan for 2025/26 and 2026/27 and the 30-year HRA Business Plan, as set out in paragraph 6.3 and Appendix D respectively;

g) An increase of 7.7% to social, affordable and hostel rents from 1 April 2024

h) An increase of 2% to shared ownership rents from 1 April 2024

378 Second Homes Council Tax Premium

Considered – A report of the Corporate Director, Resources confirming the Council's policy o the levying of empty homes and second homes council tax premiums.

Councillor Gareth Dadd introduced the report and noted the substantial number of secor homes across the county. He confirmed that other local Authorities were following o Council's lead. He also drew attention to the number of long term empty properties and tl additional income that could be generated through implementation of the proposals.

Councillor Yvonne Peacock welcome the proposal recognising the significant number second homes throughout the Dales and in response to her query around Government s exemptions, it was noted those exemptions had yet to be confirmed.

Other Councillors also welcomed the proposals. In particular. Councillor Simon Myers hope it would help to ease the pressure on housing waiting lists. He also expressed interest in tl government's awaited changes to planning regulations recognising they too would benefit tl county's current position.

Councillor Eric Broadbent confirmed he had met with a number of second home owners wl were unhappy with the proposals and expressed concern it may lead to an increase Airbnbs.

Councillor Gareth Dadd reassured members that where similar proposals had bee implemented in other areas of high density, it had only led to a 10% reduction in the numb of second homes. He also confirmed the income yield would be used to provide housing.

Resolved – That the following be recommended to full Council for approval:

(a) The application of the current premium of 100% for all dwellings which are unoccupied and substantially unfurnished (empty dwellings) from a period of one year with effect from 1st April 2024;

(b) The application of a premium of 100% for all dwellings which are unoccupied but substantially furnished (second homes) with effect from 1st April 2025; and

(c) The Section 151 Officer be given delegated powers to implement the policy in line with the Council's requirements and any guidance given by the Secretary of State or regulation

379 Council Plan 2024- 2028

Considered – A report of Assistant Chief Executive- Local Engagement seeking the Executive's agreement to submit the Council Plan 2024-2028 to the Council for adoption.

Councillor David Chance introduced the report confirming the Plan was a key component of the Council's Policy framework. He drew specific attention to the missing figures on page 252 of the published agenda and confirmed the report should have read '*the Council will save between 42m - £67m in the next few years'*.

Councillor Bryn Griffiths suggested that it would be helpful if the Plan listed a number of high level smart targets up front, and in response it was confirmed such targets would be set as part of the strategies and policies agreed by the Council to deliver the Plan.

Executive members voted in favour of the recommendations, and it was

Resolved – That the following be recommended to full Council for approval at its meeting on 21 February 2024:

i) The draft Council Plan as shown at Appendix A of the report

ii) The Chief Executive be authorised to make any necessary changes to the text, including reflecting decisions made by the Council on the budget and Medium Term Financial Strategy, and updated performance data and key performance indicators.

380 Director of Public Health Annual Report

Considered – A report of the Director of Public Health introducing the Director of Public Health's Annual Report 2022-2023: 'In Our Words: a Child's Life in North Yorkshire'

Councillor Michael Harrison introduced the report confirming it was the Council's duty to annually publish an independent report written by the Director of Public Health.

Louise Wallace, Director of Public Health introduced the report which provided an update on the recommendations arising from the previous annual report and focussed on addressing the impact of the pandemic on children and young people across North Yorkshire.

She also drew attention to the two key themes that emerged from the initial work to develop the report i.e. the rapid onset of digitisation, and mental health and wellbeing, and the recommendations arising from the DPHAR 2021-22, 'Learning from COVID-19'. She went on to note her thanks to all those who had contributed to the report and highlighted the concerns, issues and opportunities it had identified.

Executive members acknowledged the work of the Public Health team and thanked the Director of Public Health and Dr Gill Kelly for an excellent and easy to read report.

Cllr Janet Sanderson specific drew attention to the list of acknowledgments within the report recognising the team effort required to pull in such a broad representation through the ongoing partnership work across the county. She also noted some of the disparities

between the statistics across specific areas of the County which she suggested required further consideration.

Resolved – That the following be noted:

i) The content of the Director of Public Health Annual Report 2022-2023.

ii) The recommendations made within the report and how they related to the whole local authority.

381 Admission Arrangements 2025/2026

Considered – A report of the Corporate Director – Children and Young People's Service seeking the Executive's views on the response to the proposed admission arrangements for Community and Voluntary Controlled schools for the school year 2025/26 and seeking a recommendation to the Council for determination.

Councillor Annabel Wilkinson introduced the report and drew attention to the consultation responses and the issues around catchment areas in particular to the proposed changes to address the anomalies in the school catchment area for Thirsk School and Sixth Form College, as detailed in the report at paragraph 3.3.

Councillor Greg White suggested similar anomalies existed in other places across the county and queried whether the same principle was to be applied to all of them. In response Andrew Dixon – Strategic Planning Manager confirmed they could also be considered it brought to the attention of officers.

Executive members voted in favour of the recommendations, and it was

Resolved – That the proposed Admission Arrangements for 2025/2026 be recommended to full Council for approval on 21 February 2024, to include:

i. the proposed co-ordinated admission arrangements (appendix 1)
ii. the proposed co- ordinated in year admission arrangements (appendix 1a)
iii. the proposed admission policy for community and voluntary controlled schools (appendix 2)
iv. the proposed admission policy for nursery schools, schools with nursery classes and pre-reception classes (appendix 3)
v. the proposed published admission numbers (PAN's) for community and voluntary controlled schools as shown in appendices 6 (Primary) and 7 (Secondary)
vi. Proposed changes to school catchment area – Thirsk School and Sixth Form College (appendix 8)

382 Fountains Earth, Lofthouse, Church of England Endowed VC Primary School – School Closure Proposal

Considered – A report by the Corporate Director – Children and Young People's Service detailing the outcomes of the public consultation carried out by the Council on the proposal to close Fountains Earth, Lofthouse CE Endowed Primary School and asking the Executive to authorise the publication of proposals and statutory notices, and to schedule taking a final decision on the proposal on 19 March 2024.

Councillor Annabel Wilkinson introduced the report and provided an overview of the background to the proposal to close the school. She also drew attention to the public consultation that had taken place and the responses received, as detailed in Appendix 7 of the report, and the proposed change to the catchment area of St Cuthbert's CE Primary

School, Pateley Bridge to serve the area currently served by Fountains Earth Primary School.

Councillor Andrew Murday suggested the closure of the school was in part due to the rural decline i.e. the lack of employment opportunities for rural communities and affordable housing for young families etc. He also suggested there had been a complete loss of trust between the school's governing body, teachers and the local community which had resulted in there being no pupils left within 12 months of the school receiving a good Ofsted report.

Executive members agreed these were fundamental issues affecting rural communities across the county which needed addressing through the Local Development Plan.

Having taken account of all the information provided, the Executive reluctantly agreed the reasons for the proposal to close the school as laid out in the report, were correct and that closure of the school would be in the best interest of the future education of pupils in the area.

With that in mind, they voted unanimously in favour of the recommendations, and it was

Resolved – That:

i) Statutory proposals and notices be published on 1 February 2024 proposing to cease to maintain Fountains Earth, Lofthouse CE Endowed Primary School with effect from 31 March 2024.

ii) The proposals include that from 1 April 2024 the parishes of Stonebeck Up, Stonebeck Down, Fountains Earth, Bewerley, High and Low Bishopdale (the current catchment area of Fountains Earth Primary School) will become part of the catchment area for St Cuthbert's CE Primary School, Pateley Bridge.

iii) A final decision on these proposals be scheduled for the Executive meeting on 19 March 2024.

383 Proposed Selective Licensing scheme in Scarborough

Considered – A report of the Corporate Director Community Development presenting the findings of the public consultation on the proposal to designate a scheme for the Selective Licensing of privately rented properties within parts of the Castle, Falsgrave and Stepney and Northstead divisions of Scarborough, and recommending the designation of the scheme based on those findings.

Councillor Simon Myers introduced the report which detailed a number of proposed changes to the existing policy for Selective Licensing arising from the consultation undertaken, and the proposed licence fees. He also noted the motivating factors for bringing in such a Scheme i.e. poor property conditions, and high levels of deprivation, ASB, crime and migration, and the proposal to explore the options for the development of a wider Neighbourhood Renewal approach to complement the Selective Licensing scheme, and the study, which has been commissioned to assess the private rented sector across North Yorkshire and inform the Council's future approach and actions to improve the sector.

John Burroughs Housing Strategy & Development Officer drew to the consultation feedback detailed in Appendix A of the report and confirmed the Scheme would be cost neutral to the Local Authority, affordable to landlords and would have minimal impact of tenants. He also noted there would be a range of discounts available for landlords to utilise.

Councillor Rich Maw expressed concern those discounts would be arbitrary, but it was

confirmed, there was the potential for landlords to benefit from a number of discounts, where applicable.

Councillor Derek Bastiman suggested the proposed Scheme would improve livings standards for tenants and deter a certain element of landlord, and Councillor Eric Broadbent welcomed the extension of the Scheme, recognising it would benefit private tenants in his division.

Executive members welcomed the proposed Scheme, and it was

Resolved – That:

i. The feedback from the public consultation exercise on the Selective Licensing of private rented accommodation be noted.

ii. A Council led scheme for the Selective Licensing of Private Rented Accommodation in the area defined as 'Scarborough Town' be introduced - to incorporate parts of the Castle, Falsgrave and Stepney and Northstead divisions as shown on the map in Appendix C of the report.

iii. Officers prepare and publish a Public Notice of Designation under sections 80 and 83 of the Housing Act 2004.

iv. The proposed fee structure, recommended discounts and exemptions as set out at paragraph 11.4 of the report be approved.

v. The policy for the Selective Licensing of Private Rented Accommodation be approved, and the amendments highlighted within the report be undertaken.

vi. Officers explore the potential for a wider neighbourhood renewal focus to complement the scheme, which would consider the involvement of other key Council service areas

384 Approval of criteria and fee for entry on to the Self-build and Custom Housebuilding register

Considered – A report of the Corporate Director of Community Development seeking approval of a proposed criteria and fee for inclusion on Part 1 of the Self-build and Custom Housebuilding Register for North Yorkshire.

Councillor Simon Myers introduced the report and confirmed the Authority was developing its own Register in line with what the previous Districts and Boroughs had in place.

Members noted the report, and it was

Resolved – That a new Self-build and Custom Housebuilding Register for North Yorkshire be introduced with local connection eligibility criteria and an administration fee.

385 Allocations Scheme for the Provision of Social Housing

Considered – A report of the Corporate Director Community Development presenting a draft North Yorkshire Housing Allocations Policy for the Executive consideration along with the results of the public consultation on the draft policy undertaken between 4th September and 17th December 2023.

Councillor Simon Myers introduced the report and drew attention to some revisions to the recommendations within the published report. He noted the revised recommendations had been circulated prior to the meeting for members consideration. He went on to summarise the background to the current position across the County and the proposal to bring all areas under one Allocations Policy.

The Executive noted the report, the proposed Allocations Policy, consultation responses and the Equality Impact Assessment, and the comments made by Mrs Anne Seex earlier in the meeting.

In line with the revised recommendations it was

Resolved – That the following be recommended to full Council on 21 February 2024 for approval:

a) The Allocations Policy - to become effective from no later than 1st April 2025;

b) Contingency funding totalling £10,000 from the HRA working balance for additional staffing and the communications budget;

c) The Assistant Director for Housing Authority be delegated to make minor amendments to the Allocations Policy as needed by changes to regulation or legislation.

386 Forward Plan

Considered –

The Forward Plan for the period 15 January 2024 to 31 January 2025 was presented.

Resolved - That the Forward Plan be noted.

387 Date of Next Meeting - 6 February 2024

The meeting concluded at 1.02 pm.

NORTH YORKSHIRE COUNCIL

EXECUTIVE

06 FEBRUARY 2024

REVENUE BUDGET FOR 2024/25 & MEDIUM TERM FINANCIAL STRATEGY TO 2026/27 – REVISION FOLLOWING ADDITIONAL GOVERNMENT FUNDING

Report of the Corporate Director, Resources

1.0 PURPOSE OF REPORT

1.1 For the Executive to make revised recommendations to Council following the announcement of additional funding for local government on 24 January 2024

2.0 INTRODUCTION & CONTEXT

2.1 On 23rd January 2024 the Executive recommended the budget for 2024/25 and the Medium Term Financial Strategy to 2026/27.

2.2 On 24 January 2024 the government announced additional funding was being made available to councils for 2024/25 and North Yorkshire Council has benefited from at least two additional grant areas covering social care and rural services grant.

2.3 The Executive approved the Budget for 2024/25 to Council on the basis that should there be any changes in the level of overall funding resulting in a variance of less than £7.5 million in 2024/25 then such difference could be addressed by a transfer to / from reserves. The additional funding received from government is expected to be in the region of £6.2m but we have yet to receive the final local government finance settlement. There is therefore a more significant risk that the headroom of £7.5m could be breached and this report therefore proposes an appropriate revision for the Executive recommendation to Council.

3.0 ADDITIONAL GOVERNMENT FUNDING

3.1 The table below identifies the new areas of funding that were announced with estimated allocations to North Yorkshire Council. The precise allocations will not be clear until the local government finance settlement which is expected sometime in early February 2024. The allocations for the minimum funding guarantee (MFG), in particular, are extremely uncertain but the figures in the table are based on the assumption that the additional rural services and social care grants will mean we will lose all MFG funding including that announced in the provisional settlement. This is a worst-case scenario.

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New Funding Source	Estimated NYC allocation (£000)
Social Care Grant	5,049
Rural Services Delivery Grant	1,949
4% Minimum Funding Guarantee	-823
Internal Drainage Boards	0
Total	6,175

3.2 The additional funding of £6.2m is being regarded as one off at this stage (i.e. will not be repeated in 2025/26 and beyond). This is on the basis that the funding has been found at relatively short notice and is in advance of a general election and a new spending review that will need to be carried out by the next government. It may be that the funding does become recurring, in which case the overall deficit over the MTFS would reduce by £6.2m to £41.6m.

3.3 Working on the basis that the funding is one-off then the deficit for 2024/25 reduces by £6.2m and the drawdown of reserves for the budget deficit over the MTFS is reduced by the same amount. This can be seen in the table below and the previous equivalent table, as set out in the executive report of 23 January 2024 is attached as **Appendix A**.

	2024/25 £000	2025/26 £000	2026/27 £000
Starting Budget	623,458	684,764	698,757
Added Pressures			
• Pay Inflation	17,353	12,263	9,565
• Non-Pay Inflation	21,717	20,847	16,261
• Savings	-26,182	-9,800	-3,806
• Other	25,527	18,088	13,757
Net Revenue Budget	661,874	726,163	734,534
Funded by			
Grants	95,367	87,138	87,138
Business Rates (NNDR)	134,865	138,815	135,618
Council Tax*	454,532	472,804	491,810
In-year shortfall	22,890	-27,406	-19,968
Cumulative Shortfall	**-364**	**-27,771**	**-47,738**
Cumulative use of reserves	-364	-28,135	-75,873
Stretch Savings	*c£15m over 3 years?*		
Stretch Savings – Cross Cutting	*c£10m over 3 years?*		
Stretch Savings – High Needs	*????*		

*Please note council tax figures are based on 4.99% (as per Recommendation in this report) in 2024/25 and then 2.99% in the following years.

3.4 Whilst funding of this magnitude is very welcome, it does not change the macro picture for North Yorkshire Council over the period of the MTFS. No changes are therefore proposed to the overall Budget or MTFS Strategy as set out on 23 January including the setting of council tax for 2024/25 but a proposed change is required to

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allow for any further changes that may be announced as part of the final local government finance settlement.

4.0 PROPOSAL

4.1 It is recommended that the budget for 2024/25 and the MTFS up to the period of 2026/27 is amended in order to reflect the additional funding from government as set out elsewhere in this report. It is proposed that the additional funding simply reduces the drawdown of reserves and that this be reflected in a revised report to council on 21 February 2024.

4.2 The changes as a result of the above factor into a number of appendices and sections within the report that was submitted to the Executive on 23 January 2024. It is suggested that delegated authority is given to the Corporate Director, Resources in consultation with the Executive Member for Finance to make such changes to the report to be considered at Council on 21 February 2024.

4.3 For completeness, it is anticipated that there will be changes to **Appendix C**, **Appendix E** and **Appendix H.** These changes will merely reflect the movement between the in-year revenue deficit for 2024/25 and reserves. This is set out in the table above as per **paragraph 3.3.**

4.4 Despite the additional funding, the proposed Budget still relies upon reserves to ensure a balanced position. The revised MTFS as set out in this report assumes that the funding gap will be supported by the use of one-off reserves pending the implementation of savings. Funding of £76m is forecast to be required to support the Revenue Budget over the MTFS period. Based upon estimated movements on the Strategic Capacity Reserve over the next 3 years, this would leave £93m potentially available to continue to provide revenue support and/or funds available for capital investment. With a recurring deficit of £47.7m by 2026/27, without corrective action, this Reserve would be fully depleted in less than a further 2 years.

4.5 A revised reserve schedule incorporating these changes and correcting an error in the in-year reserve drawdowns is attached at **Appendix B**.

5.0 RECOMMENDATION

5.1 That the Executive revises the recommended Budget for 2024/25 and the MTFS for the period to 2026/27 to reflect the additional government funding as set out in **paragraph 3.1** above.

5.2 That the Executive gives delegated authority to the Corporate Director, Resources, in consultation with the Executive Member for Finance, to make consequential changes to the report to Council relating to the Budget for 2024/25 and the MTFS for the period to 2026/27 for Council consideration on 21 February 2024.

Gary Fielding – Corporate Director, Resources
29 January 2023

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Appendix A

	2024/25 £000	2025/26 £000	2026/27 £000
Starting Budget	623,458	678,589	698,757
Added Pressures			
- Pay Inflation	17,353	12,263	9,565
- Non-Pay Inflation	21,717	20,847	16,261
- Savings	-26,182	-9,800	-3,806
- Other	25,527	18,088	13,757
Net Revenue Budget	661,874	719,988	734,534
Funded by			
Grants	89,192	87,138	87,138
Business Rates (NNDR)	134,865	138,815	135,618
Council Tax*	454,532	472,804	491,810
In-year shortfall	16,715	-21,231	-19,968
Cumulative Shortfall	**-6,539**	**-27,771**	**-47,738**
Cumulative use of reserves	-6,539	-34,310	-82,048
Stretch Savings	*c£15m over 3 years?*		
Stretch Savings – Cross Cutting	*c£10m over 3 years?*		
Stretch Savings – High Needs	*????*		

*Please note council tax figures are based on 4.99% (as per Recommendation in this report) in 2024/25 and then 2.99% in the following years.

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	Actuals @ 31-Mar-2023	Est & Plan Movement 2023-24	Est @ 31-Mar-2024	Est & Plan Movement 2024-25	Actuals @ 31-Mar-2025	Est & Plan Movement 2025-26	Actuals @ 31-Mar-2026	Est & Plan Movement 2026-27	Actuals @ 31-Mar-2027
Earmarked	(344,410,508.00)	69,954,111.87	(274,456,396.13)	(39,722,239.33)	(314,178,635.46)	18,291,404.67	(295,887,230.79)	47,738,171.00	(248,149,059.79)
Restricted	(178,913,532.60)	99,980,421.17	(78,933,111.43)	13,639,778.00	(65,293,333.43)	17,855,312.00	(47,438,021.43)		(47,438,021.43)
Unallocated	(103,032,163.25)	529,153.87	(102,503,009.38)	22,863,325.00	(79,639,684.38)		(79,639,684.38)		(79,639,684.38)
Grand Total	(626,356,203.85)	170,463,686.91	(455,892,516.94)	(3,219,136.33)	(459,111,653.27)	36,146,716.67	(422,964,936.60)	47,738,171.00	(375,226,765.60)

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North Yorkshire Council

Executive Committee

6 February 2024

Selby District Local Plan - Revised Regulation 19 (Publication version) draft plan for public consultation

Report of the Corporate Director of Community Development

1.0 PURPOSE OF REPORT

To set out the options which have been considered in progressing the Selby District Local Plan and set out the recommendation to undertake a further consultation on a revised Regulation 19 Publication Local Plan.

2.0 SUMMARY

2.1 The report sets out four options which have been considered for progressing the Local Plan for the former Selby district area based on recent Counsel advice and makes a recommendation to undertake a six-week consultation on a revised Publication Local Plan (PLP). The revised plan removes the proposed new settlement known as Heronby, adds three further site allocations, includes revisions to policies in response to comments raised as part of the previous consultation stage and any changes required following the publication of the revised National Planning Policy Framework in December 2023. Consultation on the Revised Publication Selby Local Plan will fulfil the requirements of Regulation 19 of the Town and Country Planning (Local Planning) (England) regulations 2012 (as amended)

3.0 BACKGROUND

3.1 The Development Plan for the former Selby district area currently comprises the Core Strategy adopted in 2013 and the Selby District Local plan adopted in 2005. Whilst the age of the plan means that it is considered to be out of date, some weight can still be attached to it for decision making purposes, particularly where those policies accord with the National Planning Policy Framework (NPPF).

3.2 In September 2019 Selby District Council gave approval for work to commence on the preparation of a new comprehensive Local Plan for the District. Consultation on the Preferred Options for the Local Plan took Place in early 2021, with subsequent consultations taking place on Additional Sites and Local Plan Evidence later that year. In August 2022 the Executive approved consultation on the Publication Local Plan which ended on the 28 October 2022.

3.3 The Publication Local Plan consultation document set out the proposed allocations to deliver the housing and employment growth requirements for the former district area up to 2040, alongside new local infrastructure. This included a proposal for a new settlement on land to the south of Escrick Road, near Stillingfleet known as Heronby. The document also set out a suite of new development policies which aim to deliver high quality designed homes and enhance the natural environment.

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3.4 The consultation on the Publication Local Plan took place between 26 August and 28 October 2022. In total 409 individual responses were received to the consultation, with 202 in relation to a new settlement proposal at Heronby. Petitions were also received from the Halt Heronby group which included 573 signatories and 451 individual emails.

3.5 The majority of responses to the Heronby New Settlement proposal were objections based on adverse traffic impact on the A19 and the wider local highway network, impact on the ancient woodland, impact on climate change, the loss of agricultural land and development of greenfield land. Concerns were also raised about the lack of access to employment opportunities and assertions that new housing should be sited in the more affordable areas of the district. Of particular note for the purposes of this report:

- City of York Council (CYC) has raised concerns based on the highway modelling undertaken to inform the PLP in relation to the Heronby site, stating that the duty to cooperate (DtC) has not been fulfilled, specifically in relation to the evidence base and cross boundary strategic matters.
- National Highways have raised concerns in relation to the A19/A64 trip rates, internalisation rates within the site and phasing of infrastructure improvements.

3.6 Comments from the development industry were that the Housing and Economic Development Needs Assessment has been too pessimistic about future employment growth, given recent trends and therefore the Objectively Assessed Housing Need should be increased so it is more akin to recent delivery figures of around 500 dwellings per annum. A summary of the responses received and how they have been addressed is attached at Appendix 2.

4.0 OPTIONS WHICH HAVE BEEN CONSIDERED TO PROGRESS THE SELBY LOCAL PLAN

4.1 In July, legal advice was sought from Counsel on the options available to the Council in relation to the Selby Local Plan in the light of objections which have been made (in particular by the City of York) to proposals for a new settlement. The four options considered were:

- Option 1: Proceed to submission of the Plan in its current form with inclusion of Heronby
- Option 2: Proceed to submission of the Plan in its current form but on the basis that NYC would propose the removal of Heronby as a Main Modification
- Option 3: Undertake further Consultation on an amended PLP which does not include Heronby
- Option 4 Not proceed with further work on the Selby Local Plan and instead to address the need through NYC's own Local Plan.

4.2 Given the position with CYC the risk in relation to the Duty to Co-operate is a source of concern for the progress of the Local Plan. In particular:

- Whilst efforts have undoubtedly been made to engage with CYC, the combination of the absence of any Statement of Common Ground and the fact that there is still no agreed solution to the highway issues which have been raised (including those raised by National Highways) means that success at Examination on this point is not certain.
- If that objection is upheld, it will be fatal to the Plan as a whole, and cannot be remedied by proposing the removal of Heronby from the plan.

4.3 In order to progress the Local Plan with Heronby included as an allocation we would need to have satisfactorily addressed CYC concerns on highways matters.

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4.4 Since the consultation on the PLP Officers have had a number of meetings with National Highways, City of York Highways and the Council's own highway team and site promoters with a view to trying to resolve matters and further information has been provided by the promoters with a view to addressing outstanding concerns. However, the views of both NYC and CYC highways are that they are unable to support the scheme based on the information that is currently available. This does not mean that issues could not be adequately addressed in the longer term, however it is the view of officers that in order to make good progress on the Selby Local Plan that this site should be deleted.

Land Supply

4.5 In December 2023 the government published a revised NPPF which set out that where emerging local plans have been submitted for examination or where thy have been subject to a Regulation 18 or 19 consultation which included both a policies map and proposed allocations towards meeting housing need, those authorities will only have to demonstrate a four-year housing land supply requirement. As the Selby Local Plan has already reached these key stages, for decision making a four-year supply will need to be demonstrated for a period of two years. A key driver for progression of the Selby Local Plan is to ensure a continued supply of housing sites. Until the new Local Plan is adopted for North Yorkshire, housing supply calculations and the housing delivery test will continue to be assessed on a former district boundary basis. Continuing with the Selby Local Plan will ensure that we continue to take positive steps to manage housing delivery within the Selby area and seek to retain a plan led approach.

Resources (staff or other costs) and timescales

4.6 In order to continue to progress the Selby District Local Plan a number of staff, mainly from the Planning Policy and Place Team will need to be focussed on the additional Regulation 19 consultation and the delivery of the Examination in Public (EIP). A Programme Officer has already been appointed following a procurement exercise. It is also estimated that the EIP will cost approximately £180,000 (legal advice, programme officer, expert advice and PINS), which has been budgeted for. Further additional costs will also be required to undertake a further consultation on the Regulation 19 Local Plan.

4.7 The draft timetable for the preparation of the new North Yorkshire Local Plan indicates that initial public consultation on the Issues and Options will take place in late Autumn 2024 with adoption likely to be the end of 2028. If consultation were to take place on the revised Publication version of the Selby Local Plan and completed by end of April 2024 the plan could be submitted in early Autumn 2024. If the Selby Local plan examination in public took approximately 12 months it could be adopted by late 2025, which is more than two years in advance of the anticipated adoption for the North Yorkshire Local.

4.8 Re-doing the reg 19 consultation (option 3) means that there will be more overlap between preparation of the new North Yorkshire Local Plan and the Selby Local Plan than was originally envisaged when officers recommended continuation of the preparation of the Selby Local Plan back in February 2023.

Other Considerations

4.9 The Council has already taken the decision to cease work on a number of predecessor local plans/plan reviews; the most comparable being Scarborough and more recently Ryedale. The question here is whether the circumstances are so different that we should take a different view in relation to the Selby Local Plan.

4.10 In the case of Ryedale, the stage of Publication had not yet been reached, although some initial consultation had taken place, preferred allocation sites had not been consulted on.

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Furthermore, legal opinion indicated that the proposed scope of the Ryedale Local Plan was too constrained and if it was to be pursued would need to be widened, elongating the timescale to the extent that it became logical and efficient to deal with this via the new North Yorkshire Local Plan.

4.11 Consultation took place on the review of the Scarborough Local Plan in early 2023, however given the sites which are yet to be developed they remain in a very strong position in terms of supply without requiring the plan's completion, although it is acknowledged that we will also have to rely on policies that are not as up to date as we would ideally like, for example policies to address second home ownership.

4.12 In the case of the Selby Local Plan, given the advanced stage that it has reached, making the decision to re-do the publication consultation with Heronby removed would allow us to understand whether this would remove the City of York Duty to Co-operate objection and have something on the public record to that effect as well as allowing a number of other issues raised through the previous consultation to be addressed. A further report on the responses to the Revised Publication Selby Local Plan will be presented to Members and will be considered in any further decision to submit the plan to the Secretary of State for Examination in Public.

4.13 The Revised Publication Selby Local Plan (at Appendix 1) will remove the proposed New Settlement at Heronby but will add the following sites in response to additional information submitted through the previous consultation which demonstrates that they are deliverable;

- Land West of White House Farm, Low Eggborough Road, Eggborough (109 dwellings)
- White House Farm & Manor Farm, Hambleton (128 dwellings)
- Land North of A163, North Duffield (40 dwellings)
- Land to the North of Weeland Road, Hensall (24 dwellings)

4.14 The inclusion of these additional sites ensures that the Local Plan provides sufficient land to meet the housing needs of the former Selby district area up to 2040. The revised NPPF, which was published in December 2023 confirms that the standard methodology for calculating housing need is an advisory starting point for local authorities in generating housing numbers. The Revised Selby PLP housing requirement figure is based on the HEDNA 2020, updated in 2022, which uplifts the standard methodology figure from 333 dwellings to 368 dwellings to account of economic growth. A further 5% buffer is also built into the overall housing requirement figure, equating to 386 dwellings per year. The most up to date standard methodology figure is 329 dwellings per year and therefore the PLP target is considered to plan positively for the growth of the former Selby district area.

4.15 The Revised Publication Selby Local Plan also includes revisions to policies and site allocation requirements which address responses the previous consultation. The Revised PLP has also been updated to reflect latest evidence and guidance, including updates to the NPPF.

4.16 The Sustainability Appraisal (SA) Habitats Regulations Appraisal (HRA have been updated in light of the changes made. A short summary of the SA is attached at Appendix 3 to inform the Executive Committee. A draft SA Report to inform the Executive decision is attached at Appendix 4, this will be published as a final version as part of the consultation. The SA concludes:-

- The majority of effects are positive and are of greatest significance for Economy, Housing, Health, Heritage and Population and Communities.
- The negative effects identified are mainly residual effects that are minor and largely managed through the Local Plan policies where the potential for greater negative effects

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was identified. The exception is land and soil, which records a moderate negative effect due to unavoidable loss of agricultural land.

4.17 A short summary of the HRA and key outputs has been prepared for the Executive Committee which is attached at Appendix 5. A draft HRA report has been prepared for the Executive meeting and will be finalised following final checks prior to consultation. The HRA concludes:-

- Overall, given this evidence, it was concluded that the emerging Selby Local Plan will not result in adverse effects on the site integrity of the Lower Derwent Valley SPA / Ramsar / SAC, Skipwith Common SAC or Humber Estuary SPA/SAC/Ramsar regarding recreational pressure.
- With the inclusion of this text to Policy NE1 supporting text, adverse effects on the integrity of the Lower Derwent Valley SPA / Ramsar can be excluded.
- As such, adverse effects on the integrity of the River Derwent SAC, the Lower Derwent Valley SPA / Ramsar and the Humber Estuary SPA / Ramsar can be excluded.

4.17 A number of amendments have been made to the Draft Revised Publication Local Plan since the version which was presented to the Development Plans Committee and the Selby and Ainsty Area Constituency Committee in order to address issues of accuracy, clarity and the findings of the HRA. A log of these changes is at appendix 9 and details of the feedback received at appendix 10.

5.0 CONTRIBUTION TO COUNCIL PRIORITIES

5.1 The Local Plan for the former Selby district area will help to deliver four of the five key themes of place and environment, economy, health and wellbeing and people in the Council's plan for this part of the geography.

6.0 ALTERNATIVE OPTIONS CONSIDERED

6.1 The options have been considered in detail in the main body of the report.

7.0 IMPACT ON OTHER SERVICES/ORGANISATIONS

7.1 There may be implications for other services to provide advice on issues relating to transport, ecology, landscape, historic environment and education as the Local Plan moves through the EIP. In addition, there will be requirements from the communications team to support engagement on the public consultation exercise.

8.0 FINANCIAL IMPLICATIONS

8.1 The budget for the completion of the Selby District Local Plan was approved by the former Selby District Council and has been rolled forward into the new authority.

9.0 LEGAL IMPLICATIONS

9.1 Legal advice from Counsel has been sought and informed the recommendation. Consultation on the Local Plan fulfils the statutory requirements as set out in Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

10.0 EQUALITIES IMPLICATIONS

10.1 An equalities impact assessment screening has been undertaken which concludes that the Local Plan for the former Selby district area sets out positive policies that aim to deliver

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positive impacts and development. The consultation process will inform all stakeholders of the opportunity to be involved and comment on this stage of production. A copy of the EIA screening is at Appendix 8.

11.0 CLIMATE CHANGE IMPLICATIONS

11.1 A Sustainability Appraisal has been undertaken throughout the preparation of the Local Plan and will be published alongside the Revised Publication Local Plan consultation document. A copy of the Climate Change Assessment is at Appendix 7.

13.0 CONCLUSIONS

13.1 Given the changing context in relation to national policy but more importantly the commitment to begin work on preparation of a new Local Plan for North Yorkshire Council Officers recommend that consultation takes place on an Revised Publication Local Plan so that work on the Local Plan for the Selby District can progress to avoid any gaps in policy whilst the new plan is being developed.

13.2 A copy of the draft Revised Publication Local Plan has been attached at Appendix 1. It is proposed that consultation will take place between 8 March and 19 April 2024.

13.3 The Revised Publication Local Publication Selby District Local Plan removes the Heronby new settlement proposal and adds in 3 further site allocations in the villages of Hambleton, North Duffield and Eggborough. The additional sites are now included in response to additional technical information submitted through the 2022 consultation which demonstrate they are deliverable. In addition to these changes to site allocations a number of changes have been made to policy wording to address issues raised at the previous consultation. Comments will be sought on the whole Revised Plan.

14.0 REASONS FOR RECOMMENDATIONS

14.1 Executive are asked to recommend to Full Council that consultation takes place on a revised Publication Local Plan for the former Selby district area to continue progress towards the adoption of the Local Plan.

15.0 RECOMMENDATIONS

i) To recommend to Full Council that the Draft Revised Publication Local Plan document at Appendix 1 of this report is approved for consultation in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) regulations 2012 (as amended); and

ii) Delegate to officers the arrangements for the consultation to take place for six weeks between 8 March and 19 April 2024; and

iii) Delegate to the Head of Policy and Place and Assistant Director of Planning in consultation with the Executive Member for Open to Business, any minor amendments required to the documentation for typographical, grammatical and factual or Plain English purposes and any amendments required to address issues raised in the final HRA and SA reports to the documents prior to publishing for consultation.

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APPENDICES:
Appendix 1 - Revised Publication Local Plan Consultation Document
Appendix 2 - Summary of comments made to Publication Local Plan consultation 2022
Appendix 3 - Sustainability Appraisal Summary Note
Appendix 4 - Draft Sustainability Appraisal
Appendix 5 - Habitats Regulations Assessment Summary Note
Appendix 6 – Draft Habitats Regulations Assessment
Appendix 7 – Equalities Impact Assessment
Appendix 8 – Climate Change Assessment
Appendix 9 – Log of changes to Appendix 1 since DPC and SAACC version
Appendix 10 – Feedback from Development Plans Committee and Selby & Ainsty Area Constituency Committee

BACKGROUND DOCUMENTS:
Issues and Options Local Plan
Preferred Options Local Plan
Publication Local Plan August 2022

Nic Harne
Corporate Director for Community Development
County Hall
Northallerton
6 February 2024

Report Author – Linda Marfitt Head of Planning Policy and Place
Presenter of Report – Linda Marfitt Head of Planning Policy and Place

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NORTH YORKSHIRE COUNCIL

Selby Local Plan

Revised Publication 2024









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2024 Revised Publication Version

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1 Foreword

1.1 We consulted on the Publication Local Plan between 26 August and 28 October 2022. We have carefully considered the responses received to the consultation alongside changes to local government and changes to national planning policy in preparing this Revised Publication Local Plan for consultation.

1.2 On 1 April 2023 Selby District Council ceased to exist and became part of North Yorkshire Council. Members of the new Council recognise the advanced stage which has been reached in preparing the Local Plan for the former Selby district area and on 22 February 2023, North Yorkshire Council agreed that work should continue. The continuation of the Local Plan for the former Selby district area will provide certainty to local people and businesses that new growth will continue in a planned way in the interim period whilst a new Local Plan is prepared for the wider North Yorkshire Council geography.

1.3 The fact that a new North Yorkshire Local Plan will be prepared means that we don't need to build in the same level of flexibility in the Selby Local Plan through the provision of a new settlement to meet the longer-term growth of the area. For this reason, the new settlement proposal at Heronby has been removed from this Plan and will be considered as part of the preparation of a new Local Plan for North Yorkshire.

1.4 The previous consultation provided developers with the opportunity to address concerns relating to deliverability of schemes and as a result some sites have now been included as Local Plan allocations. Due to these significant changes, we are therefore consulting on a Revised Publication Local Plan before it is submitted to the Secretary of State for Examination in Public.

1.5 The Revised Publication Local Plan is an ambitious one which aims to meet the longer-term growth of the former Selby district area. The Plan aims to ensure that 7728 new homes are delivered up to 2040 and sufficient land is allocated to support economic growth. To the west of the village of Eggborough a significant site is allocated for new housing, which recognises the emerging employment opportunities which will come forward on the sites of the former Eggborough Power Station and former Kellingley Colliery.

1.6 The Revised Publication Local Plan aims to deliver new development of high-quality design, well-paid employment opportunities and helps support the vitality of our towns and villages. We want to maximise opportunities which assist with us meeting zero net carbon objectives, promote active travel and improve our natural and historic environment.

1.7 It's crucial that we get a Plan in place as it will help ensure that future development continues to take place in a planned way and is supported by improvements to highways, schools, healthcare facilities and other local infrastructure. This means we can continue to attract investment that creates job opportunities and good-quality homes.

1.8 We value the input you have made to help shape this revised version of the Local Plan and look forward to your continued support in taking it forward.

Revised Publication Selby Local Plan 2024

Councillor Derek Bastiman, Executive Member for Open to Business

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2 Introduction and Background

About this Consultation

2.1 On the 1 April 2023 Selby District Council ceased to exist and the former area became part of a new North Yorkshire Council (as established through the North Yorkshire (Structural Changes) Order 2022). A new Local Plan will be prepared for the new North Yorkshire Council to cover the new geography of the whole of North Yorkshire (outside the National Parks) however given the advanced stage in its preparation the Local Plan for the former Selby district area will continue. The decision to proceed with this Local Plan for the former Selby district area was approved by North Yorkshire Council on 23 February 2023 and 21 February 2024. The 'Plan Area' for this Selby Local Plan is defined as the former Local Planning Authority area which is contiguous with the former Selby District Council administrative boundary, as shown on the Policies Map. The Local Plan sets out the Council's spatial approach for new growth up to 2040 and the policies which will be used for decision making in the former Selby district local planning authority area. Once adopted the Selby Local Plan will replace the existing Selby District Core Strategy Local Plan (2013) and the saved policies of the Selby District Local Plan (2005) for the Plan Area covering the former Selby district area.

2.2 This Local Plan has been prepared to address issues raised through previous stages of consultation which took place between January 2020 and October 2022 and in order to progress the Local Plan to Submission. The Local Plan document has been drafted in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and fulfils the requirements set out in Regulation 19.

2.3 The Revised Publication Local Plan provides details of:

- Part 1 - Visions and Objectives
- Part 2 - Development Management Policies
- Part 3 - Site Allocation Policies
- A Policies Map (separate document)
- Appendices

2.4 The Revised Publication Local Plan is available for public consultation from 8 March to 19 April 2023. Information about the consultation, how to view the documents and make comments is available to view on the Council's Consultation Portal.

2.5 Hard copies of the document will also be made available during opening hours at the following locations;

- Civic Centre, Selby
- Selby Library
- Sherburn in Elmet Library
- Tadcaster Library
- Barlby Library

Revised Publication Selby Local Plan 2024

2.6 A number of evidence documents to support the Revised Publication Local Plan have also been produced and are available to view on the Council's Consultation Portal including the Sustainability Appraisal and Habitats Regulations Assessment.

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Introduction

2.7 The Local Plan will help shape the growth of the former Selby district area over the next 16 years. The preparation of a new Local Plan gives us the opportunity to consider what sort of place the area should be in 2040. The Local Plan is a comprehensive plan which sets out the strategic vision for the former Selby district area, identifies where new development will happen and sets out the policies against which planning applications will be determined. The Plan identifies where new homes and jobs growth will happen and will also help to ensure we capture opportunities for new investments to improve local infrastructure, promote successful town centres and create healthy communities in a sustainable manner in order to address climate change and protect our important natural environment.

2.8 On the 1 April 2023 Selby District Council ceased to exist and became part of the North Yorkshire Council, a new unitary Council, and a new Local Plan will be prepared for the wider geographical area. In order to ensure we are able to support new development and provide certainty to help the former Selby district area of North Yorkshire to grow whilst ensuring it is a special place to live, it is crucial that this, Selby Local Plan is completed. The 'Plan Area' for this Selby Local Plan is defined as the former Local Planning Authority area which is contiguous with the former Selby District Council administrative boundary, as shown on the Policies Map.

2.9 The Local Plan consists of:

- Part 1 - Visions and Objectives
- Part 2 - Development Management Policies
- Part 3 - Site Allocations Policies
- A Policies Map (separate document)
- Appendices

Note

This Local Plan should be read as a whole in conjunction with other relevant national and local planning policies. Some cross references have been included between policies in the Plan, but they are not exhaustive; applicants should satisfy themselves that they have considered all the policies which are relevant to their proposal.

2.10 Once adopted the new Local Plan will replace the adopted Selby District Core Strategy Local Plan (2013) and the saved policies in the Selby District Local Plan (2005).

2.11 The North Yorkshire County Council, City of York and North York Moors National Park Authority Minerals and Waste Joint Plan(2022) forms part of the Development Plan.

2.12 There are also a number of other documents that form the Development Plan for the Plan Area; these are:

- Appleton Roebuck and Acaster Selby Neighbourhood Development Plan

- Church Fenton Neighbourhood Development Plan
- Escrick Neighbourhood Development Plan
- Community Infrastructure Levy
- East Inshore and Offshore Marine Plan
- Policy E8 of the North Yorkshire Structure Plan (Page 53)
- Supplementary Planning Documents

2.13 The National Planning Policy Framework 2023 sets out the Government's planning policies for England and how these should be applied. Planning law requires that planning decisions are taken in line with the Development Plan unless material considerations indicate otherwise. The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) prescribe processes that the Council must follow when preparing the Local Plan.

2.14 Paragraph 20 of the National Planning Policy Framework 2023 says that strategic policies should set out an overall strategy for the pattern, scale and quality of development and make sufficient provision for:

- Housing (including affordable housing), employment, retail, leisure and other commercial development
- Infrastructure for transport, telecommunications, security, waste management, water supply, waste water, flood risk and coastal change management, and the provision of minerals and energy (including heat)
- Community facilities (such as health, education and cultural infrastructure)
- Conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure and planning measures to address climate change mitigation and adaptation

2.15 Policies which are considered to be strategic policies are specifically identified in the Local Plan.

2.16 The development of the Local Plan involves a number of consultation stages which took place throughout the preparation of the document. The preparation of the Local Plan has been informed by a range of local evidence including:

- Housing and Economic Development Needs Assessment (2020) and Addendum (2023)
- Strategic Housing Land Availability Assessment (2023)
- Strategic Flood Risk Assessment (2022)
- Town Centre, Retail and Leisure Study (2020)
- Strategic Highways Modelling (2022 and updated 2024)
- Local Plan Viability Assessment (2022)
- Selby Landscape Character Assessment (2019)

2.17 The preparation of the Local Plan must ensure that relevant legal requirements are met including the need for a Strategic Environmental Assessment/Sustainability Appraisal and for a Habitats Regulations Assessment. The Sustainability Appraisal should demonstrate how the Plan has addressed relevant economic, social and environmental objectives. Significant adverse impacts should be avoided and, where

possible, alternative options which reduce or eliminate such impacts should be pursued. Copies of the Sustainability Appraisal report and Appropriate Assessment (as a result of the Habitats Regulations Assessment) can be found here

Local Plan Context

2.18 The Revised Publication Selby Local Plan has been drafted in accordance with legislation which relates to local plan making and in the context of national planning policy. It has also been influenced by a number of plans and strategies prepared by a number of public bodies and neighbouring authorities as outlined below.

Northern Powerhouse

2.19 The Northern Powerhouse is the Government's vision for a super-connected, globally competitive northern economy with a flourishing private sector, a highly-skilled population and world-renowned civic and business leadership. The Northern Powerhouse geography covers all 11 Local Enterprise Partnerships as well as North Wales. The former Selby district area is well placed to benefit from government investment in transport infrastructure.

Transport for the North

2.20 The Transport for the North Partnership brings together the North's 20 local transport authorities and business leaders along with Network Rail and National Highways. The partnership aims to add strategic value by ensuring that funding decisions are informed by local knowledge and requirements. The former Selby district area is included in two Strategic Development Corridors in the Strategic Transport Plan which have been identified as economic areas where progress towards transformational growth could be made by bringing forward major road and rail investment.

Local Priorities

2.21 The Local Plan will be informed by and help to deliver the key strategic objectives of a range of sub-regional plans and strategies including:

- The Council Plan
- Economic Strategies
- Housing Strategies
- Strategic Transport Plans
- Health and Well-Being Strategies

North Yorkshire Council Plan 2023-2027

2.22 The North Yorkshire Council Plan has been developed by officers from all eight former councils and the findings from the ‘Let’s Talk’ campaign have been used to inform it's ambitions and priorities. The Selby Local Plan will help deliver the Council's vision "we want to build on North Yorkshire's natural capital, strong local economy and resilient communities, to improve the way local services are delivered and support a good quality of life for all".

Economic Strategies

2.23 The York and North Yorkshire Local Enterprise Partnership published a Local Industrial Strategy for York and North Yorkshire in March 2020. The vision is for York and North Yorkshire to become England's first carbon-negative economy by better connecting the capability in and around its distinctive places. The Local Industrial Strategy recognises the potential the region has to deliver a nationally significant contribution to the UK's ambition to be carbon neutral by 2050. The Local Industrial Strategy has four Priorities:

- Connected and resilient places
- People reaching their full potential
- An economy powered by good businesses
- World-leading land management

2.24 The former Selby district area has a key role to play in delivering these priorities through carbon capture, agri-tech investment and its proximity to the Leeds City Region.

2.25 The Partnership's Plan to Re-Shape Our Economy (October 2020) was drafted as a focus to stimulate growth following the global pandemic. There are a number of pledges within the document which aim to achieve the following outcomes:

- Reshaping our town and city centres
- Step change in digital connectivity
- Safer and sustainable transport and travel
- Clean, connected and affordable housing

North Yorkshire Economic Growth Strategy

2.26 Formally adopted in November 2023 this plans to tackle some of the biggest challenges that society is facing while accelerating economic growth across the county. The five-year strategy sets out our leading role in proposals to create a carbon-negative economy, maximise investment and improve the quality of life for North Yorkshire's 615,000 residents and 32,000 businesses. It includes plans to support business growth by building on existing sectors, increasing innovation and productivity, and ensuring the people of North Yorkshire have the right skills to meet these aspirations. There is also a focus on equipping the county's town centres so they can thrive by investing in transport, housing, digital and energy infrastructure.

2.27 The former Selby district area is recognised in the strategy for its role in logistics, manufacturing, agri-tech, energy generation and the opportunities arising through the Selby Station Gateway programme.

Destination Management Plan

2.28 A Destination Management Plan is currently being developed which will aim to promote a year-round visitor economy and investigate ways of addressing skills shortages and increasing wages in the sector.

Local Economic Partnership Housing Strategy

2.29 The York, North Yorkshire and East Riding Housing Strategy 2015-21 was approved by the Housing Board in May 2015. The strategy sets the priorities for housing growth and delivery from 2015 to 2021 and covers the Local Enterprise Partnership area of York, North Yorkshire and East Riding. The priorities of the strategy include doubling housebuilding (compared to 2012-14 building rates) and tripling the delivery of affordable housing. A Housing Strategy Review updates the strategic priorities for the period 2021 to 2023. Building on the achievements of the 2015-2021 Housing Strategy, this Review responds to the challenges we face post Brexit and Covid, as we seek to tackle pressing issues linked to housing affordability, homelessness, decent homes, and carbon reduction. This review seeks to guide housing action and investment during this period of significant transitional change.

2.30 A new Housing Strategy for North Yorkshire has recently been subject to public consultation, which outlines the Council's aims and ambitions for housing for the period 2024 to 2029.

North Yorkshire Local Transport Plan 4 (2016-2045)

2.31 All local transport authorities are required to produce plans and strategies for maintaining and improving all aspects of the local transport system. As the highway authority, North Yorkshire Council (formerly North Yorkshire County Council) is responsible for all adopted roads and footways within North Yorkshire and for the management, maintenance and improvement of the local highway network. The Local Transport Plan 4 (2016-2045) sets out the Council's priorities, plans and strategies for managing, maintaining and improving all aspects of the local transport system for the next 30 years and is based on five themes:

- Economic Growth - Contributing to economic growth by delivering reliable and efficient transport networks and services
- Road Safety - Improving road and transport safety
- Access to Services - Improving equality of opportunity by facilitating access to services
- Environment and Climate Change - Managing the adverse impact of transport on the environment
- Healthier Travel - Promoting healthier travel opportunities

2.32 A new Local Transport Plan is currently being prepared jointly with City of York Council.

Joint Health and Well-Being Strategy (North Yorkshire) 2015-20

2.33 The Joint Health and Well-Being Strategy is a shared agreement between organisations that are represented on the Health and Well-Being Board. These include local authorities, Clinical Commissioning Groups and National Health Service (NHS) England. It is based on five key themes:

- Connected Communities
- Start Well
- Live Well

- Age Well
- Dying Well

2.34 The overall outcome of the Strategy is for North Yorkshire to be a place where communities flourish, people shape services and have control of their lives.

Neighbourhood Planning

2.35 Neighbourhood Planning is a key part of the Government's Localism agenda. It aims to give local communities greater power to shape development by taking a more active role in the development of planning policies at a local level. Neighbourhood Planscan be developed before, after or in parallel with a Local Plan but the law requires that they must be in general conformity with the strategic policies in the adopted Local Plan. When Neighbourhood Plans are brought into force they become part of the statutory Development Plan for the area that they cover.

2.36 Within the former Selby district there are currently four designated Neighbourhood Plan Areas (Selby Town, Ulleskelf, Tadcaster and Brayton) and three 'made' (adopted) Neighbourhood Plans at Appleton Roebuck / Acaster Selby, Church Fenton and Escrick.

2.37 The Local Plan must make appropriate reference to Neighbourhood Plan policies and proposals.

Duty to Cooperate

2.38 The Duty to Cooperate was introduced in 2011 by the Localism Act and places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis with other Duty to Cooperate bodies to maximise the effectiveness of Local Plan preparation relating to strategic matters. The Duty to Cooperate is not a duty to agree but Local Planning Authorities should make every effort to secure the necessary cooperation on strategic cross-boundary matters before they submit their Local Plans for examination. The Duty to Cooperate applies to strategic issues which have significant impacts affecting two or more Local Authority areas.

2.39 The Council's participation in cross-boundary planning with its Duty to Cooperate partners, which include neighbouring authorities, the former North Yorkshire County Council and the two Local Enterprise Partnerships, has been and will be an ongoing process throughout the preparation of the Local Plan.

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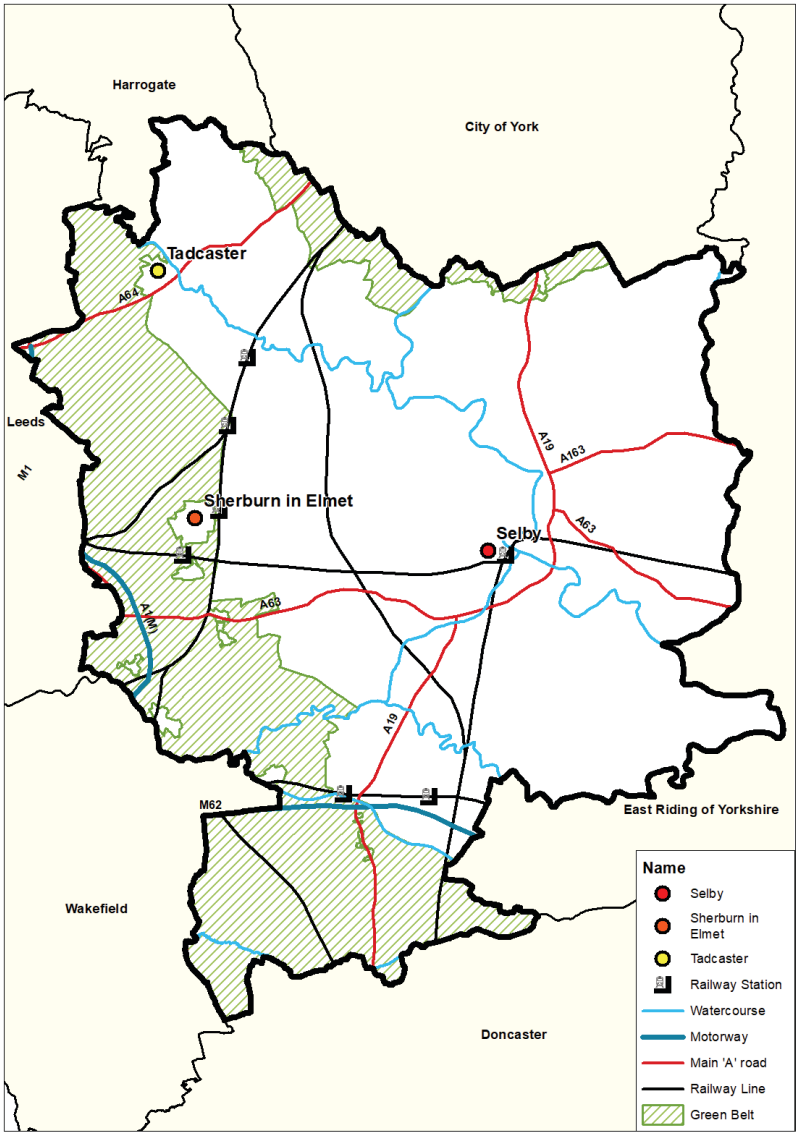
3 Visions and Objectives

Spatial Portrait

Context

3.1 The former Selby district area is largely rural, covering 59,931 hectares (ONS) but has vibrant market towns and is well-connected to major urban areas such as Leeds and York. The former Selby district area is the most southerly in North Yorkshire and is broadly contained by the A1(M) to the west and the River Derwent to the east. Neighbouring Authorities comprised the City of York Council, Leeds City Council, City of Doncaster Council, Harrogate Borough Council, City of Wakefield Metropolitan District Council and the East Riding of Yorkshire Council. From the 1st April 2023, the former Selby district and Harrogate areas are part of the new North Yorkshire Council, and the Neighbouring Authorities also include Hull City Council, Darlington Borough Council, Hartlepool Borough Council, Middlesbrough Council, Redcar & Cleveland Borough Council, Stockton-on-Tees Borough Council, Durham County Council , City of Bradford Metropolitan District Council, Pendle Borough Council, Ribble Valley Borough Council, Lancaster City Council, Lancashire County Council, North York Moors National Park Authority and the Yorkshire Dales National Park Authority.

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3.2 The former Selby district area has a population of 91,988 (2021 Census, ONS) and is one of fastest growing areas in the region, due to significant amounts of in-migration. Since 2001 the population has grown by more than 20%, far exceeding the average population growth rate for North Yorkshire as a whole over the same period (about 8%) (ONS).

3.3 The former Selby district area has an ageing population and has a higher proportion of people in every age cohort from 40 and over, when compared with the national average. Conversely, it has a comparatively low percentage across all age bands between 0 and 35 years (ONS). According to the 2021 Census 97.7% of the area's population consider their ethnic group to be white.

3.4 The area has three market towns, Selby town, Tadcaster and Sherburn in Elmet, in addition to over 60 villages, which vary in size and facilities. More than a third of the population live in the three market towns, whilst the remaining, nearly two thirds live in the villages and scattered hamlets.

3.5 Selby town is the largest town in the former Selby district area with a population of 20,307 (ONS 2021 Census) and is surrounded by a number of satellite villages. It is the main shopping centre and focus for housing, employment and other local facilities, including leisure, education, health, and local government. The town benefits from a bypass which was constructed in 2004.

3.6 There has been a settlement at Selby since Roman times and the town centre has a wealth of historic heritage shaped by the magnificent Selby Abbey, the historic market place and a core of Listed Buildings. The River Ouse makes a significant contribution to the shape and context of the town. The town is also defined by its legacy as a small inland port which was developed to serve the wool industries of West Yorkshire, as well as being known for shipbuilding.

3.7 The 'Selby Urban Area', as defined on the Local Plan Policies Map, consists of the built-up area of the parish of Selby as well as the north-eastern part of the parish of Brayton along Doncaster Road and the south-western part of the parish of Barlby up to the Greencore Factory. The Selby Urban Area has been chosen as a planning designation for growth and investment because for all intents and purposes the combined parts of these parishes function as a single settlement.

3.8 The services in Selby Urban Area such as schools, health centres and shops are shared closely by the residents. The urban form between the parishes of Selby and Brayton is continuous in the Doncaster Road area until south of Baffam Lane. The populations on either side of the Ouse are very close to each other and have a strong link between them in the form of the A19 Toll Bridge. A distinct break between the village of Barlby and the Selby Urban Area does not occur until north of the Greencore Factory on Barlby Road. The Selby Urban Area has a combined population of over 22,000 (ONS 2020).

3.9 Tadcaster is a market town, with a population of 6,335 (ONS 2021 Census), which also serves the wider rural communities. The breweries continue to play an important role in the local economy with the multinational companies of Coors and Heineken alongside the much smaller independent Samuel Smith Old Brewery (Tadcaster) represented. Tadcaster retains much of its rich and distinctive historic character, exemplified by its historic street layout and the limited palette of building materials within the town centre. The town's Conservation Area encompasses the historic core and contains a high concentration of designated heritage assets. There are, however, clear opportunities to improve the vitality and viability of the town centre. The town is set in undulating countryside, with the surrounding Green Belt, the designated Locally Important Landscape Area, and the important green wedge along the riverside, as well as the River Wharfe itself making a significant contribution to the character of the town.

3.10 Sherburn in Elmet, located 15 kilometres to the west of the Selby Urban Area, has a population of 8,568 (ONS 2021 Census). The town has a number of community facilities including a library. Sherburn in Elmet has seen a significant amount of housing and employment development over the last decade including the successful development of the Sherburn Enterprise Park. There are opportunities to ensure that the level of housing and employment growth is matched over the Plan period with investment in supporting infrastructure and services.

3.11 The former Selby district area is generally prosperous with low levels of deprivation, ranked 246 out of England's 317 Local Authorities by the Index of Multiple Deprivation (2019) and residents enjoy a high life expectancy in line with the national average. However, inequalities do exist across the former district area and there is one small area within the Selby Urban Area with comparatively high levels of deprivation, which ranks within the 10% of most deprived areas in England. In this area life expectancy is slightly lower for both men and women.

3.12 The Local Plan's strategy will seek to ensure that new development is directed to sustainable locations and settlements with a good range of services and accessibility. However, it is critical that the district's smaller villages, of which there are many, have an element of appropriately-designed housing growth to help sustain important local services, such as village schools and shops.

Climate Change & Flooding

3.13 The former Selby district area, with its links to energy generation sectors and industry, and with its positive attitude to growth, presents opportunities to reduce greenhouse gas and carbon emissions, which are known to contribute to global warming and climate change, as well as mitigate the potential impacts, such as increased temperatures and heat waves, droughts, and more intense rainfall resulting in flooding. The York and North Yorkshire Local Enterprise Partnership (LEP) has set an ambitious climate change agenda, committing to become the UK's first zero-carbon City Sub Region. North Yorkshire Council's Climate Change Strategy 2023 to 2040 sets out the Council's response to the Climate Emergency and how it will help deliver the LEP's Routemap ambition for the region to be net zero by 2034 and carbon negative by 2040. To support these ambitions the Council has set a target to become net zero in its operations by 2030.

3.14 The generation of electricity and heat contributes to significant emissions through the burning of fossil fuels such as coal, oil and natural gas. Drax is the only power station still operational within the former Selby district area and solutions to realise reductions in carbon emissions from this facility will help achieve the aspirations for Zero Carbon Humber. There are further opportunities to generate more energy from renewable sources within the area both through the design of new development and larger-scale energy generation, providing that this is done with sensitivity to the surrounding landscape and environment. The coal mining heritage of the area has now ceased to produce new fossil fuels and these old workings provide opportunities where geothermal and renewable energy technologies can be investigated. New development must also seek to be more resourceful with existing heat and energy by seeking to build to the highest standards for heat retention and heat recycling.

3.15 A significant proportion of carbon emissions within the area come from vehicle emissions (37% according to SCATTER https://scattercities.com), and it is important to ensure that new development is situated close to existing services and facilities to reduce the number of necessary long journeys, that the greater use of sustainable transport options is promoted and alternative ways of working/communicating are facilitated. Where vehicle transport is essential, measures to support low-carbon and ultra-low-carbon vehicle solutions should be supported along with the use of rail and water infrastructure for the transportation of goods.

3.16 The natural environment provides a reservoir to lock existing carbon out of the atmosphere and it is important to protect the existing trees, soils and habitats of the area while also developing new natural environments which can improve resilience and mitigation for climate change, through helping the environment and communities adapt, withstand, respond to, and recover from climate impacts while also offsetting the carbon emissions which cannot be eliminated.

3.17 The former Selby district area has four main rivers running through it; the Ouse, Aire, Wharfe and Derwent and much of the area is also subject to tidal flooding from the River Humber. Climate change increases the risk of flooding. It is therefore important that new development is directed away from areas of the highest risk where possible, and that this and new infrastructure consider the increased risks and mitigation of climate change where appropriate. It may be necessary, in some cases, to locate development in areas of high flood risk in order to achieve regeneration in the most sustainable settlements. Where this is the case it must be proven that the development is made safe for its lifetime and does not exacerbate flooding elsewhere. Equally the hazards of increased heat and drought are important design considerations of new schemes.

Housing

3.18 House prices tend to be lower in the former Selby district area than in neighbouring areas of North Yorkshire, which means it is attractive for first-time buyers and young families, which has led to a significant amount of in-migration. However, house prices in the north are higher than elsewhere in the area and align with York and northern suburban parts of Leeds. More modest house prices are seen in the south of the area (Housing & Economic Development Needs Assessment 2020).

3.19 The former Selby district area is dominated by larger properties - approximately 75% of the housing stock comprises detached and semi-detached properties. Similarly, 3 and 4+ bedroom properties comprise approximately 70% of the overall housing market (Census 2021). The proportion of home ownership is significantly greater in the area than the country as a whole (Census 2021). However, in common with all North Yorkshire authorities there is a high level of identified need for affordable housing in the former Selby district area.

3.20 Because there is an ageing population, the Local Plan requires that the design of new housing should encourage independent living and new housing should be located close to existing or planned new facilities and in areas accessible by public transport. The provision of the right type of housing is also important in retaining and attracting younger generations, including young families, who can support local services such as village schools. The right housing mix should anticipate and allow for demographic change and allow existing residents to remain in their communities. The former Selby district area faces a high level of affordable housing need and the provision of affordable housing is critical in meeting the needs of all residents and in the creation of mixed and balanced communities.

Economy

3.21 The former Selby district area's local economy has traditionally been dominated by agriculture, shipbuilding, coal mining, food manufacturing, brewing and the energy industries. The area's strength in energy generation, which has been an integral part of the local economy since the opening of the Selby Coalfield in 1976, means that employment in primary industries is significantly above the national average, despite the closure of Selby Coalfield in 2004. The area also has a concentration of manufacturing employment, with transport and storage also being a key sector, due to it's locational advantages (Nomis https://www.nomisweb.co.uk). However, the economy is changing with a new focus on the creative industries; emerging manufacturing sectors and sub-sectors; agri and horti-tech research and development; and the energy sector's transition to low carbon.

3.22 The area's unemployment rate is low and residents enjoy on average earnings which are above the UK average and are some of the highest in North Yorkshire (Nomis). Furthermore, the workforce is highly skilled, with a third of residents qualified to degree level or above (Selby District Economic Development Framework 2017-2022 & Beyond). However, there are high levels of commuting to work outside the former Selby district area, with the majority of journeys terminating in Leeds or York and to a lesser extent Wakefield. There are also significant commuting journeys into the former Selby district area from neighbouring authorities.

3.23 The former Selby district area is part of the York and North Yorkshire Local Enterprise Partnership (LEP) and Selby town is identified as one of the growth towns on the A1 / A19 corridor. Drax Power Station is identified as a growth driver having recently been converted to sustainable biomass instead of coal. Drax Power Station is piloting negative emissions technology BECCS (bioenergy with carbon capture and storage) within its CCUS (carbon capture utilisation and storage) incubation site.

3.24 The former Selby district area has several large brownfield sites including former airfields, power stations and mine sites, which are in close proximity to strategic transport routes, including the A1(M) and M62, and rail infrastructure which provide opportunities for further investment. Key employment sites include the former Kellingley Colliery which is a 57 hectare site and has planning permission to provide up to 1.45 million square feet of manufacturing and distribution space along with the creation of up to 3,000 jobs. The former RAF airbase at Church Fenton is home to Yorkshire Studios and has planning consent for a creative/media/digital hub. Sherburn Enterprise Park has expanded and has consent for an additional 35 hectares of employment uses as part of the Sherburn 2 proposals. Eggborough Power Station was recently de-commissioned and has outline permission for its redevelopment for General Industrial (B2) and Storage and Distribution (B8) uses, with a further 40 hectares allocated for employment uses which utilise the site's unique rail infrastructure. The former Gascoigne Wood Interchange provides a 57 hectare brownfield site with opportunities to redevelop, utilising the site's regionally significant rail freight infrastructure and Olympia Park in the Selby Urban Area provides a significant brownfield redevelopment opportunity for a range of commercial and industrial uses over 33 hectares of land, close to the town centre.

3.25 Reinvigorating the economy of the area is a major priority if a more self-contained, sustainable way of life for residents is to be created. It is critical that new employment opportunities match the skills and aspirations of the former Selby district's population in order to provide long-term, high-quality employment for all residents. It is also important that the digital infrastructure is able to support flexible ways of working.

Town Centres

3.26 Selby town centre comprises a mix of local independent retailers and services, alongside a weekly market, a number of national multiples, restaurants and Selby Leisure Centre. The town centre performs reasonably well in terms of vitality and viability indicators, partially due to the location of a number of supermarkets close to the town centre. However, the town would benefit from enhancing the historic fabric of the centre and improving linkages between the train station and the Abbey. To this end, the Council has been awarded £20 million from the Transforming Cities Fund which is allocated for major access improvements to the train station and improved linkages between the station, the town centre and major development sites. Selby's bid was a joint approach from the former District and County Councils, and forms part of a larger package of projects within the Leeds City Region submitted by the West Yorkshire Combined Authority (WYCA).

3.27 Tadcaster town centre is the second largest centre in the former Selby district area in terms of retail provision. Notwithstanding this and the existence of a national supermarket in the town, the retail offer is relatively limited and is predominantly orientated towards local shopping and service needs. Whilst most categories of non-food shops are represented within the centre, the choice of shops within each category is limited. The town centre shows poor signs of vitality and viability with nearly a third of town centre properties vacant (Town Centre, Retail and Leisure Study 2020) and several buildings are in a very poor state of repair which detracts from the otherwise high-quality, historic centre. However, the town does have a number of community facilities including a sports centre and swimming pool. Some new development alongside heritage-led regeneration of the centre would benefit the town.

3.28 The retail offer in Sherburn in Elmet, although limited, provides for the immediate needs of the community and includes a range of local independent shops and national supermarkets. Vacancies in the town centre are particularly low and the town is healthy and vibrant, albeit the level of services has failed to keep pace with the level of population and housing growth witnessed in recent years. The opportunity to widen the retail offer to serve the community through the expansion of the central shopping core look physically constrained so options to build on the centre's existing success will be explored.

3.29 Population growth and high levels of in-migration to the former Selby district area provide a key opportunity to enhance town centre spaces to ensure that communities have the level of services required to support their day-to-day retail and leisure needs and to encourage the retention of expenditure within the former Selby district area. In the face of increased competition from neighbouring cities such as Leeds and York, along with internet retailing, the town centres will need to evolve to become more than a retail destination.

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3.30 The promotion of town-centre living, an enhanced evening economy and the diversification of town-centre spaces to allow for events and activities is now increasingly important as the already changing role of town centres and economic restructuring is further challenged by the impacts of the climate change crisis. A renewed emphasis on active travel, walking and cycling, new ways of working for businesses, and the health and well-being of communities will ensure the town centres work as high-quality places which attract users and investors.

Leisure, Culture & Tourism



3.31 In terms of cultural provision, Selby town is home to the Town Hall, the only professional arts venue in the former district. Despite a wealth of history and heritage assets, including Selby Abbey and Towton Battlefield, tourism and the visitor economy has previously been an under-exploited sector. The Council's Visitor Economy Strategy has been in place since 2018 and incorporates a number of measures including improving brand identity and marketing; concentrating work around town centre regeneration and appearance; and the development of an enhanced food and drink offer in the former district.

3.32 The area's industrial heritage, including shipbuilding and beer brewing, is particularly rich and is a main theme of the Selby District Cultural Development Framework 2021-2026. The Framework looks at measures to share the heritage narratives of important buildings, which will assist in raising local aspirations and pride.

3.33 Opportunities exist to build on the former Selby district area's strong cultural heritage, particularly in a way which encourages footfall in the town centre. In addition, there are opportunities around outdoor leisure activities which utilise the rural nature of the area in a sustainable manner whilst safeguarding the natural environment.

Heritage & Place-Making

3.34 The former Selby district area includes a considerable number of heritage assets such as Scheduled Monuments, Registered Parks and Gardens, Listed Buildings, 23 Conservation Areas and the Registered Battlefield at Towton.

3.35 Medieval sites, particularly moated and manorial sites, are a feature of the former Selby district area including Scheduled Monuments such as Newton Kyme Henge and the site of King Atheltstan's Palace in Sherburn in Elmet. The Roman heritage of Tadcaster is also particularly significant.

3.36 The former Selby district area has a significant ecclesiastical history including Selby Abbey, Cawood Castle and the Bishop's Canal (now known as Bishop Dike). The 19th Century farming heritage of the area provides an important record of the intensification of production and is illustrated most strongly in the impressive dairy

buildings on many larger holdings. Twentieth century military remains are also a key feature of the area's historic environment, most notably the current and former airfields and their associated buildings.



3.37 Despite the wealth of heritage assets, several designated assets are considered at risk by Historic England and it is therefore a priority to secure a sustainable future for these and prevent further deterioration or harm. Furthermore, there are also non-designated heritage assets, including below ground archaeology, a greater number of which are yet to be identified. These are known to be significant (currently undesignated) archaeological remains along both the Southern Magnesian Limestone Ridge and within the Humberhead Levels. Surveying and recording is an important part of retaining the character of the area. The Council has been undertaking a programme of Conservation Area Appraisals across the area and Selby town is benefiting from a four-year investment in its historic core through the High Street Heritage Action Zone scheme.

3.38 The wealth of historic and heritage assets in the former Selby district area provide a key opportunity to raise aspirations and pride. Sensitive conservation work is encouraged to enhance the area's historic town centres and vacant upper floors should be repurposed to residential use to ensure the centres' continued vitality and viability. Careful consideration will need to be given to how the area's major development sites can be linked to enhance the historic cores.

3.39 The former Selby district area provides a high-quality built environment for those living in, working and visiting the area. It is also subject to increasing pressure for new housing, commercial activity and new infrastructure. Opportunities should be taken to create successful well-designed places, that provide high-quality environments and contribute to a good quality of life for local communities.

Natural Environment

3.40 The former Selby district area's landscape comprises relatively flat, low-lying farmland although the northern and western boundaries have greater topographic variation as a result of the Escrick Moraine and Magnesian Limestone ridge, respectively.

3.41 The area has a number of areas which are important ecological habitats which include the River Derwent, Lower Derwent Valley and Skipwith Common which have both European conservation status and are nationally important Sites of Special Scientific Interest (SSSI). In addition there are a number of designated local Sites of Importance for Nature Conservation (SINCs) including species-rich grassland, ancient woodlands and wetlands.

3.42 The former Selby district area is crossed by several major watercourses including the rivers Ouse, Wharfe, Aire and Derwent and their associated washlands, which in the case of the River Derwent supports internationally important wetland. Large parts of the area are low lying and susceptible to flooding.

3.43 Ensuring that the development needs and opportunities of the former Selby district area are met in a way which safeguards those elements which contribute to the distinct character and resources of the area will be an important challenge. Furthermore, the Council has a general duty to deliver a net gain in biodiversity which in part is via a healthy water environment. Climate change and flooding are key challenges that the former Selby district area faces and it will be critical that new development is sustainable and designed for resilience; located in areas of lowest flood risk; and that it contributes to mitigating and adapting to the future impacts of climate change.

Open Space & Recreation

3.44 As a predominantly rural area, the former Selby district area is well served in terms of open countryside and farmland. Even in the Selby Urban Area, as the largest settlement, the open countryside is visible and accessible within a short walk. However, more formal and accessible areas of recreational space are important and provide an essential service to the local population, including ensuring accessible routes exist to these spaces.

3.45 Larger settlements such as Selby, Tadcaster, Sherburn in Elmet and South Milford have formal parks with sports facilities and a range of play equipment for children. Smaller settlements also have important areas of formal and informal recreational open space, including children's play areas, village greens and playing pitches.

3.46 Ensuring residents have access to high-quality open space is an important part of providing sustainable, inclusive and healthy places to live. The Local Plan will seek to ensure that development does not result in the loss of important areas of green space, whether they be formal recreational spaces or those areas that provide important amenity green space within the district's settlements. New development also provides the opportunity to deliver new high-quality open space and recreational opportunities to ensure that new residential communities are supported by sufficient opportunities for outdoor leisure, enabling them to pursue healthy lifestyles.

Transport & Infrastructure

3.47 The former Selby district area is well connected by road with direct access to the A19, A63 and A64, and the M62 and A1(M) national motorway routes which cross the area. It also benefits from a number of strategic railway links including the electrified East Coast line and the Manchester to Hull Trans-Pennine line and Selby has a direct service to London. The former Selby district area benefits from seven other passenger rail stations. Upgrades and improvements are being made to the Trans-Pennine route, with the first stage of work being undertaken between Church Fenton and York. £20 million has also been earmarked for major access improvements to Selby Train Station, including improved linkages between the station, town centre and development sites. In addition, there are three airfields in the area that form part of the national network serving business, leisure and training purposes. These

transport connections mean there is a strong relationship between the former Selby district area and the cities of Leeds, Wakefield and York, particularly in terms of travel to work patterns.

3.48 The Local Cycling and Walking Infrastructure Plan aims to maximise cycling and walking options and reduce dependency on cars. The key outputs include a network proposal for walking and cycling alongside a prioritised programme of infrastructure improvements over a 10-year period.

3.49 The former Selby district area is served by a number of primary schools and six secondary schools. In addition, there are three main providers of further education which comprise Selby College and sixth forms at Tadcaster Grammar School and Sherburn High School, although there is significant commuting of students into and outside of the area for higher and further education.



3.50 NHS Humber and North Yorkshire Integrated Care Board (ICB) in England is a statutory organisation accountable for NHS spend and performance for 1.7million people. The ICB is a core member of the Humber and North Yorkshire Health and Care Partnership, alongside NHS providers, local councils, health and care providers and voluntary, community and social enterprise (VCSE) organisations. Since July 2022 the six former Clinical Commissioning Groups have been reorganised into a single organisation.

3.51 The Health and Care Partnership is one of 42 Integrated Care Systems (ICSs) which cover England to meet health and care needs across an area, coordinate services and plan in a way that improves population health and reduces inequalities between different groups.

3.52 In terms of utilities, the former Selby district area is extremely well served for energy infrastructure given its current and historic role in electricity generation. The area is connected to the national power grid for both electricity and high-pressure gas. Water supply in the area relies on two aquifers; these are the Sherwood Sandstone Aquifer to the west of Selby and the Magnesian Limestone Aquifer situated along the western side of the former Selby district area. The protection of the quantity and quality of these water sources and related boreholes is of paramount importance. A service reservoir also lies under Brayton Barff which is fed by rivers and groundwater. Water supply to premises and the public sewerage system within the area is provided by Yorkshire Water.

3.53 Creating the conditions to help improve the self-sufficiency of the former Selby district area is seen as a major challenge. Improvements to and expansion of opportunities for sustainable travel include the proposals for the Selby Station Quarter which seek to provide attractive and legible linkages between the station, the town centre and new residential and commercial development sites. Buses play a key role in serving and supporting local economies, improving connectivity, enabling social inclusion and addressing climate change and air quality issues. Buses will remain vital for people to sustainably get to jobs, services, education and training and recreation, especially for those without access to a car. Proposals should also ensure that sufficient community and social infrastructure is in place to support successful places.

3.54 Furthermore, the Local Cycling and Walking Infrastructure Plan will seek to achieve networks of walking and cycling routes that connect places within Selby town, Tadcaster and Sherburn in Elmet. Access to super-fast broadband will be critical for economic growth and supporting local businesses and residents, particularly to accommodate increased home working and educational opportunities, and more sustainable ways of working and living.

3.55 The existing energy infrastructure provides a key opportunity to explore ways in which the former Selby district area can be at the forefront of developing and utilising carbon capture technologies. Drax Power Station is currently piloting a carbon capture scheme, and working as part of the Humber Industrial Cluster to provide the strategic architecture for decarbonising energy intensive industry with the goal to reaching net-zero.

Local Plan Visions and Objectives

The Vision for the Plan Area of the former Selby District

By 2040 the former Selby district area will continue to be an attractive place to live which provides residents with a pleasant rural environment within easy reach of the urban centres of York and Leeds. Change will have been managed to reinforce the elements which make it a distinctive place, including the quality and character of its natural and historic environment. The population will be healthier with improved well-being through access to high-quality jobs, safe homes, social infrastructure and connections with an enhanced natural environment.

Residents will have access to a range of well-paid employment opportunities which reflect the skills of local people, reduce the level of out-commuting and create a more self-contained sustainable way of life. The area will be recognised nationally as a key economic driver which optimises its excellent rail and motorway connections and its location at the heart of Yorkshire. The local economy and local communities will be supported through high-quality digital infrastructure. There will have been a significant shift in employment sectors as a result of the former Selby district area's role as a key driver in the reduction of carbon emissions through carbon-capture technologies and the skills in the local workforce from mining and energy production will be built upon to support the success and expansion of clean industries and jobs in the low-carbon and renewable energy sectors.

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There will be a range of housing available which meets the needs of the population. New development will be well designed, locally distinctive and integrated with opportunities for sport and recreation linking multi-functional green space with the area's high-quality rural environment and network of waterways. The three town centres of Selby, Tadcaster and Sherburn in Elmet will be vital hubs for local communities built on their historic heritage, providing contemporary high-quality cultural experiences and a strengthened role in retail and local service provision as a result of longer-term changing patterns of work brought about by the Covid-19 pandemic. The expansion of Eggborough will be a sustainable, prosperous, vibrant and coherent settlement with an individual identity and a strong sense of community, having successfully integrated a large expansion of the village to the west. The area's villages will continue to be vibrant places to live and will support cohesive local communities.

The former Selby district area will have an improved and integrated network of green and blue infrastructure which has created gains in biodiversity; considered ways to reduce, mitigate or adapt to climate change challenges including meeting targets for net-zero carbon emissions; and created a better environment to live and work with improvements for health and well-being. New development will have been designed for climate change resilience including flood risk. Unsustainable transport use will have reduced due to the presence of cutting-edge digital technology and a focus on the benefits brought through a circular economy. Opportunities presented by the area's largely flat landscape will have been taken to promote the increased use of sustainable forms of transport, such as walking and cycling.

The Vision for the Selby Urban Area

By 2040 the Selby Urban Area will be a sustainable, attractive, prosperous market town that will attract increasing numbers of visitors to enjoy its unique heritage and character, including its splendid Abbey which has been at the heart of the community since 1069. The town will have an attractive landscaped gateway from Barlby Road and a historic town centre that is vibrant and well used during both the day and evening. The town will provide a wide range of housing, shops, services, leisure, educational and job opportunities for residents of the town and the wider area. Deprivation and health inequalities in the town will be reduced. The town will be the focus of a range of activities and events that take advantage of its unique qualities, such as the magnificent Abbey, the town's proud shipbuilding heritage, a revived historic high street and high-quality multi-functional green space. The town will be well connected by foot and cycle and in particular Selby Station will be well linked to the town centre and surrounding development sites, with Selby Abbey clearly visible to visitors emerging from the train station.

The Vision for Tadcaster

By 2040, Tadcaster will be a sustainable, prosperous and vibrant market town based on its high-quality built environment, beer-brewing heritage, attractive riverside setting, and sense of community. Tadcaster will have a reinvigorated commercial and residential heart achieved by delivering a careful and considered suite of proposals for new housing

growth in and around the town, that reflect the historic patterns of development in the centre, including bringing back into use and refurbishment of vacant or derelict properties and sites for homes and commercial uses. The use of local natural materials will be a key feature. This conservation-led, regeneration approach in the town will: provide a range of shops and services, with lower void rates; create a safe and attractive environment for pedestrians and cyclists; deliver a consolidated parking strategy to meet the settlement's requirements; provide multi-functional green space; protect the open character of the riverside for its own sake, visual amenity and for the setting of the town and its heritage assets; and deliver a mix of housing to meet the local needs of the town and surrounding villages.

The Vision for Sherburn in Elmet

By 2040 Sherburn in Elmet will be a sustainable, prosperous, vibrant and coherent settlement with an individual identity and a strong sense of community, having successfully absorbed recent housing growth. Its historic environment, particularly the highly significant designated heritage assets in the north west of the town, will have been enhanced. It will provide a mix of housing, job opportunities and a wide range of necessary services and infrastructure, including multi-functional green space, to fully support the population of the town and its surrounding villages. The town centre will have both a strong evening and weekend economy, along with a good cultural and leisure offer.

Local Plan Objectives

Sustainable Patterns of Development

Issue: Create sustainable patterns of development

Objective: To focus the majority of new development in the former Selby district area's sustainable locations and settlements, including on previously-developed land, comprising the Selby Urban Area, Tadcaster, Sherburn in Elmet and the expansion of Eggborough, whilst ensuring the continued viability of the area's rural communities. In doing so, full account should be taken of local needs and environmental, social and economic constraints, including water resources and flood risk, Green Belt and highways and ensuring that the Plan Area's high-quality natural and historic environment is maintained.

Climate Change & Flooding

Issue: Respond positively to address climate change and flooding

Objective: To provide resilient and adaptive measures to address climate change to meet national and local targets of achieving net-zero carbon emissions; and to help York and North Yorkshire become the first carbon negative sub-region. To develop, in line

with national flood policy guidance, a resilient and adaptive approach to managing flood risk from all sources, by diverting development to the areas of lowest flood risk where possible; and in partnership develop a strategy for the Humber and tidal rivers.

Housing

Issue: Meet identified housing needs for the Plan period

Objective: To deliver high-quality, energy and water-efficient, well-designed locally-distinctive places, comprising market and affordable housing, in the appropriate types, sizes and tenures to meet the area's future range of needs, including homes adaptable to the impacts of climate change and the changing requirements of its residents including an ageing population.

Economy

Issue: Strengthen and grow the local economy through a combination of support for local businesses and increased inward investment thereby providing long-term, high-quality employment for all economically active residents

Objective: To support the creation of well-paid high-quality jobs which align with the skills and aspirations of the local population; nurture existing businesses; support the importance of agriculture and rural diversification; encourage entrepreneurs and innovation; support strengthened digital infrastructure; positively respond to opportunities for growth and promote new emerging sectors which will build a strong and sustainable local economy, with a focus on clean growth and low carbon sectors.

Town Centres

Issue: Ensure the long-term viability and vitality of Selby, Tadcaster and Sherburn in Elmet town centres

Objective: To strengthen the distinctive roles of Selby, Tadcaster and Sherburn in Elmet town centres, through increased town-centre living, a broad mix of businesses, an enhanced evening and visitor economy, and the promotion and enhancement of town-centre spaces for events and cultural activities, whilst ensuring that they are accessible to all sections of the community by a range of transport modes.

Leisure, Culture and Tourism

Issue: Improve the former Selby district area's leisure, cultural and tourism offer to support the local economy and quality of life

Objective: To improve the range and quality of cultural, tourist and leisure facilities across the Plan Area for local residents and visitors alike, capitalising on the attractive historic nature of towns and villages, along with the rural nature of the wider area, whilst ensuring that provision is appropriate to its location and supported by relevant infrastructure.

Heritage & Place-Making

Issue: Create successful well-used places and high-quality environments, including conserving and enhancing the historic environment to better reveal the significance of the former Selby district area's heritage

Objective: To encourage high-quality design that responds positively to local character and creates attractive healthy places; conserves and enhances heritage assets; secures positive outcomes for the area's Heritage at Risk; and maximises the opportunities and benefits arising from its heritage to provide an attractive and unique built environment for both local communities and visitors to enjoy.

Natural Environment

Issue: Ensure that development pressures do not threaten the green and blue assets of the former Selby district area which contribute to the attractive, tranquil and rural nature of the countryside and the setting of its settlements with benefits to health and well-being, climate change mitigation and flood resilience

Objective: To protect and enhance the existing network of wildlife sites and priority species; distinctive landscape character; green and blue infrastructure; air and water quality; strategic tree planting to support the ambitions for the White Rose Forest Project, local tree and hedgerow planting; nature recovery networks; and protect against pollution and deliver net gains in biodiversity.

Open Spaces & Recreation

Issue: Ensure that existing and new communities have access to high-quality multi-functional green space and indoor sporting facilities to encourage active lifestyles and support good health and well-being

Objective: To protect and facilitate the delivery of appropriate and accessible sport and recreational facilities, children's play areas and areas of high-quality multi-functional green space and enhanced and extended green and blue infrastructure, to support the health and well-being of the community.

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Transport & Infrastructure

Issue: Increase opportunities for sustainable travel, improving linkages to the wider region and ensure the necessary infrastructure to support new development

Objective: To prioritise travel by foot, cycle and public transport, improve links to the wider region and to facilitate the delivery of infrastructure to support new development, including giving support to appropriate social and community infrastructure; and the improvement of digital connectivity across the area.

Monitoring the Local Plan

3.56 The Council will monitor progress towards meeting these objectives through the Authority Monitoring Report. The Authority Monitoring Report includes indicators and targets which measure the performance of Local Plan Policies and this monitoring framework is set out in Appendix B Monitoring.

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4 Strategic Growth Policies

4.1 This section of the Local Plan sets out the overall strategy for meeting the future growth of the former Selby district area up to 2040. The Strategic Growth policies provide the strategic overview for how and where new development will be delivered to meet the Plan's Visions and Objectives.

Policy SG1 - Achieving Sustainable Development (Strategic Policy)

A. When considering proposals for new development the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work positively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

B. Planning applications that accord with the policies in the Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.

C. In the absence of a five-year housing supply or where policies are out of date (as defined by the National Planning Policy Framework) or not being able to meet the requirements of the Housing Delivery Test at the time of making the decision then the Council will grant permission, which is consistent with the role of the settlement hierarchy as set out in Policy SG2 unless material considerations indicate otherwise, taking into account whether:

    1. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; and

    2. Specific policies in that Framework indicate that development should be restricted; and

    3. The site is well related to the existing built form and is of a scale and nature that is in keeping with the form and scale of the settlement; and

    4. The development contributes to meeting the Visions and Objectives of the Local Plan.

D. The Council will support proposals which seek to mitigate and adapt to the causes and effects of climate change, through the creation of well-designed development, which optimises opportunity of active travel and public transport to support sustainable transport corridors and movement.

Justification

4.2 The National Planning Policy Framework (2023) is clear that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:

- an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.3 So that sustainable development is pursued in a positive way at the heart of the Framework is a presumption in favour of sustainable development. This approach sets out how the Council will apply the presumption in favour of sustainable development should the Council fail to demonstrate a five-year housing supply and how it will work positively with applicants to support sustainable development and deliver the proposed Visions and Objectives of the Local Plan.

Policy SG2 - Spatial Approach (Strategic Policy)

A. In order to meet the Council's Vision to build on North Yorkshire's strong local economy and resilient communities, a minimum of 91.2 hectares of employment land and at least 7,728 new homes will be delivered through:

1. The allocation of land for new housing and employment growth to support the growth of the Selby Urban Area, reflecting its role as the former Selby district's Principal Town, with a range of services, whilst recognising the opportunities for the regeneration of the town centre due to its rail connectivity and the availability of previously-developed land. Special Policy Areas are also designated at the Selby Station Quarter and the Selby Gateway recognising opportunities for the redevelopment of these specific locations.

2. The allocation of land for new housing in Tadcaster to reflect its role as a Local Service Centre and to support a heritage-led approach to the regeneration of the historic brewing centre.

3. The limited further expansion of Sherburn in Elmet supporting its role as a Local Service Centre with a range of employment opportunities, shops and facilities.

4. The allocation of land representing a large expansion of the settlement of Eggborough (to deliver approximately 1015 dwellings in the Plan period) reflecting its sustainable location, railway access to Leeds and proximity to the emerging employment locations at Konect (the former Kellingley Colliery) and Core 62 (the former Eggborough Power Station).

5. The allocation of land for new housing in the Tier 1 and Tier 2 Villages as defined in the Settlement Hierarchy of an appropriate scale reflecting each settlement's role.

6. Supporting small-scale windfall development within and adjacent to the main built-up area of Smaller Villages as defined in the Settlement Hierarchy where it is considered appropriate to their scale, form and character to support their continued vitality.

7. Providing support for the redevelopment of previously-developed land for new rail-focused employment opportunities at Gascoigne Wood rail interchange and the opportunity to redevelop Olympia Park for employment use making the most of the site's sustainable location on the edge of the Selby Urban Area.

8. Development in the countryside to support agriculture, the local rural economy, tourism and recreation where it does not detract from the intrinsic character of the surrounding area.

B. Development will be supported in line with the Settlement Hierarchy below. Hamlets and other groups of buildings that are not identified within the Settlement Hierarchy will be treated as part of the countryside.

Hierarchy	**Settlement**
Principal Town	Selby Urban Area
Local Service Centre	Sherburn in Elmet and Tadcaster
Tier 1 Villages	Barlby & Osgodby; Brayton; Byram and Brotherton; Carlton, Eggborough & Whitley; Hambleton; Hemingbrough; Riccall; South Milford; and Thorpe Willoughby
Tier 2 Villages	Appleton Roebuck; Camblesforth; Cawood; Church Fenton; Cliffe; Escrick; Fairburn; Hensall; Kellington; Monk Fryston & Hillam; North Duffield; Ulleskelf and Wistow

Smaller Villages	Barkston Ash; Barlow; Beal; Bilbrough; Bolton Percy; Burn; Burton Salmon; Biggin; Birkin; Chapel Haddlesey; Former RAF Church Fenton Airbase; Colton; Cridling Stubbs; Drax; Gateforth; Healaugh; Heck; Hirst Courtney; Kelfield; former Kellingley Colliery; Kirk Smeaton; Little Fenton; Little Smeaton; Lumby; Newland; Newton Kyme; Ryther cum Ossendyke; Saxton; Skipwith; South Duffield; Stillingfleet; Stutton; Thorganby; Towton; West Haddlesey and Womersley

DRAFT



Map 1

Justification

4.4 Strategic policies are required to be informed by a local housing need assessment, conducted using the standard method in national planning guidance (National Planning Policy Framework 2023, paragraph 61). The outcome of the standard method is an advisory starting point for establishing a housing requirement for the area. There may be exceptional circumstances including relating to the particular demographics of the area which justify an alternative approach to assessing housing need; in which case the alternative approach should also reflect current and future demographic trends and market signals.

4.5 Under the standard methodology, the minimum annual housing requirement figure for the Plan Area is 333 dwellings per annum. The Council commissioned a Housing and Economic Development Needs Assessment (2020) and Addendum (2022) to assess future development needs for housing growth and employment land across the former Selby district area. The updated study reflects less optimistic economic forecasts as a result of the pandemic and Brexit.

4.6 The Housing and Economic Development Needs Assessment Addendum concludes that there is no clear argument that the Council should plan more homes than the standard methodology. The report suggests a housing target of 368 dwellings per annum to account for all the potential employment floorspace related to the strategic sites and non-allocated sites, however this is considered to be overly optimistic. The Council recognises that the higher housing figure reflects an optimistic position, however in order to plan positively for the long-term growth of the former Selby district area and provide sufficient flexibility to respond to changes in the economy the Local Plan has allocated sufficient land to meet this higher requirement.

4.7 The study considered that the former Selby district area has the potential to deliver around 12,312 full time equivalent jobs over the coming Plan period based on the capacity at permitted or sites put forward for allocation, which translates into 91.2 hectares of employment land.

4.8 Given the scale and location of growth the Housing and Economic Development Needs Assessment concluded that the most likely scenario for employment growth would see a need for between 333 dwellings per annum and 368 dwellings per annum. In order to ensure sufficient dwellings are delivered to meet our requirements and provide further flexibility over the Plan period, the Local Plan identifies sites to accommodate a minimum of 7,728 new dwellings between 2020 and 2040, which equates to 386 dwellings per annum (includes 5% buffer).

4.9 The spatial approach sets out the overall strategy for how the Local Plan will deliver the proposed Visions and Objectives. This approach seeks to focus the majority of growth in locations which have a range of facilities, services and access to public transport. The strategic approach recognises the opportunities to regenerate Selby town centre through the development of a number of brownfield sites and realise the aims of the Transforming Cities Fund project.



Picture 1

4.10 A significant site is allocated on the edge of the village of Eggborough as this will provide housing to meet the requirements of new employment growth anticipated as a result of recent planning permissions at the former Eggborough Power Station and the former Kellingley Colliery. A number of new facilities will need to be provided as part of the development and will be delivered in a phased way in order to create a new sustainable community. The longer lead-in times for this scale of development are recognised in the delivery figures within the Plan period.

4.11 A heritage-led regeneration approach is supported for Tadcaster town centre, recognising its location, constrained by the West Yorkshire Green Belt. A limited amount of growth is supported in Sherburn in Elmet, which reflects both the level of growth which has taken place here in recent years and the West Yorkshire Green Belt.

4.12 Sites for new residential development are allocated in both Tier 1 and Tier 2 villages as defined in the Settlement Hierarchy which are not in the Green Belt or constrained by flood risk. The scale of development is considered to be commensurate with the scale of the existing settlement, form and character of the built form and availability of local facilities in accordance with the Settlement Hierarchy.

4.13 The spatial approach also recognises the shift towards more home working through the support of more development in the Smaller Villages to ensure their long-term vitality but also recognise the intrinsic character of the countryside.

4.14 Proposals in the Green Belt will be assessed against Policy SG5 (Green Belt).

Policy SG3 - Development Limits (Strategic Policy)

Development Limits are:

A. Defined around the Selby Urban Area, Tadcaster, Sherburn in Elmet and the Tier 1 and Tier 2 Villages as defined in the Settlement Hierarchy. Within Development Limits proposals will be supported (subject to other relevant planning policies) for infill development, the re-development of previously-developed land and the conversion/change of use of existing buildings, in accordance with Policies HG2 for housing development and EM3 for economic development.

Outside the Development Limits;

B. Development will be supported, in the Smaller Villages, as defined in the Settlement Hierarchy, for very small-scale development commensurate with the character of the individual settlement, in accordance with Policy HG2 for residential, EM4 for economic development and other relevant policies.

C. Hamlets and groups of buildings not identified within the Settlement Hierarchy will be treated as part of the countryside and proposals for development will be determined in accordance with Policy SG4 (Development in the Countryside), an adopted Neighbourhood Plan and other local and national policies.

Justification

4.15 Development Limits are defined around the larger settlements of the Selby Urban Area, Tadcaster, Sherburn in Elmet and the Tier 1 and Tier 2 Villages, because they are useful for residents, developers and decision makers in terms of knowing where certain types of development can take place. The types of development that are supported inside and outside of the Development Limits of these settlements are set out in detail in Policies HG2 (Windfall Development) for housing and EM3 (Economic Development) for economic development. Depending on the type of development, other policies in this Plan may also apply.

4.16 It is recognised that over the lifetime of the Local Plan some very small-scale development may be required to support the continued sustainability and vitality of Smaller Villages and therefore a criteria-based approach has been established to support the very small-scale organic growth or rounding-off of these settlements as set out in detail in Policies HG2 (Windfall Development) for housing and EM4 (The Rural Economy) for rural economic development depending on the application. Depending on the type of development, other policies in this Plan may also apply.

4.17 Development Limits have been defined on the Policies Map.

Policy SG4 - Development in the Countryside (Strategic Policy)

The Council will seek to ensure that the former Selby district area remains a special place to live by supporting development which protects and enhances the intrinsic character and beauty of the countryside, recognising the important role it plays in the local economy, for the health and well-being of local residents and as a biodiversity resource.

Development in the countryside as defined in Policy SG2 (Spatial Approach) will be limited to activities which have an essential need to be located in the countryside as set out in national policy and will not adversely harm the character, appearance and environmental qualities of the area in which it is located and are supported by other Development Plan policies including;

- EM4 The Rural Economy
- EM5 Tourist, Recreation and Cultural Facilities
- EM6 Holiday Accommodation
- HG2 Windfall Development
- HG3 Rural Workers' Dwellings
- HG4 Replacement Dwellings in the Countryside
- HG5 Re-Use or Conversion of Rural Buildings in the Countryside
- HG8 Rural Housing Exception Sites
- HG9 Conversions to Residential Use and Changes of Use to Garden Land

Best and Most Versatile Agricultural Land

A. The best and most versatile agricultural land will be protected by;

1. Avoiding the irreversible loss of the best and most versatile agricultural land (Grade 1 to 3a) where possible; and

2. Avoiding the irreversible loss of Grade 1 agricultural land unless there are exceptional circumstances where the benefits of the proposal significantly outweigh the loss of land.

B. Where the Council accepts that the applicant has demonstrated that there is a need for best and most versatile agricultural land to be developed and there is a choice between sites or areas of land in different grades; land of the lowest grade available should be used except where other policy or material considerations outweigh land-quality issues. Proposals for development should demonstrate that soil resources have been protected and used sustainably in line with best practice.

Justification

4.18 The former Selby district area is primarily a rural area, with high-quality local landscapes and this is one of the main reasons why so many people want to live in the area. The countryside provides a valuable biodiversity resource and therefore it is important that it is protected and enhanced through the Local Plan.

4.19 The countryside continues to provide an important role in the local economy, particularly agriculture, equine activities and tourism. There needs to be an acceptable balance between facilitating essential development beyond Development Limits and the main built-up areas of settlements, to ensure that the character and appearance of the countryside is maintained and enhanced.

Best and Most Versatile Agricultural Land

4.20 Agriculture is an important part of the local economy and it will be important to ensure that the right balance is struck between the provision of necessary new agricultural development and the protection of the special qualities that make up the former Selby district's rural landscape.

4.21 The National Planning Policy Framework (2023) provides support to the development and diversification of agriculture and the rural economy, along with support to leisure developments which respect the character of the countryside. Equestrian development includes equestrian centres, stables, studs and livery yards which provide valuable rural employment. In considering proposals for equestrian development care will need to be taken to protect residential amenity as well as to safeguard the character and appearance of the countryside. A Green Future: Our 25 Year Plan to Improve the Environment 2018 seeks to protect the best-value agricultural land; put a value on soils as part of our natural capital; manage soils in a sustainable way by 2030 and restore and protect peatland.

4.22 Agricultural Land Classification assesses the quality of farmland to enable informed choices to be made about its future use within the planning system. There are five grades of agricultural land, with Grade 3 subdivided into 3a and 3b. The best and

most versatile agricultural land is defined as Grades 1, 2 and 3a. Planning policies and decisions should take account of the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. Grades 1, 2 and 3 agricultural land (including land graded 3b) covers approximately 66% of the Local Plan area.

4.23 A Local Planning Authority must consult Natural England for development proposals that are both; likely to cause the loss (or likely cumulative loss) of 20 hectares or more of best and most versatile agricultural land and are not in accordance with an approved Development Plan. Alongside government policies and legislation, developers should refer to Natural England's published national guidance which aims to protect the best and most versatile agricultural land and soils in England from significant, inappropriate or unsustainable development proposals.

4.24 Best and most versatile agricultural land also has a relationship with the floodplain. Flood modelling demonstrates that climate change and sea level rise will increase flood risk - managing this brings challenges and opportunities. Humber 2100+ modelling also demonstrates that managed water on land in parts of the former Selby district area brings flood risk benefit around the Humber estuary (this includes on the best and most versatile agricultural land). Whilst this may not preclude future agricultural land use it will bring challenges (and potential opportunities) which may need to be addressed through land-use change.

4.25 Proposals for development in the countryside will also need to ensure other statutory requirements are met, including the Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018 in relation to nutrient run off into the water environment, and should meet the requirements set out in Policy NE5 (Protecting and Enhancing Rivers and Waterbodies).

Policy SG5 - Green Belt (Strategic Policy)

The extent of the West Yorkshire and City of York Green Belts is illustrated on the Policies Map. Development within the designated Green Belt, as identified on the Policies Map will be determined in accordance with the National Planning Policy Framework or its successor.

Justification

4.26 The Green Belt in the former Selby district area equates to a total of 19,240 hectares and incorporates parts of both the West Yorkshire and York Green Belts. The West Yorkshire Green Belt covers the western area of the former Selby district area and the York Green Belt lies in the north.

4.27 Paragraph 142 of the National Planning Policy Framework (2023) states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open as the essential characteristics of Green Belts are their openness and their permanence. Paragraph 145 says that once established there is no requirement for Green Belt boundaries to be reviewed or changed when Plans are

being prepared. Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified. In order to deliver the current spatial approach it has not been considered necessary to amend the extent of the Green Belt in order to deliver sustainable growth. However, a review of minor amendments to the Green Belt boundary has been undertaken to ensure that it remains logical and defensible.

4.28 The National Planning Policy Framework (2023, paragraph 154) establishes that the construction of new buildings in the Green Belt is inappropriate development which should not be approved, except in very special circumstances. In considering applications for inappropriate development in the Green Belt substantial weight will be given to the harm to the Green Belt.

4.29 Exceptions to inappropriate development in the Green Belt are set out in the Framework and include buildings for agriculture and forestry, limited infilling in villages or the partial or complete redevelopment of previously-developed land. There are a number of major developed sites in the Green Belt, such as Byram cum Sutton Waste Water Treatment Works, Bilbrough Top roadside services, Dovecote Park in Stapleton and Tadcaster Grammar School. For the purposes of considering planning applications for the limited infilling or redevelopment of these sites, development should not be considered as inappropriate if it can be demonstrated that there would be no greater impact on the openness of the Green Belt than existing. In these circumstances very special circumstances do not need to be demonstrated.

Policy SG6 - Safeguarded Land (Strategic Policy)

The following sites, as shown on the Policies Map, are designated as Safeguarded Land to meet longer-term development needs beyond the Plan period.

Location	Site size (hectares)
Land west of Garden Lane, Sherburn in Elmet	6.3
Land north of Springfield Road, Sherburn in Elmet	2.66

Table 4.1

Development of Safeguarded Land will be restricted to:

1. That which is necessary in relation to the operation of existing uses; or
2. Temporary uses that will not prejudice the possibility of the site's future comprehensive development; and
3. In all cases, where it is not detrimental to the character of the site and its surroundings.

It is intended that the release of Safeguarded Land, if required, will be carried out as part of future Local Plan preparation.

Justification

4.30 Safeguarded Land is land between the Green Belt and the Development Limits which has been removed from the Green Belt to meet development needs beyond the Plan period to ensure the permanence of the Green Belt. It is not allocated for development and should only come forward for development, if required, following a review of the Local Plan.

4.31 Although development will not generally be appropriate on Safeguarded Land, it is recognised that not all development will prejudice the Safeguarded Land function of the land. It may be appropriate to permit development required in connection with established uses, or to allow a temporary use which would not prejudice the possibility of development of the site beyond the Plan period.

Policy SG7 - Strategic Countryside Gaps (Strategic Policy)

Development within the Strategic Countryside Gaps, as defined on the Policies Map, will only be supported where it is demonstrated that it will maintain and enhance the open character of the countryside and where the gap will not be compromised.

Justification

4.32 It is important to maintain the character and form of individual settlements outside the Green Belt by safeguarding 'strategic countryside gaps' between settlements, particularly where they are at risk of coalescence or are subject to strong development pressures as is the case with Selby town and the surrounding villages. This also applies to some smaller settlements which are separated by narrow and largely undeveloped gaps of countryside, where continued expansion would result in coalescence and threaten the separate identity of the individual settlements. In addition, some settlements contain open space within the settlement boundary which provides a visual separation, contributes to the character and form of the settlement and helps to maintain the individual identity of the different parts of that settlement.

4.33 Strategic Countryside Gaps may provide other functions such as access to the countryside and recreational opportunities as well as wildlife corridors. In such instances there may be other designated land use policies that extend into the Strategic Countryside Gap such as a designated Village Green or Common Land, Public Right of Way or a Locally Important Landscape Area or be an area protected under a wildlife or biodiversity designation such as a National Nature Reserve, a Site of Special Scientific Interest, a Site Important for Nature Conservation or an Ancient Woodland.

4.34 Development that may be supported within a Strategic Countryside Gap (subject to meeting other applicable policies in this Plan) includes certain types of recreational use, or development where the overall open character of the land would be maintained and enhanced. This could be through the removal of existing structures where any replacement or ancillary structures would need to be designed, sited and landscaped to maintain and enhance the open character of the landscape.

4.35 The Strategic Countryside Gaps were reviewed through the preparation of this Local Plan. They are defined outside the Green Belt and their boundaries are identified on the Policies Map. The Strategic Countryside Gaps are: Barlby and Osgodby, Church Fenton, Cliffe and Hemingbrough, Eggborough and Kellington, Gateforth, Selby and Brayton, Skipwith, Stillingfleet, Thorganby, and Thorpe Willoughby.

Policy SG8 - Neighbourhood Planning (Strategic Policy)

The Council will support Neighbourhood Plans which are considered to be in general conformity to the Strategic Policies identified in the Local Plan.

The following Neighbourhood Plans have been formally made;

- Appleton Roebuck and Acaster Selby (2017)
- Church Fenton (2021)
- Escrick (2022)

The Council will support development in accordance with up to date, made Neighbourhood Plans.

The following are formal designated Neighbourhood Areas;

- Brayton
- Selby Town
- Tadcaster
- Ulleskelf

Housing development

The former Selby district area housing requirement will be met over the Plan period through a combination of implemented planning permissions since the base date of the Local Plan, the allocation of unimplemented planning permissions at 31 March 2023 and the allocation of new sites, including a 5% buffer to provide flexibility and an over-supply of sites to ensure that sufficient housing is delivered as set out in Policy HG1.

There is no requirement for housing development to be allocated in Neighbourhood Plans to meet the identified housing needs for the District set out under Policy HG1. Emerging Neighbourhood Plans will be encouraged to plan positively for growth by considering additional sites to those identified through the site allocations in the Local Plan or alternative sites where it has been demonstrated that allocations will no longer be delivered.

Justification

4.36 Neighbourhood planning is a key part of the Government's Localism agenda. It aims to give local communities greater power to shape development by taking a more active role in the development of planning policies at a local level. Neighbourhood Plans can be developed before, after or in parallel with a Local Plan but the law

requires that they must be in general conformity with the strategic policies in the adopted Local Plan. When Neighbourhood Plans are brought into force they become part of the statutory Development Plan for the area that they cover.

4.37 In order for Neighbourhood Plans to progress to the referendum stage they must meet the basic conditions, which includes being in conformity with the strategic policies of the Local Plan. The National Planning Policy Framework (2023, paragraph 71) says that Neighbourhood Planning Groups should consider the opportunities for allocating small and medium-sized sites suitable for housing in their area. Neighbourhood Plans should not promote less development than set out in the strategic policies for the areas or undermine those strategic policies. Where Neighbourhood Plans seek to allocate alternative sites for development they must be robustly assessed to ensure they are deliverable and viable.

4.38 Within the former Selby district area there are currently four designated Neighbourhood Areas (Brayton, Selby Town, Tadcaster and Ulleskelf) and three adopted Neighbourhood Plans at Appleton Roebuck / Acaster Selby, Church Fenton and Escrick.

4.39 There is no formal requirement to review Neighbourhood Plans and the decision to revise a Neighbourhood Plan must be undertaken by the relevant Parish Council or Town Council as the qualifying body. The Council will support Parish or Town Councils who seek to review their 'Made' (adopted) Neighbourhood Plans to ensure that they remain relevant and effective within the statutory development plan.

Policy SG9 - Design (Strategic Policy)

A. In order to make the former Selby district area a great place to live and enjoy, all new development should be well designed and beautiful, responding positively to the special character and local distinctiveness of the area. In order to achieve this all new development should seek to reflect national and local policies and guidance which promotes high-quality design including the National Design Guide, National Model Design Code, local design codes, Neighbourhood Plans, Conservation Area Appraisals and Village Design Statements.

B. Development should, where appropriate, seek to:

1. Respond to its location in terms of the natural, historic and built environment reflecting important views and landscapes and reinforce the distinctiveness and character of the local area having regard to the existing form, scale, density, layout, building materials and detailing;

2. Facilitate social inclusion, promote user-friendly environments and provide safe and secure places to live and work by designing-out antisocial behaviour through the creation of developments with natural surveillance having regard to Secured by Design principles. Development proposals which will generate crowds in public spaces should consider appropriate security measure in the design of buildings and spaces;

3. Provide sufficient private amenity space which is appropriate to the type of development proposed ensuring proposals do not have an adverse impact on overlooking, loss of privacy, light or disturbance from noise, vibration, odour or fumes;

4. Make efficient use of land by not adversely affecting the potential development of a wider area of land which could otherwise be available for development. This can be achieved by ensuring that allocated sites which are built-out in part, leave an access into the remainder of the site;

5. Ensure that the highest levels of sustainability are achieved through the design of buildings and by making efficient use of resources. Proposals should sufficiently consider the long-term implications of climate change such as flood risk, water supply, biodiversity and landscape, and the risk of over-heating from rising temperatures;

6. Promote active travel and healthy lifestyles through the promotion of walking and cycling links, access to areas for recreation and the principles of Building for Healthy Lives (or successor document). Proposals for Major Development should be accompanied by a Health Impact Assessment Screening Checklist which will determine whether a full assessment is required and where appropriate, a full Health Impact Assessment should be undertaken, and any design requirements accommodated into the scheme;

7. Make sure that adequate access and internal roads are provided to ensure safe internal vehicular movements;

8. Provide connections to existing open spaces, green infrastructure networks and Public Rights of Way outside of the development boundary;

9. Incorporate multi-functional green infrastructure within sites to provide carbon storage and Sustainable Drainage Systems (SuDS);

10. Provide specific and dedicated spaces for wildlife to encourage a more robust and connected network of habitats. Major Development should provide integrated swift or bat bricks and hedgehog holes whilst all development should be brought forward in accordance with Building for Nature Standards or its successor;

11. Integrate Public Art developed with the local community into all Major Development schemes;

12. Be configured to bring about an increase in the level of bus use, and the layout of streets and paths in new developments should facilitate direct and efficient bus operation, with direct and pleasant walking routes to bus stops.

Masterplans and Design Codes may be required for large-scale development, which will be delivered in phases. Applicants will be expected to engage positively with the Council and the local community in developing Masterplans and Design Codes.

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Justification

4.40 Ensuring that new development proposals are of a high-quality design will be key to helping to deliver the Council's priorities for the former Selby district area to be a great place to live, enjoy and grow. People are attracted to live in the former Selby district area because of the high-quality of its villages, towns and natural environment. Well-designed dwellings and work places, which are safe and have good access to green and blue infrastructure for recreation and exercise are key to helping support the health and well-being of our local communities. The importance of the design and layout of development and places was highlighted through the global pandemic, with lockdowns emphasising the importance of access to local open spaces and opportunities for exercise to people's everyday well-being.

4.41 The 'Living with Beauty' report recently published by the Building Better, Building Beautiful Commission set out proposals for a new development and planning framework which will ask "for beauty, refuse ugliness and promote stewardship". The National Design Guide was published in 2019 by the Government which also recognises the important role that well-designed places have on the quality of the experience people have when they spend time in and move around a place.

4.42 Paragraph 134 (National Planning Policy Framework 2023) says that design guides and codes can be prepared at an area-wide, neighbourhood or site specific scale. All guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area, taking into account the guidance contained in the National Design Guide and the National Model Design Code. These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.

4.43 The design of an area should consider the historic townscape, the existing settlement pattern and the intrinsic character and beauty of the countryside (where applicable). Development proposals should contribute positively to an area’s identity and heritage in terms of scale, density and layout with the aim of creating new layers of history. It should make the most efficient use of land without compromising local distinctiveness, character and form. Neighbourhoods should have public and private spaces that are clearly distinguished, safe and secure, attractive and which complement the built form and minimise the risk of crime or fear of crime, particularly through active frontages and natural surveillance.

4.44 All development proposals will be expected to include measures to mitigate and adapt to climate change in order to protect the health and well-being of local communities. Ensuring future developments meet the highest standards of sustainability will not only help to tackle climate change but will also reduce the vulnerability of communities to fuel poverty. The York and North Yorkshire Local Enterprise Partnership (LEP) is supporting initiatives such as improvements to the energy and water efficiency of homes.

4.45 The successful development of sites allocated in this Plan is crucial to achieving the Visions and Objectives for the area. The Council wants to avoid situations where parts of allocated sites belonging to one landowner are unable to be built out because

another landowner has developed their part of that allocated site without leaving a point of access into the remainder of the site. Therefore, all allocated sites which are built-out in part, must leave an access into the remainder of the site.

4.46 National Planning Practice Guidance describes a healthy place as one which supports and promotes healthy behaviours and environments and a reduction in health inequalities for people of all ages. The National Design Guide sets out further detail on promoting social interaction through inclusive design. Building for a Healthy Life is a widely-used design tool for creating places that are better for people and nature. Organised across three headings, 12 considerations are presented to help those involved in new developments to think about the qualities of successful places and how these can be best applied to the individual characteristics of a site and its wider context. Public Health's 'Health Impact Assessment in Spatial Planning - A Guide for Local Authority Public Health and Planning Teams' recognises the use of Health Impact Assessments in spatial planning as a powerful lever to improve public health and well-being and ultimately reduce inequalities. A Health Impact Assessment helps decision-makers in Local Authorities and other stakeholders make choices about actions to best prevent ill health, promote good health and reduce health inequalities. Health Impact Assessments ensure that the impact of development proposals on health are considered and responded to appropriately during the planning process.

4.47 Prioritising active travel through creating environments which make it easier for people to walk and cycle helps to promote activity which has long-term health benefits for residents. The provision of good-quality open spaces and access to green infrastructure also helps to provide health benefits in addition to increasing opportunities for social integration. Schemes should incorporate new and existing landscaping as an integral part of their design, sites should also consider how to provide a net gain in biodiversity either on site or off site as required by Policy NE3 (Biodiversity Net Gain).

4.48 Paragraph 131 of the National Planning Policy Framework (2023) says that the planning system should create a high-quality places and public art is recognised as contributing towards this. The Council will work with local communities to bring forward ideas for public art on Major Development schemes as set out in its Public Art Strategy.

Policy SG10 - Low Carbon and Renewable Energy (Strategic Policy)

A. Proposals for low-carbon and renewable-energy storage and generation (including hydrogen transportation networks) will be supported where:

1. Planning impacts of the development and associated infrastructure, both individually and cumulatively, are, or can be made, acceptable;

2. Appropriate weight, consideration and mitigation has been given to the following where applicable:

   i. Landscape character and sensitivity;

ii. Designated nature conservation sites, features, functionally-linked land, protected habitats and species;

iii. Designated and non-designated heritage assets and their settings;

iv. Hydrology and water quality;

v. Impact on Infrastructure and Transport Networks including highways, rail, aviation operations, navigational systems, Public Rights of Way, television, radio, telecommunications systems;

vi. Living conditions and amenity including due to noise, odour, dust, vibration, visual intrusion, shadowing or flicker.

3. Community engagement has been undertaken which demonstrates the delivery of environmental, social and economic benefits and how relevant concerns will be addressed/mitigated for;

4. The site will be recovered to a safe condition, with a suitable use, to a minimum of its original value and condition, within a defined and agreed period should the infrastructure cease to be operational.

B. Proposals to facilitate heat recovery and delivery of community energy systems such as combined heat and power (CHP), combined cooling, heat and power (CCHP) and district heating networks should be explored where;

1. Development is in proximity to existing sources of heat generations; or

2. There is sufficient heat density/demand to anchor loads; and

3. Provision of combined heat and power systems does not cause significant harm to heritage assets.

Justification

4.49 The UK has legal commitments to cut greenhouse gases and meet increased energy demand from renewable sources including the 2019 amendment to the Climate Change Act 2008 (2050 Target Amendment) Order 2019, which sets a target for a 100% reduction in emissions by 2050. The York and North Yorkshire Local Enterprise Partnership (LEP) has also committed to making the region the UK's first zero-carbon city sub-region and has funded a Local Area Energy Plan (LAEP) for the former Selby district area.

4.50 Renewable and low-carbon energy sources and storage are central to achieving our commitments on emissions and climate change and include harnessing the power of the wind (turbines), water for example rivers (hydro), sun (photovoltaic/thermal panels), crops (biomass), waste (combustion, gasification, pyrolysis, anaerobic digestion, landfill and sewage gas recovery) and the earth (geothermal).

4.51 The former Selby district area has a long history in energy generation, with Drax Power Station still the largest supplier of energy in the UK, providing approximately 11% of the UK's supply in 2022. While carbon emissions have already been reduced at Drax Power Station through the use of compressed wood pellets (as a more sustainable biomass fuel), Carbon Capture and Storage (CCS) to reduce the level of carbon dioxide emitted into the atmosphere is being investigated through a current pilot scheme for Bioenergy with Carbon Capture and Storage (BECCS) between Drax Power Station and Mitsubishi Heavy Industries, as part of ambitions for the Humber to become the first zero-carbon industrial cluster. Other national-scale infrastructure projects are also being developed in the former district including improvements to the electricity transport network for renewable energy to enable North Sea wind power to access the grid more easily and the Humber Low-Carbon Pipelines project (HLCP) establishing CO_2 and hydrogen transportation networks to facilitate the delivery of carbon capture proposals to decarbonise the Humber Industrial Cluster. The former district area has also been identified as having potential for geothermal energy opportunities given its rich mining history.

4.52 National policy and guidance requires us to plan positively for increasing energy and heat through renewable and low carbon sources, providing that all adverse impacts are addressed satisfactorily (including environmental, amenity, heritage, cumulative landscape and visual considerations and the concerns of local communities). The type of technology proposed will influence the potential impacts on the built and natural environment and potential negative effects need to be carefully assessed.

4.53 As wind turbine development can be of a large scale, require elevated positioning and involve movement, it can have a great impact on the landscape. The Selby District Landscape Sensitivity Study (LSS, 2021) assessed the four large-scale landscape character types within the former Selby district area for potential suitability for single wind turbines up to 80m in height. The outcomes suggest overall low-moderate sensitivity for the largely flat, low-lying landscapes that make up the majority of the former district, and moderate for the more elevated areas of the Magnesian Limestone Ridge in the west, and the Vale Farmland. The Hambleton Sandstone Ridge and Derwent Valley character areas, and where the river floodplain meets the Magnesian Limestone Ridge were identified as the areas of highest sensitivity due to higher elevations, visual prominence in the landscape, more intact landscape of traditional Ings or lack of intrusive development, and tranquillity. The study did not completely rule any areas out and was unable to take account of potential cumulative or local-scale impacts and details of potential design but does identify siting and design guidelines for each character type. The Landscape Sensitivity Study should not be relied upon in isolation for designing or assessing any proposed development but used alongside and taking into account any updated studies, the latest technical guidance and site and development-specific analysis.

4.54 All types of renewable and low-carbon development, storage and associated infrastructure have the potential to impact on the landscape of the area but also need to be considered in the context of other potential adverse effects. As a result a considerations-based policy has been developed as the most appropriate approach to help guide and assess proposals and their mitigation. Consideration of adverse effects should include the associated infrastructure to development such as ancillary buildings, fencing, lighting etc. as well as both permanent and temporary impacts. Cumulative impacts should consider the proposals in combination with relevant existing developments, development under construction, with planning permission, and awaiting planning approval.

4.55 The Policy criteria should be considered for all energy proposals and will need to be scoped-out if not relevant. The level of information required in support of a planning application should be proportionate to the scale of the proposal and likely impact. Considerations of potential impacts should encompass infrastructure and transport network implications, the construction phase and delivery of components/materials, the operational phase including any hazards such as toppling distances for wind turbines, electrical interference or disruption and safety for low-flying planes and the decommissioning phase. Appropriate organisations and bodies should be consulted by the applicant, and there should be no significant decrease in the quality of existing provision of these facilities and services, or a clear delivery and monitoring plan of how they will be mitigated. Where wind turbines may have the potential to impact on the bird populations associated with the internationally important nature conservation areas of the Lower Derwent Valley and Skipwith Common (Ramsar, Special Area of Conservation (SAC) and Special Protection Area (SPA)) for example, Habitats Regulations Assessments are likely to be appropriate.

4.56 Renewable and low-carbon energy solutions can be put forward as part of Neighbourhood Plan proposals and the Council will support initiatives which are community led. Further to this, applications for new infrastructure which do not come from the community, should still demonstrate that effective consultation has been undertaken with affected populations and groups in line with the latest national policy and guidance in place at the time of application as a minimum, and that any identified adverse effects have been adequately mitigated, ideally with the community's backing. A consultation statement should be prepared by the applicant as part of any application which sets out:

- who has been consulted;
- how they have been consulted;
- the raw responses received; and
- a synopsis of the issues and how they are being addressed.

4.57 It may be necessary for further community consultation to take place where there are significant changes to the proposal. National Planning Guidance is clear that it is for the judgement of the Local Planning Authority to determine if a proposal has community backing. In assessing this, the emphasis will be on understanding the planning impacts on the affected local communities directly affected by the proposal rather than the impacts on those who are more geographically distant. In addition, the relevant policies in a Neighbourhood Plan and whether they provide policy support

to the proposal will be taken into account. The Council will also be clear about how it has reached its conclusion on the judgement on whether the proposal has the backing of the affected local community to ensure this evaluation is transparent.

4.58 Carbon-efficiency opportunities can also be realised through the recovery of waste heat from industrial processes, urban infrastructure or other shared local renewable and low-energy sources. All new Major Development should explore opportunities for this as well as the potential for shared heat and power such as combined heat and power (CHP) or combined cooling heat and power (CCHP). This includes investigating if there are existing heat or power loads and district systems that can be connected to, and if it would be feasible and viable to create a new one as part of the development. In rural areas where housing developments occur off-grid, shared heating and power using a central renewable-energy source such as a biomass boiler can be effective and should be the considered as a priority solution in these areas even for smaller developments. Even where shared systems are not available, all development should consider the use of renewable-energy generation through the use of ground and air-source heat pumps, thermal panels, photovoltaic panels or small-scale wind turbines.

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Policy SG11 - Flood Risk (Strategic Policy)

A. To enable communities to manage, be resilient and adapt to flood risk, development will only be supported where it can be demonstrated that:

1. The site falls within areas of lowest flood risk as set out in the most up-to-date Environment Agency flood risk maps and/or Selby District's Strategic Flood Risk Assessment (SFRA) maps; or

2. The development is of a type that is exempt from the Sequential and Exceptions Tests, as determined by national policy; or

3. The site has passed through a Sequential Test as set out by the Local Planning Authority; or

4. Where there are no sequentially-preferable sites, the site has been assessed through the application of the Exception Test as set out in the National Planning Policy Framework; and

5. The proposal does not increase the risk of flooding off-site;

6. A scheme that has to be located in Flood Zone 3b (functional floodplain), involving essential infrastructure that has passed the Exception Test, or water-compatible uses, will be designed and constructed to:

   i. Remain operational and safe for users in times of flood; and

   ii. Result in no net loss of floodplain storage; and

   iii. Not impede water flows and not increase flood risk elsewhere.

B. If a site has passed the Sequential and Exception Tests the following criteria will need to be applied where viable and feasible to make it acceptable in detail:

1. Where the development is located in areas of flood risk such as Flood Zone 2 (or higher) and does not constitute Minor Development or a change of use the development layout within the site will be subject to the sequential approach, with the highest vulnerability development located in areas at lowest flood risk within the site;

2. Relevant flood resilience construction methods identified through an up to date site-specific Flood Risk Assessment (FRA) should be implemented to reduce the impact and likelihood of a flood event;

3. Where the development has existing trees, woodland and/or hedgerows these should be retained where the risk of flooding from surface water has been identified and it is possible, and if not retained the developer must agree a

tree-planting scheme in line with Policy NE6 (Protecting and Enhancing Trees, Woodlands and Hedgerows) where determined to be the best option to help reduce identified flood risk from surface water;

4. The features that manage surface water are commensurate with the design of the development in terms of size, form and materials and make a positive contribution to reducing flood risk. More specific development control guidance should incorporate comments from the Lead Local Flood Authority;

5. Sustainable Drainage Systems (SuDS) where appropriate are incorporated in accordance with the National Planning Policy Framework and the non-statutory technical standards, but taking advice from those organisations that provide input through the planning process including the Lead Local Flood Authority, and in relevant areas the Internal Drainage Boards;

6. Wastewater and effluent should be disposed to dedicated treatment plants wherever possible and make the best use of existing sewerage networks, in line with Policy IC4 (Water supply, Wastewater Treatment and Drainage Infrastructure). Infrastructure for new development should ensure that surface water is always drained and managed separately from foul water. It is considered that combined sewer systems, which carry both foul and surface water, have limited capacity and are more likely to lead to foul flooding and are therefore not supported for new development;

7. Hard surfaces on developments should be permeable where practicable in line with highways guidance from the Local Highways Authority unless proven not to be possible by site investigation;

8. Proposals involving building over existing culverts, or the culverting or canalisation of watercourses will not be permitted unless it can be demonstrated to be in the interests of public safety or to provide essential infrastructure and that there will be no detrimental effect on flood risk and biodiversity. Where feasible, development proposals should incorporate re-opening of culverts, modification of canalised watercourses and consideration of mitigation measures to achieve a more natural state;

9. In terms of mitigation, sites should follow the relevant guidance detailed within the Strategic Flood Risk Assessment(s), including:

    i. Setting of finished floor levels; and
    ii. Management of residual depths, hazards, etc.; and
    iii. Consideration to the design flood event; and
    iv. Access and egress requirements.

10. In some developments (for example, commercial/industrial), raising floor levels may not be possible due to operational requirements. In these instances alternative measures should be considered and agreed with the Environment Agency before implementation.

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C. Where required by the National Planning Policy Framework (NPPF) and set out in Planning Practice Guidance, proposals for development should be accompanied by a site-specific Flood Risk Assessment (FRA). The need for a FRA is described in the NPPF, however Footnote 59 of the NPPF (2023) also refers to the need for the SFRA to provide guiding details for sites where a FRA will be necessary; and not just relying on the Environment Agency flood zones.

D. Development allocated in the Local Plan will not be subject to the Sequential/Exception Tests identified in Part A as it has already been determined through the Local Plan process that they have passed these Tests.

Justification

4.59 The former Selby district area is intersected by many waterways including the River Ouse, River Wharfe, River Aire and River Derwent, as well as the Aire and Calder Navigation and Selby Canal. These waterways can be sources of flooding in response to excessive rainfall and/or tidal effects (where there is a combination the effects are exacerbated) in the area with extensive flooding occurring in the adjacent Local Planning Authority areas in 2020, and in the former Selby district area in 2000. There are also many seasonal flooding events, which reflects the low-lying landscape and natural flood plains that encompass the former Selby district area. These do not usually impact on such a significant scale as the previous events mentioned, but nevertheless can still cause a more localised impact on communities in the local area. Whilst the 2020 flood event did not cause extensive flooding of properties in the former Selby district area, some areas were directly impacted. This is important as the impacts on the health and well-being of communities following a flood event can be long-lasting.

4.60 Flooding is a natural process that is influenced by natural elements such as rainfall, geology and topography. However, man-made influences such as flood defences, roads, buildings, farming methods and other infrastructure can influence the risk of flooding in an area. We have already seen an increase in frequency and scale of flooding and drought (droughts can dry up reservoirs and aquifers, and droughts can increase flash flooding) with 2009-2018 on average 1% wetter than 1981-2010 and 5% wetter than 1961-1990 for the UK overall. The top ten warmest years for the UK, in the series from 1884, have occurred since 2002. Given the latest Intergovernmental Panel on Climate Change (IPCC) reports rainfall and drought intensity could increase significantly with summers becoming up to 57% drier and winters becoming up to 33% wetter by 2070. If we do not divert developments away from those areas of highest risk currently and projected trends over the lifespan of the homes then the potential effects could be severe.

4.61 The Policy is supported by the Selby District Strategic Flood Risk Assessment (SFRA, 2022) Level 1. Where required to allocate development in at-risk areas these allocations are supported by a Level 2 Strategic Flood Risk Assessment (2022). The Strategic Flood Risk Assessment has been produced in line with national guidance notably the National Planning Policy Framework (NPPF) and Planning Practice Guidance. The Strategic Flood Risk Assessment provides more detailed flood risk information including identifying which parts of Flood Zone 3 are within the functional

floodplain (Flood Zone 3b) and information on the effects of climate change using the most up to date climate change allowances and data on depth and hazard of flooding. The Strategic Flood Risk Assessment has also been informed by the inclusion of new historic flood information.

4.62 The evidence provided within the Strategic Flood Risk Assessment has been used to conduct the Sequential Test for the allocated sites in this Plan. A locally determined Sequential Test will also be used to assess planning applications on windfall sites. Where it is not possible to locate development in a low flood risk area, the Council will apply an Exceptions Test, in line with the National Planning Policy Framework or any successor documents.

4.63 The Council will seek to avoid development within the wider floodplain wherever possible in line with this approach (not just avoidance of sites within Flood Zone 3). This will enable settlements to be more resilient to the increased flooding risk in the future as a result of climate change as it will reduce the impact on storage areas and wetlands which are important for carbon storage and sequestration.

4.64 In line with national flood guidance, we will liaise with the Lead Local Flood Authority (LLFA) to encourage a multi-functional approach to managing flood risk through a number of measures such as through Sustainable Drainage Systems (SuDS), encouraging personal resilience, and by working across public bodies to develop adaptive pathways to encourage successful flood management over the lifespan of homes in the former Selby district area. This Policy aims to ensure that new development is planned to avoid increased vulnerability to the range of impacts arising from climate change, in line with using the most up to date climate-change allowances and through the implementation of Sustainable Drainage Systems where appropriate. Flood management is important in the design and location of housing, future economic development and key to enable future climate resilience.

4.65 The promotion of sustainable water management practices is vital. Sustainable Drainage Systems to manage water flow can be important in minimising flood risk in the right circumstances, but they also help to create high-quality environments that encourage biodiversity through enhancements to wildlife, and benefit water resources. The effective use of permeable surfaces, soakaways and water storage areas should be incorporated in all new development where possible and appropriate. Sustainable Drainage Systems (SuDS), where appropriate, should be incorporated in accordance with the National Planning Policy Framework and the non-statutory technical standards but taking advice from those organisations that provide input through the planning process including the Lead Local Flood Authority, and Internal Drainage Boards. Developers will be encouraged to enter into early discussions with the Lead Local Flood Authority, and in relevant areas the Internal Drainage Boards to identify whether Sustainable Drainage Systems are appropriate and which type of Sustainable Drainage Systems are most suitable to local site conditions to deliver multiple benefits.

4.66 Where possible we will encourage growth that is away from areas at high risk from flooding however, for those areas that are already developed, we will encourage reducing the rate of runoff from sites and encourage the incorporation of Sustainable Drainage Systems where appropriate (by way of condition attached to planning permission).

4.67 If the drainage system would directly or indirectly involve discharge to a watercourse that the Environment Agency is responsible for, or a system controlled by an Internal Drainage Board, the details of the discharge have taken account of relevant standing advice or guidance and have been informed by early engagement with the relevant body. If a road would be affected by the drainage system the details have been agreed with the relevant highway authority. We will encourage liaison between the Lead Local Flood Authority, the Environment Agency and Internal Drainage Boards in terms of restricted greenfield discharges to create transparency for developers and to ensure a smooth process for discharging conditions.

4.68 If any development proposes to work in, on, under or near ordinary watercourses (including piped ordinary watercourses), or create or alter surface water discharge into a watercourse then the following consents or any successor consents would be required from the Internal Drainage Board:

- Section 23 Consent Land Drainage Act 1991 prohibits obstructions etc. in watercourses and states no person shall erect any mill dam, weir or other like obstruction [or] erect any culvert that would be likely to affect the flow of any watercourse without the consent in writing of the drainage board concerned.
- Section 66 (Byelaw) Consent Land Drainage Act 1991 provides the power to make byelaws which state that no person shall introduce any water into any watercourse in the District so as to directly or indirectly increase the flow or volume of water without the previous consent of the Board [and] no person shall erect any building or structure whether temporary or permanent, or plant any tree, shrub, willow without the previous consent of the Board, amongst other byelaws specific to each Internal Drainage Board.

4.69 Building over existing culverts should be avoided and the culverting and canalisation of watercourses may exacerbate flood risk through an increased risk of blockage. It is also likely to be detrimental to wildlife and amenity as it can, for example, create barriers to fish movement and reduce green amenity space / recreation opportunities alongside the watercourse. For these reasons, the reopening and restoration of existing culverts, modification of canalised watercourses and consideration of mitigation measures such as fish passes are desirable in order to achieve a more natural state. The Humber River Basin Management Plan mitigation measures for heavily modified water bodies should be considered whenever work is being carried out on modifications to maximise potential benefits of any scheme and ensure compliance with The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017. All developments planning work in, on, under or near ordinary watercourses (including piped ordinary watercourses), or discharging surface water into a watercourse within the defined Drainage District require consent from the Internal Drainage Board and need to have regard to all relevant byelaws;

4.70 The key constraints for any development near any watercourse within the Drainage District can be summarised as follows:

- No obstructions above ground within 7 metres (or 9 metres in the case of Ainsty Internal Drainage Board) of the edge of a watercourse bank top
- No increase in surface water discharge rate or volume (or restricted to 1.4 litres per second per hectare)
- No obstruction to flow within a watercourse (caused by structures etc.)

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4.71 We encourage all developers to check if their site falls within a Drainage District and then contact the Internal Drainage Board (IDB) at the pre-development advice stage. Consent Applications will be determined by the IDB under the Land Drainage Act 1991 (as amended), require both temporary and permanent works applications and the IDB has a statutory two-month determination period from the day on which the application is made or when the application fee is discharged, whichever is later.

4.72 In line with the National Planning Policy Framework to ensure the protection of water quality and to prevent deterioration of a water-quality element to a lower-status class to the waterbody, guidance in Position Statement G of The Environment Agency's approach to groundwater protection: Sustainable drainage systems G13 - Sustainable drainage systems (or any successor documents) should be followed. The Government's expectation is that Sustainable Drainage Systems (SuDS) will be provided in new developments wherever this is appropriate. The Environment Agency supports this expectation. Where infiltration SuDS are to be used for surface runoff from roads, car parking and public or amenity areas, they should be suitably designed to meet Government's non-statutory technical standards for SuDS. These standards should be used in conjunction with the National Planning Policy Framework and Planning Practice Guidance which use a SuDS management treatment train. That is, use drainage components in series to achieve a robust surface water management system that does not pose an unacceptable risk of pollution to groundwater. Where infiltration SuDS are proposed for anything other than clean roof drainage (see G12) in a Source Protection Zone 1 area, a hydrogeological risk assessment should be undertaken, to ensure that the system does not pose an unacceptable risk to the source of supply. This position statement G13 needs to be read in conjunction with position statement G10. Additional guidance has been produced by the West Yorkshire Combined Authority and Leeds City Region on SuDS, to support partner Councils by providing developers with an introduction to SuDS, guidance on technical standards for SuDS and on the information that should be included in a planning applications and Local Plans.

4.73 The Council will support new development proposals that work with natural processes and natural flood management (NFM), to proactively manage sources and pathways of water through a catchment. Adopting techniques that intercept, slow and temporarily store water, via the restoration and enhancement of natural features within the former Selby district area's river catchments will help provide a greater natural resilience to present and future climate change. Where the proposal removes trees, woodland and/or hedgerows, where appropriate, a tree planting scheme should be agreed which must help reduce flood risk and not exacerbate climate-change issues. The uptake of water and carbon dioxide is less in younger trees so this may mean that the number of new trees to be planted is more than those lost. It is important to retain trees, woodland and/ or hedgerows where possible and appropriate as they can help reduce the volume of runoff by intercepting rainfall and promoting infiltration into the soil. Trees can also increase the surface roughness, slowing the flow of water during a flood event, especially when combined with understory planting. They can also be important in improving water quality by reducing the amount of sediment and diffuse pollution reaching waterways. Not all trees are high quality so it may not always be possible (or the best option for other reasons) for tree planting schemes to help reduce flood risk.

4.74 In partnership with the Environment Agency, the Lead Local Flood Authority and any other relevant public body, the Council will seek opportunities to reduce the causes and impacts of flooding by actively engaging with relevant projects. Any development should ensure that land which is needed for flood-risk management purposes (as identified in the Department for Environment, Food and Rural Affairs (Defra) Programme of Flood and Coastal Erosion and Risk Management (FCERM) schemes, and other Environment Agency or Lead Local Flood Authority documents) is safeguarded.

4.75 The Council will support land management projects (such as the Upper Aire Project, and the Leeds Flood Alleviation Scheme 2 Natural Flood Management project) to 'slow the flow', and to improve land-management practices, to reduce the impact of farming on the water environment. This will enable the Council to ensure the former Selby district area has the ability to mitigate impacts from any proposed climate-change scenarios. The Council will liaise with the Lead Local Flood Authority on how best to get involved with local Catchment Partnerships, and on how to implement Defra's Catchment Based Approach.

4.76 The Council is working in partnership with the Environment Agency and 11 other Local Authorities to develop a new Humber Flood Risk Management Strategy (Humber 2100+). Humber 2100+ is taking an 'adaptive pathways approach'. It will set out a series of possible pathways for managing tidal flood risk in the Humber Estuary for the next 100 years. The pathways will include a range of different measures to manage risk and improve resilience to flooding: these could be raised defences / embankments, natural flood management techniques such as formal flood storage areas, less formal areas (where it is accepted that flooding will occur more frequently), managed realignment, property level protection (that supports quicker / better recovery), flood warnings and emergency planning. Some of these measures may/will require safeguarding of land.

4.77 As a result of the Boxing Day 2015 flooding, subsequent Section 19 report recommendations and local political pressure, the Environment Agency progressed a new Tadcaster Flood Alleviation Scheme. A review of the previous flood plans for Tadcaster was conducted in 2017. The aim was to help identify a potential new flood alleviation scheme that could benefit, and be accepted by, the town community. Based on this review, the total cost of the scheme was expected to be in the region of £10 million. The Environment Agency has been working with the town's residents, businesses and other stakeholders including the Council to develop the flood alleviation scheme. By working in partnership with the Council, Tadcaster Town Council and Tadcaster Flood Action Group, the Environment Agency is able to engage with the local community and interest groups throughout the town, providing up-to-date information and giving everyone an opportunity to join the conversation. The York and North Yorkshire Local Enterprise Partnership (LEP) has provided £1.02 million of Local Growth Funding, and the Tadcaster project was awarded £9 million in September 2019 from the £62 million Government fund to better protect communities from flooding. The scheme assesses many factors but partly relies upon the results of a computer-based river model to calculate flood levels which help determine what would be the required defence heights and storage volumes to protect the town and a recent topographical survey. The aim of the scheme is to identify a preferred option

which can be progressed to a detailed design, then constructed. Further information can be found
here: https://consult.environment-agency.gov.uk/yorkshire/tadcaster-flood-alleviation-scheme/

Policy SG12: Valuing the Historic Environment (Strategic Policy)

The former Selby district area's heritage assets will be preserved and where appropriate enhanced in a manner commensurate to their significance. Developments which will help in the management, conservation, understanding and enjoyment of the area's historic environment, especially for those assets which are at risk, will be encouraged. Particular attention will be paid to the conservation of those elements which contribute most to the former Selby district area's distinctive character and sense of place. These Include:

- The archaeology and historic landscapes of the Magnesian Limestone Ridge and the Humberhead Levels
- The significant ritual and funerary sites and archaeological remains associated with Newton Kyme Henge and Skipwith Common
- The Roman heritage of the Tadcaster area
- Medieval sites – particularly moated and manorial sites
- The registered Battlefield at Towton and its setting
- The Historic Parks and Gardens of the former Selby district area
- The former Selby district area's significant ecclesiastical history, as exemplified by Selby Abbey, Cawood Castle and the Bishop's Canal
- The former Selby district area's strong industrial heritage, relating principally to mining and shipbuilding, in contrast with its largely rural character
- The 19th Century farming heritage of the area
- 20th Century military remains, most notably the airfields of former RAF Riccall and RAF Church Fenton
- The designated heritage assets of the former Selby district area

Justification

4.78 The heritage of the former Selby district area is an important part of what makes the area a great place, where people want to live, visit, and work. The richness of the area's historic environment is reflected in the 635 Listed Buildings, 23 Conservation Areas, 48 Scheduled Monuments and is instilled within the distinctiveness of the towns and parishes throughout. The former Selby district area's heritage is both regionally and nationally significant from the shipbuilding of Selby and the brewing industry of Tadcaster, to the ecclesiastical history of Selby Abbey and the battle which took place upon the Towton landscape.

4.79 The historic environment is a finite resource and any proposed development that could impact upon the historic environment, requires careful and proportionate consideration. The more important the asset, the greater the weight will be given to its conservation and preservation. In applying this Policy, development proposals should be mindful of not only the heritage asset itself, but also its setting and how this fits into the wider historic environment. Wherever possible, new development

should reflect and integrate with the existing character of the local area and seek to avoid the loss of any features of architectural, archaeological, artistic or historical significance.

4.80 The Council will proactively work with property owners and other stakeholders to ensure positive, well-informed and collaborative conservation that recognises and reinforces the historic environment's contribution to local identity and distinctiveness and its potential as a driver for economic growth, attracting investment and tourism and providing a focus for successful regeneration.



Policy SG13: Planning Applications and the Historic Environment (Strategic Policy)

In order to preserve and/or enhance the historic environment, a development scheme will be supported which meets the following;

A. Development affecting a heritage asset should preserve, and where appropriate, enhance those elements which contribute to its significance.

B. Harm to elements which contribute to the significance of a designated heritage asset (or an archaeological site of national importance) will only be supported where this is clearly justified and outweighed by the public benefits of the proposal. Substantial harm or total loss to the significance of a designated heritage asset (or an archaeological site of national importance) will be permitted only in those circumstances set out in the National Planning Policy Framework.

C. Development affecting a Conservation Area should preserve and where appropriate enhance those elements which make a positive contribution to the character or appearance of the area, including its setting, and should be in accordance with the guidance set out in adopted Conservation Area Appraisals.

D. Development which would remove, harm, or undermine the significance of a non-designated heritage asset will only be permitted where the benefits are considered sufficient to outweigh the harm, having regard to the scale of any harm and the significance of the asset.

E. Proposals for the sympathetic reuse of vacant and "at risk" buildings will be supported where they prevent further deterioration of the buildings condition, maintain, or enhance their significance, and support their long-term conservation.

F. Any applications which impact the historic environment must be accompanied by a Heritage Impact Assessment undertaken by suitably qualified expertise and a Heritage Statement which demonstrates how the scheme has incorporated any recommended mitigation measures.

G. Where there is potential for archaeological remains, applicants will be required to undertake an archaeological field evaluation commensurate to the likelihood and/or significance of the archaeology and use the results to inform the design of the scheme accordingly.

Justification

4.81 Applications which will effect a heritage asset will be required to provide a Heritage Statement. Undertaken by appropriate expertise, this document must provide an assessment of the significance of any heritage assets and/or their settings affected by development, and of the impacts of that development upon them of any change. This information will also positively inform design proposals and identify opportunities for enhancement and conservation. A Heritage Statement is required to be submitted with all development proposals requiring planning permission or Listed Building Consent, when the proposal directly involves, or affects the setting of, a heritage asset. Some proposals will affect more than one asset, and the statement must address them all. The consideration of proposals to secure the optimal viable use of a designated heritage asset will only be appropriate in cases where it has been demonstrated that the development will cause less than substantial harm to the asset, and that this harm has been weighed against the public benefits of the proposal.

4.82 Non-designated heritage assets (NDHAs) are buildings, monuments, sites, places, areas or landscapes identified as having heritage interest meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets. Although not designated, these heritage assets make an important contribution to the local character and appearance. The effect of an application on the historic interest of a non-designated heritage asset will be taken into account in determining a planning application. Non-designated assets will be identified through evidence-based work such as Conservation Area Appraisals and Reviews and also Local and Neighbourhood Plan making. Non-designated assets may also be identified as part of the planning process. The decision to identify a non-designated asset will be made in line with the criteria set by Historic England Advice Note 7 (2nd edition) (or any successor document).

4.83 The landscapes, towns and villages of the former Selby district area are a rich archaeological resource spanning millennia. It is therefore expected that, evidence of past human activity will be encountered during the development process. It is essential that the development process endeavours to consult the relevant public bodies on any existing evidence of archaeology and seeks to establish the potential for encountering archaeological remains within the site. Desk-based assessment and / or pre-application surveying may be requested from statutory consultees to fully understand the potential for archaeological remains. From time to time, the discovery of archaeology or the significance of remains will be unforeseen and unexpected and in this instance the remains must also be treated in accordance with

this Policy and best archaeological practice. A non-designated asset of archaeological interest of demonstrably equivalent significance to a Scheduled Monument shall be treated as a designated heritage asset.

4.84 Several designated assets are included on the Historic England Heritage at Risk Register. This includes four buildings and structures, two places of worship, 16 archaeological sites and two Conservation Areas. It is the Local Planning Authority's priority to secure a sustainable future for these assets. The requirements set out within this Policy will also be a condition where grant assistance is being offered through adopted strategies. For example the support of the Selby Town Heritage Action Zone, or further heritage strategies and evidence-based work which aims to improve the public realm, shop frontages and the built environment.

Minerals Safeguarding

- North Yorkshire Council is Minerals and Waste Planning Authority for the former Selby district area.
- The 'North Yorkshire, City of York and North York Moors National Park Authority Joint Minerals and Waste Plan' safeguards a number of areas in the former Selby district area.
- The approach to Minerals Safeguarding is set out in Chapter 8 of the adopted Minerals and Waste Joint Plan.

Justification

4.85 North Yorkshire Council is responsible for planning for Minerals and Waste in the former Selby district area. North Yorkshire Council has prepared a Minerals and Waste Joint Plan alongside City of York Council and the North York Moors National Park Authority, which was adopted in 2022.

4.86 The safeguarding of minerals resources and of minerals and waste infrastructure is an important aspect of national policy and necessary to ensure the long-term sustainability of the area. The effective safeguarding of minerals helps to preserve finite resources for the future although there is no presumption that safeguarded resources will be worked. The Minerals and Waste Joint Plan sets out policies for safeguarding these important assets from encroachment or replacement by other forms of development. There are a number of safeguarded sites in the former Selby district area which are identified on the Joint Minerals and Waste Plan Policies Map.

4.87 Policy SO2 of the Minerals and Waste Plan specifies that a number of application types will be regarded as ‘exempt’ development and, where proposed within an area safeguarded in the Joint Plan for surface minerals resources, minerals ancillary infrastructure, minerals transport infrastructure or waste infrastructure, do not require consideration under relevant safeguarding policies.

Key Documents

- Housing and Economic Development Needs Assessment 2020 and Update 2022

- Development Limits Methodology 2022
- Strategic Countryside Gaps Update (2024)
- National Design Guide
- National Model Design Code
- Building for a Healthy Life - A design code for neighbourhoods, streets, homes and public spaces
- Health Impact Assessment in Spatial Planning
- Selby District Landscape Sensitivity Study Update Report (2021)
- Selby Landscape Character Assessment (2019)
- Selby District Local Landscape Designation Review (2019)
- Strategic Flood Risk Assessment
- York and North Yorkshire Local Industrial Strategy
- Conservation Area Appraisals
- Historic England Advice Note 7 (2021)
- Minerals and Waste Joint Plan (2022)

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Revised Publication Selby Local Plan 2024

5 Supporting a Diverse Local Economy and Thriving Town Centres

Introduction

5.1 The policies in this chapter aim to promote a prosperous, diverse and sustainable economy, by providing a range of high-quality local employment opportunities and thriving town centres.

5.2 Traditionally dominated by the agricultural, manufacturing and brewing sectors, the former Selby district area has increasingly become a dormitory location for the neighbouring cities of Leeds and York, with high levels of residents commuting to outside the area for work. An improved range of local employment opportunities reflecting the skills of local people, along with enhanced services and facilities, will help to reduce the levels of out-commuting for work, shopping and leisure purposes and help to promote the area as a key economic driver in the region based on its key location in the north of England, with motorway and rail linkages to the rest of the country.

5.3 Whilst the focus of new economic development is on the former Selby district area's larger settlements and its strategic employment sites, the area contains extensive rural areas and support will be given to the sustainable diversification and development of the rural economy.

Economy

5.4 The former Selby district area has seen strong employment growth and will continue to attract investment as a result of its connection to major urban areas like Leeds, York and Hull and the wider Northern Powerhouse. A number of key areas for new employment growth have been granted planning permission, which includes 35 hectares at Sherburn Enterprise Park, 57 hectares at Konect (the former Kellingley Colliery site), 50 hectares at Core 62 (the former Eggborough Power Station) and 27 hectares of land at Church Fenton Creative Studios. These sites alone will provide 169 hectares of employment land.

5.5 The Council has undertaken a Housing and Economic Development Needs Assessment (HEDNA, 2020) to inform the former Selby district's employment land requirement during the period to 2040. The 2022 Addendum to the HEDNA finds that the following level of employment land should be delivered, as a minimum, during the period to 2040:

Use Class	Recommended floorspace (square metres)	Recommended land (hectares)
Office (Eg)	10,880	3.6
Industrial (B2, B8)	306,660	87.6
Total	317,540	91.2

Table 5.1

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5.6 The evidence from the Housing and Economic Development Needs Assessment suggests that there is a sufficient supply of employment land for the Local Plan period. However, the Council recognises that there are key remaining opportunities for the redevelopment of the former Eggborough Power Station, Olympia Park and Gascoigne Wood Interchange which represent strategic brownfield sites with unique rail infrastructure.

Policy EM1 - Meeting Employment Needs (Strategic Policy)

The Council will support sustainable economic growth through the allocation of economic development proposals at the following sites as shown on the Policies Map:

Site Reference	Settlement	Location	Area to be developed as employment land (hectares)
EGGB-AA	Eggborough	Former Eggborough Power Station	40
SHER-AA	Sherburn in Elmet	Gascoigne Wood Interchange	57.35
SELB-CA	Selby	Olympia Park	33.6
		TOTAL	130.95 hectares

Justification

5.7 The Selby Local Plan supported the aims of the Selby District Council Plan (2020-30) which sought to support investment in the former district area to ensure that the former Selby district area has a strong and sustainable economy that delivers benefits for the residents of the former district area. Specifically, the Council Plan sought to deliver the key strategic sites and place-making schemes set out in the Selby District Economic Development Framework (2022). Of the strategic sites identified in this document, only Olympia Park and Gascoigne Wood Interchange are not subject to a current planning consent. The North Yorkshire Council Economic Strategy 2024-2029 seeks to attract investment and grow the economy of North Yorkshire to create new and exciting opportunities for residents and businesses.

5.8 Eggborough Power Station was decommissioned in 2018 and the main part of the former power station site has consent for redevelopment for general industrial (B2) and storage distribution uses (B8) and is known as Core 62. The land to the south and south east of Core 62 has key rail infrastructure relating to its former role as a coal depot that was used to fuel the former power station. The site's redevelopment for employment purposes should seek to utilise the existing railhead.

5.9 Olympia Park is allocated for redevelopment for employment uses given the existing railhead and its proximity to the main population centre of the Selby Urban Area. If appropriate vehicular access were to be obtained from the bypass it could provide opportunities for the improvement of the Barlby Road corridor and this key gateway to the town of Selby.

5.10 Similarly, the existing rail infrastructure at Gascoigne Wood Interchange near Sherburn in Elmet is no longer in employment use but provides a unique opportunity for redevelopment of this existing employment site which utilises the existing railhead and rail infrastructure to provide access to local and national markets via the rail network.

Policy EM2 - Protection of Employment Land (Strategic Policy)

A. The following defined Key Employment Areas, as shown on the Policies Map, will be protected in order to safeguard existing or potential jobs:

Site	Status
Core 62 (Former Eggborough Power Station), Eggborough	Permitted
Church Fenton Creative Studios, Church Fenton	Permitted
Konect (Former Kellingley Colliery), Kellingley	Permitted
Sherburn 2, Sherburn in Elmet	Permitted
Drax Power Station, Drax	Existing employment site
Selby Business Park, Bawtry Road, Brayton	Existing employment site
Access 63, East Common Lane, Selby	Existing employment site
Station Road, Tadcaster	Existing employment site
York Road, Tadcaster	Existing employment site
Sherburn Enterprise Park, Sherburn in Elmet	Existing employment site
North Point Business Park, Selby Road (North), Eggborough	Existing employment site
Selby Road (South), Eggborough	Existing employment site

B. Proposals for the expansion, intensification or redevelopment of a Key Employment Area for employment uses will be supported where it does not harm the amenity of the surrounding area. The use of conditions will be considered for applications for office, research and development and light industrial uses (Use Class Eg) to ensure that they remain within that use in perpetuity.

C. The development of Key Employment Areas for non-employment uses will only be supported where:

1. The proposal is for an ancillary use; and

2. The proposal is not for residential use; and

3. Development would not result in a significant loss of existing jobs or employment potential.

D. On all other existing employment sites / premises (i.e. those not in defined Key Employment Areas) a change of use to non-employment uses will be resisted unless it can be demonstrated that:

1. There will still be an adequate supply of employment land in the locality as defined by the latest Housing & Economic Development Needs Assessment; and

2. The land or premises cannot satisfactorily support continued employment use as demonstrated by the submission of evidence which demonstrates that the site or premises has been actively marketed for a period of 12 consecutive months.

Justification

5.11 The provision of well-located employment land is key to the area's future economic success and sites protected under Part A of Policy EM2 are identified as the former Selby district area's most important existing and committed employment sites. It is therefore important that these sites are protected and safeguarded from competing, and often higher-value, uses. Policy EM2 relates to business, general industrial, and storage and distribution uses which are currently defined as Use Class Eg, B2 and B8. In the case of existing B2 and B8 uses, changes of use will normally be resisted,



subject to the criteria in Policy EM2. Where possible, existing land and premises used for offices, research and development and light industrial (Use Class Eg) will be retained.

5.12 Whilst the change of use to non-employment uses will generally be resisted on such sites, there may be circumstances where proposals represent ancillary uses which are required to support the existing employment uses on the site. Such ancillary uses might include, for example, a small café, local shop or childcare nursery which supports the needs of employees and does not result in a significant loss of existing jobs or employment potential.

5.13 In terms of other employment sites and premises, it is recognised that there may be some cases where it is appropriate to allow their redevelopment. In considering proposals for alternative uses it is expected that supporting information will be submitted which sets out the impact of redevelopment on the quantity and quality of employment land supply and evidence of relevant marketing information which demonstrates that the site or premises has been actively marketed for a period of 12 months at a value which reflects its existing use.

Policy EM3 - Economic Development (Strategic Policy)

A. New employment development, including change of use, on land not allocated for employment development, will be supported within the Development Limits of existing settlements.

B. Proposals for the expansion of existing employment uses will be permitted within and immediately adjacent to the Development Limits of existing settlements.

C. In all cases the following criteria must be met:

1. Development is of a scale appropriate to the hierarchy of the settlement in which it is proposed;

2. Development is of a type and design sympathetic to the location within which it is proposed;

3. Development would not have an unacceptable impact on highways or other forms of infrastructure and provides electric vehicle charging points;

4. Development would not cause harm to local amenity, landscape, ecology, historic environment or other environmental and cultural heritage considerations; and

5. Development is supported by a landscaping scheme and boundary details which appropriately respond to the locality and setting.

Justification

5.14 The National Planning Policy Framework places significant weight on the need to support sustainable economic growth and productivity. Planning policies should be flexible enough to accommodate needs not anticipated in the Plan.

5.15 It is intended that economic development will come forward on sites allocated for this use, as these sites have been identified as those most appropriate to meet the future economic needs during the Plan period. However, other proposals are likely to come forward during the Plan period on land which is unallocated, known as windfall sites. Policy EM3 sets out the criteria to be applied when assessing whether employment uses are appropriate on these sites. The Policy seeks to ensure that any economic development is appropriate to its location and doesn't cause any unacceptable impacts on the local area. The Policy is intended to clarify the circumstances in which economic development will be permitted within existing settlements with Development Limits and does not apply to rural areas and the former Selby district area's Smaller Villages, which are covered by Policy EM4 (The Rural Economy).

Policy EM4 - The Rural Economy (Strategic Policy)

A. A prosperous rural economy will be supported by allowing development in Smaller Villages and Countryside, including farm diversification, if it:

1. Expands existing businesses through either the conversion of existing buildings or well-designed new buildings; or
2. Redevelops an existing or former employment site or premises; or
3. Supports the sustainable diversification of agricultural and other land-based businesses; or
4. Is related to tourism or recreation, subject to the requirements of Policy EM5 or Policy EM6.

B. Development within Smaller Villages and Countryside will be expected to:

1. Be of a scale commensurate with an existing use, or that reasonably required for a new use, and with the rural character of the location; and
2. Successfully mitigate any harmful impacts on the countryside, biodiversity, landscape or local character of the area; and
3. Comply with Policy IC6 (Sustainable Transport, Highway Safety and Parking) and not adversely impact on the local road network.

Justification

5.16 The National Planning Policy Framework provides support for a prosperous rural economy, including the sustainable growth of all types of business, the diversification of agriculture and sustainable rural tourism and leisure. However, development of the rural economy must not be at the expense of the quality, character and tranquil nature of rural areas, as it is recognised that it is for these reasons that people choose to live in the former Selby district area.

5.17 Whilst it is important that economic growth is concentrated in the former Selby district area's main towns, sustainable opportunities are required in rural locations to maintain the viability of rural communities and to reduce the need to travel. Rural areas, in this context, include Smaller Villages and those areas in the Countryside beyond the Development Limits of an existing settlement.

5.18 The support for small businesses, self-employment and opportunities for home working are particularly important in rural areas. It will be important that the former Selby district area has the digital and communications infrastructure in place to respond effectively to changing work patterns, whilst also helping to lower carbon emissions.

5.19 Some of the area's largest former employment sites are located in the countryside, including former mines, airfields and power stations, some of which are subject to planning conditions which require their restoration to agricultural uses.

5.20 Eggborough Power Station was decommissioned in 2018 and has consent for its redevelopment for B2 and B8 employment uses. Drax Group PLC is pioneering carbon capture storage technologies with ambitions for the first zero-carbon industrial cluster.

5.21 The Council supports the reuse of the Gascoigne Wood Interchange, provided that any proposed use is directly linked to the use of the existing rail infrastructure that exists on the site. However, the remaining former mine sites at Stillingfleet and Wistow are remote and are not considered suitable for reuse for large-scale or intensive economic activities.

5.22 The former Selby district area also has a number of former airfields which tend to be located in rural areas without the benefit of good road infrastructure. Proposals to redevelop these sites for employment uses will be judged on their individual merits, taking into account factors such as the impact on local highways and traffic generation as well as job creation and economic benefits.

Policy EM5 - Tourist, Recreation and Cultural Facilities (Strategic Policy)

Proposals for tourist, recreation and cultural facilities will be permitted provided:

A. The nature and scale of the proposal would be appropriate to the locality;

B. The proposal would not have a significant adverse effect on the character and appearance of the area;

C. The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity;

D. Proposals that come forward within the countryside, subject to compliance with Policy EM4 (The Rural Economy), will require suitable justification to be provided that the use requires a rural location and that it cannot be accommodated within the Development Limits of an existing settlement; and

E. Proposals affecting the Lower Derwent Valley Area of Restraint meet the requirements of Policy NE1 (Protecting Designated Sites and Species).

Justification

5.23 Tourism, recreation and cultural provision is important for both urban and rural areas and has a crucial role in growing the economy of the former Selby district area. The visitor economy is recognised for its importance in the North Yorkshire Economic Growth Strategy 2024-2029 and the Selby District Visitor Economy Strategy (2018-2022 and beyond) aims to develop the area's visitor offer so that both residents and visitors alike can discover and celebrate its rich cultural heritage.

5.24 The former Selby district area has a strong cultural heritage, with Selby Abbey, as one of the few remaining abbey churches of the Medieval period, undoubtedly representing the jewel in the crown. There are a number of other important heritage assets across the area such as the registered battlefield at Towton, and Cawood Castle while sites such as Abbots Staith in Selby town provide specific opportunities to restore and reuse iconic properties in a way that encourages footfall in Selby town centre. The former Selby district area also has a rich shipbuilding and beer brewing heritage, in addition to opportunities around outdoor leisure activities.

5.25 However, there can be implications associated with tourism, including parking and traffic congestion and the impact it may have on the character and appearance of the local area, particularly within the countryside, whilst recognising that some recreation uses (such as golf courses and horse-related development) will require a rural location. The Council's approach is therefore to encourage the introduction and expansion of tourist uses in a sustainable manner that safeguards the area's natural and historic environment as far as possible.

Policy EM6 - Holiday Accommodation (Strategic Policy)

A. Proposals for serviced and non-serviced holiday accommodation, including hotels, guest houses, holiday cottages, static caravans and lodges, will be permitted where:

1. The development is located within the Development Limits of an existing settlement; or

2. If located in the Countryside the proposal represents:

i. An extension or replacement to existing holiday accommodation; or

ii. The reuse of an existing building which is structurally capable of conversion; or

iii. Static caravans or holiday lodges, where development can demonstrate the highest possible standards of siting, design and landscaping.

3. All proposals will be required to meet the following criteria:

i. The size and scale of the proposal would be appropriate to the locality;

ii. The development does not create an over-concentration of properties in use as tourist accommodation to the detriment of local amenity;

iii. Development would not have an unacceptable impact on highways or other forms of infrastructure;

iv. Development would not have a harmful impact on the countryside, biodiversity, landscape or local character of the area; and

v. Where the development is for a hotel, the proposal should demonstrate compliance with the sequential approach in accordance with national policy and Policy EM7 (Town Centres and Retailing).

B. Proposals for touring caravans, motorhomes, Aires and camping facilities will be supported where:

1. The proposal would not have a significant impact on the character and open appearance of the countryside or harm recognised nature conservation interests;

2. The proposal would be well screened and would not have a significant adverse impact on local amenity;

3. The site would have good access to the primary road network and would not have an unacceptable impact on highways;

4. Any ancillary buildings or structures are demonstrably essential to providing basic services on the site; and

5. The number of pitches proposed are in proportion to the size of the locally resident population so as not to disrupt community life.

C. To ensure that holiday accommodation does not result in the creation of permanent living accommodation, conditions may be imposed which restrict the use and / or period of occupation.

D. Proposals affecting the Lower Derwent Valley Area of Restraint meet the requirements of Policy NE1 (Protecting Designated Sites and Species).

E. Proposals would not have detrimental impact on sites of historical or archaeological importance or their setting in accordance with Policy SG13 (Planning Applications and the Historic Environment).

Justification

5.26 Across the former Selby district area, there is a range of tourist accommodation available including hotels, guest houses, self-catering cottages, holiday lodges and campsites. This creates a range of places for tourists to stay and has a positive impact on the local economy.

5.27 The preferred location for new serviced and non-serviced holiday accommodation is within existing settlements. This is to enable visitors to access a range of services by a choice of travel modes, including on foot. It is accepted that sites for static caravans and holiday lodges are often more suited to a countryside location and in these instances preference will be given to sites that have existing established landscape screening and would not have a negative visual impact on the open character of the countryside. Suitable landscaping schemes to protect and enhance the existing landscaping already present should be undertaken as part of any proposal within the countryside.

5.28 The use of land for touring caravans, motorhomes, Aires and camp sites has a lower impact than other tourist accommodation as they are not permanently occupied and in winter months there may be little evidence of activity. However, in summer months they can be intrusive in the landscape and may add to pressures on local services. Consideration will therefore need to be given to visual impact and effect on landscape character, as well as the impacts on infrastructure and local communities.

5.29 Restricting the occupancy of holiday accommodation ensures that permanent residential uses can be restricted where this is appropriate. Without such an approach, broad objectives of protecting the countryside could be compromised and additional pressures could be placed on local services, such as educational and health facilities.

5.30 The renting out of private homes for short periods of time does not normally require planning permission. However, the permanent or frequent use of a property for short-term lets (such as Airbnb lets), especially on a scale that may impact on the amenity of neighbouring properties, is likely to be considered a change of use, requiring consent.

5.31 The licensing and control of caravan sites is legislated under the Caravan Sites and Control of Development Act 1960 (as amended) and any proposed development should meet the minimum standards set out in the legislation. Where development includes the creation of camping sites for tents, proposals will be required to meet the licensing requirements of the Public Health Act 1936 (as amended). The relevant licensing requirements should be taken into account as part of any development proposal for caravan and/or camping facilities.

Retail and Town Centres

5.32 The Council has undertaken a Town Centre, Retail and Leisure Study (2020) which has identified the capacity for additional convenience (food) and comparison (non-food) retail floorspace, alongside the need for additional leisure and cultural uses. The projections in this report show the following gross floorspace requirements to 2040:

A1 retail (convenience)	A1 retail (comparison)	A3-A5 uses	Total
2,605 square metres gross	-233 square metres gross	738 square metres gross	3,110 square metres gross

Table 5.2

5.33 The Study also finds that there is the potential to improve commercial leisure facilities within the former Selby district area, with theoretical scope for a small cinema (two screens with 350 seats) in the Selby Urban Area and the potential for up to three additional health and fitness facilities across the the area in the period to 2040.

5.34 The projections suggest that there is no pressing need to allocate sites for major retail and leisure uses in order to accommodate projected growth. The priority in the short to medium term should be the re-occupation of vacant units, particularly in Selby and Tadcaster town centres, along with the provision of local shops and services to provide day-to-day facilities within walking distance of major housing developments that come forward during the Plan period.

Policy EM7 - Town Centres and Retailing (Strategic Policy)

A. Support will be given to maintaining and enhancing the vitality and viability of the following retail hierarchy of defined Town Centres:

1. Selby - Principal Town Centre

2. Tadcaster and Sherburn in Elmet - Minor Towns Centres

This will be achieved by ensuring that proposals for main town centre uses will be supported (within the defined Town Centre boundaries as shown on the Policies Map) in line with their respective roles in the retail hierarchy as follows:

a. Selby Town Centre is the dominant centre in the former district area. Its role as the Principal Town Centre will be supported through a focus for town centre uses including retail, commercial, leisure, entertainment, food and drink, recreation, arts and cultural uses. The continued renaissance of the Town Centre will be promoted through the diversification of uses, including the re-purposing of upper floors to residential use, sensitive conservation work, improved pedestrian and cycle linkages and an enhanced evening and visitor economy. A Town Centre Design Guide Supplementary Planning Document

will be prepared with a view to help improve the visual character of the high street. Opportunities will be taken to enhance the town's weekly market and promote town centre spaces for events and leisure activities.

b. Tadcaster and Sherburn in Elmet Minor Town Centres have an important role serving more localised catchments:

i. In Tadcaster, priority will be given to the regeneration of the Town Centre in a way which utilises the town's high-quality built heritage and attractive riverside location.

ii. Improvements to the retail offer and range of facilities will be encouraged in Sherburn in Elmet Town Centre to ensure that the local community is supported by a wider range of shops and services, including an enhanced evening economy. This may be achieved through an extension or remodelling of the existing Town Centre.

B. Retail development and proposals for other main town centre uses, outside the Town Centre boundaries of Selby, Tadcaster and Sherburn in Elmet will be required to:

1. Meet a purely localised need and conform with Policy EM8 (Local Shops); or

2. Demonstrate compliance with the Sequential Approach; and

3. Provide an Impact Assessment for proposals that have a floorspace in excess of 400 square metres gross (280 square metres net).

Justification

5.35 The National Planning Policy Framework (2023, paragraph 90) states that Local Plans should define a network and hierarchy of town centres. The retail hierarchy aims to promote sustainable development by focusing retail and other town centre uses in those areas that are most accessible to residents. Selby Town Centre is the former Selby district area's Principal Town Centre where the majority of new retail development should be concentrated. Tadcaster and Sherburn in Elmet also perform an important role in providing important shops and services to more localised catchments.

5.36 The main town centre uses to which Policy EM7 applies are defined in the National Planning Policy Framework (2023, Glossary) as including retail, leisure, entertainment, more intensive sport and recreation uses, offices, arts, culture and tourism.

5.37 Town centres provide a range of functions and services and whilst they continue to have an important role in providing a focus for economic activity, public transport and civic functions, this traditional role is changing particularly with regards to retailing. Because of this, it is important to provide a clear function for each town centre.



5.38 Selby Town Centre performs well in terms of vitality and viability indicators, but it could be better physically related to its immediate surrounds, particularly by improved linkages between the train station and the Abbey. Furthermore, the attractive historic fabric of the Town Centre provides opportunities to enhance the visitor economy. The Town Centre benefits from a weekly Monday market and a farmer's market which is held monthly, on every third Saturday. Although the market is considered to be sustainable and appropriately sized, any opportunities to enhance its offer should be taken.

5.39 As part of the Selby High Street Heritage Action Zone Project a Town Centre Design Guide has been approved and will be developed into a wider Town Centre Design Guide Supplementary Planning Document to help improve the character of town centres.

5.40 Sherburn in Elmet Town Centre is a vibrant centre with a number of successful businesses and a very low vacancy rate. The town has witnessed a high level of housing and employment growth in recent years, but the level of supporting infrastructure has not kept pace. The priorities for Sherburn in Elmet Town Centre relate to business diversification, digital development and the provision of an enhanced evening economy.

5.41 Tadcaster Town Centre is showing poor signs of vitality and viability with nearly a third of Town Centre properties vacant (Town Centre, Retail and Leisure Study 2020) and a limited service based provision including no high street bank. The poor performance of the centre has persisted for a number of years.

5.42 The National Planning Policy Framework (2023, paragraph 91) requires that planning applications for town centre uses should be located in town centres, then in edge-of-centre locations and only in those circumstances where no other suitable sites can be found, should out-of-centre locations be considered. In the circumstance where it can be demonstrated that the proposal meets a purely localised need in conformity with Policy EM8 (Local Shops), compliance with the sequential test is not required.

5.43 For proposals not located within the Town Centre a Retail Impact Assessment will be required for all schemes with a gross floorspace of 400 square metres and greater, in line with the Framework which allows for the imposition of locally set thresholds. The assessment should consider the impact of the proposal on existing, committed and planned public and private investment in a centre or centres within the catchment area of the proposal. A locally-set threshold for the impact was set using the recommendations set out in the Town Centre, Retail and Leisure Study (2020).

Policy EM8 - Local Shops

Outside defined Town Centre boundaries (as shown on the Policies Map), the health and well-being of local shops will be promoted.

A. Planning permission for the change of use of a local shop, including post offices, pubs and petrol stations, to other uses will only be permitted if it can be shown that:

1. The business is no longer financially viable; or

2. There is an appropriate alternative within the same village or community.

B. Proposals for new local shops within existing settlements will be permitted where:

1. The shop is small scale (no more than 280 square metres net) and of a type and in a place that would meet localised daily needs including on strategic housing sites where a need for a Local Centre has been identified;

2. The shop is located and designed to encourage trips by pedestrians and cyclists; and

3. The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity.

Justification

5.44 It is important that those living in villages have access to a range of services which meet their day-to-day needs and the National Planning Policy Framework (2023, paragraph 97) states that Local Authorities should plan positively for community needs, such as through the provision of local shops. These facilities are considered to enhance the sustainability of communities and residential environments.

5.45 The National Planning Policy Framework (2023, paragraph 97) states that the unnecessary loss of valued facilities should be guarded against, particularly where this would reduce the community's ability to meet its day-to-day needs. As such, Policy EM8 seeks to retain existing shops, wherever possible. It is acknowledged that shops fall within Use Class E and can therefore change use to any other use within Class E without requiring planning consent. Changes to other uses are also permitted subject to prior approval applications. However, Use Class F2 (Local Community Uses) includes local shops of no more than 280 square metres, mostly selling essential goods, including food, where there is no other such facility within a one-kilometre radius, and prevents any permitted change.

5.46 Proposals for new local shops will be supported where they can be shown to meet a purely localised need. Such facilities reduce the need to travel and help create and maintain sustainable communities. Proposals for small shops will not normally be required to meet the sequential test, provided that compliance with Policy EM8 can be demonstrated.

Policy EM9 - Hot-Food Takeaways

A. Proposals for hot-food takeaways will only be permitted in locations where they satisfy other relevant policies of the Plan and the following criteria:

1. They do not lead to clustering or proliferation of such uses where they undermine objectives to promote healthy living and the vitality and viability of the defined Town Centres; and

2. They do not have a negative impact upon the amenity and safety of residents and other businesses in the area; to include highway safety and parking, hours of operation, control of odours, and litter and waste disposal; and

B. Subject to meeting the above criteria, hot-food takeaways which are located within 400 metres of a secondary school or further education college will not be supported unless the opening hours are restricted until after 17:00 on weekdays.

Justification

5.47 The National Planning Policy Framework (2023, paragraph 96) requires that planning policies achieve healthy, inclusive and safe places which enable and support healthy lifestyles, especially where this would address identified local health and well-being needs.

5.48 The aim of this Policy is to respond to concerns about the impact of hot-food takeaways on eating behaviour and obesity, particularly childhood obesity. The former Selby district area, along with the rest of the UK, has high levels of obesity. Data from the National Health Service finds that 29% of adults within England are classified as obese, along with 20% of Year 6 children. It is commonly considered that there is a link between unhealthy food choices and obesity and one of the ways in which the Council can help to address obesity is through the control of hot-food takeaways which tend to be dominated by high-fat, high-salt or high-sugar foods.

5.49 The Town and Country Planning (Use Classes) Order 1987 (as amended) defines a hot-food takeaway as a premises where the primary purpose is the sale of hot food for consumption off the premises (Use Class A5). Whilst accessibility to unhealthy food is not just confined to hot-food takeaways and they can play an important role in providing a popular service to local communities, they are also commonly associated with a negative impact on the retail character and health of town centres and local parades of shops, along with the amenity of residents.

5.50 Hot-food takeaways are often closed during the day, causing the visual amenity of the street to be adversely affected by shutters being down during the day, creating dead frontages. Furthermore the success of town centres and shopping parades is linked to the range and variety of shops and services that can found there. Hot-food takeaways are also commonly associated with adverse impacts on the amenity of residents and can be associated with noise, odours, litter and anti-social behaviour. Policy EM9 aims to reduce the clustering and proliferation of such uses in one area in order to ensure that hot-food takeaways do not detract from the prime-shopping function of centres and parades, and to protect the amenity of local residents.

5.51 While the former Selby district area has a level of takeaway outlets per 100,000 population below the average for England (Data from Feat) the level of takeaways by population is increasing, with North Yorkshire as a whole seeing takeaway numbers increase by 11.9% (Data from Feat). The latest Town Centre and Retail Survey 2018 (January 2019) also highlights a growing trend for takeaways within the high street and shows that within the defined Town Centres for the three towns, takeaways account for approximately 5% of ground floor units in Selby, 14% of units in Sherburn in Elmet and 3% in Tadcaster. Proposals for hot-food takeaways will be monitored through future town centre and retail surveys to ensure that the level of takeaway provision within the three defined Town Centres does not lead to a proliferation of such uses and hot-food takeaways are distributed equally to prevent clustering of such uses to ensure that the vitality and viability of the centres and healthy living objectives are not undermined.

5.52 When a hot-food takeaway is considered to comply with planning policy, it will often be necessary to condition the planning consent to control the impacts it has on surrounding areas. Conditions could relate to opening hours to prevent night-time noise disturbance. Policy EM9 also requires that opening hours are restricted to after 5pm for hot-food takeaways proposed within 400 metres (five-minute walk) of a secondary school or further education college. This will be measured 'as the crow flies' from the school gates. Research undertaken by North Yorkshire Council into the healthy and active lifestyle behaviour of 11-15 year-olds found that there are 20 hot-food takeaways within a one-mile radius of Selby High School, four of which are located within a five-minute walk of the school site. During interviews with school staff, one of the main barriers identified to healthy eating and lifestyles was considered to be the influence of high-fat, high-salt or high-sugar foods. It is important to encourage children to make healthy lifestyle choices and restricting their access to unhealthy foods around their schools will help achieve this objective. This research was undertaken as part of a broader strategy to tackle childhood obesity across North Yorkshire and supports the North Yorkshire Healthy Weight, Healthy Lives Strategy.

Policy EM10 - Advertisements

A. Applications for consent to display advertisements will be permitted where the size of the sign and the materials used are appropriate to the street scene and will not have an adverse effect on either the amenity of the area or on public and road safety.

B. Proposals for the display of advertisements within Conservation Areas and on, or affecting, a Listed Building will be granted consent provided the advertisement would not detract from the architectural and historic character of the street scene and would

accord with the provisions of Policy SG13 (Planning Applications and the Historic Environment) . The proposed advertisement should use a high standard of materials and if it is proposed that the advertisement be illuminated, the design, method and degree of illumination should not detract from the overall character of the area.

Justification

5.53 Advertisements are essential to commercial activity and play an important role in promoting retail and tourism. However, poorly-placed or out-of-scale advertisements can have a detrimental impact on the appearance and character of the built and natural environment. Policy EM10 seeks to ensure that new advertisements are proportionate and sensitive to their surroundings.

5.54 The control of advertisements principally relates to considerations of amenity and public safety. Advertisements form a necessary part of a commercial development whether it be within a main retail unit within the area's town centres or by way of a single site within a village or more rural area. However, their functional importance must not result in advertisements which may have negative impacts on the amenity of the area or highway safety by way of size, colour, illumination or number.

5.55 The illumination of advertisements, either internally or externally, helps improve their visual prominence but could lead to a loss of amenity in the locality, particularly where signage is located within residential areas. For this reason, the use of internally illuminated signage is generally only appropriate within shopping and employment areas, whereas, more sensitive locations, such as in villages and Conservation Areas, the use of external illumination is likely to be more appropriate. In all respects the consideration of the siting and form of advertisements will be undertaken in the interests of public safety and amenity by ensuring that the scale, siting, design and illumination of any advertisement does not have a detrimental impact on the character of the building or area.

5.56 Poorly designed advertisements are a serious threat to the intrinsic character and appearance of Conservation Areas. A higher quality of design of signage and advertisements in Conservation Areas will be expected in order to preserve and where appropriate enhance the historic character and appearance of the area. Proposals for advertisements on Listed Buildings require Listed Building Consent. Specific attention will be given to the visual impact of the proposed signage in relation to the architectural and historic importance of the building in accordance with the requirements of Policy SG13 (Planning Applications and the Historic Environment).

Key Documents

- Housing and Economic Development Needs Assessment (2020)
- Housing and Economic Development Needs Assessment Addendum (2022)
- Town Centre, Retail and Leisure Study (2020)
- Revitalising Selby Town Centre - Selby's Route to Recovery - A checklist for Recovery and Revitalisation
- Revitalising Sherburn in Elmet - Creating the Village's Forward Framework (2020)

Revised Publication Selby Local Plan 2024

- Healthy Weight, Healthy Lives Strategy 2016-2026
- Town Centre and Retail Survey 2018
- Visitor Economy at the Heart of Yorkshire 2022-2025
- Selby Town Centre Design Guide (2022)

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6 Providing the Right Infrastructure to Support Local Communities

Introduction

6.1 Infrastructure is defined as the services, facilities and installations which are required to sustain our communities and includes transport, utilities, telecommunications, schools, community facilities, healthcare facilities, waste and green infrastructure, all of which are key to making the former Selby district area a great place to live.

6.2 This infrastructure underpins the aims and objectives of the Local Plan as failure to deliver can cause wide economic, social and environmental problems. The provision of new or improved infrastructure should be planned appropriately for the impacts of climate change over the lifetime of the assets and seek to promote healthy lifestyles and active travel.

Policy IC1 - Infrastructure Delivery (Strategic Policy)

The Council will work with infrastructure providers and developers to ensure that additional capacity is delivered to meet the requirements of the Plan Area by ensuring that:

A. The development of new or improvements to existing infrastructure will be supported where it can be demonstrated that:

1. There is an identified need;
2. The proposal is located close to where the need arises;
3. The proposal will be accessible to all potential users;
4. There are no adverse impacts on the surrounding highway network;
5. The location and design considers long-term climate resilience and will not detract from the character of the local area;
6. Satisfactory areas for amenity and circulation are provided to support the scheme.

B. All new development will provide new or improved infrastructure, as necessary and evidenced, either on-site or through proportionate contributions towards the overall costs of off-site provision. Consideration of what infrastructure is required and how it will be delivered, should:

1. Have regard to the infrastructure requirements set as out in the Local Plan evidence base and Infrastructure Delivery Plan;
2. Assess whether existing infrastructure has sufficient capacity to support the new development;

3. Calculate and request proportionate financial contributions from the developer, for any off-site provision and towards the costs of adoption and ongoing maintenance of the new infrastructure to be provided where relevant;

4. Require the delivery of the new, or improved infrastructure to be operational prior to the occupation of the appropriate phase of development which it is required to support.

Justification

6.3 An Infrastructure Delivery Plan has been prepared in conjunction with a range of bodies including utility and service providers. This identifies the infrastructure required to support new development set out in the Local Plan and has informed the site allocation policies (Part 3 of this document).

6.4 Where possible the location of required new infrastructure is detailed on the Policies Map, for example the proposed new Special Educational Needs and Disability School at Osgodby (Policy OSGB-N). However, it should also be noted that some infrastructure needs, such as schools, which are required to serve proposed new development, are incorporated into the site requirements of the new housing allocation, for example a new school at Cross Hills Lane, Selby (SELB-BZ). In such cases the more detailed siting and location is yet to be determined. It is also likely there may be other infrastructure proposals which may come forward during the lifetime of the Local Plan. This Policy therefore provides an approach to the determination of such detailed applications.

6.5 It is important that new infrastructure is not only in the right location for addressing identified needs, but also the right location to minimise or mitigate impacts on the wider community and environment. Access needs are an important consideration depending on the type of infrastructure being proposed, be this in the form of disabled access to community infrastructure or provision for larger service and maintenance vehicles to larger utilities. It is also particularly important that new infrastructure considers its longevity in terms of climate resilience, considering its exposure to flood risk and extreme heat, and opportunities to minimise or mitigate existing and future issues through high-quality design (Policy SG9 Design), planning for flood risk (Policy SG11 Flood Risk) and the use or provision of low-carbon energy (Policy SG10 Low-Carbon and Renewable Energy) and sustainable transport (Policy IC6 Sustainable Transport, Highway Safety and Parking).

6.6 Wherever possible, new or improved infrastructure and services should come forward alongside new development, to meet increased demand and minimise impacts on existing services and communities. The Council will not support developments which divide up large sites into smaller pieces in order to avoid requirements to provide new infrastructure.

6.7 New or improved infrastructure can be provided directly by an infrastructure provider through their capital schemes or can be funded through Section 106 legal obligations and receipts raised through the Community Infrastructure Levy (CIL). Planning

obligations must comply with paragraph 57 of the National Planning Policy Framework (2023) and Regulation 122(2) of the Community Infrastructure Levy Regulations 2010, including being:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

6.8 Information on how contributions through S106 obligations and CIL receipts have been spent over a 12-month period and the priorities for the spend of receipts in the future is set out annually through the Council's Infrastructure Funding Statement.

6.9 The sites identified in Part 3 of the Local Plan have been tested and shown to be viable in accordance with infrastructure requirements identified in the Local Plan Viability Study. If at planning application stage the applicant seeks to provide a lower level of infrastructure, they will be required to submit a robust viability assessment for consideration.

Policy IC2 - Protection of Existing Community Facilities (Strategic Policy)

Development which results in the loss of existing community facilities will only be supported where:

A. An assessment has been undertaken which has clearly shown the facility and its land is surplus to requirements; or

B. It is no longer financially viable; or

C. The resulting loss would be replaced by equivalent or better provision for the relevant community, in terms of size, quality and accessibility in a suitable location; or

D. The redevelopment of the site is for alternative community use, the benefits of which clearly outweigh the loss of the current or former use;

In cases where replacement facilities are to be provided elsewhere, a clear commitment to replace them in a timely manner must be evidenced, in order for planning permission to be granted.

Justification



6.10 Community facilities play an important role in the sustainability and vitality of our local communities which is reflected in the Settlement Hierarchy. Across the former Selby district area a number of community facilities have been lost or are under threat from redevelopment. Where there are no alternative facilities nearby, and there remains a need for them, their loss can have negative implications for the local community. The National Planning Policy Framework (2023, paragraph 88) lists examples of community facilities, such as local shops, meeting places, sports venues, open spaces, cultural buildings, public houses and places of worship.

6.11 Facilities which have been added to the 'Community Assets Register' are subject to the 'Community Right to Bid', which gives communities the opportunity to buy or take over the running of the registered asset through the provisions of the Localism Act and Assets of Community Value Regulations 2012. Policy IC2 includes the consideration of all community facilities regardless of if they have been nominated to the Register as an asset.

6.12 In assessing if a community facility is no longer required for its current or an alternative community purpose, consideration should be given to the Local Plan evidence base and any other adopted policies and strategies, including Neighbourhood Plans. There should also be consultation with the community, and existing and potential user groups.

6.13 To determine viability of the existing use, financial records for the previous three years of the business, and evidence that reasonable attempts have been made to actively market the property (at existing use value - as determined by an independent professional valuation) for a minimum of 12 consecutive months prior to the application being made should be supplied. Applicants will need to provide evidence of why any resulting offers were dismissed.

6.14 Proposals for future community uses must also be financially viable and it must be evidenced that prospective owners/occupants can purchase and run the facility. It is not acceptable for community facilities and land to be kept available in perpetuity with no realistic operational solution.

6.15 Where solutions are proposed to co-locate services to improve viability of existing facilities such as by locating a shop or post office in the local pub to provide a dual service to the community, these will be supported where this can prevent the loss of a facility. There may also be circumstances where the loss of a community facility is part of a wider proposal to rationalise or improve overall provision or facilities, such as through public service estate reorganisation. This type of reorganisation will be supported in accordance with the above criteria of Policy IC2.

6.16 Accessibility in terms of this Policy relates to inclusivity in relation to physical access and technology, and not specific walking or travel times. If a facility needs to be moved or redeveloped to open up opportunities to make it more accessible to wider sectors of the community, such as through the provision of disabled access or consideration of other bespoke needs of its patrons, this will be supported so long as its replacement is reasonably located to the community it serves. The Council will normally support proposals that involve the disposal of surplus land or buildings where it is demonstrated to be essential to fund a new or enhanced community facility (particularly in relation to the accessibility needs referenced here), for use by the local community affected.

Policy IC3 - Protection and Creation of New Open Space, Sport and Recreation Provision (Strategic Policy)

The Council will seek to protect all open space, Local Green Space and sport and recreation facilities as defined on the Policies Map which will be regularly updated using the most recent evidence base.

A. Protecting and Enhancing existing provision

Development which involves the whole or partial loss of open space, sports or recreation facilities, including playing fields, identified on the Local Plan Policies Map or a 'made' Neighbourhood Plan will only be supported where:

1. It can be demonstrated that existing open space or recreational facilities are surplus to requirements in line with the most recent evidence base; or

2. A satisfactory replacement facility is provided, and available for use before the existing facility is lost, in a suitable location, accessible to current users, and at least equivalent, or better provision, in terms of its size, function, attractiveness and quality; or

3. Sports and recreational facilities or open space are to be replaced by alternative sports and recreational provision or open spaces which aligns with the quantitative and qualitative requirements of the latest Green Space Audit where the benefits clearly outweigh the loss of the current provision; or

4. Sports and recreation facilities or open space can best be retained or enhanced through the redevelopment of a smaller part of the site.

B. Residential Development

Residential development schemes of 10 dwellings or more will only be supported where they provide the necessary quantity, quality and accessibility of open space, and sport and recreation by:

1. Providing open space, sport and recreation on-site to meet the needs arising from the development in line with the standards set out below:

Type	Quantity Standards (hectares per 1,000 population)*	Provision
Informal Green Space	0.6 hectares	Amenity green space Village greens Common land Wide grass verges Green Corridors
Parks and Recreation Grounds	0.8 hectares	Parks Recreation grounds Informal playing fields
Equipped Areas of Play	0.25 hectares 1 area of equipped play	Local Areas for Play (LAP)(i)
		Local Equipped Areas for Play (LEAP)(ii)
		Neighbourhood Equipped Areas of Play (NEAP)(iii)
Other outdoor play provision	0.3 hectares	Multi Use Games Areas (MUGAs) / skate park
Allotments	0.25 hectares	
Natural & Semi-Natural	1.8 hectares	Areas of woodland in built up areas Scrub Heathland Grasslands
Formal Outdoor Sports	1.6 hectares	*Refer to the Playing Pitch Strategy and Action Plan for details of where new provision or improvement/enhancement is required.*

Table 6.1

(* *the standards set out above are derived from evidence in the Green Space Audit (2022) and Playing Pitch Strategy and Action Plan (2021) and should be implemented in accordance with the details in Appendix D (Developer Contributions for New Open Space, Sport and Recreation). New development under Part B of this Policy will be required to meet these standards or any updated standards derived from the most recent Green Space Audit or Play Pitch Strategy/Action Plan or equivalent).*

i. LAP (Local Area for Play) required for all sites of 10 dwellings or more.

ii. LEAP (Local Equipped Area for Play) required for all sites of 20 dwellings or more.

iii. NEAP (Neighbourhood Equipped Area of Play) required for all sites of 200 or more dwellings.

iv. Other outdoor provision (Multi Use Games Areas (MUGAs)/skate parks) required for all sites of 200 or more dwellings.

Or, where the Council accepts that it is not practical or desirable to provide open space, sport and recreation provision on-site for a particular scheme:

2. The Council will seek financial contributions through S106 agreements for either new off-site open space, sport and recreation provision or improvements to existing local open space, sport and recreation provision within the parish or related locality where services are shared between closely related parishes as identified in the most recent Green Space Audit and Playing Pitch Strategy and Action Plan or equivalent;
3. A S106 agreement will be used to secure the long-term maintenance and management of new open space, sport and recreation created as part of new development (also including inspection, maintenance and management of sport and play facilities, pitches and equipped play areas) both on-site and off-site.

C. Local Green Space

Development within Local Green Space sites designated in a Neighbourhood Plan or through this Local Plan will be determined in accordance with national policy for Green Belts.

D. New Recreation and Sports Provision

The provision of new recreation and sports facilities will be supported where proposals are proportionate and relative to their purpose and catchment area. Schemes should be designed so that they are physically accessible to all members of the community and, where feasible, should prioritise and promote access by walking, cycling and public transport. Care should be taken to ensure that the new facilities can be operated without causing adverse harm to the amenity of neighbouring residents.

Justification

6.17 Access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, while also bringing wider nature benefits and supporting efforts to address climate change. A

wide range of accessible open spaces helps reduce conflicts between recreation, biodiversity and agricultural management with additional open space provision to help avoid and mitigate recreational impacts on sensitive designated sites such as Skipwith Common and the Lower Derwent Valley.

Protecting and Enhancing Provision

6.18 The National Planning Policy Framework (2023, paragraph 103) is clear that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless a number of criteria are met. These are that:

a. an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
b. the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
c. the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

6.19 Ensuring residents have access to high-quality open space is an important part of providing sustainable, inclusive and healthy places to live. Recreation open space includes a number of different types, these include; parks and recreation grounds, children's play areas, skate parks, informal playing fields, allotments, church yards, cemeteries and informal green space (amenity greenspace, village greens, common land, wide green verges), which are designated on the Policies Map.

6.20 The quality and quantity of the existing open space in the Plan Area is set out in the Council's Green Space Audit (2022) and updates will be made to this document over the Plan period to ensure that up-to-date assessments are available to inform where deficits exist when considering proposals for development. The Green Space Audit provides details on the criteria for quantity and quality standards of open space and identifies at a settlement level so areas of surplus and deficiency can be identified.

6.21 In addition to the Green Space Audit (2022), an assessment of formal outdoor playing pitch facilities across the Plan Area has been undertaken through a Playing Pitch Assessment (2020) and the Playing Pitch Strategy and Action Plan (2021) which provides a comprehensive audit of existing outdoor sports provision. While there is unlikely to be a requirement for on-site provision for outdoor sports as part of development proposals it is expected that over the course of the Local Plan period demand will increase and additional provision will be required in line with the recommendations set out in the Playing Pitch Strategy. Provision for outdoor sports is across the former Selby district area and it is expected that financial contributions towards improvements rather than new provision would allow for increased capacity to accommodate housing growth in the area. In addition, a needs assessment of Indoor Sports facilities was carried out in April 2020 and a resultant Indoor Sports Facilities Strategy published in May 2020. While the Local Plan does not require specific indoor requirements to serve new development, the assessment and strategy/action plan should be used to consider the wider sport and recreation provision context across the Plan Area when considering proposals.

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6.22 New residential development of 10 or more dwellings will be required to provide open space, sport and recreation provision on-site to respond to the need generated by the development itself. The most recent Green Space Audit (2022) sets out the quantitative and accessibility criteria to identify where deficiencies in provision exist at a settlement level across the former Selby district area. Suitable recommendations are made at a settlement level in response to the quantitative and accessibility assessments and provides a useful starting point for negotiations on residential planning applications to ensure the open space, sport and recreation provision is provided to meet the needs of the local community.

6.23 In some cases it is not practical or desirable for developers to make suitable open space, sport and recreation provision within the site; this may be because circumstances on site prevent the open space, sport and recreation provision being delivered. In these circumstances the Council will seek a financial contribution which will be used for either new off-site provision or to improve the quality of existing local provision.

Local Green Space

6.24 The National Planning Policy Framework introduced the concept of Local Green Space, which protects local green areas of special importance to local communities. This enables communities, in particular circumstances, to identify and protect areas that are of value to them through Local and Neighbourhood Plans. Local Green Space, once designated, is subject to the same strong development restrictions as Green Belt, ruling out new development except in very special circumstances. The National Planning Policy Framework (2023, paragraph 106) requires that Local Green Space designation should only be used where the green space is: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land.

6.25 Where Neighbourhood Plans identify Local Green Space as part of their policies these will be published on the Policies Map and proposals which affect a Local Green Space designation will be considered against the approach to Green Belt within national policy, Policy SG5 (Green Belt) and the relevant policies within the Neighbourhood Plan for the area.

New Recreation and Sports Provision

6.26 The National Planning Policy Framework (2023, paragraph 102) recognises the importance of opportunities for sport and physical activity in the health and well-being of local communities. New sport and recreation facilities will be supported where it is of an appropriate scale and design. Where possible opportunities should be explored to encourage dual use of new facilities.

Policy IC4 - Water Supply, Wastewater Treatment and Drainage Infrastructure (Strategic Policy)

The Council will work with statutory water infrastructure providers, prospective developers and key stakeholders to identify where strategic solutions to water supply, wastewater treatment and drainage-related infrastructure investment may be required or where phasing is necessary to ensure there is sufficient headroom within existing facilities in order to support the strategic aims and expectations of this Plan.

Development must incorporate satisfactory measures in line with the following:

A. Adequate water infrastructure to existing, new, or improved, facilities with capacity must be secured prior to first occupation of a development. This includes but is not limited to water supply, wastewater and sewage infrastructure, and surface water run-off considerations and should seek to minimise flood risk in line with Policy SG11 (Flood Risk).

B. Where new water-related infrastructure (including but not limited to water supply, wastewater treatment and surface water run-off considerations) is needed to serve development, this must:

    1. Consider the requirements of Policy NE5 (Protecting and Enhancing Rivers and Waterbodies) and contribute towards an improvement in water quality; and

    2. Consider the potential effects upon European designated nature conservation sites, demonstrating no adverse effects on water quality, level or flow, if necessary, utilising mitigation to achieve this conclusion as set out in Policy NE1 (Protecting Designated Sites and Species); and

    3. Consider the potential effects upon the natural and historical environment (including but not limited to local archaeology, existing ecosystems and nationally and locally designated nature conservation sites); and

    4. Ensure an appropriate distance between development and wastewater treatment works, sufficient to allow for operational needs, including any potential expansion of the works, and in order to avoid any odour or noise issues for sensitive neighbouring uses; and

    5. Be carried out in compliance with British Standard BS EN 12566, or any future appropriate standards.

C. Where non-mains sewerage solutions such as package treatment plants are proposed, it must be demonstrated, in addition to the above, that:

    1. Development is sufficiently remote from the existing sewerage network and it is not able to connect to a public sewer; and

2. Include tertiary treatment of the effluent to substantially reduce phosphates such as through the installation of a phosphate removal unit as part of the development, use of multi-function constructed wetlands or discharge of water from the package treatment plant to reedbed system; and

3. Ensure, through siting and design that there will be no adverse impact upon residential amenity.

D. Septic tanks should only be used in exceptional circumstances.

Justification

6.27 All new development must ensure water infrastructure can be supplied prior to first occupation of a development. This includes investigating the capacity of water pumping stations and sewage treatment plants and if necessary, providing detailed phasing plans to align development of new properties with planned/funded improvements to infrastructure capacity. Evidence of agreements reached with infrastructure providers may also be required.

6.28 In terms of water supply for the former Selby district area, provision is made entirely through one provider (Yorkshire Water). The Plan Area is considered to be entirely within the 'Grid' water resource zone, which includes the majority of the Yorkshire region. This large resource zone uses water from reservoirs, rivers and groundwater sources, which is transported around the region through its network/grid of pipes to where need is greatest.

6.29 Water abundance and hydrology plays an important role for ecology and habitats within the Plan Area, through providing seasonally flooded environments or specific ground water hydrology conditions to support important vegetation, optimal foraging and roosting across wet and dry habitats for protected species, and adequate flow for migrating fish species. It is important that the source of potable water to supply new development considers its impact on the integrity of nature conservation designations. This is particularly important for the catchment of the River Derwent which is showing signs of water abstraction. Consideration of potential impacts are considered through the Habitats Regulations Assessment of Yorkshire Water's ”Water Resource Management Plan (WRMP)” and the Environment Agency's Catchment Abstraction Management Strategies which ensure that enough water remains to support a healthy environment.

6.30 Yorkshire Water's Water Resource Management Plan is revised every five years. The current Water Resource Management Plan (2019) identifies that without action to strengthen the supply demand balance, there is a risk climate change could result in a water supply deficit in Yorkshire by the mid-2030s. However, the Water Resource Management Plan sets out a strategy of reducing leakage and working with customers and stakeholders to reduce demand. As a result Yorkshire Water do not expect more water than can be supplied will be needed during the 25-year planning period, despite a growth in population. This is backed up by the Environment Agency, Water Stressed Areas - Final Classification, July 2021 which identifies the region as 'not significantly

water stressed'. There is therefore no need for extra water efficiency restrictions to be placed on new development at this time. However, this situation should be kept under review as the understanding of the potential impact of climate change may evolve and change future water resource management plans.

6.31 Wastewater and effluent should be disposed of to dedicated treatment plants wherever possible making the best use of existing sewerage networks. As set out in Policy SG11 (Flood Risk), infrastructure for new development should ensure that surface water is always drained and managed separately from foul water. It is considered that combined sewer systems, which carry both foul and surface water, have limited capacity and are more likely to lead to foul flooding and are therefore not supported for new development. Changes to both surface water and foul water drainage can pose risks to both water quality and flow. This has the potential to impact on the former Selby district area's water courses, dependent ecosystems and protected habitats. All new development should therefore thoroughly assess any potential risks, and provide mitigation where necessary, particularly where potential adverse effects on the integrity of protected habitats and wildlife cannot be ruled out (see also Policies NE1 Protecting Designated Sites and Species and NE5 Rivers and Waterbodies).

6.32 The Levelling-Up and Regeneration Act has created a legal requirement for certain wastewater treatment works designated by the Defra Secretary of State to be upgraded by 2030, but this list has not yet been published. As identified in the Infrastructure Delivery Plan, some existing wastewater treatment works are capable of accommodating wastewater from new development through the Plan period, while others will require further investment in the medium term, and in some cases new capacity is required to be installed. Allowing new development in advance of such works could compromise water quality, and it is therefore important that necessary new or upgraded capacity in wastewater treatment works must be shown to be deliverable in advance of first occupation. All foul flows from new development located in or close to sewered areas should be directed to the public sewer system.

6.33 There are some more rural parts of the former Selby district area which are not served by mains sewerage and have no reasonable means of connection. Here the use of non-mains systems, such as package treatment plants and septic tanks, can be considered only where stringent standards can be met in regards to positioning, capacity and maintenance regimes, ensuring against spillages and adverse impacts on waterbodies and ecosystems, and meeting the objectives of the Water Framework Directive as set out in Policy NE5 (Protecting and Enhancing Rivers and Waterbodies).

6.34 Where a development involves the disposal of wastewater/foul-sewage effluent other than to the public sewer, a non-mains foul-drainage assessment is required. A non-mains foul-drainage assessment should include a full assessment of the site, its location and suitability for storing, transporting and treating sewage, demonstrate why the development cannot connect to the public mains sewer system and show that the alternative means of disposal are satisfactory. Package treatments plants should provide tertiary treatment of effluent to substantially reduce phosphates. This could be achieved through:

- Installation of multi-function constructed wetlands
- Installation of a phosphate removal unit as part of the development

- Discharge of the water from the package treatment plant into a reedbed system
- Discharge to a soakaway prior to entering the designated site

6.35 The proposed point of connection and discharge rate to any receiving system must be agreed with the relevant owner or responsible body including Internal Drainage Boards, Highway Authorities, sewerage undertakers, riparian owners, the Environment Agency, the Canals and River Trust and others. Any connection or discharge must be compliant with regulations or guidance governing the operation of the existing drainage system (for example Internal Drainage Board byelaws or standard specifications for public sewers). Correspondence with the relevant owner or responsible body should be submitted to demonstrate agreement in principle to the discharge and connection point as early in the development planning process as possible.

6.36 The Council will consult the Environment Agency for developments which may pose an unacceptable risk of pollution to groundwater from sewage effluent, trade effluent or contaminated surface water. This applies if the source of pollution is an individual discharge or the combined effects of several discharges, or where the discharge will cause pollution by mobilising contaminants already in the ground.

6.37 The following Local Plan allocations have been screened in to require Appropriate Assessment 'alone' for water quality at the planning-application level because they lie in close proximity to European Sites that are dependent on good water quality and details of potential impacts will depend on detailed design of all four sites:

- HEMB-G Land to the rear of Plinthstones, School Road, Hemingbrough
- HEMB-K Land South of School Road, Hemingbrough
- NDUF-D Land North of A163, North Duffield
- NDUF-O Land North of Gothic farm, Back Lane, North Duffield

Policy IC5 - Digital and Communications Infrastructure (Strategic Policy)

A. New residential and commercial development will be supported where:

1. High-quality digital and communications infrastructure is integrated into the design;

2. Provision will be available at first occupation; and

3. Schemes are designed to support access to Full Fibre to Premises (FTTP) Broadband as a minimum, or the fastest technical available emerging technology where viable.

Where this is not feasible, developers will be required to:

i. Demonstrate that connections are not deliverable including through consultation with broadband providers; and

ii. Incorporate infrastructure for full future connectivity e.g. through laying of ducting, cabling and all necessary built infrastructure.

B. Development for new digital and telecommunications equipment will be supported where:

1. Existing masts, communication infrastructure, buildings or street furniture is utilised;

2. New equipment is the minimum size possible;

3. The siting, scale and design of the apparatus does not have a significant adverse impact on the character of the host building or wider local area; and

4. The significance of heritage assets are preserved or, where appropriate enhanced.

C. Mobile Network Operators (MNOs) and Internet Service Providers (ISPs) should be notified of development proposals, and works should be co-ordinated to minimise disruption to the highways network and local communities.

Justification

6.38 High-quality broadband and mobile phone signal access has increasingly become a key component for local communities and businesses. Improvements to this type of infrastructure add to the overall sustainability and accessibility of the former Selby district area, by providing access to facilities, services and support, while reducing the need to travel. It also ensures our communities are not held back, and our businesses are able to compete globally.

6.39 The UK Government has introduced updated Approved Document R (2022 Edition) which supports Part R of Schedule 1 to the Building Regulations 2010 which will ensure that the development of new homes will include requirements to install gigabit-ready physical infrastructure and gigabit-capable network connections. The Government is investing in schemes to roll out fibre optic cabling to rural areas in order to facilitate this.

6.40 The North Yorkshire Digital Strategy identifies the potential of different areas of the former Selby district area to receive fibre connectivity and enhanced broadband speeds, and has secured funding through the York and North Yorkshire Local Enterprise Partnership for schemes to better connect communities and businesses. The Strategy includes a goal to deliver next generation superfast broadband (speeds

of 30Mbps or above) to everyone in North Yorkshire, through the Superfast North Yorkshire Project, a partnership between NYNet, a North Yorkshire Council-owned broadband company, and various internet service providers.

6.41 As this type of technology, and our demands upon it, are increasing rapidly, it is important that we take steps to future-proof this infrastructure, by building-in the greatest potential capacity, and ensuring new development facilitates future ways of living and working with the fastest available broadband and mobile technologies. Both Ultrafast Broadband (over 100Mbps) and Gigabit broadband connectivity (speeds in excess of 1Gb/1,000mbps) require fibre optic cables. In order to receive faster broadband speeds, fibre optic cables which go directly to the home or premises (FFTP/FFTH) rather than to the nearest cabinet (FFTC), currently offer the best and most reliable means of delivering this.

6.42 If full FFTP/FFTH connectivity of a new residential or commercial development to the network is not be possible at the time of construction, it is important that provision for future connection, including the provision of all fibre ducting and cabling from the new premises to a roadside cabinet is made. This will ensure the least potential disruption and difficulty when full fibre does become available to the area, and minimise the future cost burden for the homeowner. Having good broadband capability and connectivity are becoming important selling points for new development.

6.43 Ofcom data shows that the Plan Area has 100% 4G mobile phone signal coverage by at least one provider, with 98% 4G mobile phone signal coverage by all four mobile network operators. Despite this information there is some local evidence which suggests that in reality there are some areas which suffer from poor mobile phone signal access. North Yorkshire Council is continuing to address these problems through negotiations with Mobile Network Operators (MNOs), the Emergency Services Network and Shared Rural Network.

6.44 New development should seek to address gaps in the existing mobile network coverage, as well as considering the impact that new development can have on existing mast capacity and coverage. Consultation with North Yorkshire Council and Mobile Network Operators can establish if additional capacity is required, and how this could best be integrated into the design of the development through provision of space or use of street furniture and buildings. As mobile phone networks are commercial businesses, it is reasonable that they should cover the cost of installing any required infrastructure for their service. The provision of good mobile coverage and service to an area is an additional selling point which adds value to new development, and it is therefore reasonable that new development, should make space for the provision of new infrastructure that integrates well into the design of development where this is required.

6.45 In addition to the Policy set out above, the National Planning Policy Framework (2023, paragraph 121) stipulates that applications for electronic communications development (including applications for prior approval under the General Permitted Development Order), should be supported by evidence. This includes consultations with organisations which could have an interest in the development (such as nearby schools and colleges, aerodromes etc.), and self-certified statements confirming International Commission guidelines on non-ionising radiation protection from cumulative exposure when operational, will not be exceeded.

Sustainable Transport

6.46 According to figures from SCATTER, approximately 37% of the former Selby district area's carbon emissions are from road vehicles. Consideration of sustainable and low-carbon transport opportunities within the Local Plan provides a mechanism to address these emissions, tackle climate change, improve air quality and improve public health outcomes.

6.47 The former Selby district area is well located in terms of transport connections, however there are limitations in the existing infrastructure which make it difficult to travel around the former Selby district area itself.

6.48 Maintenance and improvement of the Strategic Road Network is carried out by National Highways. Within the Plan Area this comprises the A1(M), the M62 and the A64. Planning for strategic improvements to this network is through the preparation of Route Strategies, while the Government's Road Investment Strategy (RIS), prepared five-yearly, sets out the programme of improvements for delivery within the following period.

6.49 The Highways Authority (North Yorkshire Council) is responsible for the management, maintenance and improvement of all adopted public roads and footways in the Plan Area outside of the Strategic Road Network. The main local traffic routes in the Plan Area include the A162, A1041/A645/A614 and A19 between Selby and York and the M62; A63 Selby bypass and onwards to Goole; A163 to Market Weighton, and the B1222 (between Escrick and the A63 Old Great North Road to the west of Sherburn in Elmet).

6.50 There are regular train services between York and Hull which stop at Selby, Sherburn in Elmet, Church Fenton and Ulleskelf. Regular services run between York and Leeds with less regular trains stopping at Ulleskelf and Church Fenton and between Selby and York stopping at South Milford. Several trains a day also run to London Kings Cross. Regular trains also run between Leeds and Hull via Selby. In addition there are a number of villages with stations with more limited local services (Whitley Bridge and Hensall to Goole/Leeds).

6.51 In terms of freight lines, Sherburn Rail Freight Terminal in the former Selby district area is one of three facilities in the north of England which meet the criteria for a strategic rail freight interchange. Selby town is also connected to the inland waterway network via the Selby Canal and the River Ouse. Freight is also handled by rail with links to both Liverpool and Hull. The Aire and Calder Navigation Canal also runs through the southern part of the Plan Area, linking to the Port of Goole.

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6.52 Most bus services in the Plan Area are operated by Arriva Yorkshire, whilst Yorkshire Coastliner operates long-distance services which connect Tadcaster to Leeds, York and the east coast. There are a number of other companies operating local services in the former Selby district area. Bus companies operate services either where they are economically viable or where supported by additional funds, and are willing to add new services or increase frequencies where profitable to the business. The location of new development may influence the future of bus services across the Plan Area.

6.53 The Trans-Pennine Trail is a long-distance route running from the east to west coast across northern England, entirely on surfaced paths and only incorporating gentle gradients, taking in many disused railway lines and canal towpaths. The Trail extends through the former Selby district area, passing through the centre of Selby town and connecting locally with York. National Cycle Route Networks also connect Tadcaster to both York and Leeds.

Policy IC6 - Sustainable Transport, Highway Safety and Parking (Strategic Policy)

The Council will work with other authorities, stakeholders, transport providers and developers to deliver a suitable transport network and associated infrastructure which supports sustainable travel, accessible to all, and helps to deliver net-zero carbon emission across the Plan Area. This will be achieved by:

A. Safeguarding the long-term opportunities for waterborne and rail-freight transhipment.

B. Supporting development which is located in areas:

   1. Well-served by existing walking, cycling and public transport infrastructure;

   2. Accessible to all sections of the community; and

   3. Provides linkages to and between developments in order to promote active travel.

C. Supporting development which incorporates into its design and layout:

   1. Safe pedestrian, cycling, vehicular, emergency and refuse vehicle access;

2. Appropriate measures to avoid, mitigate and manage any significant impacts on highway capacity, congestion or safety, including any contribution to cumulative impacts, measures for network and traffic management, suitable crossing points, footways and dedicated provision for cyclist, equestrian and disabled users where necessary;

3. High-quality walking and cycling networks and connections to support the objectives of the Local Cycling Walking Infrastructure Plans;

4. Improvements to the capacity and accessibility of public transport between settlements in the Plan Area and to the cities of York, Leeds and Hull;

5. A reduction in transport carbon emissions such as through the use or support of low and ultra-low emission vehicles, car clubs and rail or waterborne freight;

6. New and improved transport facilities associated with the Local and Strategic Road Networks and improvements to accessibility of rural areas in line with identified and evidenced needs.

D. Supporting development which incorporates adequate provision for parking, including:

1. Car, cycle, disabled and operational parking, in line with the requirements of the Highways Authority Interim Guidance on Transport Issues (2015) and any subsequent updates;

2. Parking with infrastructure provision for low-emission vehicles;

3. Where development is in close proximity to existing town centres or transport hubs, lower parking requirements may be considered where:

   i. It can be demonstrated that other active or sustainable travel uptake can be delivered; or

   ii. Enhancements to existing public car parking can be delivered to improve the vitality of local centres, public transport hubs or public use low carbon vehicle infrastructure.

E. Supporting development which would not result in the loss of off-street or on-street car parking spaces unless:

1. Alternative provision, for at least the same number of spaces, can be made at an appropriate location; or

2. It can be demonstrated that there is no longer a requirement for the existing level of car parking.

F. Contributions may be sought from all development to on-site and off-site mitigation and where necessary Transport Statements, Assessments, Travel Plans and post development monitoring may be required.

Justification

6.54 The Department for Transport (DfT) has published the Transport Decarbonisation Plan (2021) which aims to increase cycling and walking, reduce emissions for buses and coaches, decarbonise our railways and motor vehicles and accelerate goals to decarbonise the maritime and aviation industries. Transport for the North (TfN) has set out a number of ambitions and pathways for achieving this and has identified a decarbonisation goal in their Transport Decarbonisation Strategy (2021) that surface transport emissions in the region should be close to zero by 2045. Both Strategies identify that the shifting of freight movements from road to rail or water has the potential to deliver large emissions reductions, even without the electrification of the freight lines and ships themselves.

6.55 While Transport for the North's Freight and Logistics Strategy is being developed to focus on how a modal shift in freight could be maximised within the region, a shift towards increased use of rail or water transport in the Plan Area would most likely arise through bringing into use existing infrastructure which is currently inactive, as this is likely to require less investment. Therefore such sites which exist either in current use for such activity or are understood to have been used previously for the transport of other bulk products, and have not yet been subject to redevelopment for other uses, should be safeguarded so long as this does not harm the wider economy of the area or other objectives within the Plan.

6.56 The North Yorkshire Minerals and Waste Joint Plan identifies a number of sites in the former Selby district area to be safeguarded for their transport infrastructure related to rail and waterways, and these are therefore already protected for minerals purposes (see table below extracted from the Minerals and Waste Joint Plan, Appendix 2 'Safeguarded Transport Infrastructure'). However, Policy IC6 seeks to protect such infrastructure for the wider purpose of ensuring the continued availability of sustainable and alternative transport options in the longer term which are likely to become crucial in the light of the impacts of climate change.

Drax Power Station	Railway Sidings
Eggborough Power Station	Railway Sidings
Gascoigne Wood	Railway Sidings

Great Heck	Railhead
Kellingley Colliery	Railhead and Wharves
Potter Group, Selby Depot	Railhead and Wharf
Milford	Railway sidings
BOCM, Olympia Mill	Wharf
Dalkia waste site, Pollington	Wharf
Heck Lane, Great Heck	Wharf
River Ouse, near Drax Power Station	Wharf
Viking Shipping Wharf, Selby	Wharf
Westfield Foods, Selby	Wharf

Table 6.2

6.57 North Yorkshire Council (as Highways Authority) prepares a Local Transport Plan which sets out the identified issues facing residents and visitors to the County, and what types of actions can be taken to achieve objectives. Where appropriate, proposals should seek to support and connect with wider programmes identified in the Local Transport Plan and by Transport for the North.

6.58 Local Cycling and Walking Infrastructure Plans (LCWIPs), as set out in the Government's Cycling and Walking Investment Strategy (CWIS), provide a strategic approach to identifying cycling and walking improvements required at the local level. The focus of the Local Cycling Walking Infrastructure Plans process is to create a cohesive network for walking and cycling that will encourage those who do not currently walk or cycle for everyday purposes to do so, generally aligning with travel for commuting and utility purposes over shorter distances. The former Selby district area LCWIP currently focuses on distinct areas; Selby with Thorpe Willoughby; Brayton, and Barlby / Osgodby; Tadcaster; and Sherburn-in-Elmet. Updates to the Plan will take account of new development generated by this Local Plan and open up new funding opportunities for this infrastructure.

6.59 It is important that all new developments are designed with safe and attractive walking and cycling permeability in mind, creating links to existing communities, facilities and services, future development opportunities and the Public Rights of Way and bridleway network (see Policy IC7 Public Rights of Way) for all sectors of the community including the needs of people with disabilities and reduced mobility. This can encourage active travel which can lead to improvements in air quality and carbon emissions and result in improved health outcomes and impacts on climate change.

6.60 The appeal of, and uptake in use of, public transport services, can be improved through creating attractive safe access, providing inclusive accessibility (step-free bus or platform access), enhancing cycling and walking connections, improving car parking and cycle storage, creating new or improved waiting facilities or providing

improved timetable information (for example, electronic displays at key points). While these physical improvements are preferred, revenue funding for enhanced services and incentive schemes for new occupiers can be considered.

6.61 In addition to encouraging people away from private car use, the design and layout of new development should also seek to facilitate other low-carbon transport opportunities. New residential, commercial and business development should provide charging infrastructure for parked electric and ultra-low emissions vehicles in line with the latest adopted Building Regulations as a minimum. Community vehicle electric charging points are available in car parks within the Plan Area and the expansion of this wider network will be supported where there is the electrical network capacity to do so, public safety within the highway or footway is not compromised, and the balance of impacts to heritage and character have been considered. For commercial and business development, low-carbon solutions to the transport of goods through the use of the extensive rail, river and canal network, and the use of alternative fuels in vehicle fleets will be supported where possible.

6.62 Working in partnership with the West Yorkshire Combined Authority and Leeds City Region the Council has been allocated funding through the Transforming Cities Fund to help connect Selby Station with the town centre, improve the public realm and enhance sustainable transport access such as walking and cycling.

6.63 As the population grows and technology advances it is appreciated that there may be demand for new roadside facilities. New amenities, be these emergency services rest stops, lorry parks or more generalised motorist service areas and filling/recharge stations, will be supported where these are robustly evidenced in terms of need and do not conflict with other designations in the Plan.

6.64 The former Selby district area has extensive rural areas which can often make private car ownership the only viable option for some residents and businesses in these locations. Where opportunities arise to increase accessibility to rural areas and resolve issues, these should be maximised. Any necessary improvements to address the cumulative impact of development across the road network in the Plan Area will be supported where possible.

6.65 North Yorkshire Council (as Local Highways Authority) provides guidance on highways safety and car parking for new development proposals. The North Yorkshire County Council Interim Guidance on Transport Issues (2015) relates to all parking which falls under the remit of the Local Highways Authority (that is, on-street parking in the Plan Area).

6.66 Proposals for new development or expansion of an enterprise which leads to the creation of a new access or intensification of an existing access are required to be well related to the existing highways network. This includes any future required roadside services.

6.67 Prior to submitting any planning application for a development that may have a transport impact, applicants are encouraged to engage with the Council and Local Highway Authority to agree the scope of work on transport matters required in relation to the Local Road Network. Where proposals could potentially impact upon the Strategic Road Network early engagement with National Highways will be expected.

All new routes should be provided to an adoptable standard and all pedestrian and cycle routes will be formalised as Public Rights of Way unless otherwise agreed with the Council and the Local Highways Authority.

Policy IC7 - Public Rights of Way

Development which may have an impact on a Public Right of Way network will only be supported where it can be demonstrated that:

A. Satisfactory and alternative routes are provided, with adequate signage and the new access is of the same or better standard; and

B. Where appropriate and viable, all reasonable opportunities for enhancement have been taken up. Enhancements can include:

1. New or improved links to the existing Public Right of Way or sustainable travel network, including public transport, especially where routes can minimise conflict.

2. The provision of improved facilities to make routes more accessible or attractive to users.

Justification

6.68 The former Selby district area has an extensive Public Rights of Way network which includes the Trans-Pennine Trail, a long-distance route running from the east to west coast which passes through the centre of Selby town. The Local Highway Authority is responsible for maintaining Public Rights of Way, the location and status of which can be checked on the Definitive Public Rights of Way Map, or through a Land Charges Search. Where Public Rights of Way will be affected through new development proposals, the Local Planning Authority has certain powers to divert these under the Town and Country Planning Act 1990.

6.69 Any affected Public Rights of Way should be kept open until an official order for their stopping up, temporary closure or diversion has come into effect. Developers must not use the Public Right of Way for vehicular access onto the site and must ensure that routes are protected, or suitable alternatives provided, both during and after development. Where existing routes are redirected or reinstated, it is important that the character of the route is protected in terms of its safety, directness, attractiveness and convenience. New routes for Public Rights of Way should pass through landscaped or open spaces, away from traffic and estate roads, and highway footways should not be used unless there is no other option.

6.70 The Policy supports the aims and objectives of the North Yorkshire Rights of Way Improvement Plan (ROWIP), in so far as it applies to the Plan Area. The Rights of Way Improvement Plan sets out a number of ways in which Public Rights of Way and bridleways can be improved in terms of their facilities for pedestrians, cyclists and equestrians, as well as their accessibility especially for users with physical or mental health issues.

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Key Documents

- Infrastructure Delivery Plan
- Local Plan Viability Assessment
- Green Space Audit (2022)
- Indoor and Built Sports Facilities Strategy (2020)
- Indoor Sports Facilities Needs Assessment (2020)
- Indoor Sports Facilities Strategy (2016)
- Outdoor Sports and Playing Pitch Strategy (2016)
- Playing Pitch Strategy and Action Plan (2021)
- Playing Pitch Assessment Report (2020)
- Parish Services Audit (2022)
- North Yorkshire Digital Strategy
- Transport for North Strategy
- North Yorkshire County Council Local Transport Plan (LTP4) (2016-2045)
- Minerals and Waste Joint Plan (2022)
- Local Cycling and Walking Infrastructure Plan (2020)

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7 Creating High Quality Places to Live

Introduction

7.1 People are attracted to live in the former Selby district area because of its links to the major cities of the region such as York and Leeds and its good quality natural and historic environment, because it offers a range of good schools and local services and because it has lower house prices than many neighbouring authorities. It is a key priority for the Council to make the former Selby district area a great place to live.

7.2 This chapter of the Local Plan seeks to build on the attractiveness of the area by ensuring that the places where people live are inclusive, attractive and sustainable. The policies aim to ensure that the right types of homes are delivered for local people and that houses and neighbourhoods are well designed. These measures will play a crucial part in supporting the long-term health and well-being of the residents of the former Selby district area. Ensuring that all new residential development recognises and responds to the climate change in where they are built, how they are constructed and their long-term impact on carbon emissions is also an important factor.

7.3 We will support well-designed residential developments which feature the correct mix of dwelling types and sizes, including smaller homes for young people and young families, and all homes need to have sufficient space standards for bedrooms. We have recognised the importance of the rural economy and have a policy which supports the construction of dwellings for agricultural workers. We are also supporting those who want to make additions and improvements to their home, whilst ensuring that this does not compromise the amenity of their neighbours or the character of the surrounding area.

7.4 Self-build and custom-build homes can help to meet the specific housing needs for individuals and there is evidence of a demand for these types of homes. This Plan promotes self-build and custom-build homebuilding both as stand-alone developments and by supporting larger developments which provide a proportion of self-build and custom-build homes on site. We have also considered the requirements of the Plan Area's Gypsy, Traveller and Showperson population needs for pitches over the Plan period and have allocated one sustainable and safe site for these.

7.5 Although the former Selby district area has lower house prices than some neighbouring authorities, many local people still cannot afford to buy their own home or rent privately. The Local Plan will play a key role in delivering sufficient levels of affordable homes, by ensuring that all developments provide a viable amount of affordable homes on site. It also supports the development of affordable housing exception sites in the rural areas of the former Selby district area where they are proven to be needed; this will enable younger people to stay in villages and will in turn make those villages more sustainable.

7.6 The former Selby district area already has a high-quality historic and natural environment. The policies in this chapter seek to ensure that where residential development is near an asset such as a Locally Important Landscape Area or a Conservation Area, that it preserves and, where appropriate enhances those assets.

By creating well-designed, accessible and sustainable neighbourhoods we also help to create valued places which we want to conserve in the future. This Plan also seeks to ensure that the residents of new developments will have easy access to multi-functional green spaces by supporting developments which provide parks and playing areas on site.

Scale and Distribution of Housing

7.7 The former Selby district area is home to 91,988 residents (2021 Census) and the population is projected to grow by around 11,400 people over the Plan period to 2040. The spatial strategy aims to distribute growth to the most sustainable locations, to take advantage of existing services and better accessibility.

7.8 The Local Plan's housing requirements are based on evidence from the 2020 Housing and Economic Development Needs Assessment, which was updated in 2022. This evidence demonstrates that to meet the current Standard Methodology requirement figure (December 2022) the Local Plan will need to plan for at least 333 dwellings per annum. The report suggests a higher housing figure of 368 dwellings per annum, which although considered overly optimistic would reflect delivery of the strategic employment sites. A further 5% buffer has been added to the minimum requirement to provide flexibility and an over-supply of sites. This is to ensure that sufficient housing is delivered, even in the unforeseen circumstances where some sites do not come forward for development and reflects the long lead-in times for the delivery of some of the strategic sites given the levels of new infrastructure required. The total requirement figure equates to annual target of 386 dwellings. From this figure net completions since 1 April 2020 to 31 March 2023 and net existing commitments at 31 March 2023 have been deducted, as set out in the table below, which means that this Plan must allocate sufficient sites to deliver 4,975 new homes over the Plan period.

Source	Number of Dwellings
A: District-Wide Requirement Figure	7,728
B: Net Commitments at 31 March 2023, seen in Appendix A	1,328
C: Net Completions between 1 April 2020 and 31 March 2023	1,425
Minimum Requirement A-(B+C)	4,975

Table 7.1

Policy HG1- Meeting Local Housing Needs (Strategic Policy)

The Council will meet its housing requirements over the Plan period through:

A. The completion of 1328 dwellings on sites with planning permissions, as listed in Appendix A, and;

B. The allocation of new sites in the table below and identified on the Policies Map to provide 5,302 dwellings over the Plan period. They will be developed in accordance with the relevant Local Plan policy requirements and the development requirements identified for each site.

C. Outside of the planned supply outlined above, it is expected that approximately 920 dwellings could be delivered as windfall over the Plan period.

Site Ref	Settlement	Location	Proposed Dwellings over the Plan Period
AROE-I	Appleton Roebuck	Land Adjacent to Malt Kiln Lane	36
AROE-K	Appleton Roebuck	Land adjacent to Hillcrest, Colton Lane	28
AROE-N	Appleton Roebuck	Land at Therncroft, Malt Kiln Lane	4
BARL-K	Barlby & Osgodby	Land at Turnhead Farm, York Road	30
OSGB-C	Barlby & Osgodby	Land east of St Leonards Avenue	20
OSGB-D	Barlby & Osgodby	Osgodby Nurseries, Hull Road	25
OSGB-G	Barlby & Osgodby	Lake View Farm, The Hollies	21
OSGB-I	Barlby & Osgodby	Land east of Sand Lane	72
BRAY-X	Brayton	Land north of Mill Lane	188
BRAY-Z	Brayton	Land south of St Wilfrid's Close	20
CARL-G	Carlton	Land north of Mill Lane	150
CLIF-B	Cliffe	Land at Bon Accord Farm, Main Street	16
CLIF-O	Cliffe	Land north of Cliffe Primary School, Main Street	56
EGGB-B	Eggborough	Land west of White House Farm, Low Eggborough Road	109
EGGB-S	Eggborough	Teasle Hall Farm, Weeland Road	35
EGGB-Y	Eggborough	Land west of Kellington Lane	1015
HAMB-A	Hambleton	Manor Farm, Chapel Street	128
HAMB-F	Hambleton	Land south of Scalm Lane	103
HAMB-N	Hambleton	Land east of Gateforth Lane	56

Site Ref	Settlement	Location	Proposed Dwellings over the Plan Period
HEMB-G	Hemingbrough	Land to the rear of Plinthstones, School Road	123
HEMB-K	Hemingbrough	Land south of School Road	8
HENS-A	Hensall	Land to North of Weeland Road	24
HENS-L	Hensall	Land north of Wand Lane	54
HENS-P	Hensall	Land South of Station Road	22
KELL-B	Kellington	Land south of Lunn Lane	60
HILL-A	Monk Fryston/Hillam	Land west of Main Street / Lumby Hill, Hillam	33
NDUF-D	North Duffield	Land north of the A163	40
NDUF-O	North Duffield	Land north of Gothic Farm, Back Lane	70
RICC-J	Riccall	Land at Landing Lane	25
SELB-AG	Selby Urban Area	Land on the Former Rigid Paper site, Denison Road	330
SELB-B	Selby Urban Area	Industrial Chemicals Ltd, Canal View	450
SELB-BZ	Selby Urban Area	Cross Hills Lane	1015
SELB-CR	Selby Urban Area	Former Ousegate Maltings	14
SHER-H	Sherburn in Elmet	Land adjacent to Prospect Farm, Milford Road	380
TADC-AD	Tadcaster	'Fircroft' and Former Barnardo's Home, Wighill Lane	5
TADC-AE	Tadcaster	Land off Hillcrest Court	30
TADC-H	Tadcaster	Chapel Street/Central Area Car Park	43
TADC-I	Tadcaster	Land at Mill Lane	180
TADC-J	Tadcaster	Land at Station Road	104
TADC-L	Tadcaster	Land to rear of 46 Wighill Lane and Former Coal Yard	10
THRP-K	Thorpe Willoughby	Land South of Leeds Road	127
THRP-V	Thorpe Willoughby	Land at Swallowvale, Leeds Road	14

Site Ref	Settlement	Location	Proposed Dwellings over the Plan Period
ULLE-K	Ulleskelf	Land east of Bell Lane	29
Total Dwellings			5,302

Justification

7.9 In Policy SG2 (Spatial Approach) the Council recognises the opportunities around the Selby Urban Area for the regeneration of previously-developed (brownfield) land, whilst acknowledging that given remediation costs it will be difficult to bring forward. In order to recognise the difficulty in bringing forward these sites which will help to regenerate the town centre, some flexibility has been built into the proposed allocations in order to maintain supply should the sites in their entirety not come forward during the Plan period. This includes a 15% non-implementation discount, which has been applied to small sites of 1-9 dwellings that have not yet started construction and by not including a windfall allowance into the supply figures.

7.10 Although the Housing and Economic Development Needs Assessment (2020) concludes that there is no clear argument that the Council should plan for more homes than the Standard Method we are keen to plan positively for the long-term growth of the former Selby district area within and beyond the Local Plan timescales. The creation of a large new mixed-use site adjacent to Eggborough village will help to meet the housing needs resulting from the substantial economic growth planned for this part of the Plan Area through the developments at Core 62 (former Eggborough Power Station) and Konect (former Kellingley Colliery). Due to the significant infrastructure requirements necessary to support this site a longer lead-in time has been factored into delivery rates.

7.11 The distribution of the area's housing requirements reflects the spatial approach which seeks to focus new housing in the most sustainable locations, the scale of development which could be accommodated and accessibility to local services.

7.12 The table below shows how the (gross) existing and proposed development will be distributed around the Settlement Hierarchy and to individual settlements over the Plan period. Some settlements are not proposed to have allocated growth; this is because they have a constraint which prevents development. For the settlements of Byram and Brotherton, South Milford, Escrick and Fairburn this is because the entire settlement is enveloped by Green Belt. Paragraph 165 of the National Planning Policy Framework (December 2023) states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk and therefore, given their position in the Settlement Hierarchy, no sites are allocated in Cawood, Church Fenton and Wistow, which lie within Flood Zones 2 and 3.

Hierarchy	Settlement	Commitments	Allocations	Total over the Plan Period
Principal Town	Selby Urban Area	396	1809	2205
Local Service Centre	Sherburn in Elmet	161	380	541
	Tadcaster	10	372	382
	Sub Totals	171	752	923
Tier 1 Village	Barlby & Osgodby	10	168	178
	Brayton	4	208	212
	Byram & Brotherton	13	0	13
	Carlton	68	150	218
	Eggborough & Whitley	166	1159	1325
	Hambleton	26	287	313
	Hemingbrough	7	131	138
	Riccall	5	25	30
	South Milford	21	0	21
	Thorpe Willoughby	76	141	217
	Sub Totals	396	2347	2743
Tier 2 Village	Appleton Roebuck	3	68	71
	Camblesforth	4	0	4
	Cawood	32	0	32
	Church Fenton	63	0	63
	Cliffe	6	72	78
	Escrick	0	0	0
	Fairburn	8	0	8

Hierarchy	Settlement	Commitments	Allocations	Total over the Plan Period
	Hensall	1	100	101
	Kellington	5	60	65
	Monk Fryston/Hillam	18	33	51
	North Duffield	13	110	123
	Ulleskelf	31	29	60
	Wistow	3	0	3
	Sub Totals	187	472	659
	Grand Totals	**1,150**	**5,302**	**6,452**

Table 7.2

7.13 Sites with unimplemented planning permissions at 31 March 2023 will be allocated for the remainder of the Plan period and considered as part of the current supply of housing. These sites have been assessed to be deliverable and comply with the spatial strategy approach to the location of residential development. In total these sites account for 613 dwellings and these permissions are shown on the Policies Map and are listed in Appendix A. Sites with deliverable planning permissions that have been implemented at the date of 31 March 2023 will be also considered as part of the current supply of housing. In total these account for 715 dwellings, and these permissions are also listed in Appendix A. Together these unimplemented and implemented permissions give a total of 1,328 dwellings (gross figure prior to applying the non-implementation rate for small sites).

7.14 Sites to support the delivery of 5,302 dwellings over the Plan period can be seen on the Policies Map and the policies for each of these sites can be seen in Part 3 of this Plan. All of the sites submitted through the Call for Sites exercise have been assessed in accordance with the Site Assessment Methodology (SAM) and have been found to be the most sustainable based on a number of factors, including access to services and the impact on the natural and built environment. This selection process ensured that the most sustainable and deliverable sites are developed over the Plan period.

7.15 The number of houses that can be delivered on each site has been calculated using the methodology contained in the 2023 Strategic Housing Land Availability Assessment (SHLAA), unless a site promoter has provided a masterplan that shows a specific number of dwellings on site for specific reasons, for example, keeping part of the site clear for flood risk prevention. The allocated sites were considered against their performance in the SAM and other sites are not proposed for allocation because they performed less well in that assessment. Sites were not allocated for a variety of key deliverability reasons, such as including fractured ownership, lack of access, access with a ransom strip, or due to the level of flood risk on the site.

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7.16 Policy HG2 (Windfall Development) advocates the development of windfall sites within the Development Limits of the Principal Town, Local Service Centres and the Tier 1 and 2 Villages and in the case of the Smaller Villages, both within and outside the main built area of the settlement, subject to certain criteria. This will provide additional numbers in terms of supply, over and above those which will be delivered through allocated sites, so it is important to note that these windfall dwellings are not needed to meet the housing target.

Policy HG2 - Windfall Development (Strategic Policy)

Residential developments on sites not allocated in Policy HG1 (Meeting Local Housing Needs) will be supported:

A. In the Selby Urban Area, Sherburn in Elmet, Tadcaster and the Tier 1 and 2 Villages, providing they are within the Development Limits of these settlements. The types of housing developments supported includes conversions, replacement dwellings, redevelopment of previously-developed land, and appropriate-scale development on greenfield land, including the conversion and redevelopment of farmsteads.

B. In the Smaller Villages, providing they are for conversions, replacement dwellings, redevelopment of previously-developed land and the in-filling of small gaps within the main built-up area of the settlement. Very small-scale development, adjacent to the main built-up area, will be supported where:

    1. The development represents incremental growth of the village commensurate to its size and role; and

    2. The development is of a high-quality design which reflects the character and form of that part of the village; and

    3. Respects the intrinsic character and setting of the countryside; and

    4. It does not in itself, or in association with other developments, result in a cumulative level of development which is harmful; and

    5. It provides for a mix of housing types which meets the Local Plan housing requirements as set out in the Housing and Economic Development Needs Assessment (HEDNA) or successor document.

C. On sites adjacent to the main built-up area of any settlement to meet rural affordable housing need, which meets the provisions of Policy HG8 (Rural Housing Exception Sites).

D. Sites in the Countryside will need to comply with the provisions set out in SG4 (Development in the Countryside).

Justification

7.17 This policy will support opportunities for windfall development to come forward over the Plan period in addition to site allocations. Within the Development Limits or the main built-up areas of Smaller Villages support will be given to conversions, replacement dwellings and the redevelopment of previously-developed land where it does not conflict with other policies set out in this Plan. Smaller Villages that are 'washed over' by Green Belt will have much tighter restrictions on what can be built according to national policy. The main built-up area of the Smaller Villages is defined as the closely grouped and visually well-related buildings of the main part of the village and the land closely associated with them. The built form excludes:

- any individual building or group of dispersed buildings or ribbon developments which are clearly detached from the main part of the village;
- any ribbon development attached to the main part of the village where the buildings relate more to the surrounding countryside than to the main part of the village;
- gardens, paddocks and other undeveloped land on the edge of the village where this land relates more to the surrounding countryside than to the main part of the village;
- agricultural buildings on the edge of the village; and
- outdoor sports and recreational spaces on the edge of the village.

7.18 It is recognised that some very small-scale development may be appropriate to support the continued vitality of rural communities. This applies not only to young people who wish to remain in the village but also older people who wish to downsize their property. It also provides opportunities for self-build and custom housebuilding. This type of development can play an important role in maintaining social support networks of communities. Support for some small-scale development on the edges of the built-up areas of the Smaller Villages recognises that due to the layout of some of these villages there can be few opportunities for infill development within the main built form. This policy seeks to support very small-scale growth of Smaller Villages adjacent to the edge of the main built area. The small size of sites supports local small-scale builders, who are best placed to build housing products that local people want. Development of larger sites would also result in a distinct change of character and represent a level of harm to these small settlements and their surrounding countryside, which would undermine this policy and the spatial strategy for growth.

7.19 This 'very small-scale growth' is defined not as a definitive number of dwellings, but more a form of development adjacent to the built-up area of the Smaller Villages, that will be supported where the design complements, protects or enhances the existing character of settlements. Adopted Village Design Statements and Neighbourhood Plans can give detailed design principles for development and this can include, materials, dwelling heights, orientation and car parking arrangements. Heritage assets in and around the village such as Conservation Areas and Listed Buildings must also be preserved and where appropriate enhanced in any proposal for residential development. The character of the settlement is also related to the form created by the buildings within it, so for example, development in a linear settlement, with its buildings placed in a long line along roads, will better suit infill dwellings along that road frontage or new development at the edges of that frontage.

Conversely, settlements with a dispersed style will want to avoid developments that completely infill the gaps between the dispersed types of settlement, in order to avoid changing the character into a compact settlement. Compact settlements will be more suited to infill development within the village and in certain places on the edges of the village.

7.20 In order to respect the character of the countryside, windfall sites should avoid sensitive designated areas such as Green Belts, Sites of Special Scientific Interest, Sites of Importance for Nature Conservation, Ancient Woodlands or National Nature Reserves. Regard should also be had to the latest Landscape Character Assessment, which gives a sensitivity analysis and management guidelines for land-use change in a Landscape Character Area, such as protecting views and vegetation.

7.21 A cumulative level of harm is judged to occur when the developments that have taken place over the Plan period start to risk changing the character of the settlement. This can be through changing the form of a settlement (such as from a dispersed pattern to a compact one) or by causing cumulative harm to the countryside and landscape qualities of the area. The Smaller Villages do not have allocated sites because they do not have the local service provision to support large-scale development, so this is also an important factor in judging the level of cumulative impact.

7.22 The Council will support new isolated homes in the countryside when the development falls under one of the circumstances outlined in the National Planning Policy Framework or its successor. Proposals of this nature must be accompanied with robust supporting information which relates to the justification for the proposal.

Policy HG3 - Rural Workers' Dwellings

A. Development of new dwellings to meet the essential needs of rural worker(s) to live permanently at or near their place of work in the Countryside, will be supported where it meets all of the following criteria:

1. There is a clearly established functional need to support a rural enterprise that has been operational for a minimum period of three years and is demonstrated to be commercially viable; and

2. The need relates to a full-time worker who is employed in rural employment; and

3. The need could not be met through an existing dwelling or through conversion of a suitable building on the operational unit, or any other existing accommodation in the area which is suitable and available for occupation by the rural worker(s); and

4. The new dwelling is of a size which is commensurate with the established functional requirement of the enterprise and is appropriately sited within or adjacent to an existing complex of buildings unless it can be clearly established that the requirements of the enterprise necessitate a more isolated location.

B. Where a new enterprise has an essential functional need but the business is not fully established, or an expanding business can demonstrate it has an essential functional need for a second rural worker's dwelling, it should be granted for a temporary basis, and should for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. It will however, still need to comply with criteria A. 1.to 4. of this Policy.

C. Any permission granted will be subject to an occupancy condition restricting the use of the dwelling for the required purpose. The removal of an occupancy condition will only be supported where it can be demonstrated that there is no longer a need for the accommodation in the locality.

D. No additional rural workers' dwellings will be permitted where a former rural worker's dwelling has been approved and then been converted to market housing.

Justification

7.23 New permanent rural workers' accommodation should only be permitted where it can be demonstrated that the enterprise is economically viable. Where a rural enterprise has been established for less than three years, so cannot be reasonably proven to be viable, but the proposal fulfils all the other requirements of the Policy the accommodation will be supported on a temporary basis to allow time for the enterprise to prove it is viable. In order to prove the viability, a profit and loss accounts by a verified accountant must be submitted by the developer or agent. Rural workers' dwellings should be of a size in relation to the established functional requirement. Dwellings which are unusually large in relation to the rural employment needs of the unit will not be permitted.

7.24 A functional test will be necessary in order to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available and the functioning of the business would not be capable, not just that it is convenient for them to be sited there. Whether this is essential or not will depend on the needs of the enterprise concerned and not on the personal preferences or circumstances of the applicants. It will also be necessary to establish that the enterprise is capable of being sustained for a reasonable period of time (three years).

7.25 In order to demonstrate that there is no longer a need for the accommodation in the locality, the property will need to be marketed unsuccessfully for at least six months at a price which adequately reflects the decreased value of the property due to the occupancy condition.

Policy HG4 - Replacement Dwellings in the Countryside

Development of replacement dwellings on a one for one basis in the Countryside will be supported where;

A. The original dwelling is permanent and not the result of a permission for a temporary dwelling;

B. The original dwelling has not been abandoned or has fallen into such as state of dereliction that it no longer has the appearance of a dwelling;

C. The original dwelling is not of architectural or historic merit (where restoration and renovation will be preferred to replacement);

D. The proposed replacement dwelling is located within the existing curtilage and on the site or within close proximity to the existing dwelling and is not in close proximity to intensive livestock uses or industrial uses that could result in unacceptable levels of noise, amenity or access for the occupiers of the dwelling. Where it is demonstrated that a re-positioning is more beneficial to the character, location and use of the site, a condition will be applied to ensure the demolition of the original dwelling on completion or occupation of the new dwelling;

E. The design and materials to be used complement and reflect the local buildings and architectural detailing and are appropriate to the character and landscape setting in terms of scale, height, massing and density;

F. The replacement dwelling and ancillary works within the curtilage will not have a significant adverse effect on the intrinsic character or appearance of the surrounding countryside or on neighbouring properties.

Justification

7.26 The National Planning Policy Framework (December 2023, paragraph 84) seeks to avoid new dwellings in the countryside unless there are special circumstances. Replacement dwellings in the countryside therefore are only encouraged where the replacement dwelling is not a Listed Building, not derelict or has abandoned its residential use, where there is an essential need for a rural worker and where the design is of exceptional quality. The restoration and renovation of dwellings of architectural or historical merit will be preferred to demolition. The replacement of dwellings not of architectural or historical merit in the countryside will be supported where the residential use has not been abandoned. Replacement dwellings will need to be on the site of or in close proximity to the existing dwelling to ensure that it is a replacement dwelling and not an extension that could be separated into multiple units at a later date. The replacement dwelling is also not to be in close proximity to intensive livestock units or industrial uses that could result in unacceptable levels of noise, amenity or access for the occupiers of the dwelling.

7.27 The design of the new dwelling must use appropriate materials and architectural detailing which reflects the local character and surrounding buildings in terms of scale, size and form. It must be demonstrated that there would be no significant impacts on biodiversity including protected habitats and species as well on the built and historic environment including Scheduled Monuments, Conservation Areas and

Listed Buildings and Landscape Character Areas. To avoid potential conflicts with neighbouring properties, the replacement dwelling must not have any unacceptable impacts on the neighbouring property such as the loss of daylight.

Policy HG5 - Reuse or Conversion of Rural Buildings in the Countryside

A. The conversion of existing buildings in the Countryside to new housing (which would not be dealt with through "prior approval/notification") will be supported, where;

1. It would reuse a structurally-sound building without significant reconstruction, alteration or extension and the preservation of the building will enhance the immediate setting; and

2. The building is not in close proximity to intensive livestock uses or industrial uses that could result in unacceptable levels of noise, amenity or access for the occupiers of the dwelling; and

3. The conversion of the rural building and ancillary works within the curtilage will not have a significant adverse effect on the intrinsic character or appearance of the surrounding countryside; and

4. Any new materials to be used respect and complement the existing building; and

5. The boundary treatments of the residential development are appropriate to the rural landscape character and use materials which respect and positively contribute to the rural setting.

B. Permitted Development Rights may be withdrawn for development under this Policy where a future alteration or extension could have a detrimental effect on the character or setting of the converted building or area.

Justification

7.28 Given the rural nature of the former Selby district area, traditional rural buildings and former agricultural dwellings form a significant part of the built heritage and often feature significantly in the landscape given the low-lying nature of the area. The reuse of a rural building for residential use also provides the opportunity to retain the building and enhance the rural setting. Structurally-sound rural buildings can become unsuitable to current agricultural uses. Where appropriate, conversion and reuse of these buildings offers a great opportunity to retain these buildings and for them to be put back into a beneficial use rather than being allowed to fall into disrepair. Reuse involving a mix of business use, or purely residential conversions may be appropriate in certain locations and building types. To ensure that there are not unacceptable levels of noise, amenity or access for the occupiers of the building, the building or its location must be suitable for conversion to a dwelling without significant alteration, re-building or extension and must not be in close proximity to intensive livestock units or industrial uses. However, any materials to be used need to respect and

complement the existing building and reflect the local character and surrounding buildings. This includes the use of appropriate materials for any boundary and ancillary works necessary, and it must be demonstrated that there would be no significant impacts on biodiversity including protected habitats and species as well on the built and historic environment including Scheduled Monuments, Conservation Areas and Listed Buildings and Landscape Character Areas.

7.29 Legislative changes have introduced more flexibility about the conversion and reuse of existing agricultural buildings in rural areas for residential development without the benefit of planning permission. These Permitted Development Rights do not apply to Listed Buildings or buildings located within a Conservation Area. This Policy is intended to apply to schemes outside of the exemptions covered by Permitted Development or conversion from non-agricultural uses.

Policy HG6 - Creating the Right Type of Homes (Strategic Policy)

All new residential development should provide an appropriate type and size of new homes to meet the current and future housing requirements of local people. New residential development will be supported where:

A. A range of house types and sizes, both market and affordable, is provided that reflects the identified housing needs and demands of local communities shown in the latest Housing and Economic Development Needs Assessment, or in the case of affordable housing, information from North Yorkshire Home Choice (or successor documents/systems); and

B. Dwellings meet the Nationally Described Space Standards (2015) or any successor standards or policy; and

C. On developments of 10 or more dwellings, 6% (rounded up) of new homes are built to M4(3) 'wheelchair user' standard; and

D. They are built with sustainable design, in accordance with Policy SG9 (Design); and

E. Development promotes the effective use of land on windfall sites by achieving minimum densities of;

   1. 35 dwellings per hectare within the Selby Urban Area, Tadcaster, Sherburn in Elmet.

   2. 30 dwellings per hectare in Tier 1 Villages.

   3. 25 dwellings per hectare in Tier 2 Villages.

   4. 20 dwellings per hectare in the Smaller Villages and the Countryside.

Justification

7.30 Delivering the types of housing that people need is an important part of creating high-quality places to live. Living in and being able to access the right type of housing gives people a sense of well-being and is an important part of retaining younger generations in the former Selby district area and giving young families places to relocate and expand into. This also applies to attracting new workers to live in the area to support important services such as education and healthcare. Equally it is important that provision is made to meet the needs of elderly people or people with disabilities and therefore the Plan seeks to ensure that a proportion of new homes are built to be accessible and adaptable homes for wheelchair users.

7.31 To this end the Council will seek to balance the housing market across the Plan period and work towards a mix of housing identified in the Housing and Economic Development Needs Assessment (HEDNA, 2020). The table below from the 2020 HEDNA shows the need for sizes of homes per tenure type. This shows that there is a need for 1, 2 and 3-bedroom affordable rented dwellings; 2 and 3-bedroom dwellings for affordable home ownership; and 2 and 3-bedroom dwellings for market dwellings. Subsequent HEDNAs will update the housing need data and the latest assessment should be used when determining applications for housing development on sites not allocated in the Plan.

Type of Housing	Size of House			
	1 bed	2 bed	3 bed	4+ bed
Market	0-10%	25-35%	40-50%	15-25%
Affordable home ownership	10-20%	40-50%	30-40%	0-10%
Affordable housing (rented)	30-40%	35-45%	15-25%	0-10%

Table 7.3

7.32 The results of the latest Housing and Economic Development Needs Assessment should be used as a starting point when determining the mix of housing. Regard should be had to the nature of the site and character of the area, and to up-to-date evidence of need as well as the existing mix and turnover of properties at the local level.

7.33 Space is an important factor when deciding on a new home. Space can affect lifestyle needs and the health and well-being of residents. In 2015 the Government introduced new optional Nationally Described Space Standards for new housing, where the need for an internal space standard can be justified. Monitoring of housing built in the former Selby district area between 2017-2022 shows that the need is justified, because it is clear that some new homes are not meeting these standards. Therefore, as a minimum, developers must meet the Nationally Described Space Standards on all dwellings. They can prove this by adding dimensions onto their bedroom layouts at the full or reserved matters stage, which case officers will check for compliance with this policy.

7.34 Current building regulations require that as a minimum all new homes are built to M4(1) 'Visitable' standard, but Planning Authorities may apply higher M4(2) 'Accessible' and M4(3) 'Wheelchair Accessible' standards if this is viable and the evidence supports this approach.



7.35 Demographic evidence in the 2020 HEDNA has shown that 24% of the population is over the age of 65 and by the end of the Plan period this will rise to 26%, there are also currently over 13,000 people with a long term health problem or disability in the area. The Council therefore encourages as many new homes to be built to a M4(2) 'accessible and adaptable' standard as possible, in order to meet the requirements of a wide range of households, including the elderly, families with pushchairs and people with disabilities.

7.36 The 2020 HEDNA projects there to be 5,308 people with mobility problems in the former Selby district area by 2040, or 5% of the projected population of 103,170. The need for wheelchair user homes is projected to be 334 homes, or 4% of the total dwellings. As of February 2023, the Council has 71 applicants on its housing register waiting for wheelchair adaptable accommodation in the former Selby district area. To meet this need the Council is asking for 6% (rounded up) of dwellings on sites of 10 or more dwellings to be built to M4(3) 'wheelchair user' standard, having regard to this identified need. The 2022 Local Plan Viability Assessment has costed the rates and site size thresholds for M4(3) dwellings alongside all other Policy criteria and has found them to be financially viable. In some new developments it may not be practical or feasible to incorporate step-free access to dwellings, for example to address flood-risk issues, and the Council will take account of site-specific factors and evidence of site suitability when determining planning applications.

7.37 Energy efficiency is an extremely important issue in home construction. The more energy efficient a home is the less power it will use, and this will reduce a resident's energy bills and their carbon emissions, which will contribute to the ambitious climate-change agenda of the York and North Yorkshire Local Enterprise Partnership (LEP) to become the UK's first zero-carbon city sub-region. Policy SG9 (Design) details the measures in construction that can improve energy efficiency and these include the use of heat pumps, heat networks and direct electric heating sources and the complete removal of gas as a heating source, with very high 'fabric standards' to minimise heat loss from windows, walls, floors and roofs. The ideal standard for new homes is to be 'zero-carbon ready', which will become zero-carbon homes over time as the electricity grid decarbonises, without the need for further costly retrofitting work.

7.38 Achieving the right density on housing sites is important to make the most efficient use of land, to protect the natural environment and to support opportunities for sustainable travel. The density is always calculated on the net developable area of the site; this only includes areas of the site that are used for housing and excludes uses that are ancillary such as major distributor roads or a wildlife site. The latest Strategic Housing Land Availability Assessment (SHLAA) report provides more details. Densities for allocated housing sites will be specified per site policy, but densities on windfall sites (not allocated in this Plan) will have to achieve minimum densities depending on where they are located in the Settlement Hierarchy and the level of public transport accessibility.

7.39 The 2023 SHLAA shows that densities achieved on housing sites in the last five years are: 20 dwellings per hectare (dph) in the Countryside and the Smaller Villages; 25 dwellings per hectare in the Tier 2 Villages; 30 dwellings per hectare in the Tier 1 Villages; 35 dwellings per hectare in the Local Service Centres of Sherburn and Tadcaster; and 35 dwellings per hectare on the greenfield sites in the Selby Urban Area and 50 dwellings per hectare on the Selby Urban Area's brownfield sites.

7.40 The densities found in the 2023 SHLAA will form the standards for windfall sites in these settlements throughout the Plan period. Higher densities are sought in the towns because these locations have good accessibility to public transport and services, such as train stations, bus routes, schools, shops and employment centres. Lower densities are sought in the villages because they have relatively lower access to infrastructure and services and because of the existing built character of villages. Different densities may be supported in these locations, depending on site circumstances, such as the character of the surrounding built environment, and it must also be proven that this would not compromise other policies in the Plan, particularly Policy SG9 (Design).

Policy HG7 - Affordable Housing (Strategic Policy)

The Council will work with a range of public and private sector partners in order to deliver affordable housing across the Plan Area to meet the needs of local people.

A. In order to achieve this the Council will seek on-site provision of affordable homes on windfall developments of 10 or more dwellings, or where the site area is greater than 0.5 hectares. The minimum affordable housing requirement for each allocated site is set out in the individual site policies in Part 3 of this Plan. For windfall sites, the following on-site minimum provision will be sought;

- High Value Area - Greenfield / Brownfield - 20%
- Low Value Area – Greenfield – 10%
- Low Value Area – Brownfield – 5%

(Proposals for Extra Care/Sheltered Housing in Class C will be exempt)

B. In exceptional circumstances, all or part of the affordable housing provision may be acceptable off-site or through a commuted sum in lieu of built provision, where the agreed approach contributes to the objective of creating mixed and balanced communities. An applicant may only vary from the affordable dwelling target if they can provide compelling up-to-date evidence which demonstrates that a site is not viable with the prescribed affordability rate.

C. In all cases where affordable housing is provided it must:

1. Reflect the appropriate type and size of homes to meet local needs as informed by the Council's latest evidence on local housing need; and

2. Meet the minimum bedroom and space standards required by the nominated affordable housing provider; and

3. Be distributed throughout the market housing in any development and the design and layout of the affordable homes should also be indistinguishable from the market housing.

D. At least 25% of the affordable dwellings must be First Homes (unless the development is one of the types listed as an exception under paragraph 66 of the National Planning Policy Framework, December 2023) and a mix of affordable rent, shared ownership and home ownership.

E. On large sites with multiple phases of development, the amount of affordable housing must be proportional to the size of each phase. Proposals on sites which have sub-divided into smaller sites to avoid affordable housing contributions will not be supported.

F. Where vacant buildings are being reused or redeveloped, affordable housing contributions due should be reduced by a proportionate amount. The precise amount of affordable housing, or commuted sum payment to be provided is a matter for negotiation at the time of a planning application, having regard to any abnormal costs, economic viability and other requirements associated with the development.

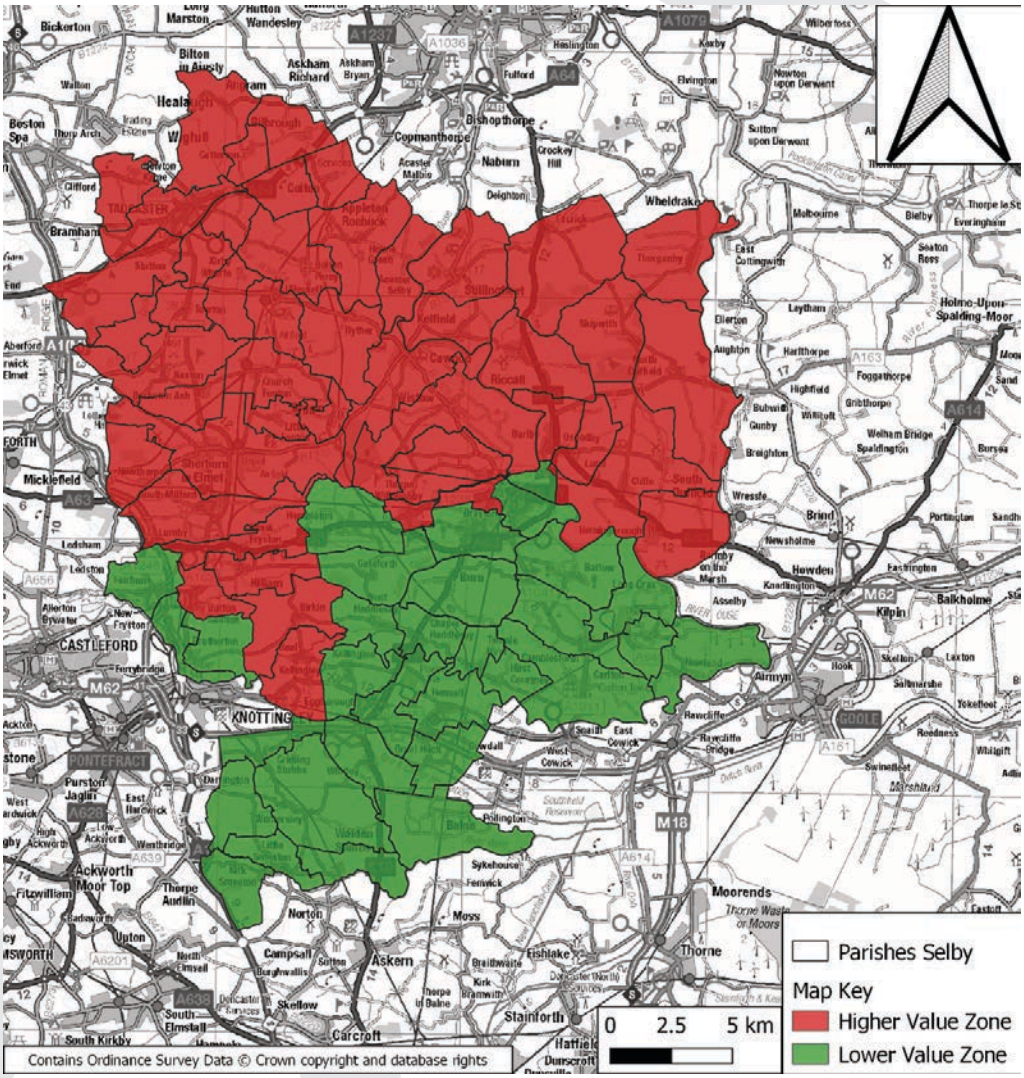
G. Further guidance on providing affordable housing will be provided through an Affordable Housing Supplementary Planning Document.

Justification

7.41 The provision of affordable homes is essential in creating mixed and balanced communities which meet the needs of all residents. There is a high level of need for affordable homes in the former Selby district area as evidenced in the Council's Housing and Economic Development Needs Assessment (HEDNA, 2020). This report sets out the requirements for affordable housing need and provides guidance on the tenure split for intermediate tenure and social rent. When providing evidence of viability and need, the most recent Housing and Economic Development Needs Assessment and Plan Viability Assessment should be referred to.

7.42 In line with national policy, development proposals for market housing of 10 or more dwellings and all sites greater than 0.5 hectares should provide affordable housing. In line with national planning policy, affordable housing is required to be provided on-site unless the off-site provision or an appropriate financial contribution in lieu can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. Affordable housing rates are set for allocated housing sites in their policies, and these rates are evidenced in the 2022 Local Plan Viability Assessment. The minimum rates for different types of windfall sites are also justified by the land typology analysis in this report, and the minimum rates and a map showing the high and low-value housing market areas (as of June 2022) from the report are shown below;

- High Value Zone - Greenfield / Brownfield - 20%
- Low Value Zone – Greenfield – 10%
- Low Value Zone – Brownfield – 5%



Picture 2

7.43 Applicants may only provide less than these minimum targets if they can provide compelling up-to-date evidence which demonstrates that a site is not viable with the prescribed affordability rate.

7.44 Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, Vacant Building Credits can be applied. Vacant Building Credits will not apply if the building has been made vacant for the sole purpose of the redevelopment (and claiming Vacant Building Credits), nor if the building is covered by an extant planning permission for the same, or substantially the same development, nor if it has been abandoned. In order to calculate the Vacant Building Credit, the existing floorspace of a vacant building should be credited against the floorspace of the new development. For example, where a building with a gross floorspace of 8,000 square metres is demolished as part of a proposed development with a gross floorspace of 10,000 square metres, any affordable housing contribution should be a fifth of what would normally be sought.

7.45 On large sites with multiple phases of development, the amount of affordable housing must be proportional to the size of each phase to avoid the concentration of tenures in certain phases of the development. Applications for market housing (which fall under the threshold sizes for affordable housing provision), will not be supported where it is apparent that the proposal site is part of a larger site (owned by the developer), that has been sub-divided in order to avoid the thresholds for affordable housing.

7.46 Affordable housing needs to be built to the bedroom and space standard required by the particular affordable housing provider associated with the scheme that will be managing the affordable homes. The affordable homes should be distributed throughout the development, and their design and layout should be indistinguishable from the market housing, to avoid clustering of tenures and to promote mixed and vibrant communities and to ensure a good standard of housing product for all the residents.

7.47 In line with National Policy 25% of the tenure of the total number of affordable homes on a site will be First Homes. The exact tenure type and size (in bedrooms) of the remainder of the affordable homes provided on site will be informed by the Council's latest evidence on local housing need for that locality. The exceptions to the 25%, as per paragraph 66 of the National Planning Policy Framework (December 2023) are; developments that provide solely for Build to Rent homes, purpose-built accommodation for the elderly or students, self and custom-build homes, or developments that are exclusively for affordable housing, such as a community-led development exception site or a rural exception site.

7.48 First Homes are to be sold to first-time buyers only, set at a discount (in perpetuity) from market value. The Council will organise independent valuations which will be used to determine the market value before discounts are applied. This discount is retained on the property in perpetuity by placing restrictive covenants on these homes. Local people, first-time buyers, key workers (nurses, teachers, police officers, community support workers) and service personnel will be prioritised for access to First Homes. Developers should be able to evidence that they have been actively marketing First Homes to local people before the restrictions can be lifted. After a period of three months, local connections will fall away and the property will become available to all first-time buyers across England at a discounted rate.

7.49 Further guidance on providing affordable housing will be provided through an Affordable Housing Supplementary Planning Document.

Policy HG8 - Rural Housing Exception Sites (Strategic Policy)

Rural Exceptions Sites

A. Development for affordable housing in rural areas will be supported as an exception to normal planning policy, provided all of the following criteria are met:

1. The site is within or adjoining the Development Limits/main built form of a Tier 1 Village, Tier 2 Village or a Smaller Village.

2. The scale and design of the development is sympathetic to the layout and character of the main built form and landscape setting of the village; and

3. A local need has been identified through a local housing needs survey, the nature of which is met by the proposed development; and

4. An appropriate agreement will be secured, at the time of the granting of planning permission to secure the long-term future of the affordable housing in perpetuity.

B. Small numbers of market homes may be allowed on rural exception sites at the Local Planning Authority's discretion, for example where essential to enable the delivery of affordable units without grant funding, in accordance with the National Planning Policy Framework.

Community-Led Exception Sites

C. Community-Led proposals instigated and taken forward by a not-for-profit organisation set up and run primarily for the purpose of meeting the housing needs of its members and the wider local community will be acceptable, provided all of the following criteria are met:

1. The need for the homes has been evidenced;

2. The site is within or adjoining the Development Limits/main built form of a settlement listed in Policy SG2 (Spatial Approach);

3. They are not larger than one hectare in size and which do not exceed 5% of the size (in dwellings) of the existing settlement at the time of determination;

4. They consist of affordable housing types suitable for first time buyers and/or first time renters, and;

5. The scale and design of the development is sympathetic to the layout and character of the main built form and landscape setting of the settlement.

D. In all cases sites must not compromise the protection given to areas or assets of particular importance such as Green Belts, Sites of Special Scientific Interest, Sites of Importance for Nature Conservation, Ancient Woodlands or National Nature Reserves.

Justification

7.50 The rural exception policy provides flexibility within the planning system to enable the delivery of affordable housing in rural communities, the 2020 Housing and Economic Development Needs Assessment shows that there is an identified need for affordable housing in rural areas. The rural exception sites policy enables small sites to be developed, specifically for affordable housing in small rural communities that would not be developed for housing under normal planning policies.

7.51 Acceptance of 'exception sites' is subject to their meeting an identified local need and that any homes developed will remain affordable in perpetuity. Rural exception sites will seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection.

7.52 Sites must be within or adjoining the Development Limits/main built form of rural settlements in the Settlement Hierarchy; these being Tier 1 Villages, Tier 2 Villages and Smaller Villages. Exception sites must be in scale and keeping with the settlement they are within or adjoining, and its setting. Exception sites will not be supported where they compromise the protection given to areas or assets of particular importance such as Green Belts, Sites of Special Scientific Interest, Sites of Importance for Nature Conservation, Ancient Woodlands or National Nature Reserves.

7.53 Paragraph 73 of the National Planning Policy Framework (December 2023) states that Local Planning Authorities should support the development of exception sites for community-led development as defined in Annex 2 of the Framework. A need must first be established that would not otherwise be met through development of sites with extant planning permission or that are allocated for housing. The site must not exceed certain criteria in terms of size (one hectare) and in terms of numbers of dwellings, 5% of the dwelling size of the existing settlement at the time of determination.

7.54 Rural exception sites will be subject to a S106 legal agreement which retains them as affordable homes in perpetuity and will also have a local connection criteria.

Policy HG9 - Conversions to Residential Use and Changes of Use to Garden Land

A. Conversion of existing buildings for new housing and changes of use to garden land will be supported where:

1. The development is appropriate to the setting in terms of the relationship to adjoining buildings, spaces around buildings, landscape features and local character;

2. The materials to be used respect and complement existing buildings;

3. The development respects and positively contributes to any applicable wildlife, landscape character or heritage designations;

4. There is no unacceptable impact on any neighbouring property in terms of amenity, noise or access;

5. There is no unacceptable loss of parking, garden or amenity area;

6. The development will not undermine the retention of any occupancy condition;

7. The conversion and ancillary works within the curtilage will not have a significant adverse effect on the intrinsic character or appearance of the surrounding environment;

8. The boundary treatments of the development are appropriate to the landscape character and use materials which respect and positively contribute to the setting; and

B. Conversions of existing buildings for new housing will be supported where, in addition to A.1. to A.8. above:

1. the preservation of the building will enhance the immediate setting; and

2. it would reuse a structurally sound redundant or disused building without significant reconstruction, alteration or extension.

Permitted Development Rights may be withdrawn for development under this Policy where a future alteration or extension could have a detrimental effect on the character or setting of the converted building or area.

Justification

7.55 Conversions of buildings to residential use can enhance and preserve buildings which have a positive contribution to their setting. In line with paragraph 90 of the National Planning Policy Framework (December 2023), which encourages vitality in town centres, this includes conversions of the upper floors of premises in town centres where the upper floors can be adequately accessed separately from the ground floor use without significant extension or alteration, and where the environment is suitable for residential use. Similarly, traditional rural buildings are an important feature of the rural built environment and can be a positive feature in the landscape.

7.56 The structural integrity of the building as well as the methods to be employed to convert it are to be provided as part of the planning application. This is to assess the building is capable of conversion by being structurally sound and capable of conversion without the need for substantial extension, alteration or reconstruction.

There is now more flexibility on the conversion and reuse of buildings without the need for planning permission. Permitted Development Rights do not apply to Listed Buildings or buildings within a Conservation Area.

7.57 In order to control the impact of future extensions and/or alterations to the building, appropriate conditions may be imposed on any permission granted, including withdrawal of Permitted Development Rights under the General Permitted Development Order, or the restriction of activities within the curtilage of the site which might be harmful to the character of the area.

Policy HG10 - Self-Build and Custom-Build Housing

In order to meet local needs for self-build and custom-build housing;

A. Sites providing 50 or more residential dwellings will be required to supply up to 3% (rounded up) of the total plots to self-builders or to custom housebuilders subject to appropriate demand being demonstrated through the Local Planning Authority's Self-Build and Custom-Build Register at the time the planning approval is considered and the proposal being demonstrated as viable.

B. Support for self-build and custom-build housing proposals will also be given in accordance with Policy HG2 (Windfall Development).

C. All self-build/custom-build plots are to be occupied as homes by the self/custom-builders for a period of three years. Where plots which have been appropriately marketed for self-build and have not sold within a 12-month time period, then, upon approval by the Council, these plots may be built out as conventional market housing by the developers.

D. Communities preparing Neighbourhood Plans will be encouraged to consider the identification of sites specifically for self and custom-build projects within their Neighbourhood Plan Area.

Justification

7.58 The Government recognises the role that self-build and custom-build can play in the delivery of more homes and this is reflected in recent legislation aimed at increasing the supply of this type of housing. The Self-build and Custom Housebuilding Act 2015 (as amended) requires Local Planning Authorities to keep a register of individuals and associations of individuals who are seeking to acquire serviced plots of land in the Authority's area for their own self-build and custom housebuilding. The Council must give permission to enough suitable serviced plots to meet the demand for self-build and custom housebuilding in their area. National Planning Practice Guidance defines a serviced plot of land as that which has access to a public highway and has connections for electricity, water and wastewater or in the opinion of a relevant authority can be provided with access to those things within the duration of a development permission granted in relation to that land.

7.59 On the 1 April 2022 a total of 24 individuals had registered on the former Selby District Council's Self-build and Custom-build Register and a mix of both rural and urban locations were being sought. However, the Council cross references self-build completions and permissions against those on the Register and refreshes the Register each year with opt-in emails, so it is recognised that demand for self-build and custom-build housing will change over time. Following the creation of North Yorkshire Council in April 2023 a new Self-Build Register is being compiled and will replace the existing Selby District Council Register. The Council will seek to meet this demand for self-build and custom housebuilding through a combination of measures; by supporting small-scale windfall proposals purely for self and custom-build, by requiring self-build provision on larger development sites of 50 or more units and by supporting provision in Neighbourhood Plans. The 3% (rounded up) minimum for sites of 50 or more dwellings is chosen because it recognises the range of locations needed in the Self-build and Custom-build Register by offering a wide geographical spread around the Plan Area. The size of 50 dwellings is chosen because it recognises the scale of an allocated site that could accommodate these plots. The overall number of plots contributed through this Policy (potentially 217 dwellings) reflects the average number of historical requests to be entered onto the Selby District Council Register each year (around ten), projected across the Plan period, with some buffer added for any potential need not recognised in the Register.

7.60 Where developers are required to provide self-build or custom-build plots regard will be given to viability and specific site circumstances. Self and custom-build plots can be clustered in a certain part of a site, as it is recognised that these dwellings being built on these plots can have longer build times than those being built by developers.

7.61 Any plots given permission for self or custom-build once built must be occupied as homes by the self/custom builders and not sold on the market for a period of three years. Self and custom-build plots should be made available and marketed for this use for at least 12 months, and if the plot is not sold in this time then, upon consideration of the evidence and approval by the Council, these plots may be built out as conventional market housing by the developer.

Policy HG11 - Older Persons and Specialist Housing

Development specifically designed to meet the accommodation needs of ‘older people’ and / or ‘people with disabilities’ will be supported where:

A. It supports the right mix of housing as identified in the most up to date Housing and Economic Development Needs Assessment; and

B. It is in a location accessible by public transport, or within a reasonable walking distance, of essential facilities which include grocery shops, medical services; and public open spaces.

C. Where proposals are in the form of apartments/flats a satisfactory standard of communal areas for occupants will be sought;

D. Where developments fall within Use Class C3, affordable housing will be required in accordance with the preferred approach of Policy HG7 (Affordable Housing) and;

E. Where the development is for 'older persons', there is to be a condition limiting the reoccupation of residences to those who are classed as 'older people' in the National Planning Policy Framework.

Justification

7.62 The former Selby district area has a population that is older than the national average with 21.4% of the population aged over 65 compared to 19.2% in the UK in 2020 (Local Authority ageing statistics, population projections for older people, August 2020). The Local Authority ageing statistics project this to rise to 26.1% by 2040 which is above the projected UK average of 23.8%. These projections show that the population is ageing and therefore Policy HG11 promotes a flexible approach to housing the elderly where homes can be easily adapted as the needs of residents change, and through the construction of purpose-built facilities.

7.63 The National Planning Policy Framework (December 2023) defines older people as; "People over or approaching retirement age, including the active, newly retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs".

7.64 To enable the right mix of older persons and specialist housing this must be supported by an up-to-date Housing and Economic Development Needs Assessment. The amount and type of accommodation required will depend on a range of factors including individual choice. The ability for them to exercise choice and control over meeting these needs will vary. Larger developments may enable the right mix of older persons and specialist housing to meet the needs identified by the Housing and Economic Development Needs Assessment. The Council will consult with health and social care services on larger planning applications and/or those that could have service provision implications.

7.65 Where older persons and specialist accommodation is required, it is important to ensure that it enables residents to live independently by ensuring that it is located close to facilities and services or that they are accessible by public transport. Reasonable walking distances are identified as 800 metres in the Department for Transport (2008) document 'Building Sustainable Transport into New Developments', which stated that; “Walking neighbourhoods are typically characterised as having a range of facilities within 10 minutes’ walking distance (around 800 metres).”

7.66 Where the proposals are in the form of apartments/flat, communal areas for occupants will also be required. This will be agreed at the planning application stage using best practice and through liaising with health and social care services.

7.67 When determining whether a development for specialist housing for older people falls within C2 (Residential Institutions) or C3 (Dwelling house) of the Use Classes Order, consideration could be given to the level of care and scale of communal

facilities provided. However, where a development is classified as within Use Class C3, affordable housing will be sought in accordance with the Policy HG7 (Affordable Housing).

7.68 A condition attached to any planning permission, which limits the reoccupation of residences to those who are classed as older people in the National Planning Policy Framework, is required to ensure the supply of homes for older people meets identified needs.

7.69 The design of development schemes for older persons and specialist housing should take account of guidance from the Planning Practice Guidance – "Housing for older and disabled people" (and any subsequent guidance).

Policy HG12 - Householder Applications

Householder development will be supported where it meets the following criteria:

A. The design, layout and architectural detail of the development, new buildings or extensions are appropriate to their setting in terms of scale, height, massing and density, as well as in their relationship to adjoining buildings, spaces around buildings, landscape features and local character;

B. The development needs to be well related to the original dwelling and will not visibly or physically dominate or cumulatively adversely impact the original dwelling;

C. The materials to be used respect and complement existing buildings;

D. Where applicable, the development meets the requirements of other Local Plan Polices regarding wildlife, landscape character or heritage designations;

E. There is no unacceptable impact on any neighbouring property in terms of amenity, noise or access;

F. There is no unacceptable loss of parking, garden or amenity area, and;

G. The development will not undermine the retention of any occupancy condition.

Justification

7.70 Householder applications relate to works or extensions to existing dwellings which also includes works within the curtilage (garden / boundary) of a house. This includes certain sizes and types of extensions, conservatories, loft conversions, dormer windows, alterations, garages, outbuildings, new boundary treatments (walls and fences), porches, satellite dishes and vehicular access which constitute 'development' and require planning permission and do not fall under the definition of Permitted Development.

7.71 It is important that the proposed development does not visibly or physically dominate the original dwelling or cumulatively adversely impact the original dwelling. An extension must be designed in sympathy with the original dwelling using appropriate materials, architectural detailing and be compatible with surrounding buildings in terms of scale, size and form. It must be demonstrated that there are expected to be no significant impacts on biodiversity including protected habitats and species as well as on the built and historic environment including Scheduled Monuments, Conservation Areas and Listed Buildings and Landscape Character Areas.

7.72 Householder development has the potential to adversely affect residents in neighbouring properties. To protect amenity and privacy, overlooking of any neighbour's windows and gardens should be avoided, as well as avoiding the loss of sunlight and daylight to neighbouring properties. Residents' and visitors' parking should be accommodated to meet the latest parking standards. Adequate outdoor amenity is to be maintained for domestic use. The proposed development must also respect and maintain any occupancy condition on the original dwelling.

Policy HG13 - Residential Annexes

Residential Annexes will be supported where:

A. The residential annexe is within the curtilage of the principal dwelling, shares the same vehicular access, and adequate off-street parking for the occupants of the main house and the annexe can be provided;

B. The residential annexe has a functional link with the principal dwelling and will remain in the same ownership of the principal dwelling;

C. The conversion, extension or new building(s) are not designed to be fully self-contained to facilitate the subdivision of the original dwelling into separate dwellings.

D. The design, layout and architectural detail of the development, new buildings or extensions are appropriate to their setting in terms of scale, height, massing and density, as well as in their relationship to adjoining buildings, spaces around buildings, landscape features and local character;

E. The development needs to be well related to the original dwelling and will not visibly or physically dominate or cumulatively adversely impact the original dwelling;

F. The materials to be used respect and complement existing buildings;

G. Where applicable, the development meets the requirements of other Local Plan Policies regarding wildlife, landscape character or heritage designations;

H. There is no unacceptable impact on any neighbouring property in terms of amenity, noise or access;

I. There is no unacceptable loss of parking, garden or amenity area, and;

J. The development will not undermine the retention of any occupancy condition.

Justification

7.73 Residential annexes are ancillary residential development linked to the original dwelling and are not a separate residential unit. Such development or a "granny annexe" to accommodate those with specialist accommodations needs will be linked to the original dwelling by an occupancy condition. Units of accommodation that have a separate access and the opportunity to be fully self-contained will not be supported without evidence explaining why this is necessary. Occupancy conditions will be imposed linking the unit of accommodation to the original dwelling.

7.74 It is important that the proposed development does not visibly or physically dominate the original dwelling or cumulatively adversely impact the original dwelling. The residential annexe must be designed in sympathy with the original dwelling using appropriate materials, architectural detailing and be compatible with surrounding buildings in terms of scale, size and form. It must be demonstrated that there are expected to be no significant impacts on biodiversity including protected habitats and species as well on the built and historic environment including Scheduled Monuments, Conservation Areas and Listed Buildings and Landscape Character Areas.

7.75 The proposed development has the potential to adversely affect residents in neighbouring properties. To protect amenity and privacy, overlooking of any neighbour's windows and gardens should be avoided, as well as avoiding the loss of sunlight and daylight to neighbouring properties. Residents' and visitors' parking should be accommodated to meet the latest parking standards. Adequate outdoor amenity is to be maintained for domestic use. The proposed development must also respect and maintain any occupancy condition on the original dwelling.

Policy HG14 - Gypsy and Traveller Sites

A. The following site, as shown on the Policies Map, is allocated for Gypsy and Traveller uses to ensure a deliverable supply of pitches during the Plan period:

Site Ref.	Location	Number of pitches
NTHP-A	Land at Hillcrest, Old Great North Road, Newthorpe	12

B. Proposals for Gypsy and Traveller pitches on non-allocated sites, including new sites or extensions to existing sites, should meet the following criteria:

1. Priority will be given to the extension of established sites which benefit from a permanent planning consent;

2. Not be located in the Green Belt unless very special circumstances can be demonstrated;
3. Be in an area of low flood risk;
4. Be unaffected by contamination, unless the site can be adequately remediated;
5. Have good access to facilities, including schools and healthcare facilities;
6. Provide a good safe living environment with appropriate standards of residential amenity;
7. Be located where there would not be a detrimental impact on highway safety or the flow of traffic;
8. Not materially harm the natural and historic environment; and
9. In rural areas, not be of a size that dominates the nearest settled community.

C. Proposals that would involve the loss of authorised Gypsy and Traveller pitches will not be permitted unless new replacement pitches are provided in a suitable location that meets the above criteria.

Justification

7.76 Planning Policy for Traveller Sites (PPTS, 2015) states that the Government's overarching aim is to ensure the fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life for travellers whilst respecting the interests of the settled community.

7.77 In accordance with national policy, Local Plans are required to assess the housing needs of Gypsies, Travellers and Travelling Showpeople and identify land for allocation to provide five years' worth of sites. In addition, developable sites or broad locations for growth should be identified to meet need for the next 6-10 years, and where possible years 11-15. Planning Policy for Traveller Sites also requires that Local Plans set criteria to guide development management decisions, where applications come forward on windfall sites or unexpected need arises.

7.78 The Gypsy and Traveller Accommodation Assessment (GTAA, 2018) for the former Selby district area provides an assessment of the current and future level of need for additional pitches in the period to 2033. The study finds that there is a need for eight additional pitches as shown below:

Years	2018-23	2023-28	2028-33	Total (2018-33)
Number of pitches	5	0	3	8

Table 7.4

7.79 Since the Gypsy and Traveller Accommodation Assessment was published, the Council has approved two planning applications for gypsy and traveller pitches at: The Smallholdings in Kellington (permanent consent for 8 pitches); and Land at Hillcrest , Old Great North Road, Newthorpe (temporary consent for 12 pitches). The permanent consent at The Smallholdings, along with the permanent removal of the Newthorpe site from the Green Belt for allocation, provides a supply of 20 pitches. However, as part of negotiations on these two planning applications, the Council has agreed to an updated need figure of 21 pitches for the former Selby district area, based on new evidence submitted as part of these applications.

7.80 Any proposals for new sites on land not allocated for Gypsy and Traveller use will need to be considered against the criteria listed in this Policy, with preference given to the extension of existing sites which benefit from a permanent planning permission.

7.81 To ensure that existing authorised Gypsy and Traveller sites are protected in perpetuity, applications which result in the loss of pitches will be resisted unless new suitable pitches are provided in an appropriate location, subject to meeting the criteria listed in this preferred approach.

Key Documents

- Housing and Economic Development Needs Assessment (2020) and Addendum (2022)
- Gypsy and Traveller Accommodation Assessment (2018)
- Local Cycling and Walking Infrastructure Plan (2020)
- Strategic Housing Land Availability Assessment (2023)
- Fields in Trust, Guidance for Outdoor Sport and Play
- The Self-build and Custom Housebuilding Act (2015)
- Selby Landscape Character Assessment (2019)
- Selby District Landscape Sensitivity Study Update Report (2021)
- Selby District Local Landscape Designation Review (2019)
- Local Plan Viability Assessment (2022)
- Greenspace Audit (2022)
- Playing Pitch Strategy Assessment Report (2020) and Strategy and Action Plan (2021)

Revised Publication Selby Local Plan 2024

8 Maintaining a High-Quality Natural Environment

Introduction



8.1 Nature is vital. It provides our life-support system and we cannot survive without it. However, our nature resources are under threat from many sources including direct loss of habitats, nearby land use practices, changes in hydrology and nutrients, disturbance and displacement of wildlife, impact on breeding/migrating birds, pollution, and the effects of climate change. The preservation and restoration of nature is key to the health and well-being of the planet and us.

8.2 While Climate change and biodiversity loss are separate issues, they can be interlinked in some instances. Nature's incredible ability to trap carbon safely and provide other important benefits is proven, and nature can make a massive contribution to achieving net-zero greenhouse-gas emissions by 2050, but only if we protect and restore our damaged ecosystems.

8.3 Healthy habitats such as protected wetlands, restored peatlands, wildflower-rich grasslands and native woodlands can slow, store and filter water, reducing the risk of flooding downstream and cleaning water naturally. Woodlands and other wild places clean the air, regulate temperature, and improve our health and well-being. Thriving ecosystems provide the pollinators, soils, nutrients, food and water that support natural resilience. Each of these land uses and spaces can perform a range of over-lapping functions, for example recreation open space may provide for recreation needs but also flood water storage, while tree planting provides amenity and habitat but can also help mitigate flood risk and carbon capture. The concept of the green and blue infrastructure is over-arching and provides links and networks across and beyond the Plan Area.

8.4 The natural environment and access to it also play an important role in the health and well-being of local residents. Research highlights how access to green space, such as fields, forests, parks and gardens is linked with a reduced risk of mental and physical health problems, improved mood, and increased life satisfaction. Access to open spaces for recreation, and as a visual amenity, are essential to enabling everyone to enjoy the mental and physical health benefits of connecting with nature.

8.5 The former Selby district area has wide areas of countryside and locally distinctive towns and villages which contribute to making the Plan Area area a special place to live and work. There are areas of high-quality natural environment, diverse important habitats and good access to landscape and countryside as well as many green spaces and opportunities for informal and formal recreation which support good health and well-being.

8.6 The Environment Act 2021 includes targets to halt the decline of nature by 2030, including the creation of Local Nature Recovery Strategies and mandatory Biodiversity Net Gain. The Local Plan seeks to promote development of well-designed places where nature is prioritised and integrated in locations which contribute to the quality of a place, and to people's quality of life in the Plan Area.

Policy NE1 - Protecting Designated Sites and Species (Strategic Policy)

Internationally, nationally, and locally important sites, habitats and species and irreplaceable habitats will be protected through the following principles:

A. Proposals that result in the loss or deterioration of irreplaceable habitats such as historic wetlands and species-rich grasslands, ancient woodland and aged or veteran trees will be refused unless:

1. there are wholly exceptional reasons; and

2. a suitable compensation strategy exists.

B. Proposals that may directly, indirectly or cumulatively impact on a Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site, both within and outside the Plan Area, will only be supported where it can be demonstrated that there will be no adverse effects on the integrity of the sites, if necessary, utilising mitigation to achieve this conclusion. Compensation measures will only be considered in the context of an Imperative Reasons Overriding Public Interest assessment (IROPI) and no alternatives, in line with the requirements of the Habitats Regulations. In line with the outcomes of the Local Plan Habitats Regulations Assessment, this part of the Policy specifically relates to development which:

1. Is located within 1 Kilometre of the Lower Derwent Valley Area of Restraint (illustrated below). Such development must consider the guidance set out in the Lower Derwent Valley Supplementary Planning Document or its successor.

2. Is located within 5 Kilometres of the Lower Derwent Valley SAC/SPA/Ramsar, Skipwith Common SAC and 10 kilometres of the Humber Estuary SAC/SPA/Ramsar. Such development must have regard to up-to-date visitor monitoring data and where necessary apply appropriate mitigation to reduce recreational pressure from development, including any necessary financial contributions towards the delivery of measures identified in the Lower Derwent Valley Supplementary Planning Document.

3. Is located within 10 Kilometres of Special Protection Area (SPA) or Ramsar designations. Such development must provide evidence that proposals will not result in adverse effects on site integrity through the loss/disturbance of functionally-linked land for designated qualifying features, either through:

i. Evidence that the proposed development site habitat is unsuitable for SPA/Ramsar designated species, or

ii. Assessment of the proposed development sites use by SPA/Ramsar designated species, including through the provision of wintering and passage bird surveys, and if necessary, appropriate mitigation.

4. Has the potential to affect water quality, level or flow within designated SACs/SPAs/Ramsars. Such development must consider sensitivities to changes within hydrological regimes for the integrity of the designated habitats and potential impacts that may occur, applying appropriate mitigation where deemed necessary, including through measures set out in Policy IC4 (Water, Wastewater and Drainage) and Policy NE5 (Rivers and Waterbodies).

5. Has the potential to affect notified features of designated SACs/SPAs/Ramsars. Such development must consider generation of emissions or particulates and their impacts on air quality and potential deposition and the impacts that may occur, applying mitigation where necessary in line with Policy NE7 (Air Quality).

C. Proposals that may either directly or indirectly negatively impact the features for which a Site of Special Scientific Interest has been notified will not be supported. The only exception will be where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of designated sites.

D. Development which would harm a Site of Importance for Nature Conservation (SINC) (also known as Local Wildlife Sites-LWS), Local Nature Reserve or a Regionally Important Geological/geomorphological site will not be permitted unless:

1. There are no reasonable alternative means of meeting the development need; and

2. It can be demonstrated that there are benefits for the proposal which clearly outweigh the need to safeguard the intrinsic local nature conservation value of the site or feature and its contribution to wider biodiversity objectives and connectivity in its location.

E. Development affecting biodiversity and geodiversity, including designated sites, species and habitats or non-designated sites or features of biodiversity interest will only be permitted where the proposal:

1. Is justified against the relevant criteria in A. to D. above; and

2. Has minimised impact, avoiding significant harm through location or design and demonstrated that where significant harm cannot be avoided, it has been demonstrated that adverse impacts will be adequately mitigated, or as a last resort compensated; and

3. It can be demonstrated that the proposed mitigation or compensatory measures are of an equivalent or better value than assigned to the original site / asset in the ecological assessment.

Justification

8.7 Internationally protected European designated sites include Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites. These are strictly protected, and the National Planning Policy Framework (2023, para 188) states that the presumption in favour of sustainable development does not apply to developments that may affect such sites. Where such sites could be affected by development, the impact of this must be assessed in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), commonly known as the Habitats Regulations, and will require an Appropriate Assessment for any development proposals likely to have a significant effect on the designations.

8.8 Within the Plan Area, European designated sites include the River Derwent SAC, Lower Derwent Valley SAC/SPA/Ramsar site and Skipwith Common SAC. Development within the Plan Area also has the potential to impact on designated sites beyond the former Selby district area boundary, including the Humber Estuary SAC/SPA/Ramsar, Kirk Deighton SAC, Thorne Moor SAC, Hatfield Moor SAC and Thorne and Hatfield Moors SPA. Effects on designations can be through a range of different impact pathways and is dependent on the protected elements and sensitive receptors of the designated sites. Impacts can be indirect as well as direct including through increased levels of recreational disturbance from increased population close to sites, loss of functionally-linked habitats, increased foul-water discharges to rivers and streams leading to adverse water quality, water abstraction and changes to drainage/run-off leading to changes in water flow and traffic air quality impacts.

8.9 Recreational visitors to European designated sites, and the areas associated with the wildlife they protect, can have harmful impacts. This includes though degradation of the environmental quality, such as through trampling or nutrient enrichment from non-native animals to the area, as well as disturbance to the routines and habitats or bird and mammal populations and disruption of management strategies. Natural England have identified that the Lower Derwent Valley SAC/SPA/Ramsar, Skipwith Common SAC and the Humber Estuary SAC/SPA/Ramsar are all sensitive to recreational pressure.

8.10 The potential for new development to create increased recreational pressure increases with proximity to the designated areas. As the Lower Derwent Valley is sensitive to recreational disturbance across a number of adjoining districts, Policy NE1 takes forward the shared area of restraint policy identified in the East Riding Local Plan Adopted Supplementary Planning Document (2018, illustrated below) which applies

to development within 1 kilometre of the Lower Derwent Valley designations, and seeks to limit adverse recreational impact from development within this buffer. Visitor surveys carried out in 2018 identified the core recreational catchment for both Skipwith Common SAC and Lower Derwent Valley SAC/SPA/Ramsar site. The Local Plan Habitats Regulations Assessment concludes that it is unlikely that development proposed by the Local Plan will have a significant impact on recreational pressure at the Lower Derwent Valley and Skipwith Common designations, though monitoring of visitor numbers at Skipwith Common and the Lower Derwent Valley designations, every five years, is recommended. Taking note of any increases in pressure will ensure any potential harm can be identified as soon as possible. Given the sensitive nature of the Lower Derwent Valley designations and the ease of access available from nearby locations to the river banks, it is important that all development within five kilometres of this designation takes account of measures identified in the Lower Derwent Valley Supplementary Planning Document to address recreational pressure, including through financial contributions. Such development should also comply with Policy IC3 (Protection and Creation of New Open Space, Sport and Recreation Provision) and Policy IC7 (Public Rights of Way) to ensure adequate open space and recreation opportunities, both within sites and connecting to the wider the Public Rights of Way network are created to provide leisure routes and destinations locally, thereby reducing the impact on wildlife at designated sites. However, it is important that recreational connections should not link directly into nature conservation designations which could increase pathways for harm to such sites.

8.11 The Lower Derwent SPA/Ramsar, and Humber Estuary SPA/Ramsar are designated to protect a number of mobile wildlife populations, including a wide variety of waterfowl and waders. These species rely on wider areas of land, beyond the specific designated sites, for foraging, roosting, nesting, breeding and over-wintering. It is therefore important that these functionally-linked areas are protected as an important element of protecting the overall integrity of the designated sites and their protected species. To meet the requirements of the Habitats Directive, developers of sites within ten kilometres of these designations must provide evidence that proposals will not result in adverse effects on the integrity of designated areas and associated wildlife through loss of functionally-linked land. Evidence that the development proposals will not cause adverse effects should be submitted through the planning application process, and can be either because the development site is not a suitable habitat, or does not currently support a significant proportion of the protected species associated with the designation. Evidence should include surveys of the proposed development sites current usage (if any) by designated species, including for over-wintering SPA/Ramsar bird species. A land parcel can be considered to support a significant population of a designated species if it is accessed by 1% of the qualifying bird population. Non-breeding bird surveys must be undertaken during autumn, winter and spring.

8.12 The following Local Plan allocations have been screened in to require Appropriate Assessment for functionally-linked habitats as they lie within the typical foraging ranges of species associated with the Lower Derwent Valley and Humber Estuary SPA/Ramsar designations and provide potentially suitable habitat:

- OSGB-I Land east of Sand Lane, Osgodby
- CARL-G Land north of Mill Lane, Carlton

- CLIF-O Land North of Cliffe Primary School, Main Street, Cliffe
- HEMB-G Land east of Mill Lane, Hemingbrough
- NDUF-D Land North of the A163, North Duffield
- NDUF-O North of Gothic Farm Back Lane, North Duffield
- RICC-J Land at Landing Lane, Riccall
- SELB-BZ Cross Hills Lane, Selby
- SELB-CA Olympia Park, Barlby Road, Barlby

8.13 The European designated sites associated with the former Selby district area are also sensitive to changes in water abundance and quality. Most SPA/Ramsar species require a water depth within specific limits for optimal foraging and roosting across wet and dry habitats. The Lower Derwent Valley SAC/SPA/Ramsar habitats are dependent on seasonal flooding and drying out. The vegetation and migrating fish species of the River Derwent and Humber Estuary SACs are reliant on consistent river flows and the Skipwith Common SAC qualifying wet heaths are reliant on groundwater hydrology. It is important that the source of potable water to supply new development considers its impact on these environments, as the integrity of the habitats depends on maintaining the hydrological regimes within relatively narrow limits.

8.14 Water extractions to support population growth in the former Selby district area are unlikely to result in any significant effects on European designated nature sites, as Yorkshire Water (who provide the potable water resources in the Plan Area), publish a Water Resource Management Plan (WRMP), and carry out an associated Habitats Regulations Assessment to ensure that their water resources exploitation for a period well beyond the Local Plan period will not adversely affect the integrity of any European Sites. The benefit of the Yorkshire Water Grid Network is the variety of different water sources which can be accessed, and the companies ability to transport water around the Plan Area. They have also identified a number of agreements and efficiency measures to reduce water extraction impacts in the region. The Environment Agency also publishes Catchment Abstraction Management Strategies for all major waterbodies In the UK and ensure that enough water remains to support a healthy environment. Consent is required from the Environment Agency for further water extractions.

8.15 Adverse water-quality impacts are most notable from the introduction of increased phosphorus levels, or nitrogen in the coastal environment (usually as a result of sewage and agricultural run-off) which can cause eutrophication and reduce available dissolved oxygen. This can have impacts on the fish populations and their ability to breed/migrate upstream, bird and mammal populations through cascading impacts up the food chain, vegetation and habitats including bogs, lowland hay meadows, alluvial forest, certain plant species and mosses. Alongside the Water Resources Management Plan, Yorkshire Water is also producing a Drainage and Wastewater Management Plan (DWMP) and like the WRMP, this is also subject to Habitats Regulations Assessment to ensure that treating wastewater from new development over the DWMP period will not adversely affect the integrity of any European sites.

8.16 Although the role of protecting European sites regarding abstraction for public water supply and treatment of sewage effluent falls primarily with Yorkshire Water, as utilities provider, it is important that development in the Plan Area keeps pace with

any improvements in wastewater treatment infrastructure or development of new water supply sources that Yorkshire Water need to implement to protect European sites. As such, proposals within the Plan Area must comply with the requirements of Policy IC4 (Water Supply, Wastewater Treatment and Drainage Infrastructure) to ensure that water quality or water levels and flow in European sites are not adversely impacted by new development. The following Local Plan allocations have been screened in to require Appropriate Assessment for water quality at the planning application level as they lie within close proximity to European sites that are dependent on good water quality and details of potential impacts will depend on detailed design of all three sites:

- HEMB-G Land East of Mill Lane, Hemingbrough
- HEMB-K Land South of School Road ,Hemingbrough
- NDUF-D Land North of the A163
- NDUF-O North of Gothic Farm Back Lane, North Duffield

8.17 Air Pollution from nitrogen or ammonia deposition can also be a threat to protected species. Increased concentrations are most often associated with increased vehicular traffic, and therefore impacts are usually greatest close to roads and as a result of increased vehicular journeys. The Habitats Regulations Assessment identified the potential for impacts on the Lower Derwent Valley SAC and Skipwith Common SAC dependent on the volume of increased traffic from planned development. Subsequent traffic modelling and air-quality modelling of the volume of increased traffic likely to be generated by allocations within the Plan, and outside the Plan Area has ruled out adverse impacts from air quality on European designated sites in proximity to the Plan Area. Other sites and sources of pollution will need to carry out their own assessments to determine no adverse effects in line with the above policy.

8.18 Nationally important sites are also strictly protected, with the National Planning Policy Framework advising that developments that are likely to affect Sites of Special Scientific Interest (SSSIs) should normally be refused. Where there is a risk that developments may directly or indirectly negatively impact SSSIs, sufficient ecological or geological information regarding these sites and mitigation/compensation measures should be provided by the applicant.

8.19 Sites of importance for Nature Conservation (SINCs) are locally important sites identified and designated by the Council. The ecological data for each SINC site is held by the North and East Yorkshire Ecological Data Centre (NEYEDC). There are guidelines for surveying and selecting SINCs and an outline of the procedures for surveying and proposing new SINCs can be viewed at the NEYEDC website (www.neyedc.org.uk). Sites are assessed by a North Yorkshire SINC Panel made up of Council ecologists, Natural England, the Yorkshire Wildlife Trust and independent consultant ecological surveyors commissioned by the Panel.

8.20 All the Plan Area's ecological assets, as determined as the point of adoption of the Plan, are shown on the Policies Map. This includes international (European) and nationally important designated sites, as well as Sites of Importance for Nature Conservation (SINCs) which form part of a wider national network of non-statutory locally-valued wildlife sites.

8.21 Additional site designations could be identified throughout the Plan period in accordance with Natural England processes or the SINC Panel procedure set out above. Any new or amended designations will be recorded (by the NEYEDC in the case of SINCs) and displayed on the Council's website. The Council will notify the landowner of any new, amended, or de-selected SINC designation. Sites of nature conservation value, including those awaiting designation/ratification, which can be demonstrated to meet selection guidelines, will be afforded the same level of protection through Policy NE1 (Protecting Designated Sites and Species) as those already verified.

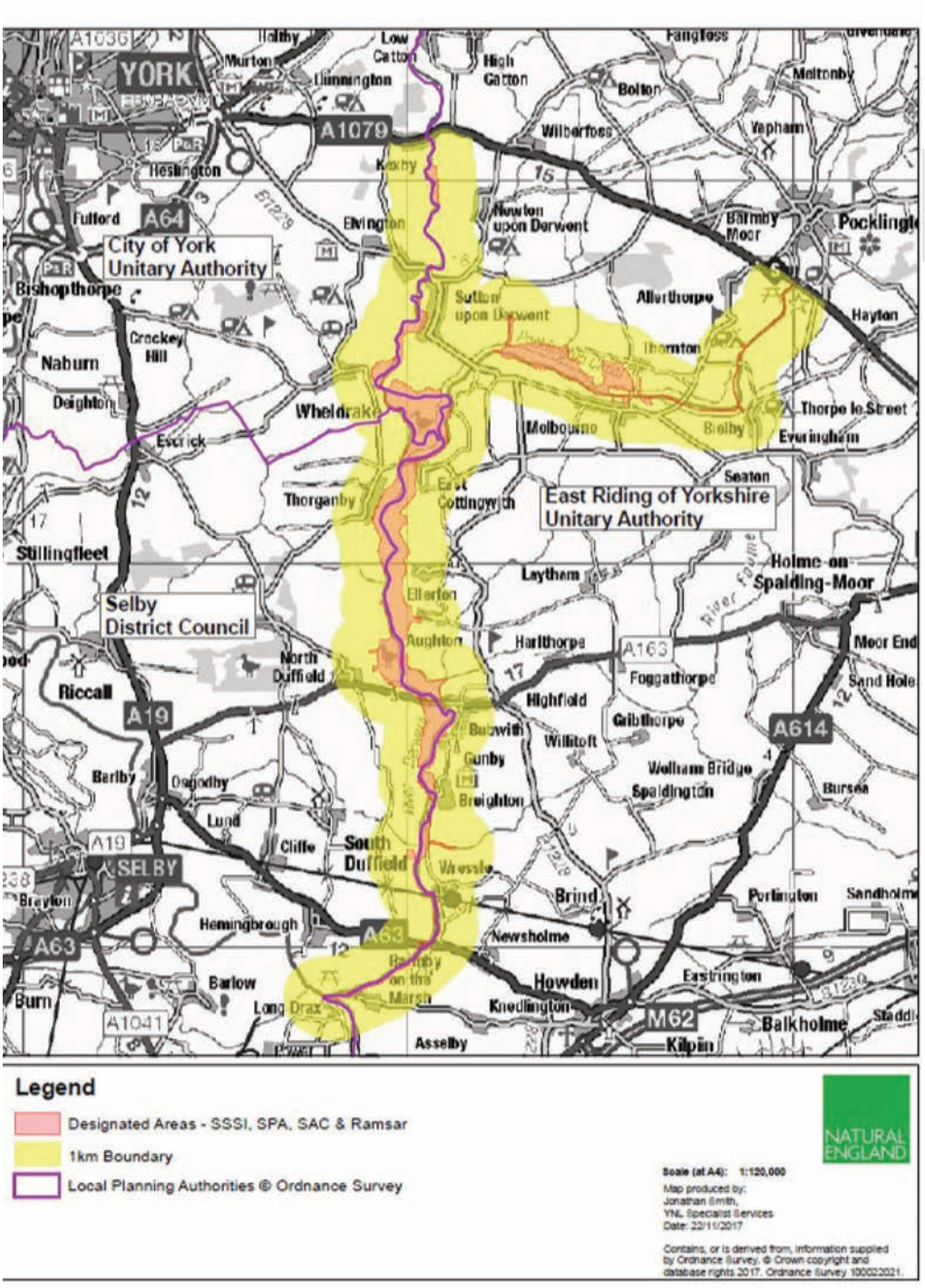
8.22 Development which is likely to impact protected sites and species must be accompanied by an ecological assessment, proportionate to the development, with applicants required to submit appropriate levels of information and evidence to allow a Habitats Regulations Assessment to be undertaken at the planning application stage if necessary. Mitigation measures will be dependent on the species and habitat present or the potential impact pathways so cannot be standardised. All mitigation should avoid harmful impacts of development or reduce them to an acceptable level which does not cause significant ecological harm and can include a range of measures, including changes to site layout, the timing of construction, the provision of wildlife buffers/zones, provision of appropriate Suitable Alternative Natural Greenspaces (SANGS), gates or signage.

8.23 Compensation should aim to provide a net gain in biodiversity in line with Policy NE3 (Biodiversity Net Gain), and can include either on or off-site provision, or resources for management, but the nature and scale of these must be agreed at the planning application stage. A mitigation/compensation plan should set out the objective, monitoring and management procedures and be delivered through planning conditions or legal agreement with the planning consent. Ecological assessments may not be required where pre-application discussions with the Council have indicated it is not required in a particular case.

8.24 The Lower Derwent Valley (LDV) is the section of the River Derwent corridor identified for its importance for biodiversity and landscape within the Local Planning Authority (LPA) areas of the City of York Council, East Riding of Yorkshire Council, and North Yorkshire Council (the former Selby district area). It includes areas which have been designated as Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar sites and a National Nature Reserve (NNR). The geographical location of the area crossing so many LPA boundaries make its management particularly important. It is intended that the Local Plan is supplemented by the adoption of a Supplementary Planning Document (SPD) for the Lower Derwent Valley which has been prepared jointly with adjoining Local Planning Authorities (and has already been adopted by the East Riding of Yorkshire Council). The Supplementary Planning Document will focus on controlling inappropriate recreation use and protect the important landscape and wildlife habitats and species.

8.25 Lower Derwent Valley Supplementary Planning Document, Area of Restraint:

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Policy NE2 - Protecting and Enhancing Green and Blue Infrastructure (Strategic Policy)

The Council will seek to protect, maintain, enhance and, where possible, restore and extend the Plan Area's green and blue infrastructure assets (GBI) supporting the creation of an integrated network for the benefit of nature, people's health and well-being and the economy including landscapes, ecological networks, natural environment, open spaces, Public Rights of Way, geodiversity, biodiversity, river and waterway assets.

A. This will be achieved by supporting development which:

1. Protects and enhances the functionality and connectivity of green and blue infrastructure and corridors having regard to the latest green and blue infrastructure (GBI) audits and strategies. The GBI should principally benefit the development and enhance or create or facilitate links to connect to the wider network.

2. Increases connectivity of habitats by locating features which enlarge, connect or support natural and semi-natural green spaces and protected sites for nature conservation in line with Policies NE1 (Protecting Designated Sites and Species) and NE3 (Biodiversity Net Gain).

3. Improves access to green space for recreation and leisure for the health and well-being of users having regard to the latest Green Space Audit and in line with Policy IC3 (Protection and Creation of New Open Space, Sport and Recreation Provision).

4. Are in line with Policy NE5 (Protecting and Enhancing Waterbodies) where they are near to waterways, including those which contribute towards delivering identified opportunities and priorities in the latest green and blue infrastructure audit or strategy.

B. Major residential development (proposals of 10 dwellings or more and non-residential development proposals of 0.5 hectares or more) will be required to provide a Green and Blue Infrastructure Masterplan, (the detail required will be commensurate with the scale of the development) as part of the overall masterplan for the development site, to be agreed with the Planning Authority. The Green and Blue masterplan should have regard to the latest green and blue infrastructure audit or strategy, Local Nature Recovery Strategy, and relevant Catchment Management Plans and demonstrate how the development:

1. Avoids loss, damage or deterioration to green and blue infrastructure; and

2. Addresses deficiencies of green and blue infrastructure; and

3. Creates or enhances green and blue infrastructure; and

4. Provides links or access to green and blue infrastructure.

Justification

8.26 Green and blue infrastructure provides a network of multi-functional space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities. It plays a key role in achieving healthy, inclusive and safe places which enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, allotments and encouraging walking and cycling.

8.27 The Local Plan provides an opportunity to improve and create new linkages to and between green and blue infrastructure across the former Selby district area, which has the potential to meet a range of objectives:

- Improve access for local residents for health and well-being
- Protect and enhance habitats to support biodiversity and adaptation to climate change
- Mitigate the effects of climate change through tree planting for example and the use of the green space for flood storage
- Protect important landscapes (for example Locally Important Landscape Areas and Registered Parks and Gardens)
- Improve air quality potential to improve active travel (cycling and walking)

8.28 Protecting against loss and enhancing the amount and connectivity of the network of green infrastructure (multi-functional spaces in both urban and rural areas) and blue infrastructure (water bodies and courses) can help deliver a wide range of environmental and quality of life benefits for local communities. This can be through access for recreation and benefits to health and well-being, protection and enhancement of habitats for biodiversity - to contribute to a strong nature recovery network and mitigating and adapting to the effects of climate change - for example through carbon capture, urban cooling, tree planting and as flood storage. The safeguarding, enhancement and provision of green and blue infrastructure also plays a key role in mitigating against pressures upon and the vulnerability of more fragile habitats and sites across the former Selby district area.

8.29 Green infrastructure supports a strong and sustainable economy. It enables and adds value to new development, attracts tourism and investment, supports businesses, jobs and training and ensures the resilience of the area's assets and infrastructure. A wide range of habitat and accessible green space plays a key role in reducing conflict between recreation, biodiversity and agriculture. The installation of Sustainable Drainage Systems (SuDS) where appropriate will provide an important function in how green and blue infrastructure can influence water capacity, water quality, biodiversity, and amenity.

8.30 In assessing existing green and blue infrastructure assets, reference should be made to the latest Environment Agency and Natural England data sets (including Catchment Management Plans) as well as the latest Local Nature Recovery Strategy, open space/green and blue infrastructure audits and information provided by the North and East Yorkshire Ecological Data Centre (NEYEDC).

8.31 The Policy requires that some larger developments provide a Green and Blue Infrastructure Masterplan to be agreed by the Local Planning Authority. Ensuring that the delivery of green and blue infrastructure across the Plan Area is directed to the right location is critical, and a masterplan provides a key mechanism in guiding this process. The masterplan should consider the requirements of relevant river basin catchment plans and any green and blue infrastructure strategies including the Local Nature Recovery Strategy and set out how a development achieves the requirements set out within this Policy, the level of detail being commensurate with the scale of the development. As set out in the Environment Act 2021 the provision of biodiversity net-gain is recognised as a key opportunity to unlock tangible and meaningful

restoration and enhancement of the natural environment. The masterplan will ensure green and blue infrastructure is conserved, enhanced, and secured with benefits for the area maximised.

8.32 The green and blue infrastructure Policy links to other policies which seek to protect assets and enhance networks and connectivity while ensuring natural assets are delivered in areas where they will provide the most benefit, for example for landscape, biodiversity, waterways, and trees and woodland.

Policy NE3 - Biodiversity Net Gain (Strategic Policy)

The former Selby district area's natural environment will be enhanced by ensuring that development delivers a net gain in biodiversity for ecological networks in line with government requirements and result in a positive contribution to the protection, creation and enhancement of habitats and species.

This will be achieved by requiring;

A. All eligible development proposals to provide delivery of a net gain in biodiversity, by:

   1. Using the Department for Environment, Food and Rural Affairs (Defra) Biodiversity Metric (or other equivalent standard as amended by national guidance or legislation) to assess the original biodiversity value of the site prior to any clearance or modification.

   2. Presenting a Biodiversity Net Gain Plan as part of the planning application process which details either on-site, or off-site habitat enhancement, in line with priorities for recovering or enhancing biodiversity habitats and species as set out through the Local Plan evidence bases or Local Nature Recovery Strategy; and

   3. Demonstrating proposals will deliver a net gain for biodiversity across all unit types including habitat area, hedgerows and lines of trees, rivers and streams;

   4. Commit to ensuring the delivery and maintenance / stewardship of the new habitats for at least 30 years through Section 106 agreements, conservation covenants and monitoring.

B. In cases where there are no biodiversity opportunities identified or no land is available within the Plan Area, credits from a land bank organisation can be purchased, but must be evidenced as part of the pre-application process.

Justification

8.33 Biodiversity net gain is an approach to development, and/or land management, that leaves nature in a measurably better state than beforehand. The Environment Act 2021 aims to secure at least a 10% biodiversity net gain to the on-site

pre-development biodiversity value through the grant of planning permission. Any such government set target, once formally adopted, should set the minimum baseline requirement for net gain ambitions.

8.34 Biodiversity net gain is applicable to all types of development which have the potential to impact on existing habitats, regardless of a habitat's recognised importance or 'designation'. There is currently no minimum site size threshold, and the Policy can therefore apply to all scales of development. However, some types of development may be declared as exempt from providing biodiversity net gain. At present exempt planning applications include Permitted Development, householder applications and change-of-use development.

8.35 In order for net gain to be measurable, the process must be standardised and quantifiable. This is provided through the use of the Department for Environment, Food and Rural Affairs (Defra) Biodiversity Metric (or other equivalent standard as amended by national guidance or legislation). As well as assessing area-based (terrestrial) habitats, the Metric includes modules for linear habitats such as hedgerows and lines of trees and rivers and streams. It should be noted that each habitat type is unique, and these cannot be summed or converted in establishing biodiversity value.

8.36 An accurate baseline of a site's full existing biodiversity value must be established as a starting point. Developers should not be allowed to carry out site clearance, cause or allow deterioration of habitats in order to reduce the level of improvement necessary. The baseline value of a site should therefore be established as that which existed prior to planning application submission or any works being carried out, and in line with any national guidance produced. Schedule 14 of the Environment Act sets out that the 30th January 2020 should be used as a baseline for original habitat value. Historical data such as national datasets, 'lidar' data (remote sensing), aerial or local photography and previous site assessments may be relied upon as evidence. Brownfield sites might not automatically be ruled out as these may have in part naturalised or contain pockets of flora or fauna, which should be accounted for.

8.37 Habitats which are “designated” are protected by Policy NE1 (Protecting Designated Sites and Species) but should also be considered in terms of biodiversity net gain where these fall within a proposed site boundary. Although these habitats can be entered into the Metric to give an indicative picture of the biodiversity value of the habitats present on a site, impacts on protected sites, irreplaceable habitats or habitats of very high distinctiveness are not adequately measured by the Biodiversity Metric and will require bespoke advice and compensation with any necessary mitigation and/or compensation requirements dealt with separately from 'biodiversity net gain' provision.

8.38 A Biodiversity Net Gain Plan must be submitted to and approved by the Planning Authority. This should include the pre-development biodiversity value of habitats, steps taken or to be taken to minimise the adverse effect of the development on biodiversity, and the post-development biodiversity value as a result of the proposed plans and interventions.

8.39 Biodiversity net gain benefits can be achieved entirely on-site, or by using off-site gains where necessary. Where off-site gains are undertaken, the Biodiversity Net Gain Plan should also account for the existing biodiversity value of the off-site land. The location of new habitat creation or improvements can have an impact on the final biodiversity value of a scheme. Where habitat loss or new habitat formation proposals are for or against the priorities identified within Local Plans and strategies, these proposals can be weighted within the Metric.

8.40 A Local Nature Recovery Strategy (LNRS) will be prepared for North Yorkshire. This will include a Local Habitat Map(s) and a Statement of biodiversity priorities for the whole area including a description of the area's biodiversity and opportunities and potential measures for recovering or enhancing biodiversity. The Local Nature Recovery Strategy and future North Yorkshire Local Plan Blue and Green Infrastructure evidence base will inform habitat opportunities and plans. Ideally any off-site habitat creation should be kept either within the former Selby district area or close to the proposed development where possible. Discussions with local wildlife organisations and ecologists can help to identify appropriate locations and solutions to delivery.

8.41 The final biodiversity value of proposals should be calculated using the same version of the Metric which the original values were calculated with. Strategic Significance values to be applied should be taken from new or emerging Local Nature Recovery Strategies or North Yorkshire Green and Blue Evidence base. Gains or losses for different biodiversity unit types must be reported separately and not summed to give an overall biodiversity unit value.

8.42 Policy NE5 looks to protect and enhance the water environment, but there is also a need to consider detailed biodiversity net gain for the habitats associated with rivers, streams, and canals. The Biodiversity Metric Guidance is clear that the rivers and streams element of the Biodiversity Metric (including the condition assessment) must be included for all applications where any part of a riparian zone is included within the red line boundary, even if the channel of the water course itself is excluded. This applies to the riparian zones of rivers streams and canals as these transitional zones contribute to the condition of these water habitat, but this is not the case for ditches where this would therefore not apply. By applying the river metric in this scenario, information will be required that is outside of the red line boundary (as it includes the banks, channel and bed of the river. Where there is a clear need to at least consider development implications to a water habitat, its inclusion within the planning application site boundaries is preferred where possible.

8.43 Where is it not possible to identify local habitat creation or improvement solutions, off-site measures can be secured from ‘habitat banks’, which comprise areas of enhanced or created habitats which generate biodiversity 'units' or ‘credits’. This is likely to be particularly relevant in the early stages of the adopted Plan as the Policy is being embedded and opportunities are still emerging.

8.44 Any newly-created habitat or payments to a habitat bank must be registered and evidenced. The Council has a general duty to conserve and enhance biodiversity and must determine such policies and specific objectives as it considers appropriate

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for taking action to further this general biodiversity objective. Action may be taken for the purpose of conserving, restoring or otherwise enhancing a population of a particular species, and/or a particular type of habitat.

8.45 Newly-created habitats are unlikely to generate an instant biodiversity net gain and therefore will need to be monitored and managed to ensure that they deliver. Any failed schemes should be reinstated or compensated for as a responsibility of the land owners or developers. This can be undertaken through S106 legal frameworks and conservation covenants and should aim to make provision for the maintenance of the habitats for a minimum of 30 years. Any failure to deliver will be pursued through enforcement action and legal challenge.

8.46 A Biodiversity Report will be produced by the Planning Authority which summarises the actions and plans undertaken to comply with the duties for achieving biodiversity net gains. The Secretary of State will prepare and publish (and keep under review) a National Habitat Map for England identifying national conservation sites, and other areas of particular importance for biodiversity.

8.47 The biodiversity net gain Policy NE3 complements and works with the other policies within the Plan for the protection of designated sites, protected or priority species and irreplaceable or priority habitats set out in Policy NE1 (Protecting Designated Sites and Species), as well as the provision of new blue and green infrastructure as set out in Policy NE2 (Protecting and Enhancing Green and Blue Infrastructure). The biodiversity Policy NE3 also links to other policies dealing with multi-functional open space (Policy IC3), landscape (Policy NE4), rivers and waterbodies (Policy NE5), and trees and woodlands (Policy NE6). Habitat improvement must be a genuine additional benefit, and go further than measures already required to implement a compensation strategy.

Policy NE4 - Protecting and Enhancing Landscape Character (Strategic Policy)

Development which protects, enhances or restores the landscape character of the former Selby district area and the setting of settlements for its own intrinsic value and benefit to the economic, environmental and social well-being of the Plan Area, will be supported.

A. All development must:

1. Promote high-quality designs that respond positively to, and where possible, enhance, the distinctive local landscape character as described in the latest 'Selby Landscape Character Assessment'; and

2. Give particular attention 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, reflecting the 17 character areas defined the latest 'Selby Landscape Character Assessment'; and

3. Respect the overall development guidelines in the latest 'Selby Landscape Sensitivity Study'.

B. In addition, development within the four areas designated on the Policies Map as Locally Important Landscape Areas: the Magnesian Limestone Ridge (north and south); Hambleton Hough and Brayton Barff; and Derwent Valley, will only be supported where they meet the following requirements, due to their high sensitivity to inappropriate development:

1. Avoid significant loss of key characteristics that contribute to the quality of the Locally Important Landscape Area; and

2. Respond to the specific recommendations for each Locally Important Landscape Area as set out in the Selby District Landscape Designation Review 2019 (or subsequent update).

Justification

8.48 The former Selby district area is a primarily rural landscape of relatively flat, low-lying farmland although the northern and western boundaries have greater topographic variation as a result of the Escrick Moraine and Magnesian Limestone Ridge, respectively. The numerous rivers (including the Rivers Ouse, Wharfe, Aire and Derwent) which flow through the former Selby District area, and their floodplains, have a major influence on the area's landscape character.

8.49 The former Selby district area has a dispersed settlement pattern consisting of market towns, villages, hamlets and farmsteads. Traditional building style reflects local materials; mottled brick and cobbles are frequent in the settlements to the east and south, whilst limestone is more common in the west, within the ridge. Whilst the area features numerous key transport routes including parts of the A1 Motorway, M62, A19, A63 and numerous railway lines, there is still a strong sense of rurality and tranquillity across much of the landscape, particularly in association with less-developed areas. The landscape in the south-eastern areas of the former Selby district area features the prominent Drax Power Station which is visible on the horizon from many locations.

8.50 The history of the landscape is apparent in many layers of remnant landmarks. Historic features typical of the region include: iron-age earthworks; Roman settlements and roads; medieval settlements, churches, and field patterns; designed parklands and estates; limestone quarries; and numerous disused coal mines and military

airfields. The area includes a considerable number of heritage assets such as Scheduled Monuments, Registered Parks and Gardens, Listed Buildings and Conservation Areas.

8.51 Landscape character comprises the distinct set of elements that makes a landscape recognisable, and gives it a unique “sense of place". Landscape character assessment is the process of mapping, classifying and describing the patterns and variations which contribute to the character of a landscape. Protection of the countryside for its intrinsic value, but also special areas of landscape need to be afforded extra protection. It is important to protect the landscape and its key features such as trees and parks and gardens in relation to both urban and rural areas for its own sake and to contribute to other key environment objectives.

8.52 The National Planning Policy Framework includes the “conservation and enhancement of the natural, built and historic environment, including landscape and green infrastructure”, as one of four strategic policy requirements that Development Plans should address. Plans should distinguish between the hierarchy of international, national and locally-designated sites so that protection is commensurate with their status. The Planning Practice Guidance highlights that “landscape character assessments should be prepared to complement Natural England’s National Character Area profiles”.



8.53 There are no international or national designated landscapes in the former Selby district area however the Local Plan has designated four Locally Important Landscape Areas (LILAs) which will be protected through allowing only new development which meets high-quality design principles. The Locally Important Landscape Areas are designated on the Policies Map. Locally Important Landscape Areas have played an important role in helping to protect locally important landscapes for many years and were included in the adopted Selby District Local Plan (2005). A recent Local Landscape Designation Review (LLDR, 2019) undertaken for the former Selby district area reviewed and described the character and significance of the LILAs and investigated and clarified the interrelationships between adjoining Authorities' landscapes. As reflected in the Policy, the Local Landscape Designation Review recommends retaining the Locally Important Landscape Areas (north and south) along the western edge of the former Selby district area (Magnesian Limestone Ridge), amalgamating the Hambleton Hough and Brayton Barff Locally Important Landscape Areas into one; and proposes a new Locally Important Landscape Area along the eastern edge of the area (Derwent Valley).

8.54 The Council has also undertaken a Landscape Character Assessment (2019) which describes the character of the landscape highlighting aspects of the landscape which are sensitive to future change and sets out management guidelines for each of the Character Areas. In addition, a Landscape Sensitivity Study (2021), which was undertaken alongside the Landscape Character Assessment identifies criteria for

assessing sensitivity to change in each landscape type or area and provides an area-wide assessment of landscape sensitivity which can be used to inform planning decisions with greater detail provided in locations around the market towns and villages. The Landscape Sensitivity Study focused on the sensitivity to specific development types, rather than considering generic or 'inherent' landscape sensitivity. The development types considered were - residential development, commercial development and wind-energy development. All development proposals will need to be assessed on their own merits based on site-specific analysis.

8.55 The Policy aims to protect important landscapes and enhance the Locally Important Landscape Areas by requiring developments to meet the recommendations and guidelines set out in the Selby Landscape Character Assessment, Landscape Sensitivity Study and Local Landscape Designation Review.

8.56 Registered Parks and Gardens also make an important contribution to the landscape character of the Plan Area and these are dealt with under heritage assets earlier in this document.

Policy NE5 - Protecting and Enhancing Rivers and Waterbodies (Strategic Policy)

The Council will work with designated organisations, developers, partners and communities to ensure opportunities for the restoration and enhancement of waterbodies are realised, by ensuring that:

A. All development likely to impact on the water environment will have regard to the Water Framework Directive objectives set out in the Humber River Basin Management Plan and ensure:

1. There is no deterioration in the water quality and status of any surface or ground-water body.

2. The ability of any surface or ground-water body to achieve Water Framework Directive status objectives is not compromised.

3. That an improvement to the water environment is secured where possible.

B. Developments in proximity to waterbodies, frontages, corridors and environments, will protect and enhance their existing and potential functions and characteristics by ensuring they:

1. Include the waterbody or asset is an integral part of development design.

2. Avoid loss, damage or deterioration of water assets.

3. Safeguard and improve the environmental quality and ecological value.

4. Protect and enhance amenity value and accessibility.

5. Contribute to the significance of heritage assets and landscape value and enhance where possible.

6. Consider opportunities to mitigate for climate change or flooding.

7. Avoid the loss of existing wharfs/associated infrastructure and safeguard long-term opportunities for alternative transport options, the development of port facilities and ships' turning basins.

8. Take into account the latest priorities and strategies for waterbodies, assets and all users, including the Humber River Basin Management Plan and Green and Blue Infrastructure Strategies.

C. Development for riverside recreational facilities or waterborne transport such as wharfs, ships' turning basins and ancillary facilities will be supported, provided the proposal:

1. Will not jeopardise the commercial use of the waterway or the operation of existing businesses.

2. Provide appropriate landscape planting to safeguard the amenities of existing residents.

3. Is of a nature and scale appropriate to its location and its ability to absorb users or visitors without causing environmental damage.

Justification

8.57 The natural and man-made water environment is a key feature of the former Selby district area and comprises an extensive network of the navigable waterways, canals, river systems, streams, drainage channels, dykes, springs, inland ponds and lakes, groundwater bodies and the water table, which all have their own character and perform different, over-lapping functions.

8.58 These waterbodies provide an important resource to the area in terms of the supply of water for residential, agricultural and business needs, and support wildlife ecosystems and sites. The European Water Framework Directive (WFD) applies to both surface waters and groundwater. It stipulates that Councils must have regard to River Basin Management Plans (RBMPs) as a framework for implementing the provisions of, and protecting and enhancing the benefits of the Water Framework Directive.

8.59 Degradation of the water environment can arise from a wide variety of activities and sources, including previous land uses, agricultural processes, invasive/harmful plants, residential or industrial discharges and storage of potentially contaminated materials. The impacts of new development need to be managed to avoid compromising the quality of the water environment further and putting the environment and communities at risk of water pollution and harm.

8.60 When determining planning applications, the Council, in consultation with the Environment Agency will seek to ensure there will be no unacceptable impact on the quality of surface and groundwater resources. Consideration will be given to "The Environment Agency's approach to groundwater protection" document 92018, or subsequent updates), which provides guidance on the control of development within identified Source Protection Zones.

8.61 The former Selby district area is entirely within the Humber River Basin Management Plan area, with potential to impact on 11 different waterbody catchment areas. The water environment within the former Selby district area is under significant stress, as illustrated by the 'Bad' assessment rating of these waterbodies in 2019 against at least one element of the Water Framework Directive standards. Where a 'Bad' rating has been attributed, no further deterioration can be allowed, and any discharges or physical alterations to these waterbodies which could adversely affect the relevant Water Framework Directive elements will be subject to strict scrutiny and may not be permitted.

8.62 The Humber River Basin Management Plan, which is reviewed every six years, sets out objectives for improving water quality, with an aim to achieving 'Good' status or higher under the Water Framework Directive.

8.63 The water environment can have a huge impact on ecology and biodiversity and therefore also needs to be considered in the context of protecting designated sites and species (Policy NE1). Within the Plan Area the extensive water network presents many opportunities for nature. The rivers provide extensive habitats and wildlife corridors as well as extensive wetlands. A couple of the most notable examples are the River Ouse as an important route for migratory fish, river and sea lamprey and eels, and the River Derwent as the source of the internationally-recognised Lower Derwent Valley (LDV) wetland Ramsar. It is important that proposals within the Lower Derwent Valley Area of Restraint (identified on the Policies Map) consider the Lower Derwent Valley Supplementary Planning Document which seeks to protect this sensitive area from the adverse impact of recreational use. The Lower Derwent Valley Supplementary Planning Document has been prepared jointly with adjoining Local Planning Authorities and has already been adopted by East Riding of Yorkshire Council. Development which affects water habitats and the ecological environment should also provide biodiversity net gain in line with Policy NE3, as well as considering any potential harm water removals or discharges and run-offs might have for ecology.



8.64 Local Nature Recovery Strategies (LNRS) and local green and blue infrastructure strategies (Policy NE2) identify potential opportunities to deliver benefits for the natural environment alongside recreational opportunities where possible. Access to

water is identified as an important contributor to health and well-being and where possible should be made a focus of development to maximise these opportunities particularly in regard to the accessibility to open space and nature as well as for active lifestyles and recreational routes. Where existing Public Rights of Way exist, these should be protected and further enhanced in line with Policy IC7 (Public Rights of Way). However, as river and canal corridors are also identified as important wildlife corridors, a balance needs to be achieved in considering recreational pressures for sensitive areas.

8.65 River environments and water frontages are important elements of the landscape character of the former Selby district (particularly in the Lower Derwent Valley) and can contribute to the setting and significance of the Plan Area's heritage assets (particularly the River Wharfe in Tadcaster, the River Ouse and Selby Canal in Selby, and the River Ouse in Cawood). Where changes to the water environment are being considered it is important that the potential impact on the landscape and heritage assets is considered as well as the opportunities to further reveal, appreciate or understand these assets.

8.66 The water environment is also an important resource in tackling and providing mitigation for climate change. It is important to ensure we maintain areas designed to store flood water (Policy SG11 Flood Risk), design our infrastructure to consider rising water levels (Policy IC1 Infrastructure Delivery), and that we are careful in the recycling and protection of water resources through good design (Policy SG9 Design). Water can also have a cooling affect in more built-up locations, and when kept cool/shaded (for example through tree cover) can dissolve and absorb more carbon dioxide. It therefore needs to be carefully considered in the benefits it can bring to the design of schemes. Linear water features in particular also provide good opportunities for sustainable transport in the form of waterborne travel, freight trans-shipment and long-distance recreational routes.

8.67 Any recreational or commercial new development on waterbodies should consider the residential amenity of existing residents and ensure that all opportunities to use rivers for future transport solutions are protected. Policies in the adopted Minerals and Waste Joint Plan (Appendix 2) identify a number of locations adjacent to rivers which are safeguarded for their existing wharfs and potential transport infrastructure. Local Plan Policy IC6 (Sustainable Transport, Highway Safety and Parking) also seeks to protect such water transport infrastructure for the wider purpose of ensuring the continued availability of sustainable and alternative transport options in the longer term, which are likely to become crucial in the light of the impacts of climate change.

8.68 All developments planning work in, on, under or near ordinary watercourses (including piped ordinary watercourses), or discharging surface water into a watercourse within the defined Drainage District require consent from the Internal Drainage Board and need to have regard to all relevant byelaws.

Policy NE6 - Protecting and Enhancing Trees, Woodland and Hedgerows

In order to increase and enhance the quality of trees and hedgerows:

A. Developments will be supported where:

1. New streets are tree-lined and opportunities have been taken to incorporate trees within the development and appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.

2. There has been a suitable assessment of the woodland, trees and hedgerows (where deemed necessary), to a recognised professional standard which is able to demonstrate evaluation of these features for realistic long-term retention, and how this has positively informed the design process.

3. It has been clearly demonstrated how retained and new features will be protected during development.

4. There has been an appropriate replacement planting scheme agreed in writing with the Local Planning Authority, where the felling of trees or the removal of hedgerow is proved necessary.

5. It prevents the loss or deterioration of woodland unless part of an agreed forestry management scheme.

6. Any proposals for the removal of trees, woodland and/or hedgerows do not increase the risk of flooding.

7. Proposed works to trees under Tree Preservation Orders or within a Conservation Area are not detrimental to the public realm, the character of the designated area, or to the detriment of the health and sustainability of the trees.

8. Proposals promote and enhance the the rural and urban tree coverage of the Plan Area in line with the most recent strategies relating to trees, woodland and hedgerows (for example, the White Rose Forest Partnership Scheme and Conservation Area Appraisals).

Justification

8.69 Trees, woodland and hedgerows are an important part of the former Selby district area's natural assets. They are an essential component in providing habitat and shelter to a variety of wildlife and make a key contribution to green infrastructure and ecological connectivity. Whilst offering valuable biodiversity, trees and hedgerows also characterise the landscape and contribute to the local distinctiveness of settlements and towns. In addition to providing amenity value they also assist in improving residents' health and well-being.

8.70 In accordance with paragraph 136 of the National Planning Policy Framework (December 2023) and to meet the requirements of the National Model Design Code (and any local design codes which are adopted), trees make an important contribution to the character and quality of urban environments and all new development should ensure that new streets are tree-lined, (unless in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate).

Strategies such as the England Tree Strategy and the White Rose Forest Partnership also encourage the planting of trees to increase tree cover and consider the suitability of planting trees in urban areas and the benefits these deliver.

8.71 New woodland planting is being promoted nationally to enhance and maximise the benefits of woodland coverage. The Council is working with its neighbouring Authorities and key stakeholders on the White Rose Forest Partnership to increase tree cover as part of the initiative to create a new Northern Forest.

8.72 The value of tree coverage is important for climate change. Trees facilitate several key ecosystem services including the production of oxygen, the removal of pollutants, the capture and storage of carbon and important functions such as natural shading from the sun and reducing flood risk through the slowing of storm water run-off.

8.73 Appropriate measures must be put in place to secure the long-term maintenance of newly-planted trees. The design process should consider the health of the trees, woodland and hedgerows both in the present and the future and respond appropriately. Development layouts must ensure that retained and newly-planted trees have enough space to flourish and mature over time, deliver their full range of environmental benefits, and be retained in the longer term, without causing conflict with new development.

8.74 New tree and hedgerow planting should be recognised from the outset as an integral part of any development scheme, not just those where it is proposed to remove existing specimens. Opportunities for trees and hedgerows should be considered throughout developments (such as parks and community orchards).

8.75 The retention of existing trees and hedgerows that are present on or adjacent to a development site is important, whether they are formally protected by Conservation Area status, Tree Preservation Orders or not. It is essential to prevent the loss of, and to protect, these resources in an appropriate manner during development or whenever they are considered under threat.

8.76 The submission of a tree survey and ecological survey in line with the Council's validation checklist will be expected. Applicants should work with the Council's planning, highways and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.

8.77 There will be occasions where felling, or substantial surgery to trees is acceptable and deemed an exception. In such cases, the amenity value of the tree, its condition and potential life expectancy will be weighed against the demonstrable benefits a development presents, the protection of other important site features or any further benefits of a new development. When felling is approved, the replanting with suitable compensatory trees will normally be required within the site. If this is not possible, then applicants must deliver compensatory planting off-site to replace the features removed.

8.78 Veteran trees and hedgerows are the richest in terms of ecology, landscape and culture, providing an irreplaceable resource. Ancient Woodlands are valuable natural assets and survive relatively undisturbed. As a result, Ancient Woodland presents

often unique and complex communities of trees, plants and fungi, as well as insects and other microorganisms. Plantations on Ancient Woodland sites are ancient woods that have been felled and replanted with other tree species. Often, replanting has used conifer species, but this can also include broadleaved planting and non-native species. Although considered damaged, these sites still present the complex soil of Ancient Woodland, and all are considered to contain remnants of the woodland such as species and organisms which occurred before. Policy NE1 (Protecting Designated Sites and Species) sets out how proposals must consider development which will result in the loss or deterioration of irreplaceable habitats such as ancient woodland and aged or veteran trees.

Policy NE7 - Air Quality

A. Development will not be supported where it:

1. Results in further significant air quality deterioration, or the need to declare further Air Quality Management Areas (AQMAs); or

2. Results in any increase in the number of people exposed to poor air quality; or

3. Conflicts with elements of an Authority Air Quality Action Plan (AQAP); or

4. Causes adverse effects on internationally and nationally designated nature conservation sites which cannot be mitigated (as set out in Policy NE1 - Protecting Designated Sites and Species).

B. Developments will only be permitted if the impact on air quality is acceptable and mechanisms are in place to mitigate adverse impacts. This will be achieved by:

1. All developments promoting the uptake of low-emission mitigation (such as through electric vehicle charging provision) and supporting sustainable travel to reduce air quality impacts.

2. Developments in or affecting an Air Quality Management Area or where pre-application discussions have indicated that the development could result in the designation of an Air Quality Management Area or where the grant of planning permission would conflict with, or render unworkable, elements of the Authority Air Quality Action Plan, applicants must submit an Air Quality Assessment and/or a Dust Assessment Report and identify mitigation measures to ensure no significant adverse effects where development may:

   i. Involve agricultural or industrial developments which have the potential to produce emissions and particulates which could affect residents; or

   ii. Create emissions of dust during demolition, earth moving and construction, or through site operations associated with mineral extraction, waste disposal or agriculture; or

iii. Impact on the air quality of a Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar or Site of Special Scientific Interest (SSSI), or on a non-statutory site where there is a relevant sensitivity, or

iv. Create significant amounts of traffic (the level at which it has the potential to increase local air pollution or nitrogen deposition, either individually or cumulatively), as determined through a Transport Assessment and/or air quality modelling specific to a planning application.

C. Mitigation measures should ensure consistency with the Council's Air Quality Action Plan and the Habitats Regulations Assessment where impacts are related to the diversity of ecosystems, and where impacts are traffic related, the North Yorkshire Local Transport Plan.

Justification

8.79 Air quality in the UK has improved significantly in recent decades, but it continues to be the biggest environmental risk to public health in the United Kingdom and a source of harm to the natural environment. Air becomes polluted when it contains substances which can have a harmful effect on the health of people, animals and vegetation. The main causes of air pollution include transport, domestic combustion, industrial processes and agriculture.

8.80 Studies have shown that exposure to poor air quality can have both short and long-term effects on health, with children, the elderly, and the already vulnerable most affected. Clean air is also a key component to help restore nature and improve the quality of our environment. Poor air quality has consequences for crop yields and, particularly in the case of ammonia and oxides of nitrogen (NOx), significant impacts for the natural environment and biodiversity. Plants such as mosses and lichens are sensitive to ammonia and woodlands and peatlands - both integral to meeting the UKs net zero target, are sensitive to nitrogen. Air Quality also has the potential to harm our economic growth as poorer health harms productivity, and increases costs to social care. Where money is invested in interventions for air quality, studies in Europe show that reductions in fine Particulate Matter (PM2.5) increase gross domestic product (GDP). The Policy approach emphasises the need for both health and environmental protection.

8.81 The UK is a member of the International Convention on Long-Range Transboundary Air Pollution and as such must comply with the National Emission Ceilings Regulations 2018. National-level air quality regulations for concentrations are set by the Air Quality Standards Regulations 2010, which set limits for several pollutants, and the Environment Act 2021 sets a further two new legally binding long-terms targets.

8.82 The 25 Year Environment Plan (25YEP) set out a framework and vision to help the natural world regain and retain good health for which clean air is a significant goal, and the Environmental Improvement Plan (EIP) 2023 (which is the first five-year review of the 25YEP) sets specific interim targets in relation to air quality to achieve this. These include reductions in emissions of:

- Nitrogen dioxides
- Sulphur dioxide
- Particulate Matter (PM2.5)
- Ammonia
- Non-methane volatile organic compounds

8.83 The Local Air Quality Management Framework, underpinned by the Environment Act 1995, sets local limits, put into place through the Air Quality (England) Regulations 2000 (as amended in 2002). The framework requires relevant local authorities to assess the quality of their air and, if it does not comply with relevant concentration limits, put in place a plan to remedy the problem. Defra have also published the Air Quality Strategy for England 2023, which sets out air quality standards, objectives, and measures, as part of a delivery plan for improving ambient air quality which all local authorities in England must have regard to and will be updated every five years.

8.84 NO_2 and Particulate Matter primarily gets in the air from the burning of fuel and can come from industrial processes involving combustion or energy production but most commonly arises from emissions from vehicles such as cars, heavy commercial vehicles (HCVs) and buses. While catalytic converters may aid in reducing NOx emissions, they can result in increased ammonia emissions and the potential impacts of this on the environment should also be considered. Long exposures to elevated concentrations of NO_2 may contribute to the development of asthma and potentially increase susceptibility to respiratory infections. People with asthma, as well as children and the elderly are also generally at greater risk from the health effects of NO_2 and Particulate Matter.

8.85 The Local Plan spatial strategy directs development to sustainable locations to reduce the need to travel and increases opportunities to use alternative modes such as the use of public transport in order to reduce congestion and car-related air quality impacts. However, consideration needs to be given to a careful balance between renewable and low-carbon energy and local air quality (for example, biomass boilers are good for carbon but not necessarily for local air quality). Cycling offers the economic advantages of affordable transport while having the potential to reduce congestion and improve air quality through reduced car use. The Habitats Regulations Assessment identified the potential for impacts on the Lower Derwent Valley SAC and Skipwith Common SAC dependent on the volume of increased traffic from planned development. Subsequent traffic modelling and air-quality modelling of the volume of increased traffic likely to be generated by allocations within the Plan, and outside the Plan Area has ruled out adverse impacts from air quality on European designated sites in proximity to the Plan Area. However, other sites and sources of pollution will need to carry out their own assessments to determine no adverse effects on European Designated Nature Conservation sites in line with the above policy and Policy NE1 (Protecting Designated Sites and Species).

8.86 The Plan Area has one Air Quality Management Area (AQMA) which was designated on the 29 February 2016, covering the area around New Street in Selby town centre. In 2018, the former Selby District Council published an Air Quality Action Plan (AQAP), in conjunction with then North Yorkshire County Council and other partners. This document recognise the impact the Local Plan can have on future air quality. It was intended to be a live document, continuously reviewed and developed to take account of future development, changes in traffic generation and air quality needs. It identifies a number of actions and future measures with progress reported each year by the Air Quality Annual Status Report, now produced by North Yorkshire Council. An Air Quality Assessment (AQA) is not necessarily required for all developments in an Air Quality Management Area and a full assessment is only likely to be required for larger sites or those for example which create significant amounts of traffic or pollution.

8.87 The Policy does not provide an exhaustive list of all the situations in which an Air Quality Assessment is required. Significant amounts of traffic is defined as that which gives rise to significant changes in traffic volumes of +/- 5% change in annual average daily traffic or peak hour flows within AQMAs or +/- 10% outside Air Quality Management Areas.

8.88 Agricultural development such as livestock buildings, slurry tanks and anaerobic digesters can also cause air pollution. Initial screening of air-quality impacts, using a method such as the Simple Calculation of Atmospheric Impact Limits (SCAIL) tool, will identify the potential for development to impact sensitive habitats. The screening results will demonstrate whether there is a requirement for further assessment or implementation of mitigation to ensure development will not have adverse effects on the notified features of internationally or nationally designated sites due to airborne pollutants. Industrial developments should also demonstrate they will not have an adverse effect on the notified features of nationally or internationally designated sites by undertaking a suitable air quality assessment.

8.89 Planning permission plays an important role in improving local air quality and reducing potential emissions caused by development. This includes giving consideration to building materials, highways, transport, electric vehicle charging, processes and impact pathways. It is also important that design and layout of schemes incorporate exposure reduction measures for both human and environmental exposure such as orientation, location and setting buildings back as well as emission mitigation measures. The Council will consider the need for emission assessments / damage costs / mitigation statements as required.

Policy NE8 - Pollution and Contaminated Land

A. Development which could present noise pollution, light pollution, groundwater pollution, contamination of land or water and other environmental pollution or unstable land will not be permitted unless satisfactory remedial or preventative measures are incorporated. This will be considered an integral element of the scheme. Measures should be carried out before the use of the site commences and sufficient consideration provided to both human and environmental receptors of any potential impact. Planning applications must be accompanied by the appropriate assessments in line with the Council's Validation Checklist.

B. Where evidence exists that a site might be contaminated, as identified through a preliminary risk assessment, or using the Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG) screening assessment form, 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.

C. Development proposals should be designed to minimise the risk of erosion, subsidence and further instability, while maximising the opportunities for the reclamation, restoration and reinstatement of contaminated land.

D. Proposals for the redevelopment or reuse of land which is known or suspected to be contaminated and also development or activities which present a significant new risk of land contamination will be assessed having regard to:

1. The findings of a preliminary land contamination or land stability risk assessment.

2. The compatibility of the intended use with the condition of the land.

3. The environmental sensitivity of the site.

4. The identification of human receptors and necessary mitigation.

E. Proposals that fail to demonstrate that the intended use would be compatible with the condition of the land or which fail to secure appropriate opportunities for remediation will not be supported.

Justification

8.90 New and existing development should not contribute to, be put at unacceptable risk from, or be adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

8.91 Development should take account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation); and after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part II A of the Environmental Protection Act 1990; and adequate site investigation information, prepared by a competent person, is available to inform these assessments. The application of the National Quality Mark Scheme for Land Contamination Management and the

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requirements of Policy NE5 (Protecting and Enhancing Rivers and Waterbodies) ensures that development does not contribute to, and is not put at an unacceptable risk from or adversely affected by unacceptable levels of water pollution.

8.92 Human receptors must also be assessed and taken into consideration. An assessment must demonstrate an understanding of the impact of light, noise, or smell pollution or land stability and the required mitigation, its method and application and the effect.

8.93 Applicants will need to verify post-remediation requirements; that is, they should identify the success or otherwise of remediation works and identify whether any further remediation or risk management measures are necessary to ensure the site is suitable for its intended use.

Key Documents

- Leeds City Region Green and Blue Infrastructure Strategy and Delivery Plan to 2036
- Selby Landscape Character Assessment (2019)
- Selby District Landscape Sensitivity Study Update Report (2021)
- Selby District Local Landscape Designation Review (2019)
- White Rose Forest
- England Tree Strategy
- Minerals and Waste Joint Plan
- Selby Air Quality Management Area (New Street)
- Selby District Air Quality Annual Status Reports
- North Yorkshire Local Transport Plan
- Indoor and Outdoor Sports Facilities Assessment
- Green Space Audit (2022)

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9 Site Allocation Policies Introduction

9.1 The sites set out below in Part 3 are the Council's site allocations for new development over the Plan period.

9.2 A site being allocated does not remove the need for a planning permission to be granted. In order to gain a planning permission on an allocated site, the criteria in each of the policies must be met. The criteria address specific site requirements for a particular site, which may include issues such as vehicular access, retention of natural habitats and buildings and how the development is designed. These criteria must be satisfied in addition to the relevant Development Policies in Part 2 of the Local Plan.

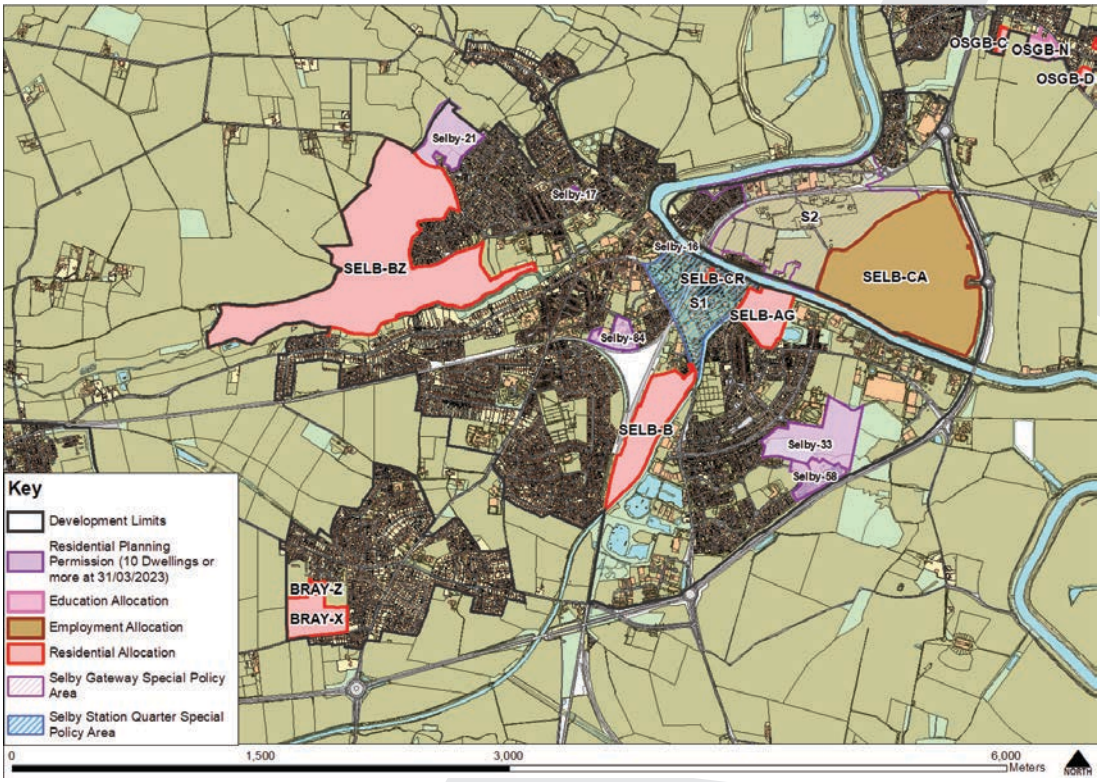
9.3 The site allocations are shown on the Policies Map.

10 Selby

10.1 The town of Selby is the largest settlement in the former Selby district area and is the main centre and focus for shopping, employment and services, it is also a transport hub with many rail and bus connections. It is therefore placed at the top of the settlement hierarchy as the Principal Town and receives the most development of any of the settlements. The Policies Map identifies a 'Selby Urban Area' where this development will take place; this includes the parish of Selby Town, as well as the southern part of the Barlby with Osgodby parish, up to the Greencore Factory on Barlby Road, and part of Brayton parish along Foxhill Lane and Doncaster Road. The Selby Urban Area has a combined total population of 20,307 (2021 ONS).

10.2 Two regeneration area policies are identified in the Selby Urban Area, one in the town centre, focussed around the train station, and another which covers the Olympia Park site and Barlby Road corridor (located within the Barlby and Osgodby Town Council area). The planned regeneration of these areas will bring significant benefits to residents in terms of improved access, especially for pedestrians and cyclists, greatly enhanced public realm and amenity spaces and the reduction of the carbon footprint of businesses in the town through the production of solar renewable energy.

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Picture 3

Policy S1 - Selby Station Quarter Special Policy Area

Development located in the Selby Station Quarter (as shown on the Policies Map) will be supported where it helps deliver the Council's objectives to:

1. Improve pedestrian and cycle access to Selby town centre and to the rail and bus stations;

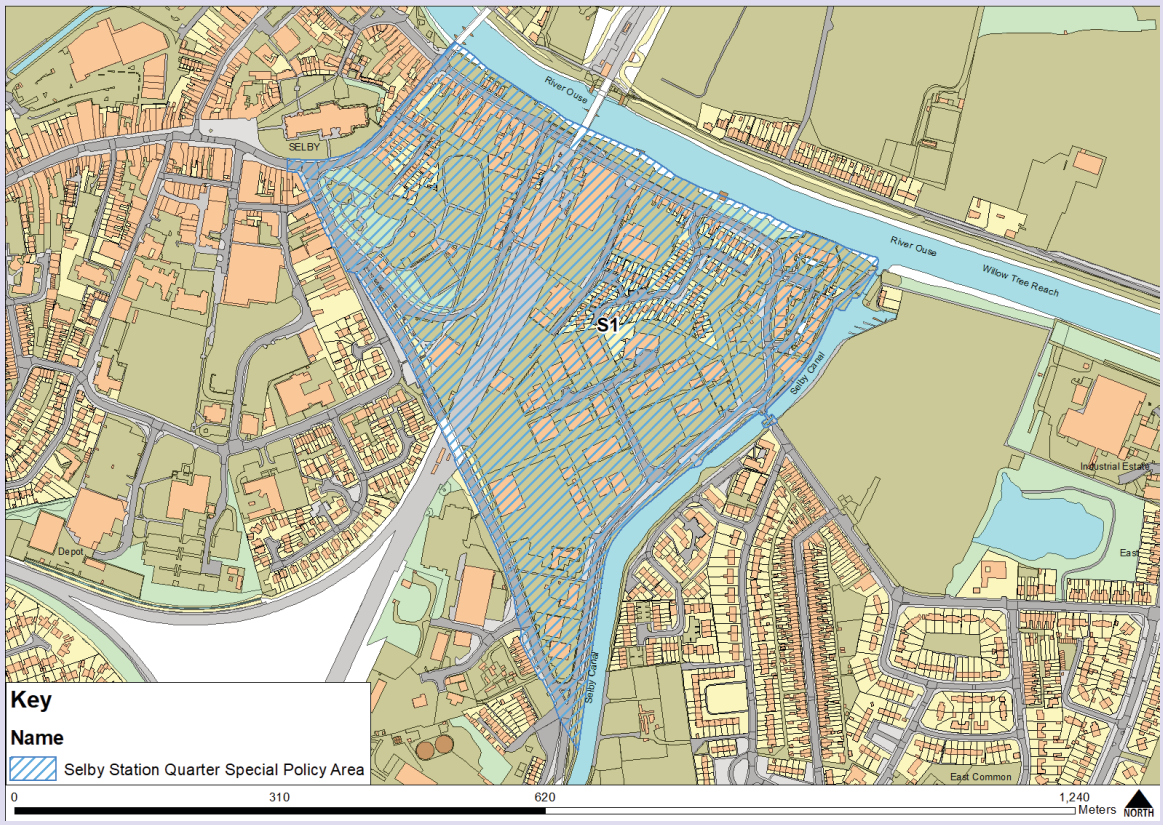
2. Improve the public realm around the stations and the Ousegate riverside corridor;

3. Promote opportunities to increase active travel into Selby town and improve access to the wider Leeds City Region, including through the provision of adequate railway station parking;

4. Promote opportunities to bring residential uses back into the Special Policy Area;

5. Develop a sustainable new community; and

6. Conserve and enhance the significance of Selby Town Conservation Area and other heritage assets in the area, including their setting, ensuring that development references local character.



Justification

10.3 The Council has been awarded £20 million through the Transforming Cities Fund towards a £28 million scheme to improve the Selby railway station, create a station plaza, provide better linkages to the town centre, and fund pedestrian and cycle improvements. This will increase activity around Selby railway station and provide a major boost to the adjacent town centre. The initial project is due to be completed in 2024/25.

10.4 The Council has aspirations for the longer-term regeneration of this wider area. These include opportunities for new residential use, whilst taking into account the significant flood risk constraints which exist in the area which impact on the type and location of future residential proposals. The Government's One Public Estate programme along with the potential relocation of existing industrial uses provides the opportunity for the Station Quarter area to be redeveloped as a mixed and sustainable community, centred around Selby Rail Station. Small-scale retail to serve local needs, will be supported in accordance with Policy EM8 (Local Shops). Other proposals for retail or leisure uses which may arise will need to demonstrate compliance with Policy EM7 (Town Centres and Retailing) and preference will be given to edge of town centre sites, located to the north of Selby Rail Station and those schemes that can demonstrate linked trips to the town centre, thus enhancing its vitality and viability.

10.5 The Policy provides support for proposals which enable these regeneration priorities and further details will be set out in a Supplementary Planning Document.

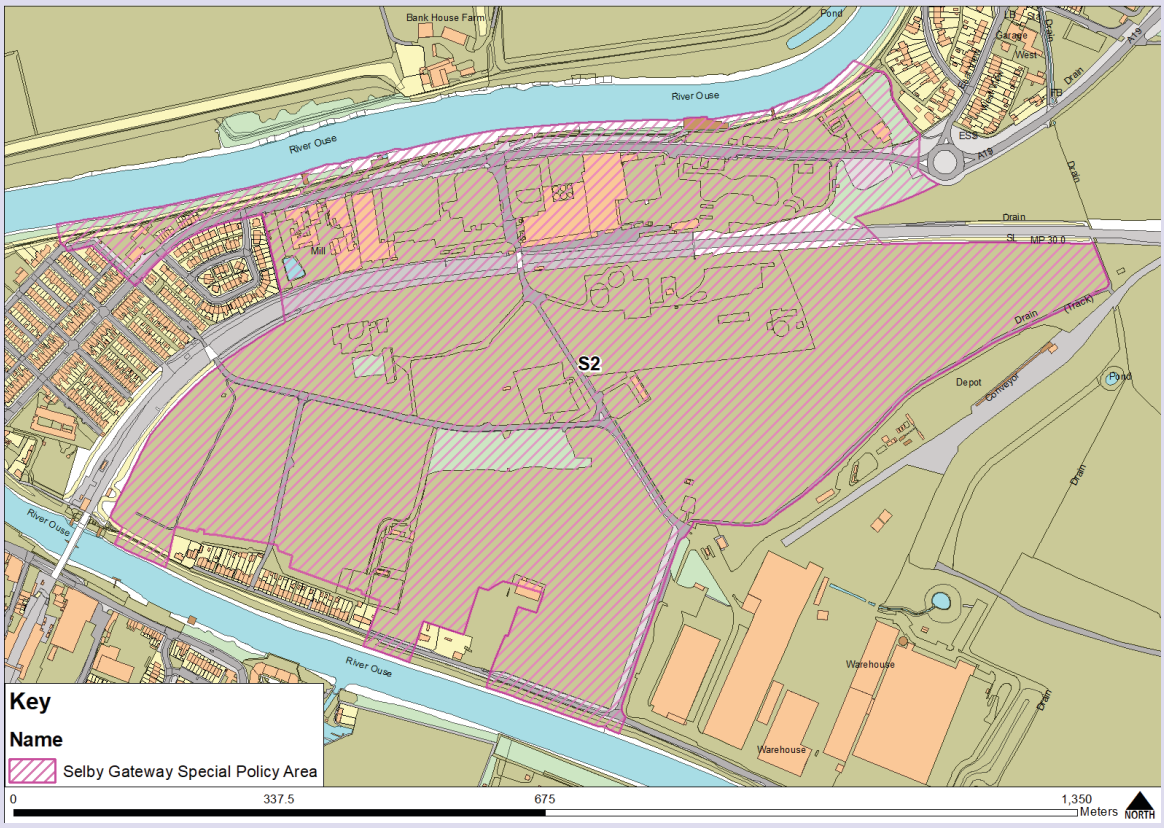
Policy S2 - Selby Gateway Special Policy Area

Development located in the Selby Gateway (as shown on the Policies Map) will be supported where it helps to deliver:

1. An attractive landscaped gateway to the town of Selby along both sides of Barlby Road, which promotes and improves the walking and cycling routes in this area.

2. The redevelopment of the Olympia Mills site on the southern side of Barlby Road and north of the railway line for employment purposes.

3. Redevelop the land south of the railway, on the Olympia Park West site, for solar energy generation, which will power the Mill and supply carbon-free energy to the National Grid.



Picture 4

Justification

10.6 The Council will work with the major landowner in the Olympia Park/Barlby Road area to create significant improvements in this part of the town, and will support proposals which enable these regeneration priorities.

10.7 Barlby Road is a main gateway to the Selby Urban Area from the east and from the north, and there is an opportunity to improve perceptions for those entering Selby. This can be achieved by improved soft and hard landscaping along both sides of the

road. The Council has produced a Landscaping Strategy Barlby Road which can be used to direct the improvements. The Trans-Pennine Trail along the River Ouse should be improved, for the benefit of pedestrians and cyclists, and access to the trail from Barlby Road should be opened up in more places. There should be an increase in planting on both sides of the road, open landscaped areas should be created and valuable heritage elements such as the historic boundary walls of the old Mills site should be retained.

10.8 There is an ambition on behalf of the landowner to redevelop the Olympia Mills site, located on the southern side of Barlby Road for renewable energy uses and to reconfigure and modernise the existing employment area to the north of the railway line. This redevelopment is likely to involve the closure of the rail crossing on the site once the access road from the A63 through the site is constructed and the businesses located there no longer need to use it. The redevelopment of the site has the added benefit of removing derelict areas along the road frontage, while parts of the site on the southern side of Barlby Road may also be added as landscaped areas to improve the Barlby Road corridor.

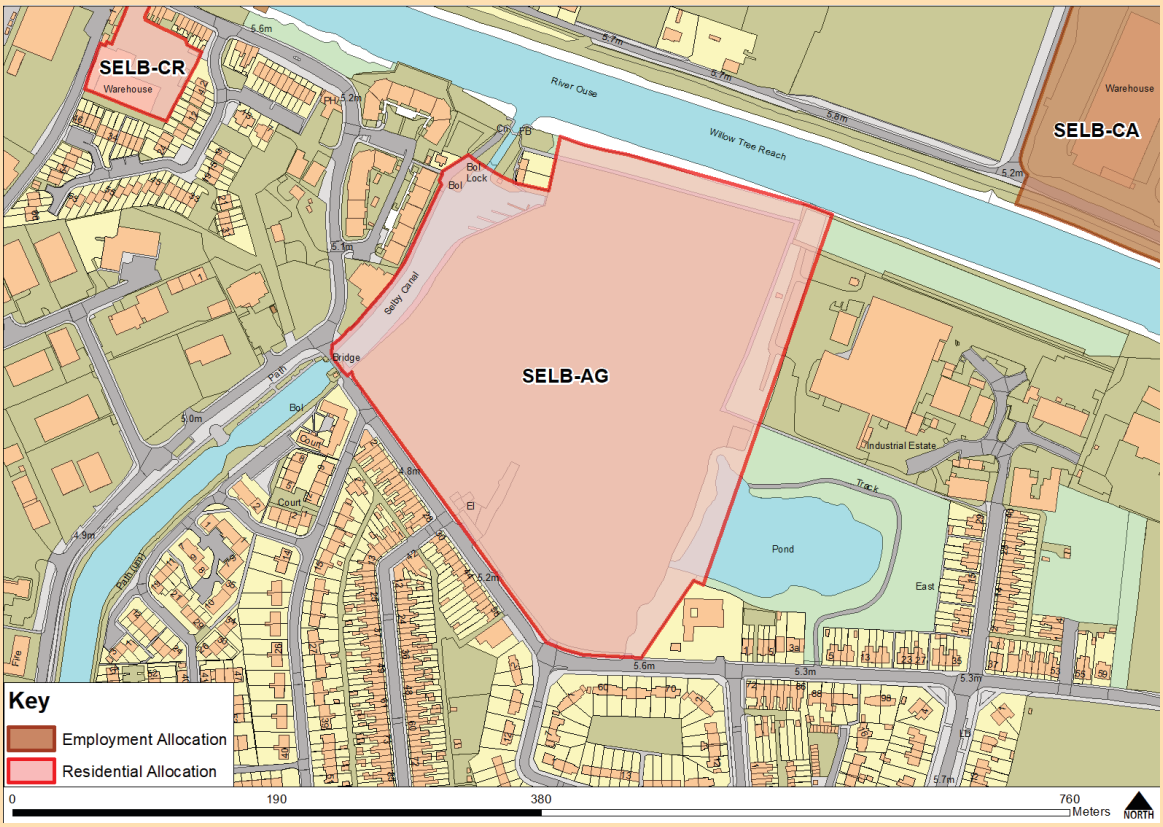
10.9 The landowner intends to redevelop the land on Olympia Park West for a solar power renewable energy park, this will power the Mill on Barlby Road, allowing it to reduce carbon emissions. The amount of energy generated is estimated to be 22 megawatts (MW) and any electricity not used will be put into the National Grid. The site can be accessed and maintained from at least one of the routes the landowner currently uses to the north of this site.

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SELB-AG

Location: Land on the former Rigid Paper site, Denison Road, Selby.
Total Site Area: 8.24 hectares.



This site is allocated for residential development.
Indicative dwelling capacity: 330 dwellings.

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed, visually attractive waterfront development which reflects the site's industrial history and adds to the overall quality of the area and creates a strong sense of place, with the existing canal moorings to be retained. This site is situated along the River Ouse and the canal bank providing the opportunity to provide an attractive waterside development, including the provision of amenity space and walking / cycling path along the south bank of the River Ouse. Other areas of the site which can be utilised as important amenity features, include the pond on the eastern edge of the site and the river bank on the northern edge of the site. This site was formerly the location of the Rigid Paper factory which was moved to the outskirts of Selby. The contamination from the former use was removed after the buildings were demolished so no further decontamination is required.

2. Provide a higher density of development; up to three or four storeys in building heights may be acceptable subject to design quality and an assessment of potential shading impacts on the canal. As the site is in close proximity to existing developments of a high density, such as the apartment buildings on Shipyard Road and the terraced houses on Denison Road, developments up to four storeys high may be appropriate in some areas of the site, subject to design quality and the amenity impact on existing residents.

3. Provide vehicle, cycling and pedestrian access to the site from Denison Road. The existing bridge over the Selby Canal to the west of the site will be closed for vehicles and made into a pedestrian and cycling access only, as part of the Selby Station Gateway Transforming Cities Fund Scheme. This represents an improvement to the access to the town centre and train station for pedestrians and cyclists.

4. Along the site's northern boundary, retain and enhance/provide a walking and cycling path along the south bank of the River Ouse.

5. Provide a minimum of 5% affordable dwellings on site.

6. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Staynor Hall, Barwick Parade, Selby High, Brayton Academy, or other schools serving the development.

7. Provide site-specific flood risk assessments, in accordance with the requirements set out in the Council's Level 2 Strategic Flood Risk Assessment, to address relative vulnerabilities across the site.

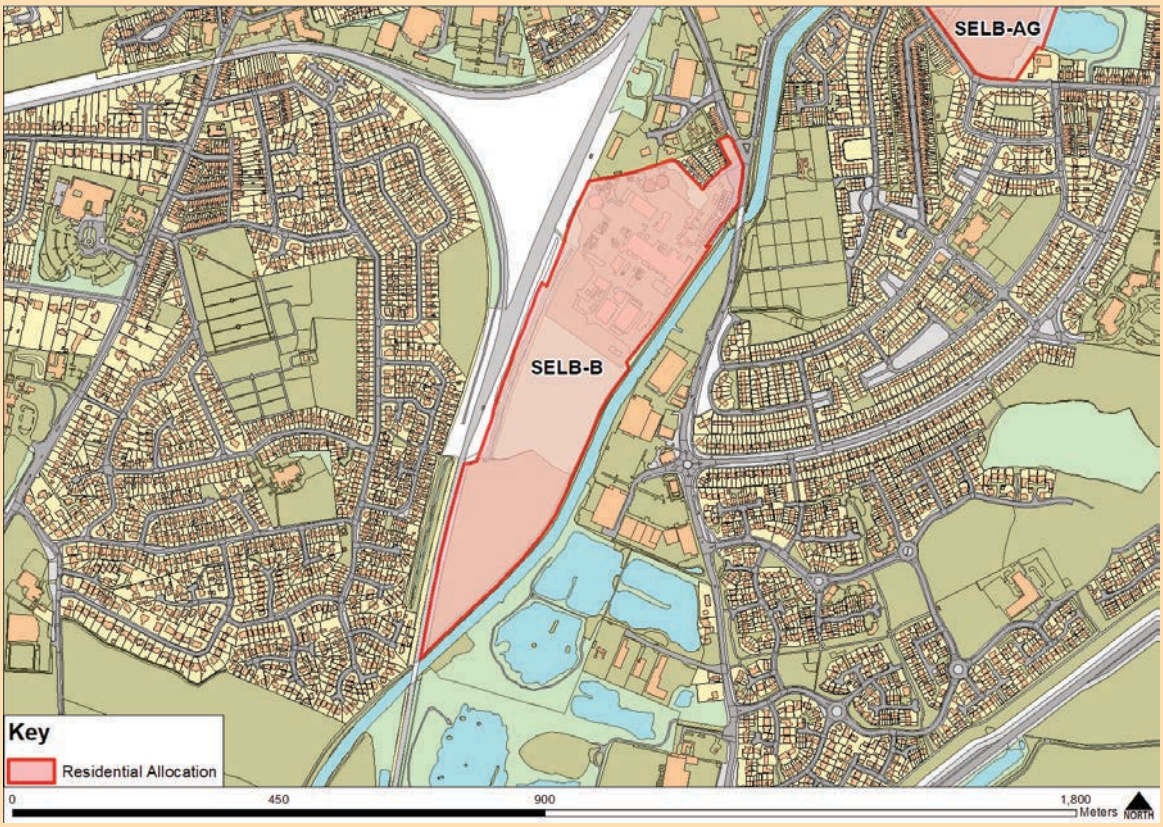
8. Due to the identified heritage assets in this location (it is close to Selby Town Conservation Area and a number of listed structures/buildings associated with the canal), incorporate the recommended mitigation measures as set out in the Heritage Impact Assessment which has been undertaken to preserve and where appropriate enhance these features.

9. Provide an attractive landscaped site, which features the pond on the eastern edge of the site as a landscape feature and the opening up of the eastern bank of the canal to pedestrians. Boundary treatments should reflect the industrial character of the site, with particular attention paid to the treatment of boundaries alongside the canal and river.

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SELB-B

Location: Industrial Chemicals Ltd, Canal View, Selby.
Total Site Area: 15.02 hectares



This site is allocated for residential development.
Indicative dwelling capacity: 450 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed, visually attractive development, which reflects its position as being an edge of town centre site in its northern half, and being located in more suburban surroundings in its southern half. Higher densities and developments of up to three to four storeys high may be appropriate in the northern half close to the town centre, subject to design quality and the amenity impact on existing residents. It is recommended that the design of the site should include noise mitigation measures along the northern boundary, in the area closest to the existing depot. Mitigation measures should include screening along the boundary and the use of acoustic glazing systems in properties with a direct line of sight towards the depot. Noise and vibration surveys have found that the remainder of the site can be developed without any specialist mitigation measures.

2. Relocate the chemical works to a site locally and preferably within the Plan Area, if there is a requirement to retain a local presence from an operational perspective.

3. Provide vehicle, cycling and pedestrian access from Canal View onto Bawtry Road; a roundabout will be required at this junction which also links to Canal Road.

4. Maintain the Public Right of Way along the canal on the eastern boundary of the site. The development should incorporate natural surveillance of the canal area. In order to ensure that the canal towpath on the eastern edge of the site can accommodate the demands of additional use, there may be a need for surfacing improvements to be made. These could be met either through direct developer contributions, or through investment identified by the Local Cycling and Walking Infrastructure Plan.

5. Provide a minimum of 5% affordable dwellings on site.

6. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Staynor Hall, Barwick Parade, Selby High, Brayton Academy, or other schools serving the development.

7. Provide a site-specific flood risk assessment, in accordance with the requirements set out in the Council's Level 2 Strategic Flood Risk Assessment, to address relative vulnerabilities across the site.

8. Remediate any contaminated land that is present on the site in accordance with Policy NE8 (Pollution and Contaminated Land). This site has had a number of past industrial uses over the last century, including a liquorice works, a timber yard and a chemical works, and these activities may have given rise to land contamination and/or ground gas issues.

9. Retain and enhance hedges and trees on the eastern and western boundaries of the site.

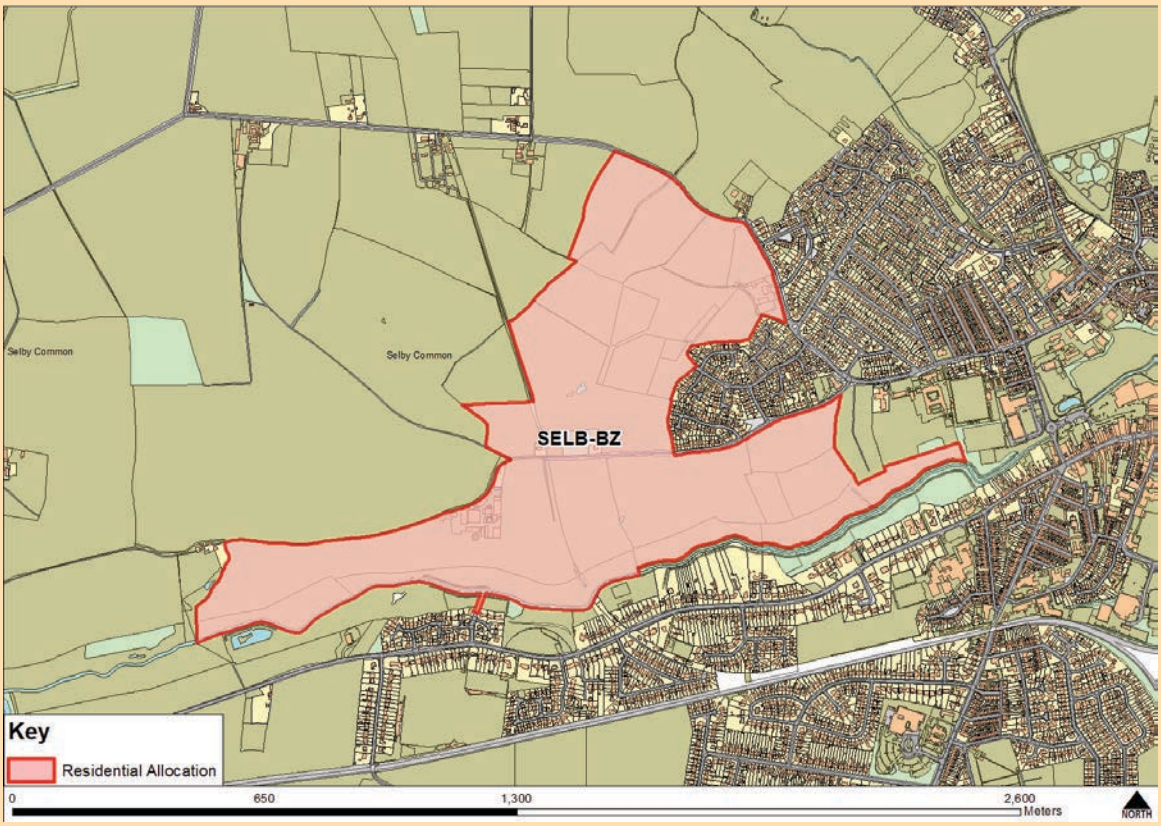
10. Protect and enhance the Three Lakes and Oakney Wood Sites of Importance for Nature Conservation (SINCs) located to the south of the site and be supported by an Ecological Survey.

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SELB-BZ

Location: Cross Hills Lane, Selby

Total Site Area: 78.92 hectares



This site is allocated for mixed use development, comprising: residential, open space, community and local shopping facilities and education.

Indicative dwelling capacity: 1270 dwellings by 2043 (approximately 1015 within the Local Plan Period up to 2040)

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Develop the site in accordance with a comprehensive phasing masterplan which covers the entire site, in order to provide the appropriate infrastructure requirements in an integrated and economically viable way. The first phase of development must begin with the land immediately to the north of Leeds Road, following the construction of a bridge over the Selby Dam via Meadway, as this enables Leeds Road to be used for construction traffic and provides access into and through the development to reduce newly generated traffic on the existing highway network in the town centre. The site is allocated for mixed use development, but the predominant use is to be residential. The incorporation of the existing green infrastructure areas along Selby Dam as publicly accessible space will reduce the developable area in this location.

2. Provide a new distributor road connecting the A63 Leeds Road, via Meadway and the construction of a bridge over the Selby Dam, to Cross Hills Lane and then Flaxley Road. An upgrade to Cross Hills Lane will be required, including junction improvements to the Cross Hills Lane and Flaxley Road junction. A bridge will be built over the Selby Dam at a point north of Meadway to facilitate this road.

3. Be fully integrated by cycle paths and footpaths providing links to the adjoining residential areas and particularly to Selby town centre, and the amenity areas within the site, such as parks.

4. Provide a minimum of 20% affordable dwellings on the site.

5. Work with Health and Adult Social Care to ensure the delivery of up to eight independent living units for adults with learning disabilities.

6. Provide land for the provision of a new two-form entry primary school on the site and other appropriate community and local shopping facilities. The number of new residents on this site will trigger the need for a new primary school and so the masterplan for the site must include the provision of land for this purpose. The new primary school will be 420 places (2 forms of entry) requiring a site area of an estimated 2.14 hectares. Phasing to deliver this school may be needed early in the development. The spatial/design requirements of the new school would need to be taken into account as part of the master-planning exercise and issues to consider will include safe and sustainable travel routes and possibility to share car parking/drop-off facilities with other uses.

7. Provide S106 financial contributions for additional early years, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area rea as a result of the development on this site, at Selby High, Brayton Academy, or other schools serving the development.

8. Use a sequential approach to residual flood risk when locating the various uses on the site, in accordance with the requirements set out in the Selby Level 2 Strategic Flood Risk Assessment. A site specific flood risk assessment will be required to address relative vulnerabilities across the site. The level of flood risk will determine the layout of the site, a sequential approach will place development uses with the lowest vulnerability, to flooding (such as open space and play areas) in those areas worse affected along the banks of the Selby Dam. The sensitive uses on the development, including the proposed dwellings and primary school, are to be directed away from those areas at risk of flooding. Measures will be taken to ensure the impact of any flood event is minimised, including raising ground levels, providing floor levels at least 300mm above surrounding natural ground levels, and locating all bedroom spaces on the first floor of dwellings.

9. Ensure the water-main pipes that cross the site from north to south at the western edge of the site have no residential curtilages within the required standoff as defined by Yorkshire Water. Two strategically critical water mains cross the site diagonally (north-east to south-west). Appropriate protective areas around the

pipes of a minimum of 7.5 metres either side of the pipes' centre lines, must be allowed for in any masterplan and the curtilages of residential properties should not be located in the area (it may be acceptable to locate highways over them).

10. Remediate any contaminated land that is present on the site in accordance with Policy NE8 (Pollution and Contaminated Land). This site has been used as agricultural land and farms for over 100 years. East Farm is located in the north east of the site and Crosshills Farm is located in the south west of the site and the farm activities may have given rise to land contamination.

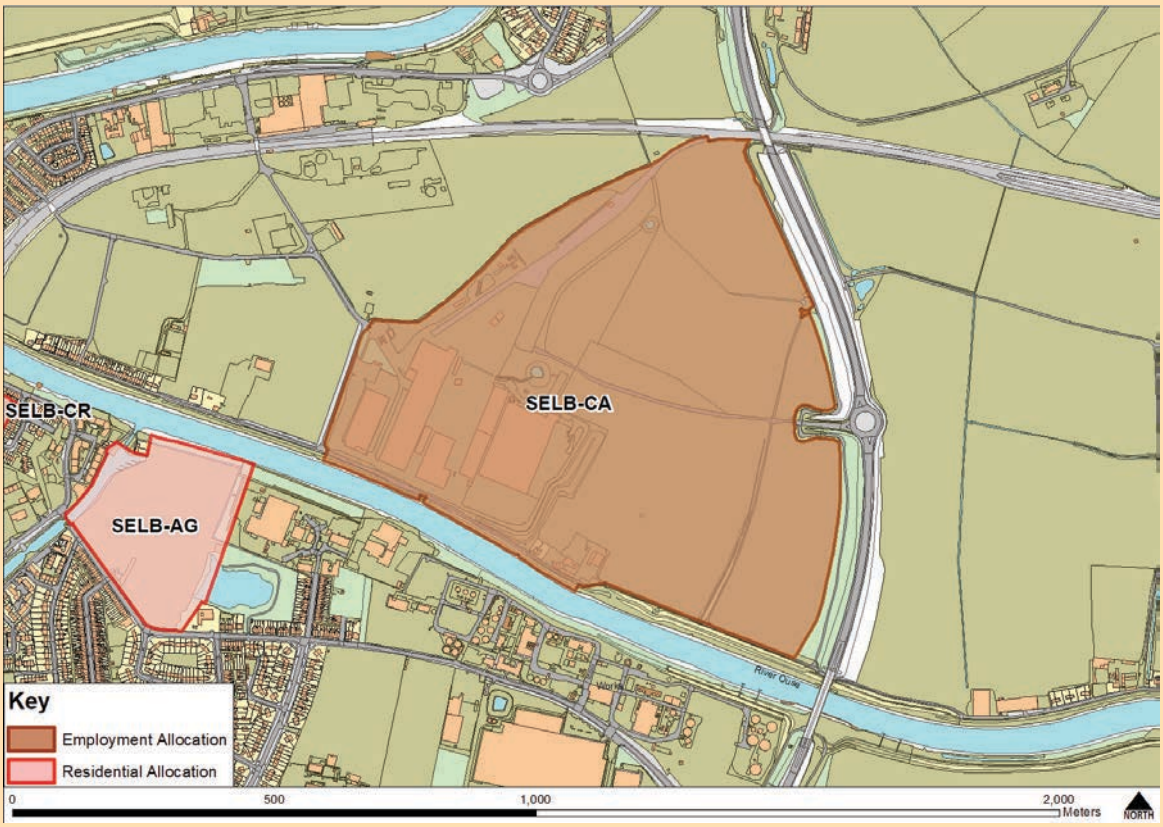
11. Due to the identified heritage assets in this location (the eastern part of the site adjoins Leeds Road Conservation Area and a number of Listed Buildings), ensure the design and layout of the development reflects the guidance set out in the Leeds Road Conservation Area Appraisal and incorporates the recommended mitigation measures as set out in the Heritage Impact Assessment which has been undertaken to preserve and where appropriate enhance these features.

12. Enhance the Selby Dam river corridor, which should be landscaped and incorporate features to improve or create wildlife habitats in that area as a major area of new public open space which incorporates a pedestrian and cycling route which links to Selby town centre.

13. Undertake an Appropriate Assessment for functionally-linked habitats as the site lies within the typical foraging ranges of species associated with the Lower Derwent Valley and Humber Estuary SPA/Ramsar designations and provides potentially suitable habitat. This should include either evidence that the proposed development site habitat is unsuitable for SPA/Ramsar designated species or assessment of the proposed development sites use by SPA/Ramsar designated species, including through the provision of wintering and passage bird surveys, and if necessary, appropriate mitigation.

14. Appropriate assessment and mitigation where necessary should be undertaken to assess any potential impact on the Burr Closes SSSI and the ancient woodland habitat Barber Rein/Ash Rein.

SELB-CA

Location: Olympia Park East, Adjacent A63, Barlby
Total Site Area: 60.43 hectares (of which 33.6 hectares is available for development)

This site is allocated for employment development.
The site will provide 33.6 hectares of employment development on the undeveloped part of the site, outside of the existing businesses.
Site Requirements The site covers a total area of 60.43 hectares and includes a number of existing business. A further additional 33.6 hectares is allocated for employment development on the existing undeveloped part of the site. The existing businesses on the site are excluded from the policy criteria below, but they will gain vehicular access from the new distributor road which will connect to the A63. In addition to satisfying the requirements of relevant planning policies, development proposals on this site (excluding the existing businesses) will be required to: 1. Provide the main vehicular access from the existing roundabout on the A63 bypass. From this access point a main distributor road will be provided into the centre of the site. The access point and the distributor road must be constructed in advance of development.

2. Retain the rail access onto the site, if it has value to existing and potential new occupiers on the site. There is an opportunity to bring in the building materials for the development via this railway.

3. Ensure safe, attractive and convenient pedestrian and cycle routes between the development and neighbouring areas, by utilising and upgrading the part of the Trans-Pennine Trail which runs along the southern boundary of the site to the town centre.

4. Remediate any contaminated land that is present on the site in accordance with Policy NE8 (Pollution and Contaminated Land). The site has had multiple historical uses including logistics companies and agriculture. There are a number of infilled ponds in the centre of the site, one of which is designated as a historical landfill. Site investigations have previously been undertaken which have identified elevated concentrations of contaminants in soils and groundwater.

5. Due to the identified heritage assets in this location (the site is close to Selby Town Conservation Area and a number of Listed Buildings as well as the potential to impact the town's skyline especially Selby Abbey), ensure the design and layout of the development reflects the guidance set out in the Selby Town Conservation Area Appraisal, to preserve and where appropriate enhance the character and setting of Selby Town Centre Conservation Area, including maximising views to the Abbey Church and ensuring Selby skyline is not detrimentally impacted.

6. The opportunities created through the development of this area should be maximised to enhance the riverside/Trans-Pennine Trail and general environment including the retention, enhancement and creation of green infrastructure and wildlife habitats.

7. Undertake an Appropriate Assessment for:

    i. Functionally-linked habitats as the site lies within the typical foraging ranges of species associated with the Lower Derwent Valley and Humber Estuary SPA/Ramsar designations and provides potentially suitable habitat. This should include either evidence that the proposed development site habitat is unsuitable for SPA/Ramsar designated species or assessment of the proposed development sites use by SPA/Ramsar designated species, including through the provision of wintering and passage bird surveys, and if necessary, appropriate mitigation; and

    ii. Recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.

SELB-CR

Location: Former Ousegate Maltings, Selby
Total Site Area: 0.41 hectares



This site is allocated for residential development.
Indicative dwelling capacity: 14 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Sympathetically convert the Old Maltings building into residential use as it has a positive impact on the Conservation Area and therefore should be converted unless it can be robustly demonstrated through an architectural survey that this is not technically feasible.

2. Provide vehicle, cycling and pedestrian access to the site from Ousegate.

3. Protect and enhance that part of the Trans-Pennine Trail which runs along Ousegate.

4. Provide a minimum of 5% affordable dwellings on site.

5. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places, to meet demand arising in the Plan Area as a result of development on this site at, Staynor Hall, Barwick Parade, Selby High, Brayton Academy or other schools serving the development

6. Remediate any contaminated land that is present on the site in accordance with Policy NE8 (Pollution and Contaminated Land). This site has had a number of past industrial uses over the last century, including malt houses, road haulage and warehousing and these activities may have given rise to land contamination.

7. Due to the identified heritage assets in this location (the site is within Selby Town Conservation Area and is near to a number of Listed Buildings), ensure the design and layout of the development reflects the guidance set out in the Selby Town Conservation Area Appraisal, and incorporates the recommended mitigation measures as set out in the Heritage Impact Assessment which has been undertaken to preserve and where appropriate enhance these features.

11 Tadcaster

Introduction

11.1 Tadcaster is one of three market towns in the the former Selby district area and benefits from a wide range of facilities and services, with a population of 5,899 (2021 Census). The town has rich historic assets with its Conservation Area, Listed Buildings and Scheduled Monuments. The three breweries in the town (Coors/Tower Brewery, John Smiths and the smaller Samuel Smith's) contribute to its unique character. The surrounding Green Belt and designated Locally Important Landscape Area, along with the important green wedge along the river side, next to the River Wharfe also make a significant contribution to the context of the town.

11.2 The Council designated the Tadcaster Neighbourhood Area in May 2020, and the Tadcaster Neighbourhood Plan Group in the town, which is progressing the Plan will need to ensure it contains policies and proposals which plan positively for growth in line with the Local Plan.

11.3 Behind Selby, and along side Sherburn in Elmet, Tadcaster performs an important town role for this part of the former Selby district area. Sufficient land is required to deliver sites to accommodate a minimum of 400 new dwellings.

Historic Regeneration-led Approach

11.4 The aim of the Local Plan is to regenerate the town through allocating land to provide approximately 372 dwellings in the town with additional stock being provided through bringing empty homes back into use.

11.5 A key element of the proposals is the re-development of the Central Area Car Park, off Chapel Street to return it to town centre residential use, based on its historical footprint. The car park is owned by North Yorkshire Council. The importance of the car park to the town's continued viability is recognised and therefore the Council will not dispose of this asset unless a like-for-like alternative is provided elsewhere in the town. The Council has been working with a key local landowner to identify suitable alternative car parking provision and although further technical work is needed, the replacement parking is to be provided through the creation of a new underground car park to fully meet the identified needs of residents, workers, shoppers and visitors. As part of these proposals there is an opportunity to enhance overall parking provision for different types of on-street parking provision such as short and long-stay, visual quality, use of technology, signposting, as well as improvements to time-limited on-street car parking improvements to support access to local shops.

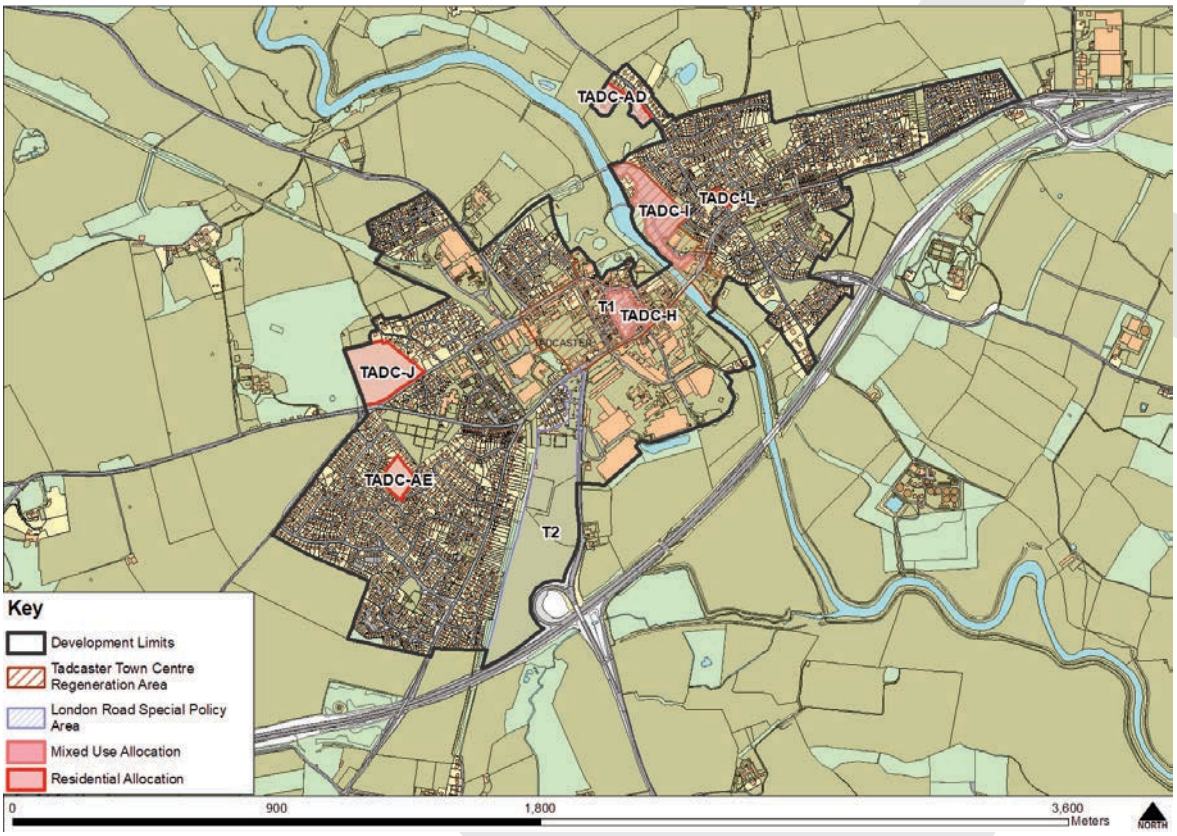
11.6 Together, the allocated sites represent an interdependent package of proposals which form a comprehensive, phased, regeneration project for the town. The primary aim is to regenerate the centre of Tadcaster through a careful and considered suite of proposals that reflect the historic patterns of development and complement existing heritage assets.

11.7 All the sites in this package relate well to the built-up area of Tadcaster. This approach provides a mix of sites in the town and facilitates bringing back into use a number of vacant buildings and sites which will have significant positive benefits for the buildings and sites themselves as well as the immediate surroundings. Together with the wider town centre strategy, the proposals contribute to a lasting, positive enhancement for the town as a whole. This also meets Policy EM7 (Town Centres and Retailing) which supports Tadcaster's important role serving more localised catchments and that priority will be given to the regeneration of the town centre in a way which utilises the town's high-quality built heritage and attractive riverside location.

11.8 The allocations are presented as a 'package' of sites as they are closely related to each other in terms of ownership and availability and form part of a wider comprehensive regeneration approach for the town which:

- Brings much needed housing back into the centre of the town
- Is heritage-led; protecting and enhancing the town's rich historic fabric
- Delivers replacement car parking prior to the redevelopment of the Central Area Car Park
- Will be a catalyst for bringing back into use a number of empty properties and sites for housing and commercial use
- Can be delivered within the Plan period to 2040
- Avoids releasing land from the Green Belt

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Picture 5

11.9 The Plan for Tadcaster also includes two Special Policy Areas, which pull together the town-centre regeneration proposals and support the development of land to the south of the town centre, up to the A64 for a mix of uses including multi-functional green space, commercial, retail, parking or residential where they help to deliver the regeneration of the town centre as a whole.

Policy T1 Tadcaster Town Centre Regeneration Area - Special Policy Area

Proposals within the Tadcaster Town Centre Regeneration Area (as shown on the Policies Map) will be supported where they help to deliver the regeneration of the town centre as a whole and the Council's objectives to:

1. Meet the Vision for Tadcaster by 2040 as set out in Part 1 of the Local Plan which in essence is to deliver a heritage-led regeneration of Tadcaster for it to be a sustainable, prosperous and vibrant market town reflecting its historic environment, brewing heritage, attractive open riverside setting and sense of community;

2. Reintroduce housing into the town centre through a high-quality, heritage-led scheme on the Central Area Car Park (TADC-H) and new housing at Mill Lane (TADC-I);

3. Provide a new publicly-accessible Town Green, which will serve the amenity and recreation needs of the new residents of the car park redevelopment housing scheme and provide space for the health and well-being of town centre users. The Town

Green will also protect and enhance Tadcaster Conservation Area and the setting of the Grade II* Listed Old Vicarage and other Listed Buildings which surround the site;

4. Provide a new underground car park, as part of the TADC-H allocation to replace the Central Area Car Park for town centre users and to provide parking for the new housing site residents and other replacement on and off-street parking to meet the total identified needs for approximately 227 spaces (short and long-stay use) or suitable, like-for-like alternative sites as agreed with the Local Planning Authority to meet Local Highways Authority requirements;

5. The development of the town centre scheme and the wider site allocations will be subject to a Developer Agreement(s) to secure the delivery of each element of the overall regeneration scheme;

6. Provide a new multi-functional green space in Robin Hood Yard (and safe access to it for all users), for the purposes of linking the town centre to the riverside for pedestrians and cyclists. Part of the area could provide some limited parking and servicing for surrounding residents and businesses subject to proven highway safety and high-quality design;

7. Bring back into use derelict or vacant properties and sites for residential uses (at least 30 dwellings) or other appropriate town centre uses. In particular, but not restricted to: The White Swan, High Street; 8-10 Kirkgate; Shann House; and 24-26 High Street;

8. Enhance the town centre experience for its users by undertaking highways and junction alterations to accommodate an improved two-way through-traffic route along St. Joseph's Street; re-configured junctions at its north and south ends; improvements to Chapel Street; physical and restricted vehicle access, subject to appropriate Traffic Regulation Orders (TROs) along Westgate and Kirkgate to provide a new safe and attractive pedestrian-priority and low-traffic area; and provide sufficient and suitably-located off-street and on-street parking bays throughout the Town Centre Regeneration Area to meet existing residents' needs and the needs of other town centre users including those with impaired mobility in the interests of highways safety;

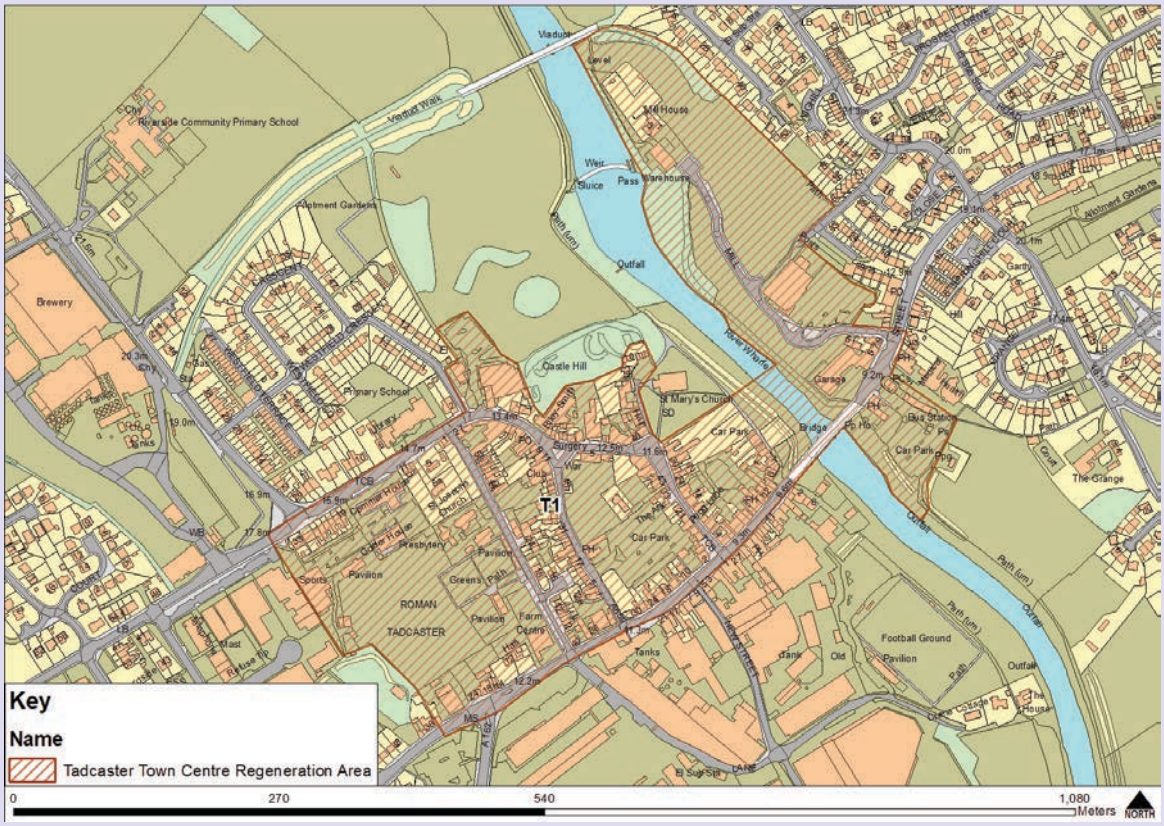
9. Enhance walking and cycling routes within the town centre and increase opportunities for sustainable transport by providing walking, cycling and bus infrastructure to link the town centre to residential and employment areas around the town and to allow longer distance, wider links to higher order centres for jobs and leisure activities for local residents but also to attract visitors to support the town's services and facilities and cultural, tourist and shopping offers;

10. Preserve and where appropriate enhance those elements which make a positive contribution to the character of Tadcaster Conservation Area and other heritage assets, including their setting, and key views within the town ensuring that

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development references detailing, styles and building methods and local materials and should be in accordance with the guidance set out in the adopted Tadcaster Conservation Area Appraisal; and

11. Ensure high-quality design of new developments, bringing back into use empty buildings and sites, and highways schemes by ensuring the design and layout of schemes and use of locally distinctive materials reflects the requirements of a new Design Code developed with the community and agreed with the Local Planning Authority, to ensure an exemplar heritage-led regeneration scheme of the highest quality.



Supporting Information

11.10 The proposal for the redevelopment of the Central Area Car Park is for housing with a 'gentle densification' style reflecting the previous historical form which had high residential density, but to meet modern space standards. The intention is that this approach will bring more in-town living to help the vitality of the centre. It will also have the benefits of a largely car-free development with car parking for residents provided in a new underground car park.

11.11 There is also an ambition to maximise the regeneration effects and improve the town centre experience for users by creating a safe and attractive pedestrian-priority scheme along Kirkgate, which may also include associated amendments to vehicle routes and junctions elsewhere in the town centre to facilitate a revised vehicle circulation pattern.

11.12 The Plan aims to reinvigorate the social, environmental and economic prospects of the town, as well as provide an exemplar of heritage-led regeneration. The regeneration area approach is intended to act as a catalyst for the refurbishment and redevelopment of several other smaller projects, so in addition to these allocated sites, the regeneration scheme will include the restoration of a number of disused and vacant properties within the town centre. This will bring back into use about 30 dwellings above those identified as housing allocations. This investment in the town centre and associated environmental improvements, along with other proposals in the town centre such as a new town green and new open space at Robin Hood Yard will further enhance the regeneration effects of the overall scheme.

11.13 The Special Policy Area covers a wider area than simply the allocated sites. Proposals within the Tadcaster Town Centre Regeneration Area (as shown on the Policies Map) will be supported where they help to deliver the regeneration of the town centre as a whole.

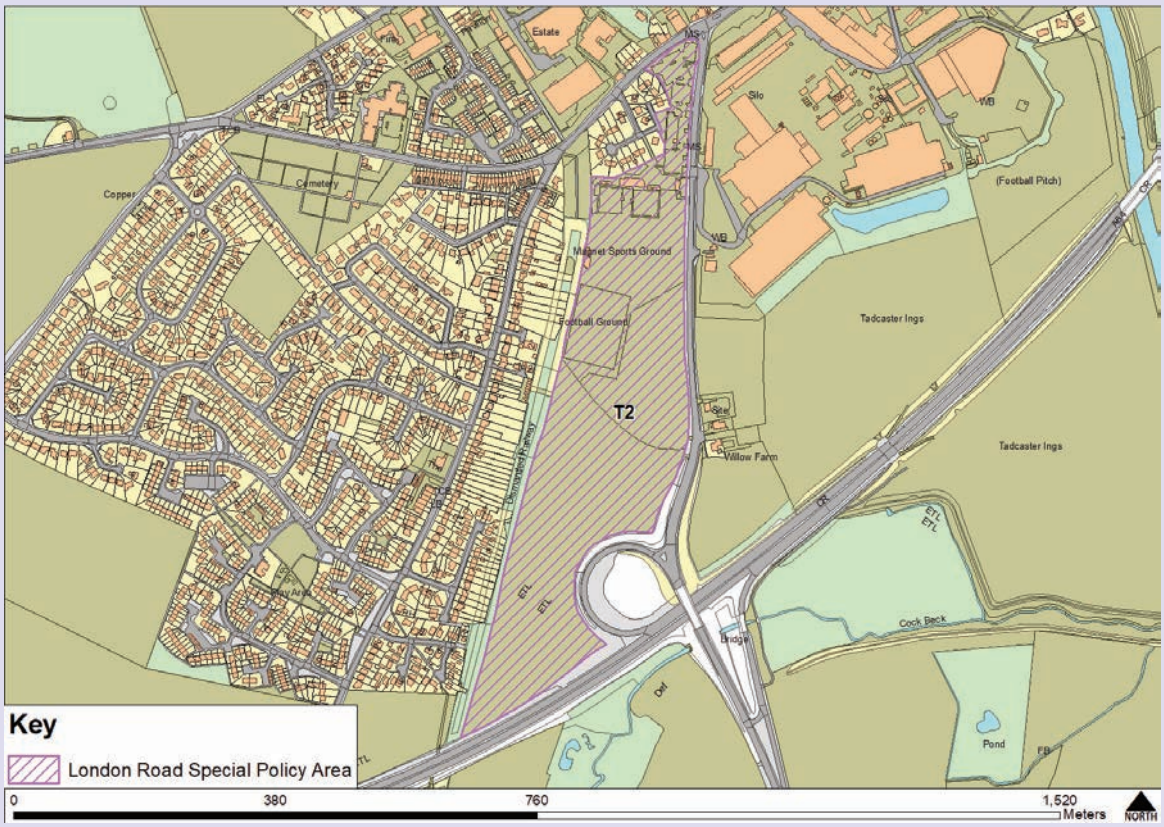
Policy T2 London Road Special Policy Area

Proposals within the London Road Special Policy Area (as shown on the Policies Map) will be supported for a mix of uses including multi-functional green space, commercial, retail, parking or residential where they help to deliver the regeneration of the town centre as a whole.

In addition to satisfying the requirements of relevant planning policies, development proposals within the Special Policy Area will be required to:

1. Follow a comprehensive, phased approach to development in accordance with a masterplan to be approved by the Local Planning Authority.
2. Provide a new primary access for vehicles, cycles and pedestrians onto the A162 London Road to the east.
3. Provide safe cycle and pedestrian routes linking to the surrounding residential areas and the town centre.
4. Ensure the design and layout is informed by the rural landscape character and takes account of the overhead power lines.
5. Avoid light pollution from flood lights and to orientate buildings to minimise noise disturbance to protect residential amenity.
6. Protect the trees covered by a Tree Preservation Order, and retain and enhance the strong landscape buffers along all the site boundaries.
7. Address potential contamination associated with the former railway land to the west of the site.

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Supporting Information

11.14 It is appropriate to allocate land for development which recognises proposals which may come forward in order to protect the loss of that land to other uses. There is an ambition for enhanced community sports facilities in Tadcaster and opportunities to provide long-stay, commuter and visitor car and coach parking for the town. The area is also considered suitable for other types of development including housing and retail and commercial subject to other Development Plan policies to support the regeneration of the town centre. The land is therefore allocated as a Special Policy Area for a mix of uses including multi-functional green space, parking, retail, commercial and residential.

11.15 This greenfield site is bounded by residential curtilages along Stutton Road and tree belt to the west which follows the line of the former railway, the A162 main road into Tadcaster to the east and the A64 and A64/A162 junction to the south. While the site is well-contained within strong boundaries; the land is at a lower level to the A64 and well screened by mature hedgerows and trees; it has a rural character which should be retained as far as possible through the layout and design of the scheme as a whole which could be achieved by concentrating new buildings to the north.

Housing Allocations

TADC-AD

Location: 'Fircroft' and Former Barnardo's Home, Wighill Lane.
Total Site Area: 1.19 hectares

This site is allocated for residential development through the reuse of the existing buildings on the site.
Indicative dwelling capacity: 5 dwellings
Site Requirements In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to: 1. Provide 5 dwellings through the sensitive bringing back into use and reuse of the existing vacant buildings within the site appropriate to the Listed status of 'Fircroft', and which avoids demolition to secure their viable future use, which will have significant positive benefits for the buildings themselves as well as the immediate surroundings, with the aim to retain the heritage asset within its formal landscape setting, whilst ensuring occupation and good stewardship into the future. 2. Ensure the scheme is of high-quality design and layout that responds positively to the distinctive local landscape character due to its location in the designated Locally Important Landscape Area.

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3. Provide a vehicle, cycle and pedestrian access utilising the existing access onto Wighill Lane.

4. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Tadcaster Primary, Riverside Primary, Tadcaster Grammar, or other schools serving the development.

5. Due to the identified heritage assets in this location (the Listed Fircroft on the site, and the Listed disused railway viaduct nearby), incorporate the recommended mitigation measures as set out in the Heritage Impact Assessment which has been undertaken to preserve and where appropriate to enhance these features.

6. Protect the setting of and take account of the key features in the nearby Conservation Area by ensuring the design and layout of the development reflects the guidance set out in the Tadcaster Conservation Area Appraisal.

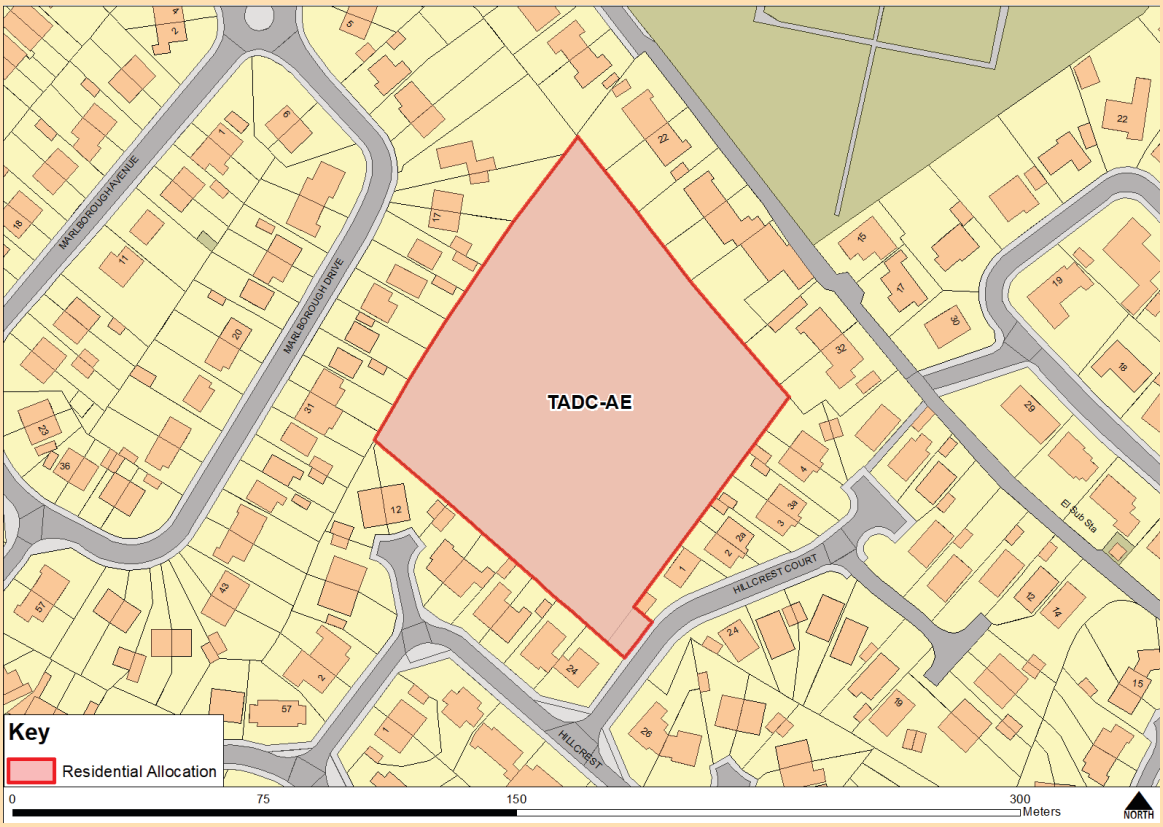
7. Retain and enhance the tree screen along the western boundary and protect the trees within the site which are covered by a Tree Preservation Order, and take account of the character of the extensive formal landscaped garden setting associated with Fircroft.

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TADC-AE

Location: Land off Hillcrest Court.

Total Site Area: 0.95 hectares



This site is allocated for residential development.

Indicative dwelling capacity: 30 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide single-storey homes with potential for two-storey along the north-west boundary to reflect the form and character of surrounding properties and to protect residential amenity of occupiers of the existing and new dwellings.

2. Provide a safe vehicle, cycle and pedestrian access to Hillcrest Court.

3. Provide a minimum of 20% affordable dwellings on the site.

4. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Tadcaster Primary, Riverside Primary, Tadcaster Grammar, or other schools serving the development.

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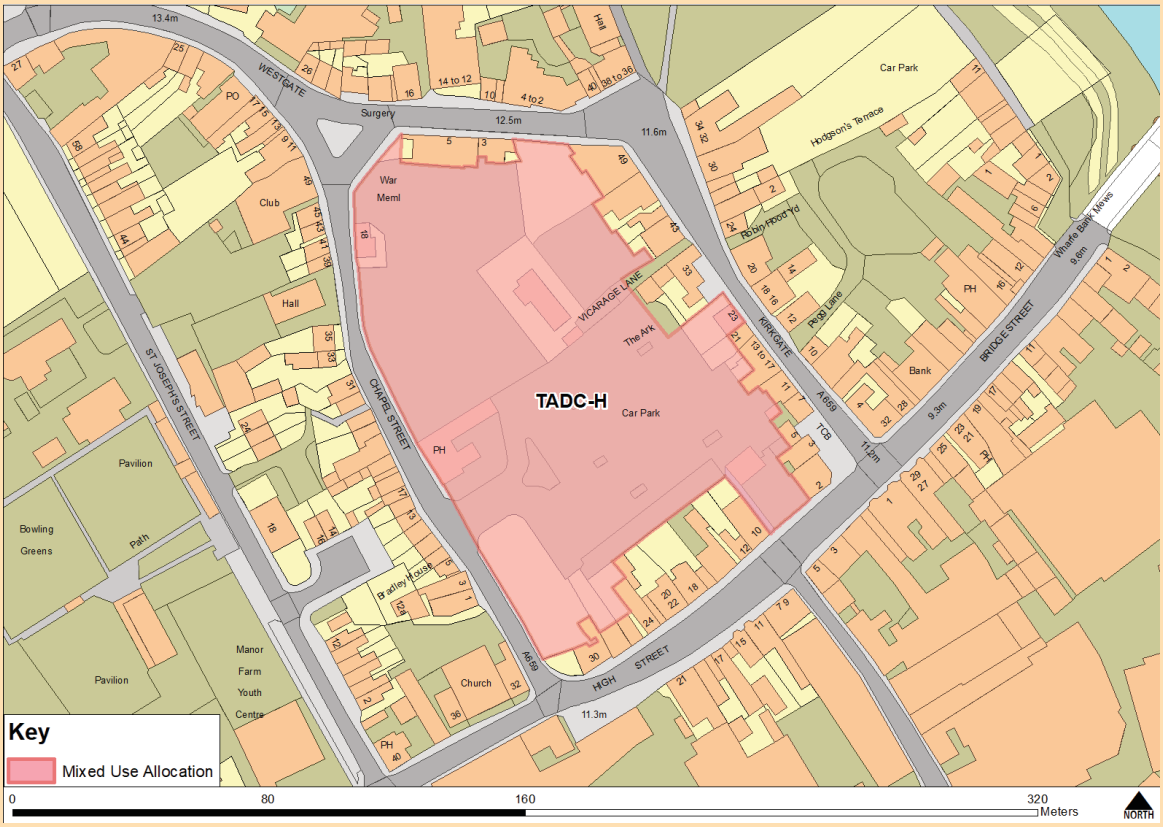
5. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because there is some historical record of a Roman burial site in the vicinity of the site) and use the results to inform the design of the scheme accordingly.

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TADC-H

Location: Chapel Street/Central Area Car Park.

Total Site Area: 1.25 hectares



This site is allocated for a mix of uses, primarily residential development with associated underground car parking and a new town green and ground-floor retail/commercial in those parts of the site fronting Kirkgate and High Street.

Indicative dwelling capacity: 43 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Redevelop the existing car park for a high-density residential scheme, and a new town green (designed to provide for the recreational needs of the residents of TADC-H and be available and accessible to the wider public for amenity purposes), which will reinstate the historic residential land use on this site and attract new residents to the town centre. Some ground-floor retail/commercial uses to be provided on those parts of the site fronting Kirkgate and High Street. The design and layout of development to be informed by a new Design Code, developed with the community, which respects and responds to the historic context and character of the area. The Design Code, agreed with the Local Planning Authority, will ensure an exemplar heritage-led redevelopment scheme of the highest design quality

which will protect the residential amenity of future residents and surrounding occupiers, in particular to prevent over-looking and to provide suitable, usable outdoor space associated with each home for the health and well-being of residents.

2. Provide and bring into use, prior to the housing development being occupied; sufficient and suitable public car parking to replace the Central Area Car Park through the provision of a new underground car park within the site (to meet national and local parking standards including electric vehicle charging points and disabled parking bays) or suitable, like-for-like alternative sites as agreed with the Local Planning Authority to meet Local Highways Authority requirements. The public parking to be retained in perpetuity and available free or at reasonable cost and subject to appropriate management and maintenance arrangements as agreed with the Council. The new car parking provision will meet the need for about 227 spaces for both public parking and for the parking requirements of the new homes on the site.

3. Provide suitable and sufficient temporary public car parking prior to the commencement of and during the construction of the development scheme until a new underground car park or suitable alternative, as agreed with the Local Planning Authority is operational.

4. Provide suitable and sufficient dedicated car parking for residents of TADC-H within the new underground car park or like-for-like alternative locations as agreed with the Local Planning Authority, and on-site, above-ground disabled and parent/carer/child parking spaces within the design and layout of the housing scheme for residents' use to meet Local Highways Authority standards.

5. Provide safe vehicle, cycle and pedestrian access to Chapel Street and within the site layout for residents, visitors, emergency and service vehicles including refuse and recycling vehicles and delivery vehicles.

6. Maintain access to the rear of existing adjacent properties on High Street and Kirkgate and to allow collection of refuse bins and recycling from the rear through the design and layout of the scheme.

7. Retain and enhance the historic pedestrian 'ginnels' to High Street and Kirkgate from the site.

8. Retain the existing Public Right of Way on the new town green and provide pedestrian links from the residential scheme to the adjacent town green and to the Public Right of Way along Vicarage Lane.

9. Provide a minimum of 20% affordable dwellings on the site.

10. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Tadcaster Primary, Riverside Primary, Tadcaster Grammar, or other schools serving the development.

11. Provide sufficient information to demonstrate that the risks to groundwater in this Source Protection Zone 2 location and disturbance to the Principal Aquifer can be managed because Tadcaster is located upon a Principal Aquifer and as such groundwater is very sensitive in this location. The creation of a new underground car park has the potential to disturb the aquifer, impacting groundwater resources and quality. Proposals should take account of the Environment Agency's guidance documents relating to the approach to groundwater protection and physical disturbance of aquifers.

12. In accordance with the requirements set out in the Council's Level 2 Strategic Flood Risk Assessment, use a sequential approach to residual flood risk when locating the various uses on the site, in particular for the area of the housing scheme which falls within Flood Zone 3 and for the underground car park site. A site-specific flood risk assessment will be required to determine the nature and scope of any mitigation necessary.

13. Remediate any contaminated land that is present on the site in accordance with Policy NE8 (Pollution and Contaminated Land. This site has had several uses including residential, brewery and public car park and these activities may have given rise to land contamination issues.

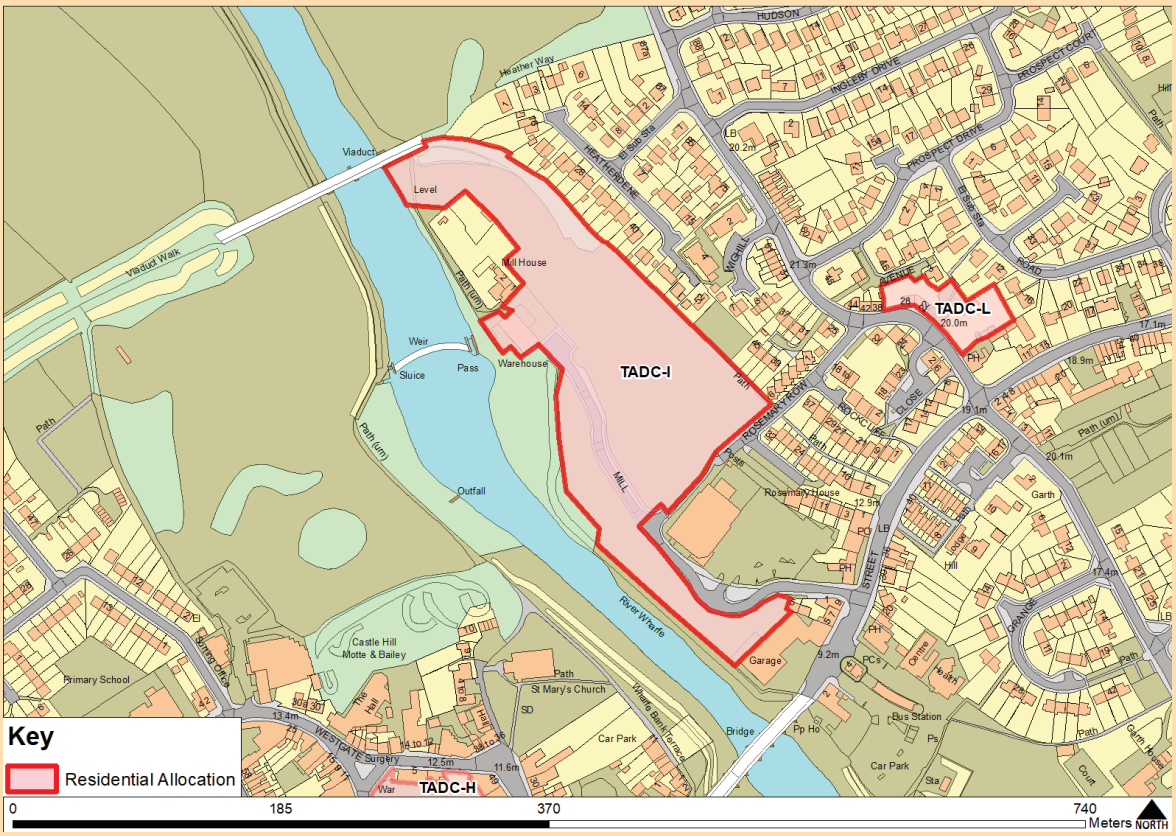
14. Be heritage led to avoid harm on the significance of designated heritage assets and produce a locally distinctive design which enhances the town's historic environment because the site is located within the historic core of the town and falls within the Conservation Area and contains a Listed Building and is surrounded by Listed Buildings of which two are Grade II* (The Old Vicarage and The Ark). The scheme should protect and where appropriate enhance the setting of and take account of the key features in the Conservation Area by ensuring the design and layout of the development reflects the guidance set out in the Tadcaster Conservation Area Appraisal.

15. Ensure that those elements which contribute to the significance of the designated heritage assets are not harmed, and incorporate the recommended mitigation measures as set out in the Heritage Impact Assessment which has been undertaken to preserve and where appropriate enhance these features.

16. Undertake a proportionate Archaeological field evaluation Assessment to inform development proposals given the high potential for archaeology on the site (due to its location within the core of the Roman and medieval settlement). Should plans for an underground car park be taken forward, an appropriate programme of archaeological investigation and recording will be required, which would be expected to include desk-based assessment, non-invasive techniques, excavation, documentation, and monitoring.

17. Undertake structural surveys of adjacent buildings and structures, particularly designated heritage assets, to determine the measures necessary to maintain stability throughout the construction and operation of the car park.

TADC-I

Location: Land at Mill Lane.
Total Site Area: 3.03 hectares

This site is allocated for residential development.
Indicative dwelling capacity: 180 dwellings
Site Requirements In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to: 1. Reflect the requirements of a new Design Code developed with the community and agreed with the Local Planning Authority, to ensure the overall density, layout, design, quantum, massing and materials reflect the historic former uses of the site and respect the character and appearance of this part of Tadcaster and its historic environment, and protect the open character of the riverside location. 2. Provide the primary safe vehicle, cycle and pedestrian access to the A659 via Mill Lane and a secondary access for emergency vehicles and pedestrians and cyclists from Rosemary Row. 3. Undertake a Transport Assessment and incorporate any mitigation measures including necessary off-site improvements to highways and junctions and provision of a sustainable Travel Plan.

4. Retain the existing Public Right of Way on the site and provide pedestrian and cycling links to the adjacent existing Public Right of Way across the viaduct and along the river to the north.

5. Provide a minimum of 20% affordable dwellings on the site.

6. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Tadcaster Primary, Riverside Primary, Tadcaster Grammar, or other schools serving the development.

7. a) Provide sufficient information to demonstrate that the risks to groundwater in this Source Protection Zone 1 location can be managed; and b) Because parts of the site fall within Flood Zones 2, 3a and 3b, use a sequential approach to residual flood risk when locating the various uses on the site, in accordance with the requirements set out in the Council's Level 2 Strategic Flood Risk Assessment. Site-specific flood-risk assessments will be required to address relative vulnerabilities across the site; and c) The site layout and design to accommodate the footprint of new flood defences and allow for access for maintenance and future replacement as part of the Tadcaster Flood Alleviation Scheme.

8. Remediate any contaminated land that is present on the site in accordance with Policy NE8 (Pollution and Contaminated Land). This site has had a number of past industrial uses over the last century, including a corn mill, a petrol filling station and warehousing and these activities may have given rise to land contamination and/or ground gas issues.

9. Due to the identified heritage assets in this location, (including the Listed viaduct, road bridge and the Church of St Mary, and Tadcaster motte and bailey castle Scheduled Monument), incorporate the recommended mitigation measures as set out in the Heritage Impact Assessment which has been undertaken, to preserve and where appropriate enhance these features and that the development is sensitively designed and laid out, including maintaining important views across the site, to ensure that those elements which contribute to the significance of the designated heritage assets are not harmed.

10. Take account of the key features in the Conservation Area by ensuring the design and layout of the development reflect the guidance set out in the Tadcaster Conservation Area Appraisal, because a small part of the site is within the Conservation Area and the remainder is in very close proximity. The site is a prominent site as viewed from the west across the river to the riverside area and town centre beyond.

11. Undertake an archaeological field evaluation assessment commensurate to the significance of the archaeology (because the site has been identified as having potential for the existence of archaeological remains associated with pre-historic, Roman and post-medieval (including Civil War) activity, and the historic mill

buildings and previous uses on the site including early forms of river crossing and other river-related activity) and use the results to inform the design of the scheme accordingly.

12. Provide an interlinked system of multi-functional green space, cycle paths and footpaths providing access to adjoining residential areas and to the town centre.

13. Provide appropriately landscaped open space, sport and recreation on site including multi-functional green space and biodiversity net gain along the southern edge of the site, to the south of Mill Lane along the river frontage, due to flood risk and to protect the important riverine landscape and historic setting of the town, and provide public access to the river for health and well-being.

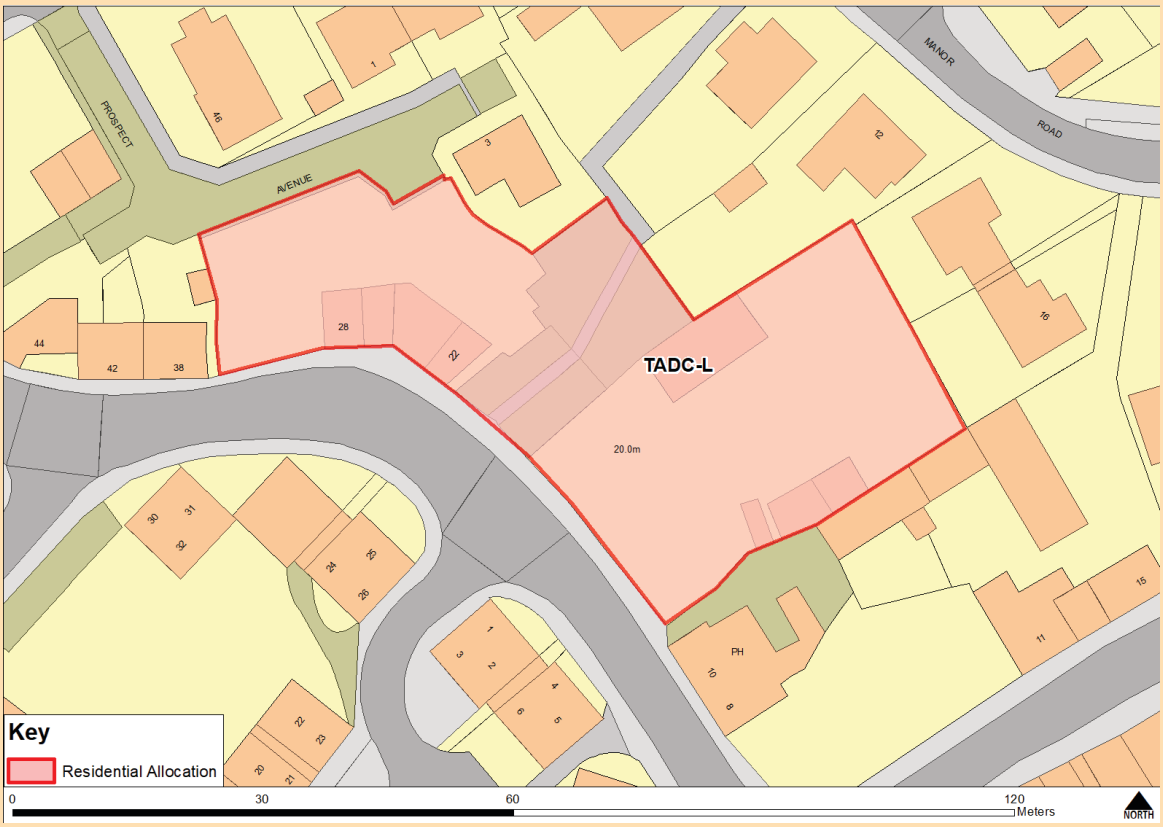
14. Retain and enhance the existing trees within the site and on the site boundaries for amenity purposes and screening the development, while considering the ambition to open up the river frontage for public access, enhancing views into and out of the town centre, and flooding issues.

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TADC-L

Location: Land to rear of 46 Wighill Lane and Former Coal Yard.

Total Site Area: 0.24 hectares



This site is allocated for residential development.

Indicative dwelling capacity: 10 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Retain and bring back into use, the vacant terraced cottages on the road frontage and protect and enhance the attractive, historic stone/brick barn on the site, which will have significant positive benefits for the buildings themselves as well as the immediate surroundings.

2. Protect residential amenity of existing and proposed dwellings, in particular to protect against noise and light disturbance from the adjacent public house and beer garden.

3. Provide safe vehicle, cycle and pedestrian access from Wighill Lane and/or Prospect Drive.

4. Retain and enhance the existing Public Right of Way crossing the site, by incorporating it into the design of the development.

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5. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Tadcaster Primary, Riverside Primary, Tadcaster Grammar, or other schools serving the development.

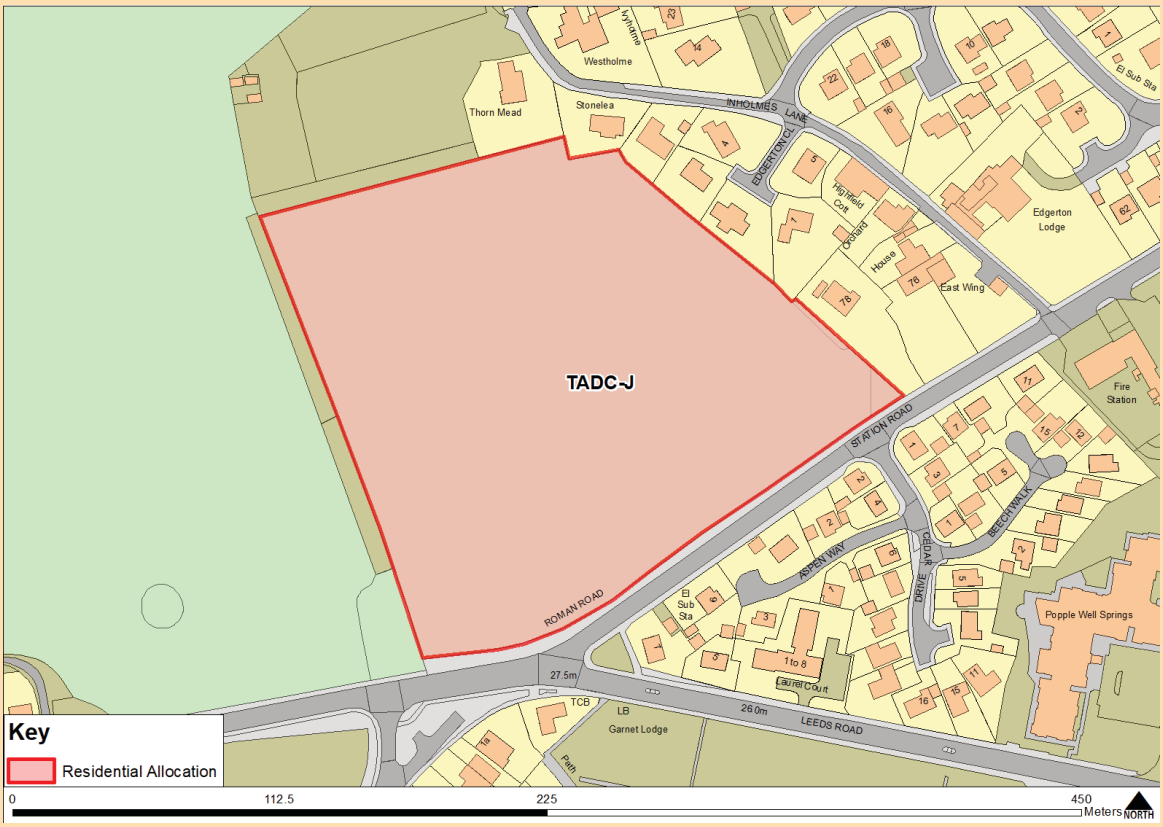
6. Provide sufficient information to demonstrate that the risks to groundwater in this Source Protection Zone (SPZ) 1 and SPZ2 location can be managed.

7. Remediate any contaminated land that is present on the site in accordance with Policy NE8 (Pollution and Contaminated Land) because buildings have been present on this site for over 100 years and a coal depot is also recorded on the eastern part of the site which may have given rise to land contamination.

DRAFT

TADC-J

Location: Land at Station Road.
Total Site Area: 3.46 hectares



This site is allocated for residential development.
Indicative dwelling capacity: 104 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed, visually-attractive development which adds to the overall quality of the area on this significant gateway and transition site to Tadcaster between the countryside and the built-up area. The site directly abuts the designated Locally Important Landscape Area and the design of the development should reflect the Landscape Sensitivity Study; for example, boundary treatments and dwelling heights.

2. Provide safe vehicle, cycle and pedestrian access from Station Road, undertake a Transport Assessment and provide off-site improvements to Station Road/Leeds Road junction if required.

3. Provide a minimum of 20% affordable dwellings on the site.

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4. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Tadcaster Primary, Riverside Primary, Tadcaster Grammar, or other schools serving the development.

5. Provide sufficient information to demonstrate that the risks to groundwater in this Source Protection Zone1 location can be managed.

6. Protect the setting of, and take account of the key features in, the Conservation Area which is approached from this side of the town along Station Road, by ensuring the design and layout of the development reflects the guidance set out in the Tadcaster Conservation Area Appraisal.

7. Undertake an archaeological field evaluation assessment commensurate to the significance of the archaeology (due to several cropmarks of archaeological interest within a kilometre or so of the development which are in keeping with later prehistoric or Roman period trackways and enclosures) and use the results to inform the design of the scheme accordingly.

8. Retain and enhance the existing tree belts and hedgerows along all the site boundaries.

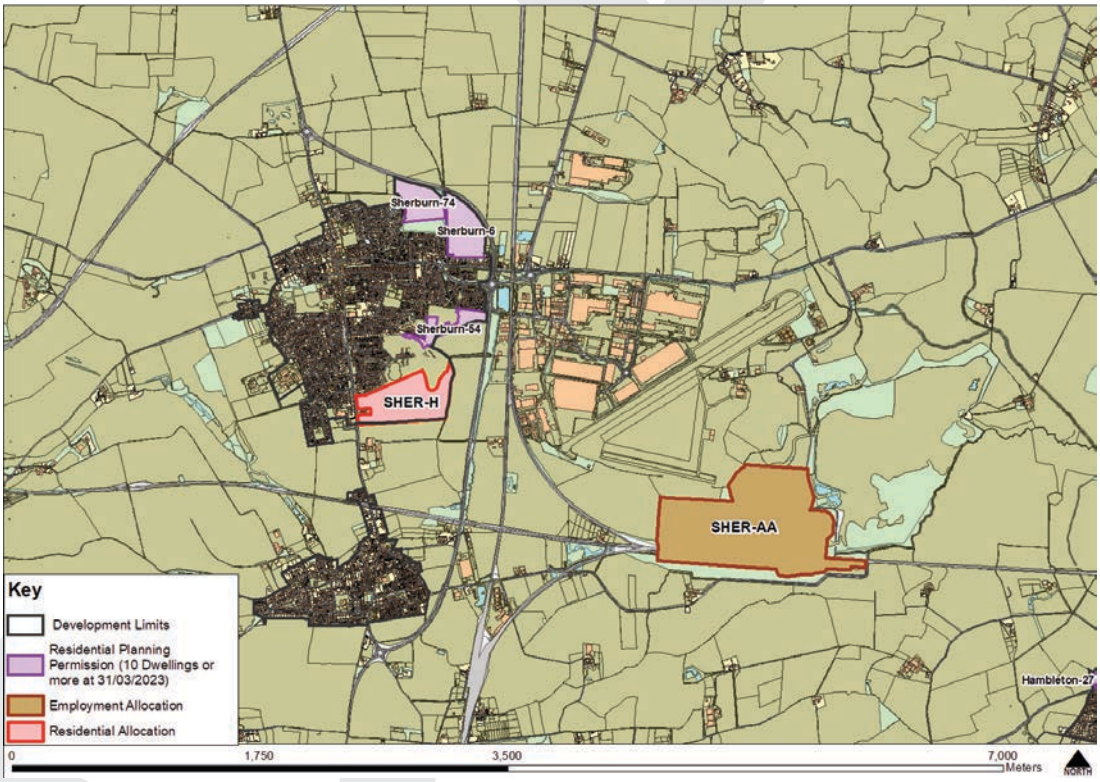
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12 Sherburn in Elmet

12.1 Sherburn in Elmet is one of the three main settlements in the former Selby district area. It is located approximately ten miles west of Selby and six miles south of Tadcaster and has a population of 8,497 (2021 Census). The settlement benefits from a range of facilities and services, albeit the level of services has failed to keep pace with the level of population and housing growth witnessed in recent years. These facilities and services include two primary schools (Sherburn Hungate and Athelstan Community), the Sherburn High secondary school, a health centre, three village halls/meeting rooms and four convenience stores.

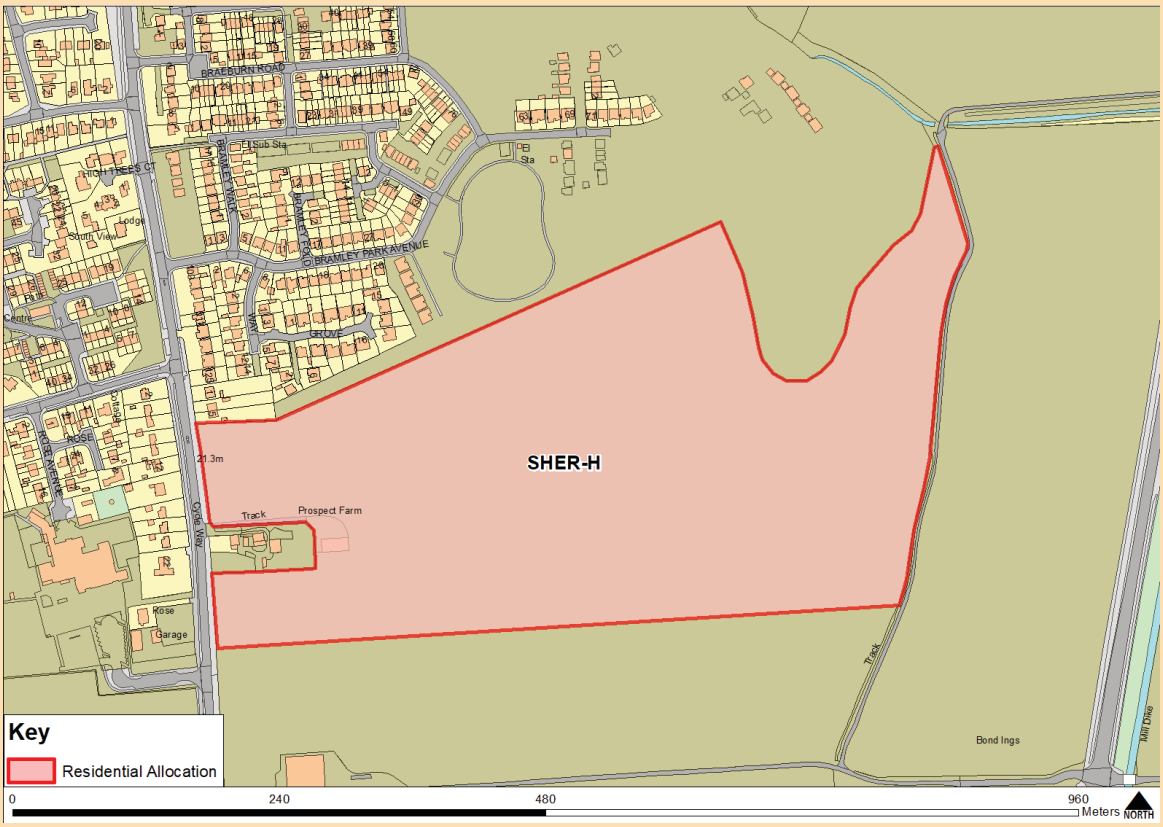
12.2 Sherburn in Elmet is situated at the junction of the A162 and the B1222 in the west of the Plan Area. The historic core of the settlement at the junction of Finkle Hill, Kirkgate and Moor Lane is surrounded by modern estate developments, but still retains a compact urban form. The A162 by-passes the main town to the east, separating it from the Sherburn in Elmet railway station and the employment and businesses also to the east. It has good transport links including a further railway station at South Milford to the south, the A63 also to the south and the A1(M) only four miles to the west off the A63.

12.3 The town is a focus for employment and has a large industrial estate on its eastern side which has planning permission for a large extension. In addition, Gascoigne Wood Interchange lies to the south east of Sherburn in Elmet and represents a 57 hectare site with regionally significant rail-freight infrastructure.



Picture 6

SHER-H

Location: Land adjacent to Prospect Farm, Milford Road.
Total Site Area: 17.39 hectares

This site is allocated for mixed use development comprising residential and community facilities.
Indicative dwelling capacity: 380 dwellings
Site Requirements In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to: 1. Provide a well-designed, visually-attractive development which adds to the overall quality of the area and creates a strong sense of place, which acts as both a gateway to Sherburn in Elmet from the south and as a transition point from the settlement to the open countryside. 2. The design of the development should reflect the Sherburn in Elmet Village Design Statement to ensure the overall layout, design, massing and density reflect the character of Sherburn-in-Elmet. Buildings should be modest and simple, and similarly styled but unique in their design, facing the street and be set back behind front gardens to assist with off-street parking and be no more than two storeys high. 3. Provide vehicle, cycling and pedestrian access from Milford Road to the west.

4. Provide a pedestrian crossing across Milford Road and to ensure the safety of residents, a traffic speed reduction will need to be extended south of the site.

5. This site must be fully integrated into the settlement, with cycle paths and footpaths which link the site to Milford Road and to the housing development to the north.

6. Provide a minimum of 20% affordable dwellings on the site.

7. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Athelstan Community Primary School, Sherburn High School, or other schools serving the development.

8. Provide land to expand the existing drop-off point for Athelstan Community Primary School, to support existing and new residents.

9. Ensure that potential impacts of adjacent flood risk are assessed and mitigated in the design of development. A sequential approach to development should take place, ensuring that development is located in areas of lowest overall flood risk.

10. Remediate any contaminated land that is present on the site in accordance with Policy NE8 (Pollution and Contaminated Land). This site has been used as agricultural land for over 100 years and this activity may have given rise to land contamination. An appropriate contamination assessment must be submitted with any planning application.

11. Respect the setting of the non-designated heritage asset of Prospect Farm, an historic farmstead. The setting of the historic farmstead of Prospect Farm will be affected by development of the site due to loss of its rural context.

12. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site is close to or has been identified as having potential archaeological features, particularly for later prehistoric, Roman and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

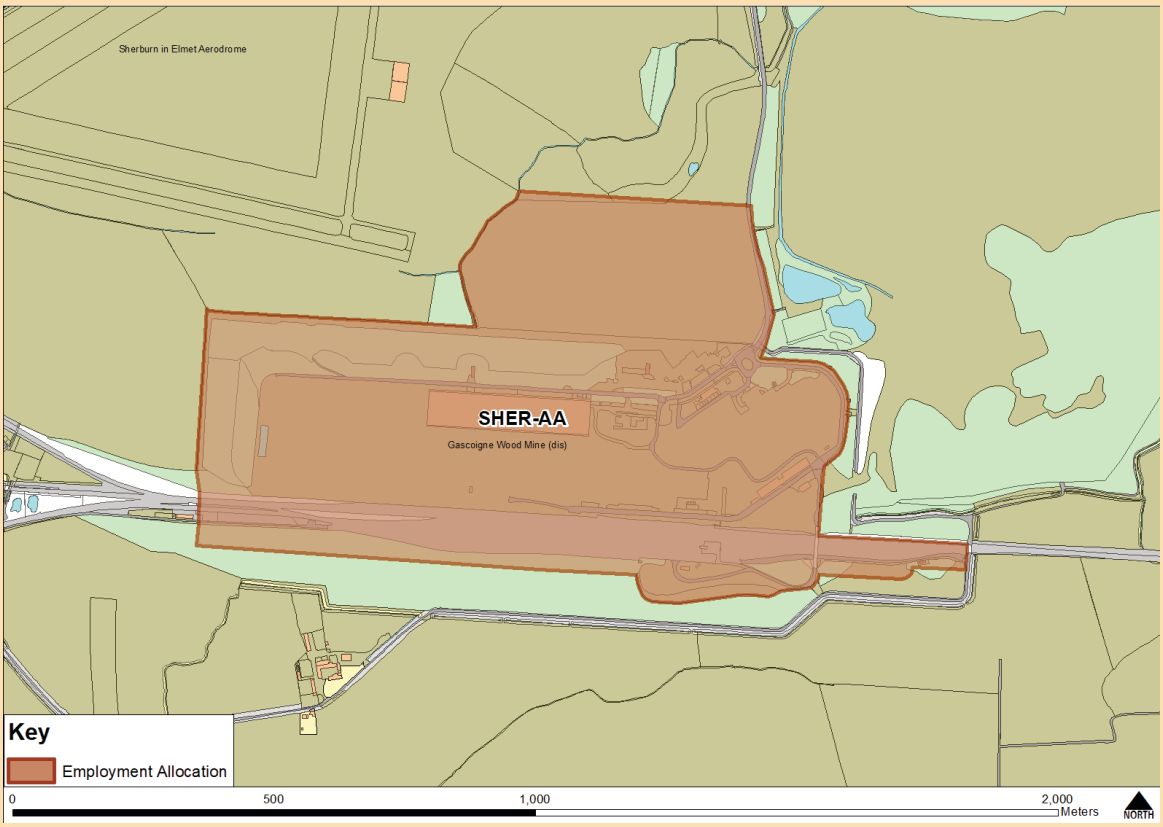
13. Retain and enhance the existing hedges and mature trees along the site's western boundary and the landscaping along the site's northern and eastern boundaries. Provide tree / hedgerow planting of native species and landscaped edges to the site's southern and eastern boundaries. The restoration and re-establishment of hedgerows and hedgerow trees with native species which have been lost in the past due to field expansion is necessary to provide landscape screening of views of the site from Milford Road to the west, as well as from the countryside to the south and east.

14. Appropriate assessment and mitigation where necessary should be undertaken to assess any potential impact on the Sherburn Willows SSSI.

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SHER-AA

Location: Gascoigne Wood Interchange (former Gascoigne Wood mine site).
Total Site Area: 71.71 hectares (of which 57.35 hectares is available for development).



This site is allocated for employment use.
This site will provide up to 57.35 hectares of employment development (excluding the greenfield land to the north).

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Utilise the existing rail infrastructure on the brownfield part of the site. This former colliery site has rail infrastructure relating to its role as a hub for the local coal mine network. This is recognised as being a unique asset to the former Selby district area. Any redevelopment of the site must utilise this existing infrastructure which provides the opportunity to access local and national markets via the rail network.

2. Ensure that the greenfield, northern part of the site is to be used only for the drainage attenuation basin/pond.

3. Ensure that air safety and aviation impacts are satisfactorily considered. This is to protect the amenity of Sherburn Aeroclub located to the north west of site.

4. Utilise and upgrade the existing vehicular access from New Lennerton Lane.

5. Ensure safe, attractive and convenient pedestrian and cycle routes are provided within the site which link to existing routes to Sherburn in Elmet town centre and the train stations at Sherburn in Elmet and South Milford.

6. Prepare an appropriate contamination remediation strategy in accordance with a phasing strategy and be supported by a Coal Mining Risk Assessment. This site was used as a coal mine (with associated railway connection, sidings and electrical grid connection) between 1983 and 2004, and has more recently been used for the storage of gypsum. These activities may have given rise to land contamination and/or ground gas issues. The ground conditions must be investigated and any necessary remediation work must be undertaken to ensure that the land is safe and suitable for its proposed use prior to development. An appropriate contamination assessment must be submitted with any planning application.

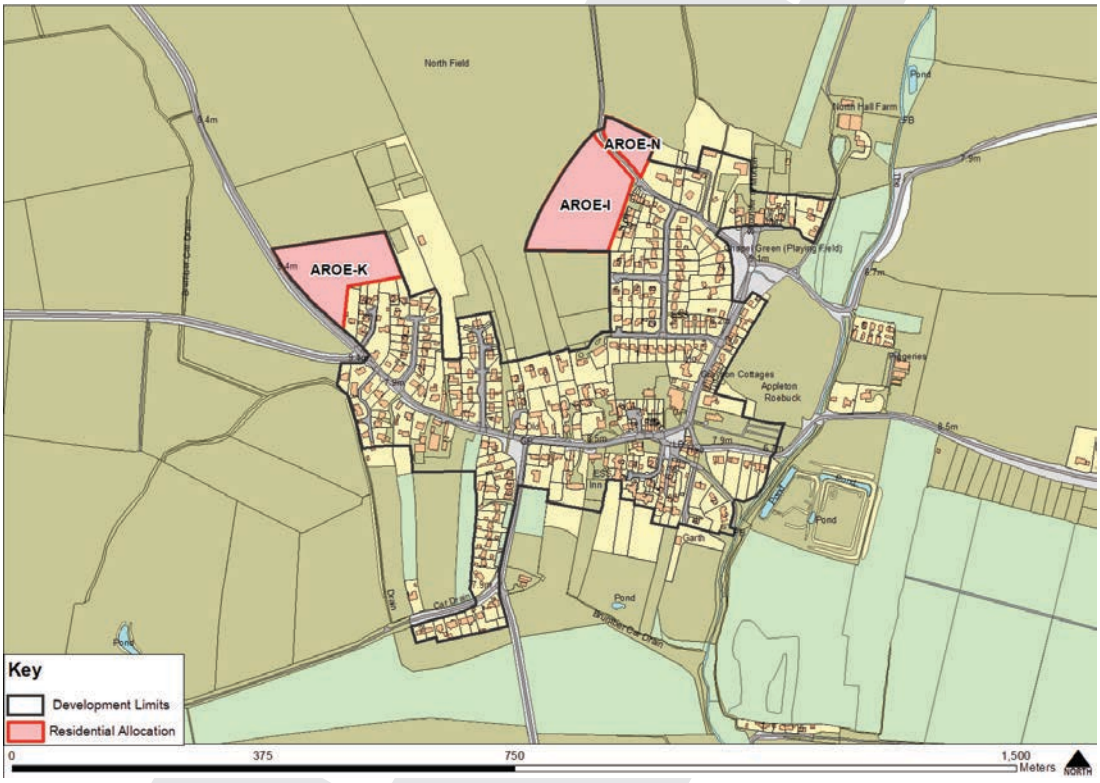
7. Create a landscaped buffer with tree/hedgerow planting of native species to provide screening of views from the northern, eastern and western edges of the site.

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13 Appleton Roebuck

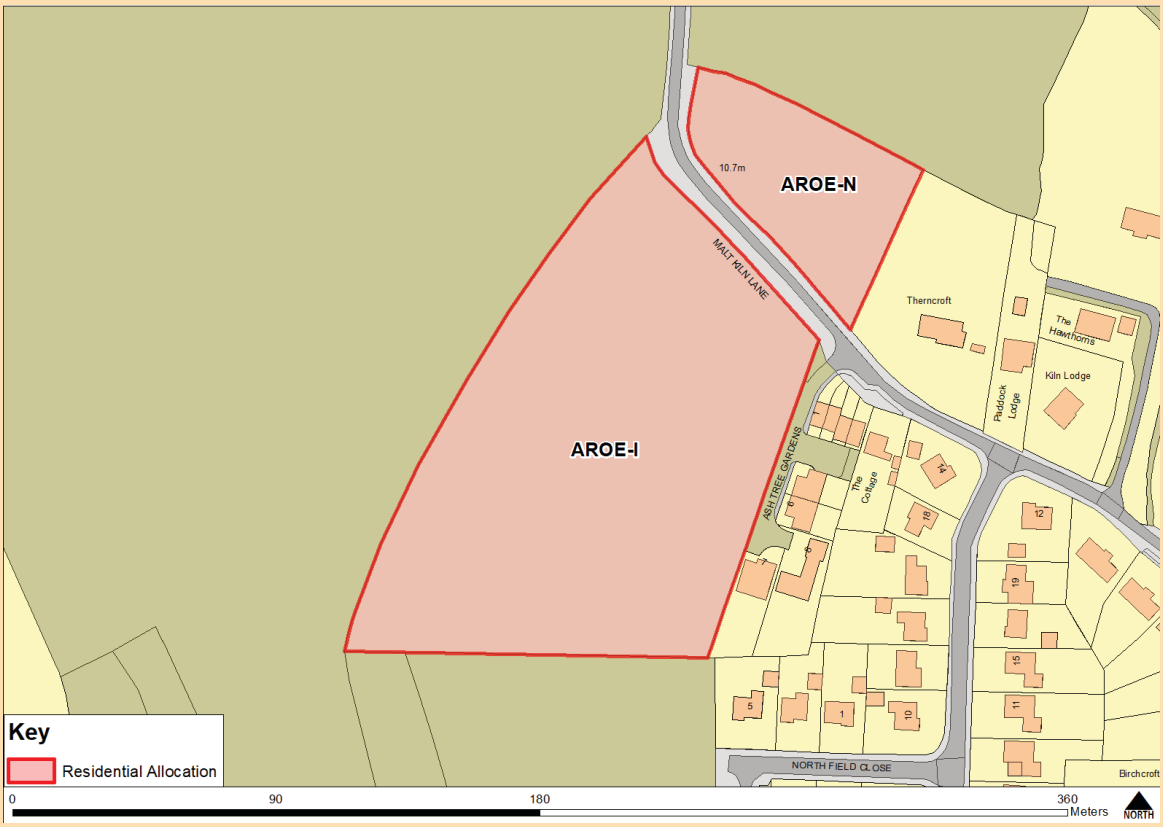
13.1 Appleton Roebuck is defined as a Tier 2 Village in the settlement hierarchy and is located seven miles to the east of Tadcaster and nine miles to the south west of York. It has a population of 830 (2021 Census) and is served by local facilities, including a primary school and village hall/meeting room.

13.2 The village is linear in nature and well-integrated into the surrounding landscape to the west of The Fleet, a tributary of the River Wharfe to the south. The historic character of the village is defined by Medieval field crofts and boundaries, ridge and furrow and a Moated Scheduled Monument to the south east. The historic part of the village is designated as a Conservation Area. More recent estate development has extended the village along the roads to the north, south and west.



Picture 7

AROE-I

Location: Land Adjacent to Malt Kiln Lane.
Total Site Area: 1.69 hectares

This site is allocated for residential development.
Indicative dwelling capacity: 36 dwellings
Site Requirements In addition to satisfying the requirements of relevant planning policies, development proposals on the site will be required to: 1. Provide a well-designed development, through a mix of design styles, architecture, materials and landscaping which reflect the village and its context. It is important that any development maintains the existing street and village character, through the choice of materials and layout, limiting development to two-storey properties and considering the Conservation Area characteristics. Design should be further informed by design policies set out within the Appleton Roebuck Neighbourhood Plan. As a continuation of the built frontages to the east of the site, development on the northern edge of the site should face Malt Kiln Lane, be set back from the highway and incorporate grass verges and street trees. 2. Provide vehicular, cycling and pedestrian access from Malt Kiln Lane. In order to facilitate safe vehicular, pedestrian and cycle access to the site, highways improvements will be required along the parts of Malt Kiln Lane that are adjacent

to the site. These improvements must include a speed reduction to 30mph, road widening, the provision of a footway that connects to the pavement east of the site and street lighting.

3. Provide a minimum of 20% affordable dwellings on the site.

4. Provide S106 financial contributions for additional early years, primary, and secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Appleton Roebuck Primary, Tadcaster Grammar, or other schools serving the development.

5. Due to the identified heritage assets in this location, (the site is adjacent to Appleton Roebuck Conservation Area and is close to a number of Listed Buildings), ensure the design and layout of the development reflects the guidance set out in the Appleton Roebuck Conservation Area Appraisal and incorporates the recommended mitigation measures as set out in the Heritage Impact Assessment which has been undertaken to preserve and where appropriate enhance these features.

6. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by associated with the retained Medieval Ridge and Furrow and later prehistoric, Romano-British, and Anglo-Saxon settlement remains) and use the results to inform the design of the scheme accordingly.

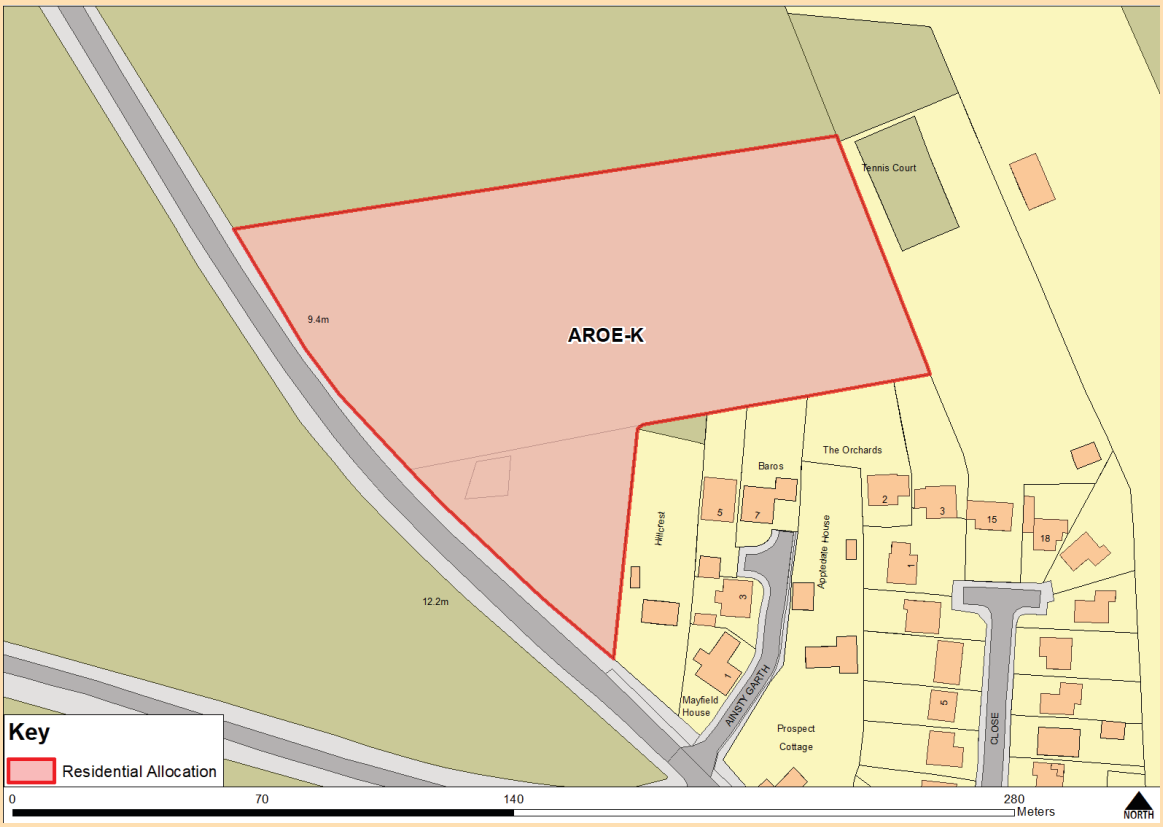
7. Locate development in the northern portion of the site and provide the recreation open space in the southern portion of the site, in order to provide a buffer to, compliment and enhance the ridge and furrow historic field pattern in the field to the south of the site. Locating the open space here will compliment the green heart of the settlement to the south of the site, which is integral to the rural character of the Conservation Area.

8. Retain existing mature trees and hedgerows by incorporating these into the design of development.

9. Provide appropriate landscaping of the western edge of the site to mark the transition between the settlement edge and the countryside.

AROE-K

Location: Land adjacent to Hillcrest, Colton Lane
Total Site Area: 1.34 hectares



This site is allocated for residential development.
Indicative dwelling capacity: 28 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on the site will be required to:

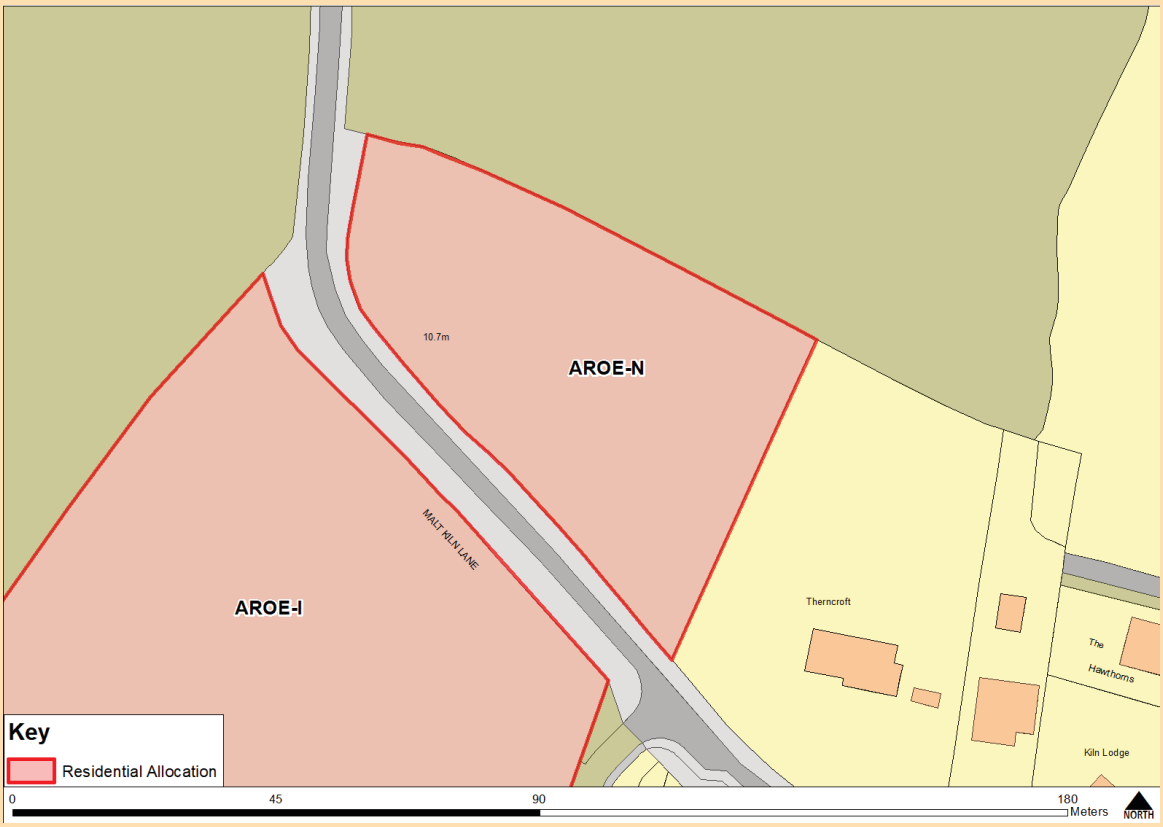
1. Provide a well-designed gateway development, which adds to and compliments the overall quality of the western part of the village. The development should be well designed and locally distinctive to enhance the overall character of the village and the long-range views of the village from the open countryside to the west and north of the site. The design of the site will be informed by nearby development to the east of the site on Ainsty Garth, Orchard Close and West End Avenue with the site reflecting a continuation of this cul-de-sac style development. Development should utilise a variety of building materials to ensure that the mix of style of houses in the village and the designated Conservation Area are reflected. To protect the amenity of nearby dwellings, dwellings should be a mixture of two-storey dwellings and bungalows. Design can be further informed by design policies set out within the Appleton Roebuck Neighbourhood Plan.

2. Provide vehicular, cycling and pedestrian access from Colton Lane to the south west of the site and provide a pedestrian link from the site through Colton Lane to Main Street.
3. Provide a minimum of 20% affordable dwellings on the site
4. Provide S106 financial contributions for additional early years, primary, and secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Appleton Roebuck Primary, Tadcaster Grammar, or other schools serving the development.
5. Due to the identified heritage assets in this location (the site is near to Appleton Roebuck Conservation Area and a large proportion of this land makes a strong contribution to the character and appearance of the Conservation Area), ensure the design and layout of the development reflects the guidance set out in the Appleton Roebuck Conservation Area Appraisal and incorporates the recommended mitigation measures as set out in the Heritage Impact Assessment which has been undertaken to preserve and where appropriate enhance these features.
6. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by for later prehistoric, Romano-British and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.
7. Place the green space, habitat provision, tree planting and Sustainable Drainage Systems in the south east of the site. Planting here will enhance the tree cover on neighbouring land to the east, which provides a range of mature trees and habitats. Selected tree species will be in keeping with neighbouring tree coverage and will provide enhancements and connections to the neighbouring habitat.
8. Retain the mature boundary trees and established hedgerows on the edges of the site and provide tree/hedgerow planting of native species on the northern and western boundaries of the site to provide screening of views from those directions.

AROE-N

Location: Land at Therncroft, Malt Kiln Lane

Total Site Area: 0.35 hectares



This site is allocated for residential development.

Indicative dwelling capacity: 4 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on the site will be required to:

1. Provide a well-designed development which adds to the overall quality of the settlement, creates a strong sense of place, consists of a mix of design styles and uses materials which reflects the designated Conservation Area. To ensure the overall layout and design reflects the character of the settlement, design should also be informed by design policies set out within the Appleton Roebuck Neighbourhood Plan. Development should be no more than two storeys high and continue the frontage development west of Malt Kiln Lane. The dwellings should be set back from the highway and complimented by the provision of front gardens, grass verges and native street-fronting trees and will avoid on-street parking by providing adequate on-site parking.

2. Provide vehicular, cycling and pedestrian access from Malt Kiln Lane. In order to facilitate safe vehicular, pedestrian and cycle access to the site, highways improvements will be required along the parts of Malt Kiln Lane that are adjacent

to the site. These improvements must include a speed reduction to 30mph, road widening, the provision of a footway that connects to the pavement east of the site and street lighting.

3. Provide S106 financial contributions for additional early years, primary, and secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Appleton Roebuck Primary, Tadcaster Grammar, or other schools serving the development.

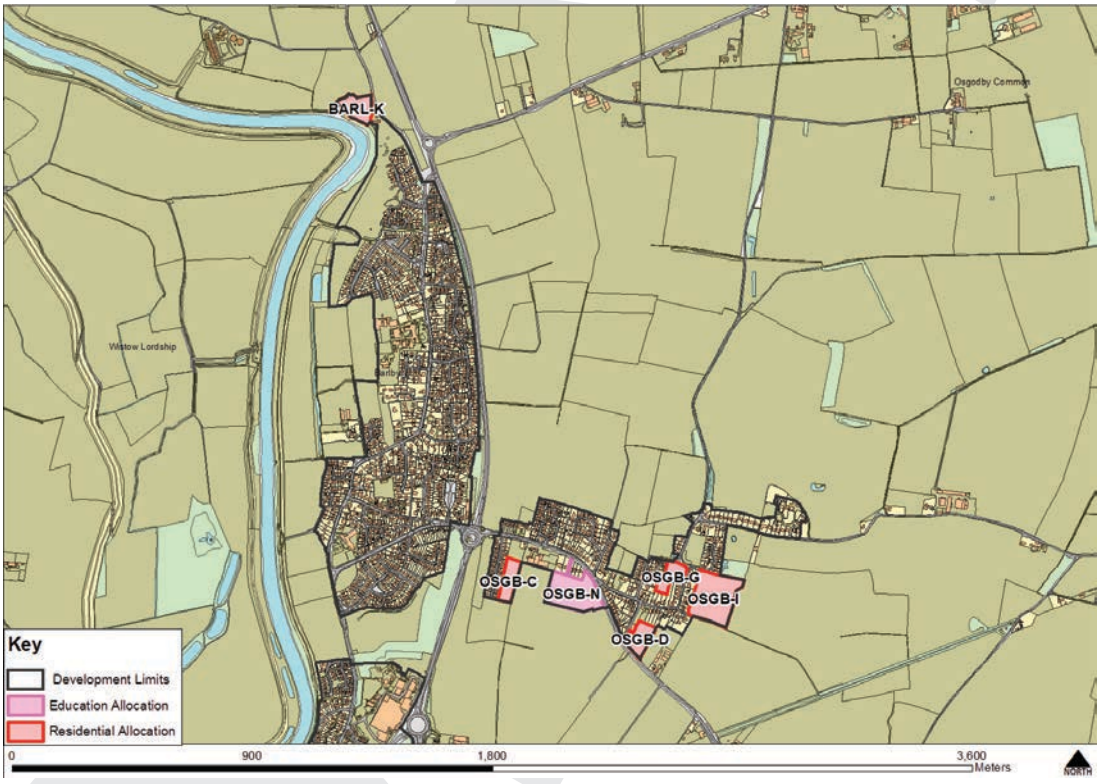
4. Due to the identified heritage assets in this location (the site is near to Appleton Roebuck Conservation Area and it makes some contribution to the character and appearance of the Conservation Area), ensure the design and layout of the development reflects the guidance set out in the Appleton Roebuck Conservation Area Appraisal and incorporates the recommended mitigation measures as set out in the Heritage Impact Assessment which has been undertaken to preserve and where appropriate enhance these features.

5. Retain mature trees and established hedgerows along the boundaries of the site, in order to preserve the agricultural character of this part of the village. Malt Kiln Lane presents a range of street-fronting trees which add significantly to the rural character of the road and proposals to provide new specimens in street-fronting locations will be supported.

14 Barlby & Osgodby

14.1 The villages of Barlby & Osgodby are located immediately to the north east of Selby town and together are defined as a combined Tier 1 Village in the settlement hierarchy. Together they have a combined population of 4,266 (2021 ONS). This population excludes the Barlby Bridge area of the parish, because for the purposes of this Plan that is classed as being in the Selby Urban Area. The villages are served by a range of local facilities, including the Barlby Community Primary School, Barlby High secondary school, a healthcare facility, a convenience store and two village halls/meeting rooms. Their proximity to Selby town means that further bus routes and a train station are also accessible. The National Cycle Network route 65 and the Trans-Pennine Trail also pass though Barlby.

14.2 Barlby village is constrained by the River Ouse to the west and the A19 to the east, whereas Osgodby is a more dispersed village extending north eastwards away from the A63. The buildings in both settlements show a degree of unity in style and colour and tend to be well integrated within the landscape, with harder boundaries along the main access roads of the A19 and A63. These main roads allow for good access north towards York and south towards Selby town.

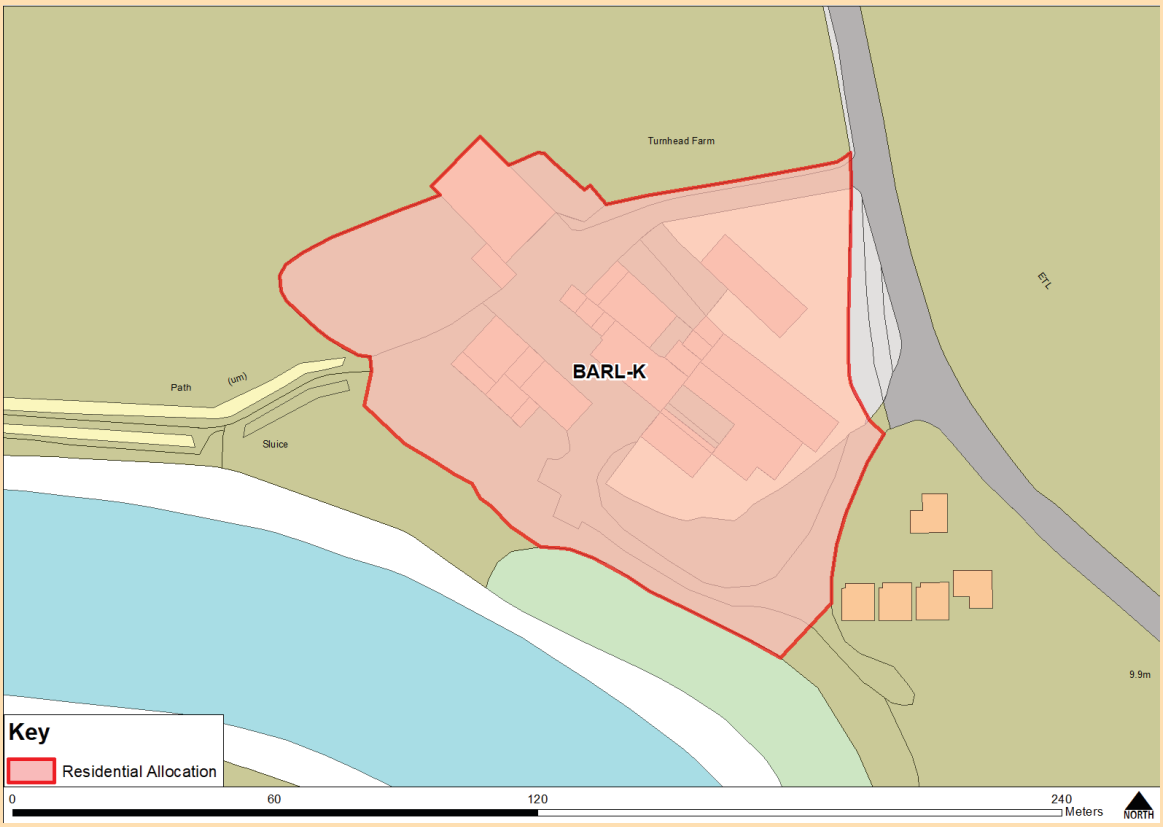


Picture 8

Revised Publication Selby Local Plan 2024

BARL-K

Location: Land at Turnhead Farm, York Road, Barlby.
Total Site Area: 1 hectare



This site is allocated for residential development.
Indicative dwelling capacity: 30 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on the site will be required to:

1. Provide a well-designed development that complements the existing development to the south and acts as both a gateway to Barlby Village and as a transition point from the village to open countryside.

2. Provide vehicle, cycling and pedestrian access to the site from York Road. A pedestrian linkage will also need providing along the southern side of York Road up to Pastures Close, to allow for a safe walking route from the site into Barlby village.

3. Provide a pedestrian and cycle link, which links the Trans-Pennine Trail Public Right of Way (PROW) on the southern boundary of the site, to York Road on the eastern boundary. Any development of the site must maintain or provide an alternative walking and cycling route, which connects the PROW south of the site, along the east bank of the river Ouse, to York Road on the site's eastern boundary.

4. Provide a minimum of 20% affordable dwellings on the site.

5. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Barlby Community Primary, Barlby High, or other schools serving the development.

6. Use a sequential approach to residual flood risk when locating the various uses on the site, in accordance with the requirements set out in the Council's Level 2 Strategic Flood Risk Assessment because part of the site is in Flood Zone 2 so a. A site-specific flood risk assessment will be required to determine the nature and scope of any mitigation necessary.

7. No development should take place within 16 metres of the main river (River Ouse). The site is in close proximity to the riverside, with a mix of engineered flood defences and natural high ground. A 16-metre buffer is required to secure regulator access for inspection, maintenance or future flood defences.

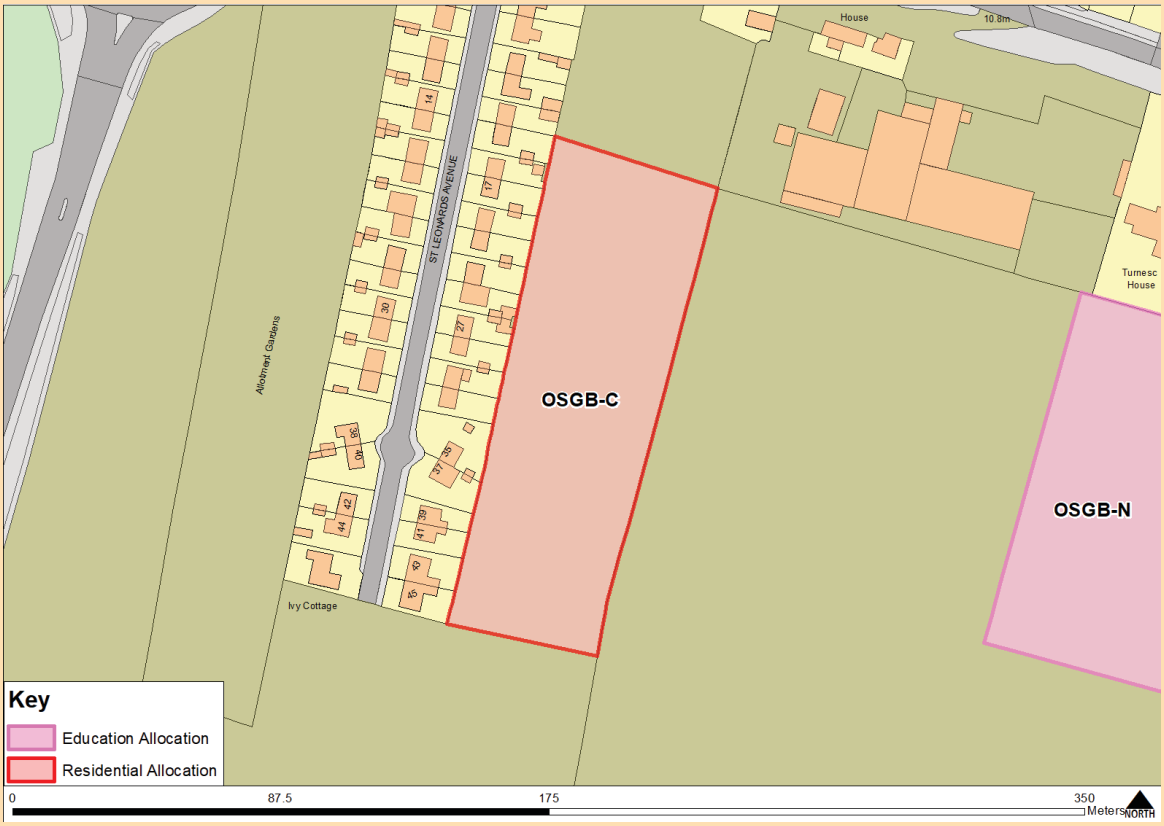
8. Remediate any contaminated land that is present on the site in accordance with Policy NE8 (Pollution and Contaminated Land). This site has been used as agricultural land for over 100 years and an old railway line runs across part of the site, and these uses may have given rise to land contamination.

9. Provide tree/hedgerow planting of native species to provide screening of views from the eastern, western and northern edges of the site.

10. Undertake an Appropriate Assessment for recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 Kilometres of the LDV or Skipwith Common or 10 kilometres of Humber Estuary.

OSGB-C

Location: Land east of St Leonards Avenue, Osgodby
Total Site Area: 0.84 hectares



Picture 9

This site is allocated for residential development.
Indicative dwelling capacity: 20 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on the site will be required to:

1. Provide a well-designed development which reflects the built form of the linear frontage style of building that occurs on The Fossards and St Leonards Avenue and which is well screened by new vegetation so that its impact on the surrounding countryside is minimised. The design of the development should have regard to the Osgodby Village Design Statement. It is not possible to link this road to any other but the cul de sac should maintain views of the surrounding countryside to the south. Buildings should be varied in their design and be set back behind front gardens to assist with off-street parking and be no more than two storeys high to be consistent with the character of this part of the village.

2. Provide vehicle, cycling and pedestrian access to the site from The Fossards to the north of the site.

3. Provide a minimum of 20% affordable dwellings on the site.

4. Avoid development of homes in the area of land designated as Flood Zone 3 at the southern edge of the site. The sequential approach to development in flood risk areas dictates that vulnerable uses such as residential homes should be located in lower risk flood zones. Locating the dwellings outside of the high risk flood zone has reduced the indicative dwelling capacity down to 20 dwellings. The less vulnerable uses on this site should be located in the Flood Zone 3 area, including ecological networks and drainage basins.

5. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Barlby Community Primary, Barlby High, or other schools serving the development.

6. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by for prehistoric, Roman and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

7. Provide tree/hedgerow planting of native species on the eastern and southern edges of the site to provide screening of views from these directions.

8. Undertake an Appropriate Assessment for recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.

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OSGB-D

Location: Osgodby Nurseries, Hull Road, Osgodby
Total Site Area: 0.8 hectares



Picture 10

This site is allocated for residential development.
Indicative dwelling capacity: 25 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on the site will be required to:

1. Provide a well-designed development which adds to the overall quality of the area and creates a strong sense of place in its position as both a gateway to Osgodby village from the east and as a transition point from the village to open countryside. The design of the development should have regard to the Osgodby Village Design Statement. Buildings should be varied in their design, be set back behind front gardens to assist with off-street parking and be no more than two storeys high in order to maintain the character of this part of the village.

2. Provide vehicle, pedestrian and cycle access from Cliffe Road to the west of the site. Access from Cliffe Road is to be located between the Osgodby Village Institute and the Aloe Bungalow. This is to be achieved through the demolition of the

extension to the Osgodby Village Institute on its southern side and the demolition of the Osgodby Nurseries dwelling to the rear. A replacement for the extension should be built on the northern side of the Osgodby Village Institute.

3. Provide a minimum of 20% affordable dwellings on the site.

4. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Barlby Community Primary, Barlby High, or other schools serving the development.

5. Retain the mature trees and hedgerows on the eastern boundary of the site and provide further tree/hedgerow planting of native species on the eastern edge of the site.

6. Undertake an Appropriate Assessment for recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.

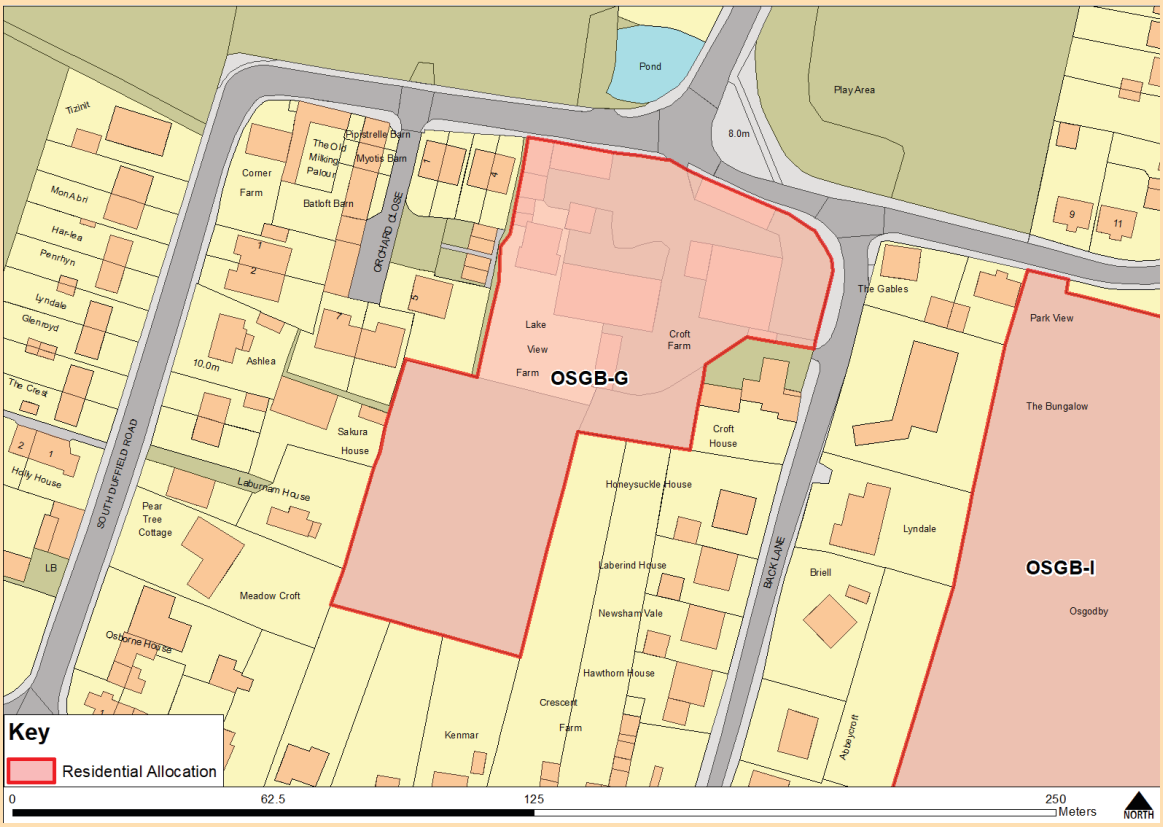
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OSGB-G

Location: Lake View Farm, The Hollies, Osgodby

Total Site Area: 0.69 hectares



This site is allocated for residential development.

Indicative dwelling capacity: 21 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on the site will be required to:

1. Provide a well-designed development which adds to the overall quality of the area and creates a strong sense of place. The design of the development should have regard to the Osgodby Village Design Statement. Buildings should be varied in their design, be set back behind front gardens to assist with off-street parking and be no more than two storeys high, in order to maintain the character of this part of the village. The site backs on to the rear of several properties and so the amenity of these residences must be factored into the design of the development and may result in a lower number of dwellings being delivered. The site also has some traditional barn buildings associated with the working farm which could be retained in order to preserve some of the agricultural character of this part of the village.

2. Provide vehicle, cycling and pedestrian access from South Duffield Road to the north of the site.

3. Provide a minimum of 20% affordable dwellings on the site.

4. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Barlby Community Primary, Barlby High, or other schools serving the development.

5. Remediate any contaminated land that is present on the site in accordance with Policy NE8 (Pollution and Contaminated Land). This site has been used as a farm, comprising various buildings/barns for over 100 years, and this use may have given rise to land contamination.

6. Undertake an Appropriate Assessment for recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.

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OSGB-I

Location: Land east of Sand Lane, Osgodby
Total Site Area: 2.81 hectares



This site is allocated for residential development.
Indicative capacity of the site: 72 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on the site will be required to:

1. Provide a well-designed development which adds to the overall quality of the area and creates a strong sense of place and acts as a transition point from the village to open countryside. The design of the development should have regard to the Osgodby Village Design Statement. Buildings should be varied in their design, be set back behind front gardens to assist with off-street parking and be no more than two storeys high in order to maintain the character of this part of the village. To create a transition from the village to the countryside, the development should consider lower densities and building heights on the rural edge.

2. Provide vehicle, pedestrian and cycle access from The Hollies to the north of the site and provide a pedestrian access from Sand Lane to the south of the site.

3. Provide a minimum of 20% affordable dwellings on the site.

4. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Barlby Community Primary, Barlby High, or other schools serving the development.

5. Remediate any contaminated land that is present on the site in accordance with Policy NE8 (Pollution and Contaminated Land). An old sand pit is located on the southern part of the site and this could potentially have been infilled, which may have given rise to land contamination and/or ground gas issues.

6. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by for prehistoric, Roman and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

7. Provide tree/hedgerow planting of native species to the site's eastern and southern boundaries.

8. Retain mature trees and hedgerows on the boundaries of the site.

9. Undertake an Appropriate Assessment for:

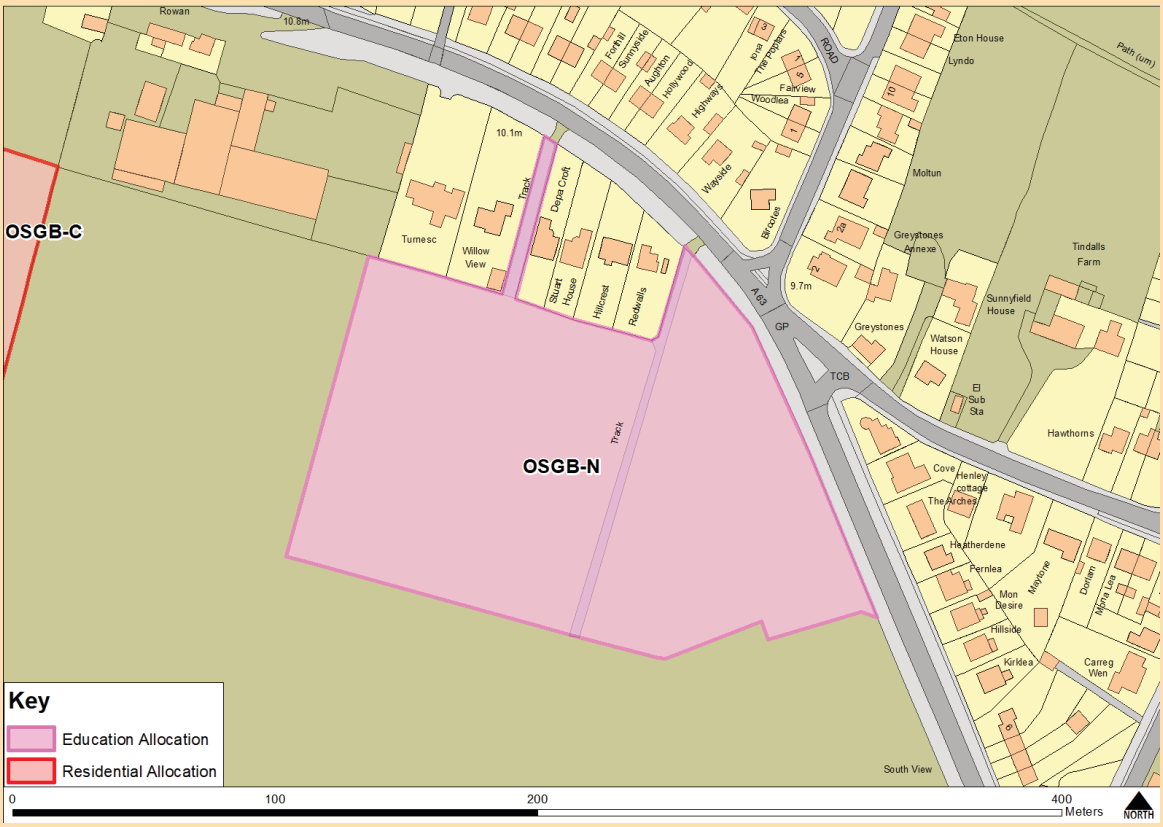
    i. Functionally-linked habitats as the site lies within the typical foraging ranges of species associated with the Lower Derwent Valley and Humber Estuary SPA/Ramsar designations and provides potentially suitable habitat. This should include either evidence that the proposed development site habitat is unsuitable for SPA/Ramsar designated species or assessment of the proposed development sites use by SPA/Ramsar designated species, including through the provision of wintering and passage bird surveys, and if necessary, appropriate mitigation.; and

    ii. Recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.

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OSGB-N

Location: Land south of Hull Road, Osgodby
Total Site Area: 2.35 hectares



This site is allocated for a Special Educational Needs and Disability School.

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on the site will be required to:

1. Provide a Special Educational Needs and Disability School and associated infrastructure, including associated car-parking provision and play areas for the children.

2. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by for prehistoric, Roman and Anglo-Saxon settlement) and the results to inform the design of the scheme accordingly.

3. Provide vehicle, pedestrian and cycle access to the site from Hull Road and provide a pedestrian crossing point in the near vicinity across Hull Road.

4. Retain the existing Public Right of Way that runs through the centre of the site and incorporate it into the design of the school grounds.

5. Retain existing mature trees and hedgerows on the site and provide a tree/hedgerow planting of native species to form the southern boundary of the site.

6. Prepare an Agricultural Land Classification Survey and soil survey, as insufficient detailed information is available to inform decision making.

7. Undertake an Appropriate Assessment for recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.

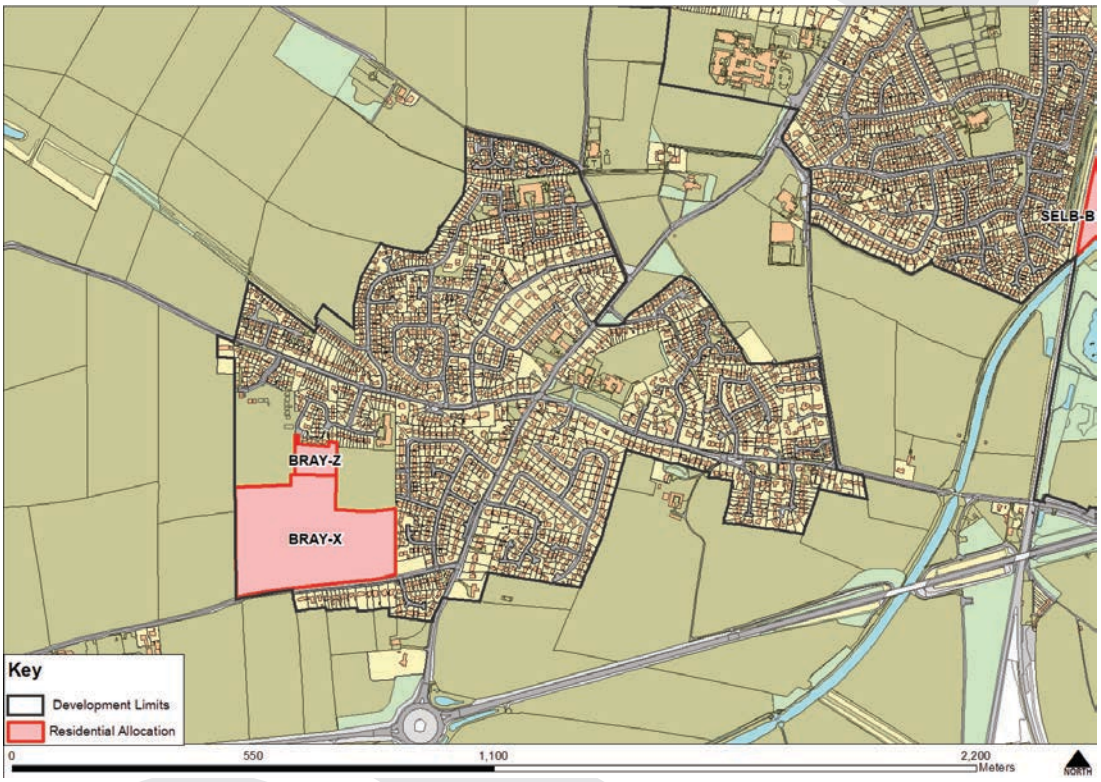
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15 Brayton

15.1 Brayton is defined as a Tier 1 Village in the settlement hierarchy and is located just to the south of Selby town. The village has a population of 3,877 (2021 ONS) and is served by a range of local facilities, including the Brayton Church of England VC and St Mary's primary schools, a healthcare facility, a convenience store and a village hall/meeting room. Brayton is located adjacent to the A63 and A19 with quick access north towards York, west towards Leeds and southwards heading towards the M62.

15.2 Brayton has two Strategic Countryside Gaps: one to the north and east separating it from Selby, and one to the west separating it from Thorpe Willoughby. The village is also constrained by the A63 to the south, Brayton Barff to the west and Selby Canal to the east. Brayton Barff and the surrounding area is designated as a Locally Important Landscape Area. The buildings within the settlement are relatively uniform in character and style, although more recent developments reflect the late 20th-century estate cul-de-sac style development. The historic part of the village is designated as a Conservation Area.

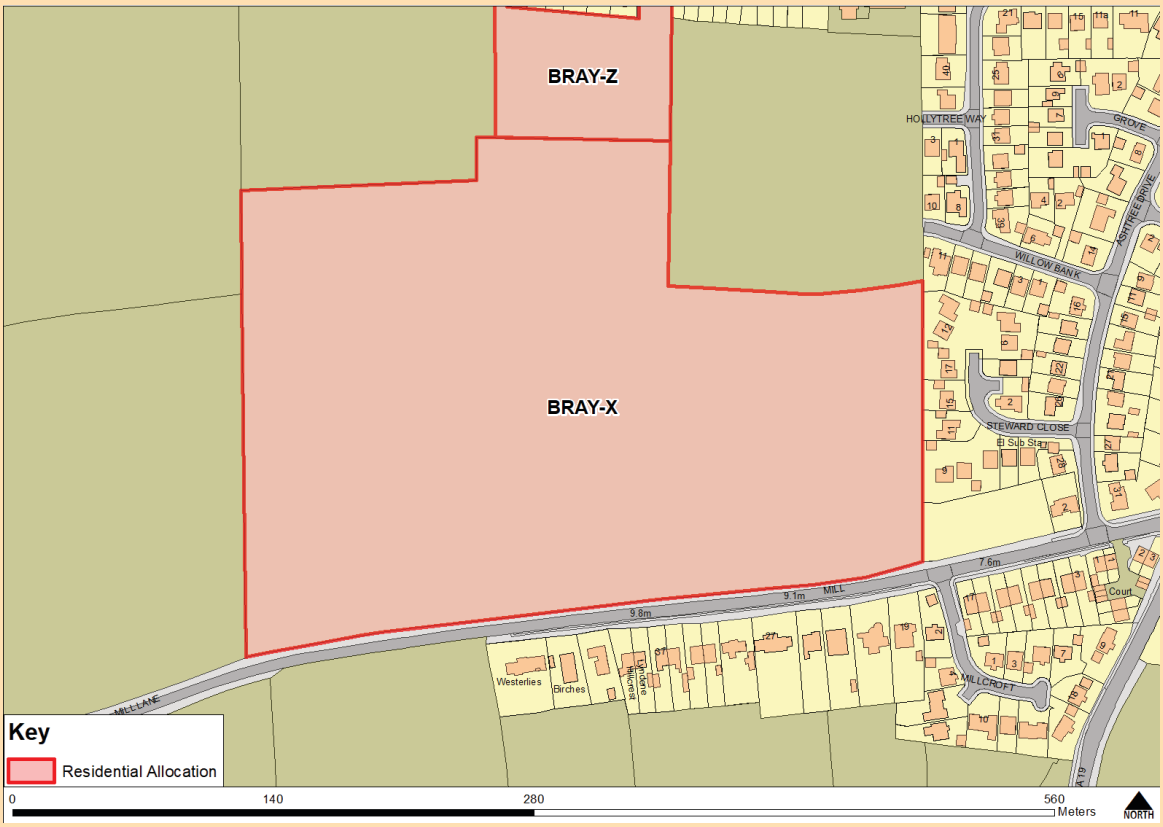


Picture 11

BRAY-X

Location: Land north of Mill Lane.

Total Site Area: 7.83 hectares



This site is allocated for residential development.

Indicative dwelling capacity: 188 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on the site will be required to:

1. Provide a well-designed development which adds to the overall quality of the village, creating a strong sense of place with strong links to the landscape and active leisure opportunities. The site is on the rural fringe of Brayton, directly abutting a Locally Important Landscape Area, and has the opportunity play an important role in enhancing the village's character and interface with the wider landscape. Development should ensure a mix of house types across the site of no more than 2 storeys in height using a variety of building styles and materials. Development should be set back in the south west corner of the site to preserve views of Brayton Barff. The orientation of properties and the layout of roads within the site should be designed to create avenues and views of Brayton Barff from within and across the site.

2. Provide appropriate primary vehicular access points and speed restrictions from Mill Lane to the south of the site, with an extended footway on the northern edge of Mill Lane to connect safely with the existing Mill Lane footpath further east.

3. Ensure access roads within the development incorporate traffic-calming measures and extend right up to the northern boundary of the site in order to connect into site BRAY-Z to the north and provide secondary vehicular access and pedestrian and cycle access links to the wider community.

4. Provide a dedicated footpath/cycle link running along the western edge of the site and connected to the development. The dominance of Brayton Barff within the landscape should form a key defining part of the design of the site. A dedicated footpath/cycle link running along the western edge of the site should preserve an open aspect towards Brayton Barff.

5. Provide a minimum of 10% affordable dwellings on the site.

6. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Brayton Church of England Primary, St Mary's Catholic Primary, Brayton Academy, or other schools serving the development.

7. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by for later prehistoric, Romano-British and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

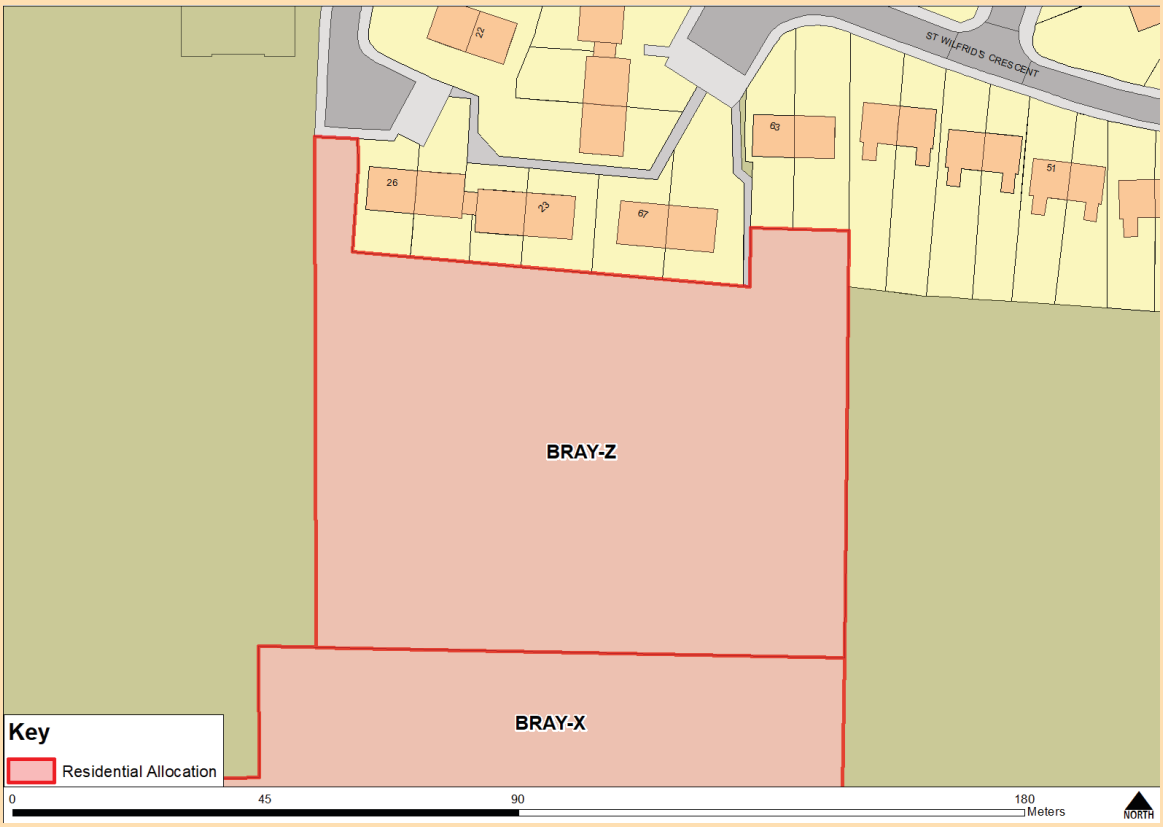
8. Retain existing hedgerows on the edges of the site.

9. Provide tree/hedgerow planting of native species on the western edge of the site to provide screening of views from this direction. Gaps in the planting should occur to create views to Brayton Barff from within the site. Creating new pockets of woodland within or on the edges of the development provides an opportunity to create linked habitats and link in to remnants of ancient woodland which exists nearby.

BRAY-Z

Location: Land south of St Wilfrid's Close.

Total Site Area: 0.67 hectares



This site is allocated for residential development.

Indicative dwelling capacity: 20 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on the site will be required to:

1. Provide a well-designed development which creates strong links and connectivity to the village and surrounding developments. It is important that the layout of the site is considered comprehensively, alongside potential impacts on adjacent development, so that opportunities to create linkages into and through the site are maximised. The development offers the opportunity to create an overall sense of place for the area as a whole, rather than a series of individual or isolated estates.

2. Provide primary vehicle access from St Wilfrid's Close to the north of the site. In order to increase permeability in this part of the village, access roads and pedestrian/cycle links within the development should extend up to the western boundary of the site in order to connect into the existing site to the north via Kestrel Garth and into site BRAY-X to the south.

3. Provide a minimum of 10% affordable dwellings on the site.

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4. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Brayton Church of England Primary, St Mary's Catholic Primary, Brayton Academy, or other schools serving the development.

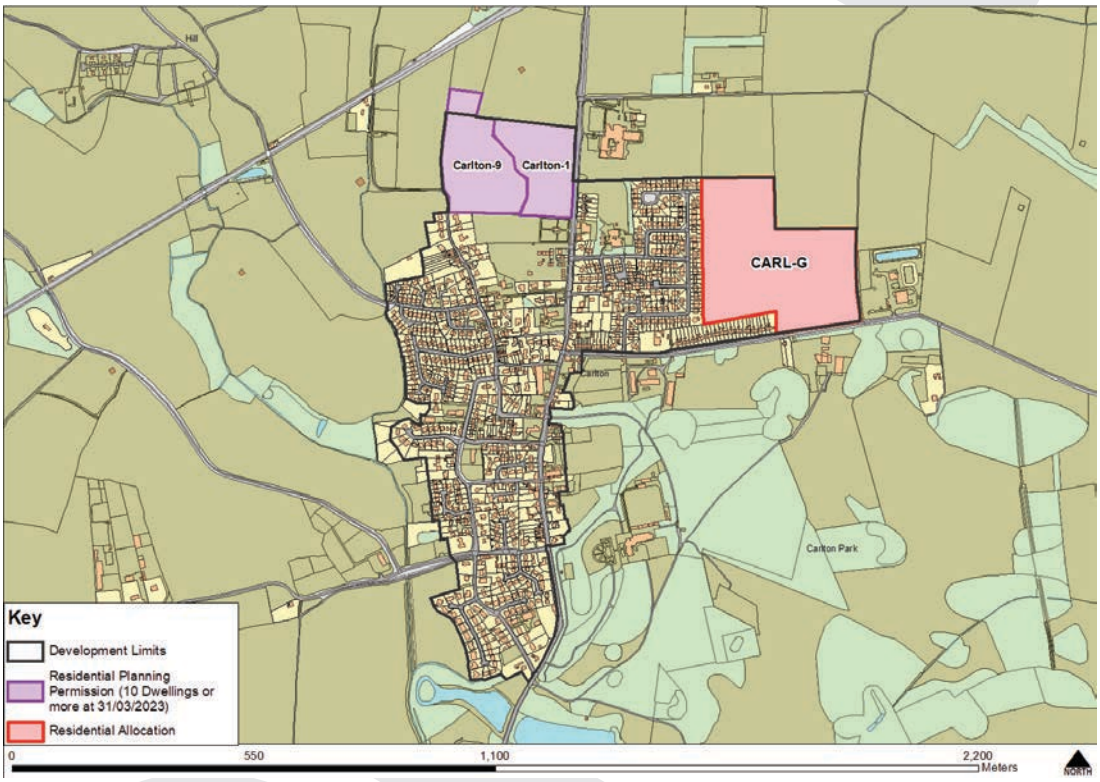
5. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by for later prehistoric, Romano-British and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

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16 Carlton

16.1 Carlton is a Tier 1 Village in the settlement hierarchy and is located approximately seven miles south east of Selby town and two miles north of Snaith. The village has a population of 2,039 (2021 ONS) and is served by local facilities, including a primary and secondary school, a healthcare facility, convenience store and two village halls/meeting rooms. The village is also within close proximity to the M62 for travel east and west. The National Cycle Network route 62 and the Trans-Pennine Trail also passes though the village.

16.2 Carlton village is relatively well integrated into the landscape, with generally positive boundaries. The village is historically rich and has developed in a linear form along the A1041. Most of the historic village is located along the High Street and to the west along Low Street. More recent estate development constrained by the historic grounds of the Carlton Towers Estate has taken place to the east of the High Street and north of Mill Lane. The buildings within the settlement are relatively uniform in style.

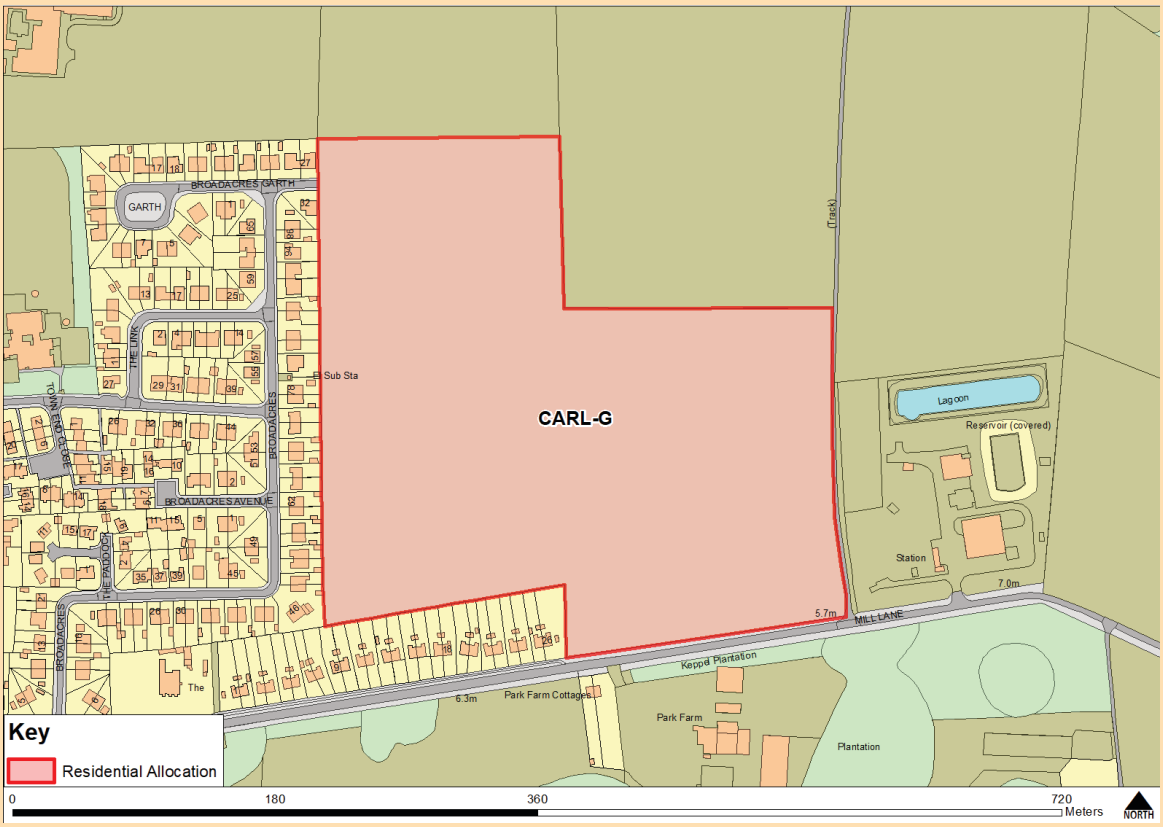


Picture 12

CARL-G

Location: Land north of Mill Lane.

Total Site Area: 9.56 hectares



This site is an allocation for residential development.

Indicative Dwelling Capacity: 150 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals will be required to:

1. Provide a well-designed development which adds to the overall quality of the village, creating a strong sense of place with specific and dedicated spaces for wildlife. The indicative capacity has been reduced to 150 dwellings is to reflect lower densities given the rural context of the site and the setting of the heritage asset to the south. The site is on the rural fringe of Carlton and has the opportunity to play an important role in enhancing the village's character and interface with the wider landscape through significant areas to the south and east being kept permanently open to protect the local historic and landscape character and views into the village form surrounding areas.

2. In keeping with a traditional village character the development should ensure a variety of building styles and materials across the site. Single-storey dwellings should be provided in proximity to the existing built development of Broadacres and no more than two-storey dwellings are included as part of the development overall.

3. Provide vehicle, cycle and pedestrian access through a 6-metre wide transition road linking the new development to Mill Lane. The Mill Lane access should consider the farm access opposite the development and also include improvements to the footway on Mill Lane to enable safe pedestrian access to the development and the Public Right of Way which joins the site. Off-site improvements to Mill Lane and High Street road junctions and footpaths should be undertaken, if required.

4. Provide a secondary access for emergency vehicles, pedestrians and cyclists only to Broadacres Garth to the west of the site.

5. Retain and enhance the existing Public Right of Way which traverses the south eastern part of the site and provide a significant buffer to the bridleway to the east to maintain its rural setting.

6. Include measures to minimise pressures and safety concerns at school pick-up and drop-off times which may be exacerbated by the development and incorporate a safe walking route from the development to the schools, ideally through a dedicated footpath link from the north of the proposed development. Site promoters/developers are expected to engage with the adjacent schools regarding these opportunities.

7. Provide a minimum of 10% affordable dwellings on the site.

8. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Carlton Primary, Holy Family Catholic High School, or other schools serving the development.

9. Keep the land in proximity to the Groundwater Source Protection Zones 1 and 2 and water pipelines in the south eastern corners permanently open and ensure that any risk can be be managed.

10. Due to the identified heritage assets in this location (the site is adjacent to the designated landscape setting to Carlton Towers, which is also a Grade I Listed Building), keep land to the south of the development open and set back from Mill lane and incorporate the recommended mitigation measures as set out in the Heritage Impact Assessment which has been undertaken to preserve and where appropriate enhance these features.

11. Provide a significant are of open space, sport and recreation on site, in a location accessible to the existing residential development of Broadacres and separate from the areas to be kept permanently open to buffer and protect the local historic and landscape setting.

12. Provide robust landscape infrastructure and buffering to protect the rural nature of Mill Lane and Long Hedge Lane, including permanent screening to the north and east of the site. Development should be set back from Mill Lane in the south east corner of the site and include robust landscape infrastructure to the east and north in order to maintain the rurality and context of the village and Carlton Towers Parkland when approaching the village from the east along Mill Lane, and the longer distance views from the north into Carlton. The landscaping has the opportunity to provide an important home for nature on this rural fringe location and has the need for this has been taken into consideration through a reduced housing capacity.

13. Retain any mature hedges and trees on the boundaries of the site.

14. Not extend into the Health and Safety Executive Consultation Zone around the pipeline which is located in the north east of the site.

15. Undertake an Appropriate Assessment for:

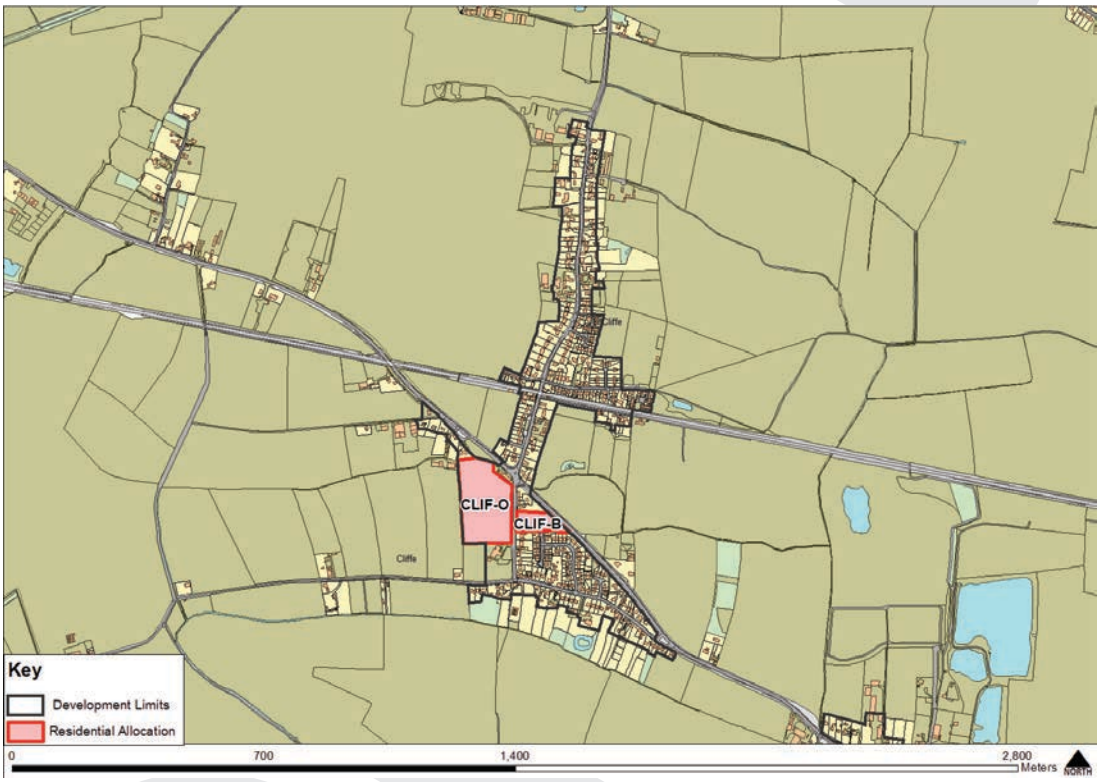
    i. Functionally-linked habitats as the site lies within the typical foraging ranges of species associated with the Lower Derwent Valley and Humber Estuary SPA/Ramsar designations and provides potentially suitable habitat. This should include either evidence that the proposed development site habitat is unsuitable for SPA/Ramsar designated species or assessment of the proposed development sites use by SPA/Ramsar designated species, including through the provision of wintering and passage bird surveys, and if necessary, appropriate mitigation.; and

    ii. Recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.

17 Cliffe

17.1 Cliffe is a Tier 2 Village in the settlement hierarchy and is located approximately four miles north east of Selby town. The village has a population of 1,378 (2021 Census) and is served by local facilities, including Cliffe Primary School, convenience store, and village hall/meeting room. The village is also located on the A63 with westwards travel towards the A19 and eastwards travel to the M62. The National Cycle Network route 65 and the Trans-Pennine Trail also pass though the village.

17.2 Cliffe village is well integrated with the landscape, with harder boundaries along the A63 main access road. This linear village is situated north of the River Ouse and is bisected by the A63. A Strategic Countryside Gap separates the village from Hemingbrough to the east. The southern part of the village south of the A63 is in a compact form following the route of the old A63, whilst to the north of the A63 the village follows a linear mainly frontage style of development for approximately one mile. The buildings within the settlement show a degree of unity of style and colour. The Selby to Hull Railway crosses the northern part of the village.



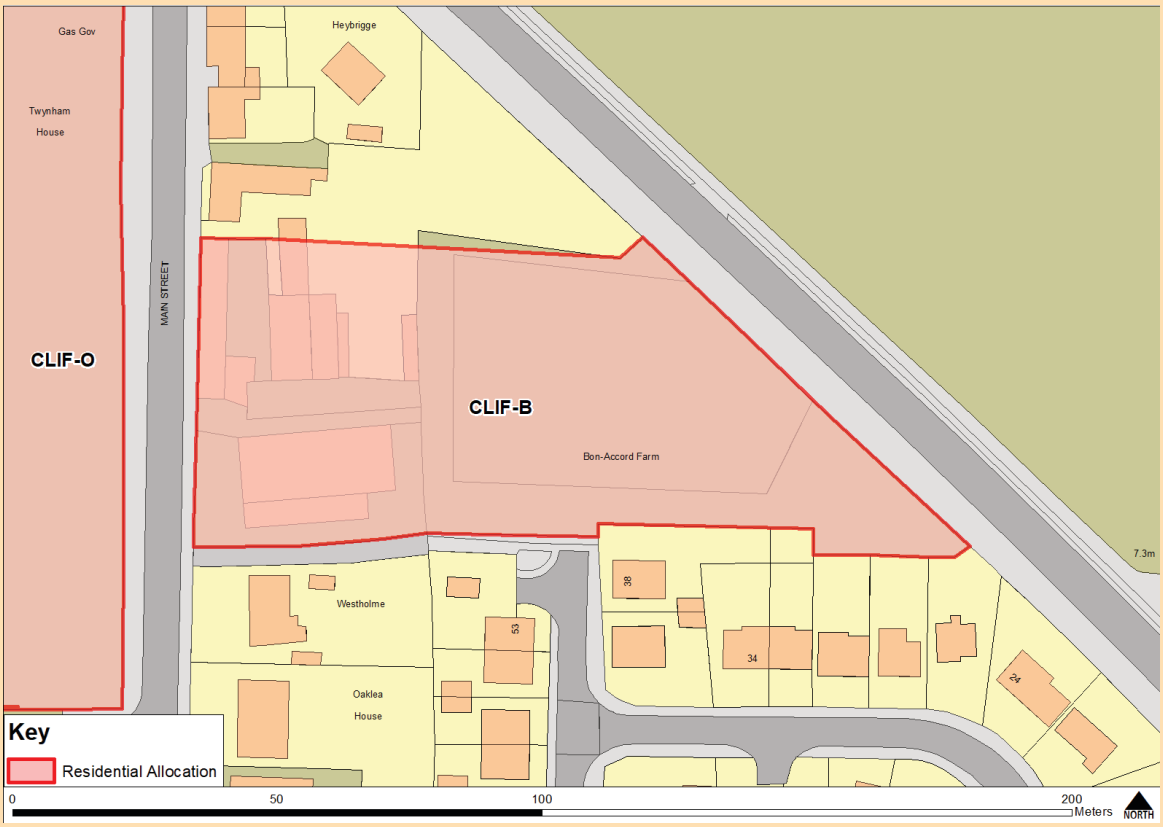
Picture 13

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CLIF-B

Location: Land at Bon Accord Farm, Main Street.

Total Site Area: 0.64 hectares



This site is allocated for residential development.

Indicative dwelling capacity: 16 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed and visually attractive development which adds to the overall quality of the area and creates a strong sense of place. Buildings should be varied in their design and be set back behind front gardens to assist with off-street parking. Development should be no more than two storeys to ensure that they complement the character and form of the village and they have minimum impact on the surrounding landscape.

2. Provide vehicle, cycling and pedestrian access from Main Street to the west and provide a secondary access for pedestrians and cyclists from The Shrubberies to the south.

3. Provide a minimum of 20% affordable dwellings on site.

4. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Cliffe Primary School, Barlby High, or other schools serving the development.

5. Remediate any contaminated land that is present on the site in accordance with Policy NE8 (Pollution and Contaminated Land). This site has been used as a farm, comprising various buildings/barns, for over 100 years and this activity may have given rise to land contamination and/or ground gas issues.

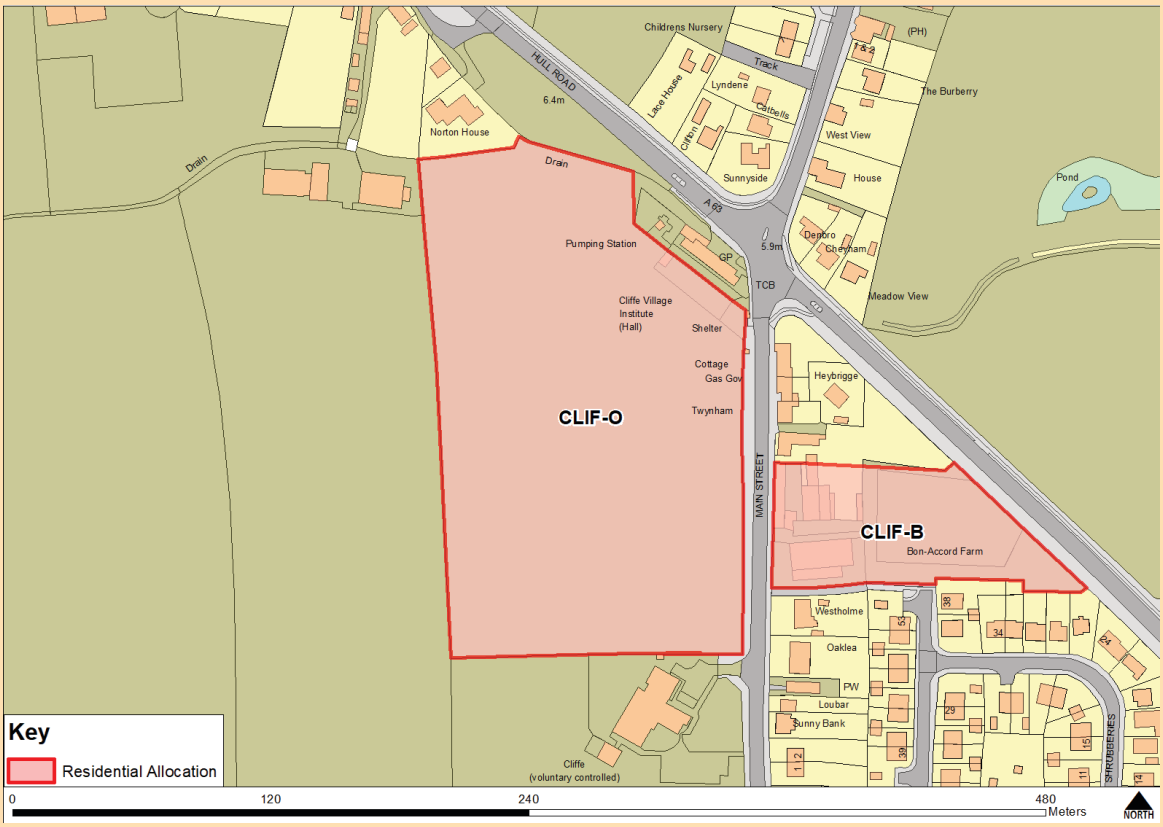
6. Retain the mature trees on the edges of the site.

7. Undertake an Appropriate Assessment for recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.

DRAFT

CLIF-O

Location: Land north of Cliffe Primary School, Main Street.
Total Site Area: 3.03



This site is allocated for residential development.
Indicative dwelling capacity: 56 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed development, that acts as a gateway to Cliffe and completes the linear form of the village, from north to south along Main Street and York Road. The design of the development therefore needs to tie together the existing development to the north and south of the A63. Buildings should be varied in their design and be set back behind front gardens to assist with off-street parking. Development should be no more than two storeys in height.

2. Provide vehicle, cycling and pedestrian access from Main Street to the east.

3. Provide a school drop-off point on Main Street, adjacent to Cliffe Primary School. This is required in order to improve highway safety in the area and for the convenience of existing and future residents of the village.

4. Provide a minimum of 20% affordable dwellings on the site.

5. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Cliffe Primary School, Barlby High, or other schools serving the development.

6. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by for later prehistoric, Romano-British and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

7. In the southern part of the site, provide an open space, sport and recreation area to separate the residences from the school. This will provide a buffer between the residents and the school, which is needed for the amenity reasons of noise and privacy.

8. Reinstate and restore the hedgerows and trees on the western boundary where the field boundary has been lost/ eroded in the past and are at risk of further loss. This is important due to the site's location on the edge of the settlement.

9. Retain the mature trees on the eastern part of the site along Main Street. These make up an important part of the streetscape.

10. Undertake an Appropriate Assessment for:

    i. Functionally-linked habitats as the site lies within the typical foraging ranges of species associated with the Lower Derwent Valley and Humber Estuary SPA/Ramsar designations and provides potentially suitable habitat. This should include either evidence that the proposed development site habitat is unsuitable for SPA/Ramsar designated species or assessment of the proposed development sites use by SPA/Ramsar designated species, including through the provision of wintering and passage bird surveys, and if necessary, appropriate mitigation; and

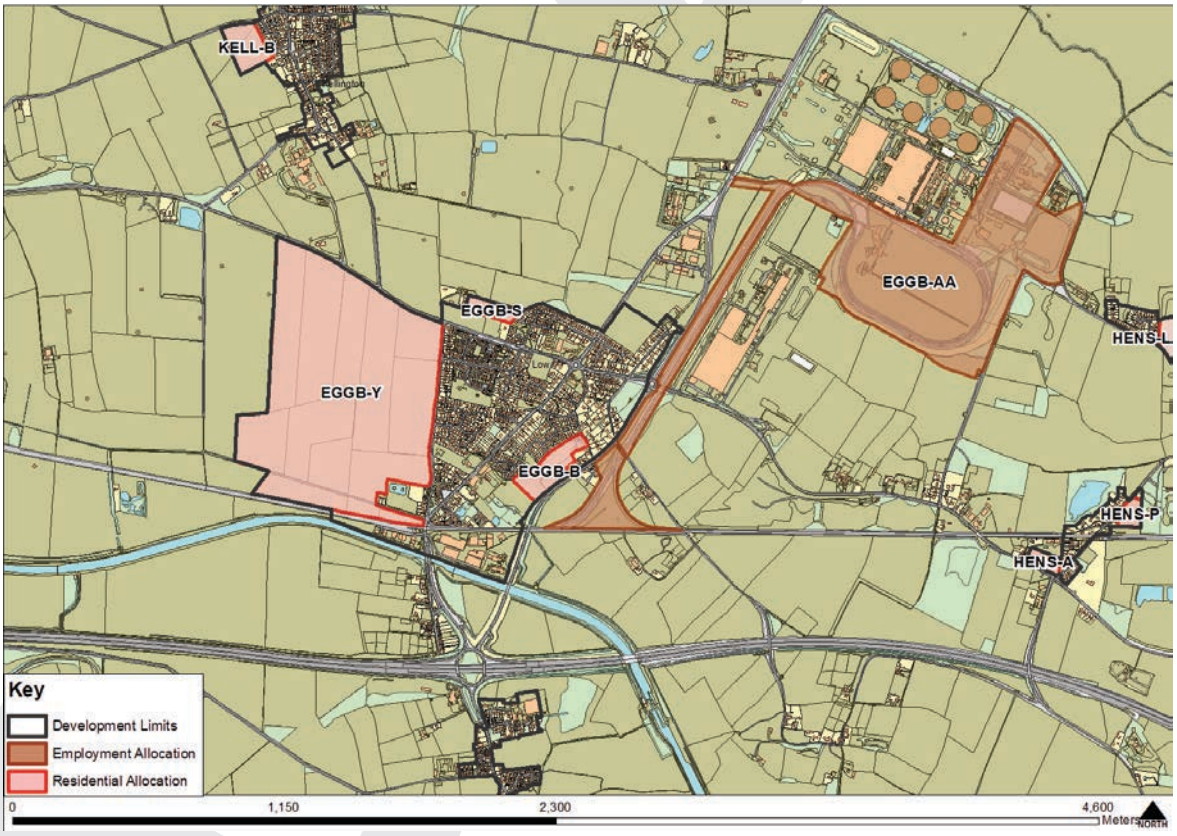
    ii. Recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.

18 Eggborough & Whitley

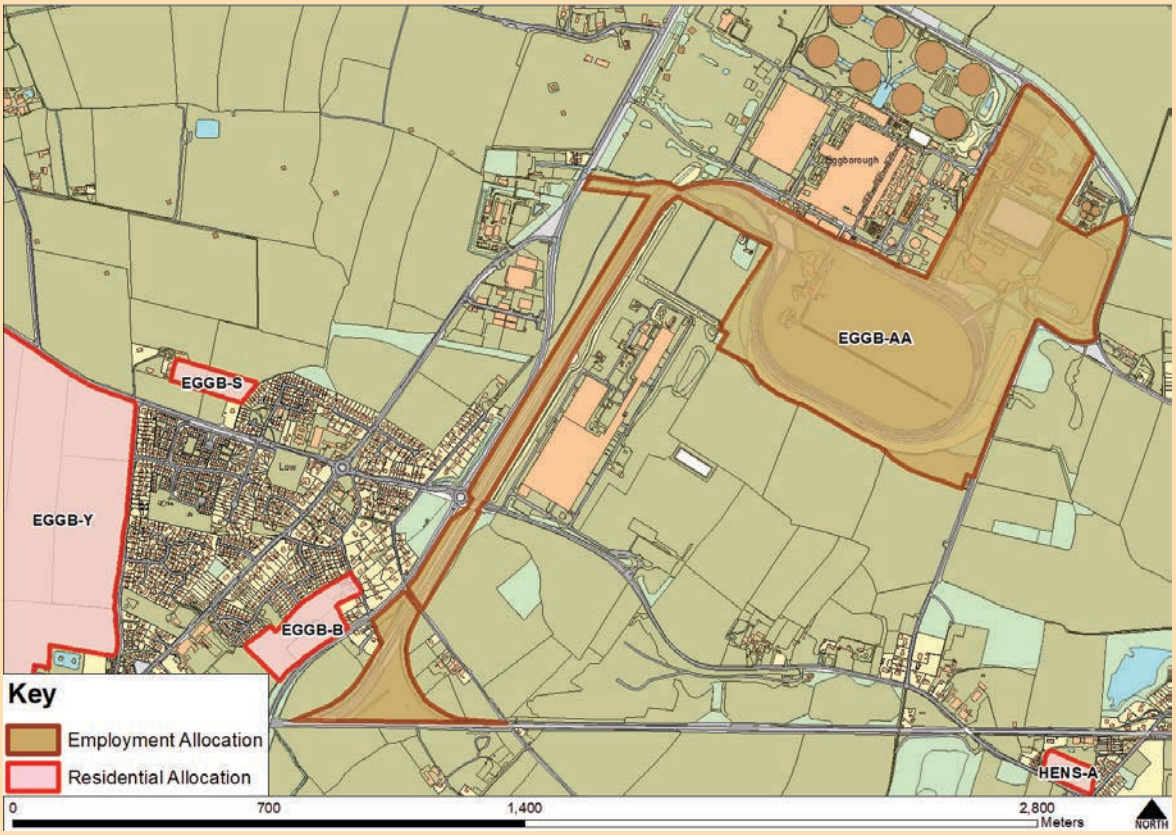
18.1 Eggborough & Whitley are two settlements which are combined as a Tier 1 Village in the settlement hierarchy. These villages are located approximately six miles to the south of Selby town on the A19. The two villages share several services but they are physically split by the M62 and the Aire and Calder Navigation Canal. Eggborough & Whitley have a combined population of 3,633 (2021 Census) and they are served by local facilities; 15 different services are provided, which include the Eggborough and Whitley Primary School, a healthcare facility, two local convenience stores and a village hall/meeting room.

18.2 The villages have good transport links being located on both the A19 and M62. Whitley Bridge railway station is located immediately to the south of the village, but trains that stop are infrequent. Eggborough & Whitley are within the proposed M62 Energy Corridor, which is an area identified for future growth by the Local Enterprise Partnership. Located within close proximity to Eggborough village are the strategic employment sites of the former Eggborough Power Station and the former Kellingley Colliery employment park.

18.3 Whitley is a long and open linear village located to the south of the M62, whilst Eggborough, which is located to the north of the M62, has a more compact form of existing development. Modern residential development characterises both villages with the buildings showing unity of style and colour. The landscape in this part of the former Selby district area is open and has a flat elevation.



EGGB-AA

Location: Land at the former Eggborough Power Station.
Total Site Area: 70.81 hectares (of which approximately 40 hectares is available for development)

This site is allocated for employment use.
The site will provide approximately 40 hectares of employment development.
Site Requirements In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to: 1. Reuse the land for employment development which seeks to utilise, where feasible, the existing rail infrastructure within the southern part of the site. The site has rail infrastructure relating to its former role as a coal depot that was used to fuel the former power station. This is recognised as being a unique asset to the former Selby district area and any redevelopment of the site should utilise this existing infrastructure which provides the opportunity to access local and national markets via the rail network. 2. Vehicular access must be taken from either existing accesses at Wand Lane, Hazel Old Lane, Tranmore Lane or from the new junction to the former power station site from the A19, or a combination of these. If necessary, accesses should be upgraded to accommodate the traffic associated with a large-scale employment

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site. A Transport Assessment must accompany a planning application given the scale of development and if required as part of the mitigation, a Sustainable Travel Plan.

3. Provide cycle paths and footpaths with links to adjoining residential areas and provide cycle storage for employees.

4. Use a sequential approach to residual flood risk when locating the various uses on the site, in accordance with the requirements set out in the Council's Strategic Flood Risk Assessment. Site-specific flood risk assessments will be required to address relative vulnerabilities across the site.

5. Provide sufficient information to demonstrate that the risks to Groundwater Source Protection Zone 2 in this location can be managed.

6. Remediate any contaminated land that is present on the site in accordance with Policy NE8 (Pollution and Contaminated Land). This site was used as part of Eggborough Power Station (coal-fired) between 1967 and 2018 and may have given rise to land contamination and/or ground gas issues.

7. Provide sufficient information to demonstrate that the risks from the nearby historic landfill can be mitigated before the development commences. Any development should have sufficient mitigation measures in place to protect the environment from mobilisation of sediments or impacted ground. A piling risk assessment may be required depending on the presence of any ground which had been impacted by contamination.

8. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site is close to or contains some identified archaeological features which present an unknown level of risk) and use the results to inform the design of the scheme accordingly.

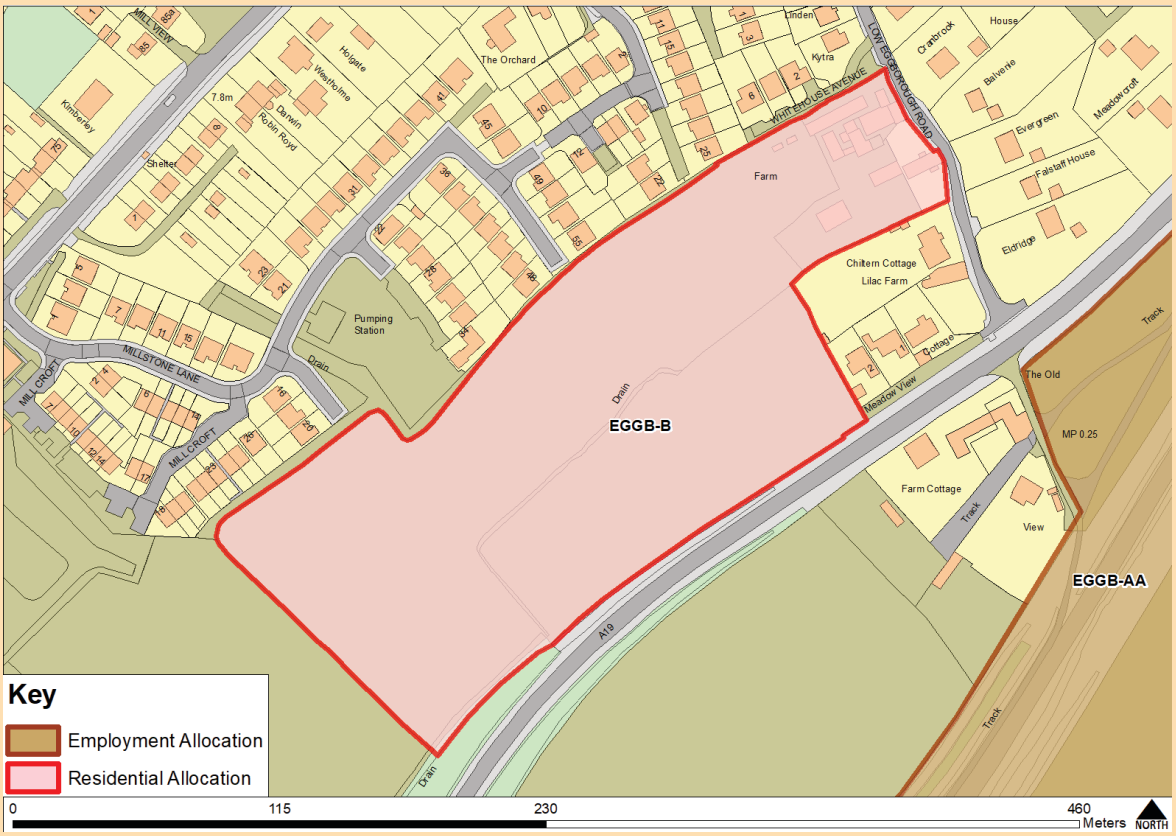
9. Provide natural screening from the potential impacts of the development whilst also encouraging reinstatement and restoration of hedgerows and hedgerow trees on the boundary of the site.

10. Provide a green infrastructure masterplan which also considers the delivery of biodiversity net gain.

11. Be informed by an Agricultural Land Classification Survey. As the site is above 20 hectares in size and is in the Best and Most Versatile agricultural land, Natural England require an Agricultural Land Classification Survey to be carried out. The survey will inform planning decisions on the site which seek to manage soils in a sustainable way during construction and protect soils from contamination.

EGGB-B

Location: Land west of White House Farm, Low Eggborough Road.
Total Site Area: 3.62 hectares



This site is allocated for residential development.
Indicative dwelling capacity: 109 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed development which complements the surrounding developments in terms of the density, heights and directions of buildings and links to surrounding open spaces.

2. Provide vehicle, cycle and pedestrian access from Low Eggborough Road following the demolition of existing agricultural buildings at White House Farm, with a secondary emergency-only access from the A19 bypass.

3. Provide a minimum of 10% affordable dwellings on the site.

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4. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Whitley and Eggborough Primary School, Brayton Academy, or other schools serving the development.

5. Remediate any contaminated land that is present on the site in accordance with Policy NE8 (Pollution and Contaminated Land). The site has been used as agricultural land and these activities may have given rise to land contamination and/or ground gas issues.

6. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site is a greenfield site with archaeological potential particularly for later prehistoric, Romano-British and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

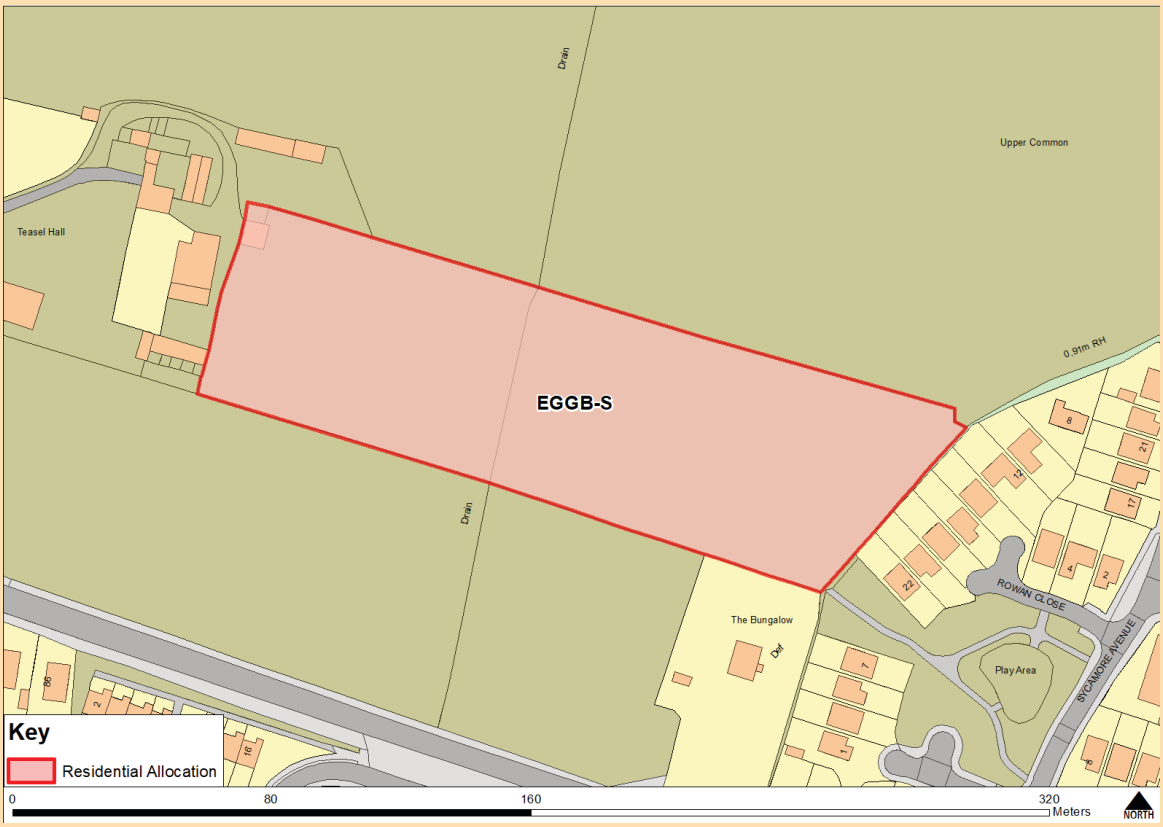
7. Retain and enhances the existing tree and hedgerow planting on the southern and western boundaries of the site, in part to protect future occupiers from the amenity impacts of the A19.

8. Carry out an acoustic assessment to investigate the noise impacts of the nearby A19 road and implement any mitigation measures required.

EGGB-S

Location: Teasle Hall Farm, Weeland Road.

Total Site Area: 1.17 hectares



This site is allocated for residential development.

Indicative dwelling capacity: 35 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed development, that complements the existing development to the south and east and acts as a transition point from the village to the open countryside.

2. Provide vehicle, cycling and pedestrian access from Weeland Road to the south. This will involve bringing the road through a site that has (at the time of writing) a planning permission for housing. The landowner also owns this site and it has been proven that alterations can be made to this permission (2019/1328/REMM) in order to gain a viable access.

3. The existing Public Right of Way which runs across the north-eastern corner of the site must be retained.

4. Provide a minimum of 10% affordable dwellings on the site.

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5. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Whitley and Eggborough Primary School, Brayton Academy, or other schools serving the development.

6. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by for later prehistoric, Romano-British and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

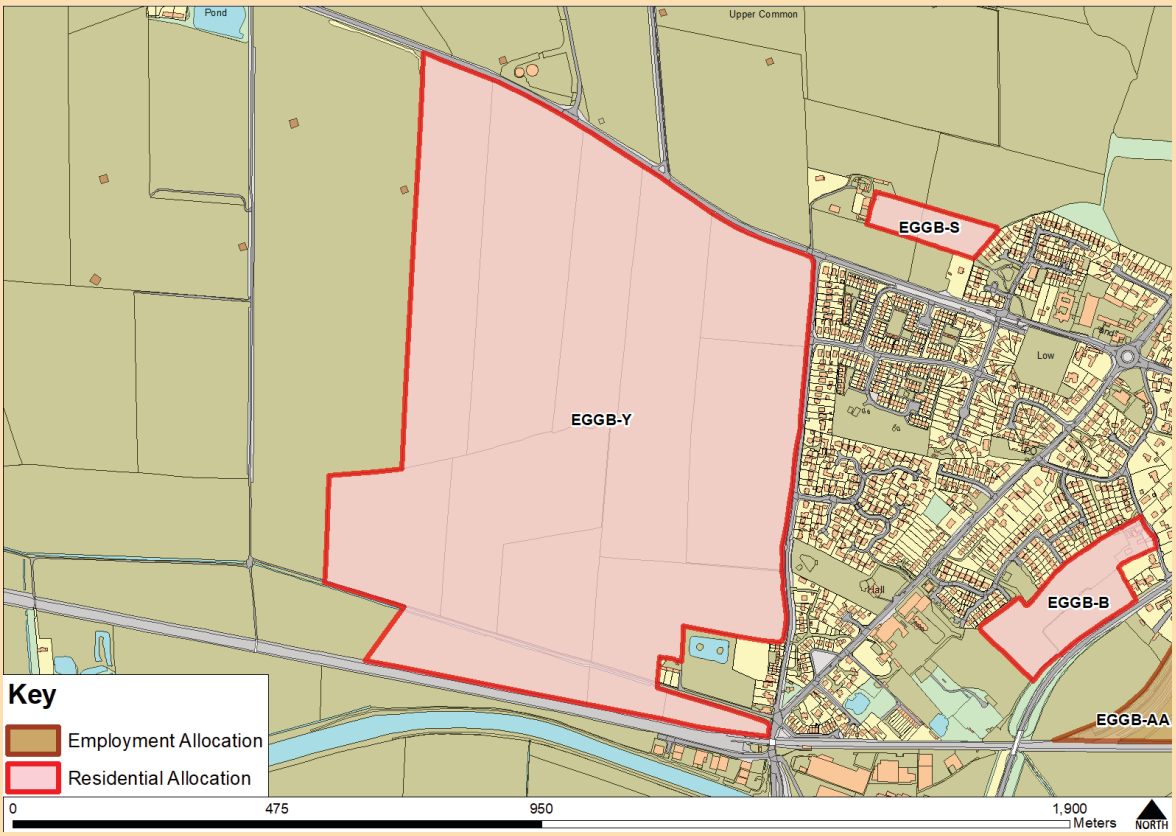
7. Reinstate and restore the hedgerows and trees on the northern and western boundary. As the site is on the edge of the settlement, hedgerows and trees should be enhanced on the northern and western boundaries where the field boundary has been lost/eroded in the past and are at risk from further loss.

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EGGB-Y

Location: Land west of Kellington Lane.

Total Site Area: 70.29 hectares



This site is allocated for mixed-use development comprising residential, open space and education.

Indicative dwelling capacity: 1500 dwellings in total (approximately 1015 within the Local Plan Period to 2040)

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed, locally-distinctive, urban extension to Eggborough which is developed in a comprehensive, phased approach in accordance with an approved masterplan which covers the whole site. The development of this site provides an opportunity to create a new and attractive strategic urban extension for Eggborough with a strong sense of place. The site will provide a mix of high-quality housing as well as an associated local centre, community facilities including primary school, and a high-quality network of green infrastructure.

2. Development should include a wide range of building materials, house types and sizes, to reflect and enhance the local character of the village. The development should include frontage plots, which are set back from, but front onto Kellington

Lane to complement the existing dwellings opposite the site which are set back from the road by front gardens. Higher densities of development will be permitted close to the local centre which will act as a focal point to the development.

3. Provide land for a local centre on the eastern side of the site with the provision of appropriate community and local shopping facilities to support the development and to benefit existing residents of Eggborough. The shops should be of a type that meet localised daily needs and should be designed to encourage trips by pedestrians and cyclists. Proposals for new shops that comply with Policy EM8 (Local Shops) will not be required to demonstrate the sequential test.

4. Incorporate renewable energy technologies. Due to the significant challenges climate change presents and the opportunities that such an urban extension offers, development of the site will be expected to be at the forefront of renewable energy and passive heating solutions.

5. Vehicle, cycle and pedestrian access must be taken from Weeland Road to the north and Kellington Lane to the east.

6. Ensure that cycle paths and footpaths are fully integrated into the site. These must connect to the core of Eggborough village and its existing community facilities, the train station to the south east of the site and beyond this to the adjoining village of Whitley and its range of existing community facilities. The existing towpath along the Aire and Calder Navigation provides a direct car-free route between the site and Konect Business Park (the former Kellingley Colliery).

7. Provide land to the north of Whitley Bridge Railway Station, to provide a new station gateway comprising new parking and pick-up/drop-off facilities. S106 financial contributions will also be required to fund additional waiting shelters, secure cycle storage and an improved passenger information system. Opportunities to improve levels of existing passenger services should be fully investigated.

8. Deliver high quality and frequent public transport services throughout the whole of the site. It is essential to secure public transport access to and within the site to ensure that all parts of the site have good access to a bus stop served by a regular service and an attractive route to walk to the bus stop. The site should support public transport accessing the station to the south.

9. Retain the existing Public Right of Way which crosses the site and provide an interlinked system of green infrastructure, footpaths and cycle ways, maximising links to Whitley Bridge Railway Station, Eggborough village centre and Konect Business Park (former Kellingley Colliery).

10. Undertake a Transport Assessment to consider the likely significant effects of the proposal on the highway network.

11. Provide a minimum of 10% affordable dwellings on the site, the precise type and tenure of each phase to be determined at the application stage for each phase.

12. Work with Health and Adult Social Care to ensure the delivery of up to 14 independent living units for adults with learning disabilities.

13. Provide land for a two-form entry primary school on site and S106 financial contributions for additional early years, secondary, and Special Educational Needs and Disability (SEND) school places to meet demand for additional places arising in the Plan Area from the development. The number of new residents on the site will trigger the need for a new two-form primary school, so the masterplan must include a site area of 2.14 hectares for this purpose.

14. Use a sequential approach to residual flood risk when locating the various uses on the site, in accordance with the requirements set out in the Council's level 2 Strategic Flood Risk Assessment. A site-specific flood risk assessment will be required to determine the nature and scope of any mitigation necessary and address relative vulnerabilities across the site.

15. Due to the identified heritage assets in this location (the site is close to the Grade I Listed St Edmunds Church, its Grade II Listed gate piers and cross as well as the Grade II Listed Kellington Windmill which are prominent in the surrounding landscape), incorporate the recommended mitigation measures as set out in the Heritage Impact Assessment which has been undertaken to preserve and where appropriate enhance these features. To minimise any harm, development should be set back from the north-west corner of the site and be designed to provide a gentle transition between the village edge and the countryside.

16. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by for for later prehistoric, Romano-British and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

17. Ensure the high-voltage power lines that traverse the site's north west corner are subject to suitable landscape buffering.

18. Ensure the water mains pipe that crosses the site from north east to south west has no curtilages of residential properties within the required standoff, as defined by Yorkshire Water.

19. Assist Yorkshire Water to undertake a feasibility study to assess the capacity of Eggborough Wastewater Treatment Works to treat wastewater arising from the development.

20. Provide a wide range of interlinked open spaces, sport and recreation, including community greenspace, children's play space, allotments and landscaping to integrate with the surrounding rural landscape. Community greenspace and open space, sport and recreation should be located at the heart of the development, overlooked by, and connected to, residential areas by interlinked green infrastructure and walking and cycling routes.

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21. Landscape screening should be provided within the western boundary of the site to clearly define a new western edge to the settlement of Eggborough and to integrate the site into its wider landscape setting. A suitable landscape buffer should also be provided in the south of the site to screen the development from the adjacent railway line.

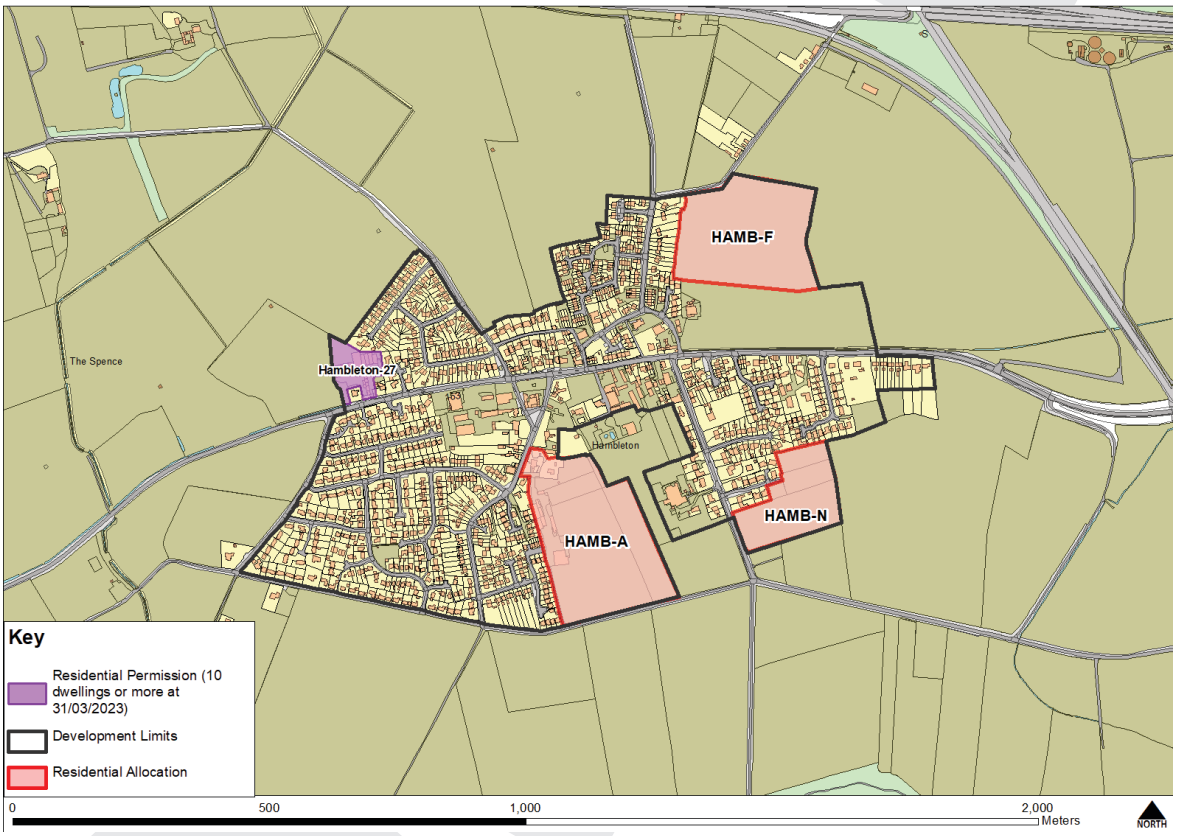
22. Consider the use of the Aire and Calder Navigation to transport construction materials to and from the site to help reduce greenhouse gas emissions and reduce congestion on the local highway network.

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19 Hambleton

19.1 Hambleton is a Tier 1 Village in the settlement hierarchy and is located approximately five miles to the west of Selby town. It has a population of 2,187 (2021 Census). The village is served by local facilities, including Hambleton Church of England Primary School, convenience store, and a village hall/meeting room. The village is situated in close proximity to Selby town and Sherburn in Elmet with further access to bus routes and train stations.

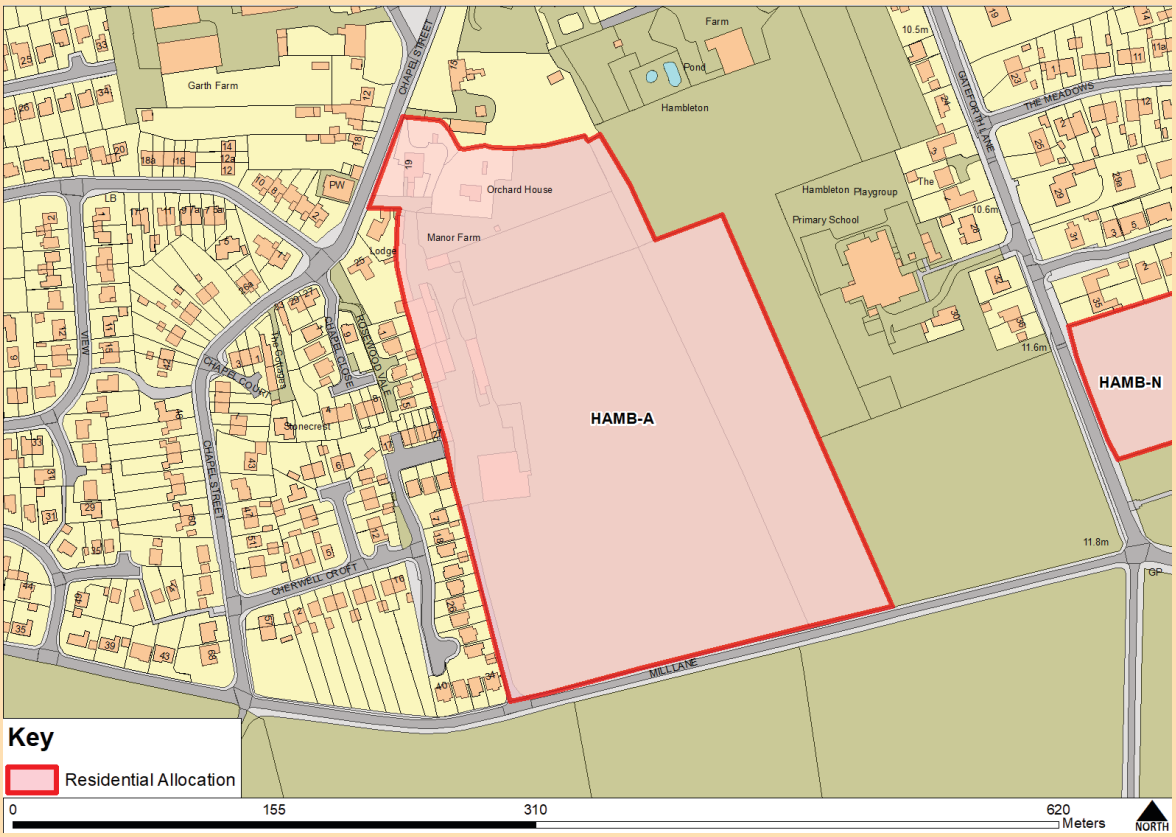
19.2 Hambleton is situated in the Vale of York between Hambleton Hough and the Leeds to Selby railway line. The Hambleton Hough in the surrounding flat landscape is considered as "high ground" and is designated as a Locally Important Landscape Area. Hambleton is a compact, historic village situated either side of the A63. Its central core retains a strong rural character due to a number of surviving farm complexes. The buildings in the settlement are relatively uniform in character and style, though with variations reflecting the late 20th-century estate developments which has resulted in the village having abrupt linear boundaries.



Picture 14

HAMB-A

Location: Manor Farm, Chapel Street.
Total Site Area: 6.39 hectares



This site is allocated for residential development.
Indicative dwelling capacity: 128 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a development that is sensitively sited and designed, reflecting the rural and agricultural form and character of the village in terms of form, scale, density, layout and materials, in order to ensure the development compliments the existing form and character of this part of the settlement, preserves and where appropriate enhances the setting of the adjacent Listed Garth House, and respects the setting and views of the Hambleton Hough Locally Important Landscape Area. Development should be carefully designed to ensure the impacts on the surrounding landscape character and existing views towards Hambleton Hough are retained and enhanced, where possible, through design considerations such as road orientation to facilitate views towards Hambleton Hough.

2. Provide vehicle, cycling and pedestrian access from Chapel Street.

3. Provide cycling and pedestrian access link into Mill Lane.

4. Provide a minimum of 10% affordable dwellings on the site.

5. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development of this site, at Hambleton Church of England primary, Selby High, or other schools serving the development.

6. Remediate any contaminated land that is present on the site in accordance with Policy NE8 (Pollution and Contaminated Land). This site has been used as agricultural land, and these activities may have given rise to land contamination and/or ground gas issues.

7. Due to the identified heritage assets in this location (the site is adjacent to Garth House, a Grade II Listed Building), incorporate the recommended mitigation measures as set out in the Heritage Impact Assessment which has been undertaken to preserve and where appropriate enhance these features. In particular, the design and layout of the scheme should mitigate harmful impacts on the setting of Garth House through careful design of the access (wall, trees and junction), incorporation of the farm buildings which provide the agricultural character and context, appropriate housing density and protection of distant, partial views of Garth House.

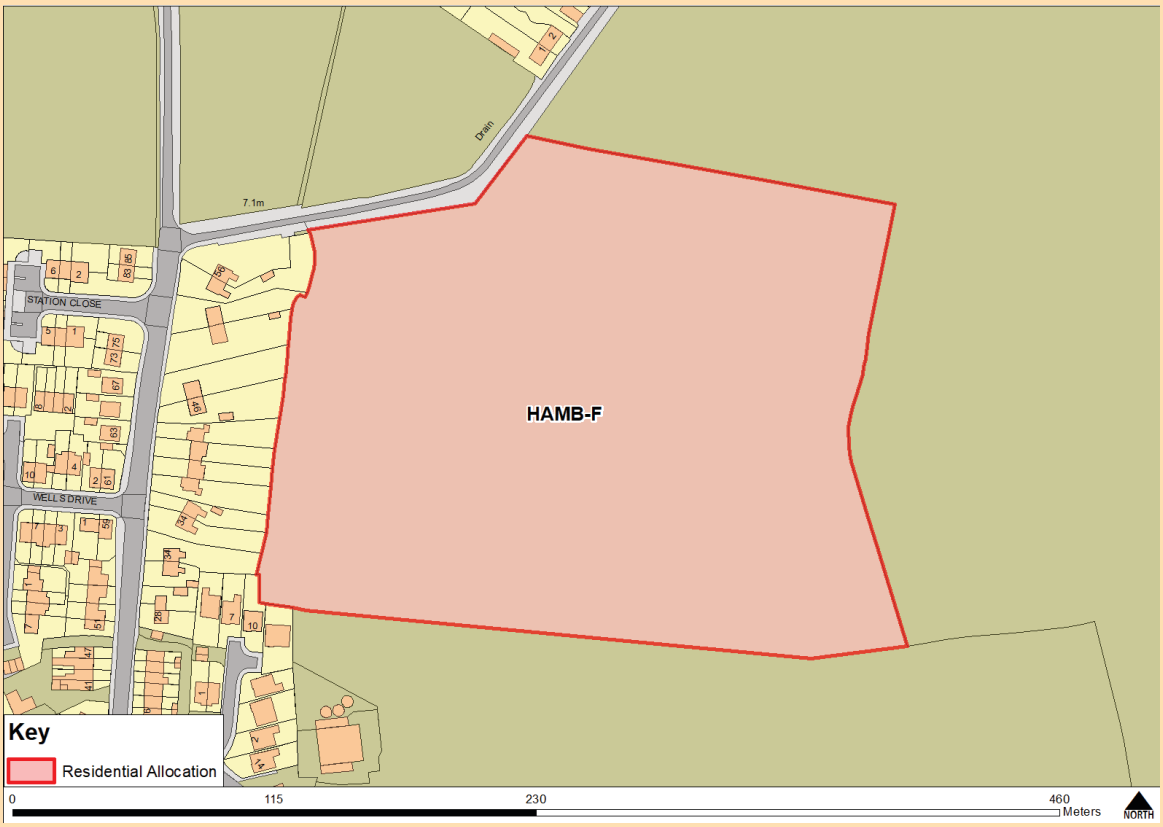
8. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by or later prehistoric, Romano-British and Anglo-Saxon settlement) and the results to inform the design of the scheme accordingly.

9. Retain and enhance the existing mature hedgerow along the southern and eastern extents of the site through a suitable landscaping scheme, to provide screening of views from these directions. Viewpoints towards the Hambleton Hough should be considered in the layout of the landscaped screening.

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HAMB-F

Location: Land south of Scalm Lane.
Total Site Area: 5.15 hectares



This site is allocated for residential development.
Indicative dwelling capacity: 103 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed development, that acts as a transition point from the village to the open countryside. Because the site is located on the edge of the village, it needs to be carefully designed so that there is a transition from higher densities near the core of the village, to lower densities on the edges of the site adjacent to the open countryside.

2. Provide vehicle, cycling and pedestrian access through the existing housing development to the south.

3. Provide a secondary access for emergency vehicles and pedestrians and cyclists from Scalm Lane to the north.

4. Provide a minimum of 10% affordable dwellings on the site.

5. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Hambleton Church of England primary, Selby High, or other schools serving the development.

6. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by or later prehistoric, Romano-British and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

7. Provide tree/hedgerow planting of native species on the northern and eastern boundaries of the site to provide screening of views from those directions.

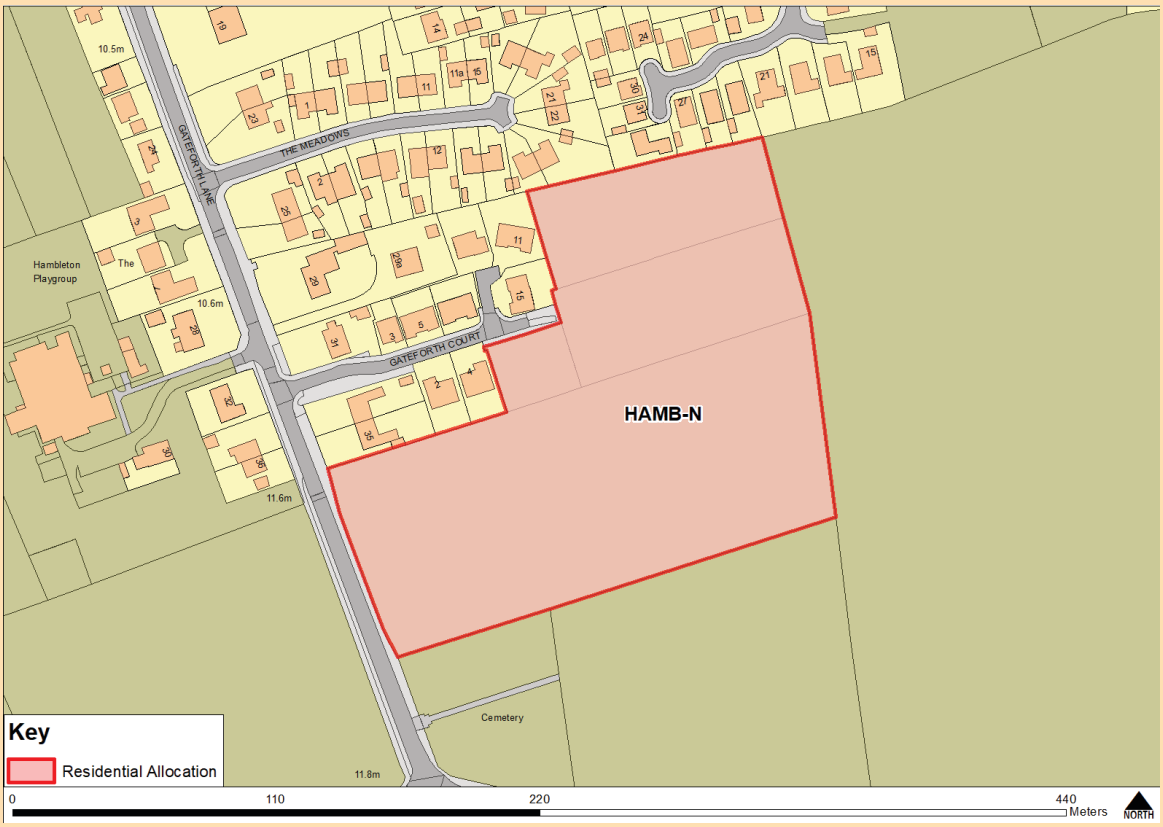
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HAMB-N

Location: Land east of Gateforth Lane.

Total Site Area: 2.62 hectares



This site is allocated for residential development.

Indicative dwelling capacity: 56 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a development that is sensitively sited and designed, reflecting the character of the village in terms of form, scale, density, layout and materials. In order to ensure the development compliments the existing form and character of this part of the settlement, and the views of Hambleton Hough Locally Important Landscape Area are retained and enhanced, the scheme layout and design should mitigate the impacts on the surrounding landscape character by ensuring that the dwellings in the southern part of the site are no more than one storey high and where possible, roads on the site are orientated on a north/south axis in order to facilitate views to the Hough.

2. Provide vehicle, cycling and pedestrian access from Gateforth Lane.

3. Provide a minimum of 10% affordable dwellings on site.

4. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Hambleton Church of England primary, Selby High, or other schools serving the development.

5. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by or later prehistoric, Romano-British and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

6. Retain and enhance the existing hedgerows along the southern and eastern extents of the site through a suitable landscaping scheme, to provide screening of views to the cemetery to the south and open countryside to the east. Tree planting within the southern boundary landscaping could offer shade to dwellings but the views towards Hambleton Hough should be protected in the design of the landscaped screening.

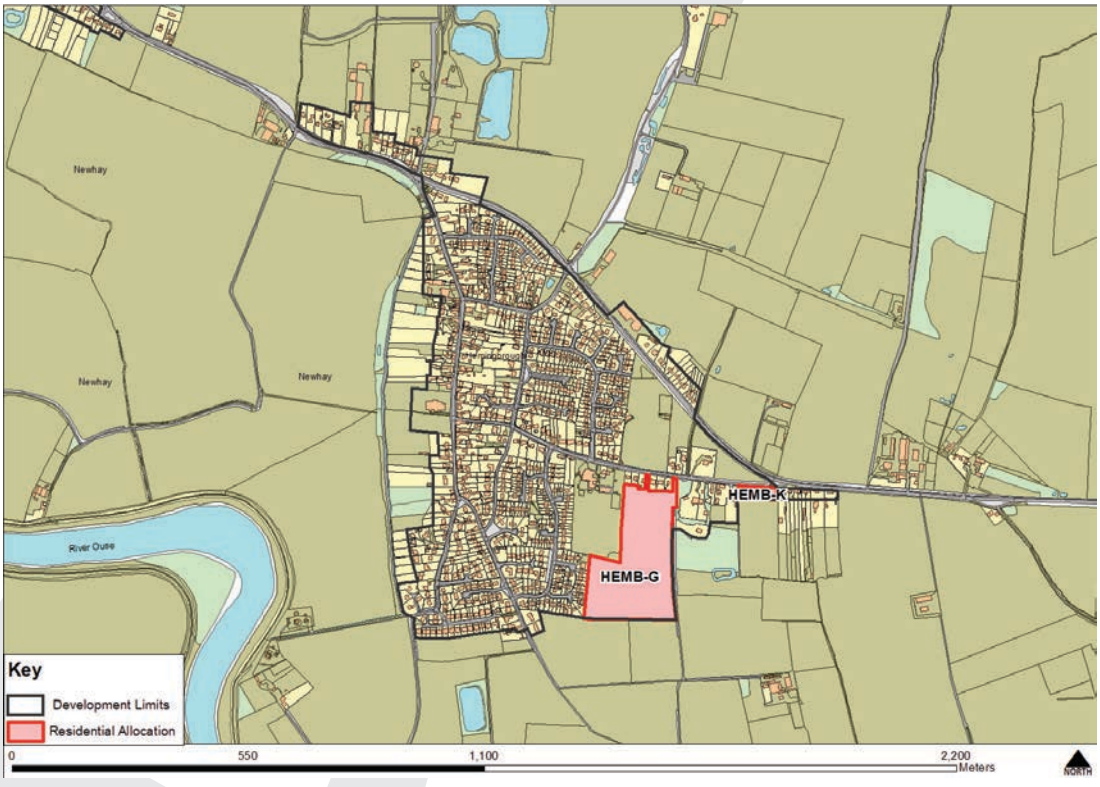
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20 Hemingbrough

20.1 Hemingbrough is a Tier 1 Village in the settlement hierarchy located approximately five miles to the east of Selby town, with a population of 1,996 (2021 Census). The village is served by a number of local facilities, which include Hemingbrough Community Primary School, healthcare facility, convenience store and a village hall/meeting room. Being located on the A63 allows for quick access towards Selby to the west and towards Howden and the M62 to the east. The National Cycle Network route 65 and the Trans-Pennine Trail also pass through the village.

20.2 The A63 Hull Road defines the northern boundary of the village, and with only a few exceptions, most of the present-day village is still located to the south of the A63. The village of Hemingbrough originally developed on an area of higher ground alongside the River Ouse, but having changed its course southwards in the Middle Ages, the River Ouse is now located 500 metres south west from the historical core of the village. The historic part of the village is designated as a Conservation Area and primarily covers the western portion of the village along Main Street.

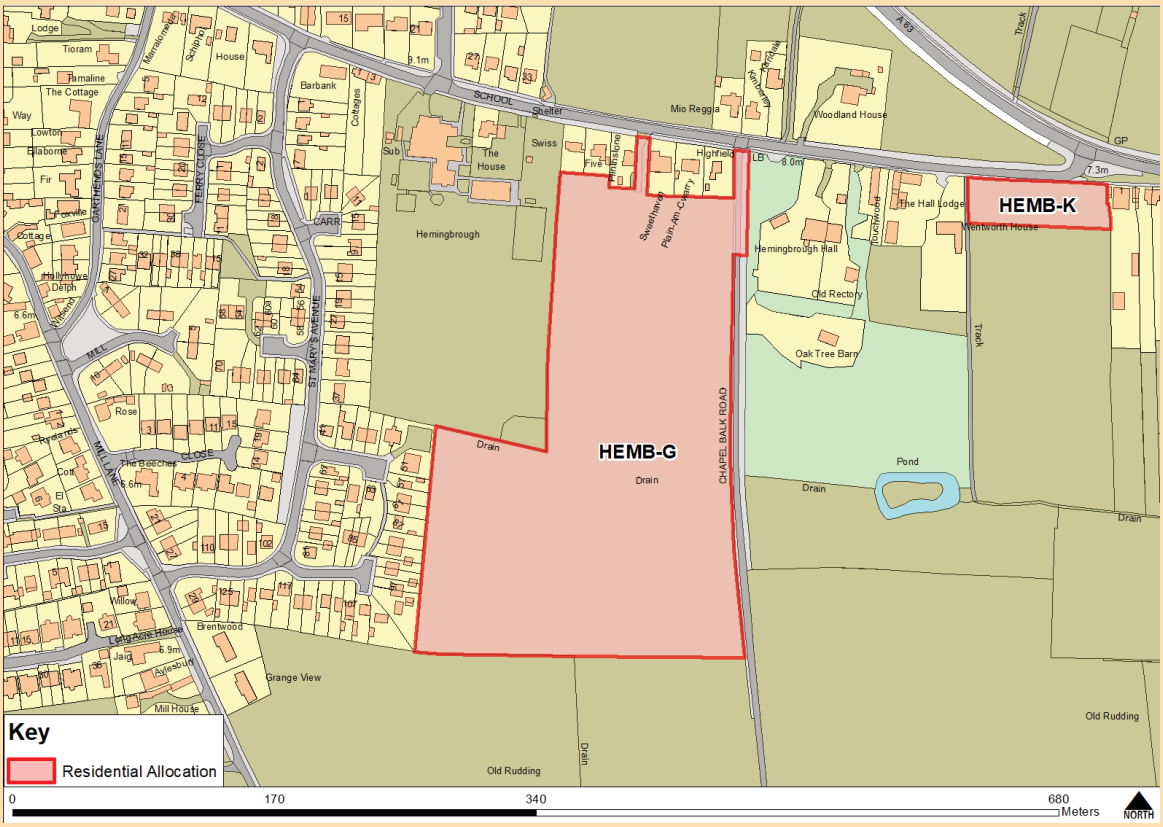
20.3 The current village is compact and centres on Main Street, a collection of Georgian and Victorian buildings built of brick and of modest design. Newer development to the east of Main Street comprises low-density estate development. Features in the landscape offer a sense of place and are important in this relatively flat and open landscape. The spire of Hemingbrough Church and the chimneys and cooling towers of Drax Power Station on the opposite side of the river to the south are visible above the vegetation and buildings of the settlement.



Picture 15

HEMB-G

Location: Land to the rear of Plinthstones, School Road.
Total Site Area: 4.83 hectares



This site is allocated for residential development
Indicative dwelling capacity: 123 dwellings.

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed, locally distinctive, development which includes dwellings of no greater than two storeys in height, to complement the existing dwellings to the north of the site on School Road, which are a mixture of two-storey dwellings and bungalows and protect the long-range views over the flat, open countryside to the south. In order to enhance the overall character of the village, development should utilise a variety of building materials and ensure that the mix of style of houses in the village is complimented.

2. Provide vehicle, cycling and pedestrian access from the north east corner of the site. This will require the upgrading of Chapel Balk Road to adoptable standards from School Road to the site entrance. Off-site improvements to the junction of

Chapel Balk Road and School Road may also be required to support the development of the site and will be confirmed by undertaking a Transport Assessment for the site.

3. Provide a secondary access for emergency vehicles, pedestrians and cyclists from Plinthstones on School Road to the north of the site.

4. Provide a minimum of 20% affordable dwellings on the site.

5. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Hemingbrough Primary, Barlby High, or other schools serving the development.

6. Provide on-site open space, sport and recreation within the centre of the site, which is overlooked by dwellings, to create a green focal heart to the development and to ensure good natural surveillance of this asset.

7. Remediate any contaminated land that is present on the site in accordance with Policy NE8 (Pollution and Contaminated Land). The existing vehicle depot on the northern part of the site may have given rise to land contamination.

8. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by) and use the results to inform the design of the scheme accordingly.

9. Retain and enhance existing trees and hedgerows and plant a new permanent landscape screening of native species, to form the southern and eastern boundaries of the site. The introduction of new landscaping on these boundaries will provide screening of views from those directions, which is important to retain the distinction between the settlement and countryside to the south and to provides an important screening to Hemingbrough Community Primary School on the site's western edge.

10. Undertake an Appropriate Assessment for:

    i. Functionally-linked habitats as the site lies within the typical foraging ranges of species associated with the Lower Derwent Valley and Humber Estuary SPA/Ramsar designations and provides potentially suitable habitat. This should include either evidence that the proposed development site habitat is unsuitable for SPA/Ramsar designated species or assessment of the proposed development sites use by SPA/Ramsar designated species, including through the provision of wintering and passage bird surveys, and if necessary, appropriate mitigation; and
    ii. Water quality (and incorporate any required mitigation measures) as the site has the potential to affect water quality, levels or flow lies within designated SACs/SPAs/Ramsars relatively close proximity to European Sites that are dependent on good water quality. Details of potential impacts will depend on detailed design of the site. Such development must consider potential impacts

on hydrological regimes which could affect the integrity of designated habitats, applying appropriate mitigation where deemed necessary, including through measures set out in IC4 and NE5; and

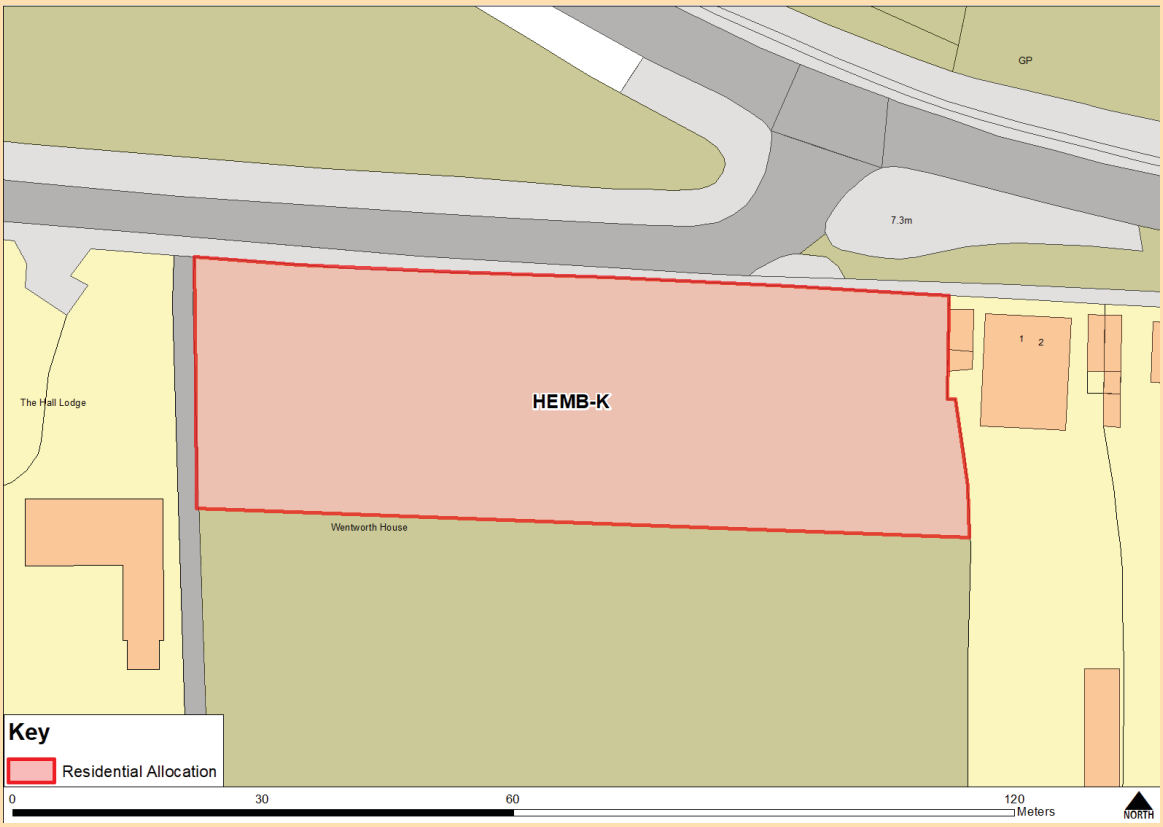
iii. Recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.

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HEMB-K

Location: Land south of School Road.

Total Site Area: 0.27 hectares



The site is allocated for residential development.

Indicative dwelling capacity: 8 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Consist only of frontage plots facing towards School Road, in order to complement the built character of development in this part of Hemingbrough, which consists of a long line of frontage plots along School Road to the west of the site and the A63 to the east.

2. Be served by a single point of access from School Road and the plots be set back at least 10 metres from School Road. Doing this allows for a single access point onto School Road for all properties and retains the corridor of green, which is a feature of this entrance into Hemingbrough.

3. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Hemingbrough Primary, Barlby High, or other schools serving the development.

4. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by or later prehistoric, Romano-British and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

5. Retain the mature trees and hedgerows on the site's northern boundary.

6. Provide tree/hedgerow planting of native species to provide screening of views from the south of the site.

7. Undertake an Appropriate Assessment for:

    i. Water quality (and incorporate any required mitigation measures) as the site has the potential to affect water quality, levels or flow lies within designated SACs/SPAs/Ramsars relatively close proximity to European Sites that are dependent on good water quality. Details of potential impacts will depend on detailed design of the site. Such development must consider potential impacts on hydrological regimes which could affect the integrity of designated habitats, applying appropriate mitigation where deemed necessary, including through measures set out in IC4 and NE5; and

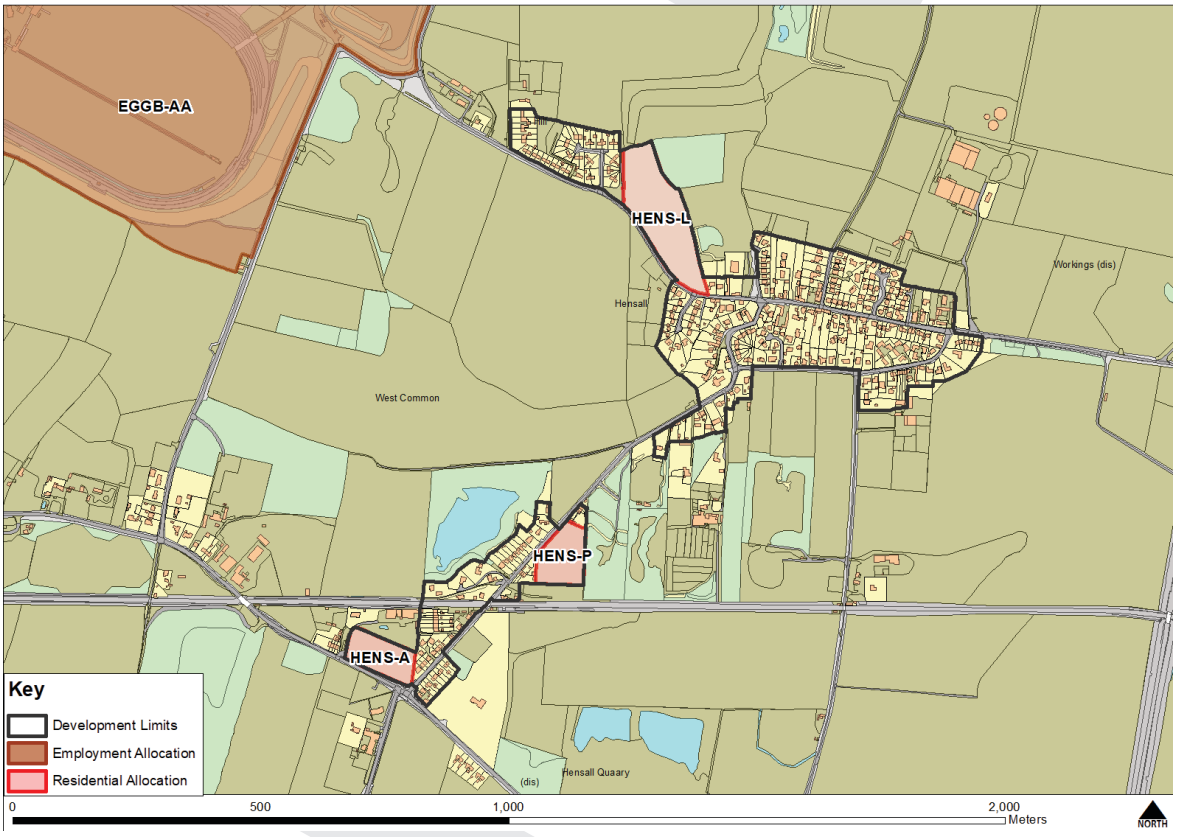
    ii. Recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.

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21 Hensall

21.1 Hensall is a Tier 2 Village in the settlement hierarchy located approximately two miles to the east of Eggborough. Hensall has a population of 792 (2021 Census). The village is served by local facilities which include Hensall Community Primary School and a village hall/meeting room. There are two separate and distinct areas to the village. The historic and more compact north Hensall is due east of the former Eggborough Power Station, whilst the more linear south Hensall has developed along the road to Hensall train station and the road junction on the A645. Former quarries separate the two parts of the village.

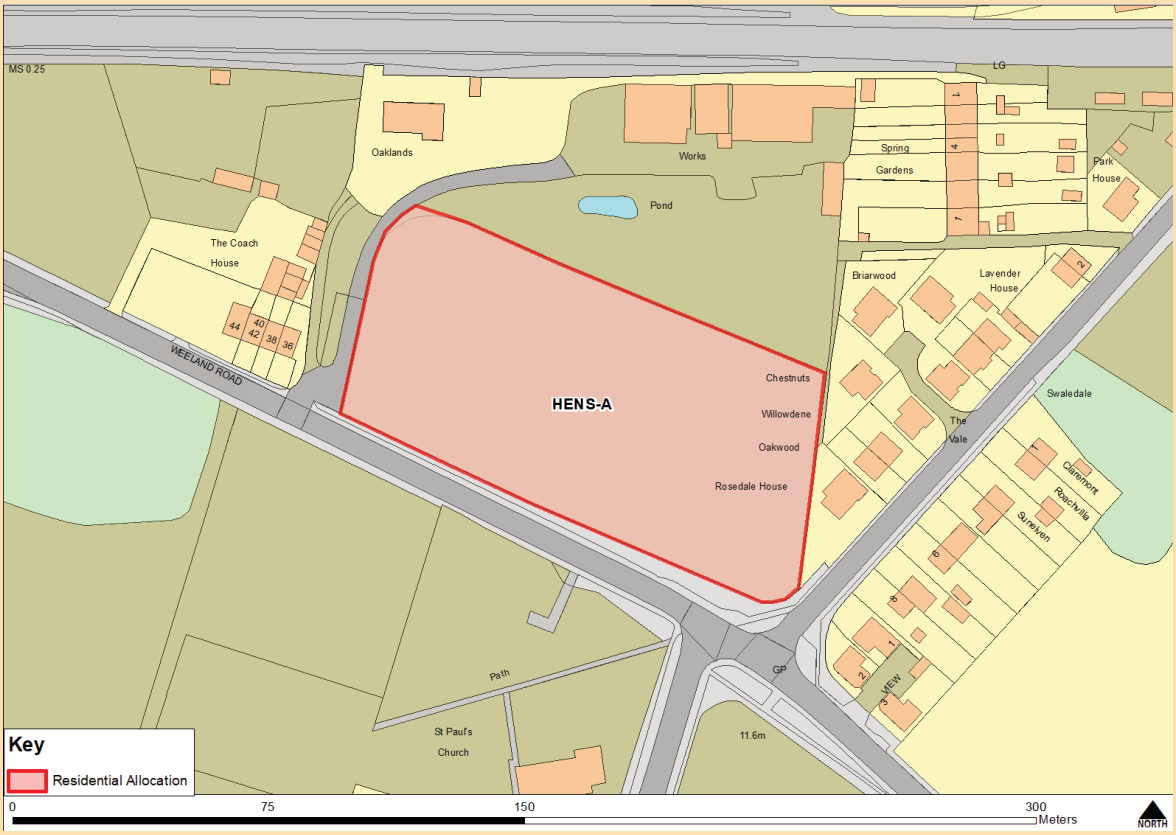
21.2 The village lies close to both the M62 motorway and A19 and close to the proposed M62 Energy Corridor, an area which has been identified for future growth by the Local Enterprise Partnership.



HENS-A

Location: Land to North of Weeland Road.

Total Site Area: 0.97 hectares



This site is allocated for residential development.

Indicative dwelling capacity: 24 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed, visually-attractive development which adds to the overall quality of the area and creates a strong sense of place, which acts as both a gateway to Hensall from the west and south and as a transition point from the settlement to the open countryside.
2. Provide vehicle, cycling and pedestrian access from Weeland Road. Whilst access should be taken from Weeland Road, it should be sited as far as possible from the existing junction with Station Road and Church Lane.
3. Provide a minimum of 10% affordable dwellings on the site.

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4. Provide S106 financial contributions for additional early years, primary, and secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising as a result of the development on this site, at Hensall Primary, the Snaith School, or other schools serving the development.

5. Remediate any contaminated land that is present on the site in accordance with Policy NE8 (Pollution and Contaminated Land).

6. Due to the identified heritage assets in this location (there are two Grade II* and one Grade II Listed Buildings to the south of the site), incorporate the recommended mitigation measures as set out in the Heritage Impact Assessment which has been undertaken to preserve and, where appropriate, enhance these features.

7. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by, for later prehistoric, Romano-British and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

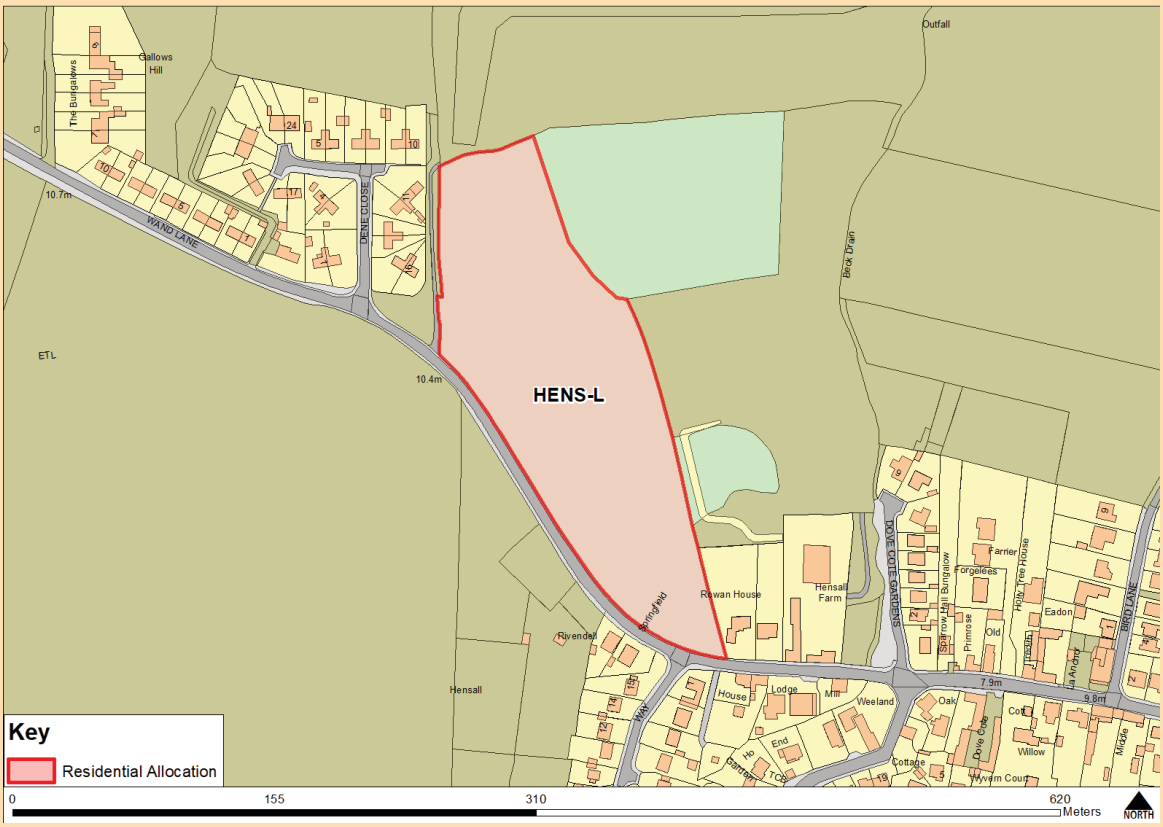
8. Retain existing mature trees and hedgerows on the boundaries of the site.

9. Carry out an acoustic assessment to investigate the noise impacts of the nearby A645 road and implement any mitigation measures required.

HENS-L

Location: Land north of Wand Lane.

Total Site Area: 2.52 hectares



This site is allocated for residential development. .

Indicative dwelling capacity: 54 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed, locally-distinctive development reflecting the mix of styles of the area in terms of the form, scale, density, layout and materials. The layout of dwellings should face towards Wand Lane to complement the current layout of surrounding properties. The properties should be set back from Wand Lane by open green space, which will help to integrate and screen the existing electricity pylons sited in this location.

2. Ensure that dwellings are set back from the south east corner of the site adjoining Wand Lane, which is within Flood Zone 2.

3. Provide vehicle, cycling and pedestrian access from Wand Lane. Vehicular access should be taken from a single point of access with no individual vehicular access to properties direct from Wand Lane.

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4. Provide pedestrian links to the Public Right of Way along the western boundary of the site, to improve and encourage pedestrian connections into Hensall.

5. Provide a minimum of 10% affordable dwellings on the site.

6. Provide S106 financial contributions for additional early years, primary, and secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising as a result of the development on this site, at Hensall Primary, the Snaith School, or other schools serving the development.

7. Provide sufficient information to demonstrate that the risks to Groundwater Source Protection Zone 3 in this location can be managed.

8. Remediate any contaminated land that is present on the site in accordance with policy NE8. The majority of the site has been used as agricultural land, however, a former gravel pit located on the southern part of the site could give rise to contamination and/or ground gas issues.

9. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by for later prehistoric, Romano-British and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

10. In the north west corner, provide a continuation of the adjacent open green space to the east of Dene Close. This will help to integrate and screen the existing electricity pylon sited in this location.

11. Provide tree/hedgerow planting of native species on the northern and eastern boundaries of the site, to provide screening of views from those directions. The existing mature hedge and tree planting along the east and west boundaries should be retained and enhanced and additional planting along the northern boundary of the site should be provided though a suitable landscaping scheme.

HENS-P

Location: Land south of Station Road.
Total Site Area: 1.02 hectares



This site is allocated for residential development.
Indicative dwelling capacity: 22 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed, locally-distinctive, development which utilises a variety of building materials to ensure that the mix of style of houses in the village is reflected. Dwellings should be no more than two storeys in height to complement the scale of surrounding development. Immediately opposite the site is a variety of one and two-storey detached dwellings, whereas directly north of the site lies a row of terraced cottages.

2. Include frontage plots, which are set back from, but front onto Station Road. This part of Hensall consists of lines of frontage plots along Station Road which are set back from the road by front gardens and the development should complement this.

3. Vehicle, cycling and pedestrian access to the site should be taken from Station Road and should include direct access to those properties fronting onto School Road.

4. Ensure that the existing bus stop on Station Road, adjacent to the site, is improved and enhanced, through the provision of a shelter.

5. Provide a minimum of 10% affordable dwellings on the site.

6. Provide S106 financial contributions for additional early years, primary, and secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising as a result of the development on this site, at Hensall Primary, the Snaith School, or other schools serving the development.

7. Remediate any contaminated land that is present on the site in accordance with Policy NE8 (Pollution and Contaminated Land) because sand pits, located close to the site, may have given rise to land contamination and/or ground gas issues.

8. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by for prehistoric, Roman and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

9. Retain the existing trees and hedgerows on Station Road which provide an attractive tree-lined street scene.

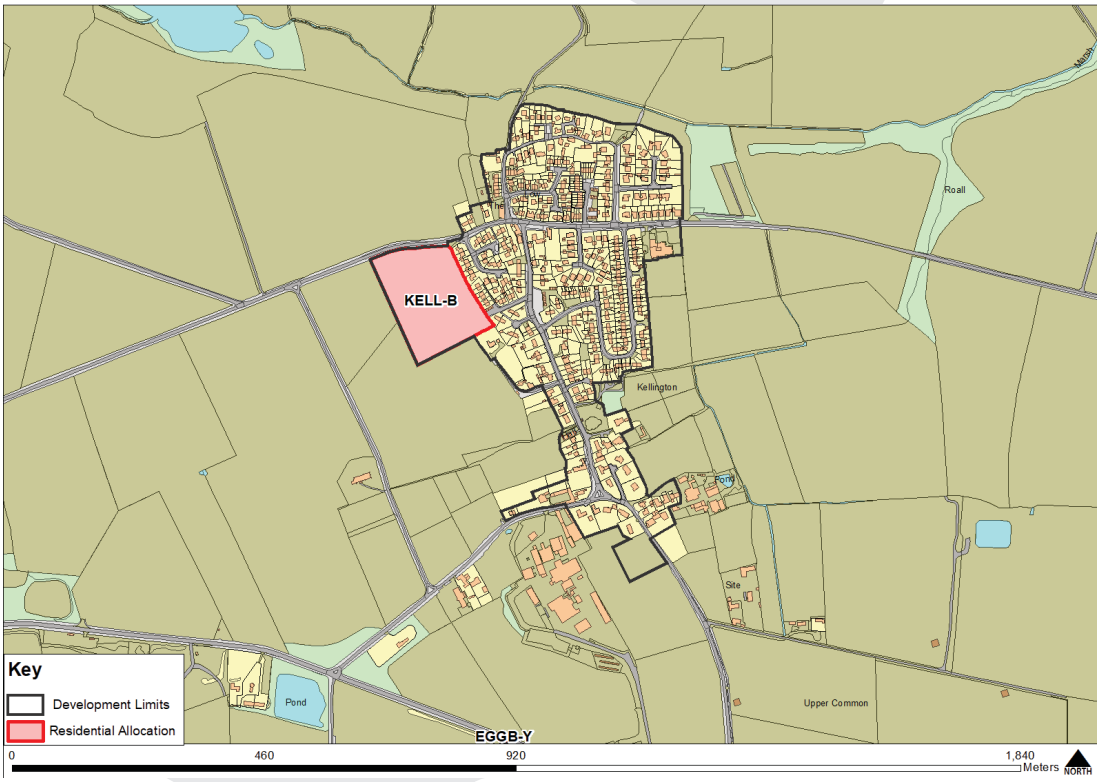
10. Enhance the existing tree and hedgerow boundary on the southern edge of the site as this provides an important screening from the train line to ensure that the visual impact of the proposal is minimised.

11. Carry out an acoustic assessment to investigate the noise impacts of the nearby train line and implement any mitigation measures required. Acoustic screening may be required to reduce noise and vibration disturbance from the railway line, to ensure the amenity of future residents is protected.

22 Kellington

22.1 Kellington is a Tier 2 Village in the settlement hierarchy located approximately a mile to the north west of Eggborough. Kellington has a population of 892 (2021 Census). The village has a primary school and a village hall/meeting room. The village lies reasonably close to good transport links with both the M62 motorway and A19 within a few miles of the village.

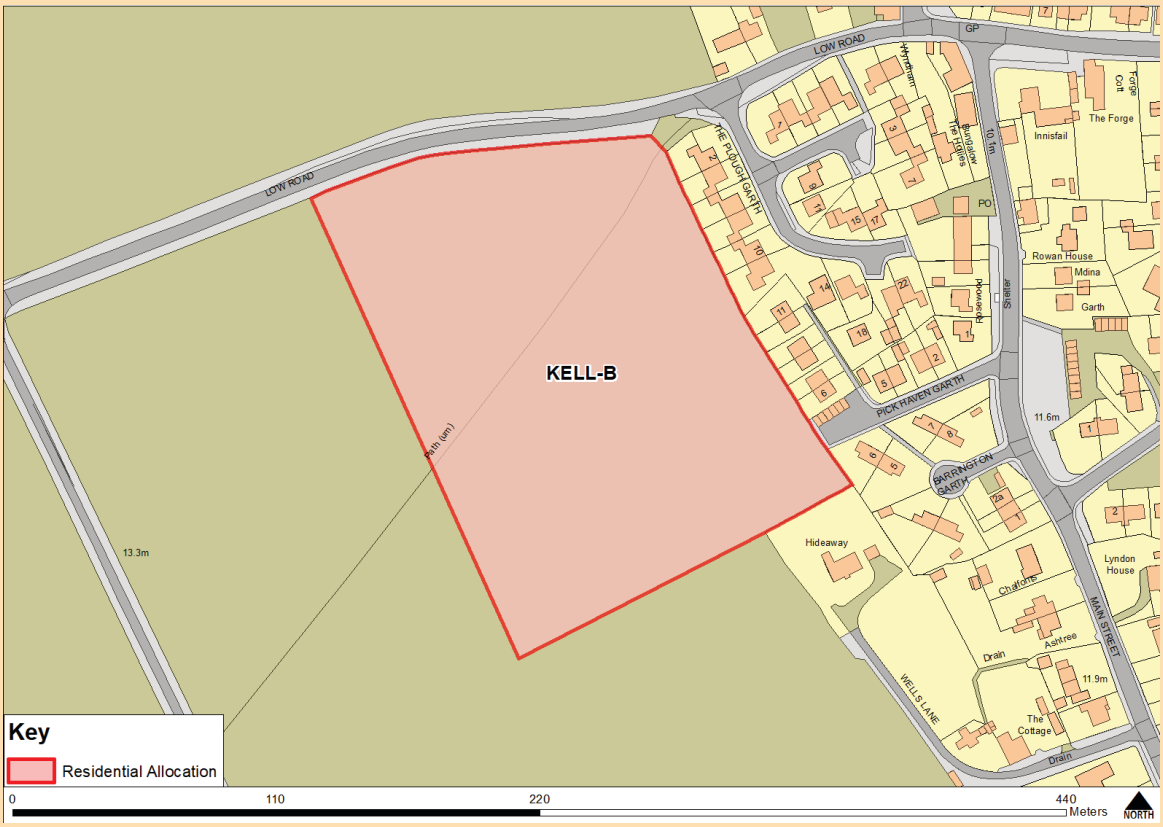
22.2 Kellington is an historic, compact village with more modern estate development in the north. The landscape surrounding the village is relatively flat and open. On a slightly elevated position, St Edmund's Church immediately to the west of the village dominates the skyline when viewed from the village. This Grade I Listed Building which significantly contributes to the setting of the village has traditionally commanded extensive views over the landscape.



Picture 16

KELL-B

Location: Land south of Lunn Lane.
Total Site Area: 2.84 hectares



This site is allocated for residential development.
Indicative dwelling capacity: 60 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed development through an appropriate mix of design styles, architecture, materials and landscaping which acts as an attractive gateway to Kellington village and as a transition point from the village to open countryside. Given the village-edge location, the site needs to be carefully designed, development should be no more than two storeys to protect the character and form of the village and the setting of the nearby listed church structures.

2. Provide vehicle, cycling and pedestrian access from Lunn Lane to the north.

3. Retain the existing Public Right of Way which runs from across from Lunn Lane in the north east corner of the site towards St Edmund's Church and incorporate it into the design and layout of the site. Consideration should be given to the

realignment of the route of the Public Right of Way where it crosses the site to enable uninterrupted views of of St Edmund's Church along its length from Lunn Lane.

4. Provide a minimum of 10% affordable dwellings on the site.

5. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Kellington Primary, Sherburn High, or other schools serving the development.

6. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by for later prehistoric, Romano-British and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

7. Due to the identified heritage assets in this location (the site is part of the setting of St Edmund's Church which is a Grade I Listed Building, and the gate piers and churchyard cross are also Grade II Listed), incorporate the recommended mitigation measures as set out in the Heritage Impact Assessment which has been undertaken to preserve and where appropriate enhance these features.

8. Ensure the water main that crosses the north west corner of the site has no curtilages of residential properties within the required standoff, as defined by Yorkshire Water.

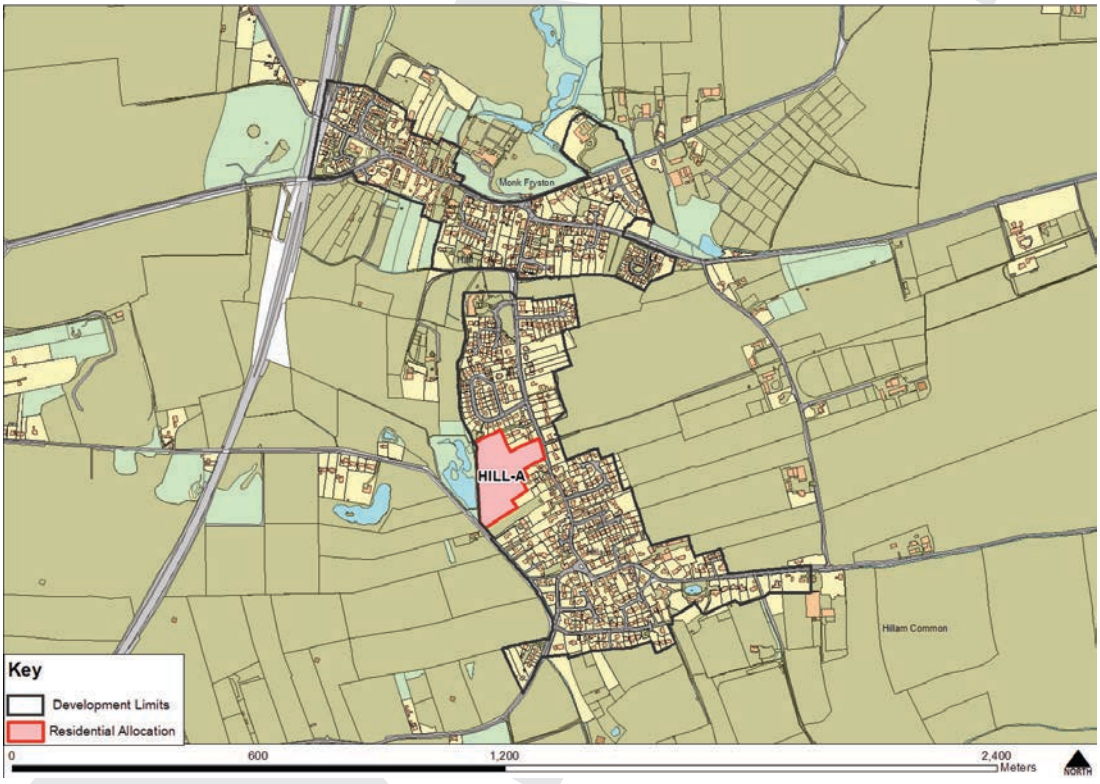
9. Reinstate and restore hedgerows and trees on the southern and western boundaries, to provide screening of views from those directions and integrate and screen the existing electricity pylons which span the western boundary. As the site is on the edge of the settlement hedgerows and trees should be enhanced on the southern and western boundaries where the field boundary has been lost / eroded in the past and are at risk of further loss.

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23 Monk Fryston & Hillam

23.1 Monk Fryston and Hillam are a combined Tier 2 Village within the settlement hierarchy. These villages are in the west of the former Selby district area approximately two miles south east of Sherburn in Elmet and seven miles west of Selby town. Together they have a combined population of 1,717 (2021 Census). The combined villages are served by shared local facilities, including a primary school, healthcare facility, convenience store and two village halls/meeting rooms. Both villages are in close proximity to Sherburn in Elmet with further bus routes and a train station. Monk Fryston straddles the A63 and is less than two miles from the A1 which runs along the western edge of the Plan Area.

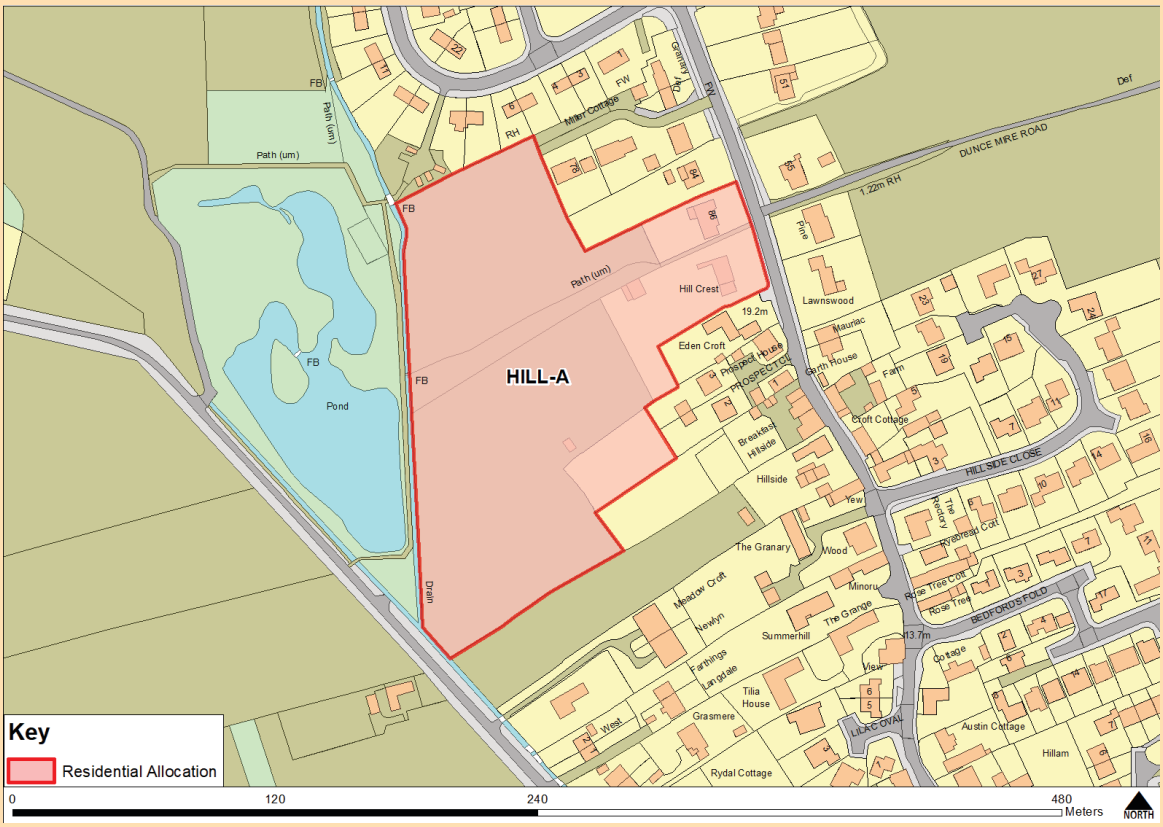
23.2 While Monk Fryston is a linear village, Hillam is a more compact village to the south of the A63. These villages are well-integrated within the landscape, with boundary vegetation creating positive settlement edges. The surrounding landscape is characterised by fairly flat open arable land. The Historic Park and Garden at Monk Fryston Hall to the north of Monk Fryston consists of lakes, mature woodland and a former deer park. The historic parts of Hillam and Monk Fryston are designated as Conservation Areas. Both villages are inset within the West Yorkshire Green Belt.



Picture 17

HILL-A

Location: Land west of Main Street / Lumby Hill, Hillam.
Total Site Area: 2.34 hectares



This site is allocated for residential development.
Indicative dwelling capacity: 33 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed, locally-distinctive development which uses form, scale, massing, detailing and local building materials to reflect the unique character of the village. As the site is located on the rural fringe of the village, close to its historic core, development should maximise opportunities to enhance the character of the village through the use of local magnesian limestone and, where possible, the retention of stone walls. The stone wall frontages on Lumby Hill should be retained where possible, and development should be set back to the rear of the frontage properties on Main Street / Lumby Hill, to allow the linear form of the settlement to remain expressed.

2. Provide vehicle, cycling and pedestrian access to Main Street / Lumby Hill through the demolition of the property at 86 Lumby Hill.

3. Retain and enhance the existing Public Right of Way which traverses the site from east to west, linking the village with the pond and a Public Right of Way which runs north-south immediately to the west of the site.

4. Provide a minimum of 20% affordable dwellings on the site.

5. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, Monk Fryston Church of England Primary, Sherburn High, or other schools serving the development.

6. Due to the identified heritage assets in this location (the south east corner of the site is within Hillam Conservation Area), incorporate the recommended mitigation measures as set out in the Heritage Impact Assessment which has been undertaken to preserve and, where appropriate, enhance these features.

7. Address any land stability and remediate any contaminated land that is present on the site before development commences in line with Policy NE8 (Pollution and Contaminated Land). The presence of gypsum has been identified in the south west corner of the site with an identified geological fault line running north-south through the site, therefore reducing the developable area to land east of the identified fault line. This has reduced the indicative net dwelling capacity to approximately 33 dwellings.

8. Provide open space, sport and recreation on-site in the western part of the site, utilising links to the existing Public Right of Way.

9. Retain and enhance the mature tree and hedgerow planting along the western and southern boundaries of the site.

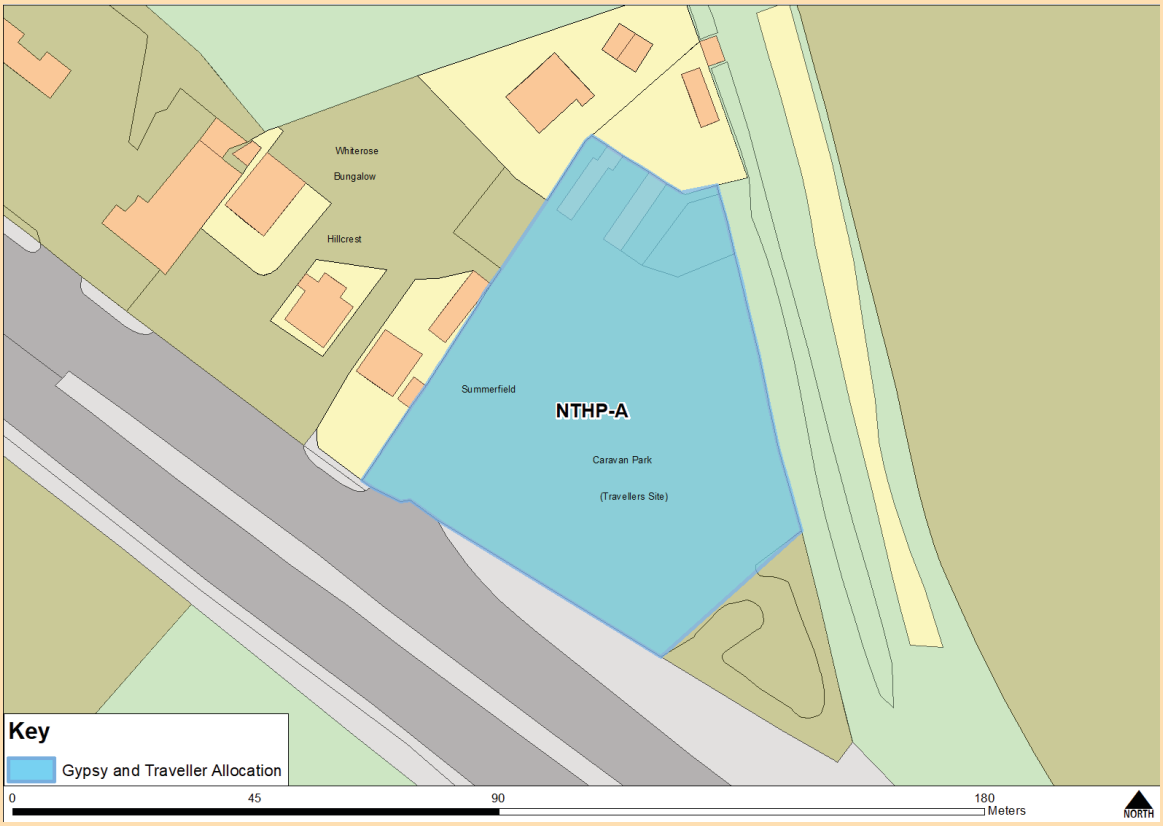
10. Protect and enhance the Site of Importance for Nature Conservation (SINC) located to the west of the site, and be supported by an Ecological Survey. The development site slopes gently towards the fishing pond to the west of the site which is identified as a SINC and the existing mature planting along the western and southern edges of the site should be retained to protect this nature asset and to reduce visual impacts upon the wider landscape. Open space, sport and recreation should be provided in the western part of the site to ensure that the SINC is buffered from the residential development.

24 Newthorpe

NTHP-A

Location: South Milford Caravan Park, Old Great North Road, Newthorpe.

Total Site Area: 0.45 hectares



This site is allocated for a maximum of 12 Gypsy and Traveller pitches.

Site Requirements

The Green Belt boundary has been amended specifically to accommodate a site for Gypsy and Traveller provision and development of the site should not extend further than the allocated boundary.

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Accommodate no more than two caravans per pitch, of which only one should be a static caravan.

2. Provide satisfactory on-site utility facilities to support the site's occupants, which should comprise one utility building per pitch containing shower and WC facilities.

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3. Retain existing hedgerows on the site's boundaries with the Great North Road and the open countryside.

4. Provide a satisfactory landscape scheme which ensures protection of the character and appearance of the area and the visual amenity of the Green Belt.

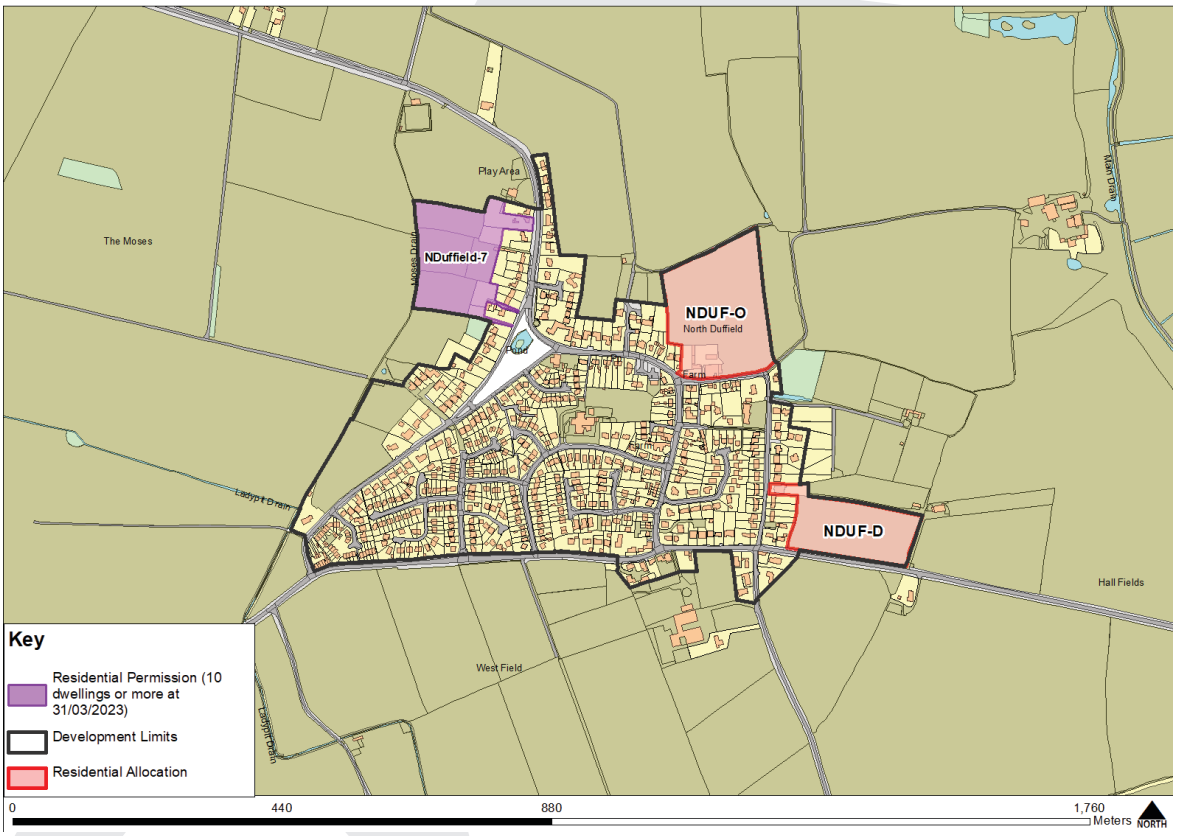
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25 North Duffield

1. North Duffield is a Tier 2 Village in the settlement hierarchy located approximately 5.5 miles north east of Selby town. North Duffield has a population of 1,305 (2021 Census). Its community services include the North Duffield Community Primary School, a healthcare facility, a convenience store and two village halls/meeting rooms.

25.1 North Duffield is a compact, nucleated village which is situated in flat and low-lying countryside mainly in agricultural use. The village originally developed around the village green and duck pond at a junction on the Selby to Market Weighton road with a road to Skipwith and York. In the eighteenth century new sections of the Selby to Market Weighton road were built to the south to by-pass the tight village bends and lead directly to a new River Derwent bridge crossing a mile to the east. This road, now the A163, forms the southern edge of the village and remains an important crossing point on the River Derwent.

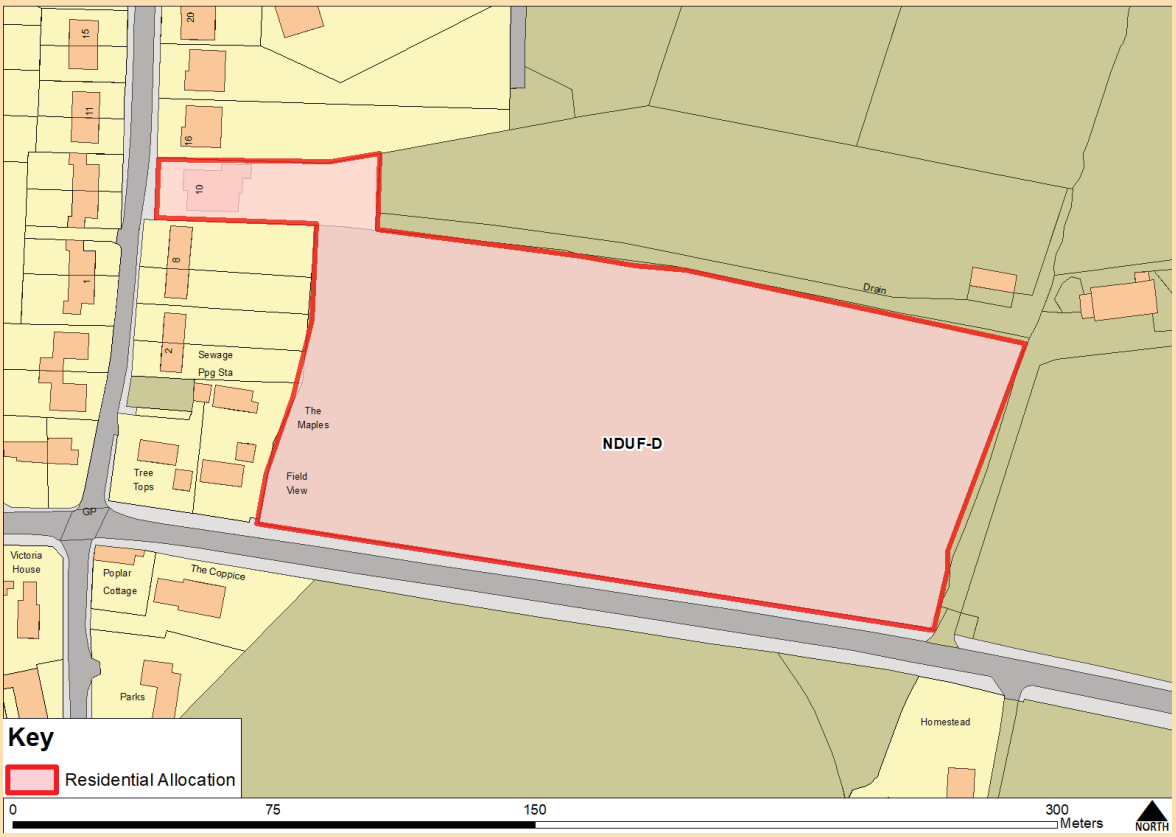
25.2 Recent housing development has extended the village with cul-de-sac estates along the northern side of the A163. Various “snickets” or pedestrian routes linking the various parts of the village are a key feature of the village.



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NDUF-D

Location: Land north of the A163.
Total Site Area: 1.88 hectares



Picture 18

This site is allocated for residential development.
Indicative dwelling capacity: 40 Dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed development that complements existing development and acts as both a gateway to the village and as a transition point from the village to open countryside. Buildings should be varied in their design and be set back behind front gardens to assist with off-street parking. Development should be no more than two storeys to ensure that they complement the character and form of the village and they have minimal impact on the surrounding landscape.

2. Provide a vehicular access from the A163 to the south of the site, which extends a traffic speed reduction along the A163 to the east of the site.

3. Provide a pedestrian and cycle access to the north west of the site to Back Lane. The site requires a pedestrian and cycle access so that residents can access services and facilities available in the village. This will be achieved by demolishing the property of 10 Back Lane on the western boundary of the site and providing a footpath and cycleway through here that connects to Back Lane.

4. Provide a minimum of 20% affordable dwellings on the site.

5. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at North Duffield Primary, Barlby High, or other schools serving the development.

6. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by for later prehistoric, Romano-British and Anglo-Saxon settlement) and the results to inform the design of the scheme accordingly.

7. Provide tree/hedgerow planting of native species on the northern and eastern edges of the site to provide screening of views from these directions.

8. Retain and enhance the mature hedgerow on the southern boundary of the site.

9. Undertake an Appropriate Assessment for:

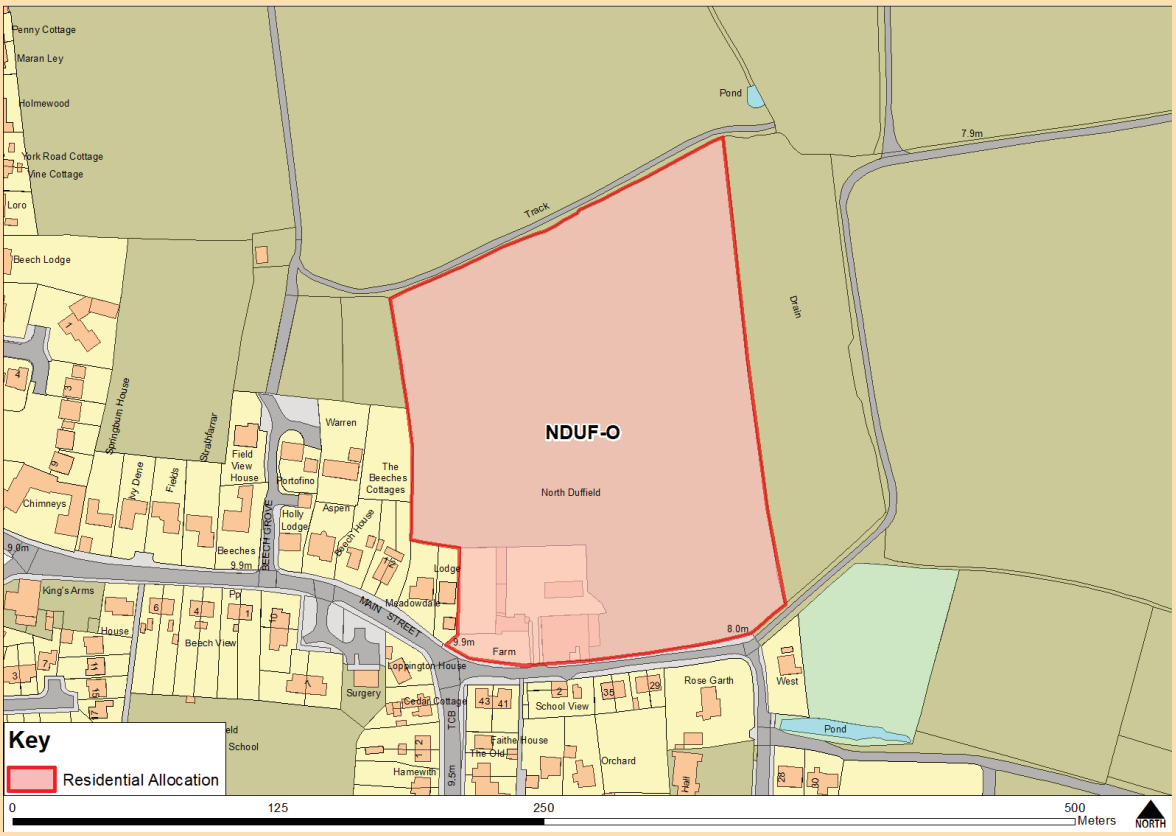
    i. Functionally-linked habitats as the site lies within the typical foraging ranges of species associated with the Lower Derwent Valley and Humber Estuary SPA/Ramsar designations and provides potentially suitable habitat. This should include either evidence that the proposed development site habitat is unsuitable for SPA/Ramsar designated species or assessment of the proposed development sites use by SPA/Ramsar designated species, including through the provision of wintering and passage bird surveys, and if necessary, appropriate mitigation; and

    ii. Water quality (and incorporate any required mitigation measures) as the site has the potential to affect water quality, levels or flow lies within designated SACs/SPAs/Ramsars relatively close proximity to European Sites that are dependent on good water quality. Details of potential impacts will depend on detailed design of the site. Such development must consider potential impacts on hydrological regimes which could affect the integrity of designated habitats, applying appropriate mitigation where deemed necessary, including through measures set out in IC4 and NE5; and

    iii. Recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.

NDUF-O

Location: Land north of Gothic Farm, Back Lane.
Total Site Area: 3.28 hectares



Picture 19

This site is allocated for residential development.
Indicative dwelling capacity: 70 Dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed, visually attractive development that complements the existing development to the south and acts as a transition point from the village to open countryside. The main Gothic Farm farmhouse building must be retained and restored. The design of the development should have regard to the North Duffield Village Design Statement. The development is adjacent to the 'three lanes' character area of the village and buildings should reflect the character of this area which is short front gardens, longer rear gardens, orange brown and pink bricks and pan tiles and produce a variety of building types. The main Gothic Farm farmhouse building has historical and architectural significance in the village and so must be retained. The other agricultural buildings have much less architectural significance and so can be removed in order to make an access into the site.

2. Provide vehicle, pedestrian and cycling access from Main Street via Back Lane, in the south western corner of the site past the existing dwelling of the Gothic Farm farmhouse. Improvements will need to be made to Back Lane to accommodate the access into the site, including road widening to a minimum width of 5.5 metres, 2x2 metres footways either side of the road and new street lighting. The south western part of the site covering Gothic Farm has a planning permission (2020/1041/FUL) for five dwellings and this permission will have to be succeeded by a larger permission for the whole site in order to make a suitable access.

3. Provide a minimum of 20% affordable dwellings on the site.

4. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at North Duffield Primary, Barlby High, or other schools serving the development.

5. Remediate any contaminated land that is present on the site in accordance with Policy NE8 (Pollution and Contaminated land). This site has been used as a farm, comprising various buildings/barns, for over 100 years and this use may have given rise to land contamination.

6. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by for prehistoric, Roman and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

7. Retain the mature trees on the eastern and northern boundaries of the site.

8. Provide tree/hedgerow planting of native species on the northern and eastern edges of the site to provide screening of views from these directions.

9. Undertake an Appropriate Assessment for:

    i. Functionally-linked habitats as the site lies within the typical foraging ranges of species associated with the Lower Derwent Valley and Humber Estuary SPA/Ramsar designations and provides potentially suitable habitat. This should include either evidence that the proposed development site habitat is unsuitable for SPA/Ramsar designated species or assessment of the proposed development sites use by SPA/Ramsar designated species, including through the provision of wintering and passage bird surveys, and if necessary, appropriate mitigation; and

    ii. Water quality (and incorporate any required mitigation measures) as the site has the potential to affect water quality, levels or flow lies within designated SACs/SPAs/Ramsars relatively close proximity to European Sites that are dependent on good water quality. Details of potential impacts will depend on detailed design of the site. Such development must consider potential impacts

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on hydrological regimes which could affect the integrity of designated habitats, applying appropriate mitigation where deemed necessary, including through measures set out in IC4 and NE5; and

iii. Recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.

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26 Riccall

26.1 Riccall is a Tier 1 Village within the settlement hierarchy and is located approximately five miles to the north of Selby town. Riccall has a population of 2,520 (2021 Census). The facilities in the village include the Riccall Primary School, a health care facility, a convenience store and two village halls/meeting rooms. The National Cycle Network route 65 and the Trans-Pennine Trail also pass though the village.

26.2 Riccall is a compact and historic village situated to the west of the A19. Modern residential estate development has taken place up to the A19 presenting a hard, eastern boundary to the settlement. The historic central part of the village is designated as a Conservation Area focused on Main Street and the Village Green. The majority of buildings on Main Street front directly onto the road, which coupled with the narrow streets creates a sense of enclosure.



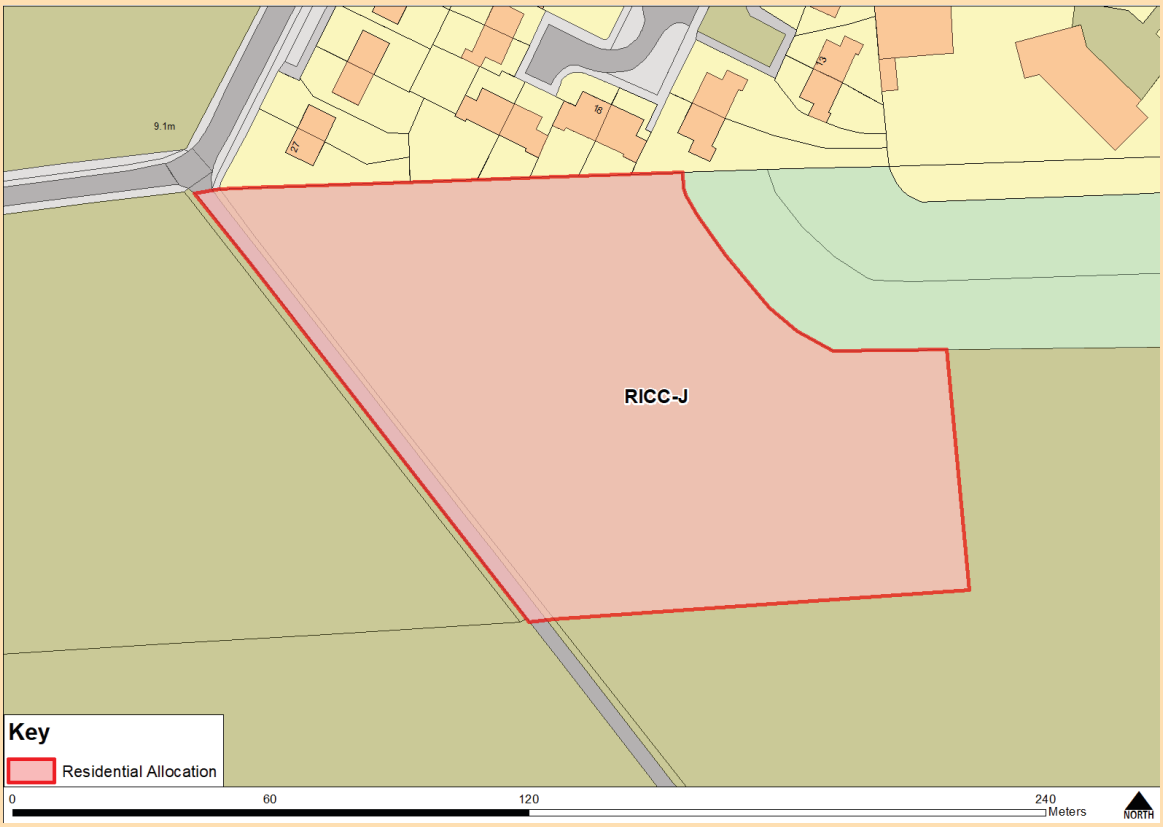
Picture 20

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RICC-J

Location: Land at Landing Lane.

Total Site Area: 1.2 hectares



This site is allocated for residential development.

Indicative dwelling capacity: 25 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed, visually-attractive development that also acts as a transition point from the village to the open countryside. The design of the development should have regard to the Riccall Village Design Statement. The site is not adjacent to the original Riccall or Selby Road character areas, but should still incorporate some of the traditional features of these dwellings in order to create a high-quality development. This includes red, pink or orange brick construction, homes should be two storeys high and be of different styles and roof levels to create a variation in eaves and ridge heights.

2. Provide vehicle, cycling and pedestrian access from Landing Lane in the north west corner of the site. The reason this site has been reduced in site area and to 25 dwellings (compared to the larger site which was originally submitted to the Council) is to limit the impact of extra vehicular journeys on the surrounding roads of Landing Lane and Back Lane. These roads have been evaluated by a highway

engineer, and have been found to be unsuitable in their current form to accommodate any further development than up to 25 dwellings, without substantial upgrading or alternative accesses being provided.

3. Provide a minimum of 20% affordable dwellings on the site.

4. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Ricall Primary, Barlby High, or other schools serving the development.

5. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features either on-site or close by for prehistoric, Roman and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

6. Retain existing mature trees and hedgerows on the edges of the site and provide tree/hedgerow planting of native species to provide screening of views from the western, southern and eastern edges of the site.

7. Undertake an Appropriate Assessment for:

    i. Functionally-linked habitats as the site lies within the typical foraging ranges of species associated with the Lower Derwent Valley and Humber Estuary SPA/Ramsar designations and provides potentially suitable habitat. This should include either evidence that the proposed development site habitat is unsuitable for SPA/Ramsar designated species or assessment of the proposed development sites use by SPA/Ramsar designated species, including through the provision of wintering and passage bird surveys, and if necessary, appropriate mitigation; and

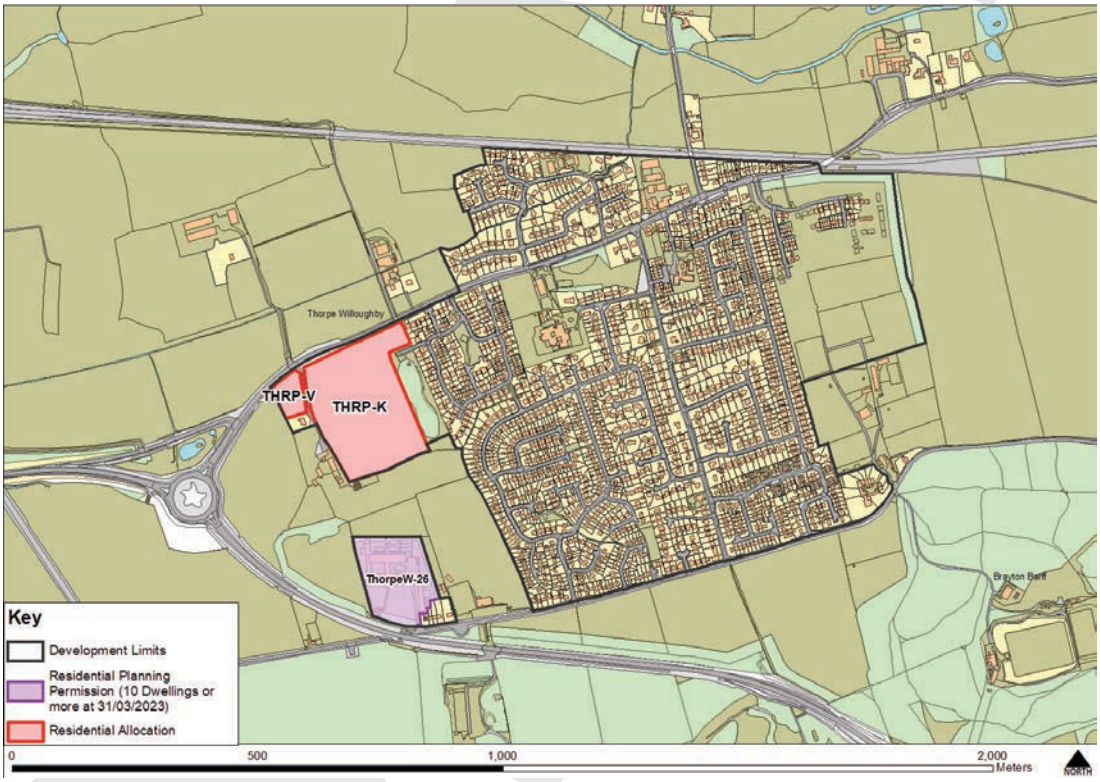
    ii. Recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.

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27 Thorpe Willoughby

27.1 Thorpe Willoughby is a Tier 1 Village located approximately three miles to the west of Selby town. Thorpe Willoughby has a population of approximately 3,486 (2021 Census). The village's key local facilities include the Thorpe Willoughby Community Primary School, a healthcare facility, two convenience stores, and a village hall/ meeting room.

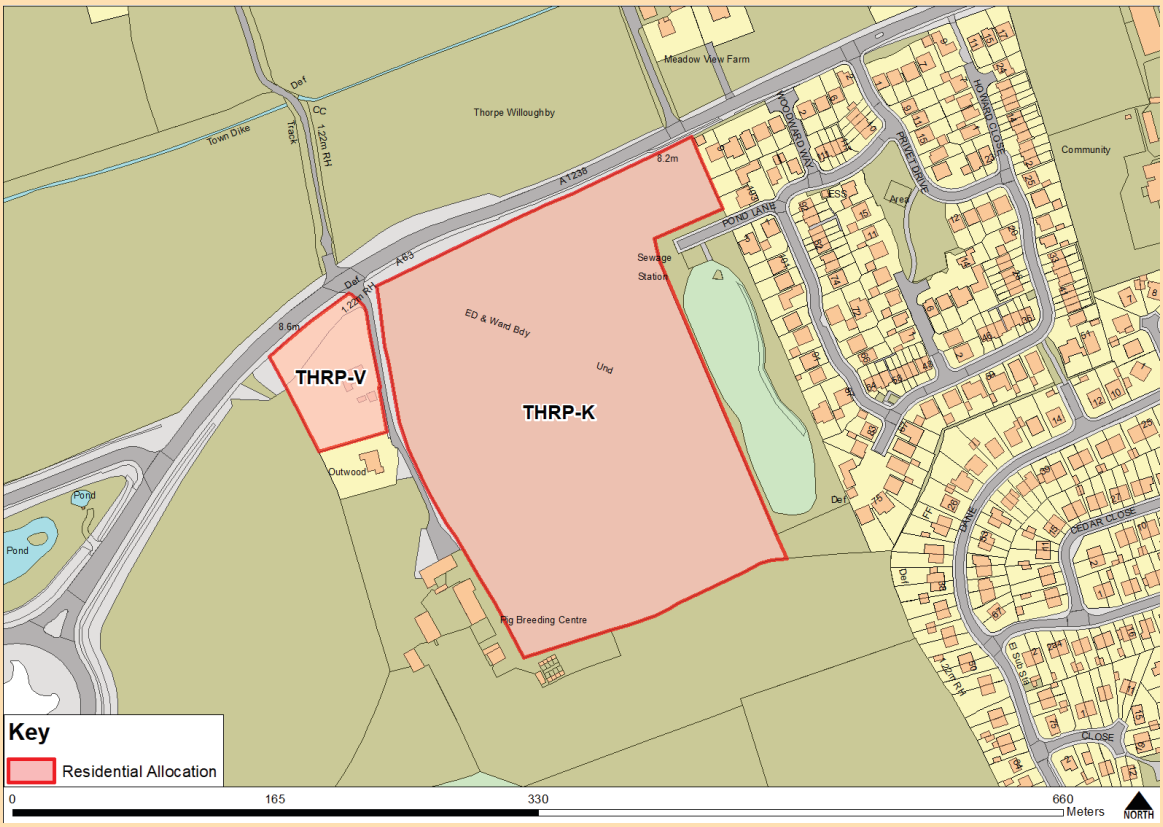
27.2 The village is situated south of the Selby to Leeds railway and north of the A63 bypass. It has good connections to Selby town in the east and the A63 bypass to the west via Leeds Road (the A1238). The village is in close proximity to the hills of Hambleton Hough in the south west and Brayton Barff to the south east; these are prominent landmarks in an otherwise flat landscape. The houses in the village are mostly modern estate developments with a cluster of services including a pub, a park and a few shops comprising a small village centre at the northern end of Fox Lane. Thorpe Willoughby currently has straight and abrupt built edges, especially along Leeds Road and Field Lane. Buildings in the village are relatively uniform and suburban in character and style. The variations of buildings present reflect the various late 20th-century estate development styles.



Picture 21

THRP-K

Location: Land south of Leeds Road.
Total Site Area: 4.99 hectares



This is allocated for residential development.
Indicative dwelling capacity: 127 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed, visually-attractive development which adds to the overall quality of the area and creates a strong sense of place, which acts as both a gateway to Thorpe Willoughby from the west and as a transition point from the settlement to the open countryside.

2. Provide a vehicle, cycling and pedestrian access to the site from Leeds Road, which extends a traffic speed reduction to the west of the site along the A63.

3. To allow safe access into the development for pedestrians and cyclists, and to encourage walking into Thorpe Willoughby, the footpath along the northern boundary of the site is to be widened and connected to the adjacent THRP-V site. A pedestrian and cycling access should also be connected to Pond Lane to support linkages with the existing community.

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4. Provide a minimum of 20% affordable dwellings on the site.

5. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Hambleton Church of England Primary, Thorpe Willoughby Primary, Selby High, or other schools serving the development.

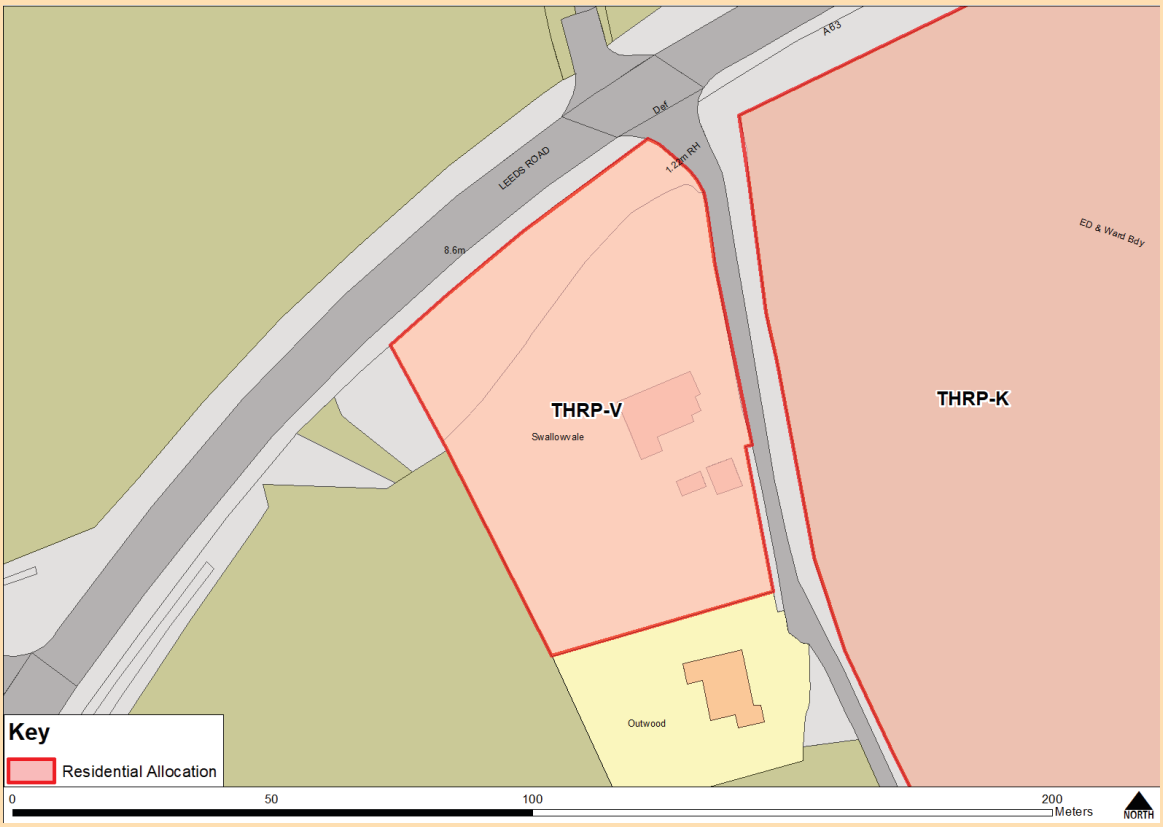
6. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features, particularly for prehistoric, Roman and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

7. Provide landscaping screening to the northern, southern and western boundaries of the site by retaining and enhancing the mature trees and hedgerows present on the site.

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THRP-V

Location: Land at Swallowvale Leeds Road.
Total Site Area: 0.45 hectares



This site is allocated for residential development.
Indicative dwelling capacity: 14 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development proposals on this site will be required to:

1. Provide a well-designed, visually-attractive development which adds to the overall quality of the area and creates a strong sense of place, which acts as both a gateway to Thorpe Willoughby from the west and as a transition point from the settlement to the open countryside.

2. Provide a vehicle, cycling and pedestrian access to the site from Leeds Road, which extends a traffic speed reduction to the west of the site along the A63.

3. To allow safe access into the development for pedestrians and cyclists, and to encourage walking into Thorpe Willoughby, the footpath along the northern boundary of the site along Leeds Road should be widened.

4. Provide a minimum of 10% affordable dwellings on the site.

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5. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Hambleton Church of England Primary, Thorpe Willoughby Primary, Selby High, or other schools serving the development.

6. Undertake an archaeological field evaluation commensurate to the significance of the archaeology (because the site has been identified as having potential archaeological features, particularly for prehistoric, Roman and Anglo-Saxon settlement) and use the results to inform the design of the scheme accordingly.

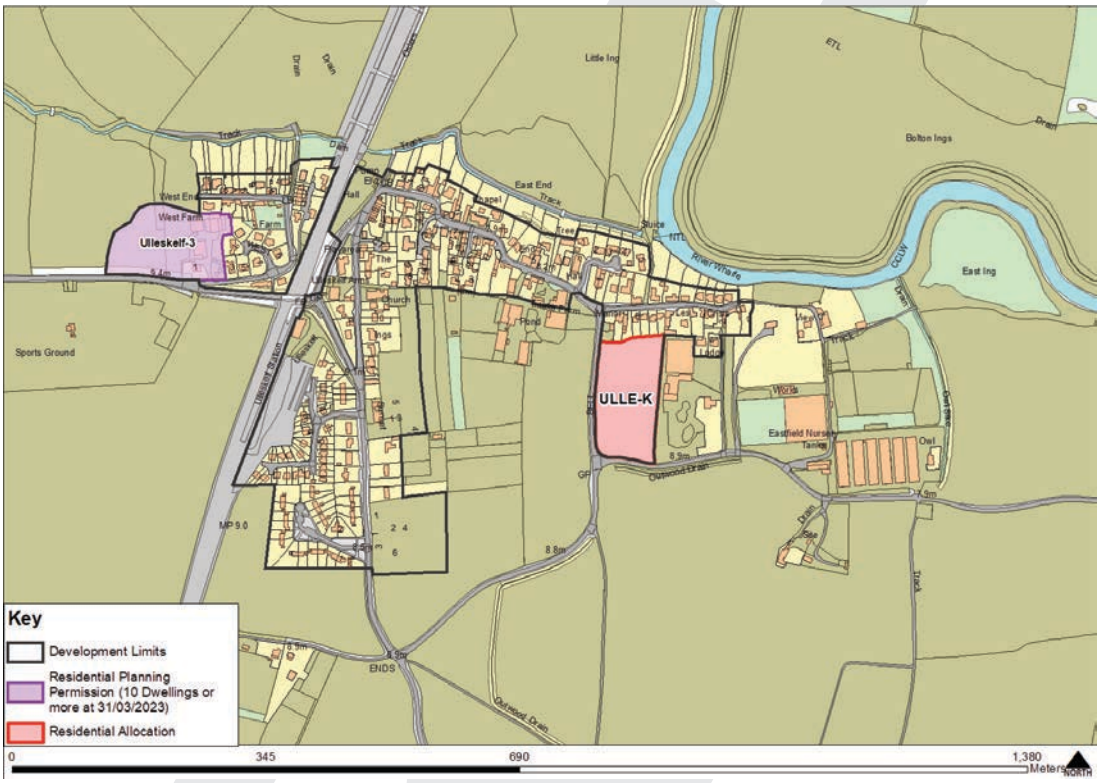
7. Provide a landscape screening to the northern and western boundaries of the site by retaining and enhancing the mature trees and hedgerows present on the site.

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28 Ulleskelf

28.1 Ulleskelf is a Tier 2 Village located approximately four miles to the south east of Tadcaster and approximately six miles north east from Sherburn in Elmet. It has a population of 829 (2021 ONS). The village is served by local facilities, which include a convenience store and a village hall/meeting room.

28.2 The village of Ulleskelf is situated immediately to the south of the River Wharf and is split by the East Coast Mainline railway. The western and smaller extent of this historic village, features traditional buildings constructed from limestone from the neighbouring Magnesian Limestone ridge further to the west. The village features prominent, modern cul-de-sac developments along the southern boundary.



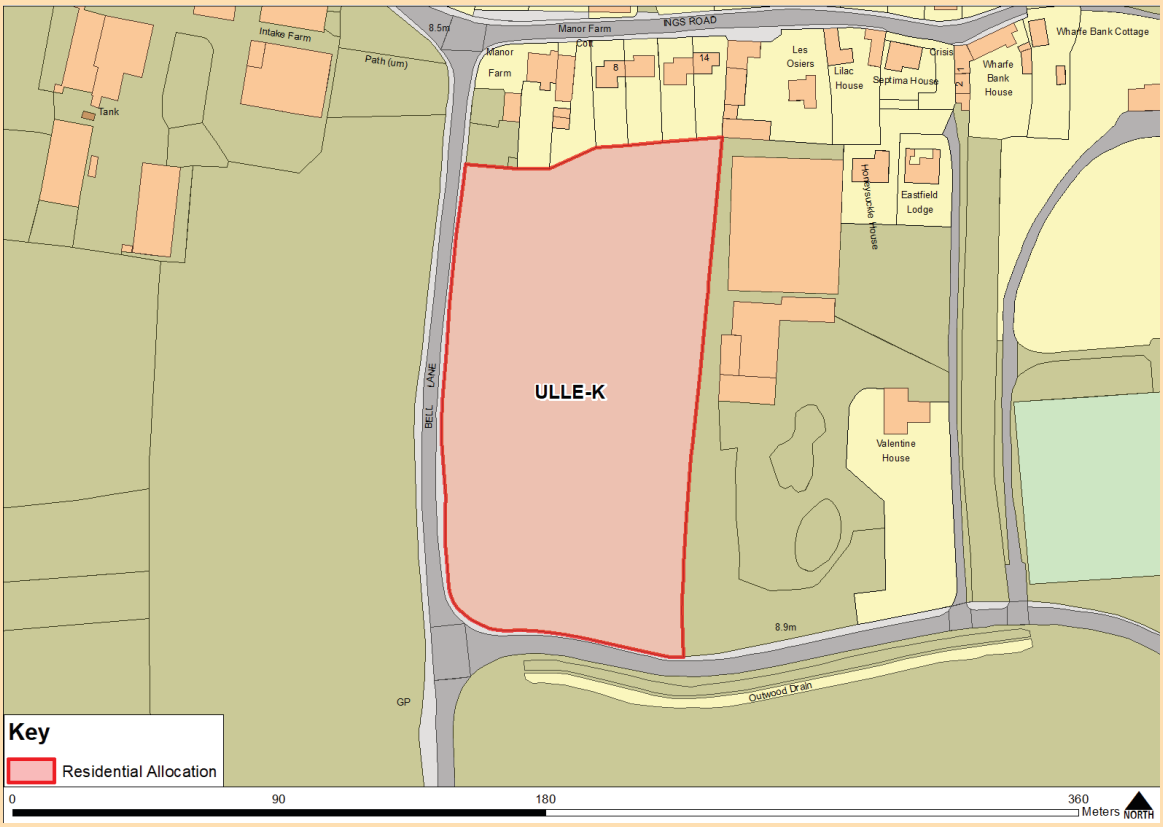
Picture 22

DRAFT

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ULLE-K

Location: Land east of Bell Lane.
Total Site Area: 1.37 hectares



This site is allocated for residential development.
Indicative dwelling capacity: 29 dwellings

Site Requirements

In addition to satisfying the requirements of relevant planning policies, development on this site will be required to:

1. Provide a well-designed, locally-distinctive development which maximises opportunities to enhance and reflect the unique character of the village in terms of its form, scale, density, layout and mix of building materials, minimising its impact on views from the wider countryside to the south. In the northern part of the site, development should be set back from Bell Lane and Manor Farm cottages, in order to maintain the rural character of the area and preserve the setting of the Listed Building to the north known as Manor Farm Cottages.

2. Provide vehicle, cycling and pedestrian access from Bell Lane to the west connecting to the existing footpath and Public Right of Way.

3. Provide a minimum of 20% affordable dwellings on the site.

4. Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Church Fenton Church of England school, Tadcaster Grammar, or other schools serving the development.

5. Due to the identified heritage assets in this location (the site is adjacent to Manor Farm Cottages, a Grade II Listed Building), incorporate the recommended mitigation measures as set out in the Heritage Impact Assessment which has been undertaken to preserve and where appropriate enhance the features.

6. Retain the existing mature tree within the site and retain and enhance existing hedges and trees along the eastern and southern boundaries, to screen views from these directions.

7. Appropriate assessment and mitigation where necessary should be undertaken to assess any potential impact on the Bolton Percy Ings SSSI and Kirkby Wharfe SSSI.

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Appendix A List of Residential Planning Permissions

29.1 The table below shows a list of residential planning permissions, both implemented and not implemented, at the date of 31 March 2023. As described in Policy HG1 (Meeting Local Housing Needs), these sites are allocated for the duration of the Plan period. Only sites permitted for 10 or more dwellings are shown on the Policies Map, and these large sites are referred to by their 2023 SHLAA reference on the map. More information on these sites can be seen in the 2023-2028 Five Year Housing Land Supply Report.

SHLAA Reference	Location	Application Reference	Gross Site Total	Permission Started?	Gross Capacity Remaining
Aroebuck-11	1 Woolas Grange Cottages, Malt Kiln Lane	2021/0981/FUL	1	No	1
Aroebuck-2	Roebuck Barracks, Green Lane	2022/0106/FUL	1	No	1
Aroebuck-21	The Old Windmill, Old Road	2021/0347/FUL	1	Yes	1
Balne-2	Mobile Home, Horseshoe Fishing Pond, Balne Moor Road	2016/1171/FUL	1	Yes	1
Balne-3	Woodside Farm, South End Lane, Balne	2022/0019/FUL	1	No	1
Barkston-7	Turpin Hall Farm, Back Lane	2019/0804/FUL	3	Yes	2
Barlby-1	Bay Horse Inn, York Road	2022/0670/FUL	1	No	1
Barlby-29	Land off Turnhead Crescent	2022/0135/FUL	1	No	1
Barlby-3	33 Lowfield Road	2022/1102/OUT	1	No	1
Barlby-31	Bay Horse Inn Phase 1 & 2, York Road	2020/1404/FUL	2	Yes	2
Barlby-32	Mount Pleasant Cottage, York Road	2021/0672/FUL	1	No	1
Beal-6	Land off Jasmine, Broad Lane	2021/0892/FUL	1	No	1
BoltonPercy-2	Land adjacent to Mote Hill House and Oak View (Field House), School Lane	2022/1106/OUT	1	No	1
Brayton-1	Evergreen Way	2018/0294/REM	9	Yes	3

SHLAA Reference	Location	Application Reference	Gross Site Total	Permission Started?	Gross Capacity Remaining
Brayton-16	Manor Felde, Barff Lane	2019/0940/FUL	1	No	1
Brotherton-15	Dobsons Yard, High Street	2018/1332/FUL, 2021/1262/FUL	5	Yes	5
Brotherton-17	Land adjacent Ings View, High Street	2019/1103/FUL	4	Yes	1
BSalmon-2	Manor Farm House, Poole Row	2022/0984/FUL	3	No	3
Burn-12	Land off Barff View	2020/0014/FULM	10	No	10
Burn-13	Land off Main Road	2022/1242/OUT	3	No	3
Burn-14	Land at Burn House Farm	2020/0913/FUL	1	No	1
Burn-6	Poplar House, Main Road	2009/0950/REM	9	Yes	6
Byram-3	4 Sutton Lane	2022/0137/REM, 2023/0005/FUL	6	Yes	6
Byram-9	17 Sutton Lane	2011/0319/FUL	3	Yes	1
Camblesforth-17	Low Farm Barn, Camela Lane	2021/0383/FUL	2	No	1
Camblesforth-5	Stockshill House, Selby Road	2022/0122/FUL	2	No	2
Camblesforth-6	Land adjacent to No 3 Chapel Court	2020/0612/FUL	1	Yes	1
Carlton-1	Land west of Station Road	2018/0870/REMM	66	Yes	10
Carlton-15	Bingley Cottage, Low Street	2019/0370/FUL	2	Yes	1
Carlton-16	The Conifers, Low Street	2020/0946/REM	4	Yes	2
Carlton-23	Land adjacent Thorn Tree Cottage, Low Street	2021/0356/FUL	1	No	1
Carlton-24	Grove Farm, High Street	2019/0464/FUL	1	No	1
Carlton-25	Geth I Nor, High Street	2020/1001/FUL	1	No	1
Carlton-26	Land at Elmstone House, Low Street	2021/0108/FUL	1	No	1
Carlton-4	Pear Tree Farm, Low Street	2018/0741/FUL	3	Yes	1
Carlton-9	Land west of Station Road	2018/0871/REMM	67	Yes	50
Cawood-1	Land off 23 Ryther Road	2017/0177/FULM	23	Yes	23

SHLAA Reference	Location	Application Reference	Gross Site Total	Permission Started?	Gross Capacity Remaining
Cawood-11	Cooks Cottage, Wistowgate	2022/1222/FUL	1	No	1
Cawood-15	Fairholm, 9 Wistowgate	2022/1057/FUL	1	No	1
Cawood-29	The Workshop, Ryther Road	2022/0789/FUL	1	No	1
Cawood-8	Land adjoining Riverside Court	2019/1331/OUT	6	No	6
CFenton-3	Land to the south of Main Street	2017/0736/REMM	50	No	50
CFenton-30	The Orchards, Church Street	2019/0108/FUL	2	Yes	1
CFenton-32	Land south of Common Lane	2019/0746/REM	9	Yes	9
CFenton-33	1 Fern Cottages, Nanny Lane	2015/1220/FUL	1	Yes	1
CFenton-40	Land at Church Fenton Station	2013/0088/FUL	3	Yes	2
Cliffe-1	The Farmstead, Lund Lane	2021/0241/FUL	1	No	1
Cliffe-12	Lace House, Hull Road	2022/0341/FUL	1	No	1
Cliffe-42	4 Curson Terrace	2020/0625/FUL	1	Yes	1
Cliffe-2	The Laurels, York Road	2020/1211/OUT	3	No	3
Cliffe-8	Tudor House, York Road	2021/1461/FUL	1	No	1
Eggborough-19	Bowmans Mill, Selby Road	2017/0542/OUTM	120	No	120
Eggborough-2	Fenholme, Selby Road	2021/1507/FUL	1	No	1
Eggborough-23	Land at Tranmore Lane	2019/1278/FUL	1	No	1
Eggborough-24	Weeland Road	2019/1328/REMM	30	Yes	30
Eggborough-25	18 Tranmore Lane	2022/0421/REM	1	Yes	1
Fairburn-12	Land at Haven, Rawfield Lane	2019/1352/FUL	6	Yes	6
Fairburn-19	Land adjacent to Araslie, Claude Hill	2021/1107/FUL	1	No	1
Fairburn-26	Caru, Beckfield Lane	2021/1501/FUL	1	No	1
Gateforth-4	Wheatlands, Gateforth	2017/0049/FUL	1	Yes	1
Gateforth-6	Fir Tree Farm, Landing Road	2020/0411/FUL	1	Yes	1
GHeck-7	Gokul, Long Lane	2020/1304/FUL	1	No	1
GHeck-9	Land adjacent Pasture Cottage, Main Street	2021/0471/OUT	1	No	1

SHLAA Reference	Location	Application Reference	Gross Site Total	Permission Started?	Gross Capacity Remaining
Hambleton-27	Bar Farm, 46 Main Road	2018/1243/OUTM	21	No	21
Hambleton-29	2 Anson Croft	2021/1082/OUT	1	No	1
Hambleton-30	Land at White House Farm, 115 Main Road	2021/0179/FUL	4	No	4
HCourtney-1	Royal Oak Inn, Main Road	2022/0852/OUT	7	No	7
HCourtney-2	Manor House, Old Lane	2021/0720/OUT	2	No	2
Healaugh-2	Oakwood Barns, Main Street	2021/0868/FUL	2	No	2
Hemingbrough-33	HF Brown and Sons, Portland Works, Main Street	2018/0963/FUL	1	Yes	1
Hemingbrough-30	Nowlins, 17 School Road	2022/0731/FUL	1	No	1
Hemingbrough-32	Hemwood House, Hagg Lane	2022/0195/FUL	1	No	1
Hemingbrough-38	15 School Road	2022/0728/FUL	2	No	2
Hemingbrough-40	Market Garden, Hull Road	2021/0261/FUL	1	No	1
Hemingbrough-44	Building adjacent The Villa, Main Street	2020/0184/FUL	1	No	1
Hensall-37	A19 Caravan Storage Limited, Hazel Old Lane	2015/0918/REM	1	Yes	1
Hillam-16	Land south of Hillam, Common Lane	2019/0009/FUL	1	Yes	1
Hillam-4	The Old Orchard, Hillam Lane	2022/0846/OUT	2	No	2
Hillam-6	Land south of Brooklands, Betteras Hill Road	2020/1141/OUT	1	No	1
Hillam-7	Brooklands, Betteras Hill Road	2022/0144/REM	1	No	1
Hillam-8	Barn to the rear of Holly House	2022/0113/FUL	1	No	1
Huddleston-1	Huddleston Grange	2017/0063/FUL	1	Yes	1
Kelfield-18	Yew Tree House, Main Street	2022/0050/REM	6	No	6
Kelfield-6	The Homestead, Main Street	2021/0844/FUL	1	No	1
Kellington-13	Southlands, Broach Lane	2018/1123/REM	4	Yes	4
Kellington-15	Land adjacent The Old Vicarage, Main Street	2021/1473/FUL	3	Yes	1

SHLAA Reference	Location	Application Reference	Gross Site Total	Permission Started?	Gross Capacity Remaining
LFenton-3	Grove Farm, Sweeming Lane	2019/0945/FUL	1	Yes	1
Lumby-1	Hall Farm, Butts Lane	2022/0681/FUL	4	Yes	1
Lumby-6	Lumby Court, Butts Lane	2018/1414/FUL, 2020/0571/FUL	5	Yes	3
Lumby-7	Mulberry Farm, Butts Lane	2015/1263/FUL	1	Yes	1
MFryston-10	Ashville, Main Street	2020/0991/OUT	4	Yes	3
MFryston-11	Margyl Cottage, 40 Main Street	2018/0482/FUL, 2021/0662/FUL	2	Yes	2
MFryston-13	The Bungalow, 10 Old Vicarage Lane	2022/0484/OUT	3	No	3
MFryston-15	Wayside Cottage, 16 Main Street	2019/0444/FUL	3	Yes	3
MFryston-16	Beam House, 2 The Quarry, Lumby Lane	2021/0808/FUL	1	No	1
NDuffield-11	Gothic Farm, Main Street	2020/1041/FUL	5	No	5
NDuffield-27	Green Lane	2021/1353/FUL	5	No	5
NDuffield-7	Land to the west of York Road (The Paddocks), York Road	2018/1344/OUTM, 2018/1346/FULM	19	Yes	3
Osgodby-13	Holly Lodge, Back Lane	2019/1121/FUL	2	Yes	1
Osgodby-17	Tindalls Farm, Sand Lane	2021/1036/OUT	3	No	3
Riccall-27	Tamwood, Station Road	2022/0534/FUL	4	No	4
Riccall-5	20 Main Street	2022/0879/FUL	4	Yes	1
Ryther-4	Rose Lea, 28 Mill Lane	2020/0426/FUL	1	No	1
Ryther-5	Methodist Chapel, Main Street	2019/1069/FUL	1	No	1
Saxton-10	Saxton Riding School, Coldhill Lane	2021/0584/FUL	4	No	4
Saxton-12	Old Hall Farm, Scarthingwell Lane, Towton	2011/0964/FUL	9	Yes	9
Saxton-9	Old Hall Farm, Scarthingwell Lane	2020/1083/FUL	2	Yes	1

SHLAA Reference	Location	Application Reference	Gross Site Total	Permission Started?	Gross Capacity Remaining
Selby-100	Old Willow House, West Park	2020/1208/FUL	1	No	1
Selby-101	Pymble, Flaxley Road	2020/0173/FUL	2	No	2
Selby-11	191 Leeds Road	2018/0804/FUL, 2020/1380/FUL	2	Yes	2
Selby-13	Westbourne House, Westbourne Road	2022/0491/FUL	2	No	2
Selby-16	Toll Bridge Filling Station, Ousegate	2021/1087/FULM	13	No	13
Selby-17	The Maltings, Long Trods	2019/0961/FULM	18	No	18
Selby-21	Hempbridge Farm and land at Flaxley Road	2017/0775/REMM	163	Yes	57
Selby-22	Dr Inks, Ousegate	2022/0330/FUL	4	No	4
Selby-23	New Lock House, Shipyard Road	2021/0002/FUL	1	No	1
Selby-24	82-84 Gowthorpe	2021/1536/FUL	2	No	2
Selby-33	Staynor Hall Phases 4A,4B,4C,4D,4E, Bawtry Road	2015/0452/EIA	215	Yes	215
Selby-47	Business Training Ventures Ltd, First And Second Floor, 5 The Crescent	2021/1470/FUL	2	No	2
Selby-58	Staynor Hall Phases 3e, 3f, 3g and 3k Abbots Road	2015/0580/EIA	212	Yes	1
Selby-72	Lake House, Bawtry Road	2017/0784/FUL	1	Yes	1
Selby-76	31 Gowthorpe	2020/0080/FUL	1	No	1
Selby-84	Selby District Council - Old Civic Centre, Portholme Road	2020/0776/FULM	102	Yes	48
Selby-92	Land off Coupland Mews	2021/0648/OUT	9	No	9
Selby-94	The Nelson Inn, Ousegate	2019/0980/FUL	3	No	3
Selby-96	4 The Crescent	2021/0402/FUL	2	No	2
Selby-97	9 New Street	2021/0827/FUL	1	No	1
Selby-98	The Haven, White Street	2020/0467/FUL	7	No	7
Selby-99	Land at Wistow Road	2020/1360/FUL	2	No	2
Sherburn-5	14 Carousel Walk	2022/1187/FUL	1	No	1
Sherburn-54	Low Street - Redrow	2014/0360/M	45	Yes	1

SHLAA Reference	Location	Application Reference	Gross Site Total	Permission Started?	Gross Capacity Remaining
Sherburn-55	61 Kirkgate	2020/0938/REM	3	No	3
Sherburn-6	Land off Hodgsons Lane	20180045/REMM	270	Yes	4
Sherburn-69	Hague House, 10 Pasture Grove	2020/0901/FUL	1	No	1
Sherburn-70	Sherburn Common Farm, Hodgsons Lane	2015/0331/ATD	1	Yes	1
Sherburn-74	Hodgsons Lane	20200354/REMM	150	No	150
SMilford-16	Whiterose Bungalow, Great North Road	2021/0730/FUL	2	No	2
SMilford-31	Cragland, Milford Road	2020/0958/FUL	2	No	2
SMilford-38	The Old Methodist Church, 7 High Street	2019/0638/FUL	4	Yes	1
SMilford-44	16 Low Street	2020/0779/FUL	4	No	4
SMilford-46	China Palace, London Road	2022/0374/FUL	8	No	8
SMilford-6	11 Milford Road	2022/1298/FUL	1	No	1
Stapleton-1	Castle Farm, Castle Hills Road	2019/0905/FUL	1	No	1
Stillingfleet-10	Barn at Croft Cottages, York Road	2022/0117/FUL	1	No	1
Stillingfleet-6	Moreby Hall, Moreby	2020/0413/FULM	11	Yes	11
Stillingfleet-8	Land east of Croft Cottages, York Road	2019/1064/FUL	1	No	1
Stillingfleet-9	The Bungalow, Stillingfleet Service Station, York Road	2020/0340/FUL	4	No	4
StubbsW-1	5 Old Hall Farm	2020/0900/FUL	1	No	1
Stutton-1	Peggy Ellerton Farm, Chantry Lane, Hazlewood	2019/0029/FUL	1	No	1
Stutton-2	Sugar Hill Farm, Wingate Hill	2021/0481/FUL	1	No	1
Stutton-3	15 Mill Lane	2018/0354/REM	1	Yes	1
Tadcaster-28	28 Bridge Street	2017/1331/FUL	3	Yes	3
Tadcaster-6	14 Edgerton Drive	2021/0661/FUL	1	No	1
THirst-1	Bailiff Farm, Main Road, Temple Hirst	2021/0074/FUL	1	No	1

SHLAA Reference	Location	Application Reference	Gross Site Total	Permission Started?	Gross Capacity Remaining
Thorganby-6	Yew Tree Farm, Main Street	2016/1233/FUL	6	Yes	1
Thorganby-7	Thorganby Methodist Church, Main Street	2019/0668/OUT, 2021/0588/FUL	6	No	6
ThorpeW-24	Sunnyside Farm, Fir Tree Lane	2020/0743/FUL	7	Yes	6
ThorpeW-26	NSDS Centre, Field Lane	2018/0134/REMM	70	Yes	70
Ulleskelf-20	West End Farm, West End	2019/0320/OUT	6	No	6
Ulleskelf-21	West End Farm	2020/1113/REMM	25	No	25
Ulleskelf-6	RAF Church Fenton, Busk Lane	2019/0325/FULM	124	Yes	77
WHaddlsey-2	Land adjacent To Garth View, Main Street	2019/0590/FUL	1	Yes	1
WHaddlsey-4	Land west of Pale Lane	8/31/40B/PA	1	Yes	1
Whitley-13	Poplar Farm, Selby Road	2014/0464/FUL	8	Yes	2
Whitley-14	Land at All Saints Court	2021/1537/REM	5	No	5
Whitley-15	Larth Close	2021/0268/FUL	6	No	6
Wistow-13	Lodge Farm, Wistow Lordship	2022/0838/FUL	2	Yes	1
Wistow-24	Land at Hollytree Cottage, Garman Carr Lane	2017/1256/FUL	1	Yes	1
Wistow-3	Rose Cottage Farm, Station Road,	2022/0232/OUT	1	No	1
Womersley-4	Womersley C of E Primary School, Cow Lane	2016/0856/FUL	4	Yes	1

Table 29.1

30 Appendix B Monitoring

Monitoring Framework

30.1 Effective monitoring has an essential role in policy development. It is important that checks are in place to ensure that the Plan is being implemented correctly. Continuous monitoring enables achievements and changing circumstances to be identified, where policy changes may be required and to ensure that policies remain relevant and that a sufficient supply of land for development exists, development is managed and assets are protected and enhanced.

30.2 The Plan will be monitored throughout its life against the indicators in the table below. Indicators have been chosen for their relevance and their feasibility in terms of being able to be monitored. The results of this monitoring will be seen in the Authority Monitoring Reports which will be produced annually. If development policies are not performing as intended then actions and contingences will be put in place to address any underperformance.

Plan Theme	Indicator	Baseline Target
Spatial Growth Strategy	Annual net housing completions.	386 dwellings per annum.
	Housing completions across the Plan period.	7728 dwellings.
	Number of years housing supply.	5 years or 2027 dwellings (with 5% buffer added).
	Number of approvals contrary to policy within the Green Belt	0 hectares annually.
	Number of developments which compromise the openness of the Strategic Countryside Gap.	No developments approved annually which compromises the openness of a Strategic Countryside Gap.
	Energy generated from grid connected renewable energy schemes.	Increase annually.
	Permissions granted contrary to outstanding Environment Agency flood risk objection.	None.
	Permissions granted contrary to outstanding Historic England objection.	None.

Plan Theme	Indicator	Baseline Target
	Number of assets improved and removed from the Heritage at risk Register.	Increase.
Supporting a Diverse Local Economy and Thriving Town Centres	Development of Strategic Employment Allocations.	All sites occupied.
	Hectares of Key Employment Areas lost.	None.
	Amount of net employment land, by Use Class, permitted and completed.	91 hectares by 2040.
	Number of new jobs created.	Net increase in jobs over 5 year rolling period.
	Number of farm diversification schemes granted.	Support appropriate farm diversification opportunities.
	Number of tourist, recreation and cultural facilities schemes granted.	Support appropriate tourist and recreation opportunities.
	Number of holiday accommodation schemes granted.	Support appropriate holiday accommodation opportunities.
	Number of tourist accommodation properties used as a permanent residence.	Reduce.
	Amount of retail uses permitted in town centres.	Net increase.
	Number of local shops granted permission.	Net increase.
	Number of hot food takeaways granted within 400m of a secondary school or further education college without restricted opening hours.	None.
Providing the Right Infrastructure to Support Local Communities	Number of lost community facilities.	No net loss over the Plan period.

Plan Theme	Indicator	Baseline Target
	Provision of infrastructure.	Net increase in line with the Infrastructure .
	Number of sport facilities granted consent.	Net increase in line with need.
	Additional play areas (LAPs, LEAPs and NEAPs) added.	Net increase in line with need.
	Provision of Full Fibre Broadband to new premises.	Net Increase.
	Number of sustainable transport facilities provided.	Net Increase.
Creating High Quality Places to Live	Housing allocations completed.	All housing allocations completed.
	Windfall sites completed.	Support appropriate windfall sites.
	Ensure the right sizes and types of homes are being built.	To match those needed in the latest HEDNA.
	Number of homes meeting the national space standards for living spaces.	All homes.
	Number of homes built to M4 (3) 'wheelchair user' standard.	6% of dwellings on sites of 10 or more units.
	Achieving the right densities of houses.	Achieve the average recommended for that settlement type.
	Percentage of new homes built as affordable.	Minimum percentages specified for each site.
	Number of affordable dwellings sold as home ownership.	25% of applicable affordable house types.
	Proportion of affordable homes by tenure.	To match those needed in the latest HEDNA.
	Commuted sums collected and spent on affordable homes.	Monitor expenditure.

Plan Theme	Indicator	Baseline Target
	Number of affordable homes provided on Rural Exception Sites.	Net increase.
	Meeting the identified need for self/custom build units.	Net increase in self-build units.
	Large sites contributing to the supply of self/custom build units.	On all sites over 50 units, 3% to be self-build.
	Amount of specialist housing added.	Net Increase.
Maintaining a High Quality Natural Environment	Number of appeals lost in Locally Important Landscape Areas where landscape is the key determinant.	None.
	Land important for habitat or species.	No net loss.
	Amount of net biodiversity gain.	10% net increase.
	Harmful emissions in the Air Quality Management Area	Net reduction.
	Number of applications approved which are incompatible with contaminated land.	None.
	Number of important and protected trees and hedgerows lost through development.	None.
	Number of trees added.	Increase.
	Every 5 years, monitor visitor numbers using the Lower Derwent Valley and Skipwith Common.	None.

Table 30.1

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Revised Publication Selby Local Plan 2024

31 Appendix C Glossary

31.1 This glossary provides a brief explanation and more detail of some of the terms and terminology used in the Local Plan document.

Item	Description
Affordable Housing	Housing for sale or rent, for those whose needs are not met by the housing market (including housing that provides a subsidised route to home ownership and/or is for essential local workers) and which complies with one or more of the following types as defined in the National Planning Policy Framework: affordable housing for rent, starter homes, discounted market sales housing, and other affordable routes to home ownership. Eligibility is determined by income and local house prices. The affordable price is secured for future households.
Air Quality Management Area	Areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.
Ancient Woodland	An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland sites (PAWS).
Appropriate Assessment	An Appropriate Assessment reviews the implications of a proposed Plan or project on a site if the Plan is considered likely to have significant effects on a protected habitat. Undertaken as part of the Habitats Regulations Assessment process.
Authority Monitoring Report	A report on the extent to which objectives and policies of the Local Plan are being achieved. It also contains the Local Development Scheme which sets out the progress of preparing the Local Plan and other Development Plan Documents.
Biodiversity	A general term for the extent of variety of life on Earth or any given part of it. The variety is considered in terms of species of plants, animals and micro-organisms, and the ecosystems of which they are part.

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Item	Description
Biodiversity Net Gain (BNG)	This is a process of calculating and delivering a net gain in biodiversity value of an area. It is done through using an established metric to determine the number of `biodiversity units` an area contains prior to any clearing or redevelopment, and creating a plan to deliver an increased number of biodiversity units once the area has been developed, thereby creating a net gain. The habitat units can be provided on or off site but their delivery must be secured for at least 30 years. The Environment Act 2021 sets out that developers should demonstrate how they plan to achieve a minimum of 10% increase in biodiversity on sites in order to achieve planning permission.
Blue Infrastructure	Blue infrastructure generally refers to water bodies and networks, such as rivers, canals, ponds, wetlands, and floodplains.
Brownfield Land	Another term for Previously Developed Land.
Community Assets Register	The Localism Act 2011 has introduced the concept of the Community Right to Bid, also known as Assets of Community Value. This gives people the chance to bid to buy and takeover the running of assets that are of value to a local community. These assets are defined as buildings or other land which are mainly in actual use for the social, well-being or social interests of the local community and are nominated by local voluntary or community groups to be included on a list of assets of community value. More information about the Community Asset Register can be found here: Community Assets Register
Community Infrastructure Levy	A levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area. The funds are used to help deliver infrastructure to support the development of their area.
Community-Led Exception Site	Development instigated and taken forward by a not-for-profit organisation set up and run primarily for the purposes of meeting the

Item	Description
	housing needs of its members and the wider local community on land not already allocated for housing which include one or more types of affordable housing, as defined in the National Planning Policy Framework.
Comparison Retail	Shops which sell similar goods and products which are usually higher value and purchased infrequently.
Conservation Area	Designated by the Local Planning Authority, a Conservation Area is an area of special architectural or historic interest. To protect or improve the character or appearance of the area, the Local Planning Authority has powers within a Conservation Area to control works and demolition of buildings.
Conservation Area Appraisal	A Conservation Area Appraisal is a document setting out and defining the special architectural or historic interest of a Conservation Area.
Convenience Retail	Convenience retail refers to shops which sell day-to-day items such as a grocer, bakery and food store.
Council Plan/Corporate Plan	A document setting out the Council's ambitions for its service provision. It sets out the strategic priorities and business objectives to achieve the vision for the next ten years.
Culvert	A river or watercourse that has been enclosed underground (culverted), in any location and not just exclusively water pipes and sewers under roads and railways.
Curtilage	The enclosed space of ground immediately adjacent to a dwelling house.
Development Brief	Development briefs are documents prepared by the Local Planning Authority in advance of a planning application being submitted. Usually for larger sites, they set out in further detail what type of development is to be required.

Item	Description
Development Plan	A suite of documents setting out a Local Planning Authority's policies and proposals for the development and use of land and buildings in the Local Authority area. The development plan includes Local Plans and Neighbourhood Plans.
Development Plan Documents	Development Plan Documents are prepared by the local planning authority. This includes an adopted policies map which illustrates the spatial extent of policies that must be prepared and maintained to accompany all Development Plan Documents. All DPDs must be subject to rigorous procedures of community involvement, consultation and independent examination, and adopted after receipt of the inspector's binding report. Once adopted, development management decisions must be made in accordance with them unless material considerations indicate otherwise.
Exceptions Test	The Exception Test, as set out in the National Planning Policy Framework, is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available.
Functional Need	Functional need is the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.
Green Belt	Green Belts are a formal policy designation around urban areas and serve five purposes as set out in the National Planning Policy Framework. Green Belts are statutory policy designations and are different to ‘greenfield land’.
Green Infrastructure	A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

Item	Description
Greenfield Land	Greenfield land is a term referring to undeveloped land in an urban or rural area either used for agriculture or landscape or left to evolve naturally.
Gypsy and Travellers	Planning Policy for Travellers (2015) defines gypsies and travellers as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
Habitats Regulations Assessment	A report required to assess the potential effect of the Local Plan on Ramsar sites, Special Protection Areas and Special Areas of Conservation
Housing and Economic Development Needs Assessment (HEDNA)	A document that sets out the local housing and economic development requirements for the Local Authority area. Usually prepared by consultants to inform planning policy.
Infrastructure Delivery Plan	A document prepared by the Local Planning Authority setting out the infrastructure requirements needed to meet development.
Infrastructure Funding Statement (IFS)	An annual statement that summarises the amount of developer contributions collected and spent in the support of Infrastructure within the Plan Area. This includes monies received through both Section 106 payments (S106) and Community Infrastructure Levy (CIL).
Internal Drainage Board	Internal Drainage Boards (IDBs) are public bodies that manage water levels for a defined area.
Lead Local Flood Authority	Lead Local Flood Authority are county councils and unitary authorities. They lead in managing local flood risks (i.e. risks of flooding from surface water, ground water and ordinary (smaller) watercourses). This includes ensuring co-operation between the Risk Management Authorities in their area.

Item	Description
Listed Building	A Listed Building is a building of special architectural or historic interest. Listed Buildings are graded as I, II* or II where Grade I is the highest designation. Listing includes the interior as well as the exterior and also any other permanent structures within the curtilage. Listed Building Consent is required for the demolition (in whole or part of a Listed Building) or for any works of alteration or extension that would affect the character of a Listed Building.
Local Development Document	These include Development Plan Documents (which form part of the statutory development plan) and Supplementary Planning Documents (which do not form part of the statutory development plan). LDDs collectively deliver the spatial planning strategy for the local planning authority's area.
Local Development Scheme	A three-year project plan setting out the Council's programme for the preparation of Local Development Documents within the Local Plan. It lists the documents to be prepared and provides a timetable for producing them. Under the Localism Act, there is no longer a requirement for the LDS to be approved by the Secretary of State. It is set out in the Authority Monitoring Report.
Local Green Space	Sites which meet a specific set of criteria, as set out in the National Planning Policy Framework. The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Local Green Spaces should only be designated when a plan is prepared or updated.
Local Housing Need	The number of homes identified through the local housing needs assessment conducted using the standard method set out in National Planning Guidance.
Local Nature Recovery Strategy (LNRS)	Introduced by the Environment Act 2021, local nature recovery strategies will map the most valuable existing nature habitats within

Item	Description
	a defined area, show opportunities for the recovery and enhancement of nature, and set future priorities. The goal is to steer development away from the most valuable existing habitats and to focus the creation of new habitats in the most appropriate locations/corridors. North Yorkshire Council are the Responsible Authority for publishing the Local Nature Recovery Strategy in the Plan Area.
Main Town Centre Use	Main Town Centre Use is retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).
Major Development	For housing development sites of 10 of more dwellings (0.5 hectare). For non-residential development sites with a floorspace of 1000 square metres or more, or a site of 1hectare or more.
Marine Plan	A Marine Plan is part of the Development Plan. They are prepared by the Marine Management Organisation. The East Inshore and East Offshore Marine Plan (2014) are part of the Selby Development Plan.
Minerals and Waste Joint Local Plan	The Minerals and Waste Local Plan is prepared by North Yorkshire County Council, the Minerals and Waste Planning Authority who is responsible for mineral and mineral waste matters for the Selby area. The Minerals and Waste Joint Plan adopted in 2022 form parts of the Development Plan for the District.
National Multiples	Nationally recognised retailer with multiple outlets throughout the country.

Item	Description
National Trails	Long distance trails for walking, cycling and horse riding.
National Planning Policy Framework (NPPF)	Document setting out the Government's planning policies for England and how these are expected to be applied. Initially produced in 2012 it has been revised a number of times. The latest version at the time of the Publication of this Plan is December 2023. The NPPF replaced the old-style Planning Policy Guidance notes and Planning Policy Statements (see also Planning Practice Guidance).
North Yorkshire County Council (NYCC)	Formerly the sub-regional tier of government responsible for amongst other things Social Care, Education, Minerals & Waste and Highways within the former Selby District. NYCC and Selby District Council (and seven other District and Borough Councils in North Yorkshire) were replaced by a new unitary North Yorkshire Council on the 1 April 2023.
North Yorkshire Council (NYC)	The new unitary Local Authority for the whole of North Yorkshire created on 1 April 2023. The North Yorkshire Council is the Local Planning Authority responsible for the Selby Local Plan. It is also responsible for a wide range of other functions.
One Public Estate	A national programme for property-focused initiatives in collaboration with central government and other public sector partners which seeks to manage public sector owned land and property more efficiently and effectively in order to unlock surplus land for housing.
ONS	Office for National Statistics. The UK's largest independent producer of official statistics and its recognised national statistical institute. Responsible for collecting and publishing statistics related to the economy, population and society at national, regional and local levels. ONS also conduct the census in England and Wales every 10 years.

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Item	Description
Planning Practice Guidance (PPG)	Planning Practice Guidance (PPG) is an extensive resource of detailed policy guidance provided by central government (currently through the Department for Levelling Up, Housing and Communities). Along with the NPPF (National Planning Policy Framework), Planning Practice Guidance sets out how the government envisages the day to day working of the planning system in England to operate.
Policies Map	An Ordnance Survey based map showing the proposals for the development and use of land which are set out in the written chapters of the Local Plan. Under the NPPF 2012, the terminology was changed from "Proposals Map" to "Policies Map".
Primary Shopping Area	Defined on the Policies Map, an area where retail development is concentrated.
Previously-Developed Land	Land that has or is occupied by a permanent structure including the curtilage. It does not include land that is or was occupied by agriculture or forestry buildings, land that has been developed for minerals extraction or waste disposal by landfill, land that has been restored, residential gardens, parks, recreational areas and allotments.
Priority Habitats and Species	Species and Habitats of Principal Importance included in the England Biodiversity List published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006.
Public Art	Art in any media whose form, function and meaning are created for the general public through a pubic process.
Public Right of Way	A public right of way is a right by which the public can pass along linear routes over land at all times. PROWs in Selby District are shown on the definitive map at https://www.northyorks.gov.uk/roads-parking-and-travel/public-rights-way/rights-way-map
Ramsar Sites	Wetlands of international importance, designated under the 1971 Ramsar Convention.

Item	Description
River Basin Management Plan	River Basin Management Plans are produced and reviewed by the Environment Agency every 6 years as a requirement of the Water Framework Directive Legislation.
Rural Exception Sites	Small sites used for affordable housing in perpetuity where sites would not normally be used for housing.
Scheduled Monument	A Scheduled Monument is a nationally important monument. It is usually applied to archaeological remains that are protected against inappropriate development through the Ancient Monuments and Archaeological Areas Act 1979.
Section 106 Agreement/Obligation	An agreement between a developer and a local planning authority regarding measures that the developer must take to reduce their impact on the community.
Self-build and custom housebuilding	Self-build and custom housebuilding covers a wide spectrum, from projects where individuals are involved in building or managing the construction of their home from beginning to end, to projects where individuals commission their home, making key design and layout decisions, but the home is built ready for occupation.
Self-build and Custom-build Register	The Self-build and Custom Housebuilding Act 2015 places a duty upon local councils to maintain a register of individuals, and associations of individuals, who are seeking to acquire serviced plots of land in their area in order to build homes for their occupation. Information about the Selby District Register can be found here: Self-Build and Custom Build Register Following the creation of North Yorkshire Council in April 2023 a new Self-Build Register is being compiled and will replace the existing Selby District Council Register. The new North Yorkshire Register can be found here ADD LINK WHEN AVAILABLE

Item	Description
Sequential Test	The sequential test as set out in the National Planning Policy Framework compares the site you're proposing to develop with other available sites to find out which has the lowest flood risk.
Sequestration	Carbon sequestration is the process of capturing and storing atmospheric carbon dioxide. It is one method of reducing the amount of carbon dioxide in the atmosphere with the goal of reducing global climate change.
Sites of Importance for Nature Conservation	Sites of Importance for Nature Conservation (SINCs) are sites designated by local authorities for sites of substantive local nature conservation and geological value.
Site of Special Scientific Interest	Sites designated by Natural England under the Wildlife and Countryside Act 1981.
Small Sites	Sites consisting of 1-9 dwellings or no larger than 1 hectare.
Special Areas of Conservation	Areas defined by regulation 3 of the Conservation of Habitats and Species Regulations 2017 which have been given special protection as important conservation sites.
Special Protection Areas	Areas classified under regulation 15 of the Conservation of Habitats and Species Regulations 2017 which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds.
Sui Generis	A term used to categorise buildings that do not fall within any particular Use Class for the purpose of planning permission.
Sustainable Drainage systems (SuDS)	Sustainable Drainage systems (SuDS) are designed to manage stormwater locally (as close its source as possible), to mimic natural drainage and encourage its infiltration, attenuation and passive treatment.

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Item	Description
Supplementary Planning Document	Documents that add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites or on particular issues such as design.
Sustainability Appraisal	An assessment of the environmental effects of a plan or programme. Identifies and evaluates the effects of the strategy or plan on social, environmental and economic conditions.
Tree Preservation Order	An order made by a local planning authority in England to protect specific trees, groups of trees or woodlands in the interests of amenity.
Understory planting	The plantation of plant life that grows beneath the tree canopy without penetrating it to any great extent, but above the wooded area floor.
Use Class	The Town and Country Planning (Use Classes) Order 1987 (as amended) puts the use of land and buildings into various categories known as "Use Classes". The Use Class Order was amended on 1 September 2020. The changes include Classes A, B1 and D being revoked, the introduction of two new Classes: Class E - Commercial, Business and Service, and Class F - Local Community and Learning, and certain uses being defined and excluded from classification by legislation to become "sui generis". Uses Classes B2, B8 and C remain and are unaffected by these changes.
Veteran or Ancient Tree	A tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage. Ancient woodland:
Wharf	A wharf is a level quayside area to which a ship may be moored to load and unload.

Item	Description
Water Body	A water body is any mass of water having definite hydrological, physical, chemical and biological characteristics. They may be surface water bodies, such as canals, rivers, estuary waters, coastal waters, lakes or ponds. They may also be underground water bodies. Water bodies can be natural, entirely artificial and/or modified by human activity. They will normally be permanent or frequent occurrences and would exclude very temporarily occurring puddles etc.

Table 31.1

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32 Appendix D Developer Contributions for New Open Space, Sport and Recreation

Introduction

32.1 The National Planning Policy Framework (NPPF) is clear that access to high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities while also delivering wider benefits for nature and helping address climate change. The Council has therefore undertaken a suitable up-to-date assessment of needs to determine what open space, sport and recreation facilities and opportunities for new provision is required, and this has informed the Local Plan policy which addresses this identified need by seeking to ensure that new developments accommodate appropriate provision so that open space, sport and recreation provision is accessible to where people live and is suitable and convenient for communities to use.

32.2 Policy IC3 sets out a universal threshold that requires major new residential developments, of 10 dwellings of more (in line with the NPPF) provide open space, sport and recreation facilities, and sets out the standards for the type and quantity required, derived from the Council's assessment of sports facilities and playing pitches and Green Space Audit (2022). There is no requirement for open space, sport and recreation provision on residential developments of less than 10 dwellings. The Policy will be implemented in accordance with the details in this Appendix.

Evidence Base

32.3 The latest Green Space Audit provides the qualitative and quantitative assessment of green space within the former Selby district area and identifies the following typologies:

32.4 Table 1: Green Space Typologies

Green Space Typology	Comprising
Parks & Recreation Grounds	Parks Recreation grounds Informal playing fields
Areas of Equipped Play	LAPs (Local Areas for Play) LEAPs (Local Equipped Areas for Play) NEAPs (Neighbourhood Equipped Areas of Play) Skate parks MUGAs (Multi-Use Games Areas)

Allotments	-
Church Yards / Cemeteries	-
Informal Green Space	Amenity green space Village greens Common land Wide grass verges Green corridors
Natural & Semi-natural Green Space	Areas of woodland in built up areas Scrub Heathland Grasslands
Formal Outdoor Sports Provision	Pitches for football, cricket, rugby union, rugby league and hockey. Tennis courts Bowling greens

32.5 The Green Space Audit provides a comprehensive record of all existing green space, undertaking a quantitative and qualitative assessment of this provision; and has established local standards for the provision of green space to identify those areas which have a surplus or deficiency of such space. However, while accounting for formal outdoor sports provision, the Green Space Audit has not reviewed the quality of formal outdoor sports provision as this has been addressed via the Playing Pitch Assessment Report (November 2020) and the Playing Pitch Strategy and Action Plan (April 2021) which has assessed the number and quality of playing pitches (for football, cricket, rugby and hockey), synthetic turf pitches, tennis courts, athletics tracks and bowling greens in the former Selby district area.

Playing Pitch Strategy and Indoor Sports Facilities (2020)

32.6 The Indoor Sports Facilities and Playing Pitch studies have been undertaken in accordance with Sport England guidance and form part of the evidence base to support policies regarding formal sports provision within the Local Plan. Together, these studies provide an up-to-date evidence base to set out the approach to the enhancement of existing, and creation of new, sports provision. The Indoor Sports Facilities reports (2020) and Playing Pitch Strategy reports (2020 and 2021) comprise a needs assessment and associated strategy and action plan.

Green Space Standards

32.7 The quantity, quality and accessibility of new and existing open space provision is set out in detail within the latest Green Space Audit. These standards will be applied to developments of 10 dwellings or more to ensure that the demand created from a development is being met and any deficiencies within the locality are addressed wherever possible. A summary of standards is set out below:

Quantity Standards

32.8 The quantitative standards are to be used to calculate the amount of open space to be provided as part of a new residential development. The former Selby area district-wide quantitative green space standards, which are set out in the Green Space Audit are summarised as follows:

Table 2: Standard requirement by Green Space typology per 1,000 population.

Green Space Typology	Standard per 1,000 population
Parks & Recreation Grounds	0.8 hectare
Equipped Areas of Play	1 area of equipped play (comprises of 0.25 hectare for LAP, LEAP or NEAP)
Other outdoor play provision (MUGAs / skate parks)	0.3 hectare
Allotments	0.25 hectare
Informal Green Space	0.6 hectare
Natural & Semi-natural Green Space	1.8 hectares
Formal Outdoor Sports	1.6 hectares
Total requirement	**5.6 hectares**

Quality Standards

32.9 Qualitative assessments of areas of open space with equipped areas of play were undertaken as part of the Green Space Audit, however, while other typologies are considered to provide important amenity or recreational value, no qualitative assessment of the remaining typologies has been undertaken as they often have an alternative primary purpose, for example, as allotments.

32.10 It is noted that the qualitative assessment of equipped areas of play found that the vast majority are highly maintained with very good levels of cleanliness and natural surveillance. However, an area of concern raised related to limited access for disabled people, and this will need to be addressed through improvements to existing sites.

32.11 The qualitative assessment of formal playing pitches is detailed within the Playing Pitch Strategy and Action Plan (2021).

Accessibility Standards

32.12 To ensure that local communities have access to green space, suitable accessibility standards need to be established. The Green Space Audit undertakes an assessment of accessibility, and the associated Green Space Audit interactive map includes accessibility buffers to show the coverage of existing facilities against the distances set out in Table 3 below (Green Space typology accessibility distances), with further details set out within the Green Space Audit.

Table 3: Green Space typology accessibility distances.

Green Space Typology	Distance
Parks & Recreation Grounds	1.2 kilometres (15 minutes walk)
Equipped Areas of Play	LAP: 400 metres (5 minutes walk) LEAP: 800 metres (10 minutes walk) NEAP: 1.2 kilometres (15 minutes walk)
Other outdoor play provision (MUGAs / skate parks)	1.2 kilometres (15 minutes walk)
Allotments	1.2 kilometres (15 minutes walk)
Informal Green Space	400 metres (5 minutes walk)
Natural & Semi-natural Green Space	Local provision: 1.2 kilometres (15 minutes walk) District-wide provision*: 10 kilometres

Table 32.1

**District-wide provision describes these larger sites which people might be expected to drive to and comprises Skipwith Common, Fairburn Ings, Hambleton Hough, Brayton Barff and Bishops Wood.*

Contribution Requirements

Calculating Demand

32.13 In determining what open space will be required, the starting point is to establish the level of demand through the increase in population generated by that development. The average household size in the UK is 2.4 people per household. As such, the calculation of the commuted sum uses a standard approach of 2.4 persons per dwelling as a population increase. Although consideration has been given to establishing the likely population on a site-by-site basis, taking into account the type

and size of dwellings proposed, it is considered that a standard approach of 2.4 persons per dwelling provides a simple and consistent approach, particularly given that most developments will constitute a mix of dwelling types and sizes.

Table 4: Open space provision per dwelling

Green Space Typology	Standard per 1,000 population (hectares)	Dwellings per 1,000 population (at 2.4 persons per dwelling)	Open space provision per dwelling (square metres)
Parks & Recreation Grounds	0.8	417	19.2
Equipped Areas of Play	1 area of equipped play (comprises of 0.25 hectare for LAP, LEAP or NEAP)		6
Other outdoor play provision (MUGAs / skate parks)	0.3		7.2
Allotments	0.25		6
Informal Green Space	0.6		14.4
Natural & Semi-natural Green Space	1.8		43.2
Formal Outdoor Sports	1.6		38.4
Overall requirement	**5.6 hectares per 1000 population**		**134.4 square metres per dwelling**

Table 32.2

32.14 It is important to note that while open space is required for residential schemes of 10 or more dwellings, certain types of residential development would not generate demand or increase demand of open space. For example, an extra care facility for older persons would not generate a demand for an equipped area of play. The table below sets out what type of open space is required by type of dwellings proposed.

Table 5: Additional demand for open space by types of residential development

Dwelling Type	Parks & Recreation Grounds	Equipped Areas of Play	Other outdoor provision	Allotments	Informal Green Space	Natural & Semi-natural Green Space	Formal Outdoor Sports
Student accommodation / HMOs	YES	NO	YES	YES	YES	YES	YES
Extra care or equivalent	YES	NO	NO	YES	YES	YES	YES
Care / Nursing Home	YES	NO	NO	YES	YES	YES	NO
Other specialist accommodation	YES	NO	NO	YES	YES	YES	YES

Table 32.3

32.15 The needs arising from a proposed development will be determined taking account of the nature and type of accommodation proposed and it is recognised that different types of housing will generate different open space needs. Certain types of residential development will not generate a demand, or increase pressure, on certain types of open space and are therefore exempt from requiring such facilities. For example, it is not expected that a nursing home would generate a need for an equipped area of play. Table 5 above sets out what forms of development will generate additional demand for each open space type; however, the requirements should be considered on a case-by-case basis where the precise details of the scheme are available and a more detailed assessment of generated open space needs for the development can be undertaken.

Calculating open space requirements

32.16 Using the approach of 2.4 persons per dwelling, the requirement for each type of open space, using the standards set out within Table 4 (Open space provision per dwelling), should be calculated for each required typology using the method in Figure 1 below.

Figure 1: Open Space provision calculation

Number of dwellings	X	Applicable open space requirement	=	Quantitative requirement

		(sqm per dwelling) (*see Table 4*)		(ha)

Table 32.4

EXAMPLE (using 'Equipped Areas of Play'):

32.17 A development of 15 dwellings would generate the following requirement for the Equipped Areas of Play typology:

15 dwellings	X	90 sqm (0.009ha) (6 sqm requirement per dwelling for Equipped Areas of Play x 15 dwellings)	=	0.009ha

Table 32.5

32.18 Similar calculations would need to be undertaken for each type of open space provision required. The overall open space requirement would be the calculations for all relevant open space types as set out under Table 4 (Open space provision calculation).

Minimum Standards

32.19 In establishing the on-site requirement from a development and to ensure that suitable open spaces are provided which are functional and useable a minimum size standard for each type of open space will be applied. The respective minimum sizes are set out in Table 6 (Minimum open space standards) and dependant on whether the specific development meets these minimum standards, either on-site provision should be provided where the minimum requirement is met, or off-site contributions should be sought where the minimum standard cannot be met (or a mix of both).

32.20 It should be noted that while minimum standards have been identified for on-site provision, the Council reserves the right to waive these where particular deficiencies have been identified that could be addressed by providing smaller on-site facilities. The Council also recognises that in some instances on-site provision may not be the most practical or viable solution.

32.21 Where the Council agree that it is not possible or appropriate to provide open space on-site, new provision off-site will be sought to expand or improve existing open space within the locality through a financial contribution. Additionally, a mix of on-site

and off-site may be more appropriate taking account of the level of open space facilities within the locality as set out within the latest Green Space Audit and Playing Pitch Strategy.

Table 6: Minimum open space standards

Green Space Typology	Type	Minimum sizes (hectares (ha))	Minimum dimensions	Buffer zones	Threshold of number of dwellings for on-site provision	Threshold of number of dwellings for off-site provision
Parks & Recreation Grounds	-	0.8 ha	-	-	417	-
Areas of Equipped Play	LAP	0.01 ha	10 x 10 metres (minimum activity zone of 100 square metres)	5 metre minimum separation between activity zone and nearest property containing a dwelling.	10 - 66	-
	LEAP	0.04 ha	20 x 20 metres (minimum activity zone of 400 square metres)	20 metres minimum separation between activity zone and the habitable room façade of dwellings	67 - 166	10 - 66
	NEAP	0.1 ha	31.6 x 31.6 metres (minimum activity zone of 1,000 square metres comprising an area for	30 metre minimum separation between activity zone and the boundary of the nearest	167+	Up to 166

			play equipment and structures and a hard surfaced area of at least 465 square metres (the minimum needed to play five-a-side football)	property containing a dwelling.		
	MUGA / Skate park	0.1 ha	40 x 20 metres	30 metre minimum separation between activity zone and the boundary of the nearest property containing a dwelling.	167+	Up to 166
Allotments	-	0.03 ha	250 square metres	-	500 (provides 10 plots)	50 (generates one plot)
Church Yards / Cemeteries	-	-	-	-	-	-
Informal Green Space	-	<0.01 ha	-	-	10	-
Natural & Semi-natural Green Space	-	1.8 ha	-	-	417	10

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Formal Outdoor Sports	-	0.74 ha	-	-	-	-

Table 32.6

Parks and Recreation Grounds

32.22 As noted in the Green Space Audit a majority of parks and recreation grounds are multi-functional and it is not uncommon for these sites to contain a number of other green space typologies, particularly equipped areas of play and informal community playing pitches. Therefore, any requirement could lead to double counting if included with other facilities such as equipped areas of play. As such, the minimum requirement for on-site provision is for 417 dwellings, equivalent to the requirement per 1,000 population. This allows for a scale of development which would be capable of providing a requirement to implement a small park/recreation ground to support the proposed development. In other circumstances it is expected that suitable associated recreation land is provided as part of other generated open space requirements such as equipped areas of play.

Areas of Equipped Play (inc. MUGA/skate park)

32.23 The minimum size standards for equipped areas of play reflects the standard requirements set out within the Fields in Trust “Guidance for Outdoor Sports and Play: Beyond the Six Acre Standard”.

Allotments

32.24 The National Allotment Society consider that the accepted size of an allotment is equivalent to 250 square metres. The minimum standard for on-site provision reflects a development of 500 dwellings, which would provide 10 allotment plots, equivalent to generating one allotment plot per 50 dwellings.

Informal Green Space

32.25 There is an expectation that all development, regardless of scale provides some degree of green space as part of development, through green verges and other associated amenity green space. The minimum standards reflect this approach and therefore suitable informal green space will be required on all developments.

Natural and Semi-natural Green Space

32.26 Areas of natural and semi-natural green space, as identified in the Green Space Audit, comprises woodland, scrubland, heathlands and grasslands. These are areas which play a key role in nature conservation and biodiversity, whilst also providing recreational opportunities. The former Selby district area contains a number of smaller and larger district-wide sites, which given the location of these sites, are largely accessed via private car. These sites are usually well established, and it is expected that new provision would be sought to meet the needs of large-scale developments which would produce a population of 1,000 people, or 417 dwellings, to meet the needs of the particular development.

Formal Outdoor Sports Provision

32.27 Outdoor sports cover a wide range of categories and comprise both natural and artificial surfaces and can be either public or privately owned. The assessment of formal sports provision has been undertaken through the Playing Pitch Strategy which has assessed the number and quality of pitches (football, cricket, rugby and hockey), synthetic turf pitches, tennis courts, athletics tracks and bowling greens. The Playing Pitch Strategy provides a number of key actions for improvements and enhancement of existing facilities. The initial approach for formal outdoor sports should be to seek off-site contributions to meet the identified key actions for formal sports. On-site provision should only be sought where improvements to existing facilities are not achievable and where the proposed development would exceed the minimum requirement of 0.74 hectares, which is considered to be the minimum size for a full size adult football pitch, as set out in the Fields in Trust guidance.

Off-site open space provision

32.28 It is expected that appropriate open space to meet the provisions set out in Table 2 (Standard requirement by Green Space typology per 1,000 population) is provided on-site. However, it is recognised that while provision should be provided on-site, there may be circumstances where this is impractical due to specific characteristics of the site or the proposed site is not large enough to provide meaningful open space, topography or other on-site constraints, or where off-site provision may help overcome deficiencies elsewhere in the locality.

32.29 In particular, the provision of formal sports facilities should only be made on-site where it would help deliver new provision or improvements identified in the Council's Playing Pitch Strategy. It is expected that in most cases, off-site contributions will be sought in lieu of on-site provision in order to ensure the delivery of formal sports facilities to meet the actions within the Playing Pitch Strategy and Action Plan.

32.30 Where off-site contributions are sought, these should be provided in locations where they will best meet the needs of the residents generated by new residential development, whilst also addressing existing deficiencies wherever possible.

Calculating off-site contribution requirement

32.31 Where off-site contributions are agreed, the financial contribution towards each form of open space should be calculated as shown in Figure 2 below:

Figure 2: Off-site financial contributions calculation method

No. of dwellings	**X**	**Cost per dwelling (per typology)** **(*See Table 7*)**	**=**	**Off-site contribution**

Table 32.7

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32.32 For each open space typology, the value calculated is the potential off-site contribution. Where existing open spaces are accessible to a proposed development and are of a sufficient capacity and quality to accommodate additional demand to be generated from the proposed development, a contribution for a specific typology may not be required.

32.33 A table of the cost per dwelling for each typology is set out in Table 7:

Table 7: Off-site financial contributions per dwelling

Green Space Typology	Cost per dwelling
Parks and recreation Grounds	£555
Equipped Areas of Play	LAP - £455 LEAP - £500 NEAP - £800
Other outdoor play provision (MUGA / skate park)	£500
Allotments	£50
Informal Green Space	N/A*
Natural & Semi-natural Green Space	£475
Formal Outdoor Sports	£355

Table 32.8

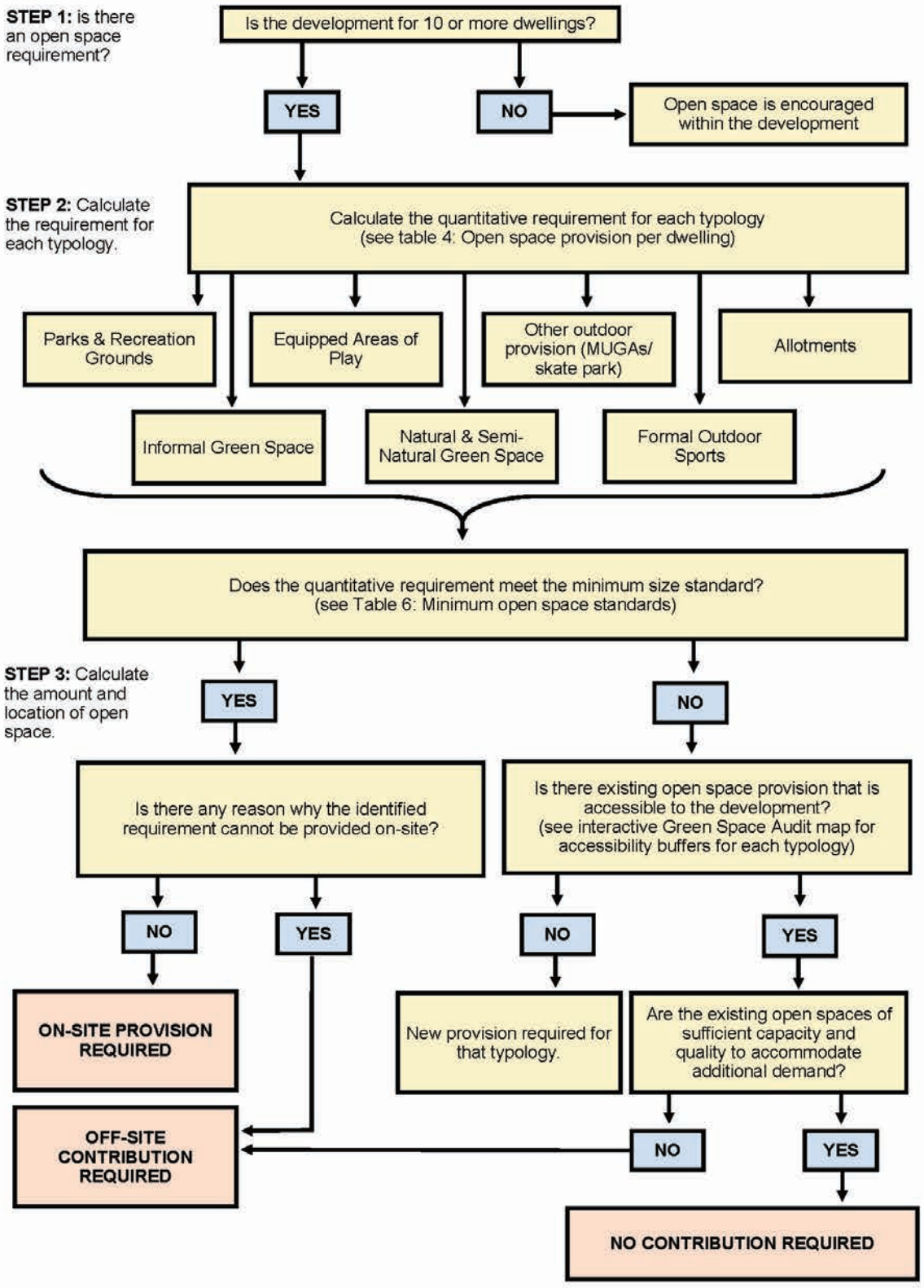
**No off-site contribution required for informal green space as some form of informal green space is expected on all developments.*

32.34 The costs relating to land acquisition will be reviewed annually and increased in line with the latest data on land prices in the area, whilst those costs relating to equipment and carrying out works will be increased in line with the appropriate price index.

Process for determining open space requirements

32.35 The flow chart below provides the step-by-step approach for determining the level of open space to be provided alongside new residential development and establishing whether open space provision should be made on-site or off-site. This process should be followed for each form of open space provision.

Flow chart process for determining open space



The Revised Publication document is available to view online at:
Selby publication local plan | North Yorkshire Council

For further information call 0300131 2 131
or via Contact us | North Yorkshire Council

Policy	Summary of responses	Changes made in light of responses
Spatial portrait (13 responses)	Representations mainly supported the spatial portrait. Individual comments related to: • Burn Gliding Club requested that the 3 active airfields in the District should be mentioned and that "former" is deleted from references to Burn as the airfield is still in use. • East Yorkshire buses stated the importance of buses to sustainability and social inclusion. Request that text is included regarding the importance of buses for social inclusion, sustainability etc. • Historic England supported the spatial portrait. They requested changes to para 3.37 regarding non-designated heritage assets and 3.9 regarding the historic core of Tadcaster • Samuel Smiths Old Brewery (Tadcaster) made comments regarding the historic core of Tadcaster, the utilisation of rail infrastructure at Gascoigne Wood, rural housing and the fact that Samuel Smith Old Brewery is much smaller than the other breweries in Tadcaster. Changes to the text were suggested.	Paragraphs 3.9 (3rd sentence) and 3.37 are amended to reflect the response from Historic England. Paragraph 3.47 of the spatial portrait Transport and Infrastructure amended as requested by Burn Gliding Club. Paragraph 3.52 of the spatial portrait Transport and Infrastructure is amended to reflect the response from East Yorkshire Buses. Paragraphs 3.9 (2nd sentence) and 3.24 are amended in response to Samuel Smiths Old Brewery (Tadcaster)
District Vision and Objectives (15 responses)	There was support for the Vision for the District from Historic England. Changes suggested include: • the vision does not match the emerging spatial strategy and Local Plan policies • mention should be given to the redevelopment of brownfield land • the Selby Gateway Area to be specifically mentioned • the minimum housing and employment figures should be referred to in the vision • there should be a separate vision for the villages • there should be a separate vision for Eggborough • the Vision should refer to net zero carbon emissions. Support was received to the objectives in general and to the pattern of development. Specific comments suggested changes including: • it should be made clear that the housing target is a minimum	Paragraph 4 of the Vision for the District is amended to reflect the responses from The National Grid and CPRE regarding net zero carbon emissions. Revised Publication Local Plan does not include Heronby.

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Policy	Summary of responses	Changes made in light of responses
	• there should be mention of the Selby Gateway • the objectives do not relate to the new settlement of Heronby	
Vision for Selby (1 response)	Support was received from Historic England.	No changes in response to comments.
Vision for Sherburn in Elmet (1 response)	Support was received from Historic England.	No changes in response to comments.
Vision for Tadcaster (2 responses)	Support was received from Historic England and Tadcaster Town Council. Although the Town Council expressed concern to the approach unless engineering feasibility studies for the underground car park confirm the idea is deliverable.	No changes in response to comments.
SG1 (17 responses)	There was both support and objection to this policy. Support was provided by Historic England and the promoters of some sites. A number of responses suggested that further consideration should be made to reviewing the Green Belt to better reflect the contribution villages can make to sustainable growth of the District. There was some disagreement with allocating a new settlement instead of distributing growth across the settlement hierarchy. To support unallocated sites for allocation, some respondents considered the policy did not align fully with or reflect the NPPF. East Yorkshire Buses suggested text to address the lack of reference to sustainable transport options and proposed revised wording.	Point D amended to reflect the comment by East Yorkshire Buses.
SG2 (41 responses)	There was both support and objection to this Policy. Support was provided for Eggborough urban extension and some support to this policy was to further support rejected sites to be an allocation in Osgodby, Monk Fryston and Hillam. Specific comments include: • Concerns that housing requirement figure is too low. The housing requirement figure should be uplifted to reflect recent levels of delivery in the District and to meet demand of 141 affordable dwellings per annum. Consideration should be given to a higher	Criterion A.1. amended in response to the comment from ForFarmers UK Ltd regarding special policy areas. Paragraph 4.10 deleted and references to Heronby and the New Settlement deleted from point 5 and the table in response to comments on the new settlement Heronby.

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Policy	Summary of responses	Changes made in light of responses
	housing requirement figure. The Plan relies on large complex sites, so will impact on viability and deliverability. Do not agree with the allocation of sites above housing requirement. • Concerns regarding the provision of affordable homes and the allocation of Eggborough urban extension. • Concerns regarding the HEDNA employment forecasts and the impact on uplift for housing, the HEDNA housing requirement figure and robustness of the HEDNA, • Over inflated levels of employment land supply. • Spatial strategy approach should have reviewed Green Belt. • There are anomalies in the spatial approach given the decision to allocate a new settlement at Heronby. • There are concerns about the deliverability of sites in Selby and Tadcaster given previous allocations. Tier 1 and 2 villages should therefore play a greater role in delivery. • Concern about the deliverability of sites in Selby and an over reliance on the Heronby site. Further growth should be distributed to the most sustainable locations. • The boundaries of Selby should include Brayton, Barlby and Osgodby and further growth should be directed to these settlements. • Object to the identification of Appleton Roebuck as a Tier 2 village. • The Spatial approach does not include support to renewable energy at the Olympia Park site.	
SG3 (26 responses)	There was some support for this policy, although the majority suggested changes, some of which were to support rejected sites for allocation: • Development limits could be expanded to include contingency sites, which could be used if the allocated sites are not deliverable. • Keep development limits for Smaller Villages to avoided sprawling growth in these settlements.	No changes in response to comments.

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Policy	Summary of responses	Changes made in light of responses
	• The plan should remove all development limits and be replaced by a criteria-based approach. • Development limits should be based on defensible boundaries which provide flexibility for the future and therefore the Council should look at a combination of Approach 1 and 2 in the Development Limits Methodology.	
Development Limits: Methodology / Review (12 responses)	Support for the proposed development limits for including an allocated site (BRAY-X). Changes requested for the proposed development limits methodology to support the allocation of rejected sites in Brayton and Hambleton. Changes requested for the proposed development limits in Church Fenton to include the curtilages of the properties west of Busk Lane. Change requested to the proposed development limit boundary which excluded land which is currently within the defined development limits for Ulleskelf. There was one request to remove Development Limits.	The development limit boundaries are amended in Church Fenton and Ulleskelf in response to comments.
SG4 (7 responses)	Support for the policy from Historic England and CPRE North Yorkshire. However, those objecting provided the following comments: • No clear justification for the distinction between smaller villages and Tier 1 and Tier 2 villages. • Should have a criteria-based approach to all villages. • Further clarity required on the approaches to best and most versatile agricultural land. • Samuel Smith Old Brewery suggested wording to reflect how judgements will be made and to make the policy clearer.	No changes in response to comments.
SG5 (7 responses)	Those commenting on this policy provided the following responses: • A full review of the Green Belt is required in order for allocations to be made in accordance with the settlement hierarchy and to allocate land for development in the most sustainable locations. • Land which has ceased to function as Green Belt should be removed from the Green Belt.	No changes in response to comments.

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Policy	Summary of responses	Changes made in light of responses
	• The need to sustain rural communities constitutes exceptional circumstances for a Green Belt review.	
SG6 (6 responses)	Those commenting on this policy provided the following responses: • Additional safeguarded land designations should be made to ensure the effectiveness of the Local Plan, given there are concerns regarding the delivery rates of some of the larger allocations. • It is considered necessary to safeguard land to protect against non-delivery in Tadcaster and given the growth of Sherburn industrial park and to ensure that Green Belt boundaries will endure and provide permanence in the long term. • The Council can't currently demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period. • Land identified in the 2005 SDLP as safeguarded should be allocated for residential development during this plan period. • The safeguarded sites focus only on Sherburn in Elmet. • Given that the housing figure exceeds that in the HEDNA Addendum, in order to provide flexibility, there is no requirement for any safeguarded land. As such, the 2 identified sites should either be allocated for development or deleted.	No changes in response to comments.
SG7 (5 responses)	Support for the policy by Historic England. Comments from those objecting included: • The size of Strategic Countryside Gaps should be reconsidered to only include the minimum amount absolutely necessary to achieve the purest aims of the policy. • Existing rural businesses within Strategic Countryside Gaps should be allowed to develop in an appropriate manner to ensure such businesses remain viable. • The gap between Eggborough and Kellington is not necessary or justified.	No changes to the Policy in response to comments.

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Policy	Summary of responses	Changes made in light of responses
SG8 (2 responses)	• Baylis & Baylis Ltd suggest that paragraph 4.40 is updated to set out that no weight should to afforded to housing policies of any made Neighbourhood Plans within the District where they would conflict with the up-to-date new Local Plan, noting that allocations in Appleton Roebuck in particular would lead to the Appleton Roebuck and Acaster Selby Neighbourhood Plan becoming 'out-of-date'. • Concern raised by Grimston Park Estate regarding the approach to emerging Neighbourhood Plans which seeks to limit the size of additional 'small' and 'medium' sized allocations, where the size is not determined, to those identified through the site allocations in the Local Plan. Strategy relies on sites in high flood risk such as Selby Town.	The last paragraph of SG8 is amended to reflect the comment of the Grimston Park Estate.
SG9 (8 responses)	Half of the representations supported the policy approach (Historic England, the Canal and River Trust, Baylis & Baylis Ltd and Glade Developments Ltd.) East Yorkshire Buses commented on the lack of reference to sustainable transport options and proposed revised wording. The CPRE suggested that the policy could be strengthened by reference to "beautiful". Countryside Partnerships expressed concerns about reference to sufficient amenity space and how this will be applied. The Banks Group suggested wording regarding Health Impact Assessments.	To reflect comments received from CPRE and changes to the NPPF, the second sentence of A is amended. To reflect the comment by East Yorkshire Buses, a new criterion 12 is added. To reflect the comments of the Banks Group, criterion B.6 is amended and a new sentence is added into 4.46.
SG10 (9 responses)	General support to the approach was made by Historic England, the Coal Authority, Greencore Group plc, Banks Property and ForFarmers UK Ltd. The CPRE North Yorkshire requested that a separate policy is included to deal with mitigating and adapting to climate change. National Grid requested the insertion of text to more accurately reflect the specific nature of the Humber Low Carbon Pipelines project which is	To reflect the response from National Grid, the introductory sentence and paragraph 4.51 are amended.

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Policy	Summary of responses	Changes made in light of responses
	establishing Co2 and hydrogen transportation networks to facilitate the delivery of carbon capture proposals. Burn Gliding Club and the Aviation Awareness Council requested a new policy on operational airfields.	
SG11 (8 responses)	All respondents suggested changes to the policy suggesting that: • the Council must look at alternative strategies to accommodate the identified need of the district in areas which are not currently, or in the future, vulnerable to flooding. • if the spatial strategy avoided such a considerable amount of development in high-risk flood areas there would not be the need for such a complicated Flood Risk policy, and the Council could then rely on the National Planning Policy Framework, NPPG, other policies in the Plan, and a sequential test. • the Council should consider where sites are protected by flood defences. They suggested a more holistic approach in the policy, where if it can be demonstrated that a site can be successfully mitigated against flooding issues then the fact it is in Flood Zone 2 or 3 should not prevent development coming forward. • Green Belt land should be considered before areas of flood risk Ainsty IDB have a requirement of 9 metres (not 7) from the top of the embankment of a watercourse. The Environment Agency provided the following comments and suggested changes: • Lack of clarity about how to select sites at lowest overall risk. • Some of the criteria appear to replicate national planning policy. The purpose of the Local Plan is to supplement and guide the framework and to help make it locally relevant. Large parts of the NPPF do not seem to be utilised. • Confusion between sequential test and the sequential approach.	Further updates to SFRA have been undertaken. To reflect the wording provided by the Environment Agency • a new criterion regarding sewerage systems is added after B.5, • B.7 is reworded, • paragraph 4.62 is amended to clarify the difference between sequential test and the sequential approach, • a new paragraph regarding existing culverts is added after 4.69 Paragraph 4.69 is amended to reflect the information provided by the Ainsty Internal Drainage Board.

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Policy	Summary of responses	Changes made in light of responses
	• Update the policy with the latest NPPF and NPPG guidance. • Needs to link to an SFRA which covers areas rather than individual sites. • Amend B7 part of the policy, relating to culverts.	
SG12 (2 responses)	Historic England ask that the policy acknowledges that work has yet to be completed on appraisals of all the designated areas within the District and that these will be reviewed with priority given to those areas considered at risk and/or under pressure from development. Samuel Smith Brewery requests that Grade I and Grade II listed buildings are added to the list of elements which contribute towards a distinctive sense of place.	No changes in response to comments
SG13 (2 responses)	Support for the policy including support from Historic England. Although some concerns raised by site promoter that the policy is not properly represented in the SAM as it is currently difficult to understand the negative effects caused by sites simply from the high-level approach applied at the allocation stage. Suggest that sites which could cause negative harm to heritage assets should not be allocated unless there are no other suitable sustainable sites within the settlement.	No changes in response to comments.
EM1 (6 responses)	All respondents to this policy suggested changes: • The level of employment proposed at Heronby is small given the scale of residential proposed. Employment is unlikely to come forward until latter stages of phasing i.e. not in plan period. Consider that STIL-D will not be found sound so doubtful employment will be delivered on this site at all. • Excessive development at Eggborough and there is a chance that the employment market may become saturated in this part of the District. • There is a lack of employment allocations in Tadcaster and the northern parts of the District - over reliance on large isolated brownfield sites. Only Olympia Park is identified for Selby Town's	No changes in response to comments.

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Policy	Summary of responses	Changes made in light of responses
	employment needs. The approach to employment allocations isn't aligned with those areas of residential growth. • It should be noted in EM1 that redevelopment of Gascoigne Wood must be closely linked to the re-use of existing rail infrastructure on site. • Over-reliance on Olympia Park and Gascoigne Wood - complex sites with uncertainty over viability, deliverability etc - which may not come forward in the plan period. • There are not sufficient sites proposed in terms of size and location - the plan should be proposing employment along main routes (e.g. A64 or close to the motorway).	
EM2 (4 responses)	There was one respondent in support of the policy. Comments where changes were suggested include: • Small employment sites in the District which are not identified by policy EM2 and are not adjacent to Development Limits are precluded from opportunities to expand. • There appears to be an absence of strategic sites in the north of the District. • Part C of the policy is too restrictive - development for any non-employment uses should also be supported where there is evidence that the existing buildings/land are considered to be non-viable in terms of market attractiveness, business operations, age or condition.	No changes in response to comments.
EM3 (4 responses)	There was one respondent in support of the policy. Changes suggested include: • Further flexibility is required and a definition of what is meant by "adjacent to settlement limits". • Windfalls, whilst allowed within or adjacent to Development Limits, are not allowed elsewhere - this is contrary to national policy. • Objection to the supporting text which states that Stillingfleet Mine is remote.	Criterion C.5 is amended to reflect the response from Historic England.

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Policy	Summary of responses	Changes made in light of responses
	• Historic England suggested removing the request for schemes to be supported by a robust landscaping scheme, but rather to refer to landscaping that reflects the site's locality and setting.	
EM4 (4 responses)	Historic England was the one respondent in support of the policy. Changes suggested include: • The policy requires greater flexibility. • Request that the policy refers to the protection of the highest quality agricultural land.	No changes in response to comments.
EM5 (3 responses)	Historic England was the one respondent in support of the policy. Changes suggested include: • The Environment Agency requests that reference to water quality and lack of provision of wastewater treatment facilities in rural areas should be identified, but notes that this is dealt with under Policy NE5 which stresses that all development to impact on the water environment will have regard to the Water Framework Directive objectives set out in the Humber River Basin Management Plan. • Response sets out that criterion A) applies equally to proposals both in and outside settlement boundaries suggesting that this is an insufficient guard against inappropriate development outside settlement boundaries. Response also suggests proposals in locations outside of development limits should be required to demonstrate that they are the most sustainable option or the proposal requires an open countryside location.	No changes in response to comments.
EM6 (3 responses)	The policy is considered by one respondent to be too restrictive to types of development in rural areas which are consistent with national policy. Suggest redrafting section A.(iii) to remove the wording "the highest possible standards of siting, design and landscaping" as there are no standards against which these requirements can be measured. In addition, they suggest that hotels are not necessarily town centres uses and the policy should be amended to identify circumstances in which a sequential test would not be necessary for hotels.	No changes in response to comments

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Policy	Summary of responses	Changes made in light of responses
	The Environment Agency requests that reference to water quality and lack of provision of wastewater treatment facilities in rural areas should be identified, but notes that this is dealt with under Policy NE5. Historic England consider the policy does not provide sufficient protection for the historic environment and recommends adding "heritage assets" after 'harm' and before 'recognised' under part B.1. of the Policy.	
EM7 (4 responses)	The majority of responses support the proposed policy approach including Historic England and Samuel Smiths Old Brewery. East Yorkshire Buses considered that recognition and support should also be given to the role of town centres as transport hubs.	No changes in response to comments.
EM8 (2 responses)	Banks Group state that the policy should make it clear that local shops are appropriate on strategic housing sites where the need for a local centre has been identified. Samuel Smiths Old Brewery state it is unclear whether the reference to shops of 280 sqm or under refers to net or gross floorspace.	Criterion B.1 amended in response to the comment from Banks Group. Criterion B.1 amended in response to the comment from Samuel Smiths Old Brewery.
EM9 (0 responses)	No responses to this policy.	No changes in response to comments.
EM10 (1 response)	One response from Historic England in support of the policy.	No changes in response to comments.
IC1 (1 response)	One response from Historic England in support of the policy.	No changes in response to comments.
IC2 (2 responses)	NHS Property Services are keen to encourage that flexibility be granted to the NHS via the wording of this policy. Request an additional bullet point to allow that development which results in the loss of existing community facilities will be supported where the loss or change of use of existing facilities is part of a wider public service estate reorganisation. The Banks group are concerned that where existing community facilities are replaced within large strategic allocations criterion C might not be clear/too restrictive as existing dwellings/residents may have a slightly longer journey to the replacement community facility. Request that the	Additional supporting text added to clarify that public service estate reorganisation can be considered through existing 4 policy criteria. Further additional supporting text added to clarity the meaning of “Accessibility” for this policy relating to inclusive design and no specific walking distances.

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Policy	Summary of responses	Changes made in light of responses
	term "accessibility" in Criteria C is clarified as relating to the quality of entering the community facility and not the length of journey.	
IC3 (10 responses)	Support for the policy from 4 respondents. Those that sought changes to the policy: • Burn Gliding Club and the General Aviation Awareness Council suggest that all recreational/sports open spaces including general aviation airfields should be protected in line with para 98 and 99 of the NPPF. Modification suggested to protect airfields within the district through an additional policy and amendments to IC3 to remove reference to the policies map and latest evidence base. Support for this approach from other respondees including by the British Gliding Association. • One respondent suggests the policy is not justified as the assessment does not assess all green space and sports facilities, noting large facilities such as airfields are excluded. • Historic England suggested that sufficient safeguards against significant harm to heritage assets should be added as a criterion, given that green space assets are likely to contain, or affect, heritage assets. • The CPRE North Yorkshire state that paragraph 103 of the NPPF sets out that policies for managing development within the Green Belt should be consistent with those for Green Belts and not infer that the designation should be within Green Belt. The wording should be amended to reflect that Local Green Space should be managed in the same way as Green Belt designations in that development should only occur in very special circumstances. • Concerns were raised by Countryside Partnerships plc that off-site provision is too general and should identify the area/Parish in which it will be sought.	IC3 Local Green Space section and paragraph 6.22 amended to reflect the comments of CPRE North Yorkshire. Criterion B.2 amended to reflect the comments by Countryside Partnerships plc.
IC4 (2 responses)	The HBF and Johnson Mowatt consider that it is unnecessary to place any burden for identifying strategic solutions to water supply, wastewater treatment and drainage-related infrastructure investment on the	In response to comments form HNF and johnson Mowatt, supporting text has been amended to recognise latest Levelling Up and Regeneration Act requirements on Water

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Policy	Summary of responses	Changes made in light of responses
	development industry, as this responsibility lies elsewhere. They also reference written ministerial statement3 (WMS)and the package of measures that the Government will introduce through the Levelling Up and Regeneration Act to tackle the challenge of nutrient pollution, and new statutory duties to be placed on water and sewerage companies in England to upgrade wastewater treatment works to the highest technically achievable limits by 2030, to be taken into consideration. Natural England suggest that: • part B of the policy should make specific reference to policy NE1. • part C of the policy should reference the need for package treatment plants to include tertiary treatment of effluent to substantially reduce phosphates, such as through wetlands, reedbed systems and phosphate removal systems. • specific reference to be made in the policy or supporting text for individual developments to provide appropriate mitigation where the HRA identified adverse effects on site integrity from water quality impacts cannot be ruled out in the absence of mitigation. • Consideration should be given to the 25 year Environment plan and the newly published UK Water Efficiency Strategy to 2030 and encourage the adoption the optional minimum building standard of 110 litres per person per day for all new builds where there is a clear local need in line with the Ministerial Statement. • Natural England would also strongly support policies which move towards greater water efficiency in new developments and retrofits, including the exploration of revised building regulations and how the development of new technologies can contribute to meeting these standards.	and Sewerage companies to upgrade the capacity of specific water treatment works by 2030. In response to issues raised by Natural England, policy updated to: • Reference to policies NE5 and NE1 added to main policy text for clarity and completeness • Require tertiary treatment of effluent to reduce phosphates from package treatment plants. Supporting text updated to: • Give clarity on water infrastructure and requirements. • consider potential impacts of water abstraction on water flow and ecological sites • Consider potential impacts of water discharge on water quality • Identify sites from HRA where mitigation may be needed to remove adverse effects on water quality and flow • Provide links to polices NE1 and NE5 where appropriate • Set out details of how package treatment plants should address tertiary treatment of effluent.
IC5 (1 response)	Historic England support the policy.	No changes in response to comments.

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Policy	Summary of responses	Changes made in light of responses
IC6 (6 responses)	There is broad support for the policy from The Harworth Goup, Baylis and Baylis Ltd, Banks Group, Glade Developments, Canal and River Trust and East Yorkshire Buses. The Harworth Group however have concerns that the policies ambition to safeguard existing rail fright halts and siding could conflict with site allocations such as Gascoigne Wood where comprehensive development of the site will help Selby to move towards a net zero carbon economy and national policy already encourages a modal shift towards rail and low carbon transport. Other suggestions to strengthen the policy include recommendations to insert the word "bus" into point 1 of Criterion C, adding an additional point to Criterion B - that development should facilitate direct and efficient access to bus routes and services and simplifying criterion F to state that contributions may be sought from all development to on and off site mitigation and where necessary post development monitoring may be required. The Canal and River Trust highlight that their freight strategy categorises the Ouse as a Priority Freight Route.	No changes in response to these comments. Canal and river comment into para 6.50-6.52
IC7 (1 response)	The Canal and River Trust support the policy.	No changes in response to comments.
HG1 (28 responses)	There was some support for the policy from promoters of allocated sites. Objections to the policy include: • 10% buffer to supply requested. Plan must allocate 10% of the housing requirement on sites under 1 hectare. • Objections to Heronby and the scale of the buffer above the supply. • It was observed that the housing trajectory from 2032/33 onwards won't be able to meet the minimum housing target and so more sites should be allocated. • Tadcaster TADC-I is calculated incorrectly. • The windfall calculation has been calculated incorrectly with arbitrary figures.	Criterion C amended to state that windfalls are not part of the planned supply. Site details amended: • EGGB-Y amended to 1015 dwellings • SELB-BZ amended to 1015 dwellings • TADC-I amended to 180 dwellings • TADC-L amended to 10 dwellings • New settlement, Heronby, removed from table and the following paragraphs. Table 7.1 amended to reflect the latest planning permission, completions and commitments information.

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Policy	Summary of responses	Changes made in light of responses
	• The number of dwellings that could be built within the plan period on EGGB-Y can be increased from 945 to 1500. • There should be a non-implementation discount on sites. • The build rate/lead in time for Heronby is not realistic. • Over reliance on large sites. Need smaller sites.	A non-implementation discount is added on planning permissions for small sites that have not started. Para 7.9 amended to show how non implementation of residential sites has been considered.
HG2 (12 responses)	Support for the policy from Historic England. Natural England requested that the policy is cross referenced to NE1. Several responses asked for the development limits to be reviewed or removed completely. There were also requests on what is meant by very small-scale development.	No changes in response to comments.
HG3 (0 responses)	No responses to this policy.	No changes in response to comments.
HG4 (2 responses)	Support for the policy from Historic England. Samuel Smiths Old Brewery requested that the policy should have a restriction of size on replacement dwellings, in order to make sure any replacement building is not substantially larger than the dwelling currently on the site.	No changes in response to comments.
HG5 (1 response)	Samuel Smiths Old Brewery requested that the policy criteria should limit the curtilage of any new residential use to that required for the reasonable needs of the new dwelling.	No changes in response to comments.
HG6 (11 responses)	Comments requested changes to the following parts of the policy: Part A: Allow for alternate forms of evidence including for example the Council's Waiting List or information in relation to the market demand and aspirations from home builders? Part B: Need to have evidence for space standards. Part C: Clarity needed in policy and supporting text on whether requirement is for M4(3) homes is for M4(3(2a)) wheelchair adaptable, or	Part A is amended by referring to North Yorkshire Home Choice for affordable housing. Part B – the Nationally Described Space Standards information is included in the Housing Background Paper. No change to the Policy. Part C is amended to clarify that the requirement is for M4(3(2a)) wheelchair adaptable homes.

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Policy	Summary of responses	Changes made in light of responses
	M4(3(2b)) wheelchair accessible. There are significant cost and evidence base implications for this policy. The evidence in the HEDNA is from the national level and is from 2010. No understanding as to how many houses are already built to M4(3) standard. Ensure that the requirement is proportionate to need. Part D: This should refer to SG9 rather than SG10. The section of the policy it is cross-referring to is no longer included within SG10 and refers to a previous policy at the Preferred Options stage. Part E: The density of 35 dwellings should be reduced for Tadcaster. The ability for applicants to vary from the prescribed density levels (as described in the supporting text) need to be stated in the policy as well.	Paragraph 7.36 amended to include the latest number of applicants on the housing register for wheelchair adaptable accommodation. Part D amended to refer to correct policy in response to comment.
HG7 (9 responses)	There were two responses in support of the policy. Those objecting identified the following issues and suggested changes: • Affordable Housing rates for Cross Hills and Eggborough strategic sites must be consistent with the typologies in the Local Plan Viability Study. • Allocations will not meet the affordable housing requirement identified in the HEDNA so the Council needs to allocate more sites. • The local plan should give clarity on how the Community Infrastructure Levy is to be removed. • The policy should set out the mechanism for undertaking regular review of viability across the district, across different typologies to ensure the objectives of the plan are delivered. • Set out the mechanism for project specific viability review through S.106 agreements. • The fact that we have set rates for individual allocated sites should be explained in the policy as well as in the supporting text. • The word “minimum” should be removed.	Criterion A amended for clarity: • By the addition of text to set out that affordable housing requirements for individual sites are set out in the site policies • to state that “…Extra care/Sheltered Housing in Class C2 will be exempt…”

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Policy	Summary of responses	Changes made in light of responses
	• Extra care and sheltered housing to be exempt from affordable housing provision	
HG8 (1 response)	Historic England considered that policy criteria A3 (protection for green belts and wildlife sites) should be moved to part C as this criterion should be used for entry level sites and not exceptions sites.	Part A amended by removing A.3 and adding it to the end of part C stating "In all cases"
HG9 (2 responses)	Support for the policy from Historic England. Samuel Smiths Old Brewery requested that a criteria should be added for applications outside of development limits, to ensure that the development of residential uses in isolated and unsustainable locations is adequately controlled and that the site is capable of being served by a range of services and facilities necessary for the everyday needs of the residents.	No changes in response to comments.
HG10 (6 responses)	The HEDNA has not undertaken the in-depth analysis or market review for Self-Build, as described within the PPG. Therefore, the evidence base for the policy is not robust and should be revisited. Sites larger than 50 units are more suited for self-build developments. Responders stated that self-builders will not want to live on larger developments.	No changes in response to comments.
HG11 (1 response)	Due to viability concerns, the objection was a request to scrap the requirement to provide services on sites with housing for older persons.	Criterion B amended by deleting the text in response to comment.
HG12 (1 response)	One response from Historic England in support of the policy.	No changes in response to comments.
HG13 (1 response)	One response from Historic England in support of the policy.	No changes in response to comments.
HG14 (3 responses)	Support for the policy from Historic England. However, those objecting stated that the GTAA is out of date and needs updating and the results need incorporating into policy.	No changes to the policy in response to comments.
NE1 (2 responses)	Natural England advise that NE1 requires further detail to ensure that the plan will not have significant adverse impacts on designated sites. This includes the need to incorporate the advice of the HRA and SA particularly in consideration of the most relevant impact pathways such as functionally linked land; recreational pressure; water quality; water supply; and	Policy NE1 and supporting paragraphs amended in response to comments by Natural England, NYCC and approved by AECOM as part of HRA

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Policy	Summary of responses	Changes made in light of responses
	atmospheric pollution. Part B could include additional wording which highlights that applicants will be required to demonstrate that impacts will be adequately mitigated where adverse effect on integrity cannot be ruled out and compensation measures should only be considered in the context of imperative reasons of overriding public interest, in line with the requirements of the Habitats Regulations. Clarity could be added by setting out that applicants will be required to submit appropriate levels of information and evidence to allow a HRA to be undertaken at the planning application stage. The Environment Agency Support the policy, but also suggest reinforcing the need for a minimum of 10% Biodiversity Net gain through this policy Criterion E.	
NE2 (4 responses)	Historic England, The Canal and River Trust and CPRE all support the policy. Countryside Properties suggest removing reference to the need for a masterplan and the terms green infrastructure and blue infrastructure given the lack of consistency with the NPPF, and as such requirements are unreasonable and unjustified. Suggest that applicants should be asked to include within application details of how the proposed layout and landscaping scheme will contribute to enhancing and protecting existing green corridors and waterways.	No changes in response to comments.
NE3 (10 responses)	Natural England, the Environment Agency, CPRENY, Baylis and Baylis Ltd all support policy NE3, Glade Developments have no objection. The House Builders Federation, Johnson Mowatt, Persimmon Homes, Brierley Homes and Countryside Partnerships suggest this policy should be deleted or modified to align with National Policy requirements as 10% Biodiversity Net Gain has not been tested for need or viability in the former Selby district alone, and is relying on the wider national policy evidence base, which following roll out and testing may be subject to change.	Removal of 10% requirement replaced with alignment to national policy targets and testing address concerns raised by HBF, Johnson Mowatt, Persimmon Homes, Brierley Homes and Countryside Partnerships. To address comments raised by Natural England and the Environment Agency, additional supporting text has been amended to clarify: • how rivers, streams, canals and riparian zones and habitats can be considered through this policy and

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Policy	Summary of responses	Changes made in light of responses
	Countryside Partnerships and Persimmon Homes also have concerns regarding the ability of allocated sies to meet identified quanta for development together with a 10% net gain requirement on the same land. Countryside Properties are particularly worried about the impact on agricultural land to be used for habitat creation and the financial, time and administrative burdens of S106 Agreements and question whether such costs have been taken into consideration in the local plan evidence base. They and Baylis and Baylis note that it will be important that the Local Nature Recovery Strategy (or other document) identifies potential locations in the District where off-site gains can be achieved and that a positive approach to habitat banks therefore needs to be adopted in order to ensure that there are no delays to housing delivery in the early years of the Plan period. The Environment Agency and Natural England both advise further links could be made to NE5 Protecting and Enhancing Rivers and Waterbodies and stronger reference to riverine habitat within the NE3 policy and supporting text. They also suggest further information could be provided regarding how applicants should apply the strategic significance value to weighting of habitats or priorities identified within Local Plans and strategies by the metric. Natural England suggest that: • clarity could be added to the supporting text in respect of Biodiversity Net Gain applying to all types of development which have the potential to impact on existing habitats, regardless of a habitats' recognised importance, 'designation" or current biodiversity. • the need for bespoke advice on protected sites, irreplaceable habitats or habitats of very high distinctiveness should be highlighted as these are likely to require mitigation and/or	• that emerging Local Nature Recovery strategies and North Yorkshire Local Plan Evidence base can provide values for the application of strategic significance values for areas of habitat loss and gain. • consideration of how BNG can be applied to all habitats and not just nature conservation designation and where impacts on designated nature conservation sites should also consider the requirements of policies NE1 and NE5 • a baseline value of 0 does not necessary mean that a site cannot be expected to provide any BNG. • provide clarity on baseline date for assessing original habitat value of sites as 30th of January 2020

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Policy	Summary of responses	Changes made in light of responses
	compensation requirements to be dealt with separately from BNG provision. • criterion B2 could be amended to make it clear BNG should be on-site in the first instance, and only where it can be demonstrated this is not deliverable alternative locations may be sought with a preference for those in the immediate vicinity, followed by strategic landscape biodiversity initiatives, such as the Local Nature Recovery Strategy, Nature Recovery Network or Green/Blue Infrastructure (where appropriate). • Reference to sites that have a "0" baseline Biodiversity unit score not being able to provide net gain should be removed as some improvements could still be implemented and specific measures could be set out in a separate SPD. • specific reference should be made to the baseline date given in schedule 14 of the Environment Act for when original baseline habitat values of sites should be taken. CPRENEY would like to see a greater level of detail within the plan in regard to detailed requirements for specific nature, green infrastructure and and climate related infrastructure and requirements on site such as targets for tree canopy cover or buffering of protected sites and think policy NE3 could go further by setting out specific examples for delivery.	
NE4 (1 response)	One response from Historic England in support of the policy.	No changes in response to comments.
NE5 (3 responses)	Historic England, The Canal and River Trust and The Environment Agency all support the policy. The Environment Agency also suggest updating references to European Water Framework Directive to The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, and linking Criterion B9 to policy SG11 in regard to re-naturalising waterbodies, including de-culverting.	Changes made in response to the comments from the Environment Agency
NE6	No comments received.	No changes in response to comments.

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Policy	Summary of responses	Changes made in light of responses
(0 responses)		
NE7 (1 response)	Natural England supports the policy but recommend the wording of Criterion C also includes protection for Ramsar designations and that further criterion are included to take account of potential impacts of Ammonia emissions from road traffic.	Criteria C.2.i, C.2.iii and C.2.iv and paragraphs 8.62, 8.63, 8.64 and 8.67 amended and a new paragraph added after 8.66 in response to the comments from Natural England.
NE8 (3 responses)	The Coal Authority, Environment Agency and the Canal and River Trust all support the policy. The Canal and River Trust suggest adding land stability to the title of the policy. The Coal Authority suggests additional policy wording and requirements around land stability risks.	No changes in response to comments.

Summary of Site Policies responses and changes made in light of those responses

Site Policy	Summary of Responses	Changes made in light of responses
		Please note: The site policies and supporting text of the Publication Local Plan have been amalgamated, further changes made as necessary and the polices format reordered for the Revised Publication stage. The criteria and supporting information references below refer to the policy and supporting text as at Publication stage and may not necessarily match the Revised Publication stage.
S1 (2 responses)	Support from Historic England and the Canal and River Trust.	No changes in response to comments.
S2 (3 responses)	Support from the site promoter who requests clarification in the supporting text that the new access road (from SELB-CA) will be provided all the way through to allow access for the Ousebank residents and allow the level crossing to close.	No change to the Policy in response to comments. Para 11.6 amended to reflect comments regarding the new access road

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Site Policy	Summary of Responses	Changes made in light of responses
	Support also for the site from Barlby and Osgodby Town Council, but request the site is restricted to commercial and employment uses only. The objection to the site was stated as no economic way to mitigate the degree of flood risk (given the proximity of the river Ouse and thus the likely speed of inundation).	
SELB-B (11 responses)	Objections include: • High flood risk area • No known plans for closing the chemical works or details of the appropriate relocation site. • Demolition, decontamination and flood risk mitigation makes the viability of the site in doubt. • 5% affordable housing a missed opportunity, when other sustainable sites could deliver 20%. Natural England advise that there could be possible impacts from the allocation SELB-B on the adjacent Three Lakes and Oakney Wood SINC that need to be considered. There may be opportunities to enhance the adjacent local site and improve habitat connectivity with the wider area. The Environment Agency set out standard flood risk mitigation measures for sites in high flood risk areas. There was support from the Canal and River Trust for the criteria in the policy which reference the canal.	Additional criterion 11 regarding mitigation measures in response to potential impact on nearly Three lakes and Oakney Wood SINCs at the request of Natural England.
SELB-BZ (18 responses)	There is both support for the site and objections for the site to be allocated. The reasons for objection include flood risk area. Natural England state that the site is in close proximity to Burr Closes SSSI and that consideration should be given to potential impacts on the SSSI due to increased recreational access. The site is also in close proximity to the ancient woodland habitat Barber Rein/Ash Rein. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to	Policy updated.

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Site Policy	Summary of Responses	Changes made in light of responses
	ancient woodland. Appropriate assessment and mitigation should be specified as a requirement in the plan. Historic England advised that not all of the mitigation measures set out in the HIA are adequately reflected in the Site Requirements for this allocation. Provides recommended changes to policy critieria. The Environment Agency sets out standard flood risk mitigation measures for sites in high flood risk areas.	
SELB-CA (4 responses)	Support for the site to be allocated. Concern raised regarding viability and deliverability of the site. Flood risk mitigation should be included within the policy for the site. The Environment Agency sets out standard flood risk mitigation measures for sites in high flood risk areas.	No changes to the policy in response to comments.
SELB-CB (1 response)	Support for the site to be allocated for employment uses	No changes to the decision for the site to be rejected in response to comments.
SELB-AG (7 responses)	Objections to the site include bad delivery history of the site and within a high flood risk area. Support for the site from the promoter, but considers the specific reference to storey heights as being too prescriptive. Historic England advise that currently, not all of the mitigation measures set out in the HIA are adequately reflected in the Site Requirements for this allocation. They provides recommended changes to policy criteria for a need for a Heritage Impact Assessment and the protection of Historic features The Canal and River Trust advise that there is the opportunity to amend the criterion for up to 3-4 storeys in height with an inclusion of the assessment of shading impacts on the canal. The Environment Agency set out standard flood risk mitigation measures for sites in high flood risk areas.	Criteria 1 and 8 and supporting points a and e amended to reflect the Historic England comments regarding the history of the site, waterside development and boundary treatment. And an additional criterion to set out the need for a Heritage Impact Assessment and the protection of historic features. Amend criterion 7 to reflect the comments of the Canal and River Trust regarding potential shading impacts on the canal.

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Site Policy	Summary of Responses	Changes made in light of responses
SELB-CR (3 responses)	Objection to the site being allocated in a flood risk area. Historic England states that not all of the mitigation measures set out in the HIA are adequately reflected in the Site Requirements for this allocation. Provides recommended changes to policy criteria. The Environment Agency sets out standard flood risk mitigation measures for sites in high flood risk areas.	Criteria 1 and 3 amended to reflect the comments of Historic England regarding development reflecting the character of the area and sympathetic conversion the Old Maltings building.
SELB-CS (1 response)	Support for this rejected site to be allocated.	No changes to the decision for the site to be rejected in response to comments.
SELB-CU (1 response)	Site no longer has characteristics of a SINC. The biodiversity can be improved by developing the site through ecological enhancement, landscaping and ongoing management. The policy associated with allocating this site for employment development should include criteria such as the provision of a landscaped belt along the western boundary of the site in order to provide a buffer between residential and commercial uses, provide for a new habitat with public access.	No changes to the decision for the site to be rejected in response to comments.
T1 (4 responses)	Support for the site from the landowner and from Tadcaster Town Council. The Environment Agency noted that Tadcaster is located on Principal Aquifer and as such groundwater is very sensitive in this location. The creation of a new underground car park has the potential to disturb the aquifer, impacting groundwater resources and quality. The Environment Agency refer to their documents and approach to groundwater protection and physical disturbance of aquifers. A petition to the redevelopment of the car park was received in addition to the objection to the loss of the Central Area Car Park, the parking and housing needs for the town as well as viability and delivery.	No changes to this policy in response to comments. However, criterion 12 of Policy TADC-H amended to reflect Environment Agency's concerns regarding disturbance to the principal aquifer. The issues raised through the petition to be addressed through the EIP.

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Site Policy	Summary of Responses	Changes made in light of responses
T2 (1 response)	One representation was received which objects to the phasing policy as it would restrict sites coming forward in the town which already had an historical lack of development and flagged that all the sites are inter-related and are needed to deliver the central proposals.	Policy deleted due to this comment and the comment to TADC-AG.
T3 (1 response)	Support for new policy from the Town Council, but seeks clarification on ultimate ambition of the policy and the changes since the previous version of the Local Plan. They also raise concerns about the A64/A162 junction. The response to TADC-M (objection to the site not being allocated as TADC-M for sport and recreation) also sets out concern for the Special Policy area (T3) which includes retail, commercial and housing	No changes to the policy in response to these comments.
TADC-B (2 responses)	Responses by landowner and agent supporting this rejected site for development within the Green Belt.	No changes to the decision for the site to be rejected in response to comments.
TADC-C (2 responses)	Responses by landowner and agent supporting this rejected site for development within the Green Belt.	No changes to the decision for the site to be rejected in response to comments.
TADC-AD (3 responses)	Support for the site from Tadcaster Town Council. Natural England support the site stating that there is unlikely to be an adverse effect on the Tadcaster Mere SSSI due to its geological notified feature. Historic England concur with eh HIA and welcome the inclusion of appropriate site requirements and supporting text.	No changes to the policy in response to comments.
TADC-AE (4 responses)	Support for the site from the landowner and the Town Council who also suggested access could be a challenge and the development must take into account the surrounding houses. One objection stating there is a Roman Burial Ground on part of the site. Natural England support the site stating that there is unlikely to be an adverse effect on the Tadcaster Mere SSSI due to its geological notified feature.	No changes to the policy in response to comments.
TADC-AG (1 response)	Landowner supporting the rejected site within the Green Belt. Also consider the allocations in Tadcaster have technical constraints and issues around deliverability and developability and therefore	No changes to the decision for the site to be rejected in response to comments.

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Site Policy	Summary of Responses	Changes made in light of responses
	can't be relied on to deliver the required growth in this location. This representation also relates to their objection to the phasing policy (T2) for Tadcaster. Lack of delivery of housing over past two decades also impacted affordability and should approve development as swiftly as possible and not restrict sites coming forward. The phasing will also hinder the cross-funding required to deliver the underground Car Park. Further, how can TADC-H be in Phase 1 if it relies on sites in Phase 2?	However, Policy T2 is deleted in response to this comment.
TADC-H (5 responses)	Support for the site from landowner. Historic England suggest amendment to the policy and supporting text regarding avoiding or minimising harm to heritage assets. Tadcaster Town Council support the policy but suggest 43 dwellings is too many and request more parking spaces than at present. Objections to underground car park. Objections from rejected sites landowners who are supporting their sites as allocations.	Criterion 12 amended to reflect Environment Agency's concerns regarding disturbance to the principal aquifer as stated in their response to T1. Additional supporting point added as requested by Historic England to support criterion 10. Supporting point c amended to reflect Historic England comments regarding avoiding harm to the significance of designated heritage assets. Supporting point d split into two to reflect the comments of Historic England regarding design and layout to be informed by a new Design Code.
TADC-I (6 responses)	Support for the development from landowner but advise the total dwellings in Policy HG1 is 180, not 150. Historic England suggest amendment to the policy and supporting text regarding avoiding or minimising harm to heritage assets. Tadcaster Town Council suggest the inclusion of hydro-scheme and public parking at the town centre side of the site. Also point out the potential for increased traffic on Mill Lane and impact on the supermarket access. Objections from rejected sites landowners who are supporting their sites as allocations. The Environment Agency advise the scheme must take into account the Tadcaster FAS.	Criterions 8 and 10 amended to reflect the wording supplied by Historic England to correctly reflect the designated heritage assets in the vicinity of the allocation and to provide additional text for clarification. Supporting points c, d and e amended to reflect clarifying comments from Historic England. Policy HG1 amended by total dwellings for site TADC-I to 180 in response to landowner comment. Policy updated in relation to FAS.
TADC-J (4 responses)	Support for the development from landowner. Natural England confirm that there is unlikely to be an adverse effect on Tadcaster Mere SSSI. Tadcaster Town Council suggest the inclusion of a small	No changes to the policy in response to comments.

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Site Policy	Summary of Responses	Changes made in light of responses
	number of retail units. Objection from a rejected site's landowner who are supporting their site as an allocation.	
TADC-L (4 responses)	Support for this site from Natural England, Historic England and the Town Council. Landowner confirms the total number of dwellings is 10 as in policy TADC-L. The figure in Policy HG1 is incorrect at 17.	No changes to this policy in response to comments. Amend Policy HG1 total dwellings for site TADC-L to 10.
TADC-M (1 response)	Objection to the site not being allocated as TADC-M for sport and recreation. Concerned as the Special Policy area (T3) includes retail, commercial and housing.	No changes to the policy in response to this comment.
TADC-Y (1 response)	Support for this rejected site to be allocated for employment by landowner.	No changes to the decision for the site to be rejected in response to comments.
TADC-X (1 response)	Support for this rejected employment site to be reconsidered and allocated for employment and housing by landowner.	Site re-assessed. No changes to the decision for the site to be rejected in response to comments.
SHER-AA (4 responses)	Support for the site, but also for the whole of the site to be brought forward for development (SHER-BF) Concern that the greenfield land to the north identified for flood attenuation. The Policy should be amended to make clear that greenfield element of the site is only for SUDS and no built development. Concern that Plan is over-reliant on large brownfield employment sites which are complex in terms of delivery. The Coal Authority request that development proposals on the site should be supported by a Coal Mining Risk Assessment	Point 7 amended by the addition of a Coal Mining Risk assessment required by the Coal Authority. Point 2 and supporting point b amended to be clearer that the northern part of the site is only for the drainage basin / pond.
SHER-AK (1 response)	Support for this rejected employment site to be allocated.	No changes to the decision for the site to be rejected in response to comments.
SHER-AM (1 response)	Support for this rejected site in the Green Belt to be allocated.	No changes to the decision for the site to be rejected in response to comments.
SHER-BE (1 response)	Support for this rejected site to be allocated.	No changes to the decision for the site to be rejected in response to comments.
SHER-BF (1 response)	Whilst there is support for the SHER-AA allocation this rep considers that the full site should be brought forward for development (i.e. SHER-BF, the greenfield element to the north).	No changes to the decision for the site to be rejected in response to comments.

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Site Policy	Summary of Responses	Changes made in light of responses
SHER-H (32 responses)	Support for the site from developer. Access for northern part of site to be from Conference Court / Rochester Row and Bartlett View as the same developer. Access to southern part of site to be from Low Street. Consider the school drop-off point to be on the west side of Low Street as the same landowner. Sets out biodiversity and water attenuation areas. Sets out that all points in the Publication Policy SHER-H can be achieved but request that the contamination point is removed as not aware of any contamination as SHER-H is an arable, greenfield site. Request dialogue regarding the community facilities to be provided on the site. Significant objections to the use of Bramley Park Avenue / Rochester Row / Conference Court as an access to the site with a loss of Public Open Space, traffic and parking concerns also raised. Suggest using Bartlett View or Low Street for access. Request for more community facilities, shops and infrastructure in the town, especially public transport. Also concerns regarding the merging of Sherburn in Elmet and South Milford. Lack of consultation with residents also quoted. Natural England advise that the 10% biodiversity net gain established in the SA has not been reflected within the site allocation policies "The provision of SUDS and greenspace provides a key opportunity to promote new wildlife habitats and deliver a minimum of 10% biodiversity net gain". In addition, SHER-H is in close proximity to Sherburn Willows SSSI. Potential impacts which may arise include increased recreational disturbance. Advise the site is managed by Yorkshire Wildlife Trust and any advice they provide on the allocation should be taken into account.	Criterion 7 and supporting point e updated to reflect various comments on access to the north of the site. A new criterion, and amendments to criterion 4 and supporting point b to reflect updated information on the highways crossing and drop-off point for the school reflecting comments from NYCC Education and Highways. Additional criteria added in relation to SSSI.
AROE-I (6 responses)	Some representations duplicate comments made through previous consultations re lack of facilities and services within Appleton Roebuck, including: surface water and foul water capacity; school size; young persons activities; local transport; congestion and	Amend supporting points a and f and create new criterion on landscaping to reflect the comments from Historic England to align with HIA: • Revise supporting text to point F to be more concise and state where possible, it is important that Ridge and Furrow is retained

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Site Policy	Summary of Responses	Changes made in light of responses
	employment opportunities. Potential impacts on heritage and light pollution also raised. Specific concerns were raised regarding suitability of Malt Kiln Lane Access (particularly regarding shared use with wedding venue) as well as the need to incorporate HIA outcomes into site policy. It is also noted that this site has been reduced in size with the deletion of AROE-O and suggests that therefore this final boundary has not been consulted upon, so further opportunities for residents to comment on final suite of sites is requested. Samuel Smith Brewery also suggest the site represents inorganic growth encroaching into the open countryside, that the site is contrary to the Neighbourhood plan and that the settlement as a whole should be revised as a smaller village in the settlement hierarchy. Heritage concerns were raised by some, but Historic England confirmed that the mitigation measures (which the Heritage Impact Assessment has put forward) need to be implemented as part of any future development proposal for this area. They also pointed out that currently, not all of the mitigation measures recommended in the assessment are adequately reflected in the Site Requirements for this allocation. The County Highways engineers provided their requirements for the site access.	and positively incorporated into the design of the site, along with biodiversity and open space. Rephrase point f. to ensure it is clear what the Council are trying to achieve by this point. • Add an additional Site Requirement to read: "Development should be set back from Malt Kiln Lane to maintain its rural character and retain views of the open countryside to the west of the village. " • Add an additional Site Requirement to read: "Provide appropriate landscaping of the western edge of the site mark the transition between settlement edge and the countryside." Rewrite supporting point e to reflect the site access requirements of NYCC Highways.
AROE-K (4 responses)	Some representations duplicate comments made through previous consultations re lack of facilities and services within Appleton Roebuck, as well as concerns raised re suitability of Malt Kiln Lane Access (particularly regarding shared use with wedding venue) and the previous rejections of planning application on the site due to impact on character and form and procedural issues. Samuel Smith Brewery also suggest the site represents inorganic growth encroaching into the open countryside, that the site is	No changes to the policy in response to comments.

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Site Policy	Summary of Responses	Changes made in light of responses
	contrary to the Neighbourhood plan, that the fundamental sustainability of the site is poor, and that the settlement as a whole should be revised as a smaller village in the settlement hierarchy. Further opportunities for residents to comment on final suite of sites is requested. The site developer also fully supports the site and confirms availability, deliverability, social and economic benefits and previous planning application evidence and approvals.	
AROE-N (4 responses)	Some representations duplicate comments made through previous consultations re lack of facilities and services within Appleton Roebuck, as well as concerns raised re suitability of Malt Kiln Lane Access (particularly regarding shared use with wedding venue). Samuel Smith Brewery also suggest the site represents inorganic growth encroaching into the open countryside, that the site is contrary to the Neighbourhood plan and that the settlement as a whole should be revised as a smaller village in the settlement hierarchy. Further opportunities for residents to comment on final suite of sites is requested. The site developer also fully supports the site and confirms availability, deliverability, social and economic benefits and previous planning application evidence and approvals. Natural England highlight that sufficient site specific ALC survey data should be available to inform decision making. For example, where no reliable or sufficiently detailed information is available, it would be reasonable to expect developers to commission a new ALC survey, for any sites they wish to put forward for consideration in the Local Plan. The County Highways engineers provided their requirements for the site access.	Policy SG4 reflects the comments from Natural England regarding the need for an Agricultural Land Classification Survey. Criterion 4 and the supporting text is removed. Supporting point b is reworded to reflect the site access requirements of NYCC Highways.

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Site Policy	Summary of Responses	Changes made in light of responses
BARL-K (3 responses)	There was both support and objection to the site. Concerns included: Site is too far from services. The policy for the site should reflect its proximity to the flood defences and secure a buffer for regulator access for inspection, maintenance or future flood defence works. No development should take place within 16m of the main river (River Ouse).	An additional policy criterion and supporting text added to reflect the response from the Environment Agency regarding proximity to a main river and that no development should take place within 16m of the main river (River Ouse).
BRAY-AC (1 response)	Support for rejected site BRAY-AC to use it for a specialist Haulage business (Campeys Haulage business).	No changes to the decision for the site to be rejected in response to comments.
BRAY-B (1 response)	Support for the site to be allocated provided by the agents. Further information provided includes: southern section of the site is in flood zone 1. A highway assessment has shown that access can be achieved on Evergreen Way. An access can also be gained by demolishing a property on Moat Way.	No changes to the decision for the site to be rejected in response to comments.
BRAY-X (3 responses)	There was both support and objection to the site. Concerns included: Request to limit access from Mill Lane and to require bungalows on the southern half of the site in order to match existing dwellings. Concerns regarding the traffic and education places which would be generated by the development. Access to be from St Wilfred's or Poplars, whilst the frontage along Mill Lane to be maintained as such behind a hedge.	Criterion 7 amended to clarify the purpose of the pedestrian / cycling route on the western edge of the site.
BRAY-Z (1 response)	The objection to this site included: request to limit access from Mill Lane, and request to require bungalows on the southern half of the site in order to match existing dwellings, access to be from St Wilfred's or Poplars, whilst the frontage along Mill Lane to be maintained as such behind a hedge	No changes to the policy in response to comments.
BURN-G (1 response)	Suggest the site should be explored for development once the site has been made safe from flooding as advised by the Environment Agency.	No further action - no longer a requirement to progress a new settlement option.
CAMB-B (2 responses)	Support from both the landowner and the developer to allocate this rejected site for housing.	No changes to the decision for the site to be rejected in response to comments.
CARL-G (3 responses)	Natural England advised that the site is within 10km of Lower Derwent Valley SPA/Ramsar and Humber Estuary SPA/Ramsar and	Criterion 14 amended to reflect comments of Natural England

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Site Policy	Summary of Responses	Changes made in light of responses
	therefore may have impacts on functionally linked land. Natural England require evidence that there will be no harm to designated Nature conservation sites through harm to functionally linked habitat associated with Lower Derwent Valley SPA/Ramsar and Humber Estuary SPA/Ramsar overlapping with this site - this can be ascertained by surveys to show the land is not a suitable habitat, wintering bird surveys showing land is not used for this purpose, or appropriate mitigation being put in place. Site policy needs to reflect this. Additional evidence to support the development was provided by the developer, but requested that: • criteria 2 is removed for development proposals to ensure single storey dwellings are used in proximity to the existing built development of Broadacres. • The SAM scores are amended with specific evidence provided. • It is not justified not to allocate larger site area extending to the North. Concerns raised by other respondents include: junction safety issues and the potential for negative impacts on the Grade I listed Carlton Towers.	
CARL-K (1 response)	Support from the developer to allocate this rejected site for housing.	No changes to the decision for the site to be rejected in response to comments.
CFAB-A (1 response)	Consider using the old airbase for a small housing site in the next Local Plan, not a new settlement.	No further action - no longer a requirement to progress a new settlement option.
CLIF-AB (1 response)	The Plan fails to provide, or to provide adequately, for certain forms of tourism and outdoor leisure. CLIF-AB should be allocated for leisure development because policy EM6 is too restrictive.	No changes to the decision for the site to be rejected in response to comments.
CLIF-B (0 responses)	n/a	No changes to the policy in response to comments.

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Site Policy	Summary of Responses	Changes made in light of responses
CLIF-O (3 responses)	Support for the site stating that Distribution of Housing is inconsistent with Hemingbrough being of a higher tier with more services and should therefore accommodate more growth. Those objecting state: • had the council not scoped out Green Belt at the outset other reasonable alternatives could have been considered. • The current openness of site is an important element in the rural character of Cliffe providing an important break in the building line along Main St and York Road. • The 2021 Landscape Sensitivity Study states that, on the west side of Cliffe, 'larger scale development would result in settlement encroachment'. • The site is in open countryside and not next to other dwellings. • It is inappropriate for a secondary village to have this amount of development. • Development would constitute a significant expansion of the settlement into the open countryside, and of a scale that is disproportionately large to the current built form and character of the settlement. • The village has other sites which are much more appropriate in location. • The inclusion of a school drop-off point encourages the use of private cars.	No changes to the policy in response to comments.
CRID-C (1 response)	Support for this rejected site to be allocated.	No changes to the decision for the site to be rejected in response to comments.
EGGB-AA (5 responses)	Concerns regarding the over-development of Eggborough and over-reliance on large brownfield sites to meet employment needs. Support for the site was also received along with the request to incorporate adjacent sites within this site. The owner proposed new wording for criteria 3 and 5 and supporting text a and c regarding their concerns on vehicular	Criterion 5 and part c amended to reflect the comments from St Francis group regarding vehicular access. Additional part 10 and 11 and supporting information point g added to reflect the comments from Natural England regarding the Agricultural Land Classification Survey and a green infrastructure masterplan

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Site Policy	Summary of Responses	Changes made in light of responses
	access and that the policy is worded to restrict the employment to uses that can utilise the on-site rail infrastructure. Natural England highlight that sufficient site specific ALC survey data should be available to inform decision making. For example, where no reliable or sufficiently detailed information is available, it would be reasonable to expect developers to commission a new ALC survey, for any sites they wish to put forward for consideration in the Local Plan. Given the scale of this site Natural England would also like to see the requirement for master-planning of green infrastructure and biodiversity net gain specified in the site requirements.	
EGGB-B (3 responses)	Support for this rejected site which was previously allocated in the Selby Local Plan to be reinstated as an allocation.	Site is now allocated
EGGB-S (3 responses)	Concerns regarding loss of agricultural land, impact on traffic, public transport, infrastructure, loss of amenity space and no local job opportunities. Support for the site and for it to be expanded to include the adjacent site EGGB-AC.	No changes to the policy in response to comments.
EGGB-T (4 responses)	Support for this rejected site to be an allocation.	No changes to the decision for the site to be rejected in response to comment.
EGGB-U (4 responses)	Support for this rejected site which was previously allocated in the Selby Local Plan to be reinstated as an allocation.	Site is now allocated
EGGB-Y (34 responses)	Objections to this allocated site include: the scale of housing, the impact on the landscape, the additional traffic, the proposed link road, insufficient public transport services, insufficient social infrastructure, pollution, the lack of suitable employment opportunities, the impact on wildlife and ecology, surface flooding and drainage, pollution, carbon emissions and the loss of recreational opportunities. Also provided were the wider concerns that the allocation of this site is not in keeping with the spatial strategy / settlement hierarchy along with deliverability and viability concerns.	Requirements amended to reflect the response of the Canal and River Trust regarding the towpath along the Aire and Calder Navigation to the Konect Business Park. Amended to reflect the comments of Banks Group regarding the local centre, parking provision, bus stops, pipelines and development distances, the feasibility study for the capacity of Eggborough Wastewater Treatment Works, the provision of connections to Whitley Bridge, and affordable dwellings provision respectively.

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Site Policy	Summary of Responses	Changes made in light of responses
	The Canal and River Trust suggested that the towpath along the Aire & Calder navigation provides a good pedestrian link from EGGB-Y to Kellingley Colliery which is being redeveloped and provided suggested wording. Wakefield Council suggested a modification to the policy wording regarding the proposed link road and proposals. Banks Group requested numerous changes to both the policy and supporting text regarding the local centre, parking provision, bus stops, pipelines and development distances, the feasibility study for the capacity of Eggborough Wastewater Treatment Works, the provision of connections to Whitley Bridge, and affordable dwellings provision. Historic England requests that to minimise harm to St Edmunds Listed church development should be set back from the north west corner of the site and be designed to provide a gentle transition between the village edge and the countryside.	Requirements amended to reflect the comments of Historic England and to reflect comments regarding drainage.
HAMB-A (1 response)	Promoter of this rejected site demonstrates that access can be achieved via Chapel Street through the curtilage of an existing property as set out in planning application 2022/0665/OUTM.	The site is now allocated
HAMB-D (1 response)	Site promoter requests a smaller version of this rejected site to be assessed rather than the larger version.	No changes to the decision for the site to be rejected in response to comment.
HAMB-F (9 responses)	Objections to the site include more traffic and there are no services to support the development. Support for the site by the landowner and will meet the requirements of the draft site policy.	No changes to the policy in response to comments.
HAMB-N (13 responses)	Objections to this site include traffic concerns, lack of services and the impact on the Hambleton Hough LILA. Suggest the policy should be more definite in the request for bungalows as the wording is currently ambiguous. The site promoter supports the allocation and has prepared a masterplan that shows 60 dwellings can be provided and requests that the allocation should be expanded to the east. Also provides	Bungalow requirement reworded in criterion 1.

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Site Policy	Summary of Responses	Changes made in light of responses
	suggested minor wording changes to criterion 4 and supporting text part a.	
HEMB-AE (1 response)	Support for this rejected site to be allocated.	No changes to the decision for the site to be rejected in response to comment.
HEMB-C (1 response)	Support for this rejected site to be allocated.	No changes to the decision for the site to be rejected in response to comment.
HEMB-G (9 responses)	Concerns regarding scale of development, impact on infrastructure, public transport provisions, loss of agricultural land, ecology, flooding, loss of recreational opportunities, traffic. Natural England advise that the site is close to the River Derwent SAC and there may be potential for water quality impacts if there isn't available headroom at the Waste Water Treatment Works.	No changes to this policy in response to comments. However, Policy IC4 is amended in response to comment by Natural England.
HEMB-K (8 responses)	Concerns regarding traffic, lack of infrastructure, loss of agricultural land, ecology, drainage / flooding and loss of recreational opportunities. Support for the site to be extended to incorporate adjacent site HEMB-Z. Natural England advise that the site is close to the River Derwent SAC and there may be potential for water quality impacts if there isn't available headroom at the Waste Water Treatment Works..	No changes to this policy in response to comments. However, Policy IC4 is amended in response to comment by Natural England.
HEMB-S (7 responses)	Objections received to this site despite it not being allocated for development. Support for the site to be allocated from the promoter of a village hall to be built on part of the site.	No changes to the decision for the site to be rejected in response to comment.
HEMB-V (1 response)	Support for this rejected site to be allocated.	No changes to the decision for the site to be rejected in response to comment.
HENS-A (2 responses)	Both support for the development of this rejected site from the promoter and support for the site to be not developed.	Site now allocated.
HENS-L (3 responses)	Objections to the site include: lack of amenities, school capacity issues and public transport. Concerns regarding the narrow road along Wand Lane and highway safety, poor sewer and surface water drainage capacity and subsidence from former coal mining in the area.	No changes to the policy in response to comments.

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Site Policy	Summary of Responses	Changes made in light of responses
HENS-P (4 responses)	Both support and objection to the site. Those supporting request that the site is enlarged to incorporate site HENS-X.	No changes to the policy in response to comments.
HILL-A (5 responses)	Support by promoter for this rejected site in the Green Belt to be allocated. Objections and concerns raised over the sustainability of site, the impact on the adjacent SINC, the impact on the landscape, drainage infrastructure constraints, the site being within the conservation area and land stability issues. Historic England request that development is confined to the northern and eastern parts of the site to lessen the impact on the Conservation Area.	Point 2 amended to reflect the response of Historic England regarding strengthening the need for a Heritage Impact Assessment.
HILL-D (1 response)	Support for this rejected site in the Green Belt to be allocated.	No changes to the decision for the site to be rejected in response to comment.
HILL-K (1 response)	Support for this rejected site in the Green Belt to be allocated.	No changes to the decision for the site to be rejected in response to comment.
KELL-B (34 responses)	Objections and concerns raised due to inadequate drainage and surface water problems, including the site flooding and being within Flood Zone 2 and not Flood Zone 1. Concerns regarding viability of the site when considering mitigation measures in respect of Heritage assets. No reference to underground water mains pipe which crosses the site or electricity cables which pass overhead. Objections to the loss of good agricultural land. Concerns regarding primary school capacity. Reduction in available bus services. Historic England suggest that all recommended mitigation measures in the Heritage Impact Assessment are adequately reflected to ensure no harm to the nearby heritage assets. Kellingley Parish Council suggest the supporting text information is updated to remove reference to Eggborough Power Station dominating the landscape as the power station has now been demolished.	Part 1 and part d of supporting text amended to reflect response of Historic England regarding design and footpath provision respectively. Paragraph 23.2 amended to reflect the response of Kellington Parish Council regarding the demolition of Eggborough Power Station. Part 8 of the policy amended to reflect the need to ensure the Water Main that crosses the north-west corner of the site has no curtilages of residential properties within the required standoff, as defined by Yorkshire Water. Part 9 of the policy amended to reflect the need to protect the area of the electricity lines on the site.

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Site Policy	Summary of Responses	Changes made in light of responses
KELL-G (1 response)	Support the allocation of KELL-G as a housing site in place of KELL-B which is sited in open countryside. To overcome reason for rejection of KELL-G, detailed access plan provided showing suitable access can be achieved from Manor Garth. Comparison of individual site profiles between KELL-B and KELL-G suggesting KELL-G score is incorrect and the reason for rejection (access) can be overcome. Suggest KELL-G is included as an allocated site.	No changes to the decision for the site to be rejected in response to comment.
MFRY-D (1 response)	Support for this rejected site to be reconsidered for allocation.	No changes to the decision for the site to be rejected in response to comment.
MFRY-U (1 response)	Support for this rejected site to be reconsidered for allocation.	No changes to the decision for the site to be rejected in response to comment.
NDUF-B (1 response)	Support for this unallocated site to be allocated as the promoter considers the site to be deliverable and has an access point.	No changes to the decision for the site to be rejected in response to comment.
NDUF-D (2 responses)	Support for the site to be allocated. The proposal for the site now includes a pedestrian link to the west of the site directly onto Back Lane, via the demolition of a bungalow. Therefore, the reason for rejecting the site as an allocation has been overcome by the promoter. The site can also be extended to include more land to the north.	Site is now an allocation. Policy worded to reflect comments from the Preferred Options (2021) and Publication (2022) consultations regarding: • footpath links to the village, • S106 contributions for additional school places, • The possibility of archaeological impacts recognised with the need for an archaeological assessment • S106 contributions mentioned for education needs arising from the development of the site.
NDUF-O (4 responses)	Objections due to disproportionate size of the development. Impact on the North Duffield Carrs natural nature reserve and the Lower Derwent Valley National Nature Reserve and the birds which use this as their habitat. The site promoters have proposed to extend the scheme eastwards and have changed the access arrangements for the site. Gothic Farm land is not used and the access now extends further down Back Lane to the east. Creating an access involves removal of trees and front gardens on Back Lane.	No changes to the policy in response to comments.

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Site Policy	Summary of Responses	Changes made in light of responses
	Natural England advise that the allocation of NDUF-O may lead to additional recreational impact to the Lower Derwent Valley SPA/SAC and Ramsar. Welcome consideration of a 400m buffer around the Lower Derwent Valley designations in order to avoid and mitigate for recreational disturbance and urban edge effects from housing or tourism development which are difficult to avoid in closer proximity. Significant avoidance and mitigation measures would need to be provided for this option to be advanced such as the provision of alternative greenspace, signage, provision of gates or information provision to new residents. Requirement for an access management or recreation strategy in order to inform the development of the site.	
NTHP-A (1 response)	Support for the allocation of this site	No changes to the policy in response to comments.
OSGB-C (4 responses)	Concerns regarding traffic, infrastructure capacity, air pollution, noise and amenity.	No changes to the policy in response to comments.
OSGB-D (5 responses**)**	Concerns regarding traffic, infrastructure capacity, air pollution, noise and amenity. Site promoter stated that NYCC Heritage Services raised no objection therefore no need for site requirement for an Archaeological Assessment to be undertaken. Object to the restriction to 2 storeys in height.	No changes to the policy in response to comments.
OSGB-G (5 responses**)**	Objections due to loss of agricultural land and lack of services in Osgodby. Concerns over vehicle access onto South Duffield Road. Concern regarding historical evidence not being considered. Site promoter objects to the restriction of 2 storeys in height. 2.5 or 3 storey buildings which may be able to be delivered without any detrimental impact to the existing residents in terms of overlooking, shadowing or overdevelopment. Want the school provision to only be provided if evidenced and the affordable housing to be provided subject to viability.	No changes to the policy in response to comments.

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Site Policy	Summary of Responses	Changes made in light of responses
OSGB-H (1 response)	Objection to the site being rejected and the reason for rejection stated as the site is too big for village when this is inconsistent with the allocation of the EGGB-Y site.	No changes to the decision for the site to be rejected in response to comment.
OSGB-I (6 responses)	Objections stating the site is too big for Osgodby. Objections due to loss of agricultural land and lack of services in Osgodby. Concerns over vehicle access onto South Duffield Road. There is a need for further planting to the northern border to protect views from South Duffield Road. The landowner requests further clarity on what is meant by criteria 1 "the development should act as a transition point from the village to open countryside". Include the Hollies as an additional vehicular access point. Also requested an amendment to point 8 to enable the removal of trees on the boundary if required and supported by appropriate evidence.	Vehicular access requirements amended.
OSGB-K (2 responses)	Site promoter disagrees with the reason for rejection "green wedge to be retained as open space for the benefit of the community". It has no characteristics of a wedge shape or location with respect to adjacent land and it is in private ownership. There are no physical, technical or ownership constraints to its development and it is well related to adjacent housing.	No changes to the decision for the site to be rejected in response to comment.
OSGB-L (2 responses)	States that the development of this site would not have a negative impact on the openness and setting of the Strategic Countryside Gap. Site is deliverable and in flood zone 1. Recognise that access points onto the A19 and improvements on the A19 are required, but these improvements are within adopted highway or land in the landowner's control.	No changes to the decision for the site to be rejected in response to comment.
OSGB-N (8 responses)	Objections due to loss of agricultural land and the lack of services and infrastructure in Osgodby. Concerns over the state of the PROW. Concerns that adding services will lead to more houses. Need to ensure that sufficient site-specific Agricultural Land Classification Survey data is available. Natural England request a Soil survey is undertaken.	No changes to the policy in response to comments. Requirements amended in relation to ALC and soil survey on the request of Natural England.

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Site Policy	Summary of Responses	Changes made in light of responses
	Support for the site from the Local Education Authority as the provision of a school in this location is seen as essential to enable the local authority to meet local demand for places.	
RICC-J (1 response)	Support for the site from the landowner who states that the full extent of the site should be developed for 180 homes because their transport study confirms that the surrounding roads can be made suitable to accommodate the extra traffic generated from this many homes.	Information added to the site assessment. No changes to the decision for the site to be rejected in response to comment.
SMIL-B (1 response)	Support for this rejected site in the Green Belt to be allocated from landowner.	No changes to the decision for the site to be rejected in response to comment.
SMIL-C (1 response)	Support for this rejected site in the Green Belt to be allocated from landowner.	No changes to the decision for the site to be rejected in response to comment.
SMIL-D (1 response)	The Stillingfleet Mine site should be reassessed for employment provision given the proximity to Heronby.	No changes to the decision for the site to be rejected in response to comment.
STIL-D (147 responses + 742 emails and petitions signatures (excluding duplication)	Both support, but mainly objection to the new settlement of Heronby. Concerns raised include: • the spatial approach and the new settlement option • No need for a new settlement in this plan period • Infrastructure delivery – schools, highways, water, waste water • Traffic • Impact on the landscape • Loss of agricultural land • Design of the settlement • Funding implications • Impact on biodiversity • Objection to the proposed new settlement at Heronby: • Ambitious build out rates proposed - NPPF (2021) paragraph 22 clarifies that new settlements and major	Site removed as an allocation.

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Site Policy	Summary of Responses	Changes made in light of responses
	urban extensions will need to look over a longer time frame, of at least 30 years • instead of 15 years, to take into account the likely timescale for delivery. • Site would comprising 12% of the overall housing supply across the District. • Proposals have been introduced at a late stage of the Plan making process • Close proximity to the boundary with the City of York and only circa 6.5km from the proposed new settlement at Elvington, which the Selby Plan has not paid sufficient diligence to. • City of York Councils formal objection to the Selby Local Plan with regard to the wider highway network. • Need for extended negotiations with Highways England and Homes England regarding infrastructure delivery and funding around the A19 and A64 intersection and surrounding area. • The proposed bypass is a major piece of infrastructure which could face significant unknowns which have yet to be sufficiently investigated.	
THRP-K (3 responses)	Various changes to policy wording suggested by the site developer to allow greater flexibility in the development of the site. Support for the site from the adjacent landowner of rejected site (THRP-X) to achieve development of their site as well. Objection from landowner of Thorpe Willoughby rejected sites.	No changes to the policy in response to comments.
THRP-N (2 responses)	Objection from landowner of Thorpe Willoughby rejected sites. Site assessment to be amended as the site is not disconnected as it is adjacent to an allocation	No changes to the decision for the site to be rejected in response to comments.
THRP-U (1 response)	Site assessment to be amended to be consistent with other Thorpe Willoughby sites regarding proximity to road and rail network. Highways is a design issue can be resolved	No changes to the decision for the site to be rejected in response to comments.

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Site Policy	Summary of Responses	Changes made in light of responses
THRP-V (4 responses)	Site should be pdl to achieve 5% low value area rate in policy HG7. Support for the site from the adjacent landowner of rejected site (THRP-X) to achieve development of their site as well. Objection from landowner of Thorpe Willoughby rejected sites. Objection to being labelled as a Thorpe Willoughby site as it is within Hambleton Parish.	No changes to the policy in response to comments.
THRP-W (2 responses)	Support for this rejected site to be allocated. Objection to being labelled as a Thorpe Willoughby site as it is within Hambleton Parish.	No changes to the decision for the site to be rejected in response to comments.
THRP-X (1 response)	Site assessment to be amended to be consistent with other Thorpe Willoughby sites regarding proximity to road and rail network. The site should be allocated and it presents an opportunity for comprehensive development to the west of Thorpe Willoughby	No changes to the decision for the site to be rejected in response to comments.
ULLE-D (1 response)	Support from the promoter for this rejected site to be allocated.	No changes to the decision for the site to be rejected in response to comments.
ULLE-H (1 response)	Support from the promoter for this rejected site to be allocated.	No changes to the decision for the site to be rejected in response to comments.
ULLE-K (3 responses)	Support from the site from the site promoter. Historic England advise that the site is adjacent to Manor Farm Cottages, a Grade II Listed Building. Development of this area could harm elements which contribute to the significance of this heritage asset. They agree with the conclusions of the Heritage Impact Assessment for this site with regards to the potential impact of development on the significance of heritage assets in its vicinity. They endorse the mitigation measures which have been put forward in the assessment and consider that these are likely to be effective in reducing the harm to the level indicated. Natural England advise that the site is in close proximity to Bolton Percy Ings SSSI and Kirkby Wharfe SSSI. Potential impacts which may arise to the notified features of these sites due to increased recreational disturbance from this allocation should be considered.	Additional criteria added in relation to SSSI.

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Site Policy	Summary of Responses	Changes made in light of responses
ULLE-M (2 responses)	Support from the promoter for this rejected site to be allocated.	No changes to the decision for the site to be rejected in response to comments.

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Selby Local Plan: Second Pre-Publication Local Plan: January, 2024

Sustainability Appraisal: Summary for Committee

Introduction

This short note is a summary of the SA process and the key outputs at this stage to help inform the Executive Committee on 6th February 2024.

The SA is still being finalised, but this is unlikely to substantially alter the SA Report content at this stage, particularly in relation to the appraisal findings for spatial options and site appraisals.

Summary of the process

A fully compliant Sustainability Appraisal has been undertaken in line with current Regulations. Key stages completed to date are as follows:

Scoping – This involved collecting data, information and reviewing the policy context to identify key issues and set a method for appraising the Local Plan.

Interim SA Report – This accompanied the issues and options consultation on the Local Plan

Interim SA Report – This accompanied the preferred options version of the local plan, focusing on the appraisal of sites and spatial options (and draft policies).

Full SA Report – This accompanied the Pre-Submission stage consultation, with a focus on updated spatial options appraisals and an appraisal of the full draft Plan.

Full SA Report – This current SA Report reflects updates to the Plan that have been made.

Considering reasonable alternatives

Central to the SA process is the consideration and appraisal of 'reasonable alternatives'. This is an iterative process, and often involves the appraisal of a series of different options to help inform the Plan as it develops.

The Council has worked closely with AECOM to identify and appraise options at key stages of the plan as it has been prepared. This has included 'high-level' spatial options focusing on the amount and distribution of new homes and employment. It has also included the appraisal of individual sites to coincide with the call for sites and the Council's site selection methodology. As the Plan has taken shape, the options have been refined and become more detailed, culminating in four spatial options for delivering growth across the district. These alternatives have been assessed within the latest SA Report.

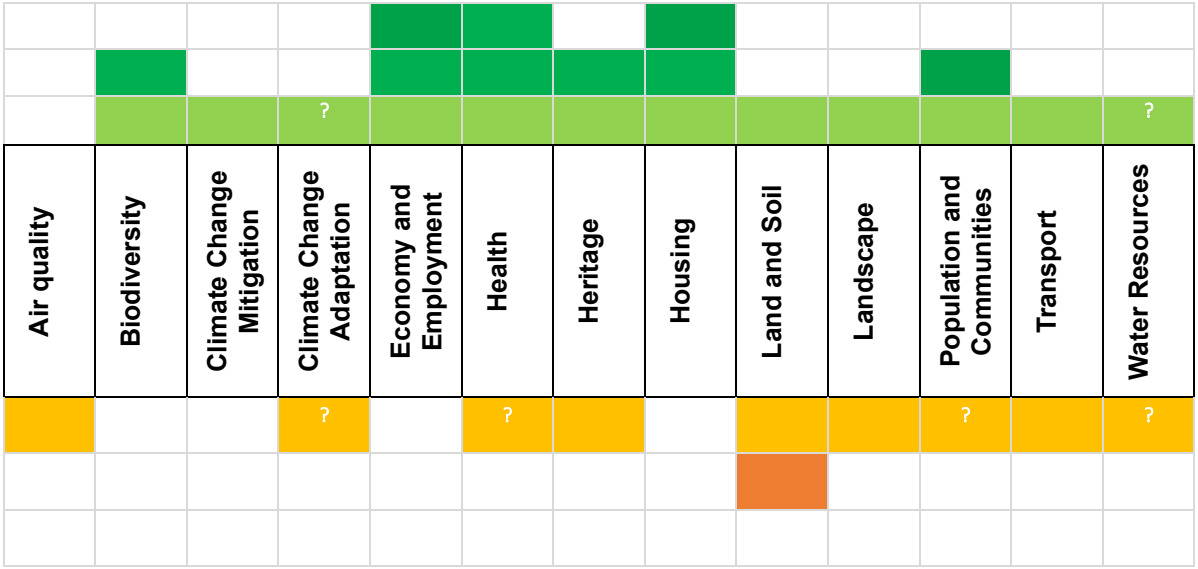
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Summary of the Plan appraisal at this stage

The SA Report sets out an appraisal of the updated Local Plan viewed 'as a whole' (i.e. considering all of the policies in combination). The effects are summarised below against each of the sustainability appraisal framework topic headings.

The majority of effects are positive and are of greatest significance for Economy, Housing, Health, Heritage and Population and Communities.

The negative effects identified are mainly residual effects that are minor and largely managed through the Local Plan policies where the potential for greater negative effects was identified. The exception is land and soil, which records a moderate negative effect due to unavoidable loss of agricultural land.



- **Minor negative effects** are predicted for air quality. *This is the same as for the initial Pre-Submission Plan.*

- **Moderate positive effects** are predicted for biodiversity. *There has been an improvement in policy, so the overall significance is higher than the initial Pre-Submission Plan.*

- **Minor positive effects** are predicted for Climate Change Mitigation. *This is the same as for the initial Pre-Submission Plan.*

- **Mixed effects** (**minor positive** and **minor negative**) are predicted for climate change adaptation. *This is a slight improvement from the previous version and relates to additional policy details relating to flood risk.*

- **Major positive effects** are predicted for economy and employment. *This is the same as for the initial Pre-Submission Plan*

- **Major positive effects** are predicted for Housing. *This is the same as for the initial pre-submission plan*

- **Mixed effects** (**moderate positive** and **minor negative**) are predicted for Heritage. *This is the same as for the initial pre-submission plan, but with a greater acknowledgement of site specific policy.*

- **Mixed effects** (**minor positive** and **moderate negative**) are predicted for land and soil: *This is the same as for the initial pre-submission plan, but with a greater acknowledgement of the positive effects associated with the remediation of contamination.*

- **Mixed effects** (**minor positive** and **minor negative**) are predicted for Landscape: *This is the same as for the initial pre-submission plan, but with a greater acknowledgement of the positive effects associated with townscape improvements.*

- **Mixed effects** (**minor negative** and **moderate positive**) are predicted for population and communities: *This is the same as for the initial pre-submission plan*

- **Mixed effects** (**major positive** and **minor negative**) are predicted for Transport: *This is the same as for the initial pre-submission plan.*

- **Mixed effects** (**minor positive** and **minor negative**) are predicted for Transport: *This is the same as for the initial pre-submission plan.*

- **Mixed effects** (**minor positive** and **minor negative**) are predicted for water resources: *This is the same as for the initial pre-submission plan*

Further comments

The SA has made recommendations for improvements to the Plan throughout its development (with the intention of mitigating negative effects and enhancing positives). The Council has responded to these recommendations at key milestones by either amending plan policies accordingly or justifying why changes are considered to be unnecessary.

Given that there have already been several iterations of the plan (and the policies), no further recommendations need to be addressed at this latest stage.

There is still potential for additional work to be undertaken on the SA throughout the Examination process.

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Selby Local Plan

Publication Local Plan

SA Report

January, 2024

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Part 1: Background

1. Introduction

1.1 Background

What is the purpose of this Report?

1.1.1 This document is a Sustainability Appraisal Report (SA Report) that accompanies the Selby District Local Plan (Second Publication Version), 2024.

1.1.2 The Publication Local Plan is a consultation document prepared by Selby Council ('the Council'). It represents a consultation on a Pre-Submission Publication draft Plan, with a proposed strategy, site allocations and accompanying policies.

1.1.3 A crucial element of the Plan preparation process is to establish a suitable strategy for development growth and distribution. The Local Plan also puts forward a range of site allocations that support the strategy, and a series of policies to help guide development.

1.1.4 Local Development Documents must undergo a Sustainability Appraisal incorporating a Strategic Environmental Assessment that considers the environmental, social and economic consequences of the plan (in light of reasonable alternatives). This SA Report (which encompasses SEA) presents all the information required by Regulations as follows:

- Introduction to the Plan
- Scoping information (baseline position, contextual review, methods for appraisal)
- Appraisal of Spatial Strategy Options.
- Site assessments.
- Appraisal of the Plan 'as a whole'
- Mitigation and enhancement recommendations
- Potential monitoring measures

Current stage of plan making

1.1.5 At the current stage of plan-making, the Council is consulting on a (second) Pre-Submission Publication Local Plan. Following this the Council will prepare and submit the Submission Local Plan to the Secretary of State. It should be stressed that this is not the final Plan, and this may be influenced by further evidence and feedback. Rather, at this stage, the Council is presenting the emerging approach to the Plan.

1.1.6 The current stage follows previous consultations on Issues and Options between January and March 2020, Preferred Options between January and March 2021 and a first Regulation 19 between 26 August and 28 October 2022. Comments received during those consultations have been taken into account when working towards the (second) Publication version of the Selby District Local Plan. The Council also undertook Additional Sites consultation between August and September 2021 and consultation on Evidence Base documents between September and October 2021.

What is the plan seeking to achieve?

1.1.7 The vision and objectives for the Local Plan were developed during initial stages of plan making and have been tweaked as the Plan has progressed to this second Publication stage.

1.1.8 The vision for the Publication Local Plan consists of an overall District Vision, supported by bespoke visions for specific locations of Selby Town, Tadcaster, and Sherburn in Elmet.

1.1.9 Implementing the vision, the Local Plan has the following objectives:

Sustainable Patterns of Development

To focus the majority of new development in the former Selby district area's sustainable locations and settlements, including on previously-developed land, comprising the Selby Urban Area, Tadcaster, Sherburn in Elmet and the expansion of Eggborough, whilst ensuring the continued viability of the area's rural communities. In doing so, full account should be taken of local needs and environmental, social and economic constraints, including water resources and flood risk, Green Belt and highways and ensuring that the District's high-quality natural and historic environment is maintained.

Climate Change and Flooding

To provide resilient and adaptive measures to address climate change to meet national and local targets of achieving net zero carbon emissions; and to help York and North Yorkshire become the first carbon negative sub-region. To develop, in line with national flood policy guidance, a resilient and adaptive approach to managing flood risk from all sources, by diverting development to the areas of lowest flood risk where possible; and in partnership develop a strategy for the Humber and tidal rivers.

Housing

To deliver high quality, energy and water efficient, well-designed locally-distinctive places, comprising market and affordable housing, in the appropriate types, sizes and tenures to meet the areas's future range of needs, including homes adaptable to the impacts of climate change and the changing requirements of its residents including an ageing population.

Economy

To support the creation of well-paid high-quality jobs which align with the skills and aspirations of the local population; nurture existing businesses; support the importance of agriculture and rural diversification; encourage entrepreneurs and innovation; support strengthened digital infrastructure; positively respond to opportunities for growth and promote new emerging sectors which will build a strong and sustainable local economy, with a focus on clean growth and low carbon sectors.

Town Centres

To strengthen the distinctive roles of Selby, Tadcaster and Sherburn in Elmet town centres, through increased town centre living, a broad mix of businesses, an enhanced evening and visitor economy, and the promotion and enhancement of town centre spaces for events and cultural activities, whilst ensuring that they are accessible to all sections of the community by a range of transport modes.

Leisure, Culture and Tourism

To improve the range and quality of cultural, tourist and leisure facilities across the District for local residents and visitors alike, capitalising on the attractive historic nature of towns and villages, along with the rural nature of the wider District, whilst ensuring that provision is appropriate to its location and supported by relevant infrastructure.

Heritage and Place-making

To encourage high-quality design that responds positively to local character and creates attractive healthy places; conserve and enhance heritage assets; secure positive outcomes for the areas's Heritage at Risk; and maximise the opportunities and benefits arising from the it's heritage to provide an attractive and unique built environment for both local communities and visitors to enjoy.

Natural Environment

To protect and enhance the existing network of wildlife sites and priority species; distinctive landscape character; green and blue infrastructure; air and water quality; strategic tree planting to support the ambitions for the White Rose Forest Project, local tree and hedgerow planting; nature recovery networks; and protect against pollution and deliver net gains in biodiversity.

Open Spaces and Recreation

To protect and facilitate the delivery of appropriate and accessible sport and recreational facilities, children's play areas and areas of high quality multi-functional green space and enhanced and extended green and blue infrastructure, to support the health and well-being of the community.

Transport and Infrastructure

To prioritise travel by foot, cycle and public transport, improve links to the wider region and to facilitate the delivery of infrastructure to support new development, including giving support to appropriate social and community infrastructure; and the improvement of digital connectivity across the District.

1.1.10 In the context of the above vision and objectives, the current version of the Local Plan sets out the following approaches:

- A spatial strategy for Selby District
- A range of allocated sites to ensure delivery of the strategy
- A series of planning policies to guide development to 2040
- Site allocations and policies for housing, mixed use development, employment and other uses.

2. Sustainability Appraisal for Selby Local Plan

2.1 Sustainability Appraisal explained

2.1.1 SA considers and communicates the likely significant effects of an emerging plan, and the reasonable alternatives considered during the plan making process, in terms of key sustainability issues. The aim of SA is to inform and influence the plan-making process with a view to avoiding or mitigating negative effects and maximising positive effects. Through this approach, the SA seeks to maximise the emerging Local Plan's contribution to sustainable development.

2.1.2 An SA is undertaken in line with the procedures prescribed by the Environmental Assessment of Plans and Programmes Regulations 2004 (the SEA Regulations) which transpose into national law the EU Strategic Environmental Assessment (SEA) Directive.[1] SA also widens the scope of the assessment from focusing largely on environmental issues to also include social and economic issues.

2.1.3 The SEA Regulations require that a report is published for consultation alongside the draft plan that 'identifies, describes and evaluates' the likely significant effects of implementing 'the plan, and reasonable alternatives'. The report must then be taken into account, alongside consultation responses, when finalising the plan.

2.1.4 The 'likely significant effects on the environment' are those defined in Annex I of the SEA Directive as 'including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors'.

2.1.5 Reasonable alternatives to the plan need to take into consideration the objectives of the plan and its geographic scope. The choice of 'reasonable alternatives' is determined by means of a case-by-case assessment and decision.[2]

2.2 This SA Report

2.2.1 At the current stage of plan-making, the Council is consulting on a (second) Pre-Submission Publication Local Plan which will be subject to consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations.

2.2.2 This SA Report has been produced to document the SA process that has been undertaken alongside the Local Plan, and by doing so discharge the requirements of the SEA Regulations.

2.2.3 This SA Report has been structured into four parts, as follows:

- **Part 1** provides the background information about the Plan and sets out the 'Scope' of the SA.

[1] Directive 2001/42/EC
[2] Commission of the European Communities (2009) Report from the Commission to the Council, The European Parliament, The European Economic and Social Committee and the Committee of the Regions on the application and effectiveness of the Directive on Strategic Environmental Assessment (Directive 2001/42/EC). (COMM 2009 469 final).

- **Part 2** discusses how different options for growth have been considered throughout the plan-making process and sets out an appraisal of alternatives that are considered to be reasonable. This includes strategic approaches and site options.

- **Part 3** sets out an appraisal of the Draft Plan 'as a whole' at the current stage, with recommendations for mitigation and enhancement.

- **Part 4:** Briefly sets out the next steps in the Plan making and SA process

2.3 What is the scope of the SA?

SA Scoping Report

2.3.1 The SEA Regulations require that:

"When deciding on the scope and level of detail of the information that must be included in the report, the responsible authority shall consult the consultation bodies".

2.3.2 In England, the consultation bodies are the Environment Agency, Historic England and Natural England.[3]

2.3.3 These authorities were consulted on the scope of the Local Plan SA between January and March 2020.

2.3.4 Comments were also invited from a wider range of stakeholders by making the Scoping Report available to view and comment upon on the Council's Website alongside the Issues and Options Consultation (24th Jan – 6th March 2020).

2.3.5 The SA Scoping Report was updated following this period of consultation to take account of comments received and new data. A record of the comments made on the Scoping Report (along with a response) is provided at **Appendix A** of this SA Report.

SA Framework

2.3.6 The scoping stage of SA establishes the baseline position and policy context for the SA. This helps to identify the key issues that should be the focus of the SA and the methodology that will be used to undertake the appraisal.

2.3.7 Drawing on the review of the sustainability context and baseline information, the SA Scoping Report identified a range of sustainability problems / issues that should be a particular focus of SA; ensuring it remains targeted at the most important sustainability issues. These issues were then translated into a SA 'framework' (Table 2-1) of objectives and appraisal questions.

2.3.8 The SA Framework provides a way in which the sustainability effects of the Local Plan and alternatives can be identified and analysed based on a structured and consistent approach.

2.3.9 The SA Framework provides a means to ascertain whether and how specific sustainability issues (established through scoping) are being addressed, and to understand the social, economic and environmental implications of options, policies and proposals.

2.3.10 This framework is used to assist in the prediction and measurement of the effects of the Plan (and alternatives) and the monitoring of effects. The objectives and supporting questions are set out below, demonstrating how they link to key issues identified through scoping. The objectives (Particularly 'Health' and 'Populations and Communities') incorporate the requirements of Health Impact Assessment, which will be undertaken as part of the appraisal process.

Table 2-1: The SA Framework and corresponding key issues.

SA objective	*Supporting details*	*Summary of key issues*
Air quality Maintain and improve local air quality and avoid impacts upon human health	Reduce air pollution, such as through supporting or enabling the use of low emission technologies and encouraging sustainable modes of transport such as walking and cycling. Locate and design development so that current and future residents will not regularly be exposed to poor air quality.	There is one AQMA in Selby Town. In broad terms, there has been a decrease in the concentration of air pollution across the district. However, housing and employment growth could create further pollution hot spots in the District.
Biodiversity Protect, conserve and enhance biodiversity, wildlife habitats and green infrastructure to achieve a net gain and reverse habitat fragmentation.	Minimise, avoid where possible, and compensate harmful effects on biodiversity, both within and beyond designated and non-designated sites of international, national or local significance. Achieve biodiversity net gain including through delivery of multifunctional blue-green infrastructure and the long term enhancement and creation of well-connected, functional habitats that are resilient to the effects of climate change.	Selby District's topography and location give it a particular biodiversity significance, reflected by the number of designated sites partially or entirely within the District.
Climate Change Adaptation Adapt to current and future flood risk by directing development away from the areas of the District at the highest risk of flooding from all sources.	Provide sustainable management of current and future flood risk through sensitive and innovative planning, development layout and construction. Minimise flood risk and provide opportunities to deliver SuDs and flood resilient design within new development.	Large parts of the District are at risk of fluvial and fluvial tidal flooding. Flood defences are in place to protect large parts of the District, though there are also areas of natural protection such as washlands and agricultural land. Climate change will likely raise the Ouse's tidal levels with time. This could place pressure on existing defences.

[3] In line with Article 6(3).of the SEA Directive, these consultation bodies were selected because *"by reason of their specific environmental responsibilities,[they] are likely to be concerned by the environmental effects of implementing plans and programme".*

SA objective	Supporting details	Summary of key issues
Climate Change Mitigation Continue to drive down CO2 emissions from all sources	Seek high standards of energy efficiency in new development, seeking carbon neutral development where possible Support provision of attractive opportunities to travel by sustainable means. Increase the proportion of energy produced from renewable and low carbon sources Support carbon capture and storage technologies, such as, the Bio Energy with Carbon Capture and Storage (BECCS) process at Drax Power Station.	Though emissions are on a downward trend, the per capital emissions figure is significantly higher than the national and regional averages. Solar energy presents a high proportion of installed renewable energy generation capacity in the District. Other sources of generation should also be explored. The Plan represents a good opportunity to use green infrastructure as a means of mitigation the effects of climate change.

SA objective	Supporting details	Summary of key issues
Economy and Employment Maintain a strong, diversified and resilient economy to enhance employment opportunities and reduce disparities arising from unequal access to training and jobs.	Ensure that education and skills provision meet the needs of Selby District's existing and future labour market and improves life chances for all, including by enabling older people and people with physical and mental health conditions to stay in employment. Maintain and enhance employment opportunities and reduce disparities arising from unequal access to training and jobs. Provides opportunities for all, enhances the vitality of the District's town and local centres including through the identification of further regeneration opportunities, particularly in the most deprived areas. This could include support for the social enterprise, voluntary and community sectors. Recognise the importance of the rural economy and support diversification and opportunities for the sustainable use of land for a range of purposes.	Following the decline and disappearance of ship building and coal mining in Selby District, advanced manufacturing and energy generation has continued to provide economic growth opportunities in the area. There are a number of significant long-term employers in the District, including Drax, Power Station, Heineken, Legal and General Homes and British Gypsum. Developments, such as, Olympia Park, 'Sherburn2', Gascoigne Wood Interchange, Church Fenton Airfield and the former Kellingley Colliery will be key to economic growth and employment in the area. There are significant commuting flows between Selby District and neighbouring economic hubs. Whilst this connectivity is a key feature of Selby District's economy, the net outflow of talent to surrounding areas creates a deficit of skilled workforce, making it difficult for local employers to find suitably qualifies/ skilled recruits.
Health Improve the physical and mental health and wellbeing of Selby District residents and reduce health inequalities across the District.	Target fastest impact in areas of poorest health, including maximising the potential health benefits of multifunctional green infrastructure. Encourage healthy lifestyles (including travel choices) Improve sporting or recreational facilities and access to them. Improve access to high quality health facilities Increase residents' access to public open space particularly for urban residents	Health deprivation is unevenly distributed, with significant variance in life expectancy evident between wards. This suggests that despite a number of strategic healthcare and green infrastructure assets in the District, access to or take-up of these services is uneven, and accessibility could be enhanced for those most at risk of suffering poor health outcomes.

SA objective	Supporting details	Summary of key issues
Heritage Protect, conserve and enhance designated and undesignated heritage assets, including their setting, significance and contribution to the wider historic landscape and townscape character and cultural heritage of the District.	Contribute to the preservation and enhancement of historic character and cultural heritage through design, layout and setting of new development. Promote access to the local historic environment for the District's residents and visitors.	There is a rich variety and distribution of designated heritage assets present within the District. There are 23 designated heritage assets identified by Historic England as being at risk ranging from buildings, churches, conservation areas to a deserted medieval village. Selby District's wide range of undesignated landscape and townscape assets contribute to its historic character and sense of distinctiveness.
Housing Ensure that new development meets the varied housing needs of the area. Provide affordable and decent housing for all.	Support timely delivery of sufficient homes of an appropriate mix of housing types and tenures, including a focus on maximising the potential from strategic brownfield opportunities. Support managed expansion of rural communities if it helps to improve the sustainability of those settlements. Whilst large schemes are often considered as a solution to the housing shortage, small sites can cumulatively make a significant contribution to supply and offer a flexibility that larger sites cannot.	Selby District's 2020 HEDNA identifies an Objectively Assessed Housing Need (OAHN) for the District of between 333 and 368 dpa. The SHLAA (2021) identified that there were 229 sites with residential planning permissions; enough to potentially accommodate up to 2,344 homes. There is likely to be a significant shortfall in delivery of Older Person's accommodation. Of the total housing delivered for the period 2018/19 to 2020/21, 31% were affordable. This falls short of the Council's previously set target of up to 40%. The 2021-2026 5 year housing land supply report records a good rate of delivery over the preceding three years, achieving an average of 547 dpa for the period.

SA objective	Supporting details	Summary of key issues
Land and Soil Promote the efficient and sustainable use of natural resources, including preserving soil carbon and directing development away from the best and most versatile agricultural land	Maintain the best and most versatile agricultural land and take a sequential approach to the loss of the highest grades (i.e. grade 2 in the context of Selby) Reduce the risk of land contamination Remediate contaminated land Minimise the loss of green field land Maximise the use of Brownfield land	Land with potential to be 'best and most versatile' agricultural land is present across non-urban areas of the District including extensive areas of Grade 2 and potentially some Grade 3a. There are opportunities to deliver some new development on brownfield sites within the District, though this is a finite resource and can be challenging to fully unlock.
Landscape Protect and enhance the quality, character and local distinctiveness of the natural and cultural landscape and the built environment.	Protect/ enhance the character, quality and diversity of the District's landscapes and townscapes through appropriate design and layout of new development, including the preservation of important open space between settlements.	There is considerable diversity of localised character in the District with 17 local landscape character areas identified by the Selby Landscape Character Assessment (2019). Settlements within the District exhibit different levels of landscape and setting sensitivity to development. Some areas are particularly sensitive whilst others less so. The use of hedgerows and trees around settlements could have a positive impact on the landscape and visual impact of development edges on the flat, low lying, landscape. It is also important to maintain the existing green fingers of land towards the centre which may otherwise be affected by development.

SA objective	Supporting details	Summary of key issues
Population and Communities Support good access to existing and planned community infrastructure, including green infrastructure.	Promote accessibility and availability to leisure, health and community facilities for new and existing residents and promote active lifestyle Improve perceptions of safety and fear of crime and to help remove barriers to activities and reduce social isolation Provide and enhance community access to green infrastructure in accordance with Accessible Natural Greenspace Standards	There are areas of both notable affluence and entrenched deprivation within the District, creating a complex and nuanced range of community needs. The District's aging population could mean that certain existing services and facilities, such as social care, will be placed under additional pressure over the plan period and it will be important that opportunities to enhance community service infrastructure through future development are fully realised.
Transport Support the provision of transport infrastructure to meet local population change whilst helping to reduce congestion and travel times and support sustainable modes of transport.	Help provide transport infrastructure to meet local population and demographic change whilst helping to reduce congestion and travel times. Promote infrastructure that maximises accessibility for all and connects new housing developments to the public realm, including key services. Maximise the potential of the District's sustainable transport network by seeking opportunities to connect new development with new and existing services and facilities via sustainable modes of travel. Provision of multi-modal transport hubs	There is a relatively high level of car dependency. This could be in part due to the rural nature of parts of the District. There are good internal and external connections to transport networks through rail and strategic road networks. Traffic congestion is an issue in Selby Town. Despite strong rail links, rail travel represents a small proportion of travel to work trips.

SA objective	Supporting details	Summary of key issues
Water Resources Conserve water resources and protect / enhance the quality of water bodies in the District.	Promote sustainable forms of development which minimises pressure on water resources and minimise water consumption. Provide sufficient water /wastewater treatment capacity to handle additional flows from new development. Help maintain and enhance water quality in the area by minimising wastewater (domestic, agricultural and industrial) discharges into local water bodies.	Sources for abstraction in the District are reaching capacity meaning that increased efficiency in new homes will be an important part of ensuring stable and safe supply over time.

Part 2: Consideration of alternatives

3. Overview of the Plan-making and SA process to date

3.1 Summary

3.1.1 The Plan making process 'formally' began in 2019, with initial engagement and evidence gathering undertaken by the Council to identify the scope of the Plan and establishing the important issues that would need to be dealt with. This culminated in the Council establishing a range of issues and options for growth and inviting comments from stakeholders on an issues and options document between January and March 2020. Alongside this stage, a Sustainability Appraisal Scoping Report was prepared (and consulted upon in parallel), which set out the baseline information, policy context and methods for appraisal.

3.1.2 Following the issues and options consultation, the Council processed all comments received, and took these into consideration when moving towards 'preferred options'. At the same time continued work on evidence base documents was undertaken, including the SA. Notably, this involved an appraisal of reasonable alternative options and individual site options. Feedback on the SA findings for options was provided prior to the Preferred Options Local Plan document being approved.

3.1.3 On the 7th January 2021, the Council's Executive gave approval to consult on the Preferred Options document. An Interim SA Report was prepared to document the appraisal processes that were undertaken in parallel to the Plan-making process at this stage.

First publication stage

3.1.4 Figure 3.1 below provides a simple visualisation of the key plan-making milestones, alongside consultation events that need to be undertaken as part of the SA. As can be seen, a full SA Report needs to be prepared alongside the Pre-Submission Publication Local Plan.

Figure 3.1: The Plan and SA process timeline



3.2 Compatibility of objectives

3.2.0 This section of the SA Report sets out a comparison of the Local Plan draft objectives and the SA Objectives. The purpose of this process was to ensure that SA Objectives and the Plan are broadly compatible and that the Plan will achieve sustainable development. Where objectives are found to be potentially incompatible, it is possible to make suggestions as to the measures that could be taken to ensure that the Plan achieves an appropriate balance between economic, social and environmental factors.

3.2.1 The Local Plan draft objectives which were assessed (at Preferred Options stage) are set out below, followed by a discussion of how these relate to the SA Objectives. It should be noted that the Plan objectives have been amended since this appraisal of the draft Plan Objectives hence the Publication Local Plan objectives (reproduced at 1.1.9) are different to the draft versions shown below. This is the purpose of the objective compatibility process, as it helps to inform decision making; rather than simply appraising the final objectives.

Preferred Options Draft Plan Objectives

1. *Sustainable Patterns of Development*

To focus the majority of new development in the district's most sustainable settlements with the widest range of services and best accessibility, whilst ensuring the continued viability of the district's rural communities.

2. *Housing*

To deliver high quality well-designed places, comprising market and affordable housing in the appropriate types, sizes and tenures to meet the district's future needs.

3. *The Economy*

To support opportunities for the creation of well-paid high-quality jobs which align with the skills and aspirations of the local population and which will build a strong and sustainable local economy.

4. *Retail, Town Centres and Tourism*

To diversify the role of the district's town centres, through increased town centre living, an enhanced evening and visitor economy, and the promotion of town centre spaces for events and leisure activities.

5. *Heritage & Conservation*

To conserve and enhance the historic environment; identify opportunities for improvements; and maximise the opportunities and benefits arising from the district's heritage to provide an attractive built environment for local communities and visitors to enjoy.

6. *Natural Environment*

To ensure that development safeguards the district's high-quality natural environment and reduces the extent and impacts of climate change.

7. *Open Spaces & Recreation*

To facilitate the delivery of appropriate sport and recreational facilities, children's play areas and areas of high-quality amenity open space.

8. *Transport & Infrastructure*

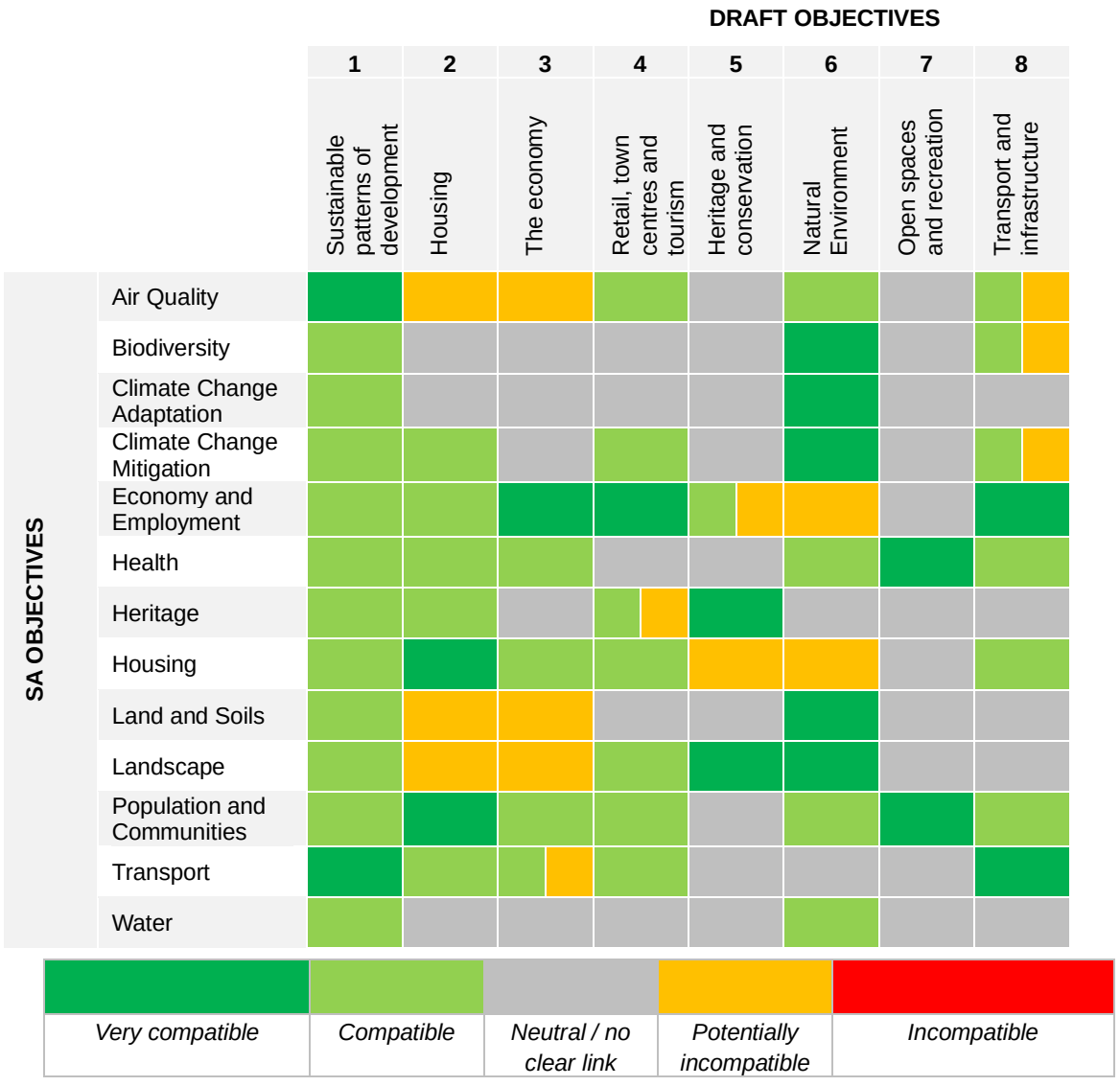
To enable greater opportunities to travel by foot, cycle and public transport and to facilitate the delivery of infrastructure to support new development, including giving support to the expansion of super-fast broadband provision across the district.

Discussion of compatibility

3.2.2 Given the broad nature of high-level Plan objectives, it is difficult to accurately predict 'significant effects' through a comparison of objectives. Therefore, the appraisal identifies whether objectives share a degree of compatibility or not.

3.2.3 It is also important to acknowledge that there are inherent synergies and conflicts between certain objectives. The aim is to ensure that measures can be taken to minimise incompatibilities and make the most of synergies. Table 3-1 sets out a visual summary of the compatibility assessment.

Table 3-1: Summary table of draft Local Plan Objective and SA Objective compatibility.



3.2.4 The comparison of the SA and draft Local Plan objectives reveal that most are compatible, with some very compatible and few potentially incompatible. The rationale behind these conclusions is detailed below.

3.2.5 At this stage, no objectives have been found to be definitively incompatible, however there are some uncertainties due to the subjective nature of some objectives and their potential effects, especially when drawing high level links.

3.2.6 These uncertainties are exemplified through Local Plan Objective 2 (housing) in relation to SA objectives linked to landscape. Where the delivery of additional homes has the potential to be significantly disruptive to both urban and rural landscapes, development also offers the opportunity to improve brownfield land which is a burden to landscapes as well as build upon existing townscapes to better improve the urban landscape. Hence, without the precise detail of Local Plan objective implementation, assuming correlations between Local Plan and SA objectives comes with a degree of uncertainty.

3.2.7 Addressing these uncertainties should be one of the key aims of the SA process to ensure that the Plan is delivered in a sustainable way.

Objectives Compatibility Assessment

3.2.8 The Local Plan draft objectives are broadly well aligned with the SA Objectives. Where potential incompatibilities have been highlighted, these come with a degree of uncertainty and no Plan Objectives are highlighted as being definitively incompatible with SA Objectives.

3.2.9 For some objectives there are clear and strong compatibilities. However, for several objectives it is difficult to say definitively whether they are compatible or not. This is the case where the effects would depend upon the nature of strategies and policies that emanate from the objectives. In the case of Transport for example, compatibilities with environmental objectives such as air quality are clear in terms of active travel and public transport. However, the objective also seeks to support road infrastructure, which could (depending on what is involved) encourage more cars.

Local Plan 'sustainable development' draft objective (1) relating to sustainable patterns of development is considered to be compatible or very compatible with all of the SA Objectives. However, the broad nature of the objective (which encompasses a variety of factors) could explain this high degree of compatibility. More detailed assessments further down the line could reveal that certain patterns of growth are more or less compatible against all the metrics of sustainability. As a high-level objective, it is a positive approach to take though.

Local Plan 'housing' draft objective (2) is compatible with a range of SA Objectives through development-led provisions of infrastructure and facilities which benefit population and communities, health and transport networks. It directly benefits the SA Objective of housing, whilst also having the potential to provide energy efficient homes, increased investment which goes on to boost the local economy as well as offering the chance to better reveal the significance of heritage assets and ensure that design is compatible with local historic character. That said, developments, especially large sites and their associated yield have the potential to be detrimental to air quality through increased traffic volumes at peak times, as well as often damaging natural landscapes and the loss of valuable land and soils.

These are other potential incompatibilities / uncertainties relating to how development affects landscape character, soil and other environmental factors. However, these ought to be possible to address through the Plan making and SA process as it progresses.

The Local Plan 'economy' draft objective (3) is highly compatible with the economy and employment SA objective whilst also indirectly offering benefits for housing, health and wellbeing. The potential for increased travel into the District for employment, as well as commercially linked transportation volume increases could result in worsening air quality, especially at pinch points at peak travel times. The potential for this objective to deliver growth could be to the detriment of SA objectives relating to land and soils and landscape. Employment growth could be compatible with objectives related to travel, as it helps to bring infrastructure improvements. However, also possible is that growth in traffic causes problems on the current network, which makes these possibly incompatible objectives. As a result, an uncertain relationship is recorded at this stage.

Local Plan 'retail, town centres and tourism' draft objective (4) would focus greater and more diverse economic, leisure and residential uses in areas which are already well served by services, jobs and residents. This reduces the need to travel, thereby increasing the likelihood of active travel. These are aligned and compatible with SA objectives relating to air quality, climate change mitigation, housing, populations and communities and transport. The objective would also be beneficial in terms of protecting the natural and open countryside landscape by keeping development within or adjacent to pre-existing built-up areas. This objective strongly correlates with the SA objective relating to economy and employment, by increasing the numbers of people, businesses and opportunities in urban spaces. A town centre diversification approach is not considered to be incompatible with any of the SA objectives. There is some slight uncertainty whether redevelopment and focus on such locations could possibly lead to negative implications for heritage. However, it is also possible that such an approach brings enhancements to the built environment.

Local Plan 'Heritage and conservation' draft objective (5) offers no clear link to the majority of SA objectives. It does, however, provide positive compatibility with the heritage and landscape by ensuring that local assets are protected, and that development is sensitive in respect to local character and setting. Though the compatibility is more indirect, the heritage and conservation objective could also have benefits relating to the visitor economy. The protection of the local historic environment could (though this is not certain) result in barriers to development, and hence there are potential incompatibilities between this objective and the housing / employment SA objectives.

Local Plan 'natural environment' draft objective (6) has been assessed as strongly compatible with the SA objectives relating to biodiversity, climate change (mitigation and adaptation), land and soil and landscape. The strong compatibilities are positive where a protected natural environment is a key prerequisite for retaining rich biodiversity, for use in mitigating climate change via carbon sequestration as well as providing resilience to its effects. The natural environment also forms a core element of the landscape characteristics, especially in more rural areas.

To a similar extent, the compatibility has crossovers with SA objectives relating to land, soil and water resources, this is where protections from polluting sources and preservation of natural assets are promoted. The natural environment also brings benefits for naturally mitigating air pollution issues and serving as an asset for people to enjoy, which in turn boosts mental and physical health outcomes. The potentially incompatible SA objectives linked to Local Plan objective 6 are housing and the economy and employment, where the protection of the natural environment may act as a constraint to growth. However, economic activity may well involve the delivery of low carbon technologies, more sustainably performing homes and facilitate a move towards low carbon living. If the Plan seeks to address these issues in tandem, then the objectives are not necessarily incompatible.

Local Plan draft objective concerning 'open spaces and recreation' (7) has no direct link to most of the SA objectives. It is very compatible with those objectives relating to people and communities. Benefits are linked to the mental and physical health benefits which can be expected to be gained from increased physical activity and access to facilities which enable such activities. It should also ensure residents are provided with sufficient facilities to participate in sports and activities as well as access green and open space. Though the provision of 'amenity open space' can have benefits for environmental factors such as biodiversity, flood risk, landscape and air quality, this is not a guarantee, especially if the focus is upon 'amenity / beautification' rather than the function of spaces. A focus on green infrastructure and multifunctional open space would make the intention clearer in this respect (removing the uncertainty).

Local Plan 'transport and infrastructure' draft objective (8) has very strong correlations with SA objectives relating to an increase in sustainable and actives modes of travel and reductions in the need to travel long distanced by unsustainable means; this links to air quality, climate change mitigation and transport SA objectives. Health has compatible ties to this, through the promotion of increased levels of physical activity. This Local Plan objective is also beneficial to populations, communities and housing as it provides additional facilities for people to make use of. The economy and employment SA objective is linked to this Local Plan objective where it is proven that an increase in active travel correlates to increased footfall in local businesses and well as increases in worker productivity and accessibility. There are some potential incompatibilities, as the required infrastructure to support new development might lead to increased car use or could involve impacts on environmental factors.

Identified Uncertainties

3.2.10 To a large degree, the uncertainties associated with the Local Plan draft objectives and their compatibilities with SA objectives are related to viability and issues relating to growth.

3.2.11 The other main uncertainties relate to how development is delivered, and the fact that certain objectives are multi-faceted (with some aspects likely being positive, and some potentially negative).

Local Plan draft objectives 2 and 3 (housing and economy)

3.2.12 The two Local Plan draft objectives relating to housing and the economy broadly share the same uncertainties relating to the SA objectives of: air quality, land and soils and landscape. The incompatibility comes where Local Plan objectives promote growth which is typically associated with an increase in traffic volumes (impacting air quality) as well as potentially leading to a loss of valuable land and soils and having damaging impacts on the landscape character. However, there are some inherent uncertainties associated with these correlations. For example, a small housing development in very close proximity to a key built-up centre (for example, Selby) with a comprehensive provision of infrastructure aimed at facilitating active travel would be unlikely to have a significant impact on air quality. Conversely, a large new settlement could lead to a dramatic decrease in air quality in the area, especially at pinch points and at peak times. Likewise, the form of development will influence the nature of effects. A green infrastructure led strategic development may well lead to improvements in the quality of land, particularly if it is not particularly sensitive.

3.2.13 When looking at effects on land and soils, growth on greenfield land could result in the loss of land. In many instances, this is unavoidable if housing and employment needs to be met. Therefore, the key issue is to ensure that effects are minimised and compensated for if possible.

3.2.14 If a development or area of growth is well designed and sensitive to the local land or town-scape then it may not be contravening the landscape objectives. However, uncertainties also surround the scale of growth, for example, a large residential development may be designed to exceptionally high standards and in keeping with local character, however the sheer scale could deliver significant impacts to the landscape.

3.2.15 Another consideration is related to the nature of development, for example a business which serves to protect and maintain the landscape and soil and land assets could act to benefit the natural assets as well as driving economic growth.

3.2.16 Hence, whilst in general the prospects of growth are potentially in contradiction with the SA objectives of air quality, land and soils and landscape, the specifics of how the Local Plan draft objectives are realised will determine the true correlations.

Local Plan draft objective 5 (heritage and conservation)

3.2.17 The uncertainties relate d to this draft objective and the SA objectives relates to the nature of development and whether it acts as a constraint or opportunity. Where this objective seeks to safeguard historic assets and ensure that local character is retained, new development and growth is likely to have more thorough requirements to adhere to; particularly relating to design and directing development away from sensitive areas. That said, the historic environment often plays an important role within local visitor economies, and hence, these protections could act as a driver of economic activity. Furthermore, well designed developments could possibly help to provide viable uses for otherwise vacant buildings and derelict sites (benefiting historic and natural environments).

Local Plan draft objective 6 (natural environment)

3.2.18 This Local Plan draft objective also has uncertainties relating to the nature of development and whether it acts as a constraint or opportunity.

3.2.19 Economic and housing growth could be limited due to constraints linked to the natural environment. However, the precise nature of how this plays out depends on individual schemes and the characteristics of the land being sought for development.

Local Plan draft objective 7 (open spaces and recreation)

3.2.20 This Local Plan objective could potentially be compatible with a wider range of sustainability objectives. However, for this to be stated with more certainty, there ought to be a greater focus on the delivery of multifunctional green space, rather than 'amenity green space'.

Summary and Recommendations

3.2.21 The Local Plan Preferred Options draft objectives and SA objectives are mostly compatible, with some classed as very compatible and a minority as potentially incompatible (though these come with a degree of uncertainty and are not insurmountable issues).

3.2.22 No Local Plan draft objectives are wholly incompatible with any of the SA Objectives.

3.2.23 Some more pronounced, yet uncertain incompatibilities exist where Local Plan draft objectives which promote growth (housing and the economy) could be in contradiction with the SA objectives which promote good air quality, sustainable use of land and soils and protection of landscape characteristics. These are inherent issues though, and though flagged at this high level of appraisal, are not issues that cannot be overcome and are entirely dependent on a range of factors relating to the nature of developments. Ensuring that development achieves net gains in environmental quality will help to ensure that growth can be achieved without having detrimental effects on environmental factors.

3.2.24 It is recommended that the approach to the provision of open space focuses on 'multi-functional green infrastructure' rather than an emphasis on 'amenity open space', which often does not perform a wide range of ecosystem services.

Influence of the SA process

3.2.25 The compatibility assessment undertaken on the Local Plan draft objectives was taken into account by the Council when finalising the Publication draft Plan objectives.

3.2.26 For example, a new Publication Local Plan Objective was added specifically dealing with climate change, and the recommendations relating to multi-functional green infrastructure were factored into the appropriate objectives.

3.2.27 It should also be remembered that the final Publication Local Plan Objectives have also been influenced by more detailed appraisal of spatial options, sites and policies, which helped to tease out and address the potential incompatibilities between objectives that were identified at preferred options stage.

4. Establishing reasonable alternatives

4.1 Background

4.1.1 Identifying and appraising reasonable alternatives is a crucial element of the SA process. Whilst there are many different issues and options associated with a Local Plan, those which are at the heart of the Plan are those that are focused upon through the SA process. As such, the SA covers the following key elements of the Local Plan:

- Spatial growth options for housing and employment.
- Individual site options.

4.1.2 There are many more 'options' that were set out at Issues and Options stage, but these do not constitute reasonable alternatives for the purposes of SA.

4.2 Spatial growth strategy

4.2.1 The Council identified a preferred approach to spatial development and growth, which was set out primarily in **Preferred Approach SG2 - Spatial Approach**.

4.2.2 In brief, the Preferred Options strategy sought to provide a minimum of 110ha of employment land and 8,040 new homes over a Local Plan period between 2020-2040. In terms of distribution, key features were as follows:

- Taking a settlement hierarchy approach to the distribution of growth.
- The inclusion of a new standalone settlement (location to be confirmed).
- Urban extension to Eggborough.
- Reliance on existing employment land supply, supported by regeneration opportunities at Gascoigne Wood Rail Interchange and Olympia Park.

4.2.3 Before coming to a decision on the preferred option, the Council considered a range of alternatives for the scale and distribution of housing and employment growth.

4.2.4 The starting point for exploring options was to refer to key pieces of evidence such as the Housing and Employment Development Needs Assessment 2020 (HEDNA). This set the context for the amount of housing and employment land that is needed over the plan period, and therefore has a bearing on the ways that growth could realistically be distributed across the District.

Housing need

4.2.5 The HEDNA (2020) identified a need of between 342 and 382 dwellings to meet housing need. However, the Council considered that an uplift should be made for flexibility and to take account of wider economic aspirations. Consequently, a target of 402 dwellings per year was identified as reasonable, which equates to 8040 dwellings over the plan period.

4.2.6 At preferred options stage, the Council considered alternatives below this figure to be unreasonable as this may not support economic growth. The Council's view remains the same at Publication, Pre-submission stage.

4.2.7 When options assessment work was being undertaken, there was uncertainty regarding whether higher levels of growth might arise (*due to ongoing consultation by the Ministry of Housing, Communities and Local Government on the revised standard housing methodology*). Therefore, a higher growth scenario of 589 dwellings per year (11,780 over the plan period) was also considered to be potentially reasonable and was assessed through the SA. This was the figure for the District with the proposed revisions to the standard housing methodology.

Employment needs

4.2.8 The HEDNA identified a need for a minimum of 110ha of employment land to meet needs. The supply position illustrates that there is sufficient employment land in the pipeline to meet and exceed identified these needs.

Distribution of development

4.2.9 In terms of distribution, a range of factors was considered when exploring what might be reasonable. First and foremost, any approach must be capable of delivering the Plan vision, otherwise it is not reasonable. Other important factors include:

- Existing patterns of development.
- Proposed site opportunities.
- Options and ideas proposed by stakeholders.
- Land supply.
- 'Hard' constraints.
- Deliverability.

4.2.10 The issues and options paper identified a range of 'broad options' for the distribution of housing and employment.

4.2.11 The following Spatial Housing Options were included in the Issues and Options Consultation Document in January 2020.

- Option 1 – New housing development to be dispersed across all settlements
- Option 2 – Focus development in towns and larger villages which have several key facilities and have good rail and highway connections
- Option 3 - Focus new housing development near future employment sites, through the expansion of villages in these locations
- Option 4 – Development along strategic transport corridors
- Option 5 – Provision of a new settlement
- Option 6 – A mix of options
- Option 7 – An alternative approach

4.2.12 At Issues and Options stage, the detailed distribution of development was not determined for the 7 housing options identified above. However, the Council undertook an analysis of the pros and cons of each approach and invited comments from stakeholders.

4.2.13 Feedback from consultation revealed a strong preference for Housing Option 6, and it also became clear to the Council from land supply and constraints information that a mix of development options would be an appropriate strategy to pursue.

4.2.14 With regards to employment growth, 6 broad options were identified as follows:

- Option 1 – Focus new development in locations which are in close proximity to existing large scale employment hubs
- Option 2 – The re-use of brownfield sites for employment
- Option 3 - Focus new employment development in close proximity to settlements along strategic transport corridors
- Option 4 – Focus new development in close proximity to key transport hubs
- Option 5 – A mix of the above options
- Option 6 – An alternative option?

4.2.15 Notwithstanding the options above, the evidence in the HEDNA suggested that there is sufficient supply of employment land in the District for the Local Plan period. The strategy for the location of employment land is therefore already in place with regards to meeting identified needs (110.2 ha).

4.2.16 Despite this, a key aim of the Local Plan is to support sustainable economic growth. In particular, there is a desire to deliver the key strategic sites and place making schemes set out in the Selby District Economic Development Framework (2022). Two sites in this document have therefore been identified as locations where economic development will be supported. These are Gascoigne Wood (brownfield opportunity with importance as a rail interchange) and Olympia Park (good links to Selby Town), which together total 90.95 ha.

4.2.17 The Council consider that there are no other alternatives to the employment strategy. Not supporting delivery of these opportunity sites is considered contrary to the Plan vision. There are no other strategic opportunities, and no evidence that suggests smaller dispersed growth of employment land is necessary.

<u>The Reasonable Alternatives: Preferred Options Stage</u>

4.2.18 Building on the work undertaken at Issues and Options stage, the Council established five options for delivering needs-led housing growth (402 dwellings per year). These are each a mix of the 'broad options' for growth, but the focus of development differs for certain settlements / growth locations.

Option A: Focus on Selby with smaller distribution elsewhere (a settlement hierarchy approach)

Option B: More development in the smaller villages, less development in Selby Town

Option C: Less development in Eggborough and Selby Town, more growth in smaller villages

Option D: Less development in Selby Town, expansion of Eggborough and more growth in smaller villages

Option E: Green Belt Release. Less development in Selby Town, expansion of Eggborough

4.2.19 At the higher scale of growth (to meet 589 dwellings per year as indicated by the Government's consultation on the revised standard housing methodology), only three options were considered to be reasonable.

Option F: Focus on Selby Town with smaller distribution elsewhere (i.e. a settlement hierarchy approach).

Essentially this is the same as Option A, but to meet higher levels of need, there would be a requirement to maximise growth at Selby Town and introduce two new settlements.

Option G: Increased Green Belt Release rather than dispersing growth to smaller settlements. There would still be a requirement for two new settlements though.

Option H: Limited Green Belt release and more widespread dispersed growth, and therefore require the delivery of three new settlements.

4.2.20 Table 4.1 below sets out the levels of development apportioned to different settlements and growth locations for each of the five options.

4.2.21 It is evident that for many settlements, the level of growth involved is relatively consistent across the options. This reflects constraints and supply-side factors.

4.2.22 Where growth is higher or lower at particular settlements, this reflects a focus of those options. For example, growth at Tadcaster is set at 400 dwellings and growth at Sherburn is set at 300 dwellings, in all options with the exception of Option E, which involves Green Belt release at these two settlements (and hence higher growth in these locations for Option E).

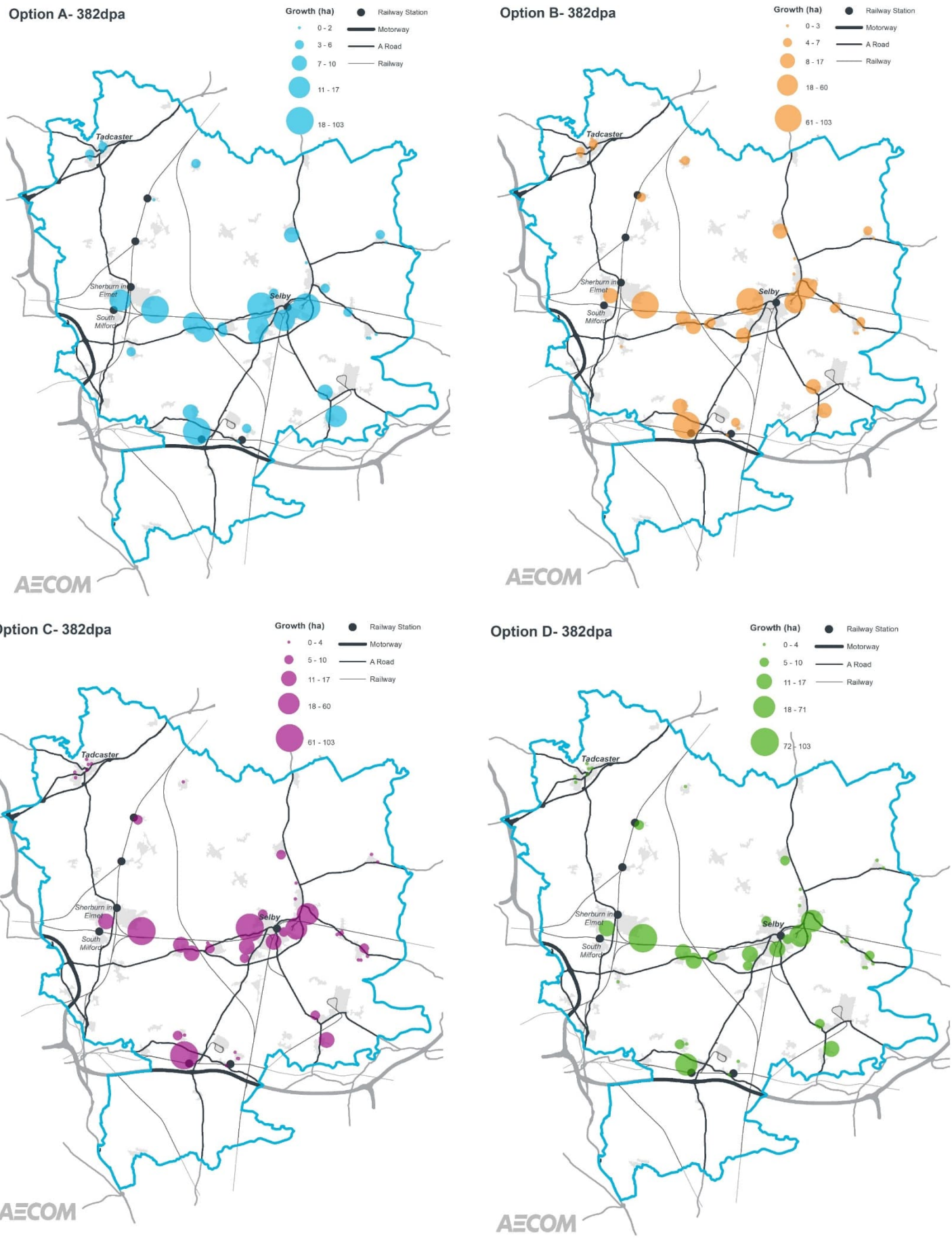
4.2.23 With regards to employment, the strategy is consistent for each option. As discussed above, there is already sufficient land to support employment needs, but two strategic opportunity areas have also been identified as important elements of the Local Plan.

4.2.24 To aid in the understanding of each option, a map was prepared for each that visualises growth. These follow in Table 4-1.

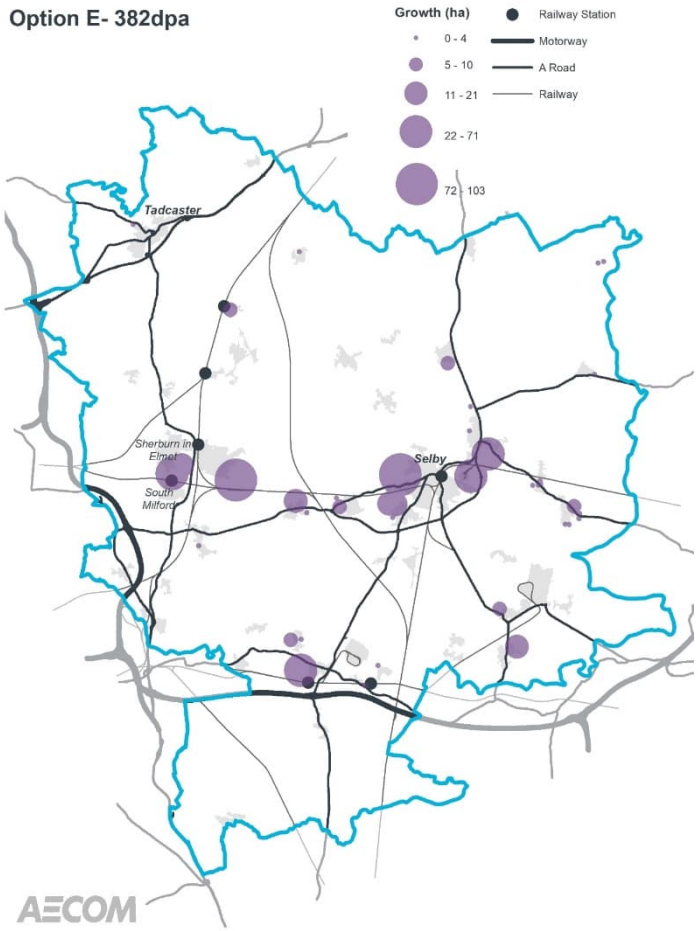
Table 4-1: Breakdown of the strategic growth options (Preferred Options stage).

	402 dwellings per annum (8040 dwellings over the plan period)					589 dpa (11,780 over the plan period)		
	Option A	Option B	Option C	Option D	Option E	Option F	Option G	Option H
Spatial Strategy Option Description	Focus on Selby with smaller distribution elsewhere	More development in the smaller villages, less development in Selby Town	Less development in Eggborough and Selby, more growth in smaller villages	Less development in Selby Town, expansion of Eggborough and more growth in smaller villages	Green Belt Release. Less development in Selby Town, expansion of Eggborough	Focus on Selby with smaller distribution elsewhere	Substantial Green Belt Release and 2x New Settlements	Limited Green Belt Release and 3 x New Settlements
Supply @ 31.03.2020	2285	2285	2285	2285	2285	2285	2285	2285
Residual Target	5755	5755	5755	5755	5755	9495	9495	9495
Selby Town	1750	550	550	550	550	2050	1750	1750
Tadcaster	400	400	400	400	600 (200 of which Green Belt)	400	400	400
Sherburn	300	300	300	300	800 (500 of which Greenbelt)	300	800 (500 of which Greenbelt)	300
Eggborough	1350	1350	400	1350	1350	1350	1350	1350
New Settlement(s)	One 1260 in plan period / 3000 in total	One 1260 in plan period / 3000 in total	One 1260 in plan period / 3000 in total	One 1260 in plan period / 3000 in total	One 1260 in plan period / 3000 in total	Two 2520 in plan period / 6000 in total	Two 2520 in plan period / 6000 in total	Three 3780 in plan period / 9000 in total
Green Belt Description					200 Tadcaster 500 Sherburn		+1000 outside of Selby, Tadcaster and Sherburn	+500 outside of Selby, Tadcaster and Sherburn
Tier 1 Villages	810	1350	1650	1200	1200	2100	1320	810
Tier 2 Villages	700	1200	1525	1050	900	1600	1100	850
Smaller Villages	Windfall	Windfall	Windfall	Windfall	Windfall	Windfall	Windfall	Windfall
TOTAL	6570	6410	6085	6110	6660	10,320	10,240	9,740
'Oversupply'	815	655	330	355	905	825	745	245

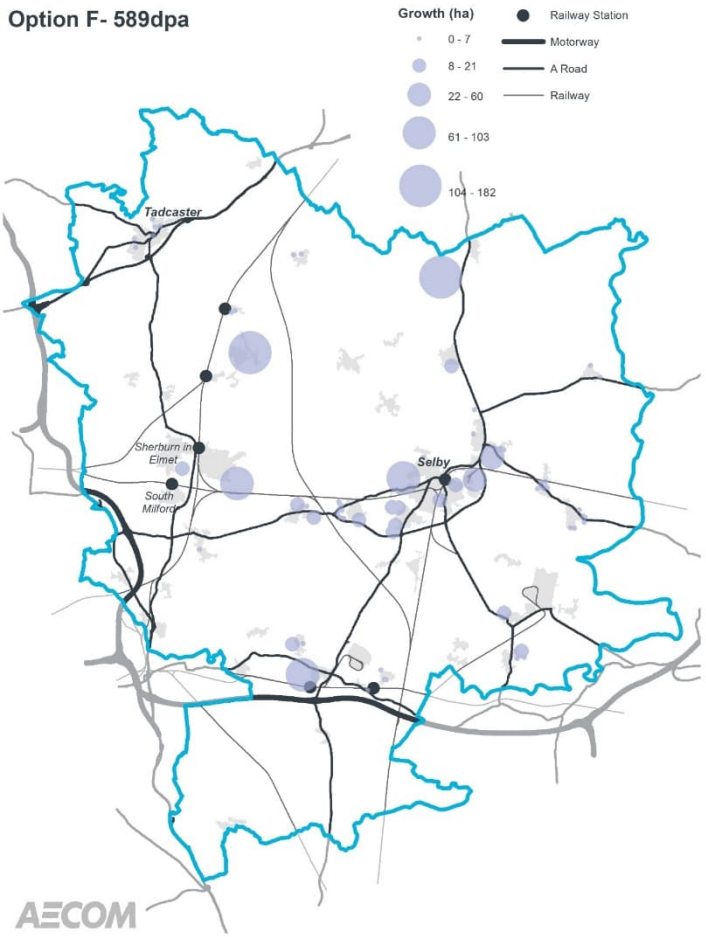
Figure 4-1 Distribution of growth for the spatial options



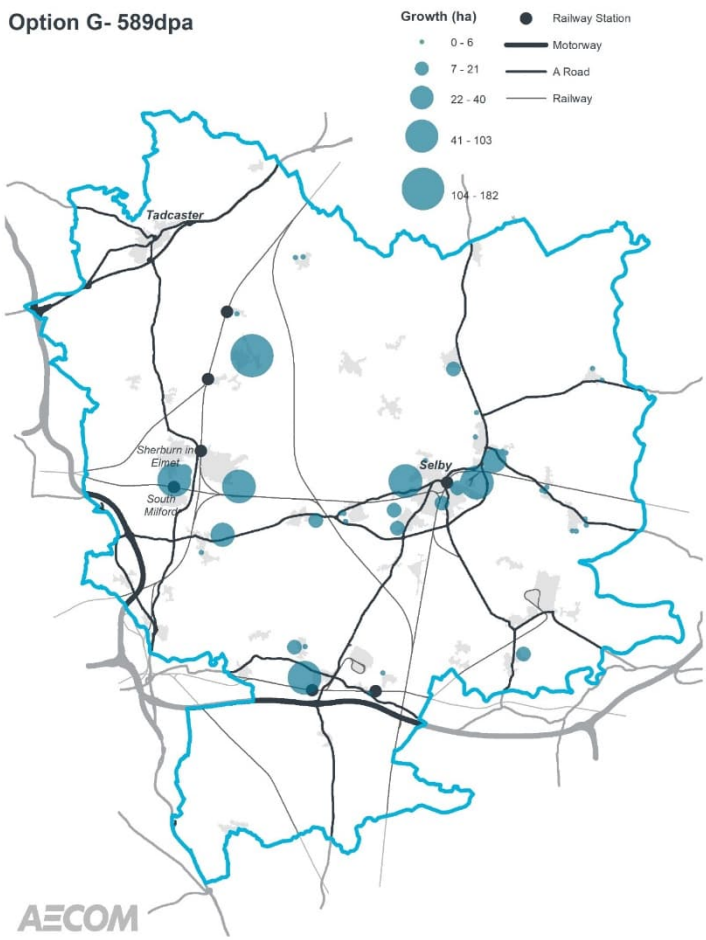
Option E- 382dpa



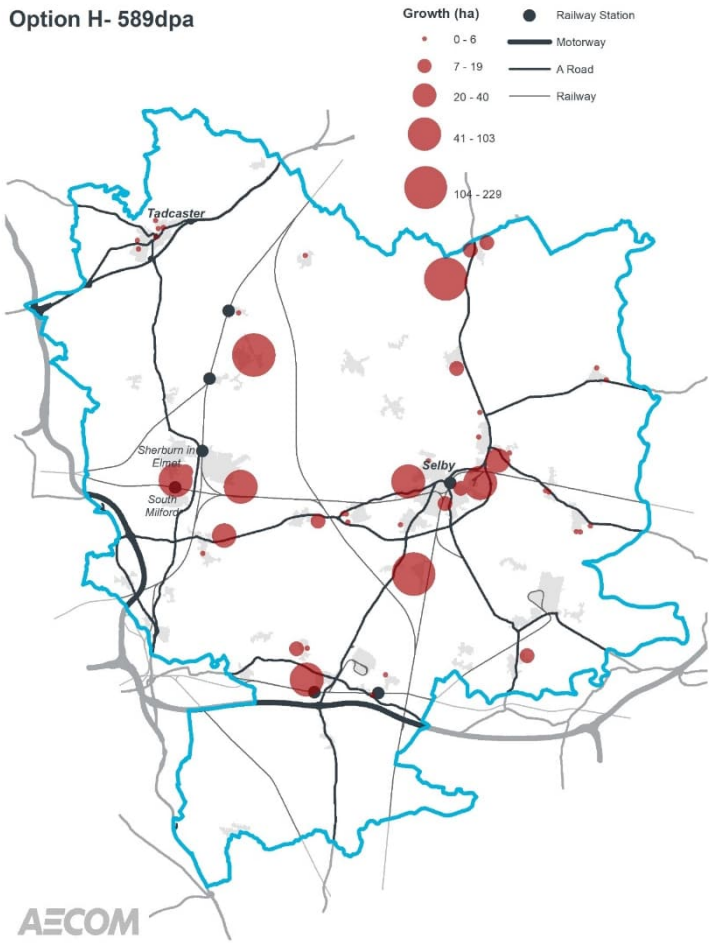
Option F- 589dpa



Option G- 589dpa



Option H- 589dpa



5. Appraisal findings: Strategic Spatial Options (Preferred Options Stage)

5.1 Methods

5.1.1 The appraisal of spatial options was undertaken by assessing each option against a framework of sustainability objectives.

5.1.2 These sustainability objectives for the SA were established at the Scoping Stage of the SA process.

5.1.3 The aim is to identify what the effects would be as a result of development and how this compares to what might otherwise be expected to happen (the projected baseline).

5.1.4 To determine effects, account is taken of a range of factors including the magnitude of change, the sensitivity of receptors, the likelihood of effects occurring, the length and permanence of effects, and cumulative effects. This gives a picture of how significant effects are likely to be, ranging from neutral, minor, moderate and major. The table below (Table 5-1) sets out the scale that has been used to record effects.

5.1.5 When determining what the overall effects of each option are, account has been taken of the different effects that could occur in different settlements and locations across the district. A detailed picture has been built up for each sustainability topic as to how different patterns of growth would affect the District. In some cases, the overall effects might be the same, but how these arise might be quite different.

5.1.6 To support the assessments, we have referred to SA objective information and facts gathered in support of the Scoping Stage. However, as with all assessments, a degree of professional opinion is involved, and this should be recognised.

Table 5-1: Significance scale

Major positive	
Moderate positive	
Minor positive	
Neutral	
Minor negative	
Moderate negative	
Major negative	
Uncertainty	?

5.2 Summary of findings (preferred options stage)

5.2.1 The table below (Table 5-2) presents a visual summary of the strategic options appraisal findings. This is followed by a summary of the effects by each SA topic, and then a comparison of each option.

5.2.2 For clarity, the Council's proposed preferred approach (Option A) at this stage is highlighted below in purple.

5.2.3 Option A is the only one of the needs-led options that generates major positive effects in terms of all three topics of housing, economy and employment and health. This owes to the fact that it focuses growth in and around Selby Town, which brings together housing and employment opportunities, whilst also being one of the only areas in the District that experiences higher levels of multiple deprivation.

Table 5-2: Strategic spatial option appraisal findings (Preferred Options Stage)

**Purple highlight* indicates preferred option	Needs-led growth					Higher growth		
	A	**B**	**C**	**D**	**E**	**F**	**G**	**H**
Air quality	?		?					
Biodiversity							?	
Land and Soil								
Climate change adaptation						?	?	?
Climate change mitigation								
Economy and employment					?			
Health								
Heritage						?	?	?
Housing								
Landscape								
Population and Communities								
Transport								
Water	?	?	?	?	?			

5.3 Population and Communities

Needs-led growth

5.3.1 As the principal town in the District, Selby is well equipped to support leisure and recreation needs of existing and new residents. Further growth on strategic developments could help to complement such facilities, and potentially benefit communities that suffer inequalities. The location of sites could also bring potential to enhance access to green infrastructure if this is designed into the development from the outset. For this reason, Option A is predicted to be most positive in relation to these factors when compared to options that disperse growth wider.

5.3.2 The dispersed approaches are unlikely to support new facilities but could support the vitality of existing ones. This can be very important in smaller settlements. Therefore, positive effects are likely to accrue for rural communities in this respect, especially for Option C, which might also support some new community facilities and open space where levels of development are higher.

5.3.3 New settlements and expansion of settlements are involved for all options, and this brings good opportunities to create sustainable settlements that are well served by local facilities, retail and recreation. This too could benefit surrounding settlements.

5.3.4 Overall, Option A is predicted to have moderate positive effects, as it directs a large amount of growth into areas that are well equipped to support growth and community development.

5.3.5 Option E is also predicted to have moderate positive effects. Whilst a fairly dispersed approach is taken, which means the services available some developments will be more limited, the increase in greenbelt development would also support good access to services in the affected settlements of Sherburn and Tadcaster.

5.3.6 Options B, D and C are predicted to have minor positive effects. Whilst they still involve growth in Selby Town, and the rural areas, it is less pronounced, and the effects are somewhat more diluted compared.

Higher growth

5.3.7 At a higher scale of growth, the potential to deliver infrastructure improvements increases, and therefore, **major positive effects** could arise for each higher growth option (albeit with different communities benefiting more or less depending upon the approach taken).

5.4 Climate change mitigation

Needs-led growth

5.4.1 It is considered that development proposed under any of the options has the potential to incorporate renewable or low carbon energy. However, generally larger-scale developments offer a greater opportunity to incorporate renewable or low carbon energy. For example, in larger schemes, large active solar systems can be combined with community heating schemes to support renewable energy and increased energy efficiency. In this context, those options that involve strategic developments (such as new settlements and settlement expansion) ought to be more beneficial to meet this objective. That said, if these schemes are required to support other improvements to infrastructure, then the potential for low carbon development could become more problematic. At this stage, it is recommended that any approach that is followed should seek to explore the potential for on-site measures to reduce carbon emissions and generate low carbon energy.

5.4.2 In terms of emissions from transport there is little to add to the discussion presented under the air quality and transportation SA themes. Road transport is a significant contributor to greenhouse gas emissions in the District, with the rural nature of the much of the District, as well as issues relating to public transport provision, meaning that car ownership is particularly high. It is considered that all the options have the potential to lead to increases in greenhouse gas emissions from transport given that they all propose significant growth likely to lead to an increase in car-based travel. It is also recognised that growth focussed towards key settlements (Selby, Tadcaster and Sherburn in Elmet) would likely capitalise upon existing sustainable transport infrastructure present at these locations. This is potentially positive for Option A, but Options B, C, D, E and F, which focus a higher level of growth towards lower tier settlements (Tier 1 and Tier 2 villages) is likely to increase private car journeys as residents would need to travel further afield e.g. to major service centres such as Selby Town in order to access services and employment opportunities.

5.4.3 As a result, Option A is predicted to have **neutral effects** overall, whilst Options B, C, D and E **minor negative effects** (as there would be a refocusing of growth to broadly less accessible locations). This is related primarily to patterns of travel.

Higher growth

5.4.4 The delivery of higher growth and new settlements through Options F-H in particular would potentially in the longer term create the critical mass to deliver significant new transport infrastructure. This would likely reduce the need to travel, supporting modal shift, with the potential for minor long-term positive effects.

5.4.5 However, an overall increase in housing is likely to increase total carbon emissions within Selby District (through increased extraction of materials, construction activities, and servicing to a wider urban area (for example more waste management will be required, more water treatment and so on). In the plan period, this is likely to offset any benefits that might arise due to improved performance of buildings and new infrastructure. Therefore, **minor negative effects** are predicted.

5.5 Economy and Employment

Needs-led growth

5.5.1 All the options involve employment growth in key locations, which is likely to lead to positive effects in terms of the provision of employment land that is accessible to existing communities. In terms of further housing growth, the options perform similarly in some respects, given that all involve growth across the District in important locations. However, there are some differences, which influence the overall scores for each option.

5.5.2 Option A places most of the growth in Selby Town, which is a key location for existing and future employment growth. This ensures a good match between housing and jobs, and brings investment, and jobs (in construction) to areas that are most deprived (though it is not a certainty these communities would benefit). Though the spread of development to the Tier 1 and 2 settlements is fairly small, it should support their ongoing viability, but without having a notable effect on the rural economy. Overall, a **major positive effect** is predicted.

5.5.3 Options B, C, D and E disperse growth more widely and so the benefits associated with Selby Town are less pronounced. Positive effects are still likely to arise though due to the involvement of settlement expansion in Eggborough, and a new settlement (which would involve an element of employment land).

5.5.4 For Option B and D (to a lesser extent), the effects for the smaller settlements would be more positive, and much else remains the same compared to Option A. However, the benefits in the smaller settlements are not considered to be as significant as those under Option A which focuses on Selby Town. Therefore, **moderate positive effects** are predicted overall for both options.

5.5.5 Option C is likely to be most supportive of growth in rural economies and the vitality of the Tier 1 and 2 settlements. However, it does not have the same benefits at Eggborough that all other options do. Therefore, **moderate positive effects** are predicted.

5.5.6 Option E involves additional growth at Sherburn in Elmet and Tadcaster, whilst only slightly reducing growth in the rural areas compared to Option D. As the second and third largest settlements in the District, this brings economic growth opportunities to these locations and also places homes in locations that are accessible to employment opportunities. Therefore overall, potentially **major positive effects** are predicted when considered alongside the benefits associated with Eggborough, a new settlement and modest growth in a range of other settlements.

Higher growth

5.5.7 At a higher scale of growth, the inward investment in housing, construction and infrastructure will lead to a greater magnitude of positive effect overall across the District. All the options contain significant growth in Selby Town, with the associated benefits, whilst also promoting at least 2 new settlements with employment land involved. The higher overall growth in housing should also mean that a higher proportion of people are able to remain in the District to access work or be attracted to live closer to places of employment. All three options are predicted to **have major positive effects.**

5.6 Transport

Needs-led growth

5.6.1 Overall, Option A is predicted to have minor positive effects. The majority of growth would be in accessible locations, and strategic growth at Eggborough and a new settlement could help to improve transport links in these parts of the District. Whilst some development in less accessible locations is still involved; this does not outweigh the positive effects that ought to arise.

5.6.2 Options B, C and D disperse growth to a greater extent (though Option D directs more towards Tadcaster and Sherburn in Elmet, which are also well serviced). As a result, the potential for new development to be positively located and promote sustainable travel is more limited. Though some benefits could still arise from settlement expansion and a new settlement, the negative effects associated with this dispersal mean that the effects are likely to be **neutral** overall.

Higher growth

5.6.3 Each of the higher growth options should bring greater potential for investment in infrastructure. This is especially the case for strategic developments, which are included in the higher growth options.

5.6.4 All three higher growth options also focus a large amount of growth to Selby Town, and as discussed above this should support sustainable patterns of travel.

5.6.5 Option F involves a lot of growth in less accessible settlements too though, and this offsets the positives to an extent. Therefore, overall **minor positive effects** are predicted.

5.6.6 Option H involves three new settlements, that should help to secure investment in strategic infrastructure, develop sustainable communities that promote active travel, and also help to support surrounding settlements. This is a significant positive effect. However, this option involves 500 dwellings on Green Belt sites in locations that are likely to be less accessible. Coupled with growth within the Tier 1 and 2 settlement urban areas, this offsets the positives somewhat. Therefore, only **moderate positive effects** are predicted overall.

5.6.7 Option G has similar effects, but the new settlement opportunities are slightly reduced. Instead, urban extensions of a smaller scale are involved at Green Belt sites around Tier 1 and 2 settlements (1000 dwellings). Whilst these could still support some infrastructure, it would be less expansive, and several settlements have relatively limited access to the district's employment and services. Therefore, **minor positive effects** are predicted overall.

5.7 Historic environment

5.7.1 Overall, it is difficult to rank the options in terms of preference against the historic environment SA theme, so the assessment here is not split between Needs-Led Growth and Higher Growth Options.

5.7.2 All options are predicted to have potential negative effects through directing development to areas in that are sensitive in terms of the historic environment; albeit in different areas of the district. It is considered that as the level of growth increases so does the potential for significant effects. However ultimately, effects will be dependent on the design/ layout of development as well as the implementation of mitigation measures.

5.7.3 The main differences are discussed below:

5.7.4 Option A focuses the most growth in and around Selby Town (along with higher options F, G and H). This is a sensitive settlement, but most of the site options are on the urban periphery. Whilst negative effects are still likely, they are more likely to be minor in nature. The regeneration of brownfield sites could also lead to some improvements in townscape.

5.7.5 For Tadcaster there are likely to be major positive effects because the preferred approach (Option A) and all other options except Option E provide for a heritage-led approach to housing development which will deliver improvements to heritage assets (including many listed buildings and the conservation area) and provide a catalyst for wider regeneration of the historic town such as bringing back into use vacant and derelict properties and sites which currently have a negative impact on the town.

5.7.6 The level of growth at the smaller settlements is also smaller under this approach, helping to avoid negative effects there. The other elements of this approach are large scale developments at Eggborough (which ought to be possible without generating significant effects), and at one new settlement. The site chosen here is important in terms of effects on cultural heritage. Whilst Stillingfleet and Burn sites could affect the character of settlements or listed buildings in the wider vicinity, mitigation ought to be possible and effects minor. However, the site at Church Fenton Airfield contains scheduled monuments and the effects could be more significant although substantial investment in a new settlement provides the opportunity to protect and enhance these heritage assets which might otherwise not be available. There remains a choice at this scale of growth though. Overall, **minor negative effects** are predicted.

5.7.7 Whilst the effects in Selby Town might be less significant for Options B, C, D and E, it is perhaps more difficult to avoid the negative effects arising in locations where settlements are small scale and any change might be difficult to accommodate without affecting their character.

5.7.8 For this reason, Option C records **moderate negative effects** overall as a large amount of growth is directed to the Tier 1 and 2 settlements.

5.7.9 Options B and D spread growth to the Tier 1 and 2 settlements to a lesser extent, whilst also avoiding large amounts of growth at Selby Town and Tadcaster (as for all of the options except Option E). As such, **minor negative effects** are predicted overall.

5.7.10 Option E (Needs-led growth) directs a greater proportion of the growth to Tadcaster and Sherburn in Elmet and involves higher growth overall than A-D. Tadcaster Green Belt could be sensitive to change, whilst the large scale of growth involved at Sherburn in Elmet would be likely to affect the historic setting of several listed buildings, and potentially the nearby Scheduled Monument. As a result, **moderate negative effects** are predicted overall.

5.7.11 The higher growth levels involve increased pressures on multiple settlements, and hence major negative effects are more likely to arise.

5.7.12 Though Option H places much growth at the new settlements, one of these is sensitive and would definitely be involved. The release of Green Belt land could also be associated with sensitive historic landscapes or the setting of rural buildings. Therefore, the potential for **major negative effects** overall is recorded.

5.7.13 Option G is predicted to have potential major negative effects as the combination of relatively high levels of growth in the Tier 1 and 2 villages, and Green Belt release around these settlements could generate **major negative effects** on character.

5.8 Health

Needs-led growth

5.8.1 Each of the options involves the same level of growth overall, and in this respect, the need for health care across the District is the same. However, some locations for growth are currently better serviced by health care or can be improved. In terms of inequalities, the majority of the District experiences low levels of multiple deprivation, with parts of Selby Town falling into the highest 20% and 10% deprived locations in England. A focus on housing in these areas ought to provide benefits in terms of inward investment, improvements to local schools and GP provision and new open space / recreational facilities. In locations that are well serviced it may also be easier to support walking and cycling, which is good for health.

5.8.2 In this respect, Option A performs most positively, as it involves targeted growth at Selby Town. Moderate positive effects are predicted. Each of the options also involves growth at Eggborough (to varying extents). The scale of growth involved for options A, B D and E ought to help support a new primary school and contributions to healthcare. This is positive for these options. For Option C, the scale of growth might not be sufficient to create economies of scale, and so effects would be less positive, or potentially negative if the pressure on local facilities is overwhelming.

5.8.3 Growth at the Tier 1 and 2 villages could lead to mixed effects. On one hand it brings affordable housing and could lead to some improved facilities locally at higher levels of growth. However, the general picture will be one where new development is placed in areas that have poorer access to healthcare and other public services.

5.8.4 In terms of access to green space and recreational opportunities, the majority of development involved under any option would involve land that is currently not in use by the public. Development could therefore perhaps lead to some improvements in access to useable greenspace, particularly on larger strategic developments and new settlements. Where development is piecemeal, and small-scale, it is less likely that strategic improvements would be achieved, but there could be impacts on the amenity value of land that local residents oppose.

5.8.5 Each option involves a new settlement. At the scale involved, the range of facilities could be supported, as well as access to new open space. However, it is uncertain whether new healthcare and secondary education would be viable in the Plan period (unless front-loaded). Further viability testing is required.

5.8.6 Overall, Option A is predicted to have **major positive effects**. On one hand it directs growth to areas where investment is most needed to rectify health and deprivation issues. It also ensures that the majority of development has good access to services and offers potential to improve green infrastructure through Selby Town, Eggborough and at a new settlement in particular. Some negative effects are likely to occur as some communities may experience amenity concerns and some development would be in less accessible locations. However, these are not likely to outweigh the overall benefits.

5.8.7 Option C directs much of the growth to Tier 1 and 2 settlements, which is positive in terms of inward investment and affordable housing. The scale involved at each settlement would not likely support new facilities. In some instances, growth might be possible to accommodate but in others it would put pressure on existing services. There would also be a wider range of amenity issues experienced across the district by multiple communities. In terms of greenspace, the potential for enhancements at smaller settlements would be higher for this option, and access to the countryside would be good. On the flip side, there would be fewer strategic large-scale developments under this approach. This would mean opportunities for comprehensive new communities would be missed. Therefore, overall, a **minor positive effect** is predicted.

5.8.8 Options B and D involve considerable dispersal too, and so the effects are similar to Option C. However, the degree of dispersal is lower as both also involve the Eggborough extension. Overall, these are predicted to give rise to **moderate positive effects.**

Higher Growth

5.8.9 At a higher level of growth, the benefits that development can bring would be felt in Selby Town for all three options. There would also be positive effects associated with settlement expansion and new settlements (of which there would be 2 or 3). In this respect, **major positive effects** are likely for each option.

5.8.10 However, for Option F, large amounts of growth would be directed to the rural areas and could possibly put pressure on facilities without being able to support capacity in those settlements themselves. This offsets the positive effects elsewhere, and so overall, **moderate positives** are recorded for Option F.

5.8.11 This is also the case for Option G. Whilst it directs less growth to Tier 1 and 2 settlements themselves, it would involve large amounts of Green Belt release around these areas.

5.8.12 Option H involves a lower level of dispersal overall to the Tier 1 and 2 settlements (be it within the settlements themselves, or on surrounding Greenbelt land). Therefore, the **major positive effects** arising elsewhere are also recorded overall at a District level.

5.9 Air quality

Needs-led growth

5.9.1 Each option is likely to give rise to some negative effects in terms of air quality, either through a concentration of development into an area that contains an Air Quality Management Area (AQMA) (for example Option A and its focus on Selby Town), or by dispersing growth to locations that are likely to encourage car use (Option C).

5.9.2 Options C is predicted to have potential for the most adverse effects on air quality due to the high levels of growth proposed within Tier-1 and Tier-2 villages. These locations are generally remote from employment and service centres and therefore residents here would rely mostly on private cars as they travel further afield to access services and employment. In common with the other options this option also allocates substantial development within Selby Town on sites located within 700m of the AQMA at New Street.

5.9.3 Option A involves the most growth in areas that already suffer from air quality issues, and this creates the potential for further pressures. Whilst the area is generally better served by public transport and services, an increase in car trips is likely on the road networks. This option would draw less traffic from smaller settlements though.

5.9.4 Options B, D and E are also likely to generate negative effects in terms of air quality. However, they involve a lower level of growth in Selby Town compared to Option A, and a lower level of dispersal. In this respect, the magnitude of negative effects is considered to be minor negative effects rather than moderate negative effects for Options A and C.

Higher Growth

5.9.5 At a higher scale of growth, the effects are likely to be exacerbated regardless of the distribution. Therefore, moderate negative effects are predicted with greater certainty.

5.10 Biodiversity

Needs-led growth

5.10.1 Where the level of growth and similar site options are involved between the different options, the effects in terms of biodiversity are the same.

5.10.2 This also applies to the new settlement element of each option, which provide the potential for positive or negative effects depending upon the location chosen.

5.10.3 The main differences between the options are as follows:

5.10.4 Option A focuses more growth to Selby Town, and less to the Tier 1 and 2 settlements. This reduces pressure on biodiversity in the countryside and means that more sensitive locations can be avoided. Whilst growth in Selby Town is higher under Option A, it would not be likely to lead to significantly different effects here compared to the other options that involve lower growth. Therefore, overall only **minor negative effects** are recorded.

5.10.5 Option C involves less growth in Selby Town and Eggborough and more at the Tier 1 and 2 villages. Though most of the smaller settlements are not sensitive to small scale developments, there is less scope for strategic enhancements and at specific villages there are notable constraints. This creates a more negative picture overall; so **moderate negative effects** are predicted.

5.10.6 Option E involves higher levels of growth in Sherburn in Elmet, which could potentially have negative effects on a Site of Special Scientific Interest (SSSI). It also still involves growth in some of the smaller villages that could be affected by that growth. As such **moderate negative effects** are predicted overall.

5.10.7 Options B and D are less likely to give rise to issues in Sherburn in Elmet and gives more flexibility in the Tier 1 and 2 areas compared to Option C, and hence the effects are also **minor negatives** overall.

Higher growth

5.10.8 At a higher scale of growth, for option F, which disperses growth the effect upon sensitive areas in the tier 1 and 2 settlements is increased. There is also potential for more substantial effects at new settlements, but this depends upon those which are involved and the nature of enhancements that can be secured. The potential for **major negative effects** is more likely with such an approach overall.

5.10.9 Options G and H do not increase the potential for impacts in most settlements, as the majority of additional growth is focused on new settlements. Having said this, there is a substantial amount of growth in the Green Belt for Option G which could give rise to moderate negative effects in several locations. Cumulatively, this could give rise to a potential **major negative effect** for Option G. There is uncertainty relating to the location of Green Belt sites.

5.10.10 The overall affects for Option H are predicted to be **minor negative**.

5.10.11 **NB:** It is important to acknowledge, that although negative effects are predicted for all of the options, this is a precautionary approach, which focuses on avoidance of biodiversity loss and pressures on existing important sites.

5.10.12 In practice, there will be a legal requirement to achieve net gain of 10% biodiversity for all developments. Therefore, development ought to lead to an overall positive effect in the long term, regardless of distribution and overall growth.

5.10.13 Where the benefits occur, and the extent of enhancements would be dependent upon successful identification of land to accommodate enhancements. Local Nature Recovery Strategies will be extremely important in this respect. However, the location and type of new development can facilitate nature recover strategies. In particular, large new settlements and urban expansions ought to have good potential to secure improvements on site. If habitat banks are established in the district, smaller schemes can also make a contribution in this respect. The overall effects in the long term are predicted to be positive provided that the Plan Policies are proactive, and the planning system is linked to wider measures for nature recovery and the enhancement of ecosystem services across Selby.

5.10.14 Whilst net gain is extremely important, it is still important to avoid negative effects on existing habitats and ecological networks. The negative effects are therefore identified in this context at this stage of SA.

5.11 Land and Soil

Needs-led growth

5.11.1 All of the options will involve a significant loss of non-urban land, and much of this is also best and most versatile agricultural land (over 150ha in total for each option). In this respect, **moderate negative effects** are predicted for each option.

5.11.2 There is little to differentiate the options in this respect, but Option D involves the lowest amount of Grade 1 and 2 agricultural land overall at this scale of growth. Option E contains the highest amount of best and most versatile agricultural land.

Higher growth

5.11.3 For all three higher growth options, the effects are exacerbated, with even more greenfield land lost and in the case of Options F and H a very large amount of best and most versatile land would be lost, including over 200ha of Grade 2.

5.11.4 At this higher scale of growth Option G performs the best in terms of the efficient use of land as it involves 2 new settlements on former airfields (avoiding the further loss of Green Belt and high-quality agricultural land). Therefore, the effects are **moderately negative** for Option G and **major negative** for Options F and H.

5.12 Climate Change adaptation

Needs-led growth

5.12.1 Selby District is characterised by large areas of floodplain, and as such many of the key settlements have experienced flooding issues. However, there are a range of areas that benefit from flood defences, which reduce the risks somewhat. In the longer term, with increased risks posed by climate change, it is important to manage flood risk and avoid areas that fall within vulnerable locations. If flood defences become overwhelmed, then these areas would undoubtedly be affected.

5.12.2 All the options involve growth in Selby Town, with a range of sites involved. For Option A, growth associated with the town is maximised, and as such several sites that fall within areas of flood risk are included. Though flood defences protect these areas, this is still a minor negative effect. For Options B-E the growth in Selby Town is lower, and for Options B and E, this means that negative effects ought to be possible to avoid. For C and D however, the same areas as those included in Option A are involved.

5.12.3 The options are all likely to score similarly in terms of growth in Tadcaster, with some minor negative effects for all options. The expansion of Eggborough is unlikely to cause particular issues, and though there is some flooding risk at certain Tier 1 and 2 villages, there are locations where growth can be accommodated.

5.12.4 As a result, each of the options are predicted to have minor negative effects overall. Options B and E do perform better than A, C and D though as the amount of new development proposed in Flood Zones 2/3 is slightly lower overall.

5.12.5 In terms of new settlements, the effects are dependent upon which is chosen and the Sustainable Drainage Systems (SuDS) that are implemented. Stillingfleet is most preferable, with some issues associated with Church Fenton Airfield and greater constraints at the Burn Airfield.

Higher growth

5.12.6 With regards to the higher growth options, increased dispersal for Option F is not considered likely to lead to more significant effects. For Options F and G which include just two of the new settlements, it ought to be possible to avoid the more sensitive Burn Airfield site. Therefore, only minor negative effects are predicted, but there is some uncertainty (given that it is unclear at this stage which settlements would be preferred).

5.12.7 However, for Option H, all 3 new settlements would be required, which gives rise to moderate negative effects overall.

5.13 Housing

Needs-led growth

5.13.1 All of the options are predicted to have major positive effects as they will meet housing needs, supporting economic growth and providing an element of flexibility. The areas that would benefit under each option vary slightly, with the smaller villages benefiting greatest from a dispersed approach (Options B and C), but less housing being directed to larger key settlements such as Selby Town. Managed expansion of rural areas, on smaller sites is a component of the SA Objective for housing, and so specific benefits are likely in this respect. However, this approach would perhaps be less well placed to promote strategic brownfield sites and to focus housing in populous areas which are more likely to experience demand. Option A is most beneficial in this respect, whilst still maintaining a degree of dispersal.

Higher growth

5.13.2 At a higher scale of growth, major positive effects are predicted, and to a greater extent when compared to the lower growth alternatives. With a higher Plan target, and increased options for housing growth, it is likely that more areas would benefit, and different types of opportunities could come forward across the District (strategic sites, small sites, rural expansion and in tandem with economic growth opportunities). At this much higher level of growth, housing needs would be likely to be exceeded.

5.14 Landscape

Needs-led growth

5.14.1 All options are predicted to have potential **major negative effects** on landscape because there are sensitive landscapes across the District with the flat, low-lying, open nature of the landscape affording extensive views from the surrounding areas into proposed sites and outward from the sites into the surrounding landscape.

5.14.2 The effects are more or less prominent in different areas depending upon the scale of growth in different settlements, and also the choice of new settlement. Therefore, whilst major negative effects are predicted overall for each option, there ought to be some scope to avoid and mitigate effects. There is also likely to be some positive effect in town centre areas such as Selby, where regeneration of brownfield sites will occur.

Higher growth

5.14.3 The higher growth options will have the same negative effects exhibited by the lower growth options only these will be greater in magnitude due to the substantial additional growth proposed. This particularly applies to the more sensitive Tier-1 and Tier-2 villages and settlements with conservation areas and historic parks.

5.15 Water

Needs-led growth

5.15.1 Development will require servicing in terms of water supply, water treatment and drainage. The locations and headroom capacity of treatment plants has not been determined. However, there are assumptions made that the larger urban centres are supported by sufficient infrastructure, whilst smaller and more remote villages may be more likely to require upgrades to support notable levels of growth. In this respect, Option A is likely to be appropriate, whilst dispersed approaches (Option C in particular) could be more problematic.

5.15.2 Large parts of the District are designated as Nitrate Vulnerable Zones, and there are a number of countryside stewardship schemes operating through the District, with priority locations identified in term of pollutants and sedimentation from farming. This includes Sherburn in Elmet, Eggborough, South Duffield, Barlby with Osgodby, and Church Fenton.

5.15.3 This suggests that pollution from agriculture is an issue in parts of the District, but also that agreements are in place to help manage water quality and biodiversity interests. A change in use could therefore have mixed effects in terms of water quality.

5.15.4 On one hand, the effects might be reduced in terms of polluting activities, but on the other, management measures may no longer be in place, and there would be greater pressure on drainage and treatment networks. The areas most likely to be affected are Sherburn in Elmet and the Tier 1 and 2 settlements. Therefore, Options C and E could be more likely to give rise to effects.

5.15.5 Several of the Tier 1 and 2 villages also fall within or close to drinking water protection areas and / or safeguard zones (*Barlby with Osgodby, North Duffield, Carlton, Hensall, and Hemingbrough*). Whilst non-statutory designations, these show that the water environment in such locations is sensitive to change and ought to be carefully managed.

5.15.6 Some smaller villages are also close to and may lead to discharges into the River Derwent SSSI (for example Hemingbrough and South Duffield). For Option C in particular, these issues would need to be addressed.

5.15.7 Water Framework Directive data shows that there is currently moderate water quality in watercourses passing through Tadcaster, Selby Town and Eggborough. Other watercourses in the District are of poor quality, and this includes some close to Sherburn in Elmet. This means Option E could potentially have more notable effects in terms of water quality.

5.15.8 At this stage, potential **moderate negative effects** are presumed from a precautionary point of view (acknowledging a degree of uncertainty)

5.15.9 Options A, B and D are predicted to have **minor negative effects**, but uncertainty also exists.

Higher Growth

5.15.10 The likelihood of negative effects on water quality are exacerbated for the higher growth options, particularly those that involve dispersed growth to a greater extent (Option G). therefore, **moderate negative effects** are predicted with greater certainty for all three options.

5.16 Overall summary

Needs-led growth

5.16.1 The growth options perform similarly for a range of SA Objectives, with each having the same overall significance of negative effects with regards to land and soil, climate change adaptation and landscape. This demonstrates that there are common elements to each option, but also that the choices between distribution do not make a significant change in the outcomes.

5.16.2 This is largely because there are sensitive landscapes across the District, a large amount of agricultural land that overlaps with site options, and flood risk is widespread.

5.16.3 Whilst the differences are not huge, there are some areas where certain distributions perform better or worse than the others though. These are discussed below.

5.16.4 Option A is the only one of the needs-led options that generates major positive effects in terms of housing, economy and employment and health. This owes to the fact that it focuses growth in and around Selby Town, which brings together housing and employment opportunities, whilst also being one of the only areas in the District that experience higher levels of multiple deprivation.

5.16.5 Given the broader range of services and accessibility that Selby Town affords, the effects in terms of accessibility, transport and climate change is also slightly better for this option comparted to the others. However, focused growth in Selby Town does increase the potential for negative effects in air quality compared to options B, D and E.

5.16.6 Whilst Option C does have benefits, it performs slightly worse overall compared to the other options. This is due to the potential for greater negative effects on the built and natural character of smaller settlements, poorer access to services that is likely to occur, and pressures on water and biodiversity.

5.16.7 Options B, D and E perform fairly similarly to one another, with Option E being slightly more negative in terms of biodiversity, heritage and water. With the exception of air quality, these options are predicted to have either the same or slightly worse degree of effects overall compared to Option A. They perform generally better than Option C, with the exception of population and communities.

Higher growth

5.16.8 Broadly speaking, the effects for the lower growth options are less pronounced than their higher growth equivalents. Whilst the significance of positive effects increases for some topics such as economy, health, housing and communities, the negatives also generally increase in significance. Option A (which is a lower growth option) also gives rise to several major positive effects, but with a lower range of negative effects compare to the higher growth options.

5.16.9 Of particular note is that the effects in terms of land and soil become major for two of the higher growth options, as does the likelihood / certainty that negative effects will arise in terms of air quality and heritage.

5.17 Rationale for selecting the preferred approach

5.17.1 Having considered the range of options identified above the Council concluded that Option A, which includes the provision of an urban extension to Eggborough and a new settlement provides the most sustainable option as the levels of development could be supported without significant harm to the character of existing communities and their local services. The sites set out as Preferred Sites in the consultation document were considered the most appropriate to meet the level of growth set out in Option A having been examined through the Site Assessment Methodology.

5.17.2 The results from the HEDNA show that current employment land supply exceeds demand and therefore the Preferred Options Local Plan suggests the allocation of two additional employment sites at Olympia Park and Gascoigne Wood Rail Interchange. The Gascoigne Wood site is a former employment site located on an important rail interchange, whilst Olympia Park is well-related to existing employment uses and in close proximity to Selby town.

6. Appraisal of Individual Site Options

6.1.1 In order to inform the spatial approach and make decisions on the sites where development will take place, the Council undertook a 'call for sites' exercise from September 2019 through September 2020.

6.1.2 A total of 412 sites were received for consideration throughout this period. The potential supply of land when combined far exceeds needs and therefore, the Council have established a Site Assessment Methodology (SAM) to identify a preferred list of sites for allocation.

6.1.3 The SAM is outlined in detail in a separate document. In summary, there are three stages to site assessment in the SAM. These are outlined in the table below (Table 6-1) alongside how this relates to the SA process.

Table 6-1: Stages to the site assessment methodology.

	SAM	**SA**
Stage 1:	Sites are considered against fundamental constraints both in physical terms and policy terms, for example flood risk and conformity with the proposed spatial strategy	A range of sites were discounted at this stage due to having a significant constraint and are therefore not considered to be reasonable alternatives for the purposes of SA[4].
Stage 2:	Sites are then assessed in terms of their relative sustainability, these factors include their proximity to local services and employment, infrastructure constraints, as well as the environmental, social and economic impacts of the potential development of the site. This stage of the SAM is linked to the Sustainability Appraisal.	Sites without a significant constraint were appraised against the SA Framework. A site appraisal framework has been established to assess sites in terms of their relative sustainability. The SA site appraisal framework mirrors the SAM to a large extent. It can be found in both the SAM document and the updated SA Scoping Report.
Stage 3:	Sites are assessed against factors such as ownership, availability, viability and achievability	NA

[4] All submitted sites have been assessed through the SAM.

Preferred options stage

6.1.4 A total of 251 sites were considered to be reasonable alternatives at this stage for the purpose of the SA. These consisted of the following.

- 208 housing site options
- 20 employment site options
- 2 Gypsy and Traveller site options
- 17 mixed use site options
- 2 Leisure / retail site options
- 2 car park site options

6.1.5 The remaining sites were considered unreasonable options at this stage as they involved a 'significant constraint'. However, SA is an iterative process, which allows sites to be reconsidered throughout plan-making.

Pre-submission updates (2022-2023)

6.1.6 An additional 43 sites were considered after the preferred options stage (these were new sites submitted to the Council as in response to the preferred options stage consultation). These sites were appraised individually and were then considered as part of the site selection process when delivering the preferred spatial strategy. These additional sites consisted of the following:

- 33 residential sites
- 3 employment/other sites
- 5 mixed use sites
- 2 other sites

Pre Submission revision (2023-2024)

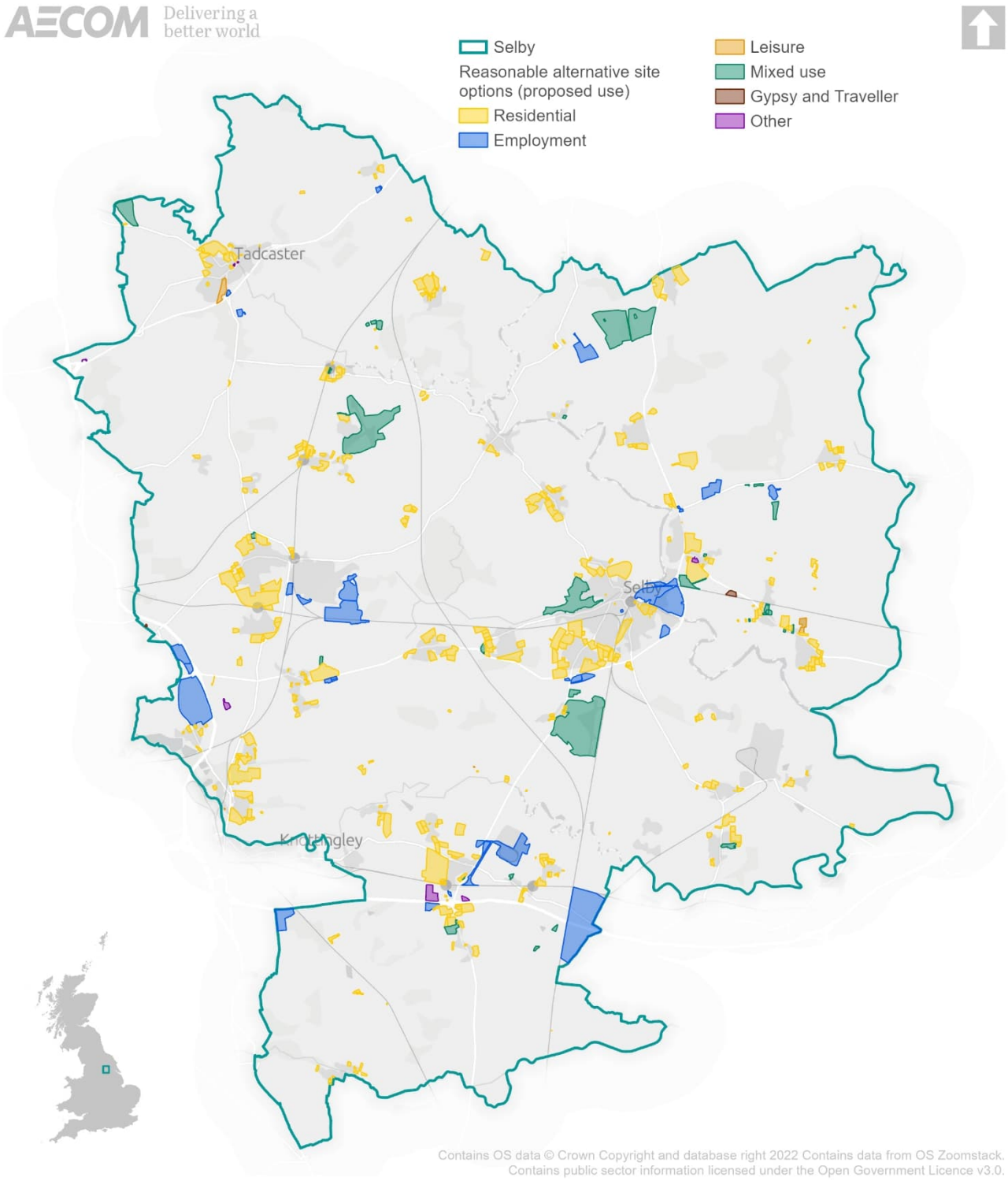
To confirm number of additional sites and site boundary changes etc…

6.1.7 Figure 6.1 illustrates the individual site options which have been considered as part of the site selection process (including any site boundary changes made at pre-submission stage); the map also details the proposed uses for each site.

6.1.8 The matrix at Appendix C of this SA Report sets out a visual summary of the SA site appraisal findings for each site considered to be a reasonable alternative at pre-submission stage.

6.1.9 A matrix showing the Sustainability Appraisal Objectives and how they link to the site selection criteria of the SAM is at Appendix B of the SAM. A Site Assessment Excel Spreadsheet containing all the sites and an Individual Site Profile for each site has been prepared setting out further explanation of the outcomes and associated scores and these are included at Appendix C of the SAM. These are all available at: https://www.selby.gov.uk/localplan

Figure 6.1: All site options

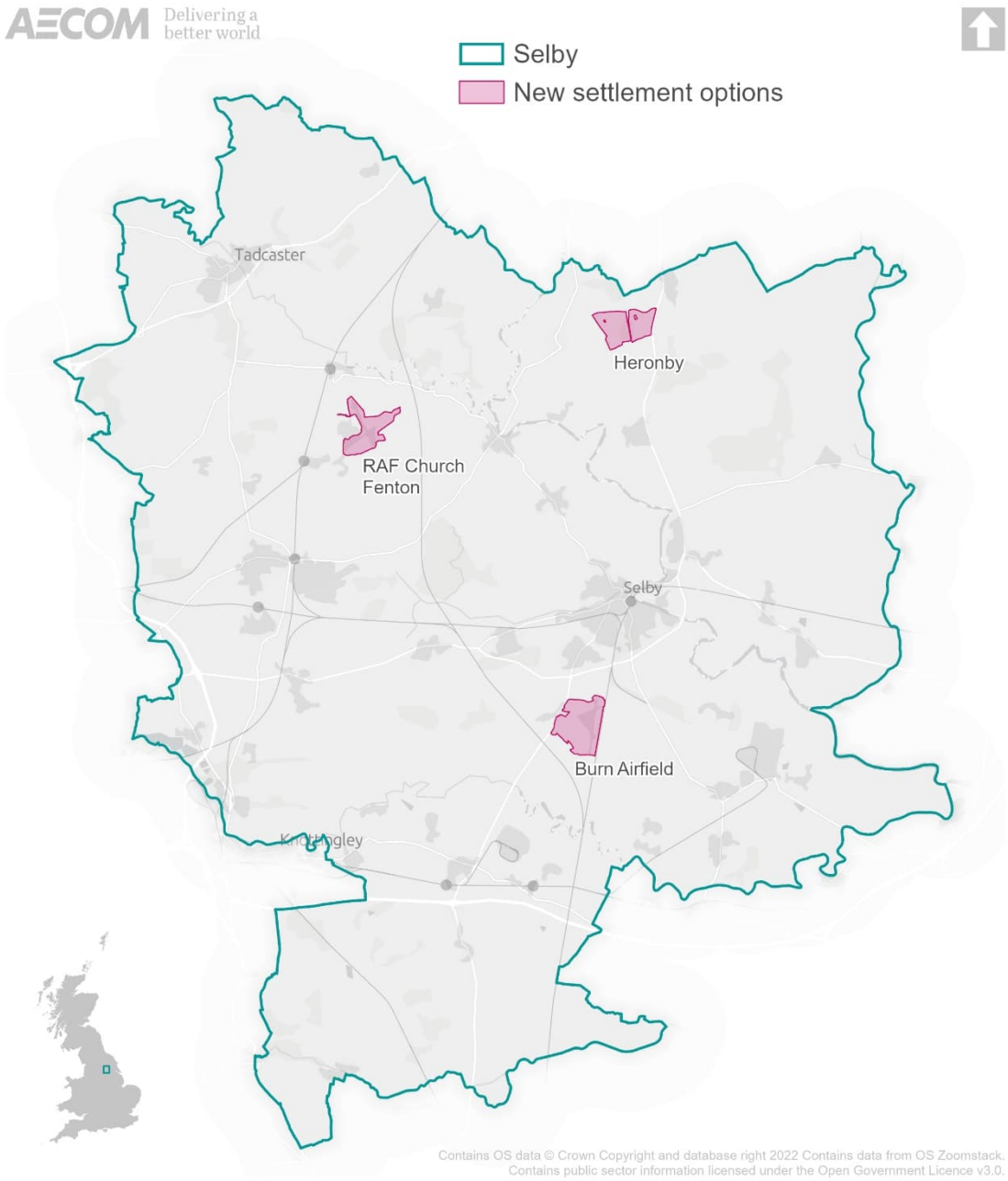


7. New Settlement Options

7.1 Background

7.1.1 The Preferred Options Local Plan proposed to include a new standalone settlement. There was a choice of three potential locations (Figure 7.1); Burn Airfield, Church Fenton Airfield and a greenfield site south west of Escrick referred to as Heronby. Outline proposals have been put forward by the developers / owners of the three sites and these were appraised through the SA on a consistent basis[5].

Figure 7.1: New settlement options



[5] Following the first Pre-Publication consultation in 2022, the Council has made the decision that strategic sites will not be released through the Selby Local Plan. However, the previous assessment work has been included or completeness.

7.2 Summary of the new settlement options

Burn Airfield new settlement

7.2.1 The proposed development at this former RAF Airfield site is located around 3.6 miles from the main services, retail and employment centre of Selby Town and the Olympia Park strategic employment site. The 227 ha site is around 4 miles from the Kellington employment site and has active recreational uses. It has good access to the highway network through the A19, A63 and M62. The new settlement would be developed through a masterplan based on Garden Village principles. The proposed scheme includes;

- 2500 to 3000 new homes (25-30 dph density)
- Mixed use village centre
- Community facilities, namely; a new GP surgery and a potential extra-care facility.
- Employment opportunities
- Retail facilities
- A new primary school with the option to provide for a further primary school if required.
- Open space and landscaping (over 50% of the area includes Country Park, and 'wild area' formal recreational areas, sports pitches and informal recreational space)
- Improved pedestrian and Cycle connections (cycle route 62 part of the Trans Pennine Trail) linking the scheme to the wider district
- The development may facilitate the delivery of 1.2 km of road (Burn By-Pass)
- Surface water run-off from the site will be in line with existing greenfield run-off rates and SuDS features will incorporated through the scheme. throughout the site

Church Fenton Airfield New Settlement

7.2.2 The former RAF Church Fenton aerodrome site comprises an area of 153 ha. It is located 6 miles northwest of Selby, 9 miles southwest of York and 13 miles east of Leeds. The village of Ulleskelf is around 1.5 miles north of the site. The preliminary proposal[6] envisions a settlement designed along Garden Village principles which includes:

- 3000 new homes
- Village centre
- Retail facilities
- 2 Primary schools
- Community hub
- Health facilities
- Integration with Create Yorkshire employment site
- Green/ Blue infrastructure

[6] Pegasus Group 'Former RAF Church Fenton New Settlement' presentation, Church Fenton Workshop.

- Biodiversity net gain
- SuDS
- Public open space
- Pedestrian footways, Cycle and bus routes. There are two railway stations within 1.5 miles from the site; at Ulleskelf and Church Fenton.

Heronby new settlement

7.2.3 This comprises a greenfield site (241 ha) southwest of Escrick, bounded by the A19 to the east and the Escrick/ Stillingfleet Road to the north. It is located 6 miles north of Selby, 6 miles south of York and 20 miles east of Leeds. At the heart of the site, on a plateau above the surrounding land, lies Heron Wood. Here again the proposal envisages a garden village scheme which will include;

- Up to 4000 new homes
- Neighbourhood centres
- An employment area
- Nursery/ pre-school provision and up to three schools (2 primary and secondary)
- Community, health and social amenities such as village hall, market place, place of worship and neighbourhood gathering spaces,
- Retail facilities
- GP surgery and dentist
- Sports pavilion for outdoor and indoor sport activities
- A network of green open space including woodland, parks, green corridors and allotments.
- Potentially facilitates the delivery of a new A19 bypass around Escrick village
- The Trans Pennine trail runs through the centre of the site

7.3 Methods and assumptions

7.3.1 The appraisal of three proposed new settlement options has been undertaken by assessing each option against a framework of sustainability objectives and supporting criteria.

7.3.2 These sustainability objectives for the SA were established at the Scoping Stage of the SA process.

7.3.3 The aim is to identify what the effects would be as a result of development and how this compares to what might otherwise be expected to happen (the projected baseline).

7.3.4 To determine effects, account is taken of a range of factors including the magnitude of change, the sensitivity of receptors, the likelihood of effects occurring, the length and permanence of effects, and cumulative effects. This gives a picture of how significant effects are likely to be, ranging from neutral, minor, moderate and major. The table below sets out the scale that has been used to record effects.

Major positive	
Moderate positive	
Minor positive	
Neutral	
Minor negative	
Moderate negative	
Major negative	
Uncertainty	?

7.3.5 A range of information has been submitted by site promotors for each of the new settlements. This includes baseline information as well as visioning material and high level layouts for development. We have incorporated such information into the appraisals as appropriate, taking care to ensure consistency where the levels of detail are not the same between the different proposals.

7.3.6 Where there are clear references to mitigation and enhancement measures these have been taken into account in the assessments. However, it must be remembered that these are not detailed planning applications, and in practice scheme details can change substantially. Therefore, a degree of caution is applied when determining effects and factoring in mitigation measures.

7.3.7 Conversely, if details about mitigation and enhancement are absent, this does not mean that there will not be opportunity for these to be implemented, and therefore the effects should not be viewed as ‘fixed’

8. New Settlement Options (Appraisal findings)

8.1 Population and Communities

Burn New Settlement

8.1.1 The Burn Airfield site (227 ha) is located relatively close to the main service, retail and employment sites in Selby town, being 3.6 miles away. The proposed scheme also provides local employment opportunities and new community infrastructure such a GP surgery, up to two new primary schools and a village centre. The site includes substantial open space including a Country Park and 'Wild Area'. Sustainable travel infrastructure is provided in the form of improved pedestrian and cycle connection including links to the Trans Pennine Trail. The proposal also includes a potential extra care facility. Therefore, the Burn New Settlement (BNS) is predicted to have **major positive effects** as it provides new community infrastructure and facilitation of sustainable travel such as cycling and walking. Additionally, the scheme benefits from the substantial services, employment and retail provision in nearby Selby town centre and strategic employment sites such as Olympia Park.

Church Fenton New Settlement

8.1.2 This proposal also includes provision of community infrastructure including; a village centre, community hub, healthcare, two schools, open space provision and Blue / Green infrastructure . Sustainable / active travel is encouraged through the provision of pedestrian footways, cycle and bus routes. The site is close to two train stations at Ulleskelf and Church Fenton. Though the current proposal does not include health facilities such as GP or Dental surgeries, it is expected that these would be provided. Nearby Ulleskelf and Church Fenton villages can potentially benefit from the new infrastructure and employment provision at the new settlement. Conversely, the new settlement may help support the vitality of existing services in Ulleskelf. Therefore, Church Fenton New Settlement (CFNS) is predicted to have **major positive effects** on population and communities as it provides new community infrastructure and open space for new and existing communities.

Heronby New Settlement

8.1.3 The Heronby New Settlement (HNS) site (241 ha) is larger than the other two, providing up 4000 new dwellings in a scheme designed along Garden Village principles. The current proposal includes several neighbourhoods with their own neighbourhood centres. Community infrastructure to be provided includes; a nursery, up to three schools (2 Primary and 1 secondary), an employment area, village hall, market place, place of worship and neighbourhood gathering places. Health care infrastructure is to be provided in the form of a GP and a dental surgery. The proposal has Heron Wood at its centre surrounded by a network of green and open space including woodland, parks, green corridors and allotments. An interconnected network of pedestrian, cycle and road routes is proposed, both within the village and extending beyond to surrounding settlements. The Trans Pennine trail runs through the middle of the site further enhancing the opportunity for walking and cycling.

8.1.4 The scheme is predicted to have **major positive effects** as the larger scale of development (beyond the plan period) potentially allows significant new community infrastructure and the design of the settlement in its current form includes substantial green space and a good, interlinked network of walkways and cycle routes.

8.2 Climate change mitigation

Burn New Settlement

8.2.1 The scale of the New Settlement presents an opportunity to incorporate renewable or low carbon energy schemes such as large active solar systems combined with community heating schemes to support renewable energy and increased energy efficiency. In common with the other proposals the BNS outline proposal does not contain concrete proposals for renewable energy provision. The proposal mentions '*zero-carbon and energy positive technology to ensure climate resilience*', adding that *'homes will be designed according to the emerging Future Homed Standards'*[7]*.* It also states that there may be opportunities for on-site renewable energy generation. However, an overall increase in housing is likely to increase total carbon emissions within the area of the site which is likely to offset any benefits that might arise due to improved performance of buildings and new infrastructure (particularly as there are no firm plans to incorporate decentralised / low carbon energy schemes or exemplary design with regards to the reduction of carbon emissions).

8.2.2 In terms of emissions from transport all three settlements are expected to generate significant vehicle traffic, a major contributor to greenhouse gas emissions. However, the location of BNS; close to major services and employment in Selby town could result in shorter journeys. Furthermore, the scale of growth is likely to facilitate better public transport services such as bus links between the proposed settlement and Selby town. The site is around 5km from Selby Train and Bus stations, a 15 minute Cycle journey. Consequently, the site's location is likely to lead to shorter car journeys and facilitate better public transport, thus helping to mitigate some of the effects resulting from the development. Negative effects are predicted from the effects of increased housing and lack of explicit renewable energy proposals, but this is counteracted by the sustainable location in terms of proximity to the service, employment and transport infrastructure in Selby town. Therefore, **minor negative effects** are predicted overall for BNS.

Church Fenton New Settlement

8.2.3 The CFNS outline proposal makes no mention of including renewable energy schemes in with the new settlement. However, it does mention that development will use zero-carbon and be energy positive technology. The scale of growth is also likely to support large scale renewable energy schemes should they be found viable. The effects in this respect are therefore similar to the other new settlement options.

8.2.4 A similar scale of growth is proposed here to the BNS scheme and therefore similar effects are anticipated; increased vehicular traffic will lead to increased emissions. The location of the settlement is relatively remote from major centres of employment, workforce and services which is likely to lead to increased reliance on private vehicles and necessitate longer journeys.

8.2.5 However, the site includes an employment area in the form of 'Create Yorkshire' which is claimed to provide up to 1,800 jobs in the creative digital and media sectors. This will serve to reduce the need to travel further afield to access jobs. The scheme integrates walking and cycling and public transport in its proposal. The site benefits from its proximity to the Ulleskelf and Church Fenton railway stations and the scale

[7] The Future Homes Standard is a set of standards that will complement the Building Regulations to ensure new homes built from 2025 will produce 75-80% less carbon emissions than homes delivered under current regulations.

of growth is expected to engender new/ enhanced public transport services between the site and Ulleskelf and surroundings. Overall, the negative effects anticipated due to the lack of explicit consideration of renewable energy schemes and the relative remoteness of the site with respect to major centres of employment, services and workforce are partially offset by the provision of sustainable transport infrastructure and on site employment opportunities and proximity to the railway infrastructure. Therefore **minor negative effects** are anticipated overall.

Heronby New Settlement

8.2.6 This site is expected to deliver up to 4000 new homes and will include an employment area. The scale of development will lead to a substantial increase in emissions in a rural setting. The current outline proposals do not explicitly mention renewable energy schemes or energy efficient design. The preliminary masterplan shows a 'Sustrans' building in the centre of the site and some EV charging points. Assuming these will provide adequate sustainable transport options (e.g. low/zero emission buses, or light rail) and sufficient EV charging points then this is likely to make a positive contribution towards offsetting some of the emissions. The Trans Pennine Trail runs through the centre of the site providing sustainable active travel links (walking / cycling) to the wider District.

8.2.7 The scale of development proposed and the inclusion of a local employment area will create local job opportunities, helping reduce the need to travel further to access jobs. The site benefits from the A19 which links to the major employment and services centres of York and Selby. The nearest railway station is at York just over 6 miles away. Whilst the substantial increase in housing is likely to increase total carbon emissions within the area (due to increased extraction of materials, construction activities) in the plan period, this is likely to be offset to an extent due to new building regulations such as the Future Homes Standard coming into effect.

8.2.8 The scale of growth will help create the critical mass to deliver significant new transport infrastructure. This would likely reduce the need to travel, supporting modal shift. Overall, **minor negative effects** anticipated as the substantial growth proposed is offset to a degree by the explicit inclusion of sustainable transport and EV charging infrastructure in the masterplan and the introduction of new building standards (though this is happening anyway). Furthermore, the substantial growth proposed should facilitate new / improved public transport infrastructure connecting Heronby to York, Selby and further afield.

8.3 Economy and Employment

Burn New Settlement

8.3.1 The BNS is closely located to major employment and services within Selby town and to the strategic employment site at Olympia Park. The proposed scheme also provides some local employment sites within the mixed-use village centre. The close proximity to Selby town brings economic growth opportunities to the BNS and provides good access to wider employment opportunities. Therefore this is likely to lead to **major positive effects**.

Church Fenton New Settlement

The CFNS has several local employment opportunities in the form of Leeds East Airport and Create Yorkshire. The latter comprises over 32,000 m^2 of creative, digital; and media related employment space which will potentially provide up to 1,800 jobs. However, in terms of accessibility to employment opportunities outside the proposed CFNS, the area is somewhat remote from the major employment centres in District, such as Selby town, Tadcaster and Sherburn. The Leeds East Airport would also be replaced by proposed development. Therefore, **moderate positive effects** are predicted overall.

Heronby New Settlement

8.3.2 The proposed HNS includes 5.8 ha of commercial units, expected to support around 150 to 180 businesses. In terms of access to employment in the wider district, the settlement is around 8-9 miles from York and Selby via the A19. **Moderate positive effects** are anticipated here due to the provision of local employment units and reasonable access to major employment opportunities in Selby and York through the A19.

8.4 Transport

Burn New Settlement

8.4.1 The site benefits from good access to major roads, being within 1 km of the A63 and adjacent to the A19, which links it to Selby town and further afield through the M62. The Selby to Doncaster Railway route is located to the east of the site and Selby Railway station, which has regular services to London, Hull, Leeds and York, Doncaster and Manchester, is around 5km away. The proposed settlement also includes a new bus route linking it to Brayton and Selby. The scale of growth proposed is expected to support the delivery of a new road; the Burn Bypass. Sustainable forms of travel are encouraged through the provision of pedestrian links to Burn Village and the Trans Pennine Way which enables active travel (walking/ cycling) to Selby. The site is well located and the proposal includes multi modal transport options therefore the development is predicted to have **major positive effects** on transport.

Church Fenton New Settlement

8.4.2 The proposed scheme includes provision of pedestrian footways, cycle routes and a bus corridor. The location benefits from two railway stations nearby, at Ulleskelf and Church Fenton. However, the site has limited access to major roads networks and would rely primarily on rural lanes and B roads designed for lower traffic densities than main trunk roads and A roads. Whilst the provision of sustainable travel infrastructure and proximity to the two train stations will have positive effects, it is counteracted by the lack of suitable access to the highway network which is likely to impact national and sub-regional accessibility. Given the scale of growth proposed this is likely to create traffic congestion issues throughout the surrounding areas, particularly at junctions. However, the scale of growth proposed will facilitate substantial improvements to the road infrastructure such as, new access to the A64, therefore **minor positive effects** are predicted overall.

Heronby New Settlement

8.4.3 The substantial growth proposed here is likely to provide the economies of scale required to improve the existing transport network, which may include new routes. The outline proposal, which states that '*cycling and walking will be prioritised',* includes an interconnected network of pedestrian, cycle and road routes, both within the village and extending beyond to surrounding settlements. The pedestrian and cycle route links to the Trans Pennine Way, which runs from north to south, down the centre of the site. The preliminary masterplan includes a sustainable transport hub and EV charging points at the centre of the plan. In terms of the road network, the site is adjacent to the A19 at its eastern boundary which links the area to York and Selby and further afield through the A63, A64 and A1(M). A new A19 bypass around Escrick village is also being considered (not part of the masterplan currently). The nearest railway station is at York which is around 8 miles to the centre of site. The emphasis on walking and cycling, the inclusion of a sustainable transport hub and EV charging points and good access to the major roads network are likely to have positive effects on transport, however this is somewhat offset by the lack of a local railway station, consequently **moderately positive effects** are predicted overall.

8.5 Historic environment

Burn New Settlement

8.5.1 There are no designated heritage assets within the proposed site. With the exception of a Grade II listed Milestone (130 m outside the northern boundary of site) there are also no designated heritage assets in the immediate vicinity of the plot. Therefore, **neutral effects** are anticipated.

Church Fenton New Settlement

8.5.2 The site contains several Scheduled Monuments; a collection of World War II RAF airfield defences; including fighter pens, a Type 24 pillbox, two gun posts and a battle HQ. Just over 700 m west of the proposed development site is the centre of Church Fenton village which has six listed buildings including the Grade I listed Church of St. Mary the Virgin. The site is also thought to contain archaeological remains potentially including prehistoric, Roman and Anglo Saxon remains. It also contains military remains associated with the airfield itself. The development presents potential adverse effects on the existing historic environment. However, the scale of the development does present opportunities for appropriate mitigation and enhancement; a heritage led development design may contribute to the significance of the heritage assets and allow that significance to be better appreciated. On balance, mixed effects are predicted. On one hand there could be **moderate negative effects** on the setting of Church Fenton village as well as direct impacts on heritage assets on site. Conversely, the development could bring about **minor positive effects** through the productive and sensitive use of heritage assets.

Heronby New Settlement

8.5.3 Whilst there are no designated heritage assets within the site, the Escrick Conservation Area is adjacent to the north-eastern tip of the site. The conservation area contains several listed heritage assets including a historic park (registered park and garden). Around 1km from the western boundary of the site is the Stilling fleet Conservation Area which includes several listed assets incusing the Grade I listed; Church of St Helen. The proposed development therefore has the potential to affect the setting and historic landscape of the area. The scale of development should allow for appropriate mitigation through landscaping and screening, therefore, only **minor negative effects** are predicted.

8.6 Health

Burn New Settlement

8.6.1 The scale of growth proposed presents economies of scale that should facilitate the provision of new health facilities. The current outline proposal for the BNS includes a new GP surgery and potentially a new extra care facility. By virtue of its proximity to Selby the site also benefits from the existing healthcare infrastructure in Selby; such as Selby Hospital. Over 50% of the proposed settlement will comprise open space, including a country park and recreational formal and informal open space. The health benefits of open green space are now widely acknowledged, urban green spaces can promote mental and physical health, and reduce morbidity and mortality in urban residents. In this respect the BNS is predicted to have **moderate positive effects** on health due to the provision of new healthcare facilities and proximity to Selby's health infrastructure and the provision of substantial areas of green/ open space.

Church Fenton Settlement

8.6.2 The outline proposal for the development does not include new healthcare facilities, but these will be expected to be delivered. It does include green/ blue infrastructure and public open space. The location of the site is relatively distant from major centres such as Selby, Tadcaster or Sherburn and the nearest is Ulleskelf. In the absence of new health facilities additional pressure would be put on the existing facilities in Ulleskelf. However, the provision of health facilities is likely to be a key policy requirement, so negative effects ought to be avoidable. Based on the current outline proposals (which are not explicit with regards to the need for health related infrastructure), only **minor positive effects** are predicted. The inclusion of open space is also beneficial as it should promote healthier lifestyles and support wellbeing.

Heronby New Settlement

8.6.3 The current outline proposal includes provision of health facilities including GP and dentist provision. It also includes a sports pavilion to support outdoor activity with the possibility of indoor leisure provision. A network of green open space, ranging from existing woodland to parks, green corridors and allotments is also to be provided. Beyond the site boundaries, other potential opportunities are being explored including a wildflower meadow, a fitness trail, recreational areas and reinstated water bodies and meadows. In view of this the HNS is predicted to engender **moderate positive effects** on health.

8.7 Air quality

8.7.1 None of the sites are predicted to have a significant impact on the New Street AQMA in Selby as the nearest site (Burn) is around 3.5 km away from the AQMA. However, all three locations for the new settlement(s) are predicted to have unfavourable effects on air quality due to the scale of growth proposed. Some of this will be offset by the onsite services and employment opportunities which should help reduce the need to travel further afield. The provision of more sustainable forms of transport such public transport (buses, trains), pedestrian and cycle ways will also make a positive contribution by reducing the need to travel by car.

Burn New Settlement

8.7.2 The site's location close to major employment and services within Selby and strategic employment sites along with the good transport connections should help reduce some of the projected increase in vehicular traffic. The proposal also includes sustainable forms of travel including pedestrian links to Burn Village and the Trans Pennine Way which connect it to Selby thus encouraging active travel (walking/ cycling). The scheme would help to support a new bypass (though this is not a committed scheme), and should this come ahead it would have beneficial effects on traffic in the village of Burn.

8.7.3 Overall, the site is predicted to generate only **minor negative effects** on air quality due to its distance from the AQMA, the provision of sustainable transport options and its close proximity to major employment and services.

Church Fenton New Settlement

8.7.4 The provision of sustainable travel infrastructure and proximity to two train stations will help counteract some of the increased traffic-related emissions here. Whilst substantial local employment opportunities are likely to be created through the Create Yorkshire development, access to opportunities outside the settlement may be more limited due the site's location. The limited access to major roads could lead to congestion at surrounding road junctions which can create localised air quality issues. However, the site is not close to existing air quality management areas, and a worsening of air quality across the borough is likely to be minor. Therefore, this site is predicted to **minor negative effects** on air quality.

Heronby New Settlement

8.7.5 This proposal also includes local employment provision which should reduce the need to travel further afield and facilitates the use of public transport and walking or cycling. The proposal's inclusion of sustainable transport Hub at its centre and EV charging points should enable use of electric vehicles and sustainable transport. The site should have good access to employment opportunities outside the settlement particularly in York and Selby through the A19. Overall, **minor negative effects** are anticipated.

8.8 Biodiversity

Burn New Settlement

8.8.1 There are no internationally or nationally designated biodiversity sites within the site. There is a 15ha buffer between the airfield and Burn Lane which contains priority habitats namely; Coastal and flood plain grazing marsh (12.5ha) and a smaller area of lowland calcareous grassland. However, within the south west of the site there is a Site of Importance for Nature Conservation, which contains areas of priority habitat (deciduous woodland and 'coastal and floodplain grazing marsh'). These are likely to have value for biodiversity, and could have links to surrounding areas and designated sites. The proposal would avoid development in this location, but there could potentially be some recreational pressures (though these would be offset by the provision of formal green space and a country park.

8.8.2 There is also a small area of broad leaved woodland habitat to the north of the site. The current proposal states that these will be retained and enhanced via buffer habitat creation with minimal public access.

8.8.3 The proposal also aims to deliver Biodiversity Net Gain (BNG). The proposal will also consider the potential to provide supporting habitats for wader and wildfowl associated with the Lower Derwent Valley SPA/Ramsar and Humber Estuary SPA/Ramsar. These measures are positive, and whilst they are counteracted by recreational pressures and potential pollution from noise, light and surface water runoff, the overall effects should still be positive given the need for net gain and avoidance of existing areas of ecological value. Therefore, overall **minor positive effects** are predicted.

Church Fenton New Settlement

8.8.4 The site does not contain designated biodiversity sites but there are several areas of deciduous broadleaved woodlands (a priority habitat) around the perimeter of the site. There is also an area of traditional orchard adjacent to the site. The Paradise Wood SINC, a 12 ha site of ancient woodland comprising deciduous woodland habitat, is 180 m from the site. Further SINCs are scattered around the site within 440 m to 1400 m from the boundary of site. These include deciduous woodland habitat and coastal and floodplain grazing habitats. The current proposal does not state whether these are to be retained and protected, but it is presumed that a comprehensive biodiversity strategy will need to be implemented. Therefore, whilst the scale of development could lead to adverse effects on nearby SINCs (by way of recreational disturbance, noise, pollution and domestic animals for example) it is expected that such effects could be mitigated. In the absence of specific measures to deal with these issues though, **moderate negative effects** are predicted.

Heronby New Settlement

8.8.5 There are no nationally/ internationally designated sites within the site. The Acaster South Ings SSSI along the River Ouse is around 1.7km outside the northern western boundary of the site. Whilst the SSSI impact risk zones do not overlap the site the scale of urbanisation may impact the tradition of grazing stock in the SSSI, a process vital for its conservation. Other effects such as noise, light and storm water pollution and recreational pressures may also adversely affect the SSSI. There is a section of ancient woodland; Heron Wood, which is at the centre of the site and includes deciduous woodland priority habitat. There are several smaller areas of this habitat to the south west of the site.

8.8.6 Natural England has some concerns about potential impacts on the ancient woodland, but the current proposal sees this as an opportunity to improve the ecology of Heron Wood. Adding that '*new, native trees and shrubs would be planted to increase the biodiversity of the area which is largely today a monocultural commercial plantation. Most of Heron Wood is designated as PAWS, meaning a Plantation on Ancient Woodland Site. The new, enhanced planting of indigenous species would help create a much more natural environment where native plants and animals can thrive.*'[8]

8.8.7 Taking into account the potential negative effects, mitigation requirements (though these are not detailed at this time) and potential for enhancement, the overall effects of development are predicted to be **minor negatives**.

8.9 Land and Soil

8.9.1 The Heronby site comprises greenfield land including some Best and Most Versatile agricultural land (BVM). It contains around 83 ha of Grade 2 BVM agricultural land (PALC data) and the rest is Grade 3 (potentially including some Grade 3a BVM land). Therefore, locating the new settlement here is likely to have **moderate negative effects** as development on this greenfield site would lead to the loss of some BVM agricultural land

8.9.2 Though parts of the Burn site consist of previously developed land, there are large areas of agricultural land (over 100 ha), which are categorised as Grade 2. Development is proposed on much of this arable land and would therefore lead to a permanent loss of best and most versatile agricultural land. These are **moderate negative effects**.

8.9.3 The Church Fenton location is predicted to have **minor positive effects** as it utilises previously developed land (avoiding the need to release greenfield agricultural land elsewhere).

[8]Source: https://www.heronby.co.uk/

8.10 Climate Change adaptation

Burn New Settlement

8.10.1 The area is low lying with the entire site falling within Flood Zone 3 (although it benefits from flood defences). The proposed settlement involves raising site levels at the Northern and Eastern areas of the site by 0.7-1.5m. Finished Floor Levels are to be set at 7.2m Above Ordinance Datum (AOD). The proposal also states that runoff generated by the site will be restricted to existing greenfield runoff rates and discharged to the existing internal drainage board (IDB). It also proposes to include site-wide SuDS and includes permeable paving, swales, retention basins, ponds and wetlands. Therefore, the potentially significant negative effects of the location are partially moderated by the inclusion of SuDS and raising of floor levels within the settlement. However this may produce adverse impacts beyond site boundaries exacerbating risk to surrounding areas. Though the site benefits from flood defences, and land raising measures, extreme events may still place development at risk of flooding in the longer term under certain climate change scenarios. therefore, **moderate negative effects** are predicted to remain.

Church Fenton New Settlement

8.10.2 The majority of site is within Flood Zone 2. The proposal involves raising finished floor levels by 0.3 m to help mitigate potential effects. The development would also incorporate SuDS into the scheme. Therefore, **minor negative effects** are predicted.

Heronby New Settlement

8.10.3 Most of the site is at low risk of flooding (Flood Zone 1) with an area of around 10.7 ha at the south west tip of the site being in a Flood Zone 2. The current masterplan includes several areas of green space and blue infrastructure. It also involves reinstating lowland meadows and water bodies to the south of the site (just beyond the boundary). Whilst the urbanisation of the site could reduce permeability this is counterbalanced by the reinstatement of water bodies and the retention and creation of new blue and green infrastructure which should help further reduce flood risk on site and beyond. On balance, **neutral effects** are predicted.

8.11 Housing

8.11.1 All of the options are predicted to have **major positive effects** as they provide substantial growth (3000-4000 new dwellings) which will help meet housing needs, supporting economic growth and providing an element of flexibility when combined with other proposed housing allocations. The Heronby proposal is particularly positive as it provides the most dwellings, but some of these effects would arise beyond the plan period. On the other hand, the Burn site is likely to benefit from its proximity to Selby town and may in turn lead to beneficial effects on the some of the deprived areas within Selby town by providing access to new (including affordable) housing, employment and services. Similarly, major positive effects are produced by the Church Fenton proposal as it utilises a brownfield site and includes substantial employment opportunities with access to sustainable transport (2 railways stations in the vicinity).

8.12 Landscape

Burn New Settlement

8.12.1 The site is within the Levels Farmland Landscape Character Type, flat and open in character surrounded by fields. There are some mature trees and patches of deciduous woodland at the eastern and south western areas of the site. The Landscape Sensitivity Study[9] rates this as having moderate to high sensitivity to residential development. The scale of growth proposed here is also likely to adversely impact neighbouring Burn village as development would substantially alter the character of the landscape, and this might be exacerbated by the raising of finished floor levels to address flood risk.

8.12.2 The negative effects are tempered somewhat by the inclusion of substantial open space and landscaping (over 50% of site) which are to include a Country Park and 'Wild areas', formal and Informal spaces. Therefore, with mitigation, **moderate negative effects** are predicted overall.

Church Fenton New Settlement

8.12.3 The site comprises a flat, low-lying area surrounded by open landscape. The Leeds East airport forms a prominent large scale development here. There are several World War II heritage assets (associated with its former use as an RAF airbase) designated as scheduled monuments. Church Fenton village is close to the southern boundary of the site. The Landscape Sensitivity Study rates this area as being moderately sensitive to residential development. The proposed scheme shows a green area with trees to the south western boundary of the site which potentially creates a buffer between the development and Church Fenton village. The areas in the vicinity of the scheduled monument are more sensitive to development. However, the size of this site affords scope for incorporating mitigation measures to reduce unfavourable effects on the landscape. Therefore, with mitigation, **minor negative effects** are predicted.

Heronby New Settlement

8.12.4 The site is located to the south west of Escrick Village. The area comprises flat low-lying topography comprising agricultural fields. There is an area (8ha) of ancient and semi-natural Woodland (Heron Wood) at the centre of the site. The historical landscape and conservation area in Escrick, including designated landscape of Escrick Park is adjacent to the north eastern tip of this site. The proposal includes a tree lined boundary and advocates blending the development into the surrounding landscape. However, given the scale of the development the site will inevitably change the character of the landscape and settlements in the wider vicinity. Therefore with mitigation **moderate negative effects** remain.

8.13 Water

8.13.1 Large parts of the District are designated as Nitrate Vulnerable Zones, and there are a number of countryside stewardship schemes operating through the District, with priority locations identified in term of pollutants and sedimentation from farming. This includes Sherburn in Elmet, Eggborough, South Duffield, Barlby with Osgodby, and Church Fenton. The scale of a new settlement (in any of the three locations) will increase water demand in the area. It is likely that new treatment plants will be required, or additional capacity provided in existing water and wastewater infrastructure. Similarly, additional treated effluent discharge from the local wastewater treatment works can potentially have unfavourable effects on water in the local waterbodies. Therefore, all options are predicted to have **minor negative effects** on water due to the additional demands on water sources and the potential pressures on water quality in local water bodies. Where land use changes will result in a reduction in agricultural activity, this could help to reduce pollution from nitrates, which in the longer term is a **minor positive effect** for the Heronby and Burn sites.

8.14 Overall Summary

8.14.1 The Burn New Settlement generates the most significant positives on socio-economic factors, mainly due to its location close to major employment and services in Selby town which produces positive synergies in terms of population and communities, economy and employment, housing and transport SA themes. However, it generates negative effects with respect to climate change adaptation due to the site being entirely in a Flood Zone 3. Negative effects on landscape character are also likely to arise, despite mitigation proposals, and there will be a loss of Grade 2 agricultural land.

8.14.2 Heronby generates less positives compared to Burn, but still generates significant benefits with regards to the amount of housing likely to be delivered, the significant new community infrastructure and substantial green space, walkways and cycle routes proposed. There are no major negatives predicted for this site. However, given the greenfield nature of the site, moderate negatives are forecast for the Landscape and Land and Soil themes.

8.14.3 The Church Fenton site scores positively with respect to housing, economy and employment, and population and communities as it benefits from existing and new, onsite, employment opportunities and provision of community infrastructure such as a community hub, two new schools and blue / green infrastructure. However, it scores a negatively with regards to Biodiversity due the presence of several important SINCs within and around the site. The proposal does not mention whether these are to be retained and protected. There are also constraints with respects to the Historic environment due to the presence of several assets associated with WWII RAF airfield defences (a Scheduled Monument). Moderate negative effects are also predicted on air quality due to the lack of good access to the major roads network which may lead to traffic congestion issues on surrounding country lanes and B roads.

8.14.4 Comparatively each of the sites have their own strengths and weaknesses. It is therefore difficult to rank any of the options as the ‘best’ or ‘worst’ in overall terms. However, comparing the individual SA topics (See Table 8-1 and Table 8-2) shows that Burn performs clearly better than the other two options against the most SA Topics (Biodiversity, Historic Environment, Transport, economy and employment) and the worst for just one SA topic (Climate Change Adaptation). Church Fenton performs clearly worse than the other two options for five topics (Biodiversity, health, landscape, water and Transport), and the most positive for just one SA Topic (Land and Soil). Heronby is not clearly worse than both of the other settlement options for any SA Topic,but performs best with regards to Climate Change Adaptation. In table 8.2, where one of the options is scored as better than both the other two, it is highlighted yellow. Where an option is scored the worst of all options, it is highlighted in pink shading.

8.14.5 The Burn site brings about a broader and more significant range of positive effects compared to the other two new settlements. However, it records the greater number of moderate negative effects compared to the alternatives. The key issues are the loss of grade 2 agricultural land, impacts on landscape and flood risk. With further details, effects on the landscape and flood risk could potentially be reduced to minor negative, but the loss of soil resources would be unavoidable.

8.14.6 Whilst Church Fenton and Heronby do not bring about as many significant positives on socio-economic factors (compared to Burn), there will still be moderate or minor positive effects. There are some SA factors where negative effects are the same for all three settlements (air quality, climate change mitigation), but for other factors, each settlement performs slightly different. For example, Church Fenton is the only option to perform positively with regards to land and soil and the historic environment.

Table 8-1: Summary of effect Significance

SA Topic	Burn	Church Fenton	Heronby
Air quality			
Biodiversity			
Land and Soil			
Climate change adaptation			
Climate change mitigation			
Economy and employment			
Health			
Historic Environment			
Housing			
Landscape			
Population and Communities			
Transport			
Water			

Table 8-2: Comparative rank of new settlement options for each SA topic

SA Topic	Burn	Church Fenton	Heronby
Air quality	-	-	-
Biodiversity	1	3	2
Land and Soil	2	1	2
Climate change adaptation	3	2	1
Climate change mitigation	-	-	-
Economy and employment	1	2	2
Health	1	2	1
Historic Environment	1	2	2
Housing	-	-	-
Landscape	1	2	1
Population and Communities	1	1	1
Transport	1	3	2
Water	1	2	1

8.15 Selection of a preferred approach

8.15.1 The appraisal of 'new settlement' options was undertaken to inform consultation on the Publication Local Plan which took place between between 26 August and 28 October 2022. The Council identified Heronby as a preferred approach at this point in time. The reasons for this can be found in previous SA work and supporting plan making documents. However, at the revised Publication Local Plan no longer considers it necessary to include a new settlement as part of the spatial strategy. The Council's outline reasons for this are summarised below.

8.15.2 The consultation on the Publication Local Plan took place In total 409 individual responses were received to the consultation, with 202 in relation to a new settlement proposal at Heronby.

8.15.3 The Revised Publication Selby Local Plan 2024 removes the proposed new settlement known as Heronby, adds four further site allocations, includes revisions to policies in response to comments raised as part of the previous consultation stage and any changes required following the publication of the revised National Planning Policy Framework (NPPF) in December 2023.

8.15.4 Most responses to the Heronby New Settlement proposal were objections based on adverse traffic impact on the A19 and the wider local highway network, impact on the ancient woodland, impact on climate change, the loss of agricultural land and development of greenfield land. Concerns were also raised about the lack of access to employment opportunities and assertions that new housing should be sited in the more affordable areas of the district. Of note City of York Council has raised concerns based on the highway modelling undertaken to inform the Plan in relation to the Heronby site and National Highways have raised concerns in relation to the A19/A64 trip rates, internalisation rates within the site and phasing of infrastructure improvements. These concerns have yet to be resolved.

8.15.5 The Revised Local Plan provides sufficient land to meet the housing needs of the former Selby district area up to 2040. The Council recognises that the higher housing figure as evidenced from 2020 Housing and Economic Development Needs Assessment, which was updated in 2022, reflects an optimistic position, but plans positively for the long-term growth of the former Selby district area and provide sufficient flexibility to respond to changes in the economy.

8.15.6 The Council considers that: there are outstanding concerns regarding the Heronby proposal; there is no need for a new settlement in this Plan period as the housing requirement can be met on other sites with a buffer for flexibility; and in any case the Selby Local Plan will be superseded in five years by a new Local Plan for North Yorkshire which can consider the spatial strategy options.

9. Reconsideration of Spatial Options (Pre-Submission)

9.1.1 Following consultation at the preferred options stage, the Council refined the spatial strategy for the first Publication, pre-submission stage. The key elements of the strategy at this stage are set out in Table 9-1 below, along with a summary of any key differences between the preferred options and Publication, pre-submission stage. Comments in relation to reasonable alternatives were received during consultation on the Interim SA Report, and these have been factored into additional work (see Appendix D for a log of responses).

Table 9-1: Comparison of the spatial strategy between Preferred-Options and Pre-Submission

Strategy element	Preferred Options Stage (Option A)	Pre-Submission Stage
Housing target	8,040 new homes	7,728 new homes
Selby Town	1750	1,877
Tadcaster	400	349
Sherburn in Elmet	300	372
Urban extension in Eggborough	1350	995
New settlement	1,260 (Not confirmed)	995 in plan period (Heronby)
Tier 1 and 2 Villages	1,510	1,434
Employment land target	110ha of employment land	110ha of employment land

9.1.2 The strategy is essentially an update to Option A, rather than being a shift in approach. This is clear by comparison of the numbers of dwellings that have been apportioned to different settlements and broad locations. The main changes relate to site selection and capacity of new settlements[10], rather than strategic choices. In terms of reasonable alternatives, the focus at this stage of plan-making should therefore be upon the following:

- Is there any evidence to suggest that further strategic options should be tested?
- Have consultees suggested that there are reasonable alternatives that should be tested?

9.1.3 Each of these questions is answered in turn below.

[10] The capacity at the new settlement has been reduced to reflect the longer lead-in times that might be required for such sites.

9.2 Is there any evidence to suggest that further strategic options should be tested?

9.2.1 The evidence of housing needs has been updated, but the changes identified are not significant in respect of the dwellings per annum or overall figures for housing delivery. A higher level of housing growth has already been tested at preferred options stage (reflecting the potential for the government's standard methodology change), and so it is considered unnecessary to repeat this process. Likewise, the Council consider that not aiming to meet identified housing needs is unreasonable, and therefore, no further growth options are considered to be reasonable at this stage.

9.2.2 No new sites have emerged as options that suggest the distribution of development should be radically different to any of the options tested at preferred options stage

9.2.3 With regards to employment development, the Council maintains its position that there are no reasonable alternatives to the Plan approach.

9.3 Have consultees suggested that there are reasonable alternatives that should be tested?

9.3.1 It has been suggested that an alternative should be tested that does not include the assumption that a new settlement would be part of the strategy. To reflect this, a new alternative has been appraised at this stage. Details relating to how needs would be distributed under such an option are set out in table 9.2 below.

9.3.2 It has also been suggested that an option should be tested where no land that is at significant risk of flooding in Selby Town should be involved. This would involve an increase in the release of Green Belt land at Tier 1 and 2 settlements. However, given the need to ensure resilience to flooding and climate change, a new alternative has been appraised at this stage. Details relating to how needs would be distributed under such an option are set out in table 9.2 below.

9.3.3 To ensure that all options are compared in a consistent and comparable way, these two new options have been appraised alongside options A, B, C, D and E, but slight tweaks have been made to the initial options to reflect the lower housing target being planned for at this stage of the plan-making process.

Table 9-2: Breakdown of the strategic growth options (First Pre-Submission Stage).

	Option A	Option B	Option C	Option D	Option E	Option I	Option J
Spatial Strategy Option Description	Focus on Selby with smaller distribution elsewhere	More development in the smaller villages, less development in Selby Town	Less development in Eggborough and Selby, more growth in smaller villages	Less development in Selby Town, expansion of Eggborough and more growth in smaller villages	Green Belt Release. Less development in Selby Town, expansion of Eggborough	No development in Flood Zones 2 and 3.	No new settlement at Heronby
Dwellings Per Annum	386	386	386	386	386	386	386
20 Year Plan Target	7728	7728	7728	7728	7728	7728	7728
Supply @ 30.04.2022	2573	2573	2573	2573	2573	2573	2573
Residual Target	5155	5155	5155	5155	5155	5155	5155
Selby Town	1750	550	550	550	550	200	1000
Tadcaster	400	400	400	400	600 (200 in GB)	400	400
Sherburn in Elmet	300	300	300	300	800 (500 in GB)	300	300
Heronby	945	945	945	945	945	945	0
Eggborough Expansion	945	945	0	945	945	945	945
Tier 1 Villages	810	1350	1650	1200	1200	1200	1650
Tier 2 Villages	700	1200	1550	1050	900	900	1550
Smaller Villages	Windfall	Windfall	Windfall	Windfall	Windfall	Windfall	Windfall
TOTAL	5850 (+695)	5690 (+535)	5395 (+240)	5390 (+235)	5940 (+785)	5870 (+715)	5,845

Figure 9-1: Distribution of housing for Option A

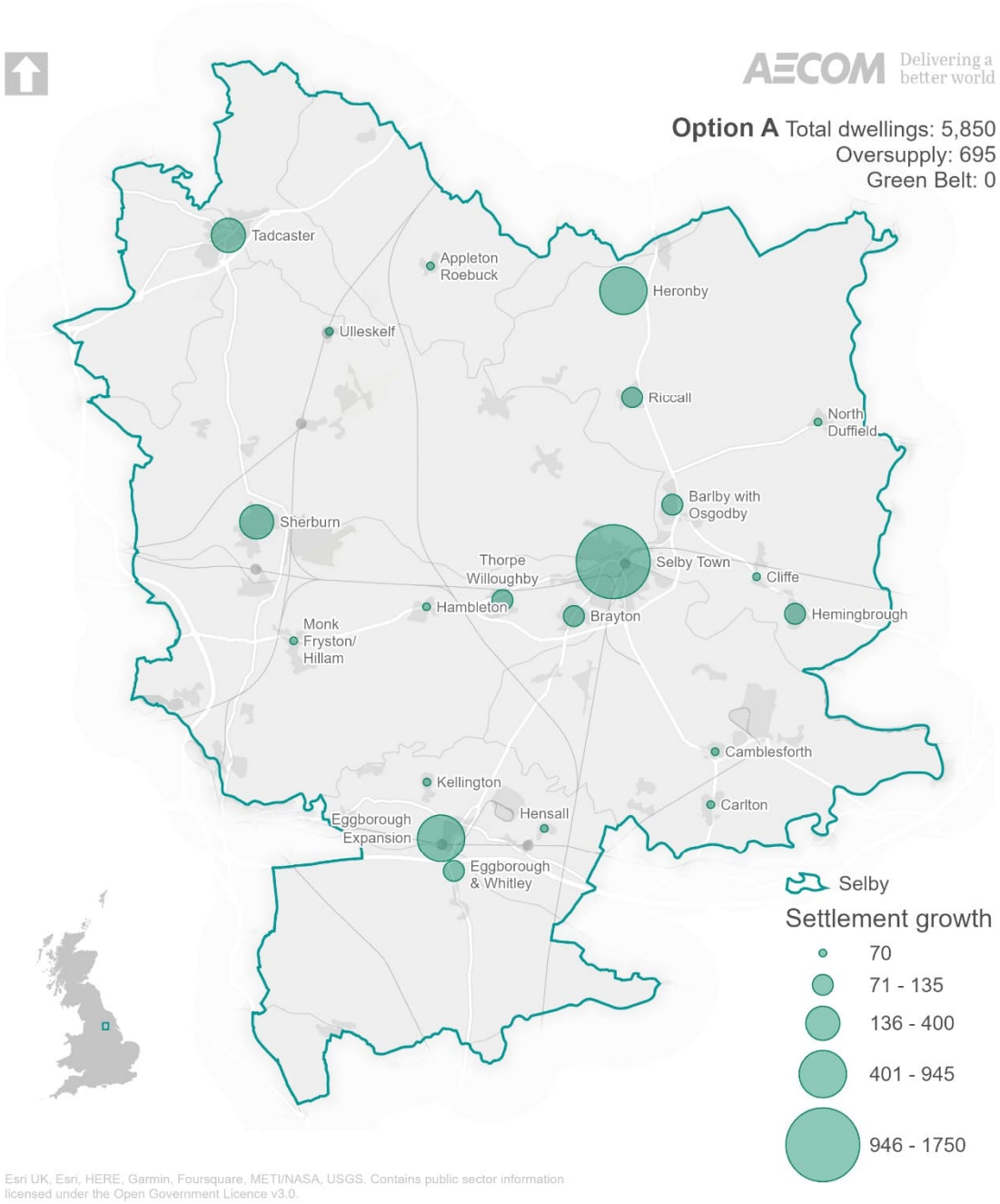
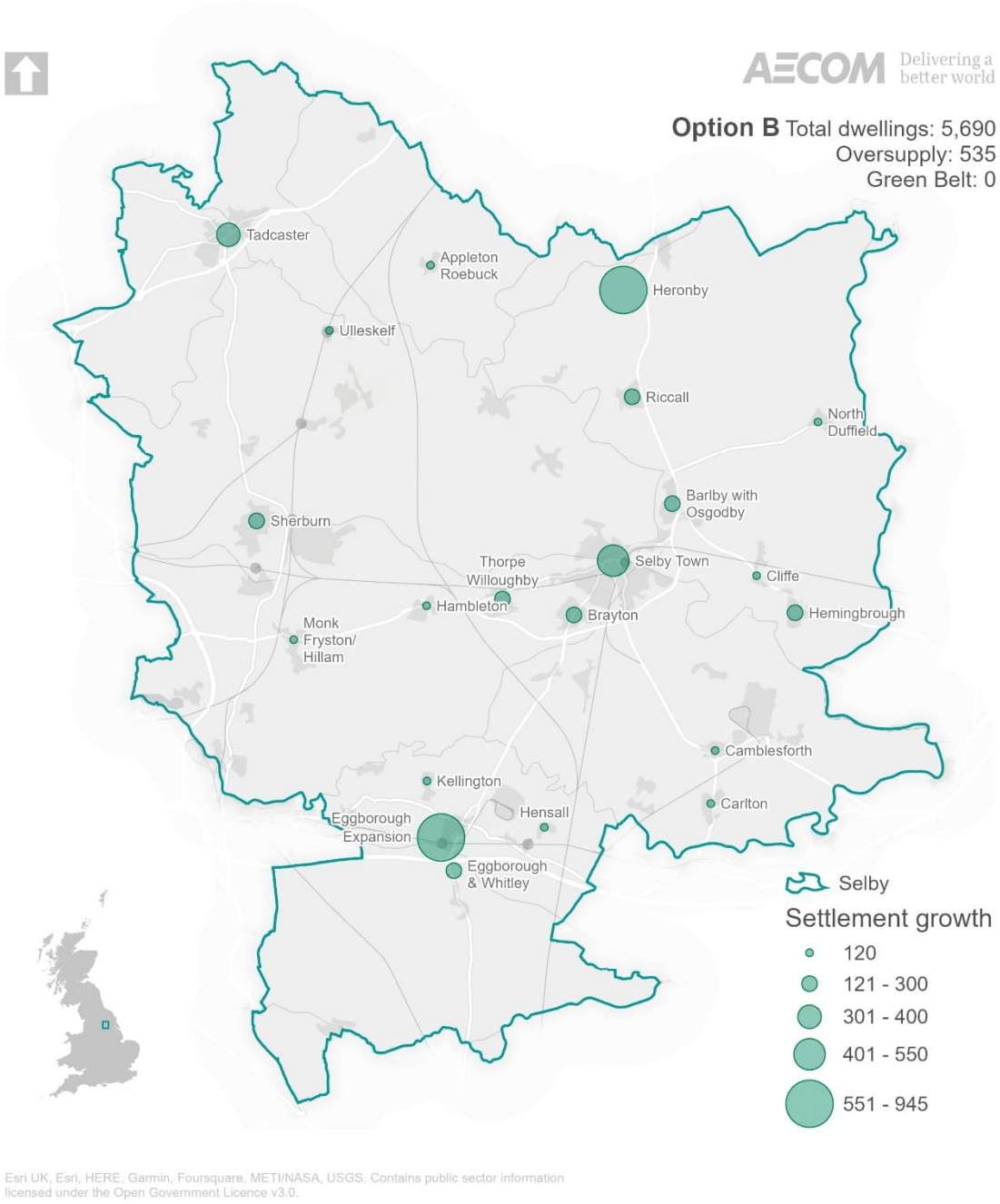


Figure 9-2: Distribution of housing for Option B



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Figure 9-3: Distribution of housing for Option C

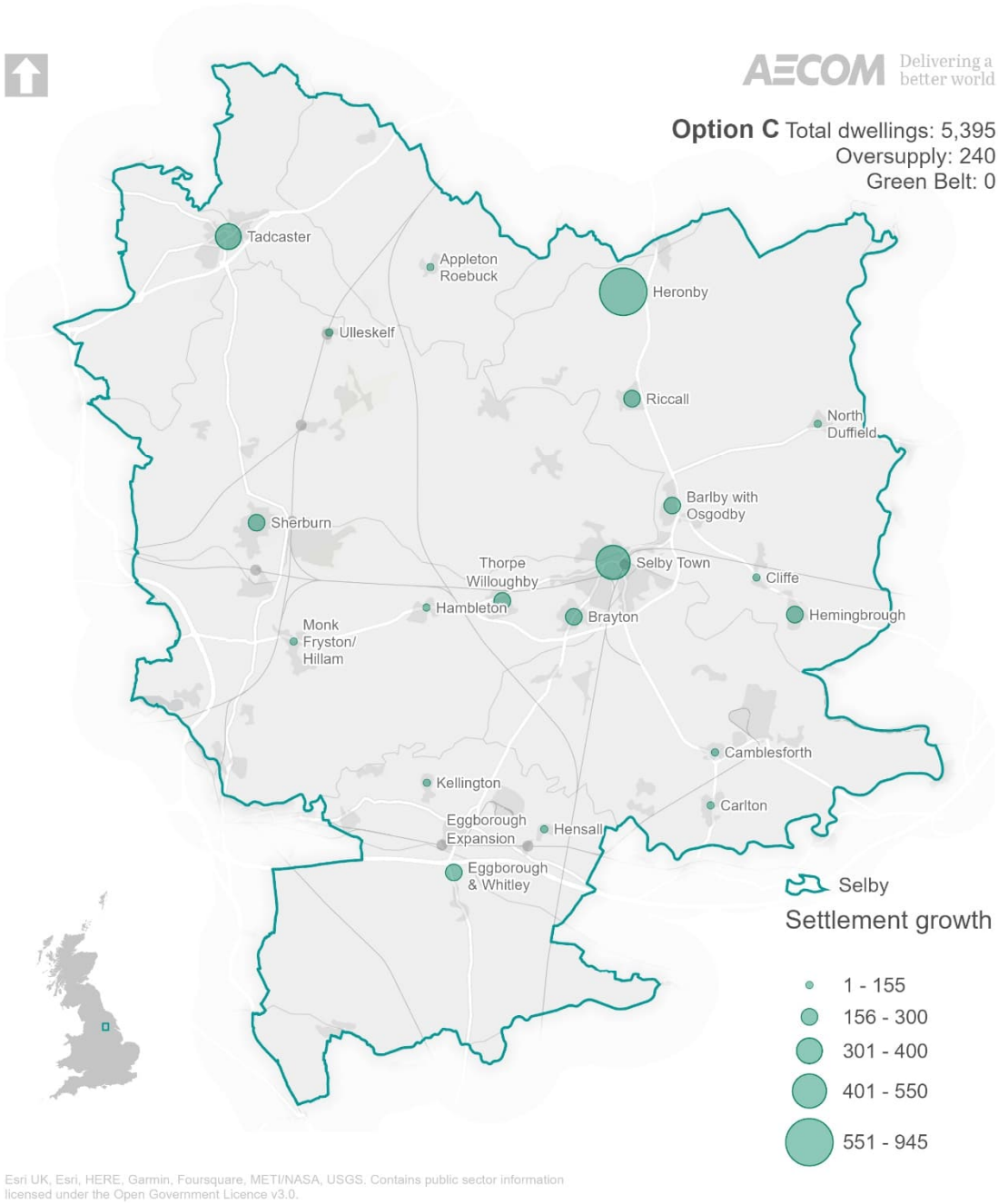


Figure 9-4: Distribution of housing for Option D

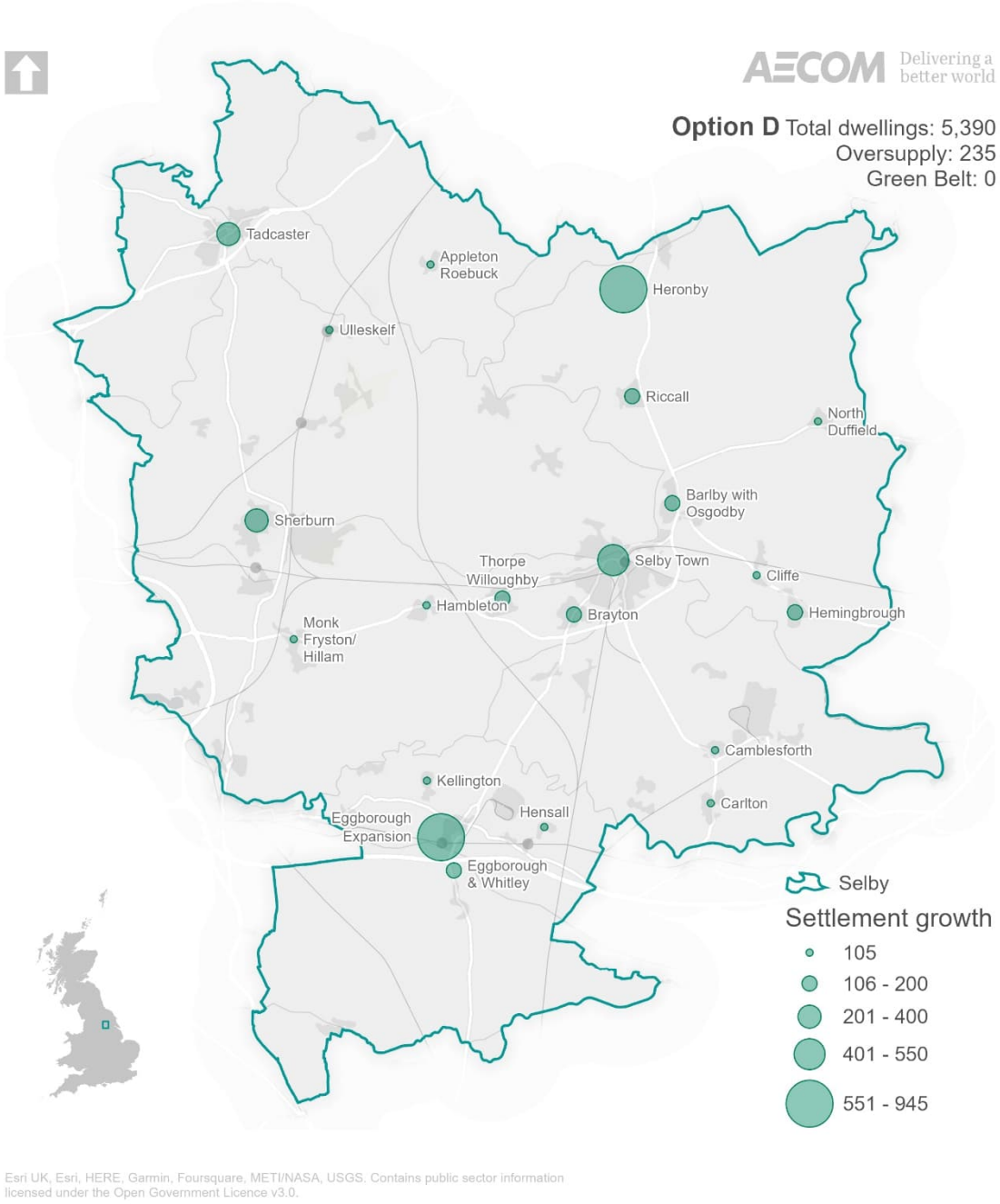


Figure 9-5: Distribution of housing for Option E

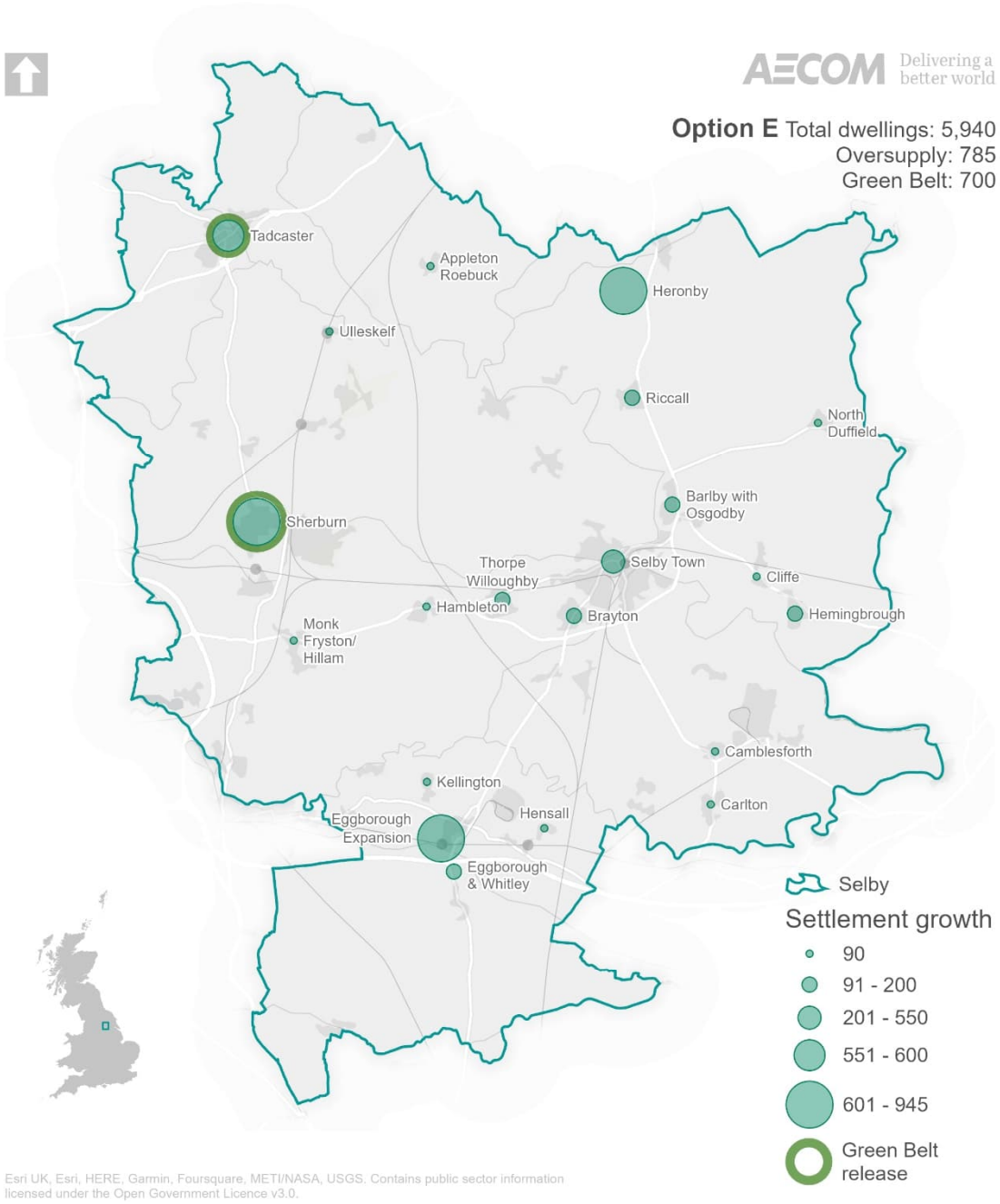
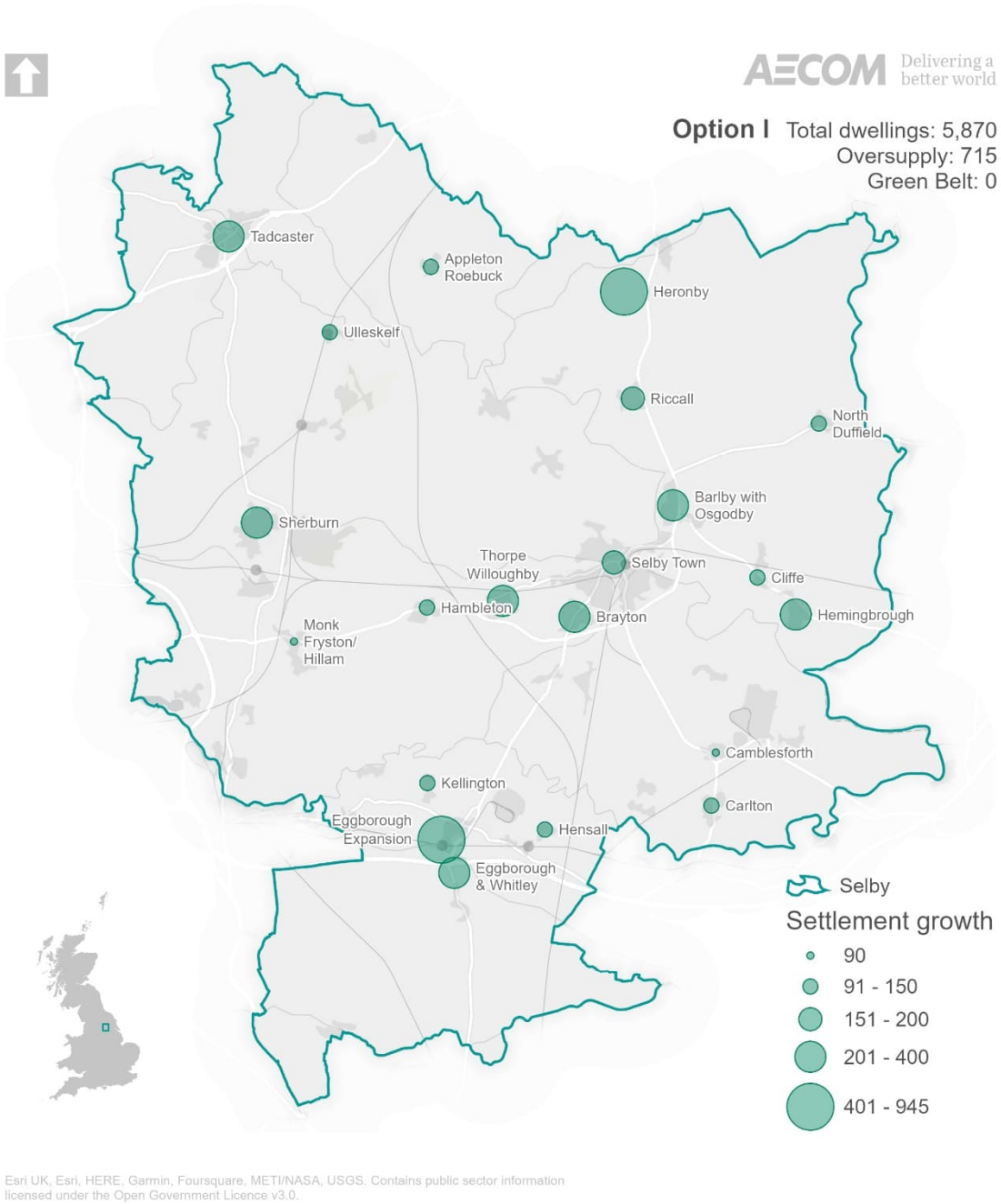
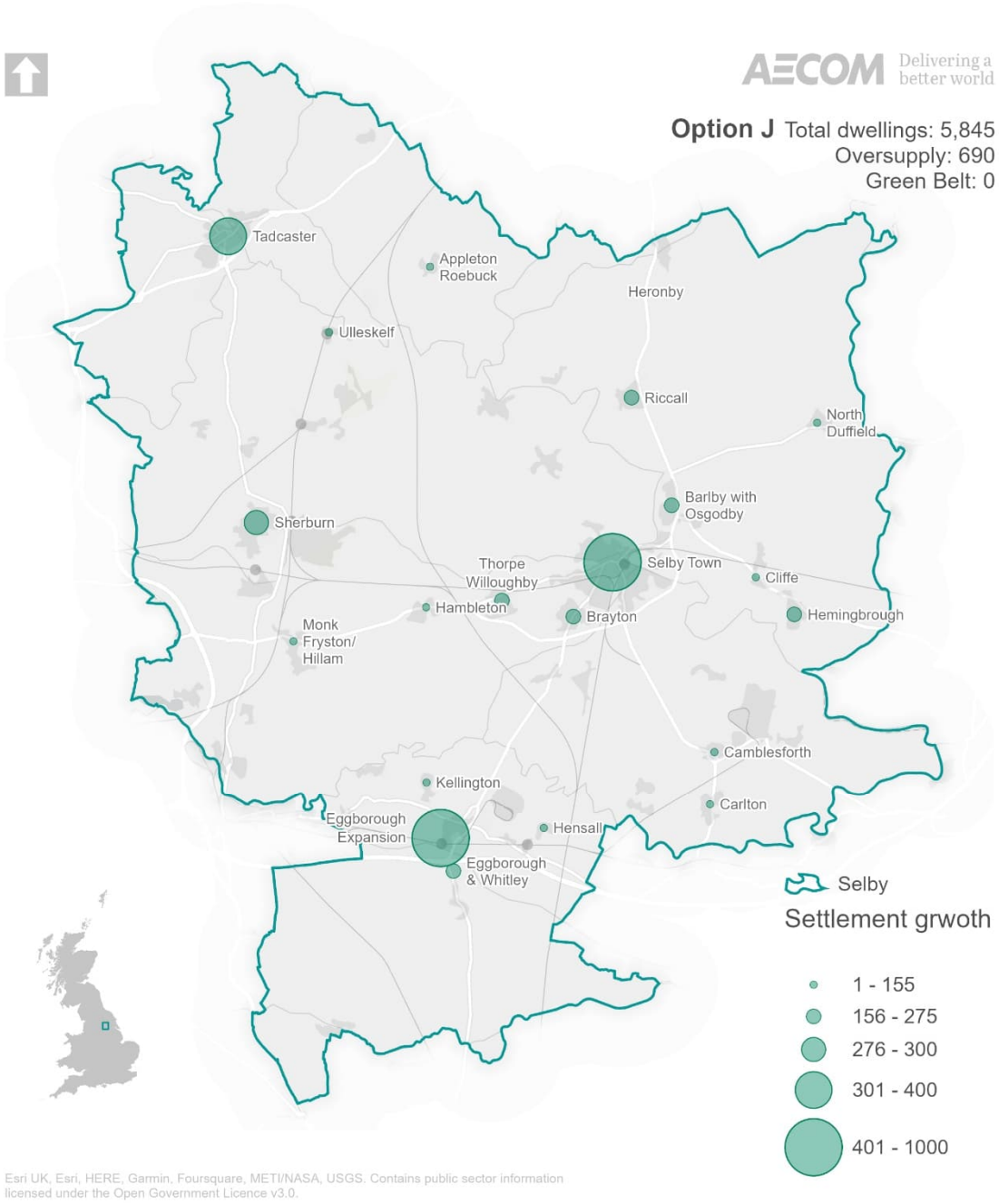


Figure 9-6: Distribution of housing for Option I



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Figure 9-7: Distribution of housing for Option J



9.4 Summary of appraisal findings

9.4.1 The table below presents a visual summary of the options appraisal findings undertaken at this stage. This is followed by a summary of the effects by each SA topic, and then a comparison of each option. The complete detailed appraisals can be found in Appendix E.

9.4.2 For clarity, the Council's proposed approach at this stage (Option A) is highlighted below in purple. This was reflected in the spatial strategy outlined in the first Reg19 consultation on the draft Plan,

	A	B	C	D	E	I	J
Air quality	?		?				
Biodiversity							
Land and Soil							
Climate change adaptation						?	
Climate change mitigation	?						
Economy and employment					?		?
Health							
Historic Environment							
Housing							
Landscape	?	?		?		?	
Population and Communities							?
Transport	?		?				?
Water	?	?		?		?	

9.4.3 There are similarities between the appraisal findings for each of the options. For example, all of the options are predicted to have major positive effects with regards to housing as they would all meet identified needs in one way or another. All options are also predicted to have major negative effects with regards to land and soil, as the scale of growth requires the loss of agricultural land regardless of approach. There are some subtle differences between the options for these SA objectives, but these do not warrant a different overall score.

9.4.4 The options also perform similarly with regards to climate change adaptation and mitigation, with minor negative effects being identified for all options. The main differences relate to Option A, which ought to be marginal better in terms of reducing additional transport related emissions, and Option I, which avoids a greater number of areas or larger areas of land at risk of flooding.

9.4.5 The effects on landscape are also predicted to be major negative for all options, but this is more certain for options C, E and J which involve higher levels of growth in tier 1 and 2 settlements and / or Green Belt. There is some uncertainty for the other options as to whether effects would be moderate or major. The options perform the same with regards to the water SA objective, with options C, E and J being most likely to give rise to negative effects.

9.4.6 The main differences between the options relate to the air quality, biodiversity, economy, health, historic environment, transport and population. Option A is most positive with regards to social factors, with major positive effects recorded in relation to health and economy and employment. Options E and J could also potentially have major positive effects for employment, but for health these are only moderate effects. Options C, E and J also have the potential for greater negative effects on biodiversity compared to options A, B, D and I.

9.4.7 Option A however, is potentially one of the more negative options regarding air quality, as it focuses higher growth closer to an existing AQMA. This also has implications in terms of congestion, but this is offset by the fact that accessibility would be good for a higher proportion of new homes.

9.4.8 Broadly speaking, the options perform quite similar, and where there are differences, this relates to different SA topics. Therefore, it is difficult to say that one option is clearly better than all the others.

9.4.9 However, it is possible to identify that options C, E and J perform generally more negatively against the environmental topics (particularly biodiversity, historic environment and water) compared to the alternative options.

9.4.10 Options B, D and I perform marginally better than option A with regards to environmental factors (given that Option A is less favourable in terms of air quality), but they do not generate the same significance of effects overall in terms of socio-economic benefits.

9.5 Rationale for the preferred approach (at this stage)

9.5.1 The Council considered that Option A was the most appropriate as it continued to focus the largest proportion of development in the most sustainable locations, which have access to a range of employment opportunities, access to public transport and facilities, with less development proposed in locations with smaller numbers of facilities and poorer levels of accessibility.

9.5.2 The levels of growth allocated through this spatial option is appropriate to the scale, character and form of existing villages and existing infrastructure capacity.

9.5.3 The Sustainability Appraisal demonstrates that Option A has more positive effects compared to other options for: economy and employment; health; population and communities; and transport. Part of this is because Option A includes the provision of both a new settlement between Stillingfleet and Escrick and an urban extension at Eggborough. These larger developments provide the opportunity to plan properly and carefully design the schemes to create high quality, walkable neighbourhoods that are well-served by a range of community facilities, and which integrate into and link to existing communities and employment opportunities.

9.5.4 The further benefit of developing a new settlement and a village extension in these locations is that the scale of development brings significant investment and helps to support the provision of new infrastructure such as schools and health care and transport infrastructure which may otherwise be more challenging through smaller sites. This spatial approach also provides the basis for the longer-term growth of the District beyond this Local Plan period.

9.5.5 Options J and C, do not involve the same scale of growth at new settlements / expansions, and therefore the benefits in relation to infrastructure are less likely to be as widespread. Furthermore, it would lead to higher levels of growth in the Tier 1 and 2 settlements, which bring negative effects in terms of accessibility, landscape and heritage in particular.

9.5.6 The Council do not consider that exceptional circumstances exist to support Green Belt release as involved for Option E.

9.5.7 Whilst Options B, D and I perform similarly to Option A in most respects (and are less likely to lead to air quality issues in Selby Town), they do not bring about the same degree of positive effects overall considering economy, population and health.

10. Second Regulation 19 stage – Further refinement of spatial options

10.1.1 Following consultation on the Pre-Submission Plan there have been some notable external changes that need to be taken into consideration before the plan is finalised. These are summarised below.

- New housing and employment evidence.
- Creation of North Yorkshire Council.
- Consultation comments.

10.1.2 In response to these factors, the Council deemed it necessary to modify the Plan and undertake a second round of consultation under Regulation 19.

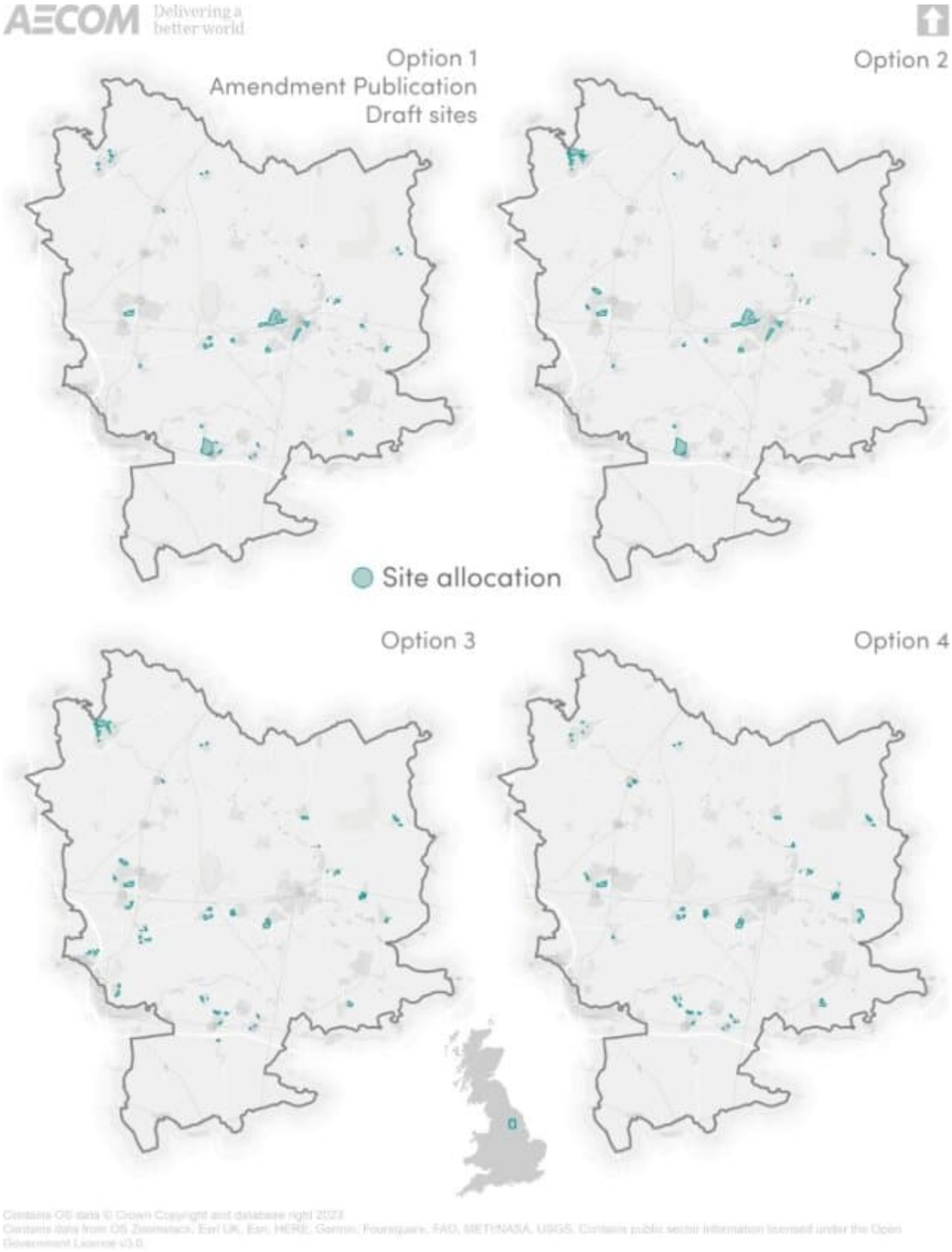
10.1.3 The changes proposed have implications for reasonable alternatives for the spatial strategy, and therefore further options have been explored and appraised through the SA. It is important to remember that a range of options have already been tested at previous rounds of appraisal, and therefore the options 'on the table' at this stage do not revisit approaches that have already been appraised or deemed to be unreasonable.

10.1.4 It has been possible at this stage to identify the sites that would be involved under the preferred strategy and any reasonable alternatives. These are mapped on figure 10.1 below, and correlate to the housing figures in table 10.1.

Table 10.1 Breakdown of the spatial strategy options (Amendment Publication Stage)

Spatial Strategy Option	1. Amendment Publication Draft	2. Alternative	3. Alternative	4. Alternative
Description	Focus on Selby. Eggborough expansion. Smaller distribution elsewhere. No Green Belt Release. No new settlement.	Focus on Selby, Tadcaster and Sherburn in Elmet. Eggborough expansion. No new settlement. Include Green Belt sites.	Avoid flood zones. Promote growth through the settlement hierarchy. Include Green Belt sites. No new settlement. No Eggborough expansion.	Avoid flood zones. Promote a greater number of dispersed sites. No Green Belt release. Eggborough expansion. No new settlement.
District-wide Requirement	7728	7728	7728	7728
Completions 01.04.2020 to 31.03.2023	1425	1425	1425	1425
Supply @ 31.03.2023	1329	1329	1329	1329
Minimum Requirement	4,974	4,974	4,974	4,974
Selby Town	1,807	1807	0	0
Tadcaster	372	991	811	192
Sherburn	380	758	758	534
Eggborough Expansion	1015	1015	0	1015
Tier 1 Villages	1259	512	2562	2450
Tier 2 Villages	481	199	1179	1095
Smaller Villages	Windfall	Windfall	Windfall	Windfall
Total allocations	5,314	5282	5310	5286
Oversupply	340	308	336	312

Figure 10.1 Sites involved for spatial strategy options (Amendment Publication Stage)



10.2 Summary of findings

10.2.1 Table 10.2 below illustrates the overall effects of each option against each SA Topic. A more detailed appraisal of the options is presented in Appendix G.

10.2.2 The significance of effects is colour coded as follows:

Major positive effects

Moderate positive effects

Minor positive effects

Neutral effects

Minor negative effects

Moderate negative effects

Major negative effects



Table 10.2: Visual summary of the spatial option overall effects

	Option 1	Option 2	Option 3	Option 4
Air quality	?		?	?
Biodiversity				
Land and Soil				
Climate change adaptation	?	?		
Climate change mitigation				
Economy and employment	?			
Health				
Historic Environment	?	?	?	?
Housing		?		?
Landscape			?	?
Population and Communities			?	
Transport			?	
Water				

10.3 Justification for the preferred approach

10.3.1 The Revised Local Plan approach delivers the Plan's visions and objectives and focuses most of the growth in locations which have a range of services and facilities in line with the Settlement Hierarchy.

10.3.2 The strategic approach recognises the opportunities to reuse brownfield sites in and regenerate Selby town centre and promote heritage-led regeneration at Tadcaster as well as support Sherburn in Elmet. It also provides an expansion site on the edge of Eggborough with associated new community facilities to support the new employment growth at the former power station and former colliery site close by.

10.3.3 Focusing development in these areas with some development in lower order settlements commensurate with their scale and character, supports local services and protects the environmental assets of the Plan Area.

10.3.4 The Plan provides sufficient deliverable land to meet the identified housing needs, with a buffer for flexibility without the need for a new settlement. There are no exceptional circumstances to take land out of the Green Belt.

Part 3: Appraisal of the Local Plan

11. Background

11.1 Introduction

11.1.1 This section presents an appraisal of the (second) Pre-Submission version of the Selby Local Plan against the SA Framework. Effects have been identified taking into account a range of characteristics including; magnitude, duration, frequency, and likelihood. Combined, these factors have helped to identify the significance of effects, whether these are positive or negative. The appraisal builds upon previous appraisal work, but has been updated to reflect changes to policies and comments received during consultation on the first Pre-Submission Local Plan (and before this the Preferred Options Local Plan and Interim SA Reports) (*See Appendices D and F for a log of comments received during consultation at preferred options and Pre-Submission stage*).

11.1.2 The effects of the Plan 'as a whole' are focused upon; considering cumulative effects, synergistic effects and how the different plan policies interact with one another. This is important as Plan policies should be read in the context of the whole Plan and not in isolation.

11.1.3 Therefore, rather than presenting an appraisal of every individual Plan Policy against every SA Framework Objective, the effects are presented as a narrative discussion under each SA Topic. This prevents repetition, duplication and unnecessary discussions.

11.1.4 Where Plan policies are not mentioned under particular SA Topics, then the assumption should be that they are of little relevance and would not give rise to effects. Conversely, when the discussions refer to specific policies it is considered that these make a notable contribution to the significance of effects overall (either individually or in combination with other Plan policies).

11.1.5 The significance of effects is recorded according to the following scoring convention.

Major positive effects

Moderate positive effects

Minor positive effects

Neutral effects

Minor negative effects

Moderate negative effects

Major negative effects

12. Appraisal findings

12.1 Air quality

12.1.1 The spatial approach would see a large amount of additional growth in areas that already suffer from congestion related air quality issues (i.e. Selby Town), and this creates the potential for further pressures. Whilst Selby Town, as the largest settlement, is generally better served by public transport and services, an increase in car trips is likely on the road networks as a result of residential and employment growth over the plan period. The location and scale of development could perhaps lead to increased traffic along the A19, a part of which is currently identified as an AQMA at New Street within the town. Medium and larger sites in the Selby area such as SELB-BZ, SELB-B, SELB-AG (residential), and SELB - CA (employment) may also see increased volumes of traffic at pinch points, potentially worsening air quality in local areas.

12.1.2 The employment land at SELB-CA, in close proximity to Selby and its large resident populations may help to increase the viability of people commuting via sustainable modes of transport, especially via active means as commuting distances may be relatively short. Conversely, it could bring some increased traffic along with housing development.

12.1.3 In this context, the policy in relation to the Air Quality SA theme is **NE7** (Air Quality), which establishes three key goals in relation to quality standards, along with a suite of measures by which these goals will be achieved. The policy seeks to avoid development which could lead to a "significant" deterioration in air quality. It also looks to ensure growth does not increase the number of people exposed to poor air quality whilst avoiding conflict with an Air Quality Action Plan (AQAP) where such a plan is in place (currently only at the New Street Air Quality Management Area in Selby town centre). To achieve these overarching goals, new development will be expected to promote the uptake of low emissions vehicles, whilst also supporting sustainable transport so as to assertively suppress dependency on emissions-generating vehicles. Development proposals which are close enough to the District's one AQMA to give rise to adverse effects (or to any future AQMAs not yet declared) will be expected to take steps to minimise and mitigate such effects.

12.1.4 As air quality considerations focus largely on emissions from transport, it is likely that a range of other policies are also likely to have an effect. Chief among these is **IC6** (Sustainable Transport, highway safety and parking) which seeks to maximise the opportunities afforded by sustainable modes of transport to contribute to a target of net-zero emissions. In practice, this means providing in-principle support to proposals which enable travel by sustainable means, including through the provision of new active travel infrastructure and through improving access to public transport.

12.1.5 The spatial strategy should also have some benefits in this respect, as the intention is also to ensure that jobs and services can be accessed by foot or cycle, which helps to offset increases in car trips somewhat. However, there will also be a need to address the potential for continued or increased in-commuting that employment opportunities in Selby provide.

12.1.6 Similarly, **SG10** (Low Carbon and Renewable Energy) and **NE5** (Protecting and Enhancing Rivers and Waterbodies) both include measures which seek to prioritise sustainable transport, and therefore minimise emissions generated by new development from transport. **SG9** (Design) seeks to achieve this by supporting development proposals which maximise active travel and ensuring that all new residential and commercial development electric vehicle charging infrastructure. The significance of this in relation to air quality is highlighted in the supporting text of the policy, which notes that approximately 37% of the District's carbon emissions are from road vehicles, indicating that efforts to reduce carbon emissions from vehicles will correspondingly help improve air quality.

12.1.7 **NE5** indirectly contributes to the promotion of low emissions travel by looking to protect and enhance waterways which "*have the potential as alternative transport modes … to reduce carbon emissions*". Such an objective is positive in principle, though it is recognised that in practice the effect is likely to be negligible in terms of impacting overall air quality in the District. (particularly as the policy does not involve any explicit measures or schemes).

12.1.8 Further policies which support proposals which seek to enhance active travel infrastructure include **SG9** (Design) and policies focusing on designated sites and areas in Selby and Tadcaster (**S1, S2, T1, T2** and **T3**).

12.1.9 Overall, on balance it is predicted that the Council's policies of the Publication Local Plan should give rise to **neutral effects** in relation to air quality once policy mitigation has been taken into account. There is potential to minimise additional emissions from vehicular traffic through a strong focus on providing sustainable transport connectivity through the development process. Several policies also refer to the need to ensure adequate infrastructure for low-emissions vehicles, which should help move towards cleaner air in the longer-term. In the short-term, before the widespread uptake of electric vehicles and supporting infrastructure, there could be a slight deterioration in air quality, which for Selby Town and its existing AQMA is a **minor negative effect**.

12.1.10 At the preferred options stage the Plan performed similarly to at the Publication stage in relation to air quality outcomes. Whilst policies (especially relating to provisions which support active travel) have strengthened outcomes in relation to improved rates of sustainable transport, the location and scale of certain developments may partially offset these benefits, especially in the short term. Whilst electric vehicle charging points are still promoted, there is no firm requirement for implementation in residential developments (as was the case in the preferred options version of the Plan).

12.2 Biodiversity

12.2.1 The key issues in respect of biodiversity are the need to conserve and enhance Selby District's biodiversity, including internationally, nationally and locally designated sites, as well as strengthening habitats and the habitat network through the development process.

12.2.2 The spatial approach does not lead to development that overlaps with any protected habitats. It also minimises the extent to which new development will come forward near the most sensitive biodiversity sites in the more rural areas of the District.

12.2.3 The strategy also limits significant pressure in any one location with regards to recreational impacts and pollution. Furthermore, several strategic sites are involved that present good opportunities for the enhancement of green infrastructure and as locations for suitable biodiversity net gain (Particularly in Selby and Eggborough). The plan policies and supporting site policies ought to ensure that such opportunities are realised (see discussion below with regards to the pertinent Plan policies).

12.2.4 With this being said, some of the site allocations across the District fall adjacent to local wildlife sites and / or contain important features such as trees, hedgerows, and ponds. There is also the need to consider cumulative pressures on sites from recreation and pollution. As identified at options analysis stage, the potential for negative effects exists due to the following elements of the strategy:

- In Selby there are sites close to SINCs and a SSSI.
- In Tadcaster, several sites are located close to a SINC.
- There are two sites in North Duffield that are within close proximity to European Sites and SSSI.
- There will be additional homes contributing recreational pressure and increased traffic to European sites and functionally linked land.

12.2.5 There will be a need to address these (and other) potential negative effects and to maximise the positives. The plan provides a broad framework for managing these effects, particularly through Policy **NE1** (Protecting Designated Sites and Species) and **NE3** (Biodiversity Net Gain) which provide the principal strategic focus. Site specific policies are also proposed where specific biodiversity features have been identified and there is a need to undertake further ecological assessments (including Appropriate Assessments). The following site requirements are worth noting:

- SELB-B: There is a requirement to protect and enhance hedges and trees on site as well as the nearby Three Lakes and Oakney Woods SINCs
- SELB-BZ: Enhance the Selby Dam river corridor and undertake ecological assessments to ensure no adverse effects on habitats
- TADC-I: The need to implement multi-functional green infrastructure and biodiversity net gain
- HILL-A: Protect and enhance the Site of Importance for Nature Conservation (SINC) located to the west of the site.

- There is a need to retain and enhance mature trees and hedgerows on all sites where they are present.

12.2.6 **NE1** sets out a comprehensive framework for the management of impacts upon biodiversity. This includes a substantial coverage of potential impacts on European habitats, requiring suitable investigation, mitigation and as a last line compensation for impacts. This includes consideration of direct and cumulative effects, including on functionally linked land. There is a clear focus on avoiding negative effects in the first instance, but where effects are possible, there is also a need to demonstrate that impacts will be mitigated and suitable compensation secured.

12.2.7 Policy NE1 also acknowledges the importance of protecting water quality and ensuring that new development does not have negative implications on hydrological regimes that could affect biodiversity habitats.

12.2.8 A presumption is established against development likely to result in harm to locally designated sites unless there are no reasonable alternative locations to meet the development need. The policy is clear that this includes Council-identified Sites of Importance for Nature Conservation (SINCs) in addition to nationally designated sites. Recognising that planning applications may be likely to come forward which have potential to impact these designated sites, the policy sets a requirement for such applications to deliver an ecological assessment to demonstrate that lower impact alternative sites have been considered. There is a presumption against development which is found to have unacceptable potential for harm on biodiversity designations.

12.2.9 **NE3** (Biodiversity Net Gain) supplements these protections by seeking biodiversity enhancements, specifically by providing support for development which delivers biodiversity net gain. This is positive in principle but does not go beyond what is expected to be delivered through proposed government requirements. Notwithstanding this, the policy proposes a range of measures by which to achieve net gain in an appropriate manner. Importantly, this includes the need to consider long-term management arrangements, the ability to deliver off site and on site improvements and the need to use recognised assessment metrics.

12.2.10 Policy **NE2** (Protecting and Enhancing Green and Blue Infrastructure) gives recognition to the biodiversity significance of multifunctional green/blue infrastructure (GBI), setting out measures by which to restore and extend the GBI network in the District, including via the development of an integrated network, provided connectivity for flora and fauna across the district. The ambition to enhance and integrate the GBI network is a clear positive in principle, and this is given further weight by the policy's in-principle support for development proposals which increase connectivity of habitats by connecting the district's green spaces and designated sites. This is supplemented by **SG9** (Design), which recognises the potential for the development process to play a wider role in linking habitats, stating that new developments should ensure sufficient spaces for wildlife to encourage a more robust and connected network of habitats. Further to this, buildings should integrate features which support roosting and deliver standards which align to the 'Building for Nature' standards.

12.2.11 Elsewhere, policy **IC3** (New and existing open space, sport and recreation) and **NE4** (Protecting and Enhancing Landscape Character) look to protect and enhance green spaces more broadly. Although the purpose of such green spaces is principally not biodiversity, focussing instead on matters such as recreation or landscape, this is still likely to have positive effects. This is because protection of green spaces can play an important role in sustaining habitat network linkages at both a local scale and beyond.

12.2.12 **NE6** (Trees, Woodland and Hedgerows) and **NE5** (Protecting and Enhancing Rivers and Waterbodies) establish a similar level of policy protection in relation to specific natural features, seeking to prevent the loss of, and enhance trees and hedgerows through the development process, whilst establishing protection for waterways which act as wildlife corridors which sustain biodiversity.

12.2.13 Other policies which provide support for development proposals which incorporate considerations in relation to the protection of biodiversity assets include **EMP6** (Holiday Accommodation), **HG8** (Rural Housing Exception Sites), **HG9** (Conversions to Residential Use and Changes of Use to Garden Land) and **HG13** (Residential Annexes). Policy SG11 clarifies the need to minimise contamination and pollution caused by flooding, which should help to reduce the effects of such events on water quality (which can have secondary effects on biodiversity).

12.2.14 Overall, it is considered likely that the Publication Local Plan will give rise to **moderate positive effects** in relation to biodiversity due to the likely protection and enhancement of habitats and the focus on connecting existing habitats to enhance the wider network.

12.3 Climate Change Adaptation

12.3.1 The key aspects of climate change adaptation are the need to direct development away from areas of greatest flood risk and avoiding exacerbating the urban heat effect as the climate warms.

12.3.2 The majority of the proposed allocations do not fall in areas at risk of flooding, or only a small portion of the sites are at risk, which means that developing on areas at risk of flooding should be largely avoidable on those sites. However, several sites contain areas of fluvial and / or surface water flooding, and some are entirely identified as at risk; this is the case for some larger residential and employment sites in and around Selby where largepartsof sites are at risk (SELB-BZ, SELB-AG, SELB-B, SELB -CR). Flooding here could give rise to significant negative effects, but mitigation measures are likely to reduce vulnerabilities on these sites, and the Plan sets out several policy requirements to ensure that flood risk is adequately assessed and managed. Of note for specific locations in Selby Town are the following site requirements:

- SELB-BZ: Sequential approach to locating uses on site must be taken, directing sensitive uses away from areas of flood risk. Measures will also be taken to raise floor levels and locating bed room spaces on the first floor of dwellings. It would be beneficial to require a full drainage strategy to be developed for the site prior to development, encouraging natural solutions to water management.
- SELB-AG and SELB-B: Provide site-specific flood risk assessments to address relative vulnerabilities across the site.

12.3.3 Aside from sites in Selby Town itself, there are only a handful of site allocations that are potentially more vulnerable to flooding from all sources. For such sites, there are accompanying policies seeking to avoid parts of the sites that are vulnerable, and to implement appropriate mitigation measures. Of note are the following:

- TADC-I: Site-specific flood-risk assessments will be required to address relative vulnerabilities across the site. There is also a requirement to make space to accommodate the footprint of new flood defences.
- BARL-K: No development should take place within 16 metres of the main river (River Ouse).
- OSGB-C: Take a sequential approach, reducing the number of homes on site and avoid housing in areas at higher risk of flooding.
- HENS-L: Ensure that dwellings are set back from the south east corner of the site adjoining Wand Lane, which is within Flood Zone 2.

12.3.4 There are also several Plan policies that apply to all development that are particularly relevant to flood risk.

12.3.5 **SG11** (Flood Risk) stands out as the most important policy. Areas of flood risk in the District are widespread, both in relation to fluvial flooding and surface water flooding and it will be important that future development adapts to the risks posed by climate change in relation to flooding.

12.3.6 **SG11** takes a two-stage approach to minimising flood risk in new development, first setting out criteria by which development proposals will be found to be acceptable in principle, and then making further detailed requirements for schemes which meet these criteria. In practice, this means that to be considered further, development proposals must be outside of the functional flood plain and must not increase the risk of flooding off site or must have passed the sequential and exception tests where necessary. The subsequent detailed requirements are intended to ensure that the location, design and layout of development all avoid unnecessary vulnerabilities in new development, as well as requiring mitigation features such as sustainable drainage systems (SuDS) and the retention of natural flood risk reduction features, such as trees, woodland and hedgerows. This approach is reflective of the NPPF and should ensure that the effects in terms of flood risk are broadly neutral.

12.3.7 Elsewhere, other policies have potential to give rise to positive effects in relation to flood risk, recognising that flood risk can be influenced by several aspects of the development process.

12.3.8 The supporting text of policy **NE5** (Protecting and Enhancing Rivers and Waterbodies) recognises that Selby District's rivers and canals, which it describes as "*key features*" of the District, can be "*the source of flooding in many parts of the District*". In light of this, the policy text itself looks to ensure that riverbanks and water frontages which "*could support mitigation for flooding*" are protected from harm or loss. The policy **NE5** goes on to encourage developments (particularly those close to water resources) to integrate water management features into design, including consideration of climate change mitigation and flooding measures.

12.3.9 Several other policies also recognise the need to protect features that help to manage flooding such as **NE6**, which requires development that leads to a removal of trees, woodland and hedges not to lead to increased flooding.

12.3.10 Policy **SG1** (Achieving Sustainable Development) specifically references the need for proposals to adapt to the effects of climate change through design measures; the absence of this policy would be unlikely to result in altered effects, due to more detailed policies providing a more granular set of requirements. Policy **SG9** (Design) seeks to ensure that development takes account of potential flood risk and heating, whilst also providing green infrastructure (which can mitigate both flood risk and heating effects) and integrating natural drainage systems into design. Drainage solutions are further supported through Policy **IC4** (Water Supply, Wastewater Treatment and Drainage Infrastructure), this ensures that developments are suitably designed with relevant stakeholder input so as to maximise efficiency throughout the lifetime of development. These policies are likely to provide support to reduce the adverse effects of climate change through scheme design (green infrastructure, drainage and design of development).

12.3.11 With respect to minimising overheating associated with climate change, Policy **SG9** identifies green infrastructure as a key adaptation measure, and Policy **NE2** (Protecting and Enhancing Green and Blue Infrastructure) and **IC3** (New and Existing Open Space, sport and recreation) will therefore have potential for positive effects in relation to climate change adaptation.

12.3.12 Overall, the Local Plan appears to be proactive in directing growth away from areas at greatest risk of flooding from all sources (where practical given the high degree of flood risk across the District, especially in the District's largest town, Selby), taking additional measures to minimise vulnerabilities on site through mitigation features where necessary. The strategy is also being implemented in the context of there being existing and planned flood defences that will provide a degree of protection for vulnerable locations.

12.3.13 The plan should also give rise to an increased rate of tree planting, protections of existing trees and hedgerows and open space provision within new development, features which can help minimise the urban heating effect and ensure a degree of permeability of surfaces within areas of new developments. Therefore, though the potential for negative effects exists, it is anticipated that the Plan policies will help to neutralise these. In the longer term, the potential for **minor positive effects** is noted, on the basis that green infrastructure enhancements are planned across the district, which ought to help better manage water across the catchments.

12.3.14 Whilst beneficial, it is unlikely that flood management measures will fully offset any risk associated with developing on high-risk land. Though vulnerable areas such as Selby Town and Tadcaster are protected by flood defences, it needs to be acknowledged that a breach of these defences would lead to significant flooding, including upon proposed new developments. Therefore, residual **negative effects** remain, but with a high degree of uncertainty.

12.4 Climate Change Mitigation

12.4.1 Mitigating the effects of climate change centres on the need to drive down greenhouse gas emissions from all sources. When focusing on elements within the scope and remit of a local plan, this means seeking to minimise and reduce emissions from the built environment as well as from transport.

12.4.2 There is merit in focussing growth to locations best served by existing sustainable transport options, and where provision of new or enhanced sustainable transport will benefit the greatest number of users. The spatial approach promotes the growth of locations that are well supported and have good access to jobs and services as well as a broadly positive accessibility rating (For example in Selby Town, and in new standalone settlements). Whilst this is mostly the case, some smaller sites, especially to the east of Selby are allocated in less accessible locations, namely North Duffield, Cliffe and Hemingbrough. In this respect, it is somewhat positive in regards to the contribution that growth will have in terms of emissions from transportation. The positive effects of most of the growth being allocated to accessible locations ought to outweigh the more negative associations with the handful of small sites allocated in less accessible locations.

12.4.3 Looking in detail at the built environment, the need to reduce emissions is most directly addressed through policy **SG10** (Low Carbon and Renewable Development). The policy supports development proposals which seek to enhance renewable and low carbon energy production and consumption, including through infrastructures and energy efficient systems. The policy largely focuses on infrastructures designed to generate low-carbon energy or energy efficiency measures; whilst this is positive, the policy does not ensure other measures are secured. These could be including, though not limited to, carbon sequestration requirements as well as more integrated measures for all developments to strive towards relating to onsite renewable energy generation and energy efficiency measures. That said, policy **SG9** (Design) seeks to encourage carbon sequestration through multi-functional green infrastructures. However, there are no firm requirements for development that would ensure carbon emission reductions are achieved (it is acknowledged that carbon emissions are mostly dealt with through nationally set standards).

12.4.4 Policy **SG1** (Achieving Sustainable Development) provides an overarching narrative and policy thrust with more high level aspirations, which are largely built upon by specific policy detail throughout the plan. It seeks to ensure that support is granted for proposals which seek to mitigate the causes of climate change. Further to this, the policy provides support for development which optimises the opportunity of active travel.

12.4.5 Turning to reducing emissions from transport sources, the Local Plan's vision statement notes that the District has a "*largely flat landscape*" which affords opportunities to "*promote the increased use of sustainable forms of transport*". Reflecting this, several policies are judged to perform well in principle as several seek to disincentivise travel by private car and promote sustainable modes of travel.

12.4.6 Most notably, Policy **IC6** (Sustainable Transport, highway safety and parking) positions walking and cycling as a central consideration within future development proposals. Developments should be in locations which are well serviced by existing infrastructure as well as designs ensuring the provision of new and improved infrastructure to ensure wider accessibility and improve active travel rates. The policy also supports provisions which help to promote a reduction in transport emissions, including through low emission vehicles and alternative modes of transportation. Further policies support the implementation of measures which promote active travel and public transport through specific requirements for scheme design as well setting out desirable locations for development. These include policies **SG3** (Development Limits), **IC3** (New and Existing open space, sport and recreation), **SG9** (Design), **EM1** (Meeting Employment Needs), **IC6** (Sustainable Transport, Highway Safety and Parking), **IC7** (Public Rights of Way) and **S1, S2, T1 and T3** which focus on support for certain developments in specific locations in Selby and Tadcaster.

12.4.7 These policies are likely to be moderately positive in their significance . Whilst sustainable travel should help to reduce emissions, dominant behavioural norms mean that many journeys are likely to be made by vehicles which emit greenhouse gas emissions; a trend which is likely to be more pronounced in the short-term.

12.4.8 In relation to low carbon energy generation, the Plan makes specific reference to the importance of the Drax power station, and the role of businesses in the District in terms of supporting carbon capture and storage and other low carbon technologies. This is a positive approach with regards to achieving carbon emissions, but there is no clear policy direction to accelerate growth in these sectors.

12.4.9 There is general support for renewable energy opportunities, which mimics the NPPF. Given that no wind energy opportunity areas have been identified, it is unlikely that such opportunities would come forward. In this respect, the plan has limited effects.

12.4.10 Some locationally specific opportunities have been identified for renewables though, including the redevelopment of land in Selby to provide solar energy. This is positive.

12.4.11 Overall, it is considered that the Local Plan is likely to have positive effects in terms of reducing greenhouse gas emissions from the built environment and from travel sources. **Minor positive effects** are predicted in the long-term in relation to climate change mitigation.

12.4.12 It is recognised that climate change mitigation more broadly is a global issue which requires coordinated actions at a macro scale

12.5 Economy and Employment

12.5.1 The focus of the economy and employment theme is on maintaining a strong, diversified and resilient economy, enhancing employment opportunities and reducing disparities arising from unequal access to jobs and training.

12.5.2 Selby town is the key location for existing and future employment growth in the District, so by concentrating housing growth at Selby town the preferred spatial approach ensures good alignment between housing provision and the location of jobs and investment.

12.5.3 Housing growth across the district should provide the opportunity to ensure that housing types and tenures are locally relevant and targeted in a way which attracts people to the area, especially those who may fill a skills gap. This could serve to increase to productivity of the local economy.

12.5.4 There are also likely to be some economic benefits with regards to the vitality of a range of settlements across the District, particularly where the amount of growth allows for infrastructure improvements to be secured. Several plan policies ought to further increase positive effects in local centres in this respect including:

- EM8 which supports the health and wellbeing of local shops.
- IC1 and IC3 which promote infrastructure enhancement.
- IC5 which seeks to improve digital and communications infrastructure which should benefit residents and businesses alike.

12.5.5 The 2022 addendum to the 2020 Housing and Economic Development Needs Assessment (HEDNA) identifies that Selby District's employment land requirement to 2040 is estimated at around:

- 4.6ha of office space (i.e. use classes B1a/b);
- 105.6ha of general industrial and storage/distribution/warehousing (i.e. use classes B1c, B2 and B8).

12.5.6 The proportionately large requirement for warehousing and distribution (compared to office space) is partly a reflection of what the Local Plan describes as the District's locational advantages which refers to Selby District's good access to the strategic road network via the east-west aligned M62 and A63 and north-south aligned A1(M) and A19.

12.5.7 The Plan highlights that there is a sufficient supply of employment land for the Local Plan period. However, the Council recognises that there are key remaining opportunities for the redevelopment of the former Eggborough Power Station, Olympia Park and Gascoigne Wood Interchange which represent strategic brownfield sites with unique rail infrastructure.

12.5.8 In this context, policy **EM1** allocates three strategic employment sites totalling 130.95 ha. These are located at Gascoigne Wood near Sherburn in Elmet, Olympia Park in the Selby Town urban area and Eggborough Power Station, to the east of Eggborough, these locations are already established as viable employment locations. The location of these opportunities (particularly Olympia Park) should give access to the more deprived communities of the District (of which there are not many) and will also lead to regeneration of brownfield land. Other relevant policies support the development of employment opportunities such as **Policy S2**, which seeks to support redevelopment and investment at a 'Selby gateway'.

12.5.9 Positive effects are also anticipated from policy **EM2** (Protection of Employment Land) which safeguards a total of eight existing employment sites and four permitted employment sites. Safeguarding will help prevent development for non-employment uses at the sites, protecting job opportunities. Support is granted for the expansion, redevelopment or intensification of the aforementioned key employment sites, making economic growth more viable and the District's employment land more adaptable to change. The policy additionally establishes a general presumption against the "*loss of all other existing employment sites / premises*" except where the existing premises can no longer support viable employment or where there remains an adequate supply of employment land elsewhere in the district. This provides an element of flexibility in the use of land, and ought to prevent long term vacant buildings. Three employment locations are not identified for safeguarding (Escrick Business Park, Riccall Businnes Park and Whitemore Business Park), which means they are not afforded the same protection from loss.

12.5.10 Policy **EM7** (Town Centres and Retailing) establishes a hierarchy of centres within the District, recognising that Selby town "*is the dominant centre*" but that there is a need to ensure "*more localised catchments*" are served via the smaller centres of Tadcaster and Sherburn in Elmet.

12.5.11 **EM7** supports proposals which promote "*the continued renaissance*" of Selby town centre, whilst recognising that proposals which support the vitality of the District's smaller centres are also important to sustain local town centre retail. Several regeneration initiatives are supported in Selby Town, which should lead to a more vibrant and viable place. This is extremely important in the face of changing retail patterns and the role of centres.

12.5.12 The value and significance of agriculture and the rural economy to the District's economy overall is recognised by several policies. Policy **EM4** (The Rural Economy) allows for certain economic development in the countryside subject to several criteria aimed at strengthening and diversifying rural business. Policy **EM5** (Tourist, Recreation and Cultural Facilities) provides in principle support to development which contributes to both urban and rural tourism, recreation and cultural provision, and, as per the policy's supporting text, sectors which have "*a crucial role in growing the economy of Selby District*". This is further supplemented by Policy **EM6** (Holiday Accommodation) which conditionally supports the provision of visitor and staff accommodation to support the tourism industry in the District.

12.5.13 In addition to its important agriculture sector, Selby District's economy has traditionally been dominated by ship building, coal mining and energy industries, but economic, societal and technological changes over time mean that future employment patterns will be different. Policy **IC5** (Digital and communications infrastructure) will help enable the continued transition to growing high-tech and innovative industries, as well as ensuring that homes are adapted to support modern work practices.

12.5.14 Aside from policies that directly relate to economic growth, there are also a wide range of plan policies that will indirectly have positive effects on the economy through protection and improvement of environmental assets and the development of transport infrastructure.

12.5.15 Overall, **major positive effects** are anticipated in relation to employment on the basis that the Local Plan proposes meeting the District's B-class employment needs in full, whilst also proposing a range of measures to support the diverse range of established and emerging sectors which contribute to the District's economy. Though levels of deprivation and inequality are relatively low for the District, regeneration and jobs growth are focused in areas that ought to help address these issues where they are present. The plan also provides a range of measures that support economic activity such as: tourism, the appreciation of cultural and environmental assets, growth in low carbon energy supply, accessible transport infrastructure and enhanced community facilities.

12.6 Health

12.6.1 Health is a cross-cutting topic as a range of policies from different policy areas are likely to have either a direct or a secondary effect in relation to supporting healthy lifestyles, improving access to healthcare and minimising exposure to locations or substances which could be harmful to health. Conversely, there may be some negative effects on wellbeing caused by development, particularly if communities are opposed to growth in a certain location.

12.6.2 In terms of inequalities, the majority of the District experiences low levels of multiple deprivation, with parts of Selby Town falling into the highest 20% and 10% deprived locations in England. A focus on housing in these areas, should therefore provide benefits in terms of inward investment, provision of affordable housing in an area of need, improvements to local schools and GP provision and new open space / recreational facilities.

12.6.3 In locations that are well serviced it may also be easier to support active lifestyles including walking and cycling, which is good for health.

12.6.4 The distribution of growth disperses development across settlements with good existing provision of healthcare, education and other community services and facilities. This includes Selby Town, Tadcaster and Sherburn, where growth is proportionate to deliver improvements without overwhelming existing infrastructure. Effects are also positive in terms of creating a ‘new community’ with supporting facilities at Eggborough.

12.6.5 The sites and distribution should also help deliver new green space and potential sport and recreational facilities on strategic sites; also supporting active travel including walking and cycling in most locations.

12.6.6 Several policies are likely to have potential positive effects in relation to physical and mental health and wellbeing. **IC3** (New and existing open space, sport and recreation) seeks to actively enhance protection and provision of recreational space through the development process. The supporting text of **IC3** notes the significance of access to outdoor space as a determinant of health outcomes. Accordingly, the policy text itself looks to maximise the provision of recreation space in new development by requiring 51sqm per dwelling of recreation open space on developments of 10+ dwellings (or a financial contribution to off-site delivery). Setting a clear target ought to ensure that standards are maintained. Specific requirements for access to and provision of open space (including various standards according to development size) should help to ensure sufficient provision of new facilities to meet the demand from population growth. The effects of this relating to the provision of new open and green spaces for varying purposes will be more pronounced on larger residential and/or mixed-use sites. As such, the Eggborough village extension should improve access to such spaces for new and existing populations in and around this area. Indeed, the supporting site policy mentions the need for multi-functional open space, formal recreation areas and active travel routes.

12.6.7 Similarly, policy **IC7** (Public Rights of Way) reserves support for developments which may "*have an impact on a public right of way*" to those which retain, enhance or appropriately replace any existing public rights of way. It is noted that in the supporting text this is on the basis that "*public rights of way are important for both recreation and health*".

12.6.8 Health and wellbeing benefits are among the many advantages of green and blue infrastructure (GBI). Policy **NE2** (Protect and Enhance Green and Blue Infrastructure) accordingly looks to ensure that development proposals "*have regard for the latest Green Space Audit*" in order to address green space deficiencies to "*improve access to green space for recreation and leisure for the health and wellbeing of users*".

12.6.9 The health and wellbeing benefits of GBI are further recognised by **SG9** (Design) which requires proposals to seek to provide "*new or improvements and connections to existing open spaces, green infrastructure networks and public rights of way outside of the development*". The supporting text of the policy notes that access to such features is "*key to helping support the health and wellbeing of our local communities*".

12.6.10 In addition to the recreational dimension of outdoor exercise, the Local Plan looks to build on existing health outcomes by maximising the potential of walking and cycling as a convenient mode of accessing key services, facilities and employment. Therefore, policies which look to embed walking and cycling into new development and to enhance the walking and cycling network will have potential for positive effects. To this end, **SG9** (Design) states that all new development should "*promote active travel and healthy lifestyles through the promotion of walking and cycling links*". This is clearly positive in principle, though there could be potential to strengthen the policy further by adding specific reference to the kinds of features to which walking, and cycling should be linked, such as to local shops and services where possible as well as advocating for low traffic neighbourhoods.

12.6.11 Similarly, Policy **IC6** (Sustainable Transport, highway safety and parking) underscores that the Council's preferred approach is to support proposals which are considered accessible to community infrastructures, including walking and cycling links in order to encourage and enable journeys to be made by healthy modes of transport to as great an extent as possible.

12.6.12 Finally, a notable positive of the Local Plan is the recognition given to the linkages between space standards and health and wellbeing outcomes. This is most clearly illustrated in the supporting text of policy **HG6** (Creating the Right Type of Homes) which recognises that "*space can affect lifestyle needs and the health and wellbeing of residents*". The policy itself therefore seeks to ensure all new homes are of sufficient size by making the Nationally Described Space Standards the minimum policy requirement for new development.

12.6.13 The provision of housing in itself will also have benefits with regards to affordable and higher quality homes being delivered across the District. Specific clauses will also help certain community groups, including Gypsies and Travellers, and those that use a wheelchair, older people, and people with other disabilities.

12.6.14 Policies **S1, S2, T1** and **T3** provide specific support for developments which support the regeneration aims of certain areas in Selby and Tadcaster. Proposals should seek to ensure that open and green spaces are provided as well as infrastructure which supports active travel in and around these areas. Positive effects are predicted in this respect by encouraging access to nature and active lifestyles.

12.6.15 Despite the significant positive effects on health and wellbeing that ought to be generated as a result of the Local Plan, it is also likely that some communities will experience a decline in wellbeing (most likely to be temporary). This might be related to amenity issues associated with construction, a loss of green space and views in smaller communities, and increased traffic. There may also be increased pressure on health care and services where enhancements cannot be made (though the Plan seeks to ensure that developers work with healthcare providers to support new development). These effects are likely to be **minor** from a District-wide perspective.

12.6.16 Overall it is considered that policies and proposals of the Local Plan take a broad, holistic view of health and wellbeing and propose a broad range of measures by which to embed healthy lifestyles at the centre of new development. In the short term, **minor positive effects** are predicted, which are likely to rise to **moderate positive effects** in the medium to long term as more development and associated infrastructure is delivered (with associated public realm and infrastructure improvements).

12.7 Heritage

12.7.1 The focus in relation to heritage (i.e. built and cultural heritage) is on protecting designated and undesignated assets from harm relating to development, whilst seeking opportunities to enhance access to and understanding of heritage assets where it is possible to do so. Importantly, the setting of heritage assets is also significant as are historic landscapes and cultural heritage features in the District.

12.7.2 The spatial strategy spreads growth across the District such that significant negative effects in any particular area should be avoidable (when taking account of policy requirements). There is substantial growth planned for some areas which are more sensitive, including Selby Town which are, in places, adjacent to conservation areas and close to listed buildings. Selby Town as a sensitive settlement in terms of heritage value, could see effects on cultural heritage. However, the larger sizes of the relevant sites should permit design considerations which offer screening and appropriate character and layouts which avoid more significant negative effects. There are site specific policies that seek to ensure that heritage considerations are taken into consideration and addressed in development.

12.7.3 There are smaller sites that are in relatively sensitive locations, such as ‘The Maltings’ (being at the edge of a Conservation Area and bounded by two Grade 2 listed buildings. The site specific policy requires a positive use of the Old Maltings building and other parts of the site. Some buildings are in a state of disrepair though, and so redevelopment does present a good opportunity for the preservation and enhancement of the townscape in this area. However, new buildings will need to respect the character of the Conservation Area, and in particular should pay attention to building facades along Ousegate, which demonstrate the use of Keystone as features above windows. Taking account of general and site specific measures should help to ensure that negative effects are avoided, and potential positive effects achieved with mitigation and enhancement.

12.7.4 Site SELB-AG is also adjacent to the River Ouse and canal, which has potential to affect the setting of industrial heritage in this location. However, there is an accompanying site policy that requires sensitive boundary treatments, and to take account of the finding of a heritage impact assessment. In addition to other Plan policies (such as SG9, SG12 and SG13), negative effects on the historic environment are likely to be avoidable and the promotion of heritage-led schemes ought to lead to overall positive effects.

12.7.5 Though there is growth planned in the central areas of Selby Town, this is largely to promote regeneration, and the improvement of the public realm. It is therefore more likely that the effects on heritage would be positive (given the supporting policies in the Plan requiring sensitive design).

12.7.6 For Tadcaster, there are sensitive historic features that need to be carefully considered. There are likely to be positive effects because a heritage-led approach to development is proposed (with area and specific site policy requirements seeking to avoid unnecessary demolition, and to preserve and enhance local heritage features). In particular, Policy **T1** sets a framework for creating a more vibrant Tadcaster Town Centre that more closely respects its historic uses. Through the development of specific sites (and the management of development more generally) there are proposals to create a new town green, reuse of derelict buildings and land and improve the street scene. These measures are likely to deliver improvements to heritage assets (including many listed buildings and the conservation area itself) and provide a catalyst for wider regeneration of the historic town. In particular, there are proposals to redevelop the surface car park which currently has a negative impact on the character of the town. As such, significant positive effects would be anticipated.

12.7.7 Similar direction may be seen in the Station Quarter in Selby Town, where Policy **S1** requires the regeneration of the area to conserve and enhance the significance of the nearby conservation area and other heritage assets.

12.7.8 The level of growth at the smaller settlements is such that significant effects on settlement form and character are unlikely. The majority of site allocations are not in sensitive locations, but there are a handful where listed buildings are present. However, supporting site specific and strategic plan policies seek to retain important features and take a heritage-led approach to development. For example, for specific allocated sites, heritage assessments are required and archaeological potential to be explored. This should ensure that effects are not significantly negative, and potentially could be positive.

12.7.9 Policy **SG12** (Valuing the District's Historic Environment) and **SG13** (Planning Applications and the Historic Environment) are the key policies in relation to heritage. They both seek to ensure that the district's heritage assets are preserved and where necessary, enhanced. Specific heritage assets which contribute most to the district's distinctive character and sense of place are named. The policies both seek to support development which may enhance, reduce the vulnerability of or improve access to or interpretation of (in a sympathetic way) specific heritage assets and their settings, including areas with strong historic character.

12.7.10 Both polices are likely to promote positive effects in relation to heritage. It is notable that strong, clear protection is given to the District's non-designated heritage assets which may otherwise be vulnerable to loss or loss of significance through inappropriate development.

12.7.11 Historic England maintains a register of heritage assets considered to be 'at risk', and there is potential for the development process to directly or indirectly contribute towards restoring and protecting these at-risk features. The supporting text of **SG13** (Planning Applications and the Historic Environment) identifies that the District has 24 historic assets on the register. Correspondingly, the policy text itself looks to support proposals which sympathetically re-use assets which are 'at risk' where this prevents further deterioration of its condition and helps to ensure long-term conservation which maintains or enhances its significance.

12.7.12 At a detailed scale, positive effects are anticipated from **SG9** (Design) which requires development proposals to respond positively to the special character of an area. It also ensures that development responds to the historic character of its location, paying attention to a range of factors which relate to historical significance. Similarly, positive effects are anticipated from **HG4** (Replacement Dwellings in the Countryside), **HG5** (Re-Use or Conversion of Rural Buildings in the countryside), **HG12** (Householder Applications) and **HG13** (Residential Annexes) which include requirements for associated developments to ensure appropriate considerations have been made to surrounding historic assets and character.

12.7.13 The supporting text of **NE4** (Protecting and Enhancing Landscape Character) recognises the value of the "history of the landscapes" in the District. The intrinsic value of landscapes includes their 'time-depth', i.e., the extent to which the landscape frames and enhances heritage assets, historic landscapes, ancient field patterns and so on. In the context of Selby District, where coal mining has played a significant part in the evolution of the District over time, this may also include disused coal mines and their associated surface structures which still pepper the landscape.

12.7.14 Overall, it is considered the Plan will give rise to mixed effects. On one hand, the Plan takes a positive approach to the protection of heritage and ensuring that development is sensitively designed and finds uses for heritage assets that might otherwise be vulnerable to deterioration. There is also a focus on regeneration and improvement of the public realm, particularly in Selby Town and Tadcaster. Together, this constitutes minor to moderate positive effects.

12.7.15 Conversely, the Plan could give rise to some minor negative effects. Some site allocations are likely to have residual negative effects given that there will be settlement expansion and some changes to the setting of heritage assets. This is most likely to be pronounced on larger development sites, nearby to areas of heightened historic sensitivity. That said, these large sites offer some potential for design and masterplanning-led mitigation, to avoid more significant effects.

12.7.16 Overall, whilst there is proposed development in some areas which could be considered to be sensitive in terms of their historic environment, policies should help to minimise the extent and significance of negative effects. Existing designated and non-designated assets as well as areas which have a strong historic character ought to have their settings and significance enhanced and protected. Further to this, regeneration of areas, including in Selby Town and Tadcaster, should help to redevelop areas with historic character as a key consideration within proposals. Overall, some mixed **minor negative** and **moderate positive effects** are predicted.

12.8 Housing

12.8.1 The key considerations in relation to housing are the need to ensure that new development meets Selby District's varied housing needs, including affordable and specialist housing needs, and to deliver this growth in the right locations, i.e. where need arises and from where services and facilities can be accessed by all.

12.8.2 Selby's District's housing need is identified as between 333 and 368 dwellings per annum (dpa) over the plan period, as per the Housing and Economic Development Needs Assessment (HEDNA) (and its Addendum (2022)). The Council has set a target of 386dpa, as this provides flexibility and choice and represents ambitions to support higher levels of economic growth, which equates to a total of 7,728 dwellings over the 20-year plan period to 2040.

12.8.3 Policy **HG1** (Meeting Local Housing Needs) proposes housing delivery over the plan period via commitments and allocations and a further 920 homes estimated to come forward via windfall development, providing 7,555 dwellings in total. In addition to net completions of 1,425 dwellings between 1st April and 31st March 2023, it is expected that the district-wide requirement target of 7,728 would be met.

12.8.4 Policy **HG1** therefore proposes to 'exceed' the identified housing need in Selby District (The Local Plan target of 7,728 dwellings), by 1,252 dwellings. This will contribute to positive effects being realised in relation to housing and takes into account potential difficulties in bringing forward certain sites in the early stages of the plan period. It provides a buffer to ensure that any delays are unlikely to lead to an overall shortfall of housing delivery over the plan-period.

12.8.5 **HG1** echoes the preferred spatial approach for the District, with Selby town the settlement to receive most growth of any one settlement, whilst growth across the rest of the District is distributed broadly in line with the settlement hierarchy, ensuring a good dispersal of homes across the District. This is positive for two reasons – first, on the basis that dispersing a degree of growth will help ensure benefits associated with development are not concentrated at Selby Town alone, and second because it will help ensure housing needs are met where they arise. The inclusion of a large-scale settlement expansion will provide another dimension of housing growth through the creation of a 'new community'. Whilst this larger, strategic site is more susceptible to short-term delays to the delivery of housing (relating to site remediation and construction lead in times), in the long-term, this is an effective way to deliver housing and the strategy only consists of one such site.

12.8.6 In terms of meeting a range of housing needs within the community, a number of policies are considered relevant. Policy **HG7** (Affordable Housing) presents the Council's approach to delivering "*affordable housing across the District to meet the needs of local people*". All development of 10 dwellings or greater (or above 0.5ha in size) will be required to deliver a minimum of 10% affordable housing, in line with national policy, with off-site provision only acceptable in "*exceptional circumstances*". Individual site policies offer affordable housing targets for each site allocation, with deviations from this target only possible should appropriate evidence justify this. It should be noted that for the majority of sites, the affordable housing target is 20%. **HG7** includes measures to avoid affordable housing being marginalised within a site, or being phased late in the delivery process, by requiring affordable units to be "*distributed throughout the market housing in any development*" and to be "*indistinguishable from the market housing*". The supporting text of the policy includes a matrix illustrating the target mix of types and tenures of affordable housing necessary to meet a range of affordable housing needs. Affordable housing on windfall sites is required to deliver variable rates of affordable housing, dependent upon the value and type of land, or whether a proposal is for sheltered or care housing.

12.8.7 These measures are positive in principle, though the requirement for only 20% affordability across most sites could appear unambitious. However, it is recognised that viability testing in Selby District has indicated that a 20% target is "*most feasible*", despite the HEDNA indicating that the true level of overall need is greater.

12.8.8 Additionally, the importance of achieving a broad range of types and tenures of homes is presented in Policy **HG6** (Creating the Right Type of Homes). The policy provides support for proposals which reflect a "*range of house types and sizes, both market and affordable*" to reflect the latest HEDNA findings. This should help to ensure that housing is desirable for prospective occupiers, helping to improve the attractiveness of developing homes for potential developers.

12.8.9 Many parts of the District are rural in nature and the Local Plan seeks to ensure that local rural housing needs can be met even at settlements which are low on the settlement hierarchy and not assigned a housing target.

12.8.10 **HG8** (Rural Housing Exception Sites) provides parameters under which affordable housing will be supported within or adjacent to the development limits of Tier One or Two or Smaller Villages. Entry level 'First Homes' housing will be acceptable in principle, including a pragmatic recognition that "*small numbers*" of market enabling homes may be necessary and setting aside specific circumstances where these could be acceptable.

12.8.11 **HG2** (Windfall Development) provides support for development at un-allocated sites where this would "*meet rural affordable housing need*" and the policy also enables rural workers' dwellings to come forward where there is an essential need.

12.8.12 **HG9** (Conversions to Residential Use and Changes of Use to Garden Land) supports the conversion of existing buildings and garden land to residential uses where proposals adhere to a number of conditions. This is likely to promote some small scale increase in housing delivery, potentially meeting specific needs of the population and helping to deliver housing in a range of settings.

12.8.13 **SG8** (Neighbourhood Planning) is also likely to be positive with regards to housing provision as there is an 'expectation' that Neighbourhood Plans should promote additional sites.

12.8.14 Finally, positive effects are anticipated from both **HG10** (Self Build and Custom Build Housing) and **HG11** (Older Persons and Specialist Housing) which both seek to ensure the supply of specialist housing over the plan period.

12.8.15 Overall, it is predicted that the Local Plan will give rise to **major positive effects** in relation to housing. This is on the basis that the plan provides for meeting and exceeding identified housing need and distributes this need broadly across the District in line with the settlement hierarchy. A range of types and tenures of homes will be provided and housing needs within different sections of the community, including specialist housing needs, will be met. The range of support for various residential developments and alternative sites should help to ensure that the district's housing delivery keeps up with demand.

12.9 Land and Soil

12.9.1 Issues to consider in relation to land and soils include promoting the most efficient use of natural resources by directing growth away from areas of 'best and most versatile' agricultural land (BMV) where poorer quality land is available, as well as avoiding harm to minerals deposits.

12.9.2 The spatial strategy presents opportunities to maximise housing delivery at available brownfield sites in the District's largest town, whilst avoiding directing high growth to large greenfield sites on the edges of the smaller settlements. However, a large amount of best and most versatile agricultural land will still be affected, which is a negative effect with regards to soil resources

12.9.3 In total, approximately 250ha of agricultural land is proposed for allocation that could be Best and Most Versatile, with a large proportion being provisionally outlined as Grade 2.

12.9.4 Site SELB-BZ, to the west of the district's main town, would see some substantial loss of Grade 2 (Provisional) and Grade 3a (post-1988) surveyed agricultural land. Given the prevalence of higher quality agricultural land across the District, it is difficult to deliver the proposed level of growth without affecting soil resources. Similar effects could be expected from the Eggborough expansion, though this land is not recognised to be as valuable, according to provisional ALC data. Therefore, in this respect, the Plan strategy gives little scope for mitigation / avoidance.

12.9.5 In terms of additional development that might arise, Policy **SG4** (Development in the Countryside) builds on the spatial principles set out in policy **SG2** by limiting development outside the District's settlements to that which has an essential need to be located in the open countryside and which safeguards the best and most versatile land, with greater protections offered for higher grade agricultural land. This supports the strategy of directing the majority of growth to the district's main settlements. Given that around 66% of the District is underlain by land with potential to be BMV, such an approach will help avoid the further loss of productive agricultural land.

12.9.6 Additionally, the supporting text of Policy **SG4** notes the important role that agriculture, equine activities and tourism play in the local economy. It is therefore considered that **SG4** represents a pragmatic balance, recognising the potential need for new agricultural or tourism related development in the countryside, whilst also seeking to protect high quality soils where such development is proposed. The policy is likely to have benefits in relation to land and soils.

12.9.7 This is further underscored by policy **EM4** (The Rural Economy), which establishes support in principle for development which supports the functions of the rural economy, including that which supports a sustainable approach to diversifying agricultural and other land-based business. However, this support is contingent on development proposals ensuring the protection of the highest quality agricultural land which should help ensure that any diversification of use away from agriculture does not contaminate or compromise high quality soils.

12.9.8 The adopted Minerals and Waste Joint Plan [11] identifies that much of the District falls within minerals safeguarding areas for both brick clay and sand and gravel. Selby District Council is not the minerals planning authority and the scope of the Local Plan therefore does not extend to minerals development.

12.9.9 The Plan also takes a proactive and positive stance on contaminated land, with Policy NE8 requiring developments to explore and address contamination where it is a possibility. There are also a range of site specific policies that identify former uses that could have given rise to contamination and will need to be addressed prior to development.

12.9.10 Overall, it is predicted that the Local Plan will lead to **moderate negative effects** with regards to soil and land. Whilst the Plan seeks to protect agricultural land and make the best use of brownfield opportunities, it proposes the allocation of large amounts of land that overlap with potentially best and most versatile land. This is a significant / major negative effect, but this is offset somewhat by the Plans positive approach to effective protection and management of land resources, including the need to undertake land surveys on sites above 20ha and the remediation of contaminated land for specific site allocations (which are **minor positive effects**).

12.10 Landscape

12.10.1 The key issues under landscape are the need to protect and enhance the quality, character and local distinctiveness of landscapes and townscapes. At a strategic scale, the principal landscape policy is **NE4** (Protecting and Enhancing Landscape Character). This sets an overarching approach which seeks to protect, enhance and restore the locally distinctive character of Selby District's landscapes. The policy proposes achieving this through measures including requirements for all development proposals to positively respond to and if possible, enhance, local landscape distinctiveness. Proposals should have a clear and detailed regard for the findings of the Selby Landscape Character Assessment and the Selby Landscape Sensitivity Study. The policy also provides criteria to protect key characteristics of the Locally Important Landscape Areas (LILAs) which are identified on the policies map in the light of the Selby District Landscape Designation Review 2019. The policy requires development to respond to the specific recommendations of each of the LILAs as set out in the Review. In this context there are both positive and negative aspects of the spatial approach.

12.10.2 Concentrating growth at Selby Town and higher tier settlements helps to relieve pressure on smaller villages which are (broadly speaking) more sensitive to change. There is also a desire to improve the public realm in gateway locations, which could have positive effects for townscape and the rural - urban interface. As the largest settlement, Selby Town also has greater capacity to absorb new development which reflects the existing character of the settlement.

[11] i.e. prepared by North Yorkshire County Council, the City of York and North York Moors National Park Authority and adopted in 2022

12.10.3 Whilst high-level, Policy **SG2** (Spatial Approach) outlines the distribution strategy of development, with wording in place to ensure that proposals are appropriate to the scale, form and character of the settlement where they are located. Areas of townscape which are not considered to positively contribute towards townscape character may benefit from the Plan's support for regeneration, especially in Selby Town and Tadcaster. Whilst site TADC-AD is within a Locally Important Landscape Area, the site's policy seeks to ensure that the sensitive re-use of buildings is appropriate to the design and layout of the designated area of landscape importance. This should help to prevent more significant effects from arising.

12.10.4 A large-scale extension to Eggborough is likely to change the character of this settlement (albeit the land affected is not identified as being highly sensitive to change). The site is currently open in character and whilst there are opportunities for development to incorporate new landscape features, development is likely to appear as an intrusion of built development into open countryside, adversely impacting the built character of Eggborough and that of the surrounding open landscape. The extension of the built-up area to the west will also increase coalescence between Eggborough and Kellington (though not completely). The subsequent site policy for this allocation seeks to address these issues.

12.10.5 Policies **SG7** (Strategic Countryside Gaps) and **SG5** (Green Belt) support maintaining the openness between and around some of the District's main settlements in order to protect the character and individuality of those settlements and preserve their setting and distinctiveness within the landscape.

12.10.6 Attention turns first to **SG7** on the basis that it represents genuine local policy choices in relation to landscape, as opposed to Green Belt which is discussed further below. The concept of countryside gaps is not new in Selby District and **SG7** effectively rolls forward the provisions of the adopted Local Plan, though with the notable difference that the gap at Hensall North/South and Stillingfleet is de-designated, a new gap is proposed between Eggborough / Kellington and the boundary at Thorpe Willoughby / Selby Town has been defined. These changes are led by the findings of the 2020 Strategic Countryside Gaps Review and respond to the findings accordingly.

12.10.7 The supporting text of **SG7** defines the purpose of strategic countryside gaps as to ensure the preservation of the character of individual settlements outside of the Green Belt where they are at risk of coalescence. This is particularly relevant in locations where there is significant development pressure, such Selby Town itself. The gaps are clearly defined on the policies map, establishing clear spatial context for the policy. It is considered that this approach is likely to be robust and effective, leading to positive effects in relation to landscape.

12.10.8 Turning to **SG5**, it is recognised that Green Belt is not a landscape designation per se, though in practice Green Belt provides a 'hard' constraint to development which is a significant contributor to maintaining the separate identity and landscape setting of settlements. Green Belt is a significant feature of Selby District as both the West Yorkshire and York Green Belts intersect with the District. However, as Green Belt is a national designation whose purposes are defined in the NPPF there is no potential for local policy choice in relation to it (beyond consideration through the Local Plan process). Therefore, policy **SG5** signposts to the NPPF, saying development proposals in the Green Belt will be determined in reference to the National Planning Policy Framework, or any future successive framework.

12.10.9 Policy **SG3** (Development Limits) defines where different types of development can occur for the District's largest towns, as well as Tier 1 and Tier 2 villages. This approach is recognised as having potential to protect and preserve the landscape setting of settlements, by directing growth to locations which relate best to the existing built area and away from locations which through either distance or perception relate more poorly to settlements. This is reinforced further by **SG4** (Development in the Countryside) which works hand-in-glove with **SG3** by establishing a presumption against most forms of development outside of the District's settlements, thereby preserving the visual integrity of Selby District's natural landscapes. In this regard, **SG4** also seeks to ensure clarity for settlements which are not defined in the settlement hierarchy by assuming that these settlements will be considered to be part of the countryside, therefore, conserving their character and the district's rural setting. These are positive effects with regards to character, but ought to be interpreted in the context of allocated sites being proposed in many of the settlements where development limits will occur. The influence of the policy is therefore limited in respect of plan allocations.

12.10.10 At a detailed scale, the potential for harmful effects from non-strategic development is recognised and mitigated. Policy **HG12** (Householder Applications) suggests that one of the range of criteria by which householder development will be assessed is the extent to which a proposal "*respects and positively contributes to any applicable landscape character*". This will likely help ensure that householder development such as non-PD extensions will not have a greater impact than the existing dwelling. Similarly, **HG4** (Replacement Dwellings in the Countryside) and **HG5** (Re-Use or Conversion of Rural Buildings in the Countryside) includes the same, or similar requirements for proposals.

12.10.11 Policy **HG6** (Creating the Right Type of Homes) ensures that the density of developments responds positively to the setting of the relevant settlement, helping to preserve existing town and village character.

12.10.12 From a general perspective, Policy **SG9** (Design) requires all development proposals to respond positively to their setting through design, layout and materials. A range of criteria with potential to impact landscape and townscape character are listed by the policy, including a requirement to support the character of the local area paying attention to existing form, scale, density, layout and building materials and respond to its setting reflecting important views and landscapes. Village design statements should help to ensure that local perceptions on character are considered within future developments. Such considerations are crucial in determining the extent to which new development has a positive or negative impact on its setting and **SG9** is therefore likely to give rise to positive effects on landscape and townscape. These approaches will apply to allocated development sites, as well as windfall proposals, and therefore will have an important influence on the quality of development.

12.10.13 To help manage negative effects that might occur on a site-specific basis, individual requirements are set out for site allocations relating to the need for landscaping, buffer areas and retention of important features. These should further help to mitigate negative effects of growth (though not completely).

12.10.14 Overall, it is considered the strategic and detailed policies of the Local Plan have potential for moderate negative effects in relation to landscape. It is inevitable that changes to landscape and settlement character will occur due to the proposed growth. However, the plan directs growth to less sensitive areas where possible and sets out a range of measures to reduce the significance of effects. Therefore, residual effects are predicted to be **minor negative**. Conversely, there could be the potential for townscape improvements where regeneration occurs in Selby Town in particular.

12.11 Population and Communities

12.11.1 'Population and communities' is a broad theme under which consideration should be given to provision of new community infrastructure, access to existing community infrastructure for all residents and improving perceptions of community identity, safety, quality and diversity.

12.11.2 The preferred spatial approach disperses growth to a range of settlements, which should ensure that new community infrastructure is secured in a range of settlements. However, its focus on higher order settlements (Selby Town) an urban extension at Eggborough and some distributed rural growth should ensure that new communities are well served by facilities and services. Allowing some appropriate expansion of smaller settlements will also ensure that they are more likely to retain a sense of identity, while supporting local services and facilities and helping to make sure that community infrastructures are not placed under pressure due to population increase. This is more likely to occur where a number of smaller developments increase a population, but without as greater certainty of new community infrastructures being delivered as seen for larger, strategic sites.

12.11.3 The Eggborough extension should provide an opportunity to create a high quality neighbourhood that is well served by a range of community facilities. In this sense, positive effects are likely, particularly as there are site specific policies outlining the need for development to contribute towards new education, health care, open space and village centres.

12.11.4 For the smaller site allocations, Section 106 contributions towards social infrastructure provision is required, though this is mostly related to school places. Nevertheless, a planned approach to growth in settlements should ensure that communities are able to access the basic public services as a minimum.

12.11.5 Though the expansion of settlements is mostly proportionate, it is likely that some people will resist development in their communities and feel that it is detrimental. In this respect, some minor negative effects could be anticipated, especially nearby to larger scale growth in higher tier settlements such as Selby Town.

12.11.6 In addition to site specific measures and area based policies such as Policy T3, a range of other strategic policies in the Plan seek to maximise the provision of community infrastructure through new development.

12.11.7 For example, Policy **SG9** (Design) requires a range of community infrastructure features to be delivered through new development, including to improve or provide new connections to existing open spaces, green infrastructure and public rights of way. The policy supports amenity space and social inclusion to be a principle which is sewn into the design of developments. Further to this, community consultation and input into the proposals should help to reduce the potential for local opposition.

12.11.8 Policy **IC3** (New and existing open space, sport and recreation) adds detail to the requirements for open space in new development. Recognising the importance of ensuring access to high quality recreation open space, the policy looks for developments of 10 dwellings or more to provide 51sqm of open space per dwelling, with long-term maintenance and management of open spaces to be secured through S106 agreements. The supporting text of the policy signposts to the Open Space Provision SPD for guidance on catchments for play space which is helpful.

12.11.9 Similarly, **IC1** (Infrastructure delivery) performs strongly as it seeks to ensure that all new development is complimented with additional capacity of all infrastructures to meet the needs of the district. It will also be important to ensure that existing facilities continue to serve local communities and to this end **IC2** (Protection of Existing Community Facilities) establishes a presumption against development proposals which would "*result in the loss*" of existing community infrastructure.

12.11.10 In terms of improving perceptions of community safety, **SG9** (design) could lead to positive effects by virtue of requiring development proposals to "*design out*" antisocial behaviour through site layout and design which embeds "*natural surveillance*" into future schemes. This should help ensure that spaces such as dead ends or walkways flanked by windowless walls will be avoided, with associated positive effects on the perception of safety.

12.11.11 Policy **SG8** (Neighbourhood Planning) ought to be positive as it supports the development of neighbourhood plans. The policy encourages communities to plan positively for growth; this should help to let communities shape their local development from the bottom-up, potentially reducing the potential for community opposition to new developments.

12.11.12 Overall, the Local Plan is likely to support improvements to the provision of community facilities. The spread of development should mean that new and existing communities are likely to be adequately served by facilities, without being overwhelmed by growth. As a result, **moderate positive effects** are predicted overall.

12.11.13 Whilst there is the potential for some minor negative effects where certain people may oppose development, the positive approach to supporting community consultation and neighbourhood planning should mitigate this to some extent. Nonetheless, uncertain **minor negative effects** may still occur.

12.12 Transport

12.12.0 The focus of the transport theme is on encouraging shift to sustainable modes of transport and ensuring the provision of the necessary transport infrastructure to ensure sufficient capacity in light of planned growth in the District.

12.12.1 As discussed above, the cross-cutting nature of sustainable transport means that some aspects have been discussed in relation to other themes, particularly climate change mitigation, air quality and health. However, these messages bear repeating through the lens of the transport theme. As discussed, a number of policies are judged to perform well in principle as several seek to disincentivise travel by private car and promote sustainable modes of travel. Policy **IC6** (Sustainable transport, highway safety and parking) provides support for proposals which are in locations which are considered to be accessible by means of sustainable transport choices (public transport or active travel). Proposals should help to expand the use of these modes of transport for prospective residents of new developments, existing nearby residents and those who work in the area for journeys both within and beyond the district. All of these points are anticipated to give rise to positive effects in relation to boosting take up of sustainable transport.

12.12.2 Policy **SG9** (Design) is found likely to have positive effects in relation to sustainable transport by further underscoring the need to direct growth to accessible locations in order to reduce car dependencies and promote travel by active means.

12.12.3 Elsewhere, the Local Plan emphasises the importance of seeking opportunities to promote public transport and walking and cycling as a safe and convenient mode of travel by which to access a range of goods, services and facilities. As identified under the climate change mitigation topic, policies which encourage development to embed sustainable transport and connectivity are all considered to perform well in relation to transport. This includes **SG3** (Development Limits), **IC3** (New and Existing open space, sport and recreation), **SG9** (Design), **EM1** (Meeting Employment Needs), **IC6** (Sustainable Transport, Highway Safety and Parking), **IC7** (Public Rights of Way) and **S1, S2, T1 and T3** which focus on support for certain developments in specific locations in Selby and Tadcaster.

12.12.4 In respect of supporting the provision of other kinds of transport infrastructure, **IC1** (Infrastructure Delivery) is clear that Council will work collaboratively with stakeholders to secure timely delivery of new road infrastructure. The sets out that in order to unlock and support growth to the fullest, improvements to infrastructure, including necessary "*highways improvements*", should be in place prior to the occupation of the phase of development for which it is intended to support. In practice, this is likely to mean that enabling highways works such as junction improvements and site roads must be delivered during early phases of the development process at schemes large enough to require them. Policy **IC1** (Infrastructure Delivery) also states that infrastructure will be clearly established via an Infrastructure Delivery Plan. This will help align the delivery of housing and employment with the delivery of new road infrastructure; this should help to alleviate any potential road capacity and safety issues.

12.12.5 At a more detailed scale, **IC6** (Sustainable transport, highway safety and parking) looks to ensure that development proposals will function efficiently, be safe for all road users and incorporate adequate provision for parking. Proposals will in some cases be required to evidence the impact and future scenarios of transport related effects related to their scheme, this includes transport statements, transport assessments and sustainable travel plans; post-development monitoring and mitigation may also be required to ensure adverse effects on the road network are minimised.

12.12.6 It is clear that the policies carry a common theme relating to sustainable modes of travel and reducing the potential negative impacts of schemes which may lead to an increased volume of traffic. In this respect, minor positive effects are predicted.

12.12.7 It is important to consider the spatial strategy in this context, but also to recognise the possible implications of a growth in the locations proposed. In the main, development is directed to areas that are well connected in terms of jobs and services, and this ought to support the objective of sustainable travel, especially active travel where commuting distances are small.

12.12.8 Overall, whist it is evident that the Plan's effects would be expected to deliver improvements in terms of sustainable transport provisions and highways network development, there would also be some anticipated pressures on the area's road network. These effects are expected to occur simultaneously, rather than acting to balance one another out. Mixed **minor negative** and **minor positive** effects are anticipated.

12.13 Water Resources

12.13.1 A key consideration under water resources is ensuring that there is available capacity at water infrastructure assets which serve the District, particularly having sufficient headroom capacity at wastewater treatment works (WwTW).

12.13.2 Policy **IC1** (Infrastructure Delivery) looks to address this consideration, stating that the Council will collaborate with infrastructure providers to ensure that new development is supported by appropriate improvements to existing or new infrastructure, specifically including in relation to utilities.

12.13.3 In order to ensure provision of capacity is phased appropriately, the policy says that new or enhanced infrastructure must be in place no later than the appropriate phase of development which it is required to support. It is anticipated that where enhancements to water infrastructure are required to support development, such as additional pumping stations, that developers will provide some or all of the associated costs of doing so.

12.13.4 Policy **IC4** (Water Supply, Wastewater Treatment and Drainage Infrastructure) specifically provides wording to ensure that a collaborative approach between relevant stakeholders delivers sufficient infrastructure to meet the needs of water supply, wastewater treatment and drainage for the district. Water supply and wastewater management should be delivered prior to the occupation of development, avoid adverse environmental effects and be adaptable to enable future expansion of changes to align with technological advances. This policy is expected to deliver positive effects in relation to water resources.

12.13.5 In terms of protecting and enhancing the quality of the District's water resources, policy **NE5** (Protecting and Enhancing Waterbodies) specifically **NE5(A)**, requires development proposals which come forward on, adjacent to or near to waterways to safeguard and improve environmental quality and avoid deterioration of waterways assets.

12.13.6 **NE5(C)** recognises the potential for pollution associated with recreational use of the waterway, particularly in relation to powered watercraft. The policy looks to minimise this harm, stating that proposals for riverside recreation facilities must include sufficient safeguards to prevent the pollution of the waterway and must not be of a scale which could lead to environmental damage or harm nature conservation interests. Opportunities should be explored to see how proposals could strengthen wildlife corridors. This is considered proportionate, given the importance of waterborne recreation in the District.

12.13.7 Policy **NE2** (Protecting and Enhancing Green and Blue Infrastructure) has a number of dimensions, reflecting the multifunctional nature of green and blue infrastructure (GBI). However, a key aspect of the policy is providing support to new development proposals which include benefits for "*river and waterway assets*". This includes contributing to "*identified opportunities*" for quality improvements at the river Ouse, Selby Canal, the River Wharfe, the river Derwent and the river Aire.

12.13.8 More broadly, policy **NE8** (Pollution and Contaminated Land) establishes a firm presumption against any form of development proposals which could give rise to "*contamination of land or water*".

12.13.9 Though several proposed allocations fall close to groundwater source protection zones and /or watercourses, there are accompanying site specific policies that require careful management to ensure effects are avoided and managed.

12.13.10 The plan will also lead to a substantial change in land use from agricultural land to residential areas. Pollution from agricultural activities such as nitrates in surface water run-off contributes to poor water quality for some of the Districts watercourses. Therefore, this change could inadvertently help prevent future nitrate pollution of waterbodies.

12.13.11 Overall, it is considered that the Local Plan is likely to give rise to **minor positive effects** in relation to water resources. Though there are also expected to be some uncertain **minor negative effects** relating to the potential for some construction related, short-term increases to waterbody pollution.

13. Mitigation and enhancement

13.1.1 This section summarises the SA recommendations made throughout the Plan-making process to mitigate negative effects and maximise positive effects. The Council's responses to the recommendations are recorded at each key milestone. See Table 13-1 for details of the additional recommendations made at the current stage (pre-submission).

13.1.2 In addition to responding to explicit recommendations made throughout the SA, the Council has also been proactive in seeking to address negative effects and uncertainties identified through the different stages of appraisal. For example:

- Tweaking objectives to address potential incompatibilities identified through the objectives assessment process.
- Introducing site specific policy measures to respond to constraints identified through the site appraisal and options appraisal process.
- Seeking to address negative effects identified in the draft Plan appraisal at preferred options stage (even when explicit recommendations have not been made in the SA).

Table 13-1: Summary of recommendations made at preferred options stage

SA Objective	Recommendation	Council response
Biodiversity	Clarify the role of mitigation and net gain. Identify strategic enhancement opportunities Clarify what would happen if net gain cannot be secured on site. Commit to production of a biodiversity strategy / net gain SPD.	Preferred options policies NE4 and NE5 have been reconfigured as NE1 "protection of designated sites and species" and NE3 "Biodiversity Net gain". This reconfiguration has sought to offer clarity that all protection and mitigation principles are applied through NE1 including those in relation to irreplaceable habitats. NE3 now focuses solely on net gain elements and how this will be applied " *in line with priorities for recovering or enhancing biodiversity habitats and species as set out through the Local Plan evidence bases or Nature Recovery Strategy*;" and sets out that *"In cases where there are no biodiversity opportunities identified or no land is available within the district, credits from a land bank organisation can be purchased, but must be evidenced as part of the pre-application process."* As a result of the policy being in alignment with the Environment Act and emerging government guidance and supported by details in the blue and green infrastructure Plan, there may not be a need for a bespoke SPD.

SA Objective	Recommendation	Council response
		However, one can be produced if required regardless of its inclusion in the plan text.
Heritage	Given that policy SG13 specifically points to local CA appraisals as the best way to mitigate harm from development there is a need to ensure that up to date appraisals are available. It may also be useful to set out some general principles upfront to guide development should there be a gap in supporting evidence.	Heritage policies have been strengthened and include reference to specific features that contribute to Selby Districts character and sense of place.
Climate Change Mitigation	Ensure that retrofitting of low carbon technologies is made as easy as possible. The potential for district-scale energy generation schemes ought to be encouraged, through the requirement for an energy study to support strategic development applications. The creation and protection of carbon sinks such as peatland and forested areas could be made explicit.	Issues relating to retrofitting of existing buildings can be picked up through permitted development. Preferred Options SG10 has been reconfigured to focus solely on Renewable and low carbon energy solutions. Identifying that the whole district has potential for district scale energy generation provided it addresses any identified potential harm. Part b sets out that "*Proposals to facilitate heat recovery and delivery of community energy systems such as combined heat and power (CHP), combined cooling, heat, and power (CCHP) and district heating networks should be explored where;"* close to sufficient sources, there is relevant demand heritage assets will not be harmed. This is intended to include the three major strategic sites which also include site specific policy requirements to incorporate climate change measures or renewable energy on site. The North Yorkshire LEP has commissioned an Local Area Energy Plan which will inform renewable and low carbon energy choices across the district but this will not be available until September. Policy SG9 requires the incorporation of multi-functional green infrastructure within sites to provide carbon storage and sustainable drainage systems. Consideration of the need to create carbon sinks will be considered as an element of the blue and green infrastructure strategy in association with policy NE2 – there is not

SA Objective	Recommendation	Council response
		currently the required guidance on the best way to deliver and account for carbon sinks in the district and it is more appropriate to develop this through the living documents within the evidence base which can react to the latest information and guidance.
Climate Change Adaptation	Require a reduction in surface water run-off on development sites from current levels. Require development to provide areas of shade and cooling on site, or to contribute towards cooling measures in urban centres (such as tree planting, green roofs). Identify specific parcels of land for the delivery of a connected network of green and blue infrastructure in urban area. Set a specific target for the number of trees to be planted across the district. Require climate responsive passive design features in new built homes.	Policy SG11 has been amended by the supporting text setting out support for development proposals that work with the natural processes and natural flood management to proactively manage sources and pathways of water through a catchment. Adopting techniques that intercept, slow and temporarily store the water to help provide a greater natural resilience is encouraged and includes tree planting. Policy SG11 does not require a specific reduction in surface water run-off on all development sites from current levels. Setting one rigid specific target for all sites to meet is an inflexible approach which might not accurately reflect needs across the district Policy SG9 point B5 – "*Ensure that the highest levels of sustainability are achieved through the design of buildings and by making efficient use of resources. Proposals should sufficiently consider the long-term implications of climate change such as flood risk, water supply, biodiversity and landscape, and the risk of over-heating from rising temperatures*;" This includes the consideration of areas of cooling/shade. While it is not appropriate at this point to set out the specific and dedicated green infrastructure within sites as part of the policies map, policy NE2 – Blue and Green Infrastructure will be supported by a Blue and Green infrastructure Strategy Policy NE6 - Protecting and Enhancing Trees, Woodland and Hedgerows references the white rose forest partnership scheme which sets of strategy for tree planting that covers the district. The monitoring framework also sets out that there is to be an increase in the number of trees.

SA Objective	Recommendation	Council response
Air quality	Enhance the potential for waterborne and rail freight to reduce carbon emissions by adding more specific details.	Publication draft policy IC6 has been updated to prioritise the safeguarding of long-term opportunities for waterborne and rail freight - this include identifying existing railheads and wharfs on the policies map to safeguard them from development and has strengthened wording in B5
Communities	A less prescriptive approach to housing requirements in neighbourhood plans might be more suitable, such as using the word 'encouraged' rather than 'expected'	Policy SG8 (Neighbourhood Planning) amended to delete reference to 'expected' and reworded to say emerging neighbourhood plans will be encouraged to plan positively for growth by considering additional small and medium sized sites.

Table 13-2: Recommendations at the first Pre-Submission Stage.

SA Objective	Recommendation	Council Response
Climate change mitigation	The Plan mentions the importance that Selby could play in developing carbon capture and storage technologies, but there is no explicit support or guiding principles provided through Plan policies. Consider inclusion of policy support to facilitate scheme development.	??????
Heritage	The site policy for SELB-CR could add specific requirements for any new buildings to pay attention to (and incorporate) building façade design along Ousegate, which demonstrate the use of Keystone as features above windows (this could be made a site specific policy requirement).	??????

Table 13-3: Recommendations at the current Pre-Submission Stage.

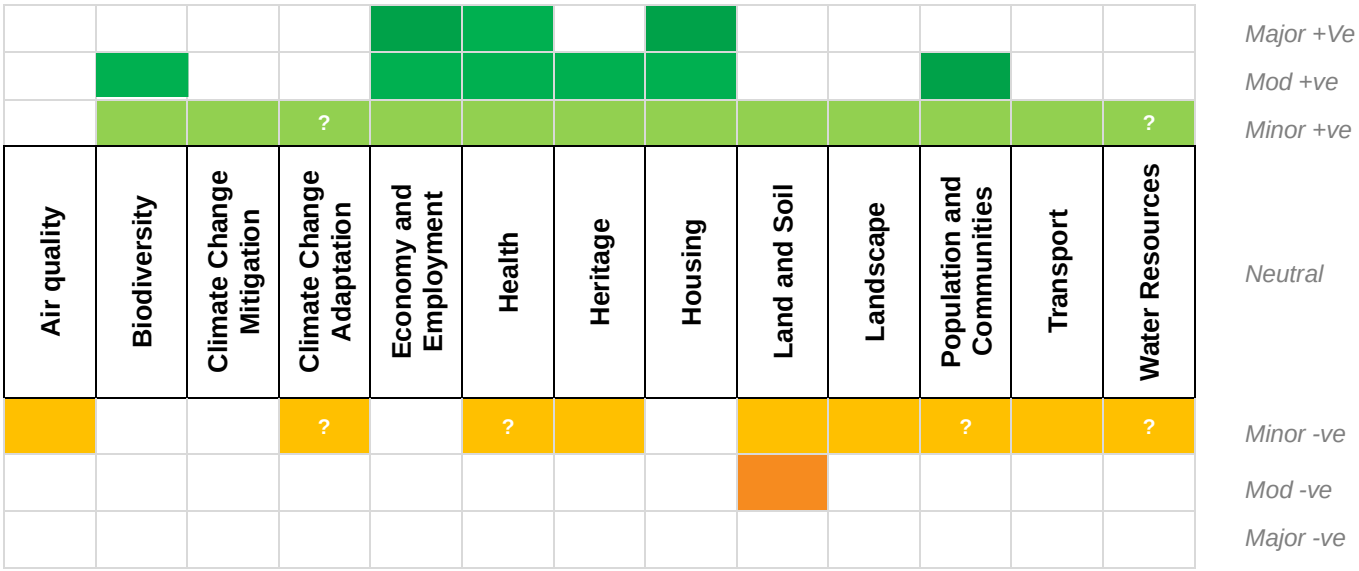
SA Objective	Recommendation
	None identified as yet.

14. Summary and monitoring

14.1 Summary of effects

14.1.1 Table 14-1 below presents a summary of the cumulative effects of the Plan, (employing the same coloured key as used throughout the SA for the strength of effect), for each SA topic. Table 14-2 below sets out a brief discussion of these effects and identifies potential monitoring measures.

Table 14-1: Summary of cumulative effects of the pre-submission Local Plan on the SA Topics



14.2 Monitoring

14.2.1 At this stage there is only a requirement to outline the measures envisaged to monitor the predicted effects of the Plan. In particular, there is a need to focus on the significant effects that are identified (i.e. those that are predicted to be moderate or major). It is important to track predicted effects to ensure that positive effects are realised and to identify any unforeseen negative effects that may occur.

14.2.2 Table 13.2 below sets out monitoring measures under each SA topic which are intended to be used to monitor any significant effects and to track the baseline position more generally. At this stage the monitoring measures have not been finalised, because the Plan has not been finalised and there is also a need to confirm the feasibility of collecting information for the proposed measures.

14.2.3 To ensure that the SA process is in sync with the Local Plan, the monitoring framework proposed in the Plan is taken as a starting point, with additional measures being recommended where it is felt necessary (set out in blue text).

14.2.4 The monitoring measures will be finalised once the Plan is adopted, and will be set out in an SA Statement in accordance with the SEA Regulations.

Table 14-2: Summary of Plan Effects and Potential Monitoring Measures

SA Objective: Summary of Effects	Monitoring Measures
Air Quality In the long term, **neutral effects** are predicted once policy mitigation has been taken into account. In the short term, before the widespread uptake of electric vehicles and supporting infrastructure, there could be a slight deterioration in air quality, which for Selby Town in particular is an uncertain **minor negative effect**.	Number of applications approved that have a negative effect on the AQMA Change in pollutant levels in the AQMA – Link to the management plan monitoring.
Biodiversity **Minor positive effects** are predicted in the long term due to the potential for protection and enhancement of habitats and the focus on connecting existing habitats to enhance the wider network.	Overall net gain in biodiversity across the District (% change) Number of important and protected trees lost through development Net loss of protected / designated habitat areas. Number and proportion of applications achieving 10% net gain on site

SA Objective: Summary of Effects	Monitoring Measures
Climate Change Mitigation The Local Plan takes a fairly proactive approach to minimising and reducing carbon emissions from the built environment and from travel sources. As a result, **minor positive effects** are predicted in the long-term. To achieve significant positive effects, more widespread / challenging policy requirements would need to be introduced.	Amount of installed capacity in renewable energy Number of electric-vehicle charging points
Climate Change Adaptation The Local Plan is broadly proactive in directing growth away from areas at greatest risk of flooding . Though some new development is in areas that are vulnerable to flooding, there are existing flood defences and policies within the plan that seek to avoid and manage potential impacts. There should be an increased rate of tree planting and open space provision within new development; features which can help minimise the urban heating effect and flood risk. **Minor positive effects** are predicted in the long term. But the potential for residual **minor negative effects** is also noted.	New development granted contrary to EA objections Number of new properties located outside of Flood Zone 1 Number of new trees planted as a result of new development / development contributions.
Economy and Employment Overall, **major positive effects** are anticipated in relation to employment on the basis that employment needs will be met in full, whilst also proposing a range of measures to support the diverse range of established and emerging sectors which contribute to the District's economy. Though levels of deprivation and inequality are relatively low for the District, regeneration and jobs growth are focused in areas that ought to help address these issues where they are more prevalent.	Amount of employment floorspace developed for B uses. Number of farm diversification schemes granted planning permission Regeneration schemes completed.
Health A broad range of measures are proposed to embed healthy lifestyles into new development. In the short term, **minor positive effects** are predicted, which should rise to **moderate positive effects** in the medium to long term as more development is delivered (with associated public realm and infrastructure improvements).	Number of hot food takeaways granted within 400m of a secondary school or further education college without restricted opening hours. Additional open space to meet the needs of new development Number of homes meeting the national space standards for living spaces

SA Objective: Summary of Effects	Monitoring Measures
Potential **minor negative effects** could arise for some communities related to wellbeing, but there is a degree of uncertainty.	% of new homes that are within walking distance of a school, local shops, bus stop / train station.
Heritage On one hand, the Plan takes a positive approach to the protection of heritage and ensuring that development is sensitive and finds uses for heritage assets that might otherwise be vulnerable to deterioration. There is also a focus on regeneration and improvement of the public realm, particularly in Selby Town and through the heritage-led portfolio of sites in Tadcaster. There are a range of supporting site policies that seek to ensure positive outcomes for heritage. Together, this constitutes **moderate positive effects.** Conversely, the Plan could give rise to some **minor negative effects**. Some site allocations are likely to have residual negative effects given that there will be settlement expansion and changes to the setting of heritage assets.	Safeguarding protected historic sites Appropriate uses and management of Heritage assets 'at risk' Heritage assets lost as a result of development
Housing **Major positive effects** are predicted as the strategy meets identified housing needs and distribute it appropriately across the District. A range of types and tenures of homes will be provided and housing needs within different sections of the community, including specialist housing needs, will be met.	Number of net annual housing completions broken down per Tier in the settlement hierarchy % of homes meeting standards set within the Local Plan Number and % of affordable housing secured
Land and Soil Overall, it is predicted that the Local Plan will lead to **moderate negative effects** with regards to soil and land. Whilst the Plan seeks to protect agricultural land, make use of brownfield opportunities and remediate contamination (which are **minor positives**), it proposes the allocation of large amounts of land that overlap with best and most versatile agricultural land.	Amount of best and most versatile agricultural land lost (excluding sites allocated in the plan) Amount of brownfield land developed (Ha) and % of total
Landscape It is inevitable that changes to landscape and settlement character will occur due to the proposed growth, which could lead to moderate negative effects on landscape. However, growth is directed mostly to less sensitive areas and policies set out a range of measures to reduce the significance of	Number of developments which compromise the openness of the Strategic Countryside Gap

SA Objective: Summary of Effects	Monitoring Measures
effects (some being site specific). As such, residual **minor negative effects** are anticipated. Negative effects are counterbalanced by the designation of Locally Important Landscape Areas and Strategic Countryside Gaps as well as the potential for townscape improvements, particularly in Selby Town and Tadcaster (which are **minor positive effects**).	
Population and Communities Overall, the Local Plan is likely to support improvements to the provision of community facilities. The spread of development should mean that new and existing communities are likely to be adequately served by facilities, without being overwhelmed by growth. There is also potential for significant new infrastructue at the new settlements. As a result, **moderate positive effects** are predicted in the long term. There are some potential **minor negative effects** identified, as certain people may oppose development. However, this is uncertain.	Amount of Green Infrastructure created or lost through development Amount of outstanding development contributions Loss of facilities that where needed by the community Number of objections to major development applications
Transport Mixed effects (**minor positive** and **minor negative**) are predicted with regards to transport. On one hand, there is a strong emphasis on sustainable transport, and growth is broadly distributed to areas that are well serviced by public transport and jobs. Conversely, concentrations of development in Selby Town, and possibly at a new settlement could lead to increased congestion issues.	Percentage of new homes that are within 400m from a bus stop / rail station Improvements and additions to the cycle network Peak time congestion at key junctions
Water resources Overall, it is considered that the Local Plan is likely to give rise to mixed effects in relation to water resources. On one hand, **minor positive effects** could arise given that the Plan seeks to implement measures to improve the function of greenspaces, enhance water utilities infrastructure and address contamination. The change of use of agricultural land could also lead to a reduction in nitrate pollution in the longer term. There are a range of policies that remind of the need to manage water pollution, but , new development could temporarily increase the risk of	Water Framework Directive Status of watercourses Headroom capacity at wastewater treatment plants

SA Objective: Summary of Effects	Monitoring Measures
pollution to water sources, which are uncertain **minor negative effects**.	

Part 4: What are the next steps?

15. Next Steps

15.1.1 This document is the Sustainability Appraisal Report that accompanies the latest stage of work in relation to the Publication, Pre-Submission Selby District Local Plan.

15.1.2 This SA Report will be made available for consultation alongside the Pre-Submission Local Plan as a key piece of evidence.

15.1.3 The SA Report consolidates previous SA work (i.e. the Scoping Report, three Interim SA Reports) as well as appraising updates to the Plan as necessary and establishing potential monitoring measures.

15.1.4 The most recent timetable moving towards Adoption of the Local Plan is set out in the Council's 7th Local Development Scheme[12]. Key stages are summarised in Table 15-1 below.

Table 15-1: Timetable

Date	Milestone
	Reg19 consultation on Publication of Revised Pre- Submission Draft Local Plan
	Submission to the Secretary of State
	Examination of the Plan
	Adoption of the Selby District Local Plan

15.1.5 It may be necessary to undertake additional iterations of SA to take account of changes and modifications to the Plan during the examination process.

[12] https://www.selby.gov.uk/local-development-scheme

Appendix A: SA Scoping Report Comment Log

Appendix B: Appraisal of Reasonable Alternative Strategies (Preferred Options)

Appendix C: Summary of site appraisal findings

Appendix D: Log of comments received on the Interim SA Report

Appendix E: Appraisal of Reasonable Alternative Strategies (Pre-Submission)

Appendix F: Log of comments on the pre-submission SA Report

Appendix G: Appraisal of Reasonable Alternative Strategies (Final stage)

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Selby Local Plan: Second Pre-Publication Local Plan: January 2024

Habitats Regulations Assessment: Summary for Committee

Introduction

1.1 This short note is a summary of the HRA process and the key outputs at this stage to help inform the February Committee.

1.2 Under the Conservation of Habitats and Species Regulations 2017 (as amended), an Appropriate Assessment is required, where a plan or project is likely to have a significant effect upon a European Site, either individually or 'in combination' with other projects.

1.3 The objective of the HRA is to identify any aspects of the Plan that would cause an adverse effect on the integrity of European sites (Special Areas of Conservation (SACs), Special Protection Areas (SPAs), candidate Special Areas of Conservation (cSACs), potential Special Protection Areas (pSPAs) and, as a matter of Government policy, Ramsar sites), either alone or in combination with other plans and projects, and to advise on appropriate policy mechanisms to avoid an adverse effect on the integrity of a European site resulting where such effects were identified.

1.4 In order to ascertain whether or not site integrity will be affected, an Appropriate Assessment should be undertaken of the plan or project in question:

Figure 1: The legislative basis for Appropriate Assessment

Conservation of Habitats and Species Regulations 2017 (as amended)

The Regulations state that:

"*A competent authority, before deciding to … give any consent for a plan or project which is likely to have a significant effect on a European site … shall make an appropriate assessment of the implications for the site in view of that sites conservation objectives… The authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site*".

Methodology

1.5 The HRA has been carried out with reference to the general EC guidance on HRA[1]; the UK government has also produced its own internal guidance[2]. These have been referred to in undertaking this HRA.

[1] European Commission (2001): Assessment of plans and projects significantly affecting Natura 2000 Sites: Methodological Guidance on the Provisions of Article 6(3) and 6(4) of the Habitats Directive.
[2] https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site

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1.6 Figure 2 below outlines the stages of HRA. The stages are essentially iterative, being revisited as necessary in response to more detailed information, recommendations, and any relevant changes to the plan until no significant adverse effects remain.

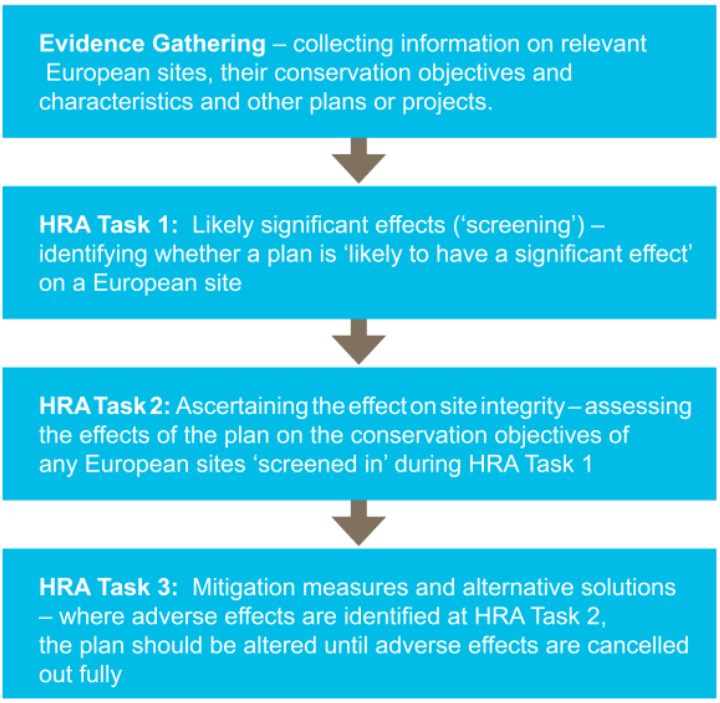


Figure 2. Four Stage Approach to Habitats Regulations Assessment. Source EC, 2001[1].

Assessment

1.7 The HRA discussed potential implications of the Selby Local Plan on European sites within the former Selby district and up to 10km from the authority boundary. Several impact pathways were identified to be relevant, including recreational pressure, loss of functionally linked habitat, water quality, water quantity, level and flow, and atmospheric pollution. At the initial Likely Significant Effect stage, all impact pathways were taken forward to Appropriate Assessment, for a more detailed appraisal of potential effects on European sites. Due to an absence of Likely Significant Effects, the Kirk Deighton SAC, the Thorne & Hatfield Moors SPA and the Thorne Moor SAC were excluded from Appropriate Assessment. The following paragraphs summarise the main conclusions and recommendations arising from work carried out in the Appropriate Assessment.

Recreational Pressure

Lower Derwent Valley SPA / Ramsar / SAC, Skipwith Common SAC, Humber Estuary SAC/SPA/Ramsar

1.8 It was determined that the Selby Local Plan would lead to a relatively small amount of growth (320 dwellings) within 5km of the either SPA / Ramsar / SAC, with most housing lying beyond easy walking distance. For Lower Derwent Valley SPA/SAC/Ramsar the access point to the European site most relevant to the former Selby district was least busy in Footprint Ecology's visitor survey (no visitors were recorded over 16 hours of

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surveying). The amount of housing proposed for allocation within 5km of the SAC/SPA/Ramsar site is small and analysis of the visitor survey data for the SAC/SPA/Ramsar site leads to a conclusion that this amount of housing growth will not significantly change visitor pressure in the SAC/SPA/Ramsar even in combination with other plans and projects due to low levels of visitor use of the closest parts of the SPA to these allocations. However, Natural England noted in consultation responses that for Lower Derwent Valley SAC/SPA the surveyed focussed on certain gateways to the site and therefore may have underestimated diffuse visitors.

1.9 Moreover, the Council will review the Lower Derwent Valley SPD that was produced with adjacent local authorities as a draft in 2017, with a view to adoption as a method of addressing future recreational pressure. The SDP was adopted by ERYC in 2018 as at that moment in time the other local authorities involved in the document, including Selby, were/ are at different stages in the preparation of their respective Local Plans, and SPDs must relate to adopted Local Plan policies. This is reflected in a requirement in Policy NE1 that '*Proposals that may directly, indirectly or cumulatively impact on a Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site sites will only be supported where it can be demonstrated that there will be no adverse effects on the integrity of the sites… This part of the Policy relates to development that is located within… the 1km Lower Derwent Valley Area of Restraint. Such development must consider the guidance set out in the Lower Derwent Valley Supplementary Planning Document or its successor … 5 Kilometres of the Lower Derwent Valley SAC/SPA/Ramsar … must have regard to up to date visitor monitoring data and where necessary apply appropriate mitigation to reduce recreational pressure from development, including any necessary financial contributions towards the delivery of measures identified in the Lower Derwent Valley Supplementary Planning Document'.*

1.10 The Local Plan allocates 382 dwellings within 5km of the Skipwith Common SAC, a distance that typically reflects the core recreational catchment of heathland sites. It is considered unlikely that the other specific allocations would have an impact on the SAC 'alone' and the remainder of this assessment thus considers the impacts of Policy SG2 (Spatial Approach), particularly in-combination with residential growth projected in the City of York. Extrapolating from visitor survey data it is therefore considered that the development in the Local Plan would make a negligible contribution to any increase in recreational pressure on Skipwith Common SAC. Nonetheless, as a precaution Policy NE1 of the Local Plan includes a requirement in Policy NE1 that '*Proposals that may directly, indirectly or cumulatively impact on a Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site sites will only be supported where it can be demonstrated that there will be no adverse effects on the integrity of the sites… This part of the Policy relates to development that is located within… 5 Kilometres of Skipwith Common SAC, must have regard to up to date visitor monitoring data and where necessary apply appropriate mitigation to reduce recreational pressure from development'.*

1.11 Finally, to ensure that the integrity of the Lower Derwent Valley SPA / Ramsar / SAC and the Skipwith Common SAC is maintained in the long-term, it was recommended that visitor monitoring in these sites is undertaken every five years. Moreover, Policy NE1 has been specifically amended to ensure that developments will need to consider their

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potential for causing recreational pressure within 5km of these sites (or 10km of Humber Estuary SAC/SPA/Ramsar site) and if necessary provide mitigation.

1.12 The residential sites closest to the Humber Estuary allocated in the Selby Local Plan are in Hemingbrough, amounting to a relatively modest increase of 131 dwellings over the plan period. At their closest point, these new dwellings will be approx. 6.6km from the Humber Estuary SPA / Ramsar / SAC. Furthermore, it is to be noted that most allocations, especially the larger settlements, lie further than 11.5km from the site. Given the data presented above, in particular the postcode and visitor origins data, it is considered unlikely that residential growth in the former Selby district will materially increase recreational pressure along the Humber estuary, 'alone' or in-combination and thus no adverse effect on integrity would arise. However, to underline this conclusion additions have been made to Policy NE1.

1.13 Overall, given this evidence, it was concluded that the emerging Selby Local Plan will not result in adverse effects on the site integrity of the Lower Derwent Valley SPA / Ramsar / SAC, Skipwith Common SAC or Humber Estuary SPA/SAC/Ramsar regarding recreational pressure.

Loss of Functionally Linked Habitat

Lower Derwent Valley SPA / Ramsar and the Humber Estuary SPA / Ramsar

1.14 The Appropriate Assessment indicated that several of the residential and employment sites allocated in the Selby Local Plan lie within the maximum foraging distances of Bewick's swans and golden plover, qualifying species of nearby European sites such as the Lower Derwent Valley SPA / Ramsar and the Humber Estuary SPA / Ramsar that will forage inland as opposed to being predominantly coastal feeders like the other qualifying species. Furthermore, several sites comprise suitable foraging habitat and are sufficiently large to be potentially linked to European sites. While the Selby Local Plan already requires for proportionate ecological assessments, AECOM recommends that further wording requiring the need for overwintering bird surveys is included in the plan to provide further specificity. At present, adverse effects (without mitigation) arising from some of the sites allocated in the Local Plan cannot be excluded, particularly in relation to the Lower Derwent Valley SPA / Ramsar.

1.15 This relates to the following sites:

- OSGB-I Land east of Sand Lane, Osgodby
- CARL-G Land north of Mill Lane, Carlton
- CLIF-O Land north of Cliffe Primary School, Main Street, Cliffe
- HEMB-G Land East of Mill Lane, Hemingbrough
- SELB-BZ Cross Hills Lane, Selby
- SELB-CA Olympia Park, Barlby Road, Barlby
- NDUF-D Land north of the A163
- NDUF-O Land north of Gothic Farm, Back Lane
- RICC-J Land at Landing Lane

1.16 Policy NE1 supporting text states *"To meet the requirements of the Habitats Directive, developers of sites within 10km of these designations must provide evidence that*

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proposals will not result in adverse effects on the integrity of designated areas and associated wildlife through loss of functionally-linked land. Evidence that the development proposals will not cause adverse effects should be submitted through the planning application process, and can be either because the development site is not a suitable habitat, or does not currently support a significant proportion of the protected species associated with the designation. Evidence should include surveys of the a proposed development sites current usage, (if any), by designated species, including for over wintering SPA/Ramsar bird species. A land parcel can be considered to support a significant population of a designated species if it is accessed by 1% of the qualifying bird population. Non-breeding bird surveys must be undertaken during autumn, winter and spring."

1.17 The sites identified in Table 6 have also been listed as requiring *"Appropriate Assessment for functionally linked habitats as they lie within the typical foraging ranges of species associated with the Lower Derwent Valley and Humber Estuary SPA/Ramsar designations".*

1.18 With the inclusion of this text to Policy NE1 supporting text, adverse effects on the integrity of the Lower Derwent Valley SPA / Ramsar can be excluded.

Water Quality

River Derwent SAC, Lower Derwent Valley SPA / Ramsar and Humber Estuary SPA / Ramsar

1.19 The qualifying habitats and species of the River Derwent SAC, the Lower Derwent Valley SPA / Ramsar and the Humber Estuary SPA / Ramsar are sensitive to negative changes in water quality, particularly the discharge of phosphorus in wastewater. Potential sources of phosphorus from development sites include surface runoff from impermeable surfaces and leaking / overflowing Package Treatment Plants (PTPs), as well as treated sewage effluent from Wastewater Treatment Works (WwTWs).

1.20 Regarding the discharge of treated sewage effluent, by far the most important contributor of these sources to phosphorus loading in freshwater systems. Policy IC4 (Water Supply, Wastewater Treatment and Drainage Infrastructure) aims to ensure that adequate water supply and wastewater infrastructure to existing, new, or improved, wastewater drainage and treatment facilities is secured prior to first occupation of the development. Moreover, The need to protect water quality, level or flow is also addressed by Policy NE 1 of the Local Plan, which states that any application that has the potential to affect water quality, levels or flow within designated SACs/SPAs/Ramsars must consider potential impacts on hydrological regimes which could affect the integrity of designated habitats, applying appropriate mitigation where deemed necessary, including through measures set out in IC4 and NE5.

1.21 As such, adverse effects on the integrity of the River Derwent SAC, the Lower Derwent Valley SPA / Ramsar and the Humber Estuary SPA / Ramsar can be excluded.

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Water Quantity, Level and Flow

River Derwent SAC, Lower Derwent Valley SPA / Ramsar and Humber Estuary SPA / Ramsar

1.22 The HRA of Yorkshire Water's WRMP has concluded that following inclusion of appropriate mitigation measures during the construction phase of relevant schemes that no adverse effects on the integrity of any European site are anticipated. In conclusion it is therefore considered that adverse effects on integrity will not arise from this pathway due to the Selby Local Plan, either alone or in combination with other plans or projects. The need to protect water quality, level or flow is also addressed by Policy NE 1 of the Local Plan, which states that any application that has the potential to affect water quality, levels or flow within designated SACs/SPAs/Ramsars must consider potential impacts on hydrological regimes which could affect the integrity of designated habitats, applying appropriate mitigation where deemed necessary, including through measures set out in IC4 and NE5.

Atmospheric Pollution

Skipwith Common SAC

1.23 The qualifying Northern Atlantic wet heaths with *Erica tetralix* and the European dry heaths within the SAC both have a critical nitrogen load of 5-15 kg N/ha/yr. Heathlands are nutrient-poor habitats and resident species have specifically adapted to these conditions. An exceedance of the critical load would lead to a transition from heather to more competitive grasses.

1.24 York Road, although a minor road, does lie within 200m of the SAC and could be affected by developmental growth. For this reason Natural England requested that air quality impacts on the SAC are covered by modelling. However, as a result of modelling it was possible to conclude that the Selby Local Plan will not have an adverse effect on the integrity of Skipwith Common SAC through reduced air quality either alone or in combination with other plans or projects.

Lower Derwent Valley SAC/SPA/Ramsar site

1.25 The lowland hay meadows in the Lower Derwent Valley SAC are sensitive to atmospheric pollution. The Appropriate Assessment determined that the A163, a likely commuter route between the East Riding of Yorkshire and Selby District, bisects the SAC and could lead to an increase in nitrogen deposition in sensitive habitats. While less sensitive, the golden plover feature of the SPA is also identified as being potentially sensitive to nitrogen deposition on alluvial meadow according to APIS. However, modelling demonstrated that it was possible to conclude that the Selby Local Plan will not have an adverse effect on the integrity of Lower Derwent Valley SPA/SAC/Ramsar through reduced air quality either alone or in combination with other plans or projects.

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DRAFT

Revised Publication Selby Local Plan 2024

Habitats Regulations Assessment

North Yorkshire Council (formerly Selby District Council)

Project number: 60618556

January 2024

Delivering a better world

Quality information

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Revision	Revision date	Details	Authorized	Name	Position
0	December 2020	Draft Habitats Regulations Assessment Report	JR	Dr James Riley	Technical Director
1	January 2021	Revision in response to client comments	JR	Dr James Riley	Technical Director
2	August 2022	Revision in response to Regulation19 Publication Plan document	JR	Dr James Riley	Technical Director
3	September 2022	Further updates to take account of air quality data	JR	Dr James Riley	Technical Director
4	January 2024	Updates following amendments to the Local Plan and consultation with Natural England	JR	Dr James Riley	Technical Director

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1. Introduction

1.1 AECOM was appointed by Selby District Council (SDC) to undertake a Habitats Regulations Assessment (HRA) of its Revised Publication Selby Local Plan (SLP). The objective of this assessment is to identify any aspects of the SLP that would cause Likely Significant Effects (LSEs) and adverse effects on the integrity of sites designated for their international nature conservation interest, otherwise known as European sites (Special Areas of Conservation (SACs), Special Protection Areas (SPAs), candidate Special Areas of Conservation (cSACs), potential Special Protection Areas (pSPAs) and, as a matter of Government policy, Ramsar sites, either alone or in-combination with other plans and projects. Under the Conservation of Habitats and Species Regulations 2017 (as amended), an Appropriate Assessment is required, where a plan or project is likely to have a significant effect upon a European site, either individually or in combination with other projects. Should the HRA identify potential adverse effects, appropriate policy mechanisms for delivering mitigation should be recommended.

1.2 An initial HRA was undertaken on the Publication Selby Local Plan in 2022, but that Local Plan has been substantially revised and a new HRA is therefore required.

1.3 The former Selby district is primarily rural with three main settlements, Selby town, Tadcaster and Sherburn in Elmet. Furthermore, it comprises over 60 villages that vary considerably in size and facilities available. The district covers an area of 6,190km^2 in north-east England and lies adjacent to the authorities of East Riding of Yorkshire, Doncaster, Wakefield, the Cities of Leeds and York, and Harrogate. Much of the SLP's housing growth is directed towards sustainable locations with a good range of services and accessibility. However, some growth is allocated in the district's smaller villages in order to help sustain their local services. Urban growth allocated in the eastern part of he former Selby district in particular may have implications for nature conservation sites because this is where the district's European sites are located. The Revised Publication SLP sets out a minimum requirement of 7,728 residential dwellings and 91.2 hectares of employment land to be delivered in the district between 2022 and 2040 based on evidence of need (Policy SG2). The SLP allocates sufficient land to deliver 6,452 dwellings (Policy HG1) and 130.95 hectares of employment land (Policy EM1). It is to be noted that of the overall housing quantum provided, only 5,314 dwellings are currently allocated in the SLP. The rest is to be delivered as completions of implemented planning permissions, unimplemented planning permissions and windfall development (Policy HG1).

1.4 There is only one European site that lies wholly within the former Selby district boundary, Skipwith Common SAC designated for its heathland habitats. Four further European sites straddle the boundary between the former Selby district and the East Riding of Yorkshire, namely the Lower Derwent Valley SPA / Ramsar / SAC and the River Derwent SAC. Together these sites are interdependent, encompassing one hydrological system and being sensitive to similar impact pathways. Further European sites (e.g., the Humber Estuary SPA / Ramsar / SAC, the Kirk Deighton SAC, the Thorne & Hatfield Moors SPA and the Thorne Moors SAC) lie outside the district's boundary but are relevant to the HRA process because they lie within the potential distance for specific impact pathways (e.g., impacts on water quality and water quantity / flow), particularly when considering the SLP in-combination with other plans and projects.

Legislation

1.5 The UK left the EU on 31 January 2020 under the terms set out in the European Union (Withdrawal Agreement) Act 2020 ("the Withdrawal Act"). This established a transition period, which ended on 31 December 2020. However, the most recent amendments to the Habitats Regulations – the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 – make it clear that the need for HRA continues after Brexit. The need for Appropriate Assessment is summarised in Box 1.

1.6 The HRA process applies the 'Precautionary Principle'[1] to European sites. Plans and projects can only be permitted having ascertained that there will be no adverse effect on the integrity of the European site(s) in

[1] The Precautionary Principle, which is referenced in Article 191 of the Treaty on the Functioning of the European Union, has been defined by the United Nations Educational, Scientific and Cultural Organisation (UNESCO, 2005) as: *"When human activities may lead to morally unacceptable harm [to the environment] that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that harm. The judgement of plausibility should be grounded in scientific analysis".*

question. Plans and projects with predicted adverse impacts on European sites may still be permitted if there are no alternatives to them and there are Imperative Reasons of Overriding Public Interest (IROPI) as to why they should go ahead. In such cases, compensation would be necessary to ensure the overall integrity of the site network.

1.7 In order to ascertain whether or not site integrity will be affected, an Appropriate Assessment should be undertaken of the plan or project in question:

Conservation of Habitats and Species Regulations 2017 (as amended)

The Regulations state that:

"*A competent authority, before deciding to … give any consent for a plan or project which is likely to have a significant effect on a European site … shall make an appropriate assessment of the implications for the site in view of that sites conservation objectives… The authority shall agree to the plan or project only after having ascertained that it willnot adversely affect the integrity of the European site*".

Box 1: The legislative basis for Habitats Regulations Assessment

1.8 The competent authority that carries out the HRA (in this case the former Selby District Council, now North Yorkshire Council) is required to apply the precautionary principle to European sites and can only adopt a plan once it has been ascertained that it will not adversely affect the integrity of the site concerned. However, even if significant adverse effects on the designated site are predicted, and in the absence of a suitable alternative solution, the plan can still be adopted in exceptional circumstances where there are deemed sufficient imperative reasons of over-riding public interest (IROPI). In such cases, however, compensatory measures must be implemented.

1.9 In spring 2018 the 'Sweetman' European Court of Justice ruling[2] clarified that 'mitigation' (i.e., measures that are specifically introduced to avoid or reduce a harmful effect on a European site that would otherwise arise) should **not** be taken into account when forming a view on likely significant effects. Mitigation should instead only be considered at the Appropriate Assessment stage. This HRA has been cognisant of that ruling.

Relevant case law

1.10 As a consequence of the UK's exit from the EU, it was necessary for various amendments to be made to the Habitats Regulations. These changes were required to ensure that England and Wales (and Scotland through separate regulations) continue to maintain the same standard of protection afforded to European sites. The Habitats Regulations remain in force, including the general provisions for the protection of European sites and the procedural requirements to undertake HRA. The changes made were only those necessary to ensure that they remain operable following the UK's exit from the EU.

1.11 Although the UK is no longer part of the EU, a series of prior rulings of the Court of Justice of the European Union (CJEU) are relevant and have been considered when preparing this document. These rulings and their implications for this HRA are summarised in Table 1.

Table 1. Case Law Relevant to the HRA of the Local Plan

Case	Ruling	Relevance to the HRA of the Local Plan
People Over Wind and Sweetman v Coillte Teoranta (C-323/17)	The ruling of the CJEU in this case requires that any conclusion of 'no likely significant effect' on a European site must be made prior to any consideration of measures to avoid or reduce harm to the European site. The determination of likely significant effects should not, in the opinion of the CJEU, constitute an attempt at detailed technical analyses. This should be conducted as part of the appropriate	NatureScot has published guidance on the implications of this ruling for HRA (SNH, 2019). It will be necessary to distinguish between those measures which are intended to avoid or reduce harmful effects on a European site and those elements of the flood management plan that may incidentally provide some degree of mitigation, but which are intrinsic or essential parts of the plan itself. SNH advises that intrinsic parts of a plan can be considered at the screening stage of HRA. If it can be concluded that the Flood management plan area will have no adverse effect on any European site, in the absence

[2] People Over Wind and Sweetman v Coillte Teoranta (C-323/17)

Case	Ruling	Relevance to the HRA of the Local Plan
	assessment.should be conducted as part of the appropriate assessment.	of mitigation, it will be possible to conclude 'no likely significant effects', and the need for further detailed appropriate assessment will be 'screened out'.
Waddenzee (C-127/02)	The ruling in this case clarified that appropriate assessment must be conducted using best scientific knowledge, and that there must be no reasonable scientific doubt in the conclusions drawn. The Waddenzee ruling also provided clarity on the definition of 'significant effect', which would be any effect from a plan or project which is likely to undermine the conservation objectives of any European site.	Adopting the precautionary principle, a 'likely' effect in this HRA is interpreted as one which is 'possible' and cannot be objectively ruled out. The test of significance of effects has been conducted with reference to the conservation objectives of relevant European sites.
Holohan and Others v An Bord Pleanála (C-461/17)	The conclusions of the Court in this case were that consideration must be given during appropriate assessment to: • effects on qualifying habitats and/or species of a SAC or SPA, even when occurring outside of the boundary of a European site, if these are relevant to the site meeting its conservation objectives, and • effects on non-qualifying habitats and/or species on which the qualifying habitats and/or species depend and which could result in adverse effects on the integrity of the European site.	This relates to the concept of 'functionally-linked habitat', i.e., areas outside of the boundary of a European site which supports its qualifying feature(s). In addition, consideration must be given to non-qualifying features upon which qualifying habitats and/or species rely.
T.C Briels and Others v Minister van Infrastructuur en Milieu (C-521/12)	The ruling of the CJEU in this case determined that compensatory measures cannot be used to support a conclusion of no adverse effect on site integrity.	Compensation can only be considered at the relevant stage of HRA and not during appropriate assessment. Compensation must be delivered when appropriate assessment concludes that there will be adverse effects on site integrity.

Scope of the Project

1.12 There is no guidance that dictates the physical scope of an HRA of a Plan document in all circumstances. Therefore, in considering the physical scope of the assessment, AECOM was guided primarily by the identified impact pathways (called the source-pathway-receptor model) rather than by arbitrary 'zones'. Current guidance suggests that the following European sites be included in the scope of assessment:

- All sites within the boundary of Selby District; and,
- Other sites shown to be linked to development within the authority boundary through a known impact 'pathway' (discussed below); generally, to a distance of 10km.

1.13 Briefly defined, impact pathways are routes by which the implementation of a policy within a Local Plan document can lead to an effect upon a European designated site. An example of this would be new residential development resulting in an increased population and thus increased recreational pressure, which could then affect European sites through, for example, disturbance of wintering or breeding birds.

1.14 Guidance from the Ministry of Housing, Communities and Local Government (MHCLG) states that the HRA should be '*proportionate to the geographical scope of the* [plan policy]' and that '*an AA need not be done in any more detail, or using more resources, than is useful for its purpose'* (MHCLG, 2006, p.6). More recently, the Court of Appeal ruled that providing the Council (competent authority) was duly satisfied that proposed mitigation could be 'achieved in practice' to satisfy that the proposed development would have no adverse effect, then this would suffice. This ruling has since been applied to a planning permission (rather than a Local Plan document). In this case the High Court ruled that for 'a multistage process, so long as there is sufficient information at any particular stage to enable the authority to be satisfied that the proposed mitigation can be achieved in practice it is not necessary for all matters concerning mitigation to be fully

resolved before a decision maker is able to conclude that a development will satisfy the requirements of Reg 61 of the Habitats Regulations'.

1.15 In order to fully inform the screening process and / or Appropriate Assessment, a number of documents and studies have been consulted to form the evidence base for this HRA. These include:

- Future development proposed in the Local Plans and Core Strategies for adjoining authorities and their accompanying HRAs (where available);
- Bespoke visitor surveys undertaken by Footprint Ecology in Selby District covering the Skipwith Common SAC and the Lower Derwent Valley SPA / Ramsar / SAC, as well as the Humber Estuary SPA / Ramsar / SAC;
- Water Resources Management Plan (WRMP) published by Yorkshire Water and its HRA;
- The UK Air Pollution Information System (www.apis.ac.uk);
- Multi Agency Geographic Information for the Countryside (MAGIC) and its links to SSSI citations and the JNCC website (www.magic.gov.uk); and
- Impact-specific information sources such as the Environment Agency's Catchment Data Explorer, the CAMS.

1.16 Other ecological reports were provided for some allocations but they are only referenced above if they were of direct use in the Local Plan HRA.

The Layout of this Report

1.17 Chapter 2 of this report explains the methodology by which this HRA has been carried out, including the three essential tasks that form part of the HRA process. Chapter 3 provides detail on the European sites relevant to Selby District, including an introduction to the sites, a summary of their qualifying habitats / species, Natural England Conservation Objectives and the current threats and pressures relevant for these sites. Detailed background on the main impact pathways identified in relation to the SLP and European Sites is provided in Chapter 4. Chapter 5 undertakes the screening for Likely Significant Effects (LSEs) of the Plan's policies and site allocations (see Appendix B screening tables). Chapter 6 undertakes the Appropriate Assessment of the impact pathways and Plan policies for which LSEs could not be excluded. The conclusions and recommendations arising from the HRA are set out in Chapter 7.

Quality Assurance

1.18 This report was undertaken in line with AECOM's Integrated Management System (IMS). Our IMS places great emphasis on professionalism, technical excellence, quality, environmental and Health and Safety management. All staff members are committed to establishing and maintaining our certification to the international standards BS EN ISO 9001:2015 and 14001:2015, ISO 44001:2017 and ISO 45001:2018. In addition, our IMS requires careful selection and monitoring of the performance of all sub-consultants and contractors.

1.19 All AECOM Ecologists working on this project are members (at the appropriate level) of the Chartered Institute of Ecology and Environmental Management (CIEEM) and follow their code of professional conduct (CIEEM, 2017).

2. Methodology

2.1 Project-related HRA often requires bespoke survey work and novel data generation in order to accurately determine the significance of effects. In other words, to look beyond the risk of an effect to a justified prediction of the actual likely effect and to the development of avoidance or mitigation measures.

2.2 However, there is a tacit acceptance that HRA can be tiered and that all impacts are not necessarily appropriate for consideration to the same degree of detail at all tiers as illustrated in Figure 1 below.

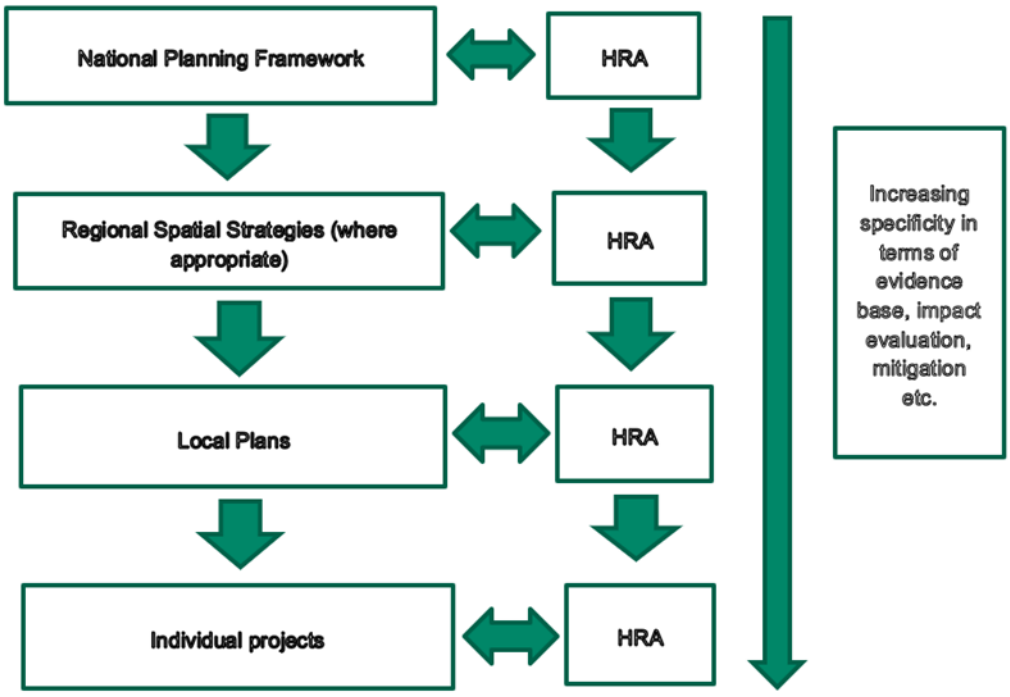


Figure 1. Tiering in HRA of Land Use Plans

2.3 The HRA has been carried out with reference to the general EC guidance on HRA[3] and that produced in July 2019 by the UK government[4]; Natural England has produced its own internal guidance[5]. These have been referred to in undertaking this HRA.

2.4 Figure 2 below outlines the stages of HRA according to current EC guidance. The stages are essentially iterative, being revisited as necessary in response to more detailed information, recommendations and any relevant changes to the plan until no significant adverse effects remain.

[3] European Commission (2001): Assessment of plans and projects significantly affecting Natura 2000 Sites: Methodological Guidance on the Provisions of Article 6(3) and 6(4) of the Habitats Directive.
[4] https://www.gov.uk/guidance/appropriate-assessment
[5] http://www.ukmpas.org/pdf/practical_guidance/HRGN1.pdf

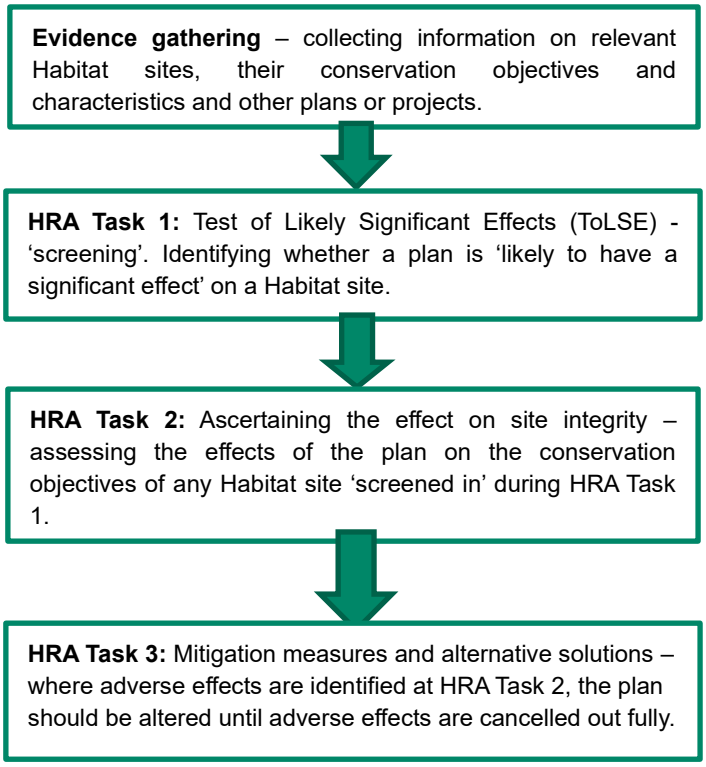


Image 2. Four Stage Approach to Habitats Regulations Assessment. Source EC, 2011.

Description of HRA Tasks

HRA Task 1 – Test of Likely Significant Effects (ToLSE)

2.5 Following evidence gathering, the first stage of any Habitats Regulations Assessment is a Likely Significant Effect (LSE) test - essentially a risk assessment to decide whether the full subsequent stage known as Appropriate Assessment is required. The essential question is:

"Is the project, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites?"

2.6 The objective is to 'screen out' those plans and projects that can, without any detailed appraisal, be concluded to be unlikely to result in significant adverse effects upon European sites, usually because there is no mechanism for an adverse interaction. This stage is undertaken in Chapter 5 of this report and in Appendix B.

HRA Task 2 – Appropriate Assessment (AA)

2.7 Where it is determined that a conclusion of 'no Likely Significant Effect' cannot be drawn, the analysis has proceeded to the next stage of HRA known as Appropriate Assessment. Case law has clarified that 'Appropriate Assessment' is not a technical term. In other words, there are no particular technical analyses, or level of technical analysis, that are classified by law as belonging to appropriate assessment rather than determination of likely significant effects.

2.8 By virtue of the fact that it follows the screening process, there is a clear implication that the analysis will be more detailed than undertaken at the previous stage. One of the key considerations during Appropriate Assessment is whether there is available mitigation that would entirely address the potential effect. In practice, the Appropriate Assessment would take any policies or allocations that could not be dismissed following the high-level screening analysis and assess the potential for an effect in more detail, with a view to concluding whether there would actually be an adverse effect on site integrity (in other words, disruption of the coherent structure and function of the European site(s)).

2.9 Also, in 2018 the Holohan ruling[6] was handed down by the European Court of Justice. Among other provisions paragraph 39 of the ruling states that '*As regards other habitat types or species, which are present on the site, but for which that site has not been listed, and with respect to habitat types and species located outside that site, … typical habitats or species must be included in the appropriate assessment, if they are necessary to the conservation of the habitat types and species listed for the protected area*' [emphasis added]. This has been considered in relation to the Lower Derwent Valley SPA / Ramsar, the Humber Estuary SPA / Ramsar and the Kirk Deighton SAC, which support mobile wildlife including waterfowl and great-crested newts.

HRA Task 3 – Avoidance and Mitigation

2.10 Where necessary, measures are recommended for incorporation into the Plan in order to avoid or mitigate adverse effects on European sites. For example, there is considerable precedent concerning the level of detail that a Local Plan document needs to contain regarding mitigation for recreational impacts on European sites. The implication of this precedent is that it is not necessary for all measures that will be deployed to be fully developed prior to adoption of the Plan, but the Plan must provide an adequate policy framework within which these measures can be delivered.

2.11 In evaluating significance, AECOM has relied on professional judgement as well as the results of previous stakeholder consultation regarding impacts of development on the European sites considered within this assessment.

2.12 When discussing 'mitigation' for a Local Plan document, one is concerned primarily with the policy framework to enable the delivery of such mitigation rather than the details of the mitigation measures themselves since the Local Plan document is a high-level policy document.

Assessment in Combination

2.1 It is a requirement of the Regulations that the impacts and effects of any land use plan being assessed are not considered in isolation but in combination with other plans and projects that may also be affecting the European site(s) in question.

2.2 When undertaking this part of the assessment it is essential to bear in mind the principal intention behind the legislation, i.e., to ensure that those projects or plans which in themselves have minor impacts are not simply dismissed on that basis but are evaluated for any cumulative contribution they may make to an overall significant effect. In practice, 'in combination assessment' is of greatest importance when the policy would otherwise be screened out because the individual contribution is inconsequential. The overall approach is to exclude the risk of there being unassessed likely significant effects in accordance with the precautionary principle. This was first established in the seminal Waddenzee[7] case.

2.3 Where housing and employment is being delivered in surrounding authorities this is captured in the 'in combination' assessment through consideration of the relevant Local Plan that sets out the total amount of housing and employment growth that will be delivered across that authority during its plan period.

2.4 The only policies or site allocations that can be screened out entirely are those which have no impact pathway at all to any European sites. 'In combination' effects are taken into account in the screening decisions and determine which policies or site allocations are screened in for appropriate assessment.

…Geographical Scope of the HRA

2.5 There are no standard criteria for determining the ultimate physical scope of an HRA. Rather, the source-pathway-receptor model should be used to determine whether there is any potential pathway connecting development to any European sites. For Selby District, an initial search flagged the following European sites for consideration:

- Lower Derwent Valley SPA / Ramsar
- Lower Derwent Valley SAC (overlaps with SPA / Ramsar);

[6] Case C-461/17
[7] Waddenzee case (Case C-127/02, [2004] ECR-I 7405)

- River Derwent SAC (partly overlaps with the above SPA / Ramsar / SAC);
- Skipwith Common SAC;
- Humber Estuary SPA / Ramsar;
- Humber Estuary SAC (overlaps with SPA / Ramsar);
- Kirk Deighton SAC;
- Thorne & Hatfield Moors SPA/ Ramsar; and
- Thorne Moors SAC.

2.6 This was based upon a search within the former Selby district and up to 10km surrounding the authority boundary. All above sites were subjected to an initial screening exercise. It should be noted that the presence of a conceivable impact pathway linking the emerging SLP to a European site does not mean that Likely Significant Effects (LSEs) will occur. The locations of the sites in relation to the former Selby district is shown on Appendix A.

3. European Sites

Lower Derwent Valley SPA / Ramsar

Introduction

3.1 The Lower Derwent Valley SPA / Ramsar lies to the north-east of Selby town and is one of the largest areas of extensively managed floodplains in England. The site runs for approx. 10 miles along the north-south trajectory of the River Derwent. These meadows support a highly diverse assemblage of wildflowers and a rich community of breeding birds, otters and invertebrates, such as dragonflies. In the overwintering period, much of the grassland is flooded and provides roosting and foraging habitat for internationally important populations of birds.

3.2 The grassland is traditionally managed as hay meadows, with any remaining sward being grazed by cattle and sheep. In addition to the open wet grassland, the SPA / Ramsar also comprises pockets of alder woodland. The site boundary contains the R. Derwent and its adjacent floodplain. Approx. 50% of the site is managed as a National Nature Reserve by Natural England and partner organisations (e.g. the Carstairs Countryside Trust and the Yorkshire Wildlife Trust).

SPA Qualifying Species[8]

3.3 Qualifying individual species listed in Annex I of the Wild Birds Directive (Article 4.1)

During the non-breeding season the SPA regularly supports:

- Bewick's swan *Cygnus columbianus bewickii*;
- European golden plover *Pluvialis apricaria*;
- Ruff *Philomachus pugnax*;

3.4 Qualifying individual species not listed in Annex I of the Wild Birds Directive (Article 4.2)

During the breeding season the SPA regularly supports:

- Northern shoveler *Anas clypeata*;
- Eurasian wigeon *Anas Penelope*;
- Eurasian teal *Anas crecca*;

3.5 Qualifying assemblage of species (Article 4.2)

Waterbird assemblage

The site qualifies under Article 4.2 by regularly supporting over 20,000 wintering waterfowl. In the five year period 1986/87-1990/91 the site held a mean peak of 27,580 birds comprising 17,415 wildfowl and 10,165 waders (English Nature 1993). These large numbers of birds being supported by the rich food resources of the floodplain meadows associated with the site. Since designation, wintering numbers have increased with mean peak counts for the period 2012/13-2016/17 being 33,885 (Frost et al. 2018). The site remains one of the most important inland sites for wintering waterfowl in the United Kingdom. Birds are widely distributed across the site, the relative distribution of wildfowl and waders being dependent upon the flood conditions present in any given winter.

Ramsar Qualifying Species[9]

3.6 The Lower Derwent Valley qualifies as a Ramsar site under the following criteria:

[8] Available in the Site Conservation Objectives Supplementary Advice Note at: http://publications.naturalengland.org.uk/publication/6223883187257344 [Accessed on the 10/11/2020]
[9] Available at: https://jncc.gov.uk/jncc-assets/RIS/UK11037.pdf [Accessed on the 10/11/2020]

Ramsar criterion 1

The site represents one of the most important examples of traditionally managed species-rich alluvial flood meadow habitat remaining in the UK. The river and flood meadows play a substantial role in the hydrological and ecological functioning of the Humber Basin.

Ramsar criterion 2

The site has a rich assemblage of wetland invertebrates including 16 species of dragonfly and damselfly, 15 British Red Data Book wetland invertebrates as well as a leafhopper, *Cicadula ornata* for which Lower Derwent Valley is the only known site in Great Britain.

Ramsar criterion 4

The site qualifies as a staging post for passage birds in spring. Of particular note are the nationally important numbers of Ruff, *Philomachus pugnax* and Whimbrel, *Numenius phaeopus*.

Ramsar criterion 5

Species / populations occurring at levels of international importance

Qualifying species / populations with peak counts in winter:

- Eurasian wigeon *Anas Penelope*;
- Eurasian teal *Anas crecca*;

Ramsar criterion 6

Assemblages of international importance

Species with peak counts in winter:

31,942 waterfowl (5 year peak mean 1998/99-2002/03)

SPA Conservation Objectives[10]

3.7 With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;

3.8 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

Threats / Pressures to Site Integrity[11]

3.9 The following threats and pressures to the integrity of the Lower Derwent Valley SPA have been identified in Natural England's Site Improvement Plan:

- Hydrological changes
- Drainage
- Public access / disturbance

[10] Available at: http://publications.naturalengland.org.uk/publication/6223883187257344 [Accessed on the 10/11/2020]
[11] Available at: http://publications.naturalengland.org.uk/publication/5916047525806080 [Accessed on the 10/11/2020]

- Invasive species
- Undergrazing
- Inappropriate scrub control
- Air pollution: Impact of atmospheric nitrogen deposition

Lower Derwent Valley SAC

Introduction

3.10 The Lower Derwent Valley SAC is a 921.26ha large site comprising humid grassland (64%), bogs and marshes (30%), inland water bodies (3%), broad-leaved deciduous woodland (2%) and dry grassland (1%). It overlaps with other conservation designations, including the Lower Derwent Valley SPA / Ramsar and the River Derwent SAC.

3.11 The primary feature for which the site is designated are the lowland hay meadows, which are larger than in any other sites comprising this habitat. Notable is the high abundance of the rare narrow-leaved water dropwort *Oenanthe silaifolia*. Continued traditional forms of management have conserved the high biodiversity in the SAC, particularly at the interface of dry and wet grassland. The plant community is made up if species-rich swards, including red fescue *Festuca rubra*, crested dog's tail *Cynosurus cristatus*, meadow foxtail *Alopecurus pratensis* and great burnet *Sanguisorba officinalis*.

3.12 Another habitat of conservation concern are the alluvial forests with alder *Alnus glutinosa* and willow *Salix* spp. This wood type is dynamic and interdependent with open communities (such as fen and swamp) of earlier successional stages. Clearance of riverine woodland has led to a significant decline in alluvial forests, leaving only fragmented portions of these woods intact.

Qualifying Features[12]

3.13 Annex I habitats that are a primary reason for selection of this site:

- Lowland hay meadows (*Alopecurus pratensis*, *Sanguisorba officinalis*)

3.14 Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:

- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*)

3.15 Annex II species present as a qualifying feature, but not a primary reason for site selection

- Otter *Lutra lutra*

Conservation Objectives[13]

3.16 With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;

3.17 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats
- The structure and function of the habitats of qualifying species

[12] Available at: https://sac.jncc.gov.uk/site/UK0012844 [Accessed on the 10/11/2020]
[13] Available at: http://publications.naturalengland.org.uk/publication/5660734323163136 [Accessed on the 10/11/2020]

- The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely
- The populations of qualifying species, and,
- The distribution of qualifying species within the site.

Threats / Pressures to Site Integrity[14]

3.18 The following threats and pressures to the integrity of the Lower Derwent Valley SAC have been identified in Natural England's Site Improvement Plan:

- Hydrological changes
- Drainage
- Public access / disturbance
- Invasive species
- Undergrazing
- Inappropriate scrub control
- Air pollution: Impact of atmospheric nitrogen deposition

River Derwent SAC

Introduction

3.19 The River Derwent SAC is a 411.23ha large site, mainly comprising an inland water body (95%), some humid grassland (3%) and bogs and marshes (2%). The river has a flow length of 86.2km, passing four National Character Areas within Yorkshire before reaching its confluence with the River Ouse.

3.20 The SAC represents one of the best examples of a classic river profile in Britain. Its source is in the high-energy upland valleys of the North York Moors and the energy dissipates as the river channel widens and reaches its wide lowland floodplain near its confluence with the Ouse.

3.21 The river supports a diverse array of aquatic flora uncommon in northern Britain, including river water-dropwort *Oenanthe fluviatilis*, flowering rush *Botumus umbellatus*, shining pondweed *Potamogeton lucens* and others. The river is also known for supporting diverse native fish communities, including Annex II species river lamprey *Lampetra* fluviatilis, sea lamprey *Petromyzon* marinus and bullhead *Cottus* gobio. The spawning ground for river lamprey *Lampetra fluviatilis* is found in lower reaches, an area which is in connectivity with the Humber estuary. The river supports a healthy population of otters.

Qualifying Features[15]

3.22 Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:

- Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation

3.23 Annex II species that are a primary reason for selection of this site

- River lamprey *Lampetra fluviatilis*

3.24 Annex II species present as a qualifying feature, but not a primary reason for site selection:

- Sea lamprey *Petromyzon marinus*

[14] Available at: http://publications.naturalengland.org.uk/publication/5916047525806080 [Accessed on the 10/11/2020]
[15] Available at: https://sac.jncc.gov.uk/site/UK0030253 [Accessed on the 10/11/2020]

- Bullhead *Cottus gobio*
- Otter *Lutra lutra*

Conservation Objectives[16]

3.25 With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;

3.26 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats
- The structure and function of the habitats of qualifying species
- The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely
- The populations of qualifying species, and,
- The distribution of qualifying species within the site.

Threats / Pressures to Site Integrity[17]

3.27 The following threats and pressures to the integrity of the River Derwent SAC have been identified in Natural England's Site Improvement Plan:

- Physical modification
- Water pollution
- Invasive species
- Change in land management
- Water abstraction

Skipwith Common SAC

Introduction

3.28 The Skipwith Common SAC is a 294.6ha large site, comprising heath and scrub (55%), broad-leaved deciduous woodland (27%), bogs and marshes (5%), dry grassland (5%) and inland water bodies (5%). The SAC lies approx. 10 miles south of York and is one of only two remaining extensive area of heathland in the Vale of York. The site lies on glacial sands that forms the watershed between the valleys of the River Derwent to the east and the River Ouse to the west.

3.29 Skipwith Common has long been recognised for its conservation importance due to it being the largest single tract of wet heathland in northern England. A smaller portion of dry heath is also present, forming a habitat mosaic with areas of mire, rush pasture, reed bed and woodland. The common has significant ornithological interest, including (among more common woodland birds) woodland specialists such as tree pipits, green woodpeckers, woodlarks and nightjars. The water parts of the site support assemblages of ducks and water rail, diverse moth communities and 16 species of dragon - and damselflies. The site is managed as a National Nature Reserve by Natural England and the site owner.

[16] Available at: http://publications.naturalengland.org.uk/publication/4824082210095104 [Accessed on the 10/11/2020]
[17] Available at: http://publications.naturalengland.org.uk/publication/6242242071101440 [Accessed on the 10/11/2020]

Qualifying Features[18]

3.30 Annex I habitats that are a primary reason for selection of this site:

- Northern Atlantic wet heaths with *Erica tetralix*
- European dry heaths

Conservation Objectives[19]

3.31 With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;

3.32 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of the qualifying natural habitats
- The structure and function (including typical species) of the qualifying natural habitats and,
- The supporting processes on which the qualifying natural habitats rely

Threats / Pressures to Site Integrity[20]

3.33 The following threats and pressures to the integrity of the Skipwith Common SAC have been identified in Natural England's Site Improvement Plan:

- Public access / disturbance
- Inappropriate scrub control
- Drainage
- Air pollution: Impact of atmospheric nitrogen deposition

Humber Estuary SPA / Ramsar

Introduction

3.34 The Humber Estuary is a large macro-tidal estuary with high suspended sediment loads, leading to the rapid accreting and eroding of intertidal mudflats, sandflats, saltmarsh and reedbeds. With declining salinity upstream, tidal reedbeds and brackish saltmarsh lie on the fringes of the estuary. Notable fish species include river and sea lamprey, which migrate up the estuary to breed in upstream freshwater bodies. The south bank of the estuary (Donna Nook) provides habitat for breeding grey seal colonies from autumn onwards.

3.35 The diverse array of habitats supports many wintering and passage waterfowl. Sandy sediments of the outer estuary attract knot and grey plover, while waterfowl preferentially forage in the upper zones of the estuary dominated by freshwater input. At high tide, mixed-species flocks congregate on key roost sites, which have become scarce due to combined impacts of land claim, coastal squeeze and disappearance of supporting habitats. In summer the SPA / Ramsar supports breeding populations of bittern, marsh harrier, avocet and little tern. Some developing managed realignment sites on the estuary now provide replacement habitats for SPA / Ramsar birds.

[18] Available at: https://sac.jncc.gov.uk/site/UK0030276 [Accessed on the 10/11/2020]
[19] Available at: http://publications.naturalengland.org.uk/publication/5391567648980992 [Accessed on the 10/11/2020]
[20] Available at: http://publications.naturalengland.org.uk/publication/6301721630343168 [Accessed on the 10/11/2020]

SPA Qualifying Species[21]

3.36 Qualifying individual species listed in Annex I of the Wild Birds Directive (Article 4.1)

During the non-breeding season, the SPA regularly supports:

- Great bittern *Botaurus stellaris*
- Common shelduck *Tadorna tadorna*
- Hen harrier *Circus cyaneus*
- Pied avocet *Recurvirostra avosetta*
- European golden plover *Pluvialis apricaria*
- Red knot *Calidris canutus*
- Dunlin *Calidris alpina alpina*
- Ruff *Philomachus pugnax*
- Black-tailed godwit *Limosa limosa islandica*
- Bar-tailed godwit *Limosa lapponica*
- Common redshank *Tringa totanus*

3.37 Qualifying individual species not listed in Annex I of the Wild Birds Directive (Article 4.2)

During the breeding season the SPA regularly supports:

- Great bittern *Botaurus stellaris*
- Eurasian marsh harrier *Circus aeruginosus*
- Pied avocet *Recurvirostra avosetta*
- Little tern *Sterna albifrons*

3.38 Qualifying assemblage of species (Article 4.2)

Waterbird assemblage

Ramsar Qualifying Species[22]

3.39 The Humber Estuary qualifies as a Ramsar site under the following criteria:

Ramsar criterion 1

The site is a representative example of a near-natural estuary with the following component habitats: dune systems and humid dune slacks, estuarine waters, intertidal mud and sand flats, saltmarshes, and coastal brackish/saline lagoons. It is a large macro-tidal coastal plain estuary with high suspended sediment loads, which feed a dynamic and rapidly changing system of accreting and eroding intertidal and subtidal mudflats, sandflats, saltmarsh and reedbeds. Examples of both strandline, foredune, mobile, semi-fixed dunes, fixed dunes and dune grassland occur on both banks of the estuary and along the coast.

The estuary supports a full range of saline conditions from the open coast to the limit of saline intrusion on the tidal rivers of the Ouse and Trent. Wave exposed sandy shores are found in the outer/open coast areas of the estuary. These change to the more moderately exposed sandy shores and then to sheltered muddy shores within the main body of the estuary and up into the tidal rivers. The lower saltmarsh of the Humber

[21] Available in the marine sites Supplementary Advice on Conservation Objectives available at: https://designatedsites.naturalengland.org.uk/Marine/SupAdvice.aspx?SiteCode=UK9006111&SiteName=humber&SiteNameDisplay=Humber+Estuary+SPA&countyCode=&responsiblePerson=&SeaArea=&IFCAArea=&NumMarineSeasonality=15 [Accessed on the 10/11/2020]
[22] Available at: https://jncc.gov.uk/jncc-assets/RIS/UK11031.pdf [Accessed on the 10/11/2020]

is dominated by common cordgrass *Spartina anglica* and annual glasswort *Salicornia* communities. Low to mid marsh communities are mostly represented by sea aster *Aster tripolium*, common saltmarsh grass *Puccinellia maritima* and sea purslane *Atriplex portulacoides* communities. The upper portion of the saltmarsh community is atypical, dominated by sea couch *Elytrigia atherica* (*Elymus pycnanthus*) saltmarsh community. In the upper reaches of the estuary, the tidal marsh community is dominated by the common reed *Phragmites australis* fen and sea club rush *Bolboschoenus maritimus* swamp with the couch grass *Elytrigia repens* (*Elymus repens*) saltmarsh community. Within the Humber Estuary Ramsar site there are good examples of four of the five physiographic types of saline lagoon.

Ramsar criterion 3

The Humber Estuary Ramsar site supports a breeding colony of grey seals *Halichoerus grypus* at Donna Nook. It is the second largest grey seal colony in England and the furthest south regular breeding site on the east coast. The dune slacks at Saltfleetby-Theddlethorpe on the southern extremity of the Ramsar site are the most north-easterly breeding site in Great Britain of the natterjack toad *Bufo calamita*.

Ramsar criterion 5

Waterbird assemblage of international importance: 153,934 waterfowl, non-breeding season (5 year peak mean 1996/97-2000/2001).

Ramsar criterion 6

Species / populations occurring at levels of international importance

Qualifying species with peak counts in spring / autumn:

- Eurasian golden plover *Pluvialis apricaria*;
- Red knot *Calidris canutus islandica*;
- Dunlin *Calidris alpina alpina*;
- Black-tailed godwit *Limosa limosa islandica*;
- Common redshank *Tringa totanus totanus*;

Qualifying species with peak counts in winter:

- Common shelduck *Tadorna tadorna*;
- European golden plover *Pluvialis apricaria*;
- Red knot *Calidris canutus islandica*;
- Dunlin *Calidris alpina alpina*;
- Black-tailed godwit *Limosa limosa islandica*;
- Bar-tailed godwit *Limosa lapponica lapponica*;

Ramsar criterion 8

The Humber Estuary acts as an important migration route for both river lamprey *Lampetra fluviatilis* and sea lamprey *Petromyzon marinus* between coastal waters and their spawning areas.

Conservation Objectives[23]

3.40 With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;

3.41 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

[23] Available at: http://publications.naturalengland.org.uk/publication/5382184353398784 [Accessed on the 10/11/2020]

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

Threats / Pressures to Site Integrity[24]

3.42 The following threats and pressures to the integrity of the Humber Estuary SPA have been identified in Natural England's Site Improvement Plan:

- Water pollution
- Coastal squeeze
- Changes in species distributions
- Undergrazing
- Invasive species
- Natural changes to site conditions
- Public access / disturbance
- Fisheries: Fish stocking
- Fisheries: Commercial marine and estuarine
- Direct land take from development
- Air pollution: Impact of atmospheric nitrogen deposition
- Shooting / scaring
- Direct impact from third party
- Inappropriate scrub control

Humber Estuary SAC

Introduction

3.43 The Humber Estuary SAC is designated for a range of different habitats, providing important roosting and foraging areas for SPA / Ramsar birds. The SAC covers a large area of approx. 36,657.15ha, comprising tidal rivers / estuaries (94.9%), salt marshes (4.4%), coastal sand dunes (0.4%) and bogs / marshes (0.4%). The SAC's key interest feature is its estuary, the second largest coastal plain estuary in the UK. The SAC's high content of suspended sediments is derived from a number of sources, such as marine sediments and eroding boulder clay. In turn, the estuary comprises several other habitats, including Atlantic salt meadows, sand dunes, subtidal sandbanks, mudflats and glasswort beds. Upstream from the Humber Bridge, the estuary is noteworthy for extensive mud and sand bars, forming semi-permanent islands. The SAC supports a range of important fish species, including river lamprey *Lampetra fluviatilis* and sea lamprey *Petromyzon marinus*.

Qualifying Features[25]

3.44 Annex I habitats that are a primary reason for selection of this site:

[24] Available at: http://publications.naturalengland.org.uk/publication/5427891407945728 [Accessed on the 10/11/2020]
[25] Available at: https://sac.jncc.gov.uk/site/UK0030170 [Accessed on the 10/11/2020]

- Estuaries
- Mudflats and sandflats not covered by seawater at low tide

3.45 Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:

- Sandbanks which are slightly covered by sea water all the time
- Coastal lagoons
- *Salicornia* and other annuals colonizing mud and sand
- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)
- Embryonic shifting dunes
- Shifting dunes along the shoreline with *Ammophila arenaria* ("white dunes")
- Fixed coastal dunes with herbaceous vegetation ("grey dunes")
- Dunes with *Hippopha rhamnoides*

3.46 Annex II species present as a qualifying feature, but not a primary reason for site selection:

- Sea lamprey *Petromyzon marinus*
- River lamprey *Lampetra fluviatilis*
- Grey seal *Halichoerus grypus*

Conservation Objectives[26]

3.47 With regard to the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;

3.48 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats
- The structure and function of the habitats of qualifying species
- The supporting processes on which qualifying natural habitats and habitats of qualifying species rely
- The populations of qualifying species, and,
- The distribution of qualifying species within the site.

Threats / Pressures to Site Integrity[27]

3.49 The following threats and pressures to the integrity of the Humber Estuary SAC have been identified in Natural England's Site Improvement Plan:

- Water pollution
- Coastal squeeze
- Changes in species distributions

[26] Available at: http://publications.naturalengland.org.uk/publication/5009545743040512 [Accessed on the 10/11/2020]
[27] Available at: http://publications.naturalengland.org.uk/publication/5427891407945728 [Accessed on the 10/11/2020]

- Undergrazing
- Invasive species
- Natural changes to site conditions
- Public access / disturbance
- Fisheries: Fish stocking
- Fisheries: Commercial marine and estuarine
- Direct land take from development
- Air pollution: Impact of atmospheric nitrogen deposition
- Shooting / scaring
- Direct impact from third party
- Inappropriate scrub control

Thorne & Hatfield Moors SPA

Introduction

3.50 The Thorne and Hatfield Moors SPA is a 2,449.2ha site that was established in 2000. It is located within an agricultural landscape in the wider Humberhead Levels National Character Area. Thorne Moor is England's largest expanse of raised bogs and lies within the floodplain of rivers draining into the Humber estuary. The SPA is managed as a National Nature Reserve by Natural England.

3.51 The smaller Hatfield Moors have been included in the SPA more recently and are generally in degraded condition. The restored secondary surface is rich in bog mosses *Sphagnum* spp., heather *Calluna vulgaris*, cross-leaved heath *Erica tetralix* and round-leaved sundew *Drosera rotundifolia*. While breeding nightjars are the SPA's sole qualifying species, the SPA also supports numerous other species at non-qualifying abundances, including hen harrier *Circus cyaneus*, merlin *Falco columbianus* and short-eared owl *Asio flammeus*. Hobbies *Falco subbuteo* feed over the site in summer and the most northerly breeding location for nightingales *Luscinia megarhynchos* is located here.

Qualifying Species[28]

3.52 Qualifying individual species listed in Annex I of the Wild Birds Directive

During the breeding season the SPA regularly supports:

- Nightjar *Caprimulgus europaeus*; at the time of designation, the SPA supported 66 pairs of nightjar, representing at least 1.9% of the GB breeding population

Conservation Objectives[29]

3.53 With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;

3.54 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features

[28] Available in the Conservation Objectives Supplementary Advice Note at: http://publications.naturalengland.org.uk/publication/6503407711944704 [Accessed on the 10/11/2020]
[29] Available at: http://publications.naturalengland.org.uk/publication/6503407711944704 [Accessed on the 10/11/2020]

- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

Threats / Pressures to Site Integrity[30]

3.55 The following threats and pressures to the site integrity of the Thorne & Hatfield Moors SPA are provided in Natural England's Site Improvement Plan:

- Drainage
- Inappropriate scrub control
- Air pollution: Impact of atmospheric nitrogen deposition
- Public access / disturbance
- Planning permission: General
- Peat extraction
- Invasive species

Thorne Moor SAC

Introduction

3.56 The Thorne Moors SAC is a 1,911.02ha expanse of bog, comprising bogs and marshes (28%), heath and scrub (19%), broad-leaved deciduous woodland (13%) and inland water bodies (8%). The site designation also encompasses a significant amount of development, such as towns and villages, mines and industrial sites (32%). The SAC overlaps with parts of the Thorne & Hatfield Moors SPA.

3.57 As mentioned in relation to the SPA, recent management successes have increased the proportion of active raised bog in the Thorne Moors. However, recent inclusion of the Hatfield Moors, means that the SAC is now predominantly classified as degraded raised bog. Degraded raised bogs are still capable of natural regeneration, however disturbances to the hydrology or vegetation (typically through human activities) mean that peat is not currently forming in such habitat.

3.58 Drainage, land reclamation for agriculture and peat extraction over the last 500 years have resulted in the loss of this habitat type, leaving the Thorne and Hatfield Moors the only large-scale type of this wetland. The SAC retains a significant wildlife and biodiversity interest, although this has been damaged by peat extraction.

Qualifying Features[31]

3.59 Annex I habitats that are a primary reason for selection of this site:

- Degraded raised bogs still capable of natural regeneration

Conservation Objectives[32]

3.60 With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;

3.61 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

[30] Available at: http://publications.naturalengland.org.uk/publication/6489780632158208 [Accessed on the 10/11/2020]
[31] Available at: https://sac.jncc.gov.uk/site/UK0012915 [Accessed on the 10/11/2020]
[32] Available at: http://publications.naturalengland.org.uk/publication/6566028335120384 [Accessed on the 10/11/2020]

- The extent and distribution of qualifying natural habitats
- The structure and function (including typical species) of qualifying natural habitats, and
- The supporting processes on which qualifying natural habitats rely

Threats / Pressures to Site Integrity[33]

3.62 The following threats and pressures to the site integrity of the Thorne Moors SAC are provided in Natural England's Site Improvement Plan:

- Drainage
- Inappropriate scrub control
- Air pollution: Impact of atmospheric nitrogen deposition
- Public access / disturbance
- Planning permission: General
- Peat extraction
- Invasive species

Kirk Deighton SAC

Introduction

3.63 The Kirk Deighton SAC is 3.99ha in size, comprising improved grassland (95%), an inland water body (3%) and woody plant cultivations (2%). The SAC lies on the outskirts of the village of Kirk Deighton. It is a lowland site on neutral clay soils within a wider agricultural and pasture-led landscape.

3.64 Despite its relatively small size, the site supports an exceptionally large population of great-crested newts *Triturus cristatus* concentrated in a shallow breeding pond. The pond lies amidst pasture and mature hedgerows, which provide essential feeding and hibernation habitats for the newts. Other amphibian interest in the SAC includes smooth newt *Triturus vulgaris* and common frog *Rana temporaria*.

Qualifying Features[34]

3.65 Annex II species that are a primary reason for selection of this site:

- Great-crested newt *Triturus cristatus*

Conservation Objectives[35]

3.66 With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;

3.67 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of the habitats of qualifying species
- The structure and function of the habitats of qualifying species
- The supporting processes on which the habitats of qualifying species rely
- The populations of qualifying species, and,

[33] Available at: http://publications.naturalengland.org.uk/publication/6489780632158208 [Accessed on the 10/11/2020]
[34] Available at: https://sac.jncc.gov.uk/site/UK0030178 [Accessed on the 10/11/2020]
[35] Available at: http://publications.naturalengland.org.uk/publication/4695122595807232 [Accessed on the 10/11/2020]

- The distribution of qualifying species within the site.

Threats / Pressures to Site Integrity[36]

3.68 Natural England's Site Improvement Plan highlights the following threats and pressures to the site integrity of the Kirk Deighton SAC:

- Change in land management
- Habitat fragmentation

[36] Available at: http://publications.naturalengland.org.uk/publication/5267982863302656 [Accessed on the 10/11/2020]

4. Background to Relevant Impact Pathways

Recreational Pressure

Bird Disturbance

4.1 There is concern over the cumulative impacts of recreation on key nature conservation sites in the UK, as most sites must meet conservation objectives while also providing recreational opportunity. Various research reports have provided compelling links between changes in housing and access levels[37] and impacts on European protected sites[38] [39]. While these impacts are relevant to any habitat, recreational pressure is particularly significant for European sites designated for bird species. Different European sites are subject to different types of recreational pressures and have different sensitivities. HRAs of planning documents tend to focus on recreational sources of disturbance as a result of new residents[40].

4.2 Studies across a range of species have shown that the effects from recreation can be complex. Human activity can affect birds either directly (e.g. by eliciting flight responses) or indirectly (e.g. through damaging their habitat or reducing their fitness in less obvious ways e.g. stress). The most obvious direct effect is that of immediate mortality such as death by shooting, but human activity can also lead to much subtler behavioural (e.g. alterations in feeding behaviour, avoidance of certain areas and use of sub optimal areas etc.) and physiological changes (e.g. an increase in heart rate). While these are less noticeable, they might result in major population-level changes by altering the balance between immigration / birth and emigration / death[41].

4.3 Concern regarding the effects of disturbance on birds stems from the fact that they are expending energy unnecessarily and the time they spend responding to disturbance is time that is not spent feeding[42]. Disturbance therefore risks increasing energetic expenditure of birds while reducing their energetic intake, which can adversely affect the 'condition' and ultimately survival of the birds. Additionally, displacement of birds from one feeding site to others can increase the pressure on the resources available within the remaining sites, as they then must sustain a greater number of birds[43]. Moreover, the higher proportion of time a breeding bird spends away from its nest, the more likely it is that eggs will cool and the more vulnerable they, or any nestlings, are to predators. Recreational effects on ground-nesting birds are particularly severe, with many studies concluding that urban sites support lower densities of key species, such as stone curlew and nightjar[44] [45].

4.4 Several factors (e.g. seasonality, type of recreational activity) may have pronounced impacts on the nature of bird disturbance. Recreation disturbance in winter can be more impactful because food shortages make birds more vulnerable at this time of the year. In contrast, there are often fewer recreational users in the winter months and some effects of disturbance may be reduced because birds are not breeding. Evidence

[37] Weitowitz D.C., Panter C., Hoskin R. & Liley D. 2019. The effect of urban development on visitor numbers to nearby protected nature conservation sites. *Journal of Urban Ecology* **5**. https://doi.org/10.1093/jue/juz019
[38] Liley D, Clarke R.T., Mallord J.W., Bullock J.M. 2006a. The effect of urban development and human. disturbance on the distribution and abundance of nightjars on the Thames Basin and Dorset Heaths. Report by Footprint Ecology for Natural England.
[39] Liley D., Clarke R.T., Underhill-Day J., Tyldesley D.T. 2006b. Evidence to support the appropriate Assessment of development plans and projects in south-east Dorset. Report by Footprint Ecology for Dorset County Council.
[40] The RTPI report 'Planning for an Ageing Population' (2004) which states that 'From being a marginalised group in society, the elderly are now a force to be reckoned with and increasingly seen as a market to be wooed by the leisure and tourist industries. There are more of them and generally they have more time and more money.' It also states that 'Participation in most physical activities shows a significant decline after the age of 50. The exceptions to this are walking, golf, bowls and sailing, where participation rates hold up well into the 70s'.
[41] Riley, J. 2003. Review of Recreational Disturbance Research on Selected Wildlife in Scotland. *Scottish Natural Heritage*.
[42] Riddington, R. et al. 1996. The impact of disturbance on the behaviour and energy budgets of Brent geese. *Bird Study* **43**:269-279
[43] Gill, J.A., Sutherland, W.J. & Norris, K. 1998. The consequences of human disturbance for estuarine birds. *RSPB Conservation Review* **12**: 67-72
[44] Clarke R.T., Liley D., Sharp J.M., Green R.E. 2013. Building development and roads: Implications for the distribution of stone curlews across the Brecks. *PLOS ONE*. https://doi:10.1371/journal.pone.0072984.
[45] Liley D., Clarke R.T. 2003. The impact of urban development and human disturbance on the numbers of nightjar *Caprimulgus europaeus* on heathlands in Dorset, England. *Biological Conservation* **114**: 219-230.

in the literature suggests that the magnitude of disturbance clearly differs between different types of recreational activities. For example, dog walking leads to a significantly higher reduction in bird diversity and abundance compared to hiking[46]. Scientific evidence also suggests that key disturbance parameters, such as areas of influence and flush distance, are significantly greater for dog walkers than hikers[47]. Furthermore, differences in on-site route lengths and usage patterns likely imply that key spatial and temporal parameters (such as the area of a site potentially impacted and the frequency of disturbance) will also differ between recreational activities. This suggests that activity type is a factor that should be taken into account in HRAs.

Non-breeding Birds (October – March)

4.5 The Lower Derwent Valley SPA / Ramsar (which straddles the eastern boundary of Selby District) is designated for sensitive overwintering birds, including waterfowl such as Bewick's swan, wigeon, teal and Northern shoveler. The Humber Estuary SPA / Ramsar also comprises a complex assemblage of species, including bittern, shelduck, avocet and redshank. Therefore, this section focusses on academic research relating to waterfowl and waders.

4.6 Evans & Warrington[48] found that on Sundays total water bird numbers (including shoveler and gadwall) were 19% higher on Stocker's Lake LNR in Hertfordshire and attributed this to observed greater recreational activity on surrounding water bodies at weekends relative to weekdays displacing birds into the LNR. However, in this study, recreational activity was not quantified in detail, nor were individual recreational activities evaluated separately.

4.7 Tuite et al[49] used a large (379 sites), long-term (10-year) dataset (September – March species counts) to correlate seasonal changes in wildfowl abundance with the presence of various recreational activities. They determined that shoveler was one of the most sensitive species to recreational activities, such as sailing, windsurfing and rowing. Studies on recreation in the Solent have established that human leisure activities cause direct disturbance to wintering waterfowl populations[50] [51].

4.8 The degree of impact that varying levels of noise will have on different species of bird is poorly understood except that a number of studies have found that an increase in traffic levels on roads leads to a reduction in the bird abundance within adjacent hedgerows. Reijnen et al (1995) examined the distribution of 43 passerine species (i.e. 'songbirds'), of which 60% had a lower density closer to the roadside than further away. By controlling for vehicle usage, they also found that bird density was significantly lower along busier roads than quieter roads[52]. A study on Holt Heath noted reduced levels of fitness due to occupation of sub optimal habitats alongside roads amongst heathland species.

4.9 A study on recreational disturbance on the Humber[53] assesses different types of noise disturbance on waterfowl referring to previous research relating to aircraft (see Drewitt 1999[54]), traffic (Reijnen, Foppen, & Veenbaas 1997)[55], dogs (Lord, Waas, & Innes 1997[56]; Banks & Bryant 2007[57]) and machinery (Delaney et al. 1999; Tempel & Gutierrez 2003). It identifies that there is still relatively little work on the effects of different types of water-based craft and the impacts from jet skis, kite surfers, windsurfers etc (see Kirby et al. 2004[58] for a review). In general terms, both distance from the source of disturbance and the scale of the disturbance

[46] Banks P.B., Bryant J.Y. 2007. Four-legged friend or foe? Dog walking displaces native birds from natural areas. *Biology Letters* **3**: 14pp.
[47] Miller S.G., Knight R.L., Miller C.K. 2001. Wildlife responses to pedestrians and dogs. **29**: 124-132.
[48] Evans, D.M. & Warrington, S. 1997. The effects of recreational disturbance on wintering waterbirds on a mature gravel pitlake near London. *International Journal of Environmental Studies* **53**: 167-182
[49] Tuite, C.H., Hanson, P.R. & Owen, M. 1984. Some ecological factors affecting winter wildfowl distribution on inland waters in England and Wales and the influence of water-based recreation. *Journal of Applied Ecology* **21**: 41-62
[50] Footprint Ecology. 2010. Recreational Disturbance to Birds on the Humber Estuary
[51] Footprint Ecology, Jonathan Cox Associates & Bournemouth University. 2010. Solent Disturbance and Mitigation Project – various reports.
[52] Reijnen, R. et al. 1995. The effects of car traffic on breeding bird populations in woodland. III. Reduction of density in relation to the proximity of main roads. *Journal of Applied Ecology* **32**: 187-202
[53] Fearnley H., Liley D. & Cruickshanks K. (2012) Results of Recreational Visitor Survey across the Humber Estuary produced by Footprint Ecology
[54] Drewitt, A. (1999) Disturbance effects of aircraft on birds. *English Nature*, Peterborough.
[55] Reijnen, R., Foppen, R. & Veenbaas, G. (1997) Disturbance by traffic of breeding birds: evaluation of the effect and considerations in planning and managing road corridors. *Biodiversity and Conservation* **6**: 567-581.
[56] Lord, A., Waas, J.R. & Innes, J. (1997) Effects of human activity on the behaviour of northern New Zealand dotterel Charadrius obscurus aquilonius chicks. *Biological Conservation* **82**: 15-20.
[57] Banks, P.B. & Bryant, J.V. (2007) Four-legged friend of foe? Dog-walking displaces native birds from natural areas. *Biology Letters* **3**: 611-613.
[58] Kirby, J.S., Clee, C. & Seager, V. (1993) Impact and extent of recreational disturbance to wader roosts on the Dee estuary: some preliminary results. *Wader Study Group Bulletin* **68**: 53-58.

(noise level, group size) is likely to influence the response (Delaney et al. 1999[59]; Beale & Monaghan 2005[60]). On UK estuaries and coastal sites, a review of WeBS data showed that, among the volunteer WeBS surveyors, driving of motor vehicles and shooting were the two activities most perceived to cause disturbance (Robinson & Pollitt 2002)[61].

4.10 Disturbing activities present themselves on a continuum. Generally, activities that involve irregular, infrequent and loud noise events, movements or vibrations are likely to be the most disturbing. For example, the presence of dogs around waterbodies generates substantial disturbance due the habitat accessed (e.g. intertidal mudflats), the areas affected and dogs' impacts on bird behaviour. Birds are least likely to be disturbed by activities that involve regular, frequent, predictable and quiet patterns of sound, movement or vibration. The further any activity is from the birds, the less likely it is to result in disturbance. Overall, the factors that determine species responses to disturbance include species sensitivity, timing/duration of the recreational activity and the distance between source and receptor of disturbance.

4.11 The specific distance at which a species takes flight when disturbed is known as the 'tolerance distance' (also called the 'escape flight distance') and greatly differs between species. Tolerance distances from various literature sources are summarised in Table 2. It is reasonable to assume from this evidence that disturbance is unlikely to be relevant at distances of beyond 400m. Generally, tolerance distances are known for only few species and should not be extrapolated to other species.

Table 2: Tolerance distances in metres of 21 species of waterfowl to various forms of recreational disturbance, as described in the literature. Where the mean is not available, distances are provided as a range.[62]

Species	Type of disturbance. [1] Tydeman (1978), [2] Keller (1989), [3] Van der Meer (1985), [4] Wolff et al (1982), [5] Blankestijn et al (1986)		
	Rowing boats/kayak	Sailing boats	Walking
Little grebe		60 – 100 [1]	
Great crested grebe	50 – 100 [2]	20 – 400 [1]	
Mute swan		3 – 30 [1]	
Teal		0 – 400 [1]	
Mallard		10 – 100 [1]	
Shoveler		200 – 400 [1]	
Pochard		60 – 400 [1]	
Tufted duck		60 – 400 [1]	
Goldeneye		100 – 400 [1]	
Smew		0 – 400 [1]	
Moorhen		100 – 400 [1]	
Coot		5 – 50 [1]	
Curlew			211 [3]; 339 [4]; 213 [5]
Shelduck			148 [3]; 250 [4]

[59] Delaney, D.K., Grubb, T.G., Beier, P., Pater, L.L.M. & Reiser, H. (1999) Effects of Helicopter Noise on Mexican Spotted Owls. *The Journal of Wildlife Management* **63**: 60-76.
[60] Beale, C.M. & Monaghan, P. (2005) Modeling the Effects of Limiting the Number of Visitors on Failure Rates of Seabird Nests. *Conservation Biology* **19**: 2015-2019.
[61] Robinson, J.A. & Pollitt, M.S. (2002) Sources and extent of human disturbance to waterbirds in the UK: an analysis of Wetland Bird Survey data, 1995/96 to 1998/99: Less than 32% of counters record disturbance at their site, with differences in causes between coastal and inland sites. *Bird Study* **49**: 205.
[62] Tydeman, C.F. 1978. Gravel Pits as conservation areas for breeding bird communities. PhD thesis. Bedford College
Keller, V. 1989. Variations in the response of Great Crested Grebes *Podiceps cristatus* to human disturbance - a sign of adaptation? *Biological Conservation* **49**: 31-45
Van der Meer, J. 1985. *De verstoring van vogels op de slikken van de Oosterschelde*. Report 85.09 Deltadienst Milieu en Inrichting, Middelburg. 37 pp.
Wolf, W.J., Reijenders, P.J.H. & Smit, C.J. 1982. The effects of recreation on the Wadden Sea ecosystem: many questions but few answers. In: G. Luck & H. Michaelis (Eds.), *Schriftenreihe M.E.L.F., Reihe A: Agnew. Wissensch* **275**: 85-107.
Blankestijn, S. et al. 1986. Seizoensverbreding in de recreatie en verstoring van Wulp en Scholkester op hoogwatervluchplaatsen op Terschelling. Report Projectgroep Wadden, L.H. Wageningen. 261pp.

Grey plover	124 [3]
Ringed plover	121 [3]
Bar-tailed godwit	107 [3]; 219 [4]
Brent goose	105 [3]
Oystercatcher	85 [3]; 136 [4]; 82 [5]
Dunlin	71 [3]; 163 [2]

4.12 Mitigation measures to avoid recreational pressure effects usually involve a combination of access and habitat management, and the provision of alternative recreational space. Typically, Local Authorities (in their role as Competent Authorities) can set out frameworks for improved habitat and access management, in collaboration with other adjoining Local Planning Authorities. Provision of alternative recreational space can help to attract recreational users away from sensitive European sites and reduce pressure on the sites. However, the location and habitat type of such alternative destinations must be carefully selected to be effective.

Breeding Birds (March – September)

4.13 In addition to its population of overwintering non-breeding birds, the Humber Estuary SPA / Ramsar is also designated for breeding bird species, including bittern, marsh harrier, little tern and avocet. Disturbance to birds during the pre-incubation, incubation and chick provisioning stages may lead to the abandonment of potential nesting sites, eggs or chicks, resulting in failure to reproduce or in reduced calorific intake by chicks. If disturbance is significant or persistent, the failure to produce viable offspring across multiple individuals may result in reduced fitness at the population level. Disturbance from dog walkers is a particular threat to ground-nesting birds, which tend to have lower disturbance tolerances because their nests are at higher risk from predators.

4.14 This is supported in the literature. For example, recreational disturbance (and especially dog walking) results in a higher incidence of escape flights, reduced incubation times and reduced chick guarding in golden plovers[63]. A study assessing the breeding success of little tern (qualifying species of the Humber Estuary SPA / Ramsar) and least tern found that nest success was significantly higher (82%) in artificial habitats than on natural sandy beaches (58%)[64]. This was primarily due to recreational disturbance on the beaches (which was absent in artificial habitats). Furthermore, even in successful nests, the number of unhatched eggs was twice as high in the natural habitat, most likely due to disturbance leading to the cooling of eggs.

4.15 Recreational impacts on little terns are well documented in other parts of the country (see a review of disturbance on little terns in the Great Yarmouth North Denes SPA[65]) and represent significant threats to the viability of tern populations. Tern colonies often lie on popular tourist beaches and are under intense urban pressures, including from vandalism, trampling and human-associated pest species (e.g. foxes). In contrast, recreational disturbance is considered to be less of a factor for bittern and marsh harrier, which tend to nest within dense reedbeds that are not easily accessible to the public. Notwithstanding this, recreational boating may bring visitors in close proximity with bittern and marsh harrier breeding sites in reedbeds.

Trampling Damage and Nutrient Enrichment

4.16 Most terrestrial habitats (especially dune systems, heathland and woodland) can be affected by trampling and other mechanical damage, which in turn dislodges individual plants, leads to soil compaction and erosion. The following studies have assessed the impact of trampling associated with different recreational activities in different habitats:

- Wilson & Seney)[66] examined the degree of track erosion caused by hikers, motorcycles, horses and cyclists from 108 plots along tracks in the Gallatin National Forest, Montana. Although the

[63] Yalden P.E. & Yalden D.W. (1990). Recreational disturbance of breeding golden plovers *Pluvialis apricarius*. *Biological Conservation* **51**: 243-262.
[64] Pakanen V-M., Hongeli H., Aikio S. & Koivula K. (2014). Little tern breeding success in artificial and natural habitats: Modelling population growth under uncertain vital rates. *Population Ecology* **56**: 581-591.
[65] Liley D. (2008). Little terns at Great Yarmouth. Disturbance to birds and implications for strategic planning and development control. Unpublished report by Footprint Ecology, commissioned by Great Yarmouth Borough Council and the RSPB. 14pp.
[66] Wilson, J.P. & J.P. Seney. 1994. Erosional impact of hikers, horses, motorcycles and off-road bicycles on mountain trails in Montana. *Mountain Research and Development* **14**:77-88.

results proved difficult to interpret, it was concluded that horses and hikers disturbed more sediment on wet tracks, and therefore caused more erosion, than motorcycles and bicycles.

- Cole et al[67] conducted experimental off-track trampling in 18 closed forest, dwarf scrub and meadow & grassland communities (each trampled between 0 – 500 times) over five mountain regions in the US. Vegetation cover was assessed two weeks and one year after trampling, and an inverse relationship with trampling intensity was discovered, although this relationship was weaker after one year than two weeks indicating some recovery of the vegetation. Differences in plant morphological characteristics were found to explain more variation in response between different vegetation types than soil and topographic factors. Low-growing, mat-forming grasses regained their cover best after two weeks and were considered most resistant to trampling, while tall forbs (non-woody vascular plants other than grasses, sedges, rushes and ferns) were considered least resistant. The cover of hemicryptophytes and geophytes (plants with buds below the soil surface) was heavily reduced after two weeks but had recovered well after one year and as such these were considered most resilient to trampling. Chamaephytes (plants with buds above the soil surface) were least resilient to trampling. It was concluded that these would be the least tolerant of a regular cycle of disturbance.

- Cole [68] conducted a follow-up study (in 4 vegetation types) in which shoe type (trainers or walking boots) and trampling weight were varied. Although immediate damage was greater with walking boots, there was no significant difference after one year. Heavier tramplers caused a greater reduction in vegetation height than lighter tramplers, but there was no difference in the effect on cover.

- Cole & Spildie[69] experimentally compared the effects of off-track trampling by hiker and horse (at two intensities – 25 and 150 passes) in two woodland vegetation types (one with an erect forb understorey and one with a low shrub understorey). Horse trampling was found to cause the largest reduction in vegetation cover. The forb-dominated vegetation suffered greatest disturbance but recovered rapidly. Generally, it was shown that higher trampling intensities caused more disturbance.

- In heathland sites, trampling damage can affect the value of a site to wildlife. For example, heavy use of sandy tracks loosens and continuously disturbs sand particles, reducing the habitat's suitability for invertebrates[70]. Species that burrow into flat surfaces such as the centres of paths, are likely to be particularly vulnerable, as the loose sediment can no longer maintain their burrow. In some instances, nature conservation bodies and local authorities resort to hardening paths to prevent further erosion. However, this is concomitant with the loss of habitat used by wildlife, such as sand lizards and burrowing invertebrates.

4.17 Sand dunes are dynamic systems that are shaped by factors such as the supply of sand and prevailing wind direction. 80% of dunes in the UK are currently subject to coastal erosion, diminishing the dune itself and creating bare ground. Natural England's Access and Nature Conservation Reconciliation guidance note states that light levels of trampling can increase plant diversity, but medium to high levels of trampling promote bare ground, increase soil compaction, reduce plant diversity and change vegetation height. The type of dune habitat also influences its response to recreational pressure. For example, in fixed decalcified dunes the relationship between levels of access and impact is linear (i.e. proportionate relationship). In other dune types (e.g. embryonic shifting dunes), the relationship is curvilinear, suggesting that a small increase in trampling has a disproportionately strong effect, with a flattening of the impact curve at higher trampling damage[71].

[67] Cole, D.N. 1995a. Experimental trampling of vegetation. I. Relationship between trampling intensity and vegetation response. *Journal of Applied Ecology* **32**: 203-214.
Cole, D.N. 1995b. Experimental trampling of vegetation. II. Predictors of resistance and resilience. *Journal of Applied Ecology* **32**: 215-224.
[68] Cole, D.N. 1995c. Recreational trampling experiments: effects of trampler weight and shoe type. Research Note INT-RN-425. U.S. Forest Service, Intermountain Research Station, Utah.
[69] Cole, D.N., Spildie, D.R. 1998. Hiker, horse and llama trampling effects on native vegetation in Montana, USA. *Journal of Environmental Management* **53**: 61-71.
[70] Taylor K., Anderson P., Liley D. & Underhill-Day J.C. 2006. Promoting positive access management to sites of nature conservation value: A guide to good practice. English Nature / Countryside Agency, Peterborough and Cheltenham.
[71] Coombes E.G. (2007). The effects of climate change on coastal recreation and biodiversity. School of Environmental Sciences. University of East Anglia, Norwich.

4.18 A major concern for nutrient-poor terrestrial habitats (e.g. heathlands and sand dunes) is nutrient enrichment associated through dog fouling, which has been addressed in various reviews (e.g.[72]). It is estimated that dogs will defecate within 10 minutes of starting a walk and therefore most nutrient enrichment arising from dog faeces will occur within 400m of a site entrance. In contrast, dogs will urinate at frequent intervals during a walk, resulting in a more spread out distribution of urine. For example, in Burnham Beeches National Nature Reserve it is estimated that 30,000 litres of urine and 60 tonnes of dog faeces are deposited annually[73]. While there is little information on the chemical constituents of dog faeces, nitrogen is one of the main components[74]. Nutrient levels are the major determinant of plant community composition and the effect of dog defecation in sensitive habitats is comparable to a high-level application of fertiliser, potentially resulting in the shift to plant communities that are more typical of improved grasslands. Nutrient enrichment is likely to be of primary concern for the Skipwith Common SAC, designated for European dry heaths and wet heaths with *Erica tetralix*.

Conclusion

4.19 The available baseline information suggests that the following European sites relevant to The former Selby districtare sensitive to recreational pressure due to the presence of waterfowl, waders and birds of prey throughout the year and trampling damage respectively (**the sites in bold are taken forward into the following chapters**):

- **Lower Derwent Valley SPA / Ramsar**
- **Skipwith Common SAC**
- **Humber Estuary SPA / Ramsar**
- **Thorne & Hatfield Moors SPA**

Loss of Functionally Linked Habitat

4.20 While most European sites have been geographically defined to encompass the key features that are necessary for coherence of their structure and function, and the support of their qualifying features, this is not necessarily the case. A diverse array of qualifying species including birds, bats and amphibians are not always confined to the boundary of designated sites.

4.21 For example, the highly mobile nature of both wader and waterfowl species implies that areas of habitat of crucial importance to the integrity of their populations lie outside the physical limits of European sites. Despite not being part of the formal designation, these habitats are integral to the maintenance of the structure and function of the designated site, for example by encompassing important foraging grounds. Therefore, land use plans that may affect such functionally linked habitat require further assessment.

4.22 There is now an abundance of authoritative examples of HRA cases on plans affecting bird populations, where Natural England recognised the potential importance of functionally linked land[75]. For example, bird surveys in relation to a previous HRA established that approximately 25% of the golden plover population in the Somerset Levels and Moors SPA were affected while on functionally linked land, and this required the inclusion of mitigation measures in the relevant plan policy wording. Another important case study originates from the Mersey Estuary SPA / Ramsar, where adjacently located functionally linked land had a peak survey count of 108% of the 5 year mean peak population of golden plover. This finding led to considerable amendments in the planning proposal to ensure that the site integrity was not adversely affected.

[72] Taylor K., Anderson P., Taylor R.P., Longden K. & Fisher P. 2005. Dogs, access and nature conservation. English Nature Research Report, Peterborough.
[73] Barnard A. 2003. Getting the facts – Dog walking and visitor number surveys at Burnham Beeches and their implications for the management process. *Countryside Recreation* **11**:16-19.
[74] Taylor K., Anderson P., Liley D. & Underhill-Day J.C. 2006. Promoting positive access management to sites of nature conservation value: A guide to good practice. English Nature / Countryside Agency, Peterborough and Cheltenham.
[75] Chapman C & Tyldesley D. 2016. Functional linkage: How areas that are functionally linked to European sites have been considered when they may be affected by plans and projects – A review of authoritative decisions. *Natural England Commissioned Reports* **207**. 73pp

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4.24 With regards to birds, areas of functionally linked land typically provide habitat for foraging or other ecological functions essential for the maintenance of the designated population e.g., high tide roost on coastal populations. Functionally linked land may extend up to the maximum foraging distance for the designated bird species. However, the number of birds foraging will tend to decrease further away from the protected site and thus the importance of the land to the maintenance of the designated population will decrease.

4.25 A study carried out by Natural England[77] identifies the typical distances that wintering waterfowl will travel from their SPAs to forage. Relevant Impact Risk Zones are identified as shown in Table 3.

Table 3. Natural England Impact Risk Zones for designated bird features

Assemblage	Impact Risk Zone (foraging distance)
Wintering birds (except wintering waders and grazing wildfowl; wigeon (*Anas penelope*) and geese)	Up to 500 m
Dabbling ducks such as teal, mallard and gadwall	Home ranges could extend beyond site boundaries at coastal sites, but less likely to do so at inland water bodies.
Wintering waders (except golden plover and lapwing), brent goose (*Branta bernicla*) & wigeon	Maximum foraging distance is 500 m
Wintering lapwing and golden plover	Maximum foraging distance is 15-20 km. Golden plover can forage up to 15 km from a roost site within a protected site. Lapwing can also forage similar distances. Both species use lowland farmland in winter, and it is difficult to distinguish between designated populations and those present within the wider environment. Developments affecting functionally linked land more than 10 km from the site are unlikely to impact significantly on designated populations.
Wintering white-fronted goose (*Anser albifrons),* greylag goose (*Anser answer*), Bewick's swan (*Cygnus columbianus bewickii*), whooper swan, pink-footed goose & wintering bean goose (*Anser fabalis*)	Maximum foraging distance is 10 km although studies have shown that pink-footed geese will fly 20 km from their roosting site to feed[78]. A bespoke functional land IRZ has replaced the individual Birds 6/7 IRZs for sites supporting the following goose and swan species: pink-footed geese, barnacle goose, Bewick's swan, white-fronted goose and whooper swan. The IRZ is based on GIS distribution records of feeding pink-footed geese from a study undertaken for Natural England by the Wildfowl & Wetlands Trust (Ibid) and the results of work undertaken by the British Trust for Ornithology to identify functionally connected habitat used by barnacle goose, Bewick's swan, white-fronted goose and whooper swan based on WeBS site and BirdTrack data and focuses on only the areas of land that we know are being used as functional habitat by designated populations.

[76] Chapman C & Tyldesley D. 2016. Functional linkage: How areas that are functionally linked to European sites have been considered when they may be affected by plans and projects – A review of authoritative decisions. Natural England Commissioned Reports 207. 73pp
[77] Natural England (2019). Impact Risk Zones Guidance Summary Sites of Special Scientific Interest Notified for Birds. Version 1.1
[78] Natural England & Manchester Metropolitan University (2015) Mapping and assessing pink-footed goose Anser brachyrhynchus usage of land beyond SPA boundaries in northwest England. Available at: http://publications.naturalengland.org.uk/publication/5691873914519552

Source: Natural England (2019). Impact Risk Zones Guidance Summary Sites of Special Scientific Interest Notified for Birds. Version 1.1

4.26 The aforementioned Natural England document further identifies that for SSSIs designated for wintering waterfowl and waders (other than golden plover and lapwing) a maximum of 2km is appropriate for the identification of potential functionally-linked land for development with the exception of wind energy (3km) and airports (10km).

4.27 Generally, the identification of an area as functionally linked land is now a relatively straightforward process and it is reasonable to assume that a site <2 ha in size is unlikely to support a large enough population of birds (taking sightlines etc., into account) to constitute 1% of an SPA population. However, the importance of non-designated land parcels may not be apparent and could require the analysis of existing data sources to be firmly established. In some instances, data may not be available at all, requiring some further survey work.

4.28 Overall, the available baseline information suggests that the following European Sites are sensitive to the loss of functionally linked habitat due to the presence of mobile waterfowl, waders and birds of prey (**the sites in bold are taken forward into the following chapters**):

- **Lower Derwent Valley SPA / Ramsar**
- **Humber Estuary SPA / Ramsar**
- **Thorne & Hatfield Moors SPA.**

Water Quality

4.29 The quality of the water that feeds European sites is an important determinant of the nature of their habitats and the species they support. Poor water quality can have a range of environmental impacts:

- At high levels, toxic chemicals and metals can result in immediate death of aquatic life, and can have detrimental effects even at lower levels, including increased vulnerability to disease and changes in wildlife behaviour.
- Eutrophication, the enrichment of water with nutrients, increases plant growth and consequently results in oxygen depletion. Algal blooms, which commonly result from eutrophication, increase turbidity and decrease light penetration. The decomposition of organic wastes that often accompanies eutrophication deoxygenates water further, augmenting the oxygen depleting effects of eutrophication. In the marine environment, nitrogen is the limiting plant nutrient and so eutrophication is associated with discharges containing bioavailable nitrogen.
- Some pesticides, industrial chemicals, and components of sewage effluent are suspected to interfere with the functioning of the endocrine system, possibly having negative effects on the reproduction and development of aquatic life.

4.30 The most notable issue in relation to the SLP is the discharge of treated sewage effluent, which is likely to increase the concentration of nutrients in European sites that are dependent on the input of high-quality water. The discharge of nutrients (primarily phosphorus in freshwater habitats such as those in the River Derwent SAC and the Lower Derwent Valley SPA / Ramsar; a combination of phosphorus and nitrogen in the Humber Estuary SPA / Ramsar / SAC) will increase the overall nutrient loading and could change the plant community composition in these European sites. Given that parts of the SPA / Ramsar lie close to development proposed in the SLP, impacts of surface water runoff from hardstanding on water quality also need consideration.

4.31 The viability of the Kirk Deighton SAC's great-crested newt population depends on sufficient water quality. Poor water quality can affect great-crested newts by blocking gills, impeding display behaviour and reducing invertebrate numbers. The breeding ponds in the SAC have been noted for poor water quality previously. The Thorne Moor SAC, designated for degraded raised bogs, is also sensitive to water quality changes, in particular because these habitats are naturally nutrient-poor. The potential ecological implications of SLP development on the discussed European sites are outlined in Table 4.

Table 4: Wastewater Treatment Works (WwTWs) serving development in the former Selby district that are in potential hydrological continuity with European Sites within or adjacent to the Parish.

WwTW Catchment	Residential and employment development quantum allocated in the Selby Local Plan	Potential HRA implications
Barlby WwTW, Selby WwTW, Hemingbrough WwTW, Wheldrake WwTW (operated by Yorkshire Water)	At least 7,728 new residential dwellings and 91.2ha of employment land	Potential discharge of treated sewage effluent into local watercourses (such as the Rivers Derwent and Ouse) that are hydrologically connected with the River Derwent SAC, the Lower Derwent Valley SPA / Ramsar, the Humber Estuary SPA / Ramsar, the Kirk Deighton SAC or the Thorne Moor SAC.

4.32 The following European sites within 10km of the former Selby district are sensitive to changes in water quality as a result of urban growth (the sites in bold are taken forward into the following chapters):

- **River Derwent SAC**
- **Lower Derwent Valley SPA / Ramsar / SAC**
- **Humber Estuary SPA / Ramsar / SAC**
- **Kirk Deighton SAC**
- **Thorne Moor SAC**

Water Quantity, Level and Flow

4.33 The water level, its flow rates and the mixing conditions are important determinants of the condition of European sites and their qualifying features. Hydrological processes are critical in influencing habitat characteristics in wetlands and coastal waters, including current velocity, water depth, dissolved oxygen levels, salinity and water temperature. In turn these parameters determine the short- and long-term viability of plant and animal species, as well as overall ecosystem composition. Changes to the water flow rate within an estuary can be associated with a multitude of further impact pathways, including substratum loss, smothering and changes in wave exposure, and often interact with coastal squeeze.

4.34 A highly cited review paper summarised the ecological effects of reduced flow in rivers. Droughts (ranging in their magnitude from flow reduction to a complete loss of surface water) have both direct and indirect effects on stream communities. For example, a marked direct effect is the loss of water and habitat for aquatic organisms. Indirect effects include a deterioration in water quality, changes to the food resources and alterations in interspecific interactions. An increased stability of baseflow and a reduction in the natural flow variability of rivers has been linked to the excessive growth of macrophytes and a reduction in fish populations in rivers and recipient waterbodies.

4.35 The unique nature of wetlands combines shallow water and conditions that are ideal for the growth of organisms at the basal level of food webs, which feed many species of birds, mammals, fish and amphibians. Overwintering, migrating and breeding wetland bird species are particularly reliant on these food sources, as they need to build up enough nutritional reserves to sustain their long migration routes or feed their hatched chicks.

4.36 Maintaining a steady water supply is of critical importance for many hydrologically dependent SPAs, SACs and Ramsars. For example, in many wetlands winter flooding is essential for sustaining a variety of foraging habitats for SPA / Ramsar wader and waterbird species. However, different species vary in their requirements for specific water levels. Splash and / or shallow flooding is required to provide suitable feeding areas and roosting sites for ducks and waders. In contrast, deeper flooding is essential to provide foraging and loafing habitats for Bewick's swans and whooper swans.

4.37 Wetland habitats rely on hydrological connections with other surface waters, such as rivers, streams and lakes. A constant supply of water is fundamental to maintaining the ecological integrity of sites. However, while the natural fluctuation of water levels within narrow limits is desirable, excess or too little water supply

might cause the water level to be outside of the required range of qualifying birds, invertebrate or plant species. This might lead to the loss of the structure and functioning of wetland habitats. There are two mechanisms through which urban development might negatively affect the water level in European Sites:

- The supply of new housing with potable water will require increased abstraction of water from surface water and groundwater bodies. Depending on the level of water stress in the geographic region, this may reduce the water levels in European Sites sharing the same catchment.
- The proliferation of impermeable surfaces in urban areas increases the volume and speed of surface water runoff. As traditional drainage systems often cannot cope with the volume of stormwater, sewer overflows are designed to discharge excess water directly into watercourses. Often this pluvial flooding results in downstream inundation of watercourses and the potential flooding of wetland habitats.

4.38 Increases to the quantity and rate of water delivery, such as through accelerated urban runoff, can result in summer flooding and prolonged / deeper winter flooding. This in turn results in the reduction of feeding and roosting sites for birds. For example, in areas where water is too deep, most waders will be unable to reach their food sources close to the ground.

4.39 The former Selby district lies within 10km of several European Sites that are sensitive to changes in their hydrological regimes. For example, the River Derwent SAC (designated for anadromous fish) straddles the north-eastern boundary of the district and a significant drop in flow could affect the ability of sea lamprey to navigate upstream. Maintaining the water flow rate and / or level is also integral in supporting the qualifying bird species of the Humber Estuary SPA / Ramsar.

4.40 The wet heaths component of the Skipwith Common SAC relies on a naturally fluctuating hydrological regime to ensure that an appropriate level of wetted area is maintained in the site. Similarly, breeding great-crested newts in the Kirk Deighton SAC need sufficient water levels for successful breeding. A drying out of the breeding ponds may place the long-term survival of the SAC's population at risk.

4.41 The following European sites within 10km of the former Selby district are sensitive to changes in water quantity, level and flow as a result of SLP development (the sites in bold are taken forward into the following chapters):

- **River Derwent SAC**
- **Lower Derwent Valley SPA / Ramsar**
- **Humber Estuary SPA / Ramsar**
- **Skipwith Common SAC**
- **Kirk Deighton SAC**

Atmospheric Pollution

4.42 The main pollutants of concern for European sites are oxides of nitrogen (NOx), ammonia (NH_3) and sulphur dioxide (SO_2), and are summarised in Table 5. Ammonia can have a directly toxic effect upon vegetation, particularly at close distances to the source such as near road verges[79]. NOx can also be toxic at very high concentrations (far above the annual average critical level). However, in particular, high levels of NOx and NH_3 are likely to increase the total N deposition to soils, potentially leading to deleterious knock-on effects in resident ecosystems. Increases in nitrogen deposition from the atmosphere is widely known to enhance soil fertility and to lead to eutrophication. This often has adverse effects on the community composition and quality of semi-natural, nitrogen-limited terrestrial and aquatic habitats[80] [81].

[79] http://www.apis.ac.uk/overview/pollutants/overview_NOx.htm.
[80] Wolseley, P. A.; James, P. W.; Theobald, M. R.; Sutton, M. A. **2006.** Detecting changes in epiphytic lichen communities at sites affected by atmospheric ammonia from agricultural sources. *Lichenologist* **38**: 161-176
[81] Dijk, N. **2011.** Dry deposition of ammonia gas drives species change faster than wet deposition of ammonium ions: Evidence from a long-term field manipulation. *Global Change Biology* **17**: 3589-3607

Table 5: Main sources and effects of air pollutants on habitats and species[82]

Pollutant	Source	Effects on habitats and species
Sulphur Dioxide (SO_2)	The main sources of SO_2 are electricity generation, and industrial and domestic fuel combustion. However, total SO_2 emissions in the UK have decreased substantially since the 1980's. Another origin of sulphur dioxide is the shipping industry and high atmospheric concentrations of SO_2 have been documented in busy ports. In future years shipping is likely to become one of the most important contributors to SO_2 emissions in the UK.	Wet and dry deposition of SO_2 acidifies soils and freshwater and may alter the composition of plant and animal communities. The magnitude of effects depends on levels of deposition, the buffering capacity of soils and the sensitivity of impacted species. However, SO_2 background levels have fallen considerably since the 1970's and are now not regarded a threat to plant communities. For example, decreases in Sulphur dioxide concentrations have been linked to returning lichen species and improved tree health in London.
Acid deposition	Leads to acidification of soils and freshwater via atmospheric deposition of SO_2, NOx, ammonia and hydrochloric acid. Acid deposition from rain has declined by 85% in the last 20 years, which most of this contributed by lower sulphate levels. Although future trends in S emissions and subsequent deposition to terrestrial and aquatic ecosystems will continue to decline, increased N emissions may cancel out any gains produced by reduced S levels.	Gaseous precursors (e.g. SO_2) can cause direct damage to sensitive vegetation, such as lichen, upon deposition. Can affect habitats and species through both wet (acid rain) and dry deposition. The effects of acidification include lowering of soil pH, leaf chlorosis, reduced decomposition rates, and compromised reproduction in birds / plants. Not all sites are equally susceptible to acidification. This varies depending on soil type, bed rock geology, weathering rate and buffering capacity. For example, sites with an underlying geology of granite, gneiss and quartz rich rocks tend to be more susceptible.
Ammonia (NH_3)	Ammonia is a reactive, soluble alkaline gas that is released following decomposition and volatilisation of animal wastes. It is a naturally occurring trace gas, but ammonia concentrations are directly related to the distribution of livestock. Ammonia reacts with acid pollutants such as the products of SO_2 and NO_X emissions to produce fine ammonium (NH_4+) - containing aerosol. Due to its significantly longer lifetime, NH_4+ may be transferred much longer distances (and can therefore be a significant trans-boundary issue). While ammonia deposition may be estimated from its atmospheric concentration, the deposition rates are strongly influenced by meteorology and ecosystem type.	The negative effect of NH_4+ may occur via direct toxicity, when uptake exceeds detoxification capacity and via N accumulation. Its main adverse effect is eutrophication, leading to species assemblages that are dominated by fast-growing and tall species. For example, a shift in dominance from heath species (lichens, mosses) to grasses is often seen. As emissions mostly occur at ground level in the rural environment and NH_3 is rapidly deposited, some of the most acute problems of NH_3 deposition are for small relict nature reserves located in intensive agricultural landscapes.
Nitrogen oxides (NO_x)	Nitrogen oxides are mostly produced in combustion processes. Half of NO_X emissions in the UK derive from motor vehicles, one quarter from power stations	Direct toxicity effects of gaseous nitrates are likely to be important in areas close to the source (e.g. roadside verges). A critical level of NOx for all vegetation types has been set to 30 ug/m3.

[82] Information summarised from the Air Pollution Information System (http://www.apis.ac.uk/)

Pollutant	Source	Effects on habitats and species
	and the rest from other industrial and domestic combustion processes. Nitrogen oxides have been consistently falling for decades due to a combination of coal fired power station closures, abatement of other combustion point sources and improved vehicle emissions technology. They are expected to continue to fall over the plan period.	Deposition of nitrogen compounds (nitrates (NO_3), nitrogen dioxide (NO_2) and nitric acid (HNO_3)) contributes to the total nitrogen deposition and may lead to both soil and freshwater acidification. In addition, NO_x contributes to the eutrophication of soils and water, altering the species composition of plant communities at the expense of sensitive species.
Nitrogen deposition	The pollutants that contribute to the total nitrogen deposition derive mainly from oxidized (e.g. NO_X) or reduced (e.g. NH_3) nitrogen emissions (described separately above). While oxidized nitrogen mainly originates from major conurbations or highways, reduced nitrogen mostly derives from farming practices. The N pollutants together are a large contributor to acidification (see above).	All plants require nitrogen compounds to grow, but too much overall N is regarded as the major driver of biodiversity change globally. Species-rich plant communities with high proportions of slow-growing perennial species and bryophytes are most at risk from N eutrophication. This is because many semi-natural plants cannot assimilate the surplus N as well as many graminoid (grass) species. N deposition can also increase the risk of damage from abiotic factors, e.g. drought and frost.
Ozone (O_3)	A secondary pollutant generated by photochemical reactions involving NOx, volatile organic compounds (VOCs) and sunlight. These precursors are mainly released by the combustion of fossil fuels (as discussed above). Increasing anthropogenic emissions of ozone precursors in the UK have led to an increased number of days when ozone levels rise above 40ppb ('episodes' or 'smog'). Reducing ozone pollution is believed to require action at international level to reduce levels of the precursors that form ozone.	Concentrations of O_3 above 40 ppb can be toxic to both humans and wildlife, and can affect buildings. High O_3 concentrations are widely documented to cause damage to vegetation, including visible leaf damage, reduction in floral biomass, reduction in crop yield (e.g. cereal grains, tomato, potato), reduction in the number of flowers, decrease in forest production and altered species composition in semi-natural plant communities.

4.43 Sulphur dioxide emissions overwhelmingly derive from power stations and industrial processes that require the combustion of coal and oil, as well as (particularly on a local scale) shipping[83]. Ammonia emissions originate from agricultural practices[84], with some chemical processes also making notable contributions. As such, it is unlikely that material increases in SO_2 or NH_3 emissions will be associated with the emerging SLP.

4.44 In contrast, NOx emissions are dominated by the output of vehicle exhausts (more than half of all emissions). A 'typical' housing development will contribute by far the largest portion to its overall NOx footprint (92%) through its associated road traffic. Other sources, although relevant, are of minor importance (8%) in comparison[85]. The emerging SLP, which will increase the population of Selby District, can therefore be reasonably expected to increase emissions of NOx through an increase in vehicular traffic.

4.45 According to the World Health Organisation, the critical NOx concentration (critical threshold) for the protection of vegetation is 30 μgm^{-3}; the threshold for sulphur dioxide is 20 μgm^{-3}. In addition, ecological

[83] http://www.apis.ac.uk/overview/pollutants/overview_SO2.htm.
[84] Pain, B.F.; Weerden, T.J.; Chambers, B.J.; Phillips, V.R.; Jarvis, S.C. 1998. A new inventory for ammonia emissions from U.K. agriculture. *Atmospheric Environment* **32**: 309-313
[85] Proportions calculated based upon data presented in Dore CJ et al. 2005. UK Emissions of Air Pollutants 1970 – 2003. UK National Atmospheric Emissions Inventory. http://www.airquality.co.uk/archive/index.php

studies have determined 'critical loads'[86] of atmospheric nitrogen deposition (that is, NOx combined with ammonia NH_3).

4.46 According to the Department of Transport's Transport Analysis Guidance, beyond 200m, the contribution of vehicle emissions from the roadside to local pollution levels is insignificant (Figure 3 and see reference [87]). This is therefore the distance that has been used throughout this HRA to identify major commuter routes along European Sites, which are likely to be significantly affected by development outlined in the SLP.

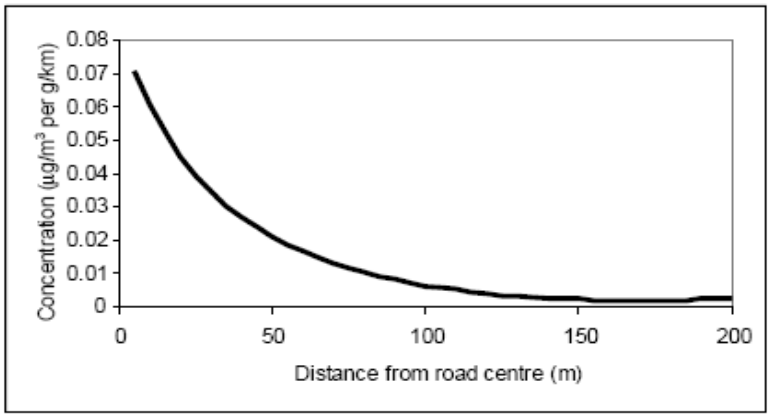


Figure 3: Traffic contribution to concentrations of pollutants at different distances from a road (Source: DfT[88])

4.47 The following European sites within 10km of the former Selby district are sensitive to atmospheric pollution arising from urban growth, primarily due to a significant increase in the number of two-way vehicle trips through or within 200m of these sites (the sites in bold are taken forward into the following chapters):

- **Lower Derwent Valley SPA / Ramsar / SAC**
- **Skipwith Common SAC**
- **River Derwent SAC**
- **Humber Estuary SPA / Ramsar / SAC**
- **Thorne & Hatfield Moors SPA**
- **Thorne Moor SAC**

4.48 The potential for air quality impacts on River Derwent SAC was considered. The only place in the district where a road likely to be a significant journey to work route lies within 200m of this SAC is the A63 east of Hemingbrough. However, the Air Pollution Information System (www.apis.ac.uk) in its 'critical load function' tool indicates that there are no critical loads available for this SAC, which means that there are no thresholds against which impacts can be assessed. While a threshold for another habitat could be used as a proxy, there are none that are truly an applicable proxy for *Ranunculus* vegetation, the habitat for which the SAC is designated. Moreover, as discussed in the submission HRA of the York Local Plan and indicated on APIS, the River Derwent is phosphate-limited rather than nitrogen-limited, meaning that phosphorus is the principal growth-limiting nutrient controlling eutrophication. This is why the Environment Agency Review of Consents process for the river focussed on the impact of phosphorus inputs. Phosphorus does not stem from atmosphere and although Natural England has recently (March 2022) identified nutrient problems with several freshwater and marine European sites in the north of England this has not extended to the River Derwent SAC. However, in their response to the Regulation 18 Local Plan Natural England asked that impacts on functionally-linked habitat within the SAC boundary should also be considered.

[86] The critical load is the rate of deposition beyond which research indicates that adverse effects can reasonably be expected to occur
[87] http://www.dft.gov.uk/webtag/documents/expert/unit3.3.3.php#013; accessed 12/05/2016
[88] http://www.dft.gov.uk/ha/standards/dmrb/vol11/section3/ha20707.pdf; accessed 13/07/2018

5. Screening for Likely Significant Effects (LSEs)

Recreational Pressure

Lower Derwent Valley SPA / Ramsar

5.1 The Lower Derwent Valley SPA / Ramsar is designated for a range of overwintering and breeding waterfowl, waders and birds of prey. While inter-specific differences in sensitivity to disturbance are likely to be present, all qualifying species are potentially impacted by recreational activities. In the case of the Lower Derwent Valley SPA / Ramsar this is most likely to arise from dog walking but also other activities, such as recreational boating, walking and wildlife watching.

5.2 The SPA / Ramsar stretches along the boundary of the former Selby district on a north-south axis. The closest point of the SPA / Ramsar (the Breighton Meadows SSSI) lies approx. 5.6km from the Selby-Barlby-Osgodby agglomeration, the closest urban population centre to the site. However, the Derwent Ings SSSI, the most likely component of the SPA / Ramsar to be visited due to the convenience of access along the A163 and the presence of a car park, is slightly further away from the SPA / Ramsar (5.9km). While this is a distance beyond that observed for many inland nature conservation sites, the SPA / Ramsar is likely to be one of the recreational honeypot sites in Selby District. Furthermore, some settlements (e.g. North Duffield) in the district lie very close to the SPA / Ramsar and concentrated growth in these areas could significantly increase the recreational burden in the site. Overall, the Lower Derwent Valley SPA / Ramsar is screened in for Appropriate Assessment in relation to recreational pressure.

Lower Derwent Valley SAC

5.3 The Lower Derwent SAC is designated for lowland hay meadows and alluvial forests, as well as otters. Furthermore, the SAC entirely overlaps with the SPA / Ramsar, and a similar geographic distance to the Selby District's main population centre therefore applies. Recreational pressure could lead to trampling damage, soil compaction and erosion around the root system of the alluvial forests. However, Natural England's Site Improvement Plan (SIP) does not highlight recreational pressure as a threat to the SAC features. However, because the SIP refers to the impacts of public access along the floodbanks, it is considered that recreation might lead to disturbance on the SAC otter population.

5.4 Overall, recreational pressure effects on the SAC features are of secondary importance compared to those in the SPA / Ramsar. However, the Lower Derwent SAC is screened in for Appropriate Assessment in relation to recreational pressure as a precautionary measure **and** because the same evidence base as relevant to the SPA / Ramsar applies.

Skipwith Common SAC

5.5 The Skipwith Common SAC is designated for northern Atlantic wet heaths (with *Erica tetralix*) and European dry heaths. The main recreational pressure concerns for this site include off-trail trampling (such as through the formation of new desire lines) and nutrient enrichment from dog walkers. Studies in other nature conservation sites (e.g. the Burnham Beeches SSSI) have documented the vast amount of nitrogen deposited annually in dog faeces and urine in sensitive habitats. Heathlands are known to be depauperate ecosystems and a significant increase in nutrient concentrations could lead to a modal shift in ecological communities towards more competitive grass species. Generally, recreational pressure is considered to be a major threat to the integrity of heathlands (for reference see Thames Basin Heaths or Wealden Heaths case studies).

5.6 The Skipwith Common SAC lies in the north-east of Selby District, approx. 2km from the main population centre in the Selby-Barlby-Osgodby agglomeration. While this National Nature Reserve lies in a rural part of the district, it is therefore easily reached by car. Given its proximity to residential development and its management as a high-profile National Nature Reserve (NNR) – which is likely to increase the recreational

draw of the site – LSEs of the SLP on the site cannot be excluded and the SAC is screened in for Appropriate Assessment regarding recreational pressure.

River Derwent SAC

5.7 The River Derwent SAC is designated for its water course from plain to montane level with *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation. Furthermore, the SAC supports several anadromous fish species as well as otter. One of the primary threats to riverine systems is typically recreational boating and associated anchoring activities, because these may directly damage the vegetation and / or disturb substrates required for spawning, such as silt and gravel beds. However, the SIP does not highlight boating in the River Derwent as an issue. Therefore, recreational pressure effects on these interest features are screened out.

5.8 Otters are highly mobile and depend on the habitat quality adjacent to the river. Areas with bankside vegetation are particularly important in providing otter refuges adjacent to paths / trails that are accessible to the public. Natural England's SIP highlights public access on public and non-Public Rights of Way (PRoW), particularly along floodbanks, as a cause of increasing disturbance. Limited car parking and a formal arrangement of footpaths reduces the impact of existing recreational pressure and whilst informal access along both riverbanks occurs, this is largely restricted to local residents and the simple width of the channel reduces the frequency and magnitude of direct impacts. Whilst bullhead, lamprey and the floating vegetation community can be considered unlikely to be affected by recreational pressure, otters remain vulnerable. Given that there are no allocated sites adjacent to the River Derwent SAC (the nearest being 1km distant) and limited accessibility, LSEs of the SLP on the River Derwent SAC regarding recreational pressure can be screened out from Appropriate Assessment.

Humber Estuary SPA / Ramsar

5.9 Similar to the River Derwent SPA / Ramsar, the Humber Estuary SPA / Ramsar is designated for a range of waterfowl, waders and birds of prey. These bird species have varying degrees of sensitivity to recreational pressure, most notably from dog walkers. The estuary extends on a west-east axis from Goole to Grimsby, and the closest section of the SPA / Ramsar lies approx. 1km to the east of the The former Selby districtboundary. However, it is noted that the distance from the estuary to the town of Selby, the main population centre in the district, is much greater (approx. 11.8km). Given the general rural nature of Selby, it is considered that its overall contribution to recreational pressure in the Humber Estuary SPA / Ramsar is likely to be relatively small. However, if significant residential growth in the SLP was allocated around the settlements of Drax, Carlton and Newland, this may affect the analysis.

5.10 Overall, it is considered that an assessment of the geographic distribution of residential growth is required in relation to the Humber Estuary SPA / Ramsar. LSEs of the SLP on the site cannot be excluded and the site is screened in for Appropriate Assessment.

Humber Estuary SAC

5.11 The Humber Estuary SAC is designated for several habitats, primarily estuaries and intertidal mud- and sandflats. Furthermore, other habitats such as Atlantic saltmarsh and shifting dunes are also present within the estuary. If recreational activities are carried out in the intertidal zone, this could lead to trampling or vehicular damage to the salt meadows. Furthermore, recreational access of dune systems – if excessive – can result in dune erosion or dislodgement dune-associated vegetation.

5.12 Given that the SAC overlaps with the Humber Estuary SPA / Ramsar, its location in relation to the former Selby district boundary and the town of Selby is the same. Therefore, while it is unlikely that the SLP will contribute significantly to the recreational footprint in the Humber Estuary SAC, the site is screened in for Appropriate Assessment as a precautionary measure.

Screening of SLP Policies and Site Allocations – Recreational Pressure

5.13 The following individual allocations are screened in for potential recreational pressure effects 'alone' due to their proximity to the Lower Derwent Valley SPA / Ramsar / SAC, Humber Estuary SAC/SPA/Ramsar and Skipwith Common SAC:

- Land north of A163, North Duffield (NDUF-D) – 40 dwellings within 325m from the Lower Derwent Valley SPA / Ramsar / SAC

5.14 LSEs for the following SLP policies regarding recreational pressure cannot be excluded:

- Policy SG2 – Spatial Approach (Strategic Policy) (specifies that a minimum of 6,452 dwellings will be delivered between 2020 and 2040 and outlines the applicable settlement hierarchy)
- Policy EM5 – Tourist, Recreation and Cultural Facilities (Strategic Policy) (supports tourism and recreation developments across the district)
- Policy EM6 – Holiday Accommodation (Strategic Policy) (supports the provision of various types of holiday accommodation, such as hotels, guest houses and holiday cottages)
- Policy HG1 – Meeting Local Housing Needs (Strategic Policy) (specifies the delivery of 7,940 net new dwellings across the district; i.e. the quantum that needs assessment)
- Policy HG2 – Windfall Developments (Strategic Policy) (hypothetically enables the provision of further dwellings – in addition to those detailed in Policy HG1)
- Policy HG14 – Gypsy & Traveller Sites (provides for 12 Gypsy and Traveller Pitches in Newthorpe)
- Policy S1 - Selby Station Quarter Special Policy Area (hypothetically enables the provision of further dwellings in addition to those detailed in Policy HG1)
- Policy T1 - Tadcaster Town Centre Regeneration Area – Special Policy Area (hypothetically enables the provision of further dwellings in addition to those detailed in Policy HG1)
- Policy T2 - London Road Special Policy Area (potentially adds to the volume of housing delivered under Policy HG1).

Loss of Functionally Linked Habitat

Lower Derwent SPA / Ramsar

5.15 The Lower Derwent SPA / Ramsar is designated for several species of waterfowl, which are all mobile and are expected to routinely use habitats beyond the designated site boundary for roosting or foraging. Most notable are two bird species, Bewick's swan and European golden plover, which are known to be tightly associated with agricultural land parcels. Natural England's Site Conservation Objectives Supplementary Advice Note highlights for both species that they are frequently found in surrounding farmland. However, it is to be noted that some of the other waterfowl species e.g. Northern shoveler, Eurasian wigeon and Eurasian teal are found on seasonally flooded grasslands, which may also lie outside the designated site boundary although these tend to be around coastal sites as opposed to inland water bodies and the maximum foraging distance for wigeon is 500m (refer to Table 3).

5.16 The SPA / Ramsar also needs to be considered in the context of the surrounding landscape, which is mainly rural in nature and comprises large tracts of undeveloped greenfield land, such as intensively cultivated arable land parcels. Overall, a review of Google Maps indicates that there is a vast number of potential functionally linked feeding sites for Bewick's swans and golden plovers surrounding the SPA / Ramsar.

5.17 Given that the potential for functional linkage in the former Selby district is high, LSEs of the SLP on the Lower Derwent Valley SPA / Ramsar regarding the loss of functionally linked habitat cannot be excluded, either alone or in-combination (particularly if the recently submitted East Yorkshire Solar Farm comes forward), and the site is screened in for Appropriate Assessment.

Humber Estuary SPA / Ramsar

5.18 The Humber Estuary SPA / Ramsar qualifies as a SPA / Ramsar due to the presence of a range of waterfowl, waders and birds of prey. These species require a range of supporting habitats to complete all necessary stages of their breeding cycle and / or overwintering period. For example, marsh harriers are known to hunt in agricultural land, such as fields with herbaceous cropping (e.g. irrigated maize, cereal and alfalfa). Functional linkage of habitats outside the designated site areas for marsh harriers has been highlighted by

Natural England in relation to numerous planning applications (e.g. [89]). Usage of inland areas of wet grassland, rough grassland and agricultural land has also been documented for hen harriers, golden plovers, black-tailed godwits, redshanks and ruffs.

5.19 Where there is clearly the potential for functional linkage in relation to the Humber Estuary SPA / Ramsar, its geographic situation in relation to the former Selby district also requires consideration. The most westerly point of the SPA / Ramsar lies approx. 1km to the east of the district boundary. Generally, it is considered that most off-site land usage will be concentrated around the estuary itself. Furthermore, much of the bird interest in the SPA / Ramsar is likely to be concentrated further eastwards in the SPA / Ramsar, further away from Selby District. Notwithstanding this, LSEs of the SLP on the Humber Estuary SPA / Ramsar regarding the loss of functionally linked habitat cannot be excluded, particularly if development in the south-east of the Plan Area and the recently submitted East Yorkshire Solar Farm come forward and the site is screened in for Appropriate Assessment.

Thorne & Hatfield Moors SPA

5.20 The Thorne & Hatfield Moors SPA is designated for its significant population of breeding nightjar. Nightjars build their nests in bare patches on the ground (typically heathland) with widely scattered trees, in order to have clear sightlines for predator detection. They forage for insects in a variety of habitats up to 6km from their nests[90], including the interface between heaths and woodland, woodland clearings and rotationally managed woodland plantations. Generally, the loss of such habitats may affect the ecological functioning of the SPA population.

5.21 The former Selby district lies approx. 5.4km to the north of the closest point in the Thorne & Hatfield Moors SPA, which is close to the maximum foraging distance of nightjars (6km). A review of habitat mapping on MAGIC indicates that there is no heathland or woodland plantation in the south-eastern part of Selby District. Considering the long flight distance and the absence of habitats typically used by nightjars, it is concluded that LSEs of the SLP on the Thorne & Hatfield Moors SPA regarding the loss of functionally linked habitat can be excluded. The site is screened out from Appropriate Assessment in relation to this impact pathway.

Kirk Deighton SAC

5.22 The SAC is designated for a large great-crested newt population that inhabits its temporary pond system. While the ponds on site are integral to the breeding success of this species, great-crested newts also use a range of terrestrial habitats for foraging and hibernation. While great-crested newts have relatively limited mobility, such supporting habitats may lie up to 500m from the designated site boundary. Therefore, a loss of the supporting habitat mosaic surrounding newt breeding ponds due to development proposals should be avoided. However, the former Selby district lies approx. 6.7km to the south-east of the Kirk Deighton SAC, which is far beyond the distance that great-crested newts from the site are realistically expected to travel. Overall, it is concluded that the SLP will not affect the ecological integrity of the SAC's newt population and the site is therefore screened out from Appropriate Assessment.

Screening of SLP Policies and Site Allocations – Loss of Functionally Linked Habitat

5.23 The following individual allocations are screened in for Appropriate Assessment 'alone' because they lie within the typical foraging ranges of particular SPA / Ramsar waterfowl / waders associated with the Lower Derwent Valley SPA / Ramsar and / or the Humber Estuary SPA / Ramsar:

- Land at Turnhead Farm, Barlby (BARL-K) – 6.1km from the Lower Derwent Valley SPA / Ramsar
- Lake View Farm, Osgodby (OSGB-G) – 5.7km from the Lower Derwent Valley SPA / Ramsar
- Land east of Sand Lane (OSGB-I) – 5.5km from the Lower Derwent Valley SPA / Ramsar

[89] Cleve Hill Solar Park. (November 2018). Environmental Statement including Natural England's Discretionary Advice Service Response. Available at: https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010085/EN010085-000400-6.4.8.8%20NE%20DAS%20Advice.pdf [Accessed on the 10/11/2020]

[90] Alexander, I. & Cresswell, B. 1990. Foraging by Nightjars Caprimulgus europaeus away from their nesting areas. Ibis 132: 568–574.,

- Land north of Mill Lane, Carlton (CARL-G) – 9km from the Lower Derwent Valley SPA / Ramsar and 8.2km from the Humber Estuary SPA / Ramsar
- Bon Accord Farm, Main Street, Cliffe (CLIF-B) – 3.7km from the Lower Derwent Valley SPA / Ramsar and 8.9km from the Humber Estuary SPA / Ramsar
- Land north of Cliffe Primary School (CLIF-O) – 3.8km from the Lower Derwent Valley SPA / Ramsar and 9km from the Humber Estuary SPA / Ramsar
- Land East of Mill Lane, Hemingbrough (HEMB-G) – 3.1km from the Lower Derwent Valley SPA / Ramsar and 6.7km from the Humber Estuary SPA / Ramsar
- Land South of School Road, Hemingbrough (HEMB-K) – 2.6km from the Lower Derwent Valley SPA / Ramsar and 6.6km from the Humber Estuary SPA / Ramsar
- Land north of A163, North Duffield (NDUF-D) – 325m from the Lower Derwent Valley SPA / Ramsar
- Cross Hills Lane, Selby (SELB-BZ) – 9.1km from the Lower Derwent Valley SPA / Ramsar
- Land on the former Rigid Paper site, Denison Road, Selby (SELB-AG) – 7.5km from the Lower Derwent Valley SPA / Ramsar
- Industrial Chemicals Ltd, Canal View, Selby (SELB-B) – 8.1km from the Lower Derwent Valley SPA / Ramsar
- Olympia Park, Barlby Road, Barlby (SELB-CA) – 6.4km from the Lower Derwent Valley SPA / Ramsar

5.24 Furthermore, for the following SLP policies LSEs regarding functionally linked habitat loss cannot be excluded:

- Policy SG2 – Spatial Approach (Strategic Policy) (specifies that a minimum of 6,452 dwellings will be delivered between 2020 and 2040 and outlines the applicable settlement hierarchy)
- Policy EM1 – Meeting Employment Needs (Strategic Policy) (provides for three employment allocations in Eggborough, Sherburn in Elmet and Selby, totalling an area of 130.95ha)
- Policy EM5 – Tourist, Recreation and Cultural Facilities (Strategic Policy) (supports tourism and recreation developments across the district)
- Policy EM6 – Holiday Accommodation (Strategic Policy) (supports the provision of various types of holiday accommodation, such as hotels, guest houses and holiday cottages)
- Policy HG1 – Meeting Local Housing Needs (Strategic Policy) (specifies the delivery of 7,940 net new dwellings across the district; i.e. the quantum that needs assessment)
- Policy HG2 – Windfall Developments (Strategic Policy) (hypothetically enables the provision of further dwellings – in addition to those detailed in Policy HG1)
- Policy HG14 – Gypsy & Traveller Sites (provides for 12 Gypsy and Traveller Pitches in Newthorpe)
- Policy S2 – Selby Gateway Special Policy Area (hypothetically enables the provision of additional employment land)
- Policy T2 - London Road Special Policy Area (supports mixed use development)

Water Quality

Lower Derwent Valley SPA / Ramsar

5.25 The Lower Derwent Valley SPA's / Ramsar's qualifying species are not directly sensitive to water negative water quality changes (unless in relation to direct toxicity effects of certain chemicals). However, bird populations may be negatively impacted by water quality via cascading effects up the food chain. For example, invertebrates or aquatic macrophytes, the foraging resources of most waterfowl, may experience changes in their abundance and community structure as a result of eutrophication, mediated through spikes

in phosphorus loading (the limiting nutrient in freshwater bodies). The main source of phosphorus from Local Plans is in treated sewage effluent discharged from Wastewater Treatment Works (WwTWs). The SPA / Ramsar straddles the boundary of the former Selby district and depending on the location of new urban surfaces, there is thus also the potential for overflow from sewage systems or Package Treatment Plants (PTPs) to reach the site via surface run-off.

5.26 Depending on the condition assessment of local watercourses, the discharge location of WwTWs and the available headroom at those works, LSEs of the emerging SLP on the Lower Derwent Valley SPA / Ramsar regarding water quality cannot be excluded and the site is screened in for Appropriate Assessment.

Lower Derwent Valley SAC

5.27 In contrast to the qualifying species of the Lower Derwent Valley SPA / Ramsar, which overlaps the SAC, the habitats of the SAC are directly sensitive to negative changes in water quality. Both the lowland hay meadows and the alluvial forests have a high degree of hydrological connectivity with the River Derwent, and their plant species could be negatively impacted by phosphate-related eutrophication resulting from point-source discharges from WwTWs. Like the overlapping SPA / Ramsar, the Lower Derwent SAC straddles the boundary of the former Selby district and, depending on the location of new urban surfaces, there is the potential for overflow from sewage systems or Package Treatment Plants (PTPs) to reach the site via surface run-off.

5.28 As for the SPA / Ramsar, a more detailed assessment of the condition of SSSI components, discharge locations and available headroom of potential WwTWs is required. Overall, LSEs of the emerging SLP on the Lower Derwent Valley SAC regarding water quality cannot be excluded and the site is screened in for Appropriate Assessment.

River Derwent SAC

5.29 The water quality in the River Derwent SAC is crucial to its water course and the associated *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation. The extent of this type of vegetation has been recently reduced by nutrient enrichment from sewage as well as agricultural inputs. However, the Annex II species for which this SAC is notified (river lamprey, sea lamprey, bullhead) are also sensitive to water quality changes. Nutrient enrichment from treated sewage effluent in WwTWs can lead to the loss of suitable spawning substrate as a result of benthic algal growth and associated anoxia. Furthermore, low dissolved oxygen concentration in the SAC are known to impede the upstream migration of both river and sea lampreys. The River Derwent SAC straddles the boundary of the former Selby district on a north-south axis and, depending on the location of new urban surfaces, there is the potential for overflow from sewage systems or Package Treatment Plants (PTPs) to reach the site via surface run-off.

5.30 Of all sites notified within the Lower Derwent Valley, the River Derwent SAC is considered to have the highest sensitivity to water quality impacts. Therefore, LSEs of the emerging SLP on the SAC cannot be excluded and the site is screened in for Appropriate Assessment.

Humber Estuary SPA / Ramsar

5.31 The Humber Estuary SPA's / Ramsar's waterfowl, waders and birds of prey are all indirectly sensitive to water quality changes. High nutrient concentrations (since this is an estuary both phosphorus and nitrogen are likely to be important) are likely to cause phytoplankton and macroalgal blooms. In turn, eutrophication can lead to reduced dissolved oxygen (DO) levels, with potentially lethal and sub-lethal effects on infauna, epifauna and fish. Overall, this could mean that SPA / Ramsar bird species that are reliant on these affected species as a nutritional resource, have fewer food sources available.

5.32 It is noted that the Humber Estuary SPA / Ramsar lies outside of the former Selby district and has a relatively long flow distance to the nearest WwTW located in the former Selby district (Hemingbrough WwTW). It is likely that natural attenuation processes would reduce the nutrient load in the River Ouse over this distance. However, it is also noted that the Humber Estuary receives the combined treated wastewater load from two rivers (River Ouse and River Derwent) and numerous WwTWs that serve the former Selby district (Hemingbrough, Selby, Barlby and Wheldrake WwTWs). In-combination with the wastewater contributed by adjoining authorities, it is concluded that LSEs of the SLP on the Humber Estuary SPA / Ramsar in relation to water quality cannot be excluded and the site is screened in for Appropriate Assessment.

Humber Estuary SAC

5.33 The Humber Estuary SAC comprises several habitats and fish / mammal species that are dependent on good water quality. The Environment Agency's Weight of Evidence approach assesses the risk of eutrophication across the estuary as low. Furthermore, between 2009 and 2012 the dissolved oxygen concentration in the SAC was classified as being in 'good ecological status'. However, in the years of 2013 and 2014, the Upper Humber failed its Water Framework Directive (WFD) targets due to a decline in DO concentrations. Importantly, Natural England's Site Conservation Objectives Supplementary Advice Note highlights that the Dissolved Oxygen sag (reduction) is not currently affecting any of the qualifying habitats / species. However, to be precautionary, and in line with the screening decision for the overlapping Humber Estuary SPA / Ramsar, the SAC is screened in for Appropriate Assessment.

Thorne Moor SAC

5.34 Generally, the Thorne Moors SAC depends on the input of water of sufficient quality to maintain the ecological viability of its active raised bog feature, including plants such as bog-mosses *Sphagnum* spp., heather and cross-leaved heath. This is important because many of these species are adapted to low-nutrient conditions and would be at a competitive disadvantage to other plants under higher nutrient regimes. However, the SAC lies approx. 3.5km from the Humber estuary, which would be the only realistic pathway to water-quality issues arising from the SLP. At this distance it is considered unlikely that the development in the former Selby district would materially contribute to the nutrient load in the SAC. Overall, LSEs regarding water quality can be excluded and the site is screened out from Appropriate Assessment.

Kirk Deighton SAC

5.35 The Kirk Deighton SAC is sensitive to negative changes in water quality due its great-crested newts. A significant increase in phosphorus levels (the limiting nutrient in freshwater environments) could lead to eutrophication, with concomitant low DO levels and high turbidity. High turbidity, in particular, has been observed in the SAC previously and could lead to the blocking of gills, hampering newt displaying behaviour and reducing invertebrate numbers. While the Kirk Deighton SAC is sensitive to water quality impacts in principle, it lies in a different hydrological catchment than the waterbodies receiving treated sewage from the SLP. Therefore, LSEs of the SLP on the SAC can be excluded and the site is screened out from Appropriate Assessment in relation to the impact pathway water quality.

Screening of SLP Policies and Site Allocations – Water Quality

5.36 Some allocations may have the potential for impacting the water quality in aquatic European sites through direct surface run-off (such as from overflowing sewerage systems or Package Treatment Plants; PTPs). The following individual development allocations are screened in for Appropriate Assessment 'alone' because they lie in close proximity to European sites that are dependent on good water quality:

- Land East of Mill Lane, Hemingbrough (HEMB-G) – 1.2km from the River Derwent SAC
- Land South of School Road, Hemingbrough (HEMB-K) – 1.5km from the River Derwent SAC
- Land north of A163, North Duffield (NDUF-D) – 475.9m from the Lower Derwent Valley SPA / Ramsar
- Land north of Gothic Farm, Back Lane (NDUF-O) - 400.2m from the Lower Derwent Valley SPA / Ramsar

5.37 Furthermore, for the following SLP policies LSEs regarding water quality impacts cannot be excluded, including:

- Policy SG2 – Spatial Approach (Strategic Policy) (specifies that a minimum of 6,452 dwellings will be delivered between 2020 and 2040 and outlines the applicable settlement hierarchy)
- Policy EM1 – Meeting Employment Needs (Strategic Policy) (provides for three employment allocations in Eggborough, Sherburn in Elmet and Selby, totalling an area of 130.95ha)
- Policy EM5 – Tourist, Recreation and Cultural Facilities (Strategic Policy) (supports tourism and recreation developments across the district)

- Policy EM6 – Holiday Accommodation (Strategic Policy) (supports the provision of various types of holiday accommodation, such as hotels, guest houses and holiday cottages)
- Policy HG1 – Meeting Local Housing Needs (Strategic Policy) (specifies the delivery of 7,940 net new dwellings across the district; i.e. the quantum that needs assessment)
- Policy HG2 – Windfall Developments (Strategic Policy) (hypothetically enables the provision of further dwellings – in addition to those detailed in Policy HG1)
- Policy HG14 – Gypsy & Traveller Sites (provides for 12 Gypsy and Traveller Pitches in Newthorpe)
- Policy S1 - Selby Station Quarter Special Policy Area (hypothetically enables the provision of further dwellings in addition to those detailed in Policy HG1)
- Policy S2 – Selby Gateway Special Policy Area (hypothetically enables the provision of additional employment land)
- Policy T1 Tadcaster Town Centre Regeneration Area – Special Policy Area (hypothetically enables the provision of further dwellings in addition to those detailed in Policy HG1)
- Policy T2 London Road Special Policy Area (hypothetically enables the provision of further dwellings in addition to those detailed in Policy HG1 and employment land)

Water quantity, level and flow

Lower Derwent Valley SPA / Ramsar

5.38 Most of the qualifying bird species in the Lower Derwent Valley SPA / Ramsar are dependent on water availability within naturally fluctuating limits. For example, golden plovers feed on a range of prey species (e.g. earthworms, leatherjackets, beetles and spiders) and thus require the maintenance of the overall area of wet / flooded grassland. Furthermore, ruff depend on an optimal water depth of between 1-3cm to roost and forage. Both the drying out (this will reduce prey abundance) and increased flooding (most birds are visual predators and will find it difficult to forage in deeper water) of land could affect the ability of this species to meet its nutritional needs. In the Site Conservation Objectives Supplementary Advice Note, Natural England identifies that water levels in the SPA / Ramsar are primarily the result of climate change and water level conditions in rivers, primarily the River Derwent. Depending on the source of potable water to meet the growing water demand in Selby District, LSEs of the SLP on the Lower Derwent Valley SPA / Ramsar regarding water quantity, level and flow cannot be excluded and the site is screened in for Appropriate Assessment.

Lower Derwent Valley SAC

5.39 The Lower Derwent Valley SAC is designated for its lowland hay meadows and alluvial forests, both of which depend on the hydrological input from the River Derwent. The hay meadows depend on seasonal flooding for its associated nutrient input. In order to guarantee this, the SAC requires near-surface water tables all year, ranging from 35cm below ground level (bgl) in winter to 70cm bgl in summer. Natural England's Site Conservation Objectives Supplementary Advice Note highlights that the SAC's ecosystem needs a cumulative flooding duration of 10 days in winter and none in the summer period. Like the overlapping SPA / Ramsar, the integrity of SAC habitats clearly depends on maintaining the hydrological regime within relatively narrow limits.

5.40 The SLP will increase the water demand in the former Selby district and, depending on whether additional water resources will have to be explored to meet this demand, could result in more freshwater being abstracted from the wider River Derwent catchment. Overall, LSEs of the SLP on the Lower Derwent Valley SPA / Ramsar regarding water quantity, level and flow cannot be excluded and the site is screened in for Appropriate Assessment.

River Derwent SAC

5.41 The River Derwent SAC is designated for its water course and several fish species. All these features depend on maintaining the hydrological integrity of the river system. For example, the sea lamprey is an anadromous species that spawns in freshwater and completes its life cycle in the sea. Low river flows can impede this species' ability to reach upstream gravel substrate needed for spawning. River flows are less

of a threat to river lamprey, as this species is less mobile and tends to remain in the lower reaches of rivers. A stable flow regime with fast flows is also integral for all aspects of the bullhead life cycle. The river flows are also important to the *Ranunculion fluitantis* and the *Callitricho-Batrachion* vegetation, as this determines bed hydraulics, wetted area, and the temperature / dissolved oxygen regimes. Natural England's SIP lists water abstraction (and resulting reduced flows) as a threat to the integrity of this riverine SAC. For example, a largely unrestricted drinking water abstraction point at Elvington is thought to impact on observed flows in the river. Overall, LSEs of the SLP on the River Derwent SAC regarding water quantity, level and flow cannot be excluded and the site is screened in for Appropriate Assessment.

Humber Estuary SPA / Ramsar

5.42 The Humber Estuary SPA's / Ramsar's wide array of qualifying species (including waterfowl, waders and bird of prey) depends on stable hydrological patterns and water areas within the estuary and its wider network of supporting habitats. For example, black-tailed godwits, golden plovers and redshanks require the maintenance of sufficient areas of grassland in wet / flooded conditions. In contrast, breeding species such as avocets and bitterns depend on water levels to be maintained below a 2cm fluctuation to avoid nests being flooded. Most SPA / Ramsar species require a water depth within relatively narrow limits for optimal foraging or roosting. While a review of Natural England's SIP does not list water abstraction or hydrology as a threat to the SPA / Ramsar, the site is screened in for Appropriate Assessment as a precautionary measure due to the sensitivity of its qualifying species to changes in water levels.

Humber Estuary SAC

5.43 The overlapping Humber Estuary SAC is designated for a diverse array of habitat types, including estuaries, mudflats and sandflats, Atlantic saltmarsh and different variants of dune habitats. Furthermore, the SAC also supports river lamprey, sea lamprey (an anadromous species) and grey seal. Natural England's Conservation Objectives Supplementary Advice Note specifies that the magnitude of freshwater input to estuaries is vital in maintaining its water circulation and salinity gradient. Therefore, an appropriate hydrological connectivity to upstream fluvial catchments needs to be maintained. Water flow rates are of primary importance for anadromous species (e.g. sea lamprey) that need to reach upstream spawning habitats (see screening section on the River Derwent SAC). Low flow rates might result in the severance of upstream migratory routes and prevent lampreys from reaching their established breeding grounds. Overall, LSEs of the emerging SLP on the Humber Estuary SAC regarding water quantity, level and flow cannot be excluded and the site is screened in for Appropriate Assessment.

Skipwith Common SAC

5.44 The SAC's qualifying wet heaths with *Erica tetralix* have some dependence on hydrological supply. Given the relatively long distance to the nearest major rivers (Rivers Derwent and Ouse) it is considered that the SAC will be primarily groundwater-fed. All WwTWs identified in The former Selby district discharge into surface waterbodies and it is extremely unlikely that the effluent discharge locations will have hydrological connectivity with the Skipwith Common SAC. Therefore, LSEs of the SLP on the SAC can be excluded and the site is screened out from Appropriate Assessment in relation to this impact pathway.

Hatfield Moor SAC

5.45 Hatfield Moors is a remnant of an extensive lowland raised bog which once occupied the Humberhead levels. Hatfield is unique in having developed directly upon nutrient deficient gravels without an initial reed-swamp phase. Much of the bog has been cut for peat yet a restricted representative flora and fauna persists within a mosaic of mire and dry heath habitats beneath birch scrub. Lowland raised bog gets all its water supply from rainfall, snow and mist, therefore, LSEs of the SLP on the SAC can be excluded and the site is screened out from Appropriate Assessment in relation to this impact pathway.

Thorne and Hatfield Moors SPA

5.46 As with Hatfield Moor SAC, the main habitat type is lowland raised bog and LSEs of the SLP on the SPA can be excluded and the site is screened out from Appropriate Assessment in relation to this impact pathway.

Kirk Deighton SAC

5.47 The ecological integrity of the Kirk Deighton SAC, which supports a large breeding population of great-crested newts in one of its ponds, is clearly dependent on water supply. The main breeding pond within the site has a highly fluctuating water level, which sometimes leads to pond desiccation. However, this is not affecting the population size of newts here. Natural England's SIP does not highlight water abstraction or hydrology as a specific threat / pressure to the site's integrity. Therefore, it is not considered that additional water abstraction for the SLP could realistically impact the water level in the Kirk Deighton SAC. The site is screened out from Appropriate Assessment in relation to this impact pathway.

Screening of SLP Policies and Site Allocations – Water Quantity, Level and Flow

5.48 Overall, LSEs of several SLP policies on the water quantity, level and flow in these European sites cannot be excluded, including:

- Policy SG2 – Spatial Approach (Strategic Policy) (specifies that a minimum of 6,452 dwellings will be delivered between 2020 and 2040 and outlines the applicable settlement hierarchy)
- Policy EM1 – Meeting Employment Needs (Strategic Policy) (provides for three employment allocations in Eggborough, Sherburn in Elmet and Selby, totalling an area of 130.95ha)
- Policy EM5 – Tourist, Recreation and Cultural Facilities (Strategic Policy) (supports tourism and recreation developments across the district)
- Policy EM6 – Holiday Accommodation (Strategic Policy) (supports the provision of various types of holiday accommodation, such as hotels, guest houses and holiday cottages)
- Policy HG1 – Meeting Local Housing Needs (Strategic Policy) (specifies the delivery of 7,940 net new dwellings across the district; i.e. the quantum that needs assessment)
- Policy HG2 – Windfall Developments (Strategic Policy) (hypothetically enables the provision of further dwellings – in addition to those detailed in Policy HG1)
- Policy HG14 – Gypsy & Traveller Sites (provides for 12 Gypsy and Traveller Pitches in Newthorpe)
- Policy S1 - Selby Station Quarter Special Policy Area (hypothetically enables the provision of further dwellings in addition to those detailed in Policy HG1)
- Policy S2 - Selby Gateway Special Policy Area (hypothetically enables the provision of additional employment land)
- Policy T1 Tadcaster Town Centre Regeneration Area – Special Policy Area (hypothetically enables the provision of further dwellings in addition to those detailed in Policy HG1)
- Policy T2 London Road Special Policy Area (supports mixed use development)

Atmospheric Pollution (Through Nitrogen Deposition)

River Derwent SAC

5.49 In their response to the Regulation 18 Local Plan Natural England accepted our point that the river channel of the River Derwent SAC is not being air quality sensitive and/or does not have any appropriate critical loads. However, Natural England asked the Council to consider impacts on 'supporting habitat' (e.g. fen, swamp or wet woodland) within the river corridor even though technically not SAC features. For the purposes of this iteration of the HRA, AECOM therefore modelled two transects on the roads within 200m of the SAC which are most likely to be affected by traffic growth in the Local Plan and which have functionally linked habitat within 200m. These are the A163 and the A63 Hull Road. LSEs of the SLP on the River Derwent SAC cannot be dismissed. The site is therefore screened into Appropriate Assessment in relation to this impact pathway.

Lower Derwent Valley SPA / Ramsar

5.50 The Lower Derwent Valley SPA is designated for several species of waterfowl, which require a range of food resources, such as grasses and different types of invertebrates. However, the impacts of atmospheric nitrogen deposition from road traffic on these foraging resources are not clear-cut. For example, APIS identifies that the impact of nitrogen deposition on the food of wigeons and golden plovers may be positive or negative. Teal might actually benefit from additional nutrient loadings in their habitats because the seeds or invertebrates they rely on could increase under higher nutrient regimes. Overall, given that the implications of atmospheric pollution for many of the SPA's / Ramsar's qualifying species are uncertain, LSEs of the SLP on the Lower Derwent Valley SPA / Ramsar cannot be dismissed. The site is therefore screened into Appropriate Assessment in relation to this impact pathway.

Lower Derwent Valley SAC

5.51 The Lower Derwent Valley SAC is designated for lowland hay meadows for which APIS identifies a critical nitrogen load of 10-20 kg N/ha/yr. An exceedance of this critical load could result in a transition of the SAC's ecosystem towards tall grasses and lower overall biodiversity. Review of habitat mapping on APIS indicates that qualifying meadow habitat lies directly adjacent to the A163 (and therefore within a 200m screening distance used for road traffic impacts), connecting the former Selby district with the authority of East Riding of Yorkshire. The A163 is one of the main transport arteries connecting the two authorities and is likely to be used by residents commuting to their respective workplaces in the two districts. Overall, LSEs of the emerging SLP on the Lower Derwent Valley SAC cannot be excluded and the site is screened in for Appropriate Assessment.

Skipwith Common SAC

5.52 The qualifying Northern Atlantic wet heaths with *Erica tetralix* and the European dry heaths within the SAC both have a critical nitrogen load of 5-15 kg N/ha/yr. Heathlands are nutrient-poor habitats and resident species have specifically adapted to these conditions. An exceedance of the critical load would lead to a transition from heather to more competitive grasses. Furthermore, excessive nitrogen deposition leads to a decline in lichen abundance and diversity, changes in plant biochemistry and increased susceptibility of abiotic stress (e.g. frost and drought). A review of the road infrastructure surrounding the SAC indicates that the closest major road (the A163) lies approx. 386m from the site boundary. This is beyond the distance (200m) that road traffic has been shown to materially contribute to nitrogen deposition in European sites. However, York Road, although a minor road, does lie within 200m of the SAC and could be affected by growth within Selby. For this reason Natural England requested that air quality impacts on the SAC are covered by modelling.

5.53 Therefore, LSEs of the SLP on the Skipwith Common SAC cannot be excluded and the site is taken forward to Appropriate Assessment.

Humber Estuary SPA / Ramsar

5.54 The Humber Estuary SPA / Ramsar supports populations of waterfowl, waders and birds of prey. The sensitivity of these species to nitrogen deposition varies considerably, with some species likely to benefit from higher food availability under higher nutrient loadings. Some of the SPA's / Ramsar's breeding species (e.g. little tern, marsh harrier and bittern) might be negatively impacted by an increase in atmospheric pollution because an increase in nutrient flux would lead to reduced breeding opportunities for the species. Other species, such as the dark-bellied brent goose, specialise in feeding on saltmarsh plant. APIS identifies saltmarsh as being sensitive to atmospheric nitrogen deposition (critical nitrogen load of 10-20 kg N/ha/yr).

5.55 The main roads that are most relevant to commuter traffic arising from the SLP and the Humber Estuary SPA / Ramsar are sections of the A63 and the M62. Both roads have high traffic volumes and traverse the western-most part of the estuary. The Hull Local Plan included assessment of impacts from the A63 on the Humber Estuary designations. However, a review of habitat mapping on APIS and Magic[91] indicates that none of the habitats (with a critical nitrogen load available) supporting SPA / Ramsar occur in this area of the site. Nitrogen-sensitive habitats relevant to breeding and / or foraging birds include coastal saltmarsh, vegetated shingle, reedbeds and sand dunes. The only habitat mapped within 200m of the A63 and the M62 are mudflats, which do not have an atmospheric critical nitrogen load because it is not a vegetated habitat.

[91] https://magic.defra.gov.uk/MagicMap.aspx

The nearest saltmarsh within 200m of a significant road appears to be in Hull, over 40km from Selby town and over 30km from the Selby boundary. In terms of air quality impacts it is usual to look at sites up to 10km from the boundary because traffic gets very dispersed at greater distances.

5.56 Overall, given a detailed appraisal of supporting habitats within the Humber Estuary SPA / Ramsar, it is concluded that the emerging SLP will not result in LSEs on the SPA / Ramsar regarding atmospheric pollution. The site is screened out from Appropriate Assessment in relation to this impact pathway.

Humber Estuary SAC

5.57 Given that the Humber Estuary SAC overlaps with the SPA / Ramsar, the same road links (i.e. sections of the A63 and the M62) are relevant in relation to the SAC. However, as highlighted above, none of the nitrogen-sensitive habitats occur within 200m from these roads. Therefore, in line with the above, the Humber Estuary SAC is screened out from Appropriate Assessment in relation to this impact pathway.

Thorne & Hatfield Moors SPA

5.58 The Thorne & Hatfield Moors SPA lies approx. 5.4km to the south-east of the former Selby district and therefore within the average distance travelled by commuters in the UK. The site is designated for breeding nightjar, which are sensitive to atmospheric nitrogen deposition because they build their 'nests' as bare scrapes on the ground. An exceedance of the site's critical nitrogen load (5-15 kg N/ha/yr for European dry heaths) could lead to the loss of suitable nightjar nesting habitat. Doncaster Local Plan considered air quality impacts on Thorne and Hatfield Moors SPA. However, while minor local roads within 200m of the SPA may be relevant to journey to work routes arising from Doncaster, they will not be relevant to journey to work routes arising from other local authorities, where such journeys will generally be confined to more significant routes. A review of the local road infrastructure highlights that the M18 is the closest major road to the SPA, approx. 1.3km away. This is beyond the screening distance of 200m used for nitrogen deposition effects from roads. Therefore, LSEs of the SLP on the Thorne & Hatfield Moors SPA can be excluded. The site is screened out from Appropriate Assessment in relation to this impact pathway.

Thorne Moor SAC

5.59 The degraded raised bogs in the Thorne Moor SAC are highly sensitive to atmospheric nitrogen deposition from road traffic. APIS specifies a critical nitrogen load of 5-10 kg N/ha/yr for this habitat and exceedances can result in the growth of vascular plants, the loss of bryophyte cover and a reduction in photosynthetic activity. However, the Thorne Moors SAC overlaps with the northern section of the Thorne & Hatfield Moors SPA and does not lie within 200m of a major road. Therefore, LSEs of the SLP on the Thorne Moor SAC can be excluded. The site is screened out from Appropriate Assessment in relation to this impact pathway.

Hatfield Moor SAC

5.60 The Hatfield Moor SAC is designated for raised and blanket bogs, which have a critical nitrogen load of 5-10 kg N/ha/yr. An exceedance of this load is likely to result in changes to the SAC's community composition, such an increase in shading vascular plants and declines in bryophyte abundance and diversity. However, the closest major road to the SAC is the M180 at approx. 838m distance. On its western edge, the A614 is about 371m from the Hatfield Moors SAC. Therefore, both roads lie beyond the 200m distance for which road effects on nitrogen deposition would arise. LSEs of the SLP on the Hatfield Moor SAC can be excluded. The site is screened out from Appropriate Assessment in relation to this impact pathway.

Screening of SLP Policies and Site Allocations – Atmospheric Pollution

5.61 The following SLP policies have the potential to increase regular commuter traffic and are screened in for Appropriate Assessment regarding the impact pathway atmospheric pollution:

- Policy SG2 – Spatial Approach (Strategic Policy) (specifies that a minimum of 6,452 dwellings will be delivered between 2020 and 2040 and outlines the applicable settlement hierarchy)
- Policy EM1 – Meeting Employment Needs (Strategic Policy) (provides for three employment allocations in Eggborough, Sherburn in Elmet and Selby, totalling an area of 130.95ha)

- Policy HG1 – Meeting Local Housing Needs (Strategic Policy) (specifies the delivery of 7,940 net new dwellings across the district; i.e. the quantum that needs assessment)
- Policy HG2 – Windfall Developments (Strategic Policy) (hypothetically enables the provision of further dwellings – in addition to those detailed in Policy HG1)
- Policy HG14 – Gypsy & Traveller Sites (provides for 12 Gypsy and Traveller Pitches in Newthorpe)
- Policy S1 - Selby Station Quarter Special Policy Area (hypothetically enables the provision of further dwellings in addition to those detailed in Policy HG1)
- Policy S2 - Selby Gateway Special Policy Area (hypothetically enables the provision of additional employment land)
- Policy T1 Tadcaster Town Centre Regeneration Area – Special Policy Area (hypothetically enables the provision of further dwellings in addition to those detailed in Policy HG1)
- Policy T2 London Road Special Policy Area (supports mixed use development)

6. Appropriate Assessment

Recreational Pressure

6.1 An assessment of the distribution of housing growth across Selby District, indicated that the following European sites were most likely to be impacted by a significant increase in recreational footfall:

- Lower Derwent Valley SPA / Ramsar / SAC
- Skipwith Common SAC
- Humber Estuary SPA / Ramsar / SAC

6.2 The following individual allocations were screened in for potential recreational pressure effects ‘alone’ due to their proximity to the Lower Derwent Valley SPA / Ramsar / SAC:

- Land north of A163, North Duffield (NDUF-D) – 40 dwellings within 325m from the Lower Derwent Valley SPA / Ramsar / SAC

6.3 The previous chapter identified several SLP policies for which LSEs regarding recreational pressure could not be excluded, including:

- Policy SG2 – Spatial Approach (Strategic Policy) (specifies that a minimum of 6,452 dwellings will be delivered between 2020 and 2040 and outlines the applicable settlement hierarchy)
- Policy EM5 – Tourist, Recreation and Cultural Facilities (Strategic Policy) (supports tourism and recreation developments across the district)
- Policy EM6 – Holiday Accommodation (Strategic Policy) (supports the provision of various types of holiday accommodation, such as hotels, guest houses and holiday cottages)
- Policy HG1 – Meeting Local Housing Needs (Strategic Policy) (specifies the delivery of 7,940 net new dwellings across the district; i.e. the quantum that needs assessment)
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- Policy S1 - Selby Station Quarter Special Policy Area (hypothetically enables the provision of further dwellings in addition to those detailed in Policy HG1)
- Policy T1 Tadcaster Town Centre Regeneration Area – Special Policy Area (hypothetically enables the provision of further dwellings in addition to those detailed in Policy HG1)
- Policy T2 London Road Special Policy Area (supports mixed use development)

Lower Derwent Valley SAC/ SPA / Ramsar

6.4 According to the Natural England's Site Improvement Plan (SIP) and Supplementary Advice on Conservation Objectives, the Lower Derwent Valley SPA / Ramsar / SAC is sensitive to recreational pressure. A review in the ViewRanger application highlights that most of the paths permeating the site run along the banks of the River Derwent, which is where the SIP also identifies the focal point of recreational pressure to be located. There are relatively few formal car parks distributed within the site (providing access to the Derwent Ings in its northern section near Wheldrake and in its southern part around Bubwith), indicating that much of the recreational pressure is likely to arise locally from settlements near the valley and within easy walking distance (e.g. c. 1km).

6.5 The residential allocation in North Duffield (NDUF-D, Land North of A163) was screened in for recreational pressure effects 'alone', given its proximity to the Lower Derwent Valley SPA / Ramsar / SAC of under 1km. This falls within the walking distance that local residents can reasonably be expected to walk from home to reach a destination for recreation. Furthermore, much of the land around the Lower Derwent Valley is intensive arable land, such that the valley with its wildlife interest is likely to represent the main draw for visitors in the area. The single allocation would result in an increase of 40 residential dwellings or 108 additional people living in close proximity to the site (based on an average number of people per household in the UK of 2.4). These dwellings could, due to their proximity, result in elevated recreational footfall in the SPA / Ramsar / SAC, particularly of regular 'on-foot' visitors. There are a further 280 dwellings to be delivered in the Local Plan within 5km of the SPA/SAC/Ramsar site, which could also increase visitor pressure although this is a small number for a large area.

6.6 To evaluate whether this would have the potential to result in significant disturbance of SPA / Ramsar waterfowl and, ultimately, might result in adverse effects on site integrity, levels of visitor use in the site require assessment. Selby District Council and York City Council commissioned a visitor survey at key access locations in the Lower Derwent Valley SPA / Ramsar / SAC, which was undertaken by Footprint Ecology in 2018. Visitor counts and interviews were conducted at three car parks, likely to be the main access locations to the site. The survey locations included a car park (North Duffield Carrs) on the north side of the A163 near North Duffield, which is the site entrance that would be most relevant for pedestrian visitors from the two sites allocated in North Duffield.

6.7 Importantly, at the North Duffield access point, no visitors were counted over two survey days (a total of 16 hours of surveying). This does not mean that no-one visits this part of the site but does highlight that the part of the SPA / Ramsar / SAC closest to North Duffield is currently receiving very low recreational footfall. Of course, visitors from North Duffield could use other parts of the valley (e.g. the Wheldrake Ings or Bank Island, two locations further north that were also surveyed). However, the maximum number of people entering the site at any of these further locations was 2.8 people per hour (with a maximum of 0.4 dogs per hour), indicating that levels of recreational use are low across the entire floodplain. Most notably, the site does not seem particularly popular with dog walkers, which tend to have the greatest disturbance impact in nature conservation sites.

6.8 Otters establish large territories along waterways and also embracing adjacent riparian land to provide adequate foraging, resting and breeding sites. Young adults will also use the full length of waterways when establishing new territories.

6.9 In common with experiences across much of lowland England, populations have been steadily increasing as water quality, in particular, has improved. Otters are typically nocturnal and (considered to be) elusive, and although they will range widely to forage (frequently coming into contact with people) holts and resting places are usually established away from human influence. Therefore, the vulnerability of this species can vary on a diurnal or seasonal basis.

6.10 However, as no new development is proposed in the immediate vicinity of the waterways and riparian habitats other than in or on the edge of established settlements some distance away, it is considered highly unlikely that the conservation objectives for otters on the River Derwent could be undermined and so likely significant effects were ruled out alone.

6.11 Otters are features of both the River Derwent and Lower Derwent Valley European sites. Whilst these will essentially embrace the same communities, they complement each other, the former more effectively safeguarding the long stretches of river and the latter providing extensive areas of riparian land. The same outcomes, as expressed above, can confidently be applied to both European sites.

6.12 Overall, notwithstanding the allocation of 110 residential dwellings in North Duffield between sites NDUF-D and NDUF-O, these would not result in adverse effects on the Lower Derwent Valley SPA / Ramsar / SAC 'alone'.

In-Combination Assessment

6.13 In addition to the individual site in North Duffield, the SLP's anticipated overall residential growth of 7,728 dwellings over the plan period was also screened in, particularly in-combination with growth allocated in adjoining authorities, such as the City of York. Of the 7,728 dwellings, the emerging SLP allocates only 320 dwellings) within 5km of the Lower Derwent Valley SPA / Ramsar / SAC. Five kilometres is the zone within which most frequent or regular visitors to an inland European site derive and growth within this zone is thus expected to significantly contribute to the recreational footprint in such sites.

6.14 This level of growth needs to be set into the context of growth in other nearby authorities as specified in the emerging plans for the City of York (11,788 dwellings) and the East Riding of Yorkshire (20,000 dwellings). The western part of East Riding of Yorkshire, the area that is closest to the Lower Derwent SPA / Ramsar / SAC, is very rural and unlikely to significantly contribute to recreational pressure in the site given the small number of dwellings proposed within 5km visitor threshold of the site. Furthermore, access to the access to the Lower Derwent Valley and River Derwent in this area is significantly influenced by the presence of the NNR and a carefully managed network of footpaths and hides. A considerable amount of private land restricts access still further. The HRA of the of the East Riding of Yorkshire Council Local Plan Update 2020-2039[92] concluded ***"it is considered that adverse effects on the integrity of the Lower Derwent Valley SPA/SAC and River Derwent SAC from recreational pressure can be avoided in-combination beyond reasonable scientific doubt. No mitigation is required."***

6.15 Residential growth in the City of York conurbation, due to its proximity to the northern part of the SPA / Ramsar / SAC, is likely to have a much more significant contribution to the site's overall recreational footprint.

6.16 Footprint Ecology's 2018 visitor survey provides the evidence base for the in-combination assessment of recreational pressure. As discussed in relation to growth in North Duffield, the overall number of visitors in the Lower Derwent Valley SPA / Ramsar / SAC is low. Only 69 visitors with a total of 6 dogs were counted across three survey points over a total of 16 hours of surveying at each location. Compared to many other European sites, this is a very low level of recreational use and indicates that the site has residual recreational capacity (see above).

6.17 Other results from the visitor interviews indicate that the impact of those people that do visit, is relatively low. For example, walking and bird watching in the SPA / Ramsar / SAC (69% of interviewees) was far more popular than dog walking (10.3%). Therefore, recreation in the site appears to centre around less disturbing activities, which are likely to have lower impacts on the qualifying bird species. Furthermore, most visitors do not visit frequently, with approx. 75% visiting at most '2 to 3 times per month'. There was no clear seasonal trend in visit patterns, although slightly more interviewees preferred to visit the site in spring / summer (41.3%) than in autumn / winter (34.4%). A clearer preference for the months when overwintering waterfowl are not present within the SPA / Ramsar / SAC, may have further reduced recreational pressure impacts.

6.18 Interviewees were also asked for their home postcodes, which is important for establishing a core recreational catchment (typically the 75th percentile of 'distance to home' data) for European sites and identifying the contribution by different Local Planning Authorities to the in-combination recreational footprint. Overall, of the 48 successfully geo-referenced visitor postcodes, 14 visitors (27%) were from Selby (although 12 of these were interviewed on the Skipwith Common SAC) and 19 visitors (40%) originated from the City of York. These data highlight that the former Selby district is currently making a very small contribution to the recreational pressure in the Lower Derwent Valley SPA / Ramsar / SAC and that is likely to continue to be the case.

6.19 In terms of straight-line distances to home from relevant survey points, 75% of visitors at Wheldrake Ings travelled from within 14.42km from home and at Bank Island the 75% percentile was higher still at 38.78km. These data highlight the large recreational catchment of the Lower Derwent Valley SPA / Ramsar / SAC, which would include large parts of the Selby District, although the large zone is probably also a function of the relative remoteness of the SPA from major population centres (even York, by far the largest settlement

[92] Fleming Ecology (August 2023). Habitats Regulations Assessment of the East Riding of Yorkshire Council Local Plan Update 2020-2039 (Version 2)

within the core catchment, is almost 8km to the north west of the SPA). Moreover, these results need to be set into the context of the low overall levels of recreational use in the site despite the proximity of a city (York) with a population of more than 150,000 people. The number of interviews per property (expressed as the number of interviews divided by the total number of dwellings in given distance bands) decline markedly beyond 5km, suggesting that housing has little importance for recreational footfall at greater distances.

6.20 As highlighted above, a larger percentage of visitors to the SPA / Ramsar originate from the City of York than the Selby District. The emerging City of York Local Plan (CYLP) allocates two large sites within relatively close proximity to the Lower Derwent Valley SPA / Ramsar. Land West of Elvington Lane is a new garden village allocated for 3,339 dwellings (approx. 2.5km from the SPA / Ramsar) and Station Yard, Wheldrake allocates 147 dwellings in Wheldrake (directly adjacent to the busiest part of the SPA / Ramsar, the Wheldrake Ings SSSI). Given the existing recreation patterns in the SPA / Ramsar (most notably that the northern part of the site is much more popular), it is likely that sites allocated in the CYLP will have a disproportionately larger effect in the European site and a new garden village only a few kilometres from the SPA/Ramsar could change recreational patterns entirely without mitigation. To mitigate recreational pressure in the Lower Derwent Valley SPA / Ramsar, the CYLP therefore requires both allocations to deliver bespoke on-site measures. For example, the garden village will need to deliver a detailed site wide recreation and access strategy to minimise indirect recreational disturbance resulting from the development. Both allocations will need to create additional on-site open space and play facilities to enhance the recreational draw for future residents. As mentioned in the HRA of the CYLP, these mitigation measures are necessary due to the large number of dwellings proposed and the proximity of the site allocations to the SPA / Ramsar. According to the CYLP HRA[93], there is no significant potential for in-combination recreational pressure effects in the Lower Derwent Valley SPA / Ramsar with the ERYC Local Plan or Selby Local Plan as York is by far the largest source of new housing within the core catchment of the SPA / Ramsar.

6.21 Notwithstanding all this, Natural England have expressed some reservations about the potential for 'in combination' recreational pressure on Lower Derwent Valley SAC/SPA. This is mainly associated with the fact that the survey focussed on gateways to the site (such as car parks) and therefore may have overlooked more diffuse entries. Therefore adverse effects on integrity in combination cannot be dismissed without mitigation.

6.22 The SLP, once adopted, will be supported by a Green Infrastructure (GI) Strategy. **Policy NE2 (Protecting and Enhancing Green and Blue Infrastructure)** provides extensive references to the importance of green infrastructure, with a strong focus on improving access to greenspace for recreation and leisure. The policy specifies that the Council will '*seek to protect, maintain, enhance and, where possible, restore and extend Selby District's green and blue infrastructure assets (GBI).*' The policy goes on to state that development proposals must '*protect and enhance the functionality and connectivity of green and blue infrastructure and corridors having regard to the latest GBI audits and strategies.*' Furthermore, the policy states '*that the GBI should principally benefit the development and enhance or create or facilitate links to connect to the wider network.*' The GI Strategy recognises that the safeguarding, enhancement and provision of green and blue infrastructure also plays a key role in mitigating against pressures upon and the vulnerability of more fragile habitats and sites across the District.

6.23 It is considered that improvements to locally available greenspace is likely to help reduce recreational visits to more protective European sites, such as the Lower Derwent Valley SPA / Ramsar and further underline the conclusion of no adverse effects on integrity from the residual small amount of housing planned for the core catchment in Selby (255 dwellings within 5km), once the main new housing in York is mitigated. Any enhancements to the local GI fabric would have to be strategically placed, such the likelihood of attracting new residents would be maximised. For example, in relation to the Lower Derwent Valley SPA / Ramsar, GI improvements around North Duffield (particularly between the settlement and the closest access point to the SPA / Ramsar) are likely to be most effective.

6.24 Moreover, the Council will review the Lower Derwent Valley SPD that was produced with adjacent local authorities as a draft in 2017, with a view to adoption as a method of addressing future recreational pressure. The SDP was adopted by ERYC in 2018 as at that moment in time the other local authorities involved in the document, including Selby, were/ are at different stages in the preparation of their respective Local Plans, and SPDs must relate to adopted Local Plan policies. This is reflected in a requirement in Policy NE1 that '*Proposals that may directly, indirectly or cumulatively impact on a Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site sites will only be supported where it can be demonstrated*

[93] Available at: https://www.york.gov.uk/downloads/file/1824/ex-cyc-14c-annex-c-habitat-regulation-assessment-feb-2019

that there will be no adverse effects on the integrity of the sites… This part of the Policy relates to development that is located within… the 1km Lower Derwent Valley Area of Restraint. Such development must consider the guidance set out in the Lower Derwent Valley Supplementary Planning Document or its successor… 5 Kilometres of the Lower Derwent Valley SAC/SPA/Ramsar. Such development must have regard to up-to-date visitor monitoring data and where necessary apply appropriate mitigation to reduce recreational pressure from development, including any necessary financial contributions towards the delivery of measures identified in the Lower Derwent Valley Supplementary Planning Document'.

6.25 Furthermore, the increasing residential growth in authorities adjoining the SPA / Ramsar (including Selby District) does mean that recreational pressure is important to keep monitored in the event that any mitigation may need introducing in the future, since 5-year plan reviews may well result in further increases in planned housing. **In addition, it is recommended that visitor monitoring in the Lower Derwent Valley SPA / Ramsar is undertaken every five years. This could be undertaken as a joint exercise between the authorities of Selby, City of York and the East Riding of Yorkshire. and this requirement would therefore be included as a monitoring indicator for NE1.**

Conclusion

6.26 The data of Footprint Ecology's visitor survey report indicate that the Lower Derwent Valley SPA / Ramsar / SAC is currently not experiencing a high level of recreational pressure, highlighted primarily by the low hourly visitor volume and the small number of dog walkers. Furthermore, data relating to the frequency of visits indicate that most site usage is not regular (daily / several times per week), reflecting the relatively large core catchment zone of the site. In addition, Natural England has not identified a strategic recreational pressure issue for the SPA / Ramsar / SAC, although they have identified a specific localised issue of increasing visitor use of the flood banks of the river.

6.27 The additional growth planned within the former Selby district within 5km of the SPA / Ramsar / SAC is small (320 dwellings), with most of that housing beyond easy walking distance, and the most likely access point to the European site for Selby residents was the least used in the visitor survey (with no visitors actually being recorded during the survey period). Notwithstanding this, the Local Plan includes provision for mitigation for any development within 5km of SAC/SPA/Ramsar that might have an adverse effect on the integrity of the site, and a commitment to review the Lower Derwent Valley SPA. Overall, with the commitment to mitigation outlined in this HRA, it is concluded that the emerging SLP will not result in adverse effects on the site integrity of the Lower Derwent Valley SPA / Ramsar / SAC regarding recreational pressure.

Skipwith Common SAC

6.28 Skipwith Common SAC is designated for heathland habitats, which are sensitive to recreational trampling, soil compaction, erosion and nutrient enrichment. The SAC is located in the rural eastern part of Selby District, approx. 2.1km from the Selby-Barlby-Osgodby agglomeration. Overall, of its total growth of 7,728 residential dwellings, the SLP allocates 382 dwellings within 5km of Skipwith Common SAC, a distance that typically reflects the core recreational catchment of heathland sites. It is considered unlikely that the other specific allocations would have an impact on the SAC 'alone' and the remainder of this assessment thus considers the impacts of Policy SG2 (Spatial Approach), particularly in-combination with residential growth projected in the City of York.

In-Combination Assessment

6.29 Footprint Ecology's visitor survey (commissioned jointly by Selby District Council and York City Council) also covered the main access point (car park on Cornelius Causeway) to Skipwith Common SAC, including visitor counts and interviews. Over two survey days a total of 81 visitors (equating to 5.1 people per hour) and 28 dogs (equating to 1.8 dogs per hour) were counted. Compared to many European sites with high levels of recreational pressure, the SAC currently clearly is subject to relatively low recreational footfall.

6.30 Dog walking was the most popular recreational activity in the SAC (13 out of 21 interviewees, 62%), followed by walking (5 interviewees, 24%). Despite the SAC's low overall busyness, this may highlight a potential concern with respect to nutrient enrichment in the SAC's sensitive habitat features. Approx. 40% of interviewees are frequent site visitors (coming between daily and several times per week), highlighting that the site's recreational burden is likely to be consistent with a high number of repeat visitors. This was supported by 34% of interviewees who stated that all or more than 75% of their greenspace visits take place on the Skipwith Common SAC.

6.31 To assess the origin of visitors, interviewees were also asked for their postcodes. In total, 12 out of 21 interviewees (57.1%) lived in Selby District, compared to only 14.3% that travelled from the City of York. Therefore, while the Skipwith Common SAC is not overly busy, the former Selby district clearly contributes a significant portion to the recreational footprint. The 75th percentile of interviewees (the cut-off point frequently used to delineate core recreational catchments) had a straight-line distance of 15.53km to home. This would place most of the former Selby district and the housing sites allocated in the SLP in the core catchment of the SAC. However, the number of interviews per property (calculated by dividing the number of interviews by the number of residential properties in 1km distance bands) declines considerably beyond 4km from the SAC. Therefore, any residential housing delivered beyond 4km is unlikely to materially increase the recreational footfall in the SAC. The large catchment zone obtained for the SAC is, at least to some degree, likely to be an artefact of the small number of interviews obtained for the survey.

6.32 As was discussed in relation to the Lower Derwent Valley SPA / Ramsar, the delivery of the GI Strategy is likely to help reduce recreational pressure in the Skipwith Common SAC as at least some new residents will be attracted to this improved network of open spaces and Public Rights of Ways.

Conclusion

6.33 Overall, notwithstanding the low overall level of access, there is some indication that the Skipwith Common SAC is used by local dog walkers. It is important to set the low visitor number in relation to the sensitivities of the site. Recreational pressure is listed as the SAC's main current threat in Natural England's Site Improvement Plan, including issues such as conflict with grazing management through off-lead dogs, contamination of pools in the wet heath, trampling damage and nutrient enrichment. Therefore, evidently, the SAC is sensitive to recreational pressure in principle, particularly if the pattern of housing development surrounding the site significantly changes.

6.34 Within 4km from the SAC (the area from which most interviewees derive), Footprint Ecology reports 3,814 dwellings. The SLP allocates 303 dwellings within 4km of the Skipwith Common SAC, which would result in an 8% increase in the housing development within this main catchment area of the site. Extrapolating from the 9 visitors that were interviewed from the first 4km distance bands, this would be expected to lead to an increase in one interviewee in the SAC. It is therefore considered that the development in the SLP would make a negligible contribution to any in combination increase in recreational pressure on Skipwith Common SAC. However, in recognition of the need to keep this issue under advisement, the Local Plan includes a requirement in Policy NE1 that '*Proposals that may directly, indirectly or cumulatively impact on a Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site sites will only be supported where it can be demonstrated that there will be no adverse effects on the integrity of the sites… This part of the Policy relates to development that is located within… 5 Kilometres of Skipwith Common SAC. Such development must have regard to up-to-date visitor monitoring data and where necessary apply appropriate mitigation to reduce recreational pressure from development'.*

6.35 Moreover, as a precautionary measure and in line with the Footprint Ecology report, long-term monitoring of visitor numbers is recommended in the site.

Humber Estuary SPA / Ramsar / SAC

6.36 The Humber Estuary SPA / Ramsar / SAC is a well-established recreation destination in the region. Recreational activities on the floodbank have the potential to cause disturbance to the resident bird populations, while human activity in the intertidal zone or on the water can affect SAC features, including saltmarsh and mudflats. Natural England's SIP indicates that recreational disturbance, particularly from dog walkers and birders, along floodbanks may be contributing to the local declines in breeding and migratory bird species at certain locations in the estuary. At its closest point, the SPA / Ramsar / SAC boundary lies approx. 1km to the east of Selby District. Therefore, while a large part of the district's population is unlikely to be visiting the site regularly, residential growth in the south-east of the former Selby district could lead to an increase in recreational pressure, in-combination with population increases in the East Riding of Yorkshire, Doncaster District and North Lincolnshire. This section will assess the spatial distribution of residential growth detailed in the SLP and place it into context of the Footprint Ecology visitor survey undertaken in the estuary to establish a baseline of visitor pressure.

6.37 The Humber Estuary SPA / Ramsar / SAC is particularly appealing to wildlife watchers, dog walkers and walkers. The section of the estuary most likely to be visited by Selby residents, based on proximity to home, is the western-most part of the site around Goole. The estuary around Goole provides good accessibility, with the Trans Pennine Trail (a well-publicised long-distance hiking trail) running along the northern bank of

the River Ouse. Notwithstanding this, based on satellite mapping, there do not appear to be many formal car parks in this part of the estuary, which would decrease the likelihood that this part of the estuary is a regular destination for Selby residents. Based on the distance to the closest significant settlement in the former Selby district (Drax at approx. 5.6km straight-line distance), the Humber Estuary is only considered to be a realistic destination for motorists, but not for on-foot visitors. The distance to the former Selby district and the lack of settlements in the south-eastern part of the district, indicate that the SLP could only materially contribute to recreational pressure in-combination with other plans and projects.

In-Combination Assessment

6.38 Footprint Ecology undertook a visitor survey at 20 different survey points in winter (November – March) 2011 / 2012. The survey coverage included a survey point at Goole, the closest part of the estuary to Selby District. The main purpose of this survey was to identify the level of access across the SPA / Ramsar / SAC, to determine the recreational activities that people were undertaking and to establish were visitors were travelling from to visit the site (i.e. gaining an understanding of the site's core recreational catchment).

6.39 One of the features of the survey is its thorough coverage of the estuary and the high survey effort, totalling 320 hours of wintering counting / interviewing. Over the entire survey duration, a total of 2,177 visitors were counted entering the SPA / Ramsar / SAC, indicating that the site is very popular for recreational use. In terms of busyness, Goole has intermediate levels of recreational use (43 people and 14 dogs entering the site). This recreational pressure is higher than in some locations (e.g. Easington Bank), but much lower than at other access points (Donna Nook; 726 people and 20 dogs entering). The temporal characteristics of recreational visits indicate that there is a large proportion of repeat visitors to the site. For example, approx. 60% of interviewees are regular visitors, coming 'daily', 'most days' or '1 to 3 times a week'. Importantly, repeat visitors make up 94% of the recreational burden at Goole, indicating this area of estuary is particularly important for local residents.

6.40 As part of the questionnaire, interviewees were also asked for their home postcode in order to determine the straight-line distances that they travelled from home. Overall, 50% of people visiting from home (i.e. the visitor group that is most likely to contribute to the regular recreational burden) travelled a distance of 4.42km to their survey point (n=513). Clearly, the draw of different survey points differs based on their distance to nearby settlements and how well they are advertised for recreation. 50% of the visitors interviewed in Goole lived within 0.4km. When considering only car-based visitors (the group most likely to be relevant for Selby District), 50% of interviewees lived within 5km of Goole (and several other survey points across the estuary). The median distance travelled by dog walkers to visit the site was 3km, indicating that this user group mainly derives from settlements close to the estuary. This is important as dog walking is one of the activities resulting in the strongest disturbance responses in sensitive bird species.

6.41 A further visitor survey was carried out by Footprint Ecology between July and October 2021[94] in order to form part of the evidence base for the HRA of the East Riding of Yorkshire Council Local Plan Review. Eight locations were subjected to visitor interview surveys, stratified between summer and autumn survey periods with 322 interviews carried out in total.

6.42 Overall, 61.8% of interviewees had arrived by car/van, with most of the remainder (30.4%) having travelled on foot. The majority of interviews carried out across all survey locations (88.1% in the summer and 78% in the autumn) were with people undertaking a day visit directly from home. The most frequently recorded main activity across all survey locations was walking (31.7% of interviewees), closely followed by dog walking (31.4% of interviewees). Bird/wildlife watching was the third most frequently recorded activity overall (22.1%).

6.43 Proximity to home was the most commonly given reason for site choice, accounting for 20.2% of responses. A total of 306 interviewee postcodes (95.1%) could be accurately mapped, with the greater proportion of recorded postcodes originating from an arc stretching westwards from the Spurn Peninsula and Hull, through Sheffield/Leeds, and south into the English Midlands.

6.44 Interviewees originated from a wide core area, stretching down to the English Midlands. Nevertheless, many day visitors originated from within the East Riding of Yorkshire boundary, with particular concentrations within, and in the vicinity of, settlements long the Humber shoreline, including Brough, Hull, and Paull.

6.45 The straight-line distance ('as the crow-flies') from each interviewee's home postcode to the relevant survey location was calculated. Across all visit types during the summer survey period (101 interviewees) the mean

[94] Saunders, P. & Liley, D. (2022). Humber Estuary Visitor Survey Report. Report by Footprint Ecology.

distance was 18km and the median was 6.2km, with overall distances for the autumn survey period (205 interviewees) being much larger, with a mean of 66.4km and a median of 17.6km. Amongst interviewees undertaking a day trip from home within the three most frequently recorded activity types, dog walkers exhibited the shortest straight-line distances, with a mean distance of 4.6km.

6.46 The postcode data collected during the visitor surveys indicate that 75% of day visiting interviewees originate from within 18.5km of the survey location, similar to the 18.3km distance calculated as a result of previous visitor survey work carried out along the Humber Estuary. Using data for those on a short visit directly from home and excluding all bird/wildlife watchers from the postcode data (given the presence of the rare bird at Spurn during the surveys), 75% of visitors lived within 11.5km of the survey point. This distance therefore describes where the majority of visitors originate and was used in the HRA work for the East Riding Local Plan Review to screen housing growth for likely significant effects from recreation.

6.47 Selby does overlap slightly with this 11.5km zone, however the visitor survey data shows that only 1 person came from Selby District, and that person lived over 11.5km away (at Selby itself) and was on their first ever visit. No visitors to the SAC/SPA/Ramsar lived within the part of Selby that falls within the 11.5km zone. However, in recognition of the need to keep this issue under advisement, the Local Plan includes a requirement in Policy NE1 that '*Proposals that may directly, indirectly or cumulatively impact on a Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site sites will only be supported where it can be demonstrated that there will be no adverse effects on the integrity of the sites… This part of the Policy relates to development that is located within… 10 kilometres of the Humber Estuary SAC/SPA/Ramsar. Such development must have regard to up-to-date visitor monitoring data and where necessary apply appropriate mitigation to reduce recreational pressure from development'.*

Conclusion

6.48 The residential sites closest to the Humber Estuary allocated in the SLP are in Hemingbrough, amounting to a relatively modest increase of 131 dwellings over the plan period. At their closest point, these new dwellings will be approx. 6.6km from the Humber Estuary SPA / Ramsar / SAC. Furthermore, it is to be noted that most allocations, especially the larger settlements, lie further than 11.5km from the site. Given the data presented above, in particular the postcode and visitor origins data, it is considered unlikely that residential growth in the former Selby district will materially increase recreational pressure along the Humber estuary, 'alone' or in-combination and thus no adverse effect on integrity would arise. However, to underline this conclusion additions have been made to Policy NE1.

Loss of Functionally Linked Habitat

6.49 An assessment of the distribution of housing growth across Selby District, indicated that the following European sites could be impacted through the loss of functionally linked habitats:

- Lower Derwent Valley SPA / Ramsar
- Humber Estuary SPA / Ramsar

6.50 The following individual allocations were screened in for Appropriate Assessment 'alone' because they lie within the typical foraging ranges of particular SPA / Ramsar waterfowl / waders associated with the Lower Derwent Valley SPA / Ramsar and / or the Humber Estuary SPA / Ramsar:

- Land at Turnhead Farm, Barlby (BARL-K) – 6.1km from the Lower Derwent Valley SPA / Ramsar
- Lake View Farm, Osgodby (OSGB-G) – 5.7km from the Lower Derwent Valley SPA / Ramsar
- Land east of Sand Lane (OSGB-I) – 5.5km from the Lower Derwent Valley SPA / Ramsar
- Land north of Mill Lane, Carlton (CARL-G) – 9km from the Lower Derwent Valley SPA / Ramsar and 8.2km from the Humber Estuary SPA / Ramsar
- Bon Accord Farm, Main Street, Cliffe (CLIF-B) – 3.7km from the Lower Derwent Valley SPA / Ramsar and 8.9km from the Humber Estuary SPA / Ramsar
- Land north of Cliffe Primary School (CLIF-O) – 3.8km from the Lower Derwent Valley SPA / Ramsar and 9km from the Humber Estuary SPA / Ramsar

- Land East of Mill Lane, Hemingbrough (HEMB-G) – 3.1km from the Lower Derwent Valley SPA / Ramsar and 6.7km from the Humber Estuary SPA / Ramsar
- Land South of School Road, Hemingbrough (HEMB-K) – 2.6km from the Lower Derwent Valley SPA / Ramsar and 6.6km from the Humber Estuary SPA / Ramsar
- Land north ofA163, North Duffield (NDUF-D) – 325m from the Lower Derwent Valley SPA / Ramsar
- Cross Hills Lane, Selby (SELB-BZ) – 9.1km from the Lower Derwent Valley SPA / Ramsar
- Land on the former Rigid Paper site, Denison Road, Selby (SELB-AG) – 7.5km from the Lower Derwent Valley SPA / Ramsar
- Industrial Chemicals Ltd, Canal View, Selby (SELB-B) – 8.1km from the Lower Derwent Valley SPA / Ramsar
- Olympia Park, Barlby Road, Barlby (SELB-CA) – 6.4km from the Lower Derwent Valley SPA / Ramsar

6.51 Furthermore, the previous chapter identified several SLP policies for which LSEs regarding functionally linked habitat loss could not be excluded, including:

- Policy SG2 – Spatial Approach (Strategic Policy) (specifies that a minimum of 6,452 dwellings will be delivered between 2020 and 2040 and outlines the applicable settlement hierarchy)
- Policy EM1 – Meeting Employment Needs (Strategic Policy) (provides for three employment allocations in Eggborough, Sherburn in Elmet and Selby, totalling an area of 130.95ha)
- Policy EM5 – Tourist, Recreation and Cultural Facilities (Strategic Policy) (supports tourism and recreation developments across the district)
- Policy EM6 – Holiday Accommodation (Strategic Policy) (supports the provision of various types of holiday accommodation, such as hotels, guest houses and holiday cottages)
- Policy HG1 – Meeting Local Housing Needs (Strategic Policy) (specifies the delivery of 7,940 net new dwellings across the district; i.e. the quantum that needs assessment)
- Policy HG2 – Windfall Developments (Strategic Policy) (hypothetically enables the provision of further dwellings – in addition to those detailed in Policy HG1)
- Policy HG14 – Gypsy & Traveller Sites (provides for 12 Gypsy and Traveller Pitches in Newthorpe)
- Policy S1 - Selby Station Quarter Special Policy Area (hypothetically enables the provision of further dwellings in addition to those detailed in Policy HG1)
- Policy S2 - Selby Gateway Special Policy Area (hypothetically enables the provision of additional employment land)
- Policy T1 Tadcaster Town Centre Regeneration Area – Special Policy Area (hypothetically enables the provision of further dwellings in addition to those detailed in Policy HG1)
- Policy T2 London Road Special Policy Area (supports mixed use development)

Lower Derwent Valley SPA / Ramsar and the Humber Estuary SPA / Ramsar

6.52 Both the Lower Derwent Valley SPA / Ramsar and the Humber Estuary SPA / Ramsar are designated for mobile bird species, including waterfowl, waders and birds of prey. These species are likely to routinely forage or roost beyond the designated site boundary, implying that the designated populations might depend on such functionally linked habitats for their long-term survival. Consequently, a loss of individual such land parcels may affect the functionality of the network of supporting sites and, ultimately, may have adverse effects on site integrity. Various parameters are likely to determine whether a site is functionally linked, including its distance to the SPA / Ramsar, size (ha), habitat, the extent of surrounding development and the nature of flightlines to / from the designated sites. The following section will assess the sites allocated in the SLP for these parameters (note that sites beyond the core foraging / roosting areas for SPA / Ramsar species have already been screened out and are not discussed further).

6.53 Natural England has published guidance on Impact Risk Zones (IRZs) for SSSIs (the individual management constituents of European sites). The guidance note specifies the impact distances of different types of development (e.g. rural residential development) as well as the extent to which different bird populations depend on functionally linked habitat. Functional habitat linkage may extend up to the maximum foraging distance for designated species, however it should be noted that the number of birds foraging in off-site habitats will decrease with distance from the designated site boundary.

6.54 For the Humber Estuary SPA non-breeding waterbird assemblage, Natural England recommends focusing on what are referred to as the 'main component species' of the assemblage. Main component species are defined as:

- All species listed individually under the assemblage feature on the SPA citation (i.e., the species that qualified in 2004 when the site was designated).
- Species which might not be listed on the SPA citation but occur at site levels of more than 1% of the national population according to the most recent Humber Estuary Wetland Bird Survey (WeBS) 5-year average count.
- Species where more than 2000 individuals are present according to the most recent Humber Estuary WeBS count.

6.55 The assemblage qualification is therefore subject to change as species' populations change. Species which are not listed on the Humber Estuary SPA citation but occur at site levels of more than 1% of the national population according to the most recent Humber Estuary Wetland Bird Survey (WeBS) 5-year average count and are known to use non-wetaland habitats i.e., arable farmland and/ or grassland/ pasture, include:

- Greylag goose, *Anser anser* (non-breeding)
- Little egret, *Egretta garzetta* (non-breeding)
- Pink-footed goose, *Anser brachyrhynchus* (non-breeding)
- White-fronted goose, *Anser albifrons* (non-breeding)

6.56 A review of the IRZ guidance note highlights that both SPAs / Ramsars are designated for species that may forage in lowland farmland at great distances from the site boundary. For example, golden plovers (qualifying species of both sites) and lapwing (a qualifying species of the Humber Estuary SPA) have maximum foraging distances of 15-20km from their roost sites. NE has denoted IRZs of 5km for rural residential developments (over 50 units) and non-residential developments (over 1ha in size) for this species. Bewick's swans, greylag goose, pink-footed goose and white-fronted goose have a maximum foraging range of 10km, although pink-footed goose have been known to fly 20km to feed.

6.57 The little egret inhabits fresh, brackish or saline wetlands[95] and shows a preference for shallow waters (10-15 cm deep) in open, unvegetated sites where water levels and dissolved oxygen levels fluctuate daily, tidally or seasonally, and where fish are concentrated in pools or at the water's surface[96]. Little egret may feed up to 7-13km away from breeding colonies during the breeding season[97].

6.58 Notwithstanding these IRZs and little egret foraging distances, this HRA adopts a precautionary approach and uses 10km as the distance to flag potential functionally linked habitat.

6.59 Table 5 below provides an assessment of the allocations screened in for Appropriate Assessment, including the following parameters: distance to relevant SPAs / Ramsars, site size (ha), habitat type, the extent of surrounding development and the nature of the flightlines to and from relevant sites. In determining whether an allocation has the potential to be functionally linked to a SPA / Ramsar, the following criteria have been considered in sequential order:

- Distance from the SPA / Ramsar – Any allocations beyond 10km from both SPAs / Ramsars were not included in the assessment

[95] https://www.aviornis.nl/uploads/media/Parelhoenders_in_Handbook_of_the_Birds_of_the_World_01.pdf
[96] Kushlan and Hancock (2005). The Herons. Oxford University Press
[97] https://www.aviornis.nl/uploads/media/Parelhoenders_in_Handbook_of_the_Birds_of_the_World_01.pdf

- Site size – Allocations below 2ha in size are unlikely to provide sufficient resources to support 1% of the qualifying population of a species (although exceptions were made for sites close to the 2ha area, if other criteria were fulfilled)
- Habitat type – Sites without arable land or wet grassland were considered unsuitable for the species described above.
- Surrounding development – SPA / Ramsar waterfowl generally prefer rural habitats and sites in a highly urbanised context are less likely to be chosen
- Nature of flightlines – SPA / Ramsar birds are likely to navigate more easily to foraging sites that support uninterrupted flightlines (due to the use of visual cues)

Table 6: Characterisation of the sites allocated in the Selby Local Plan, which fall within the maximum foraging distances for pertinent species.

Allocation Ref	Site Name	Distance to the Lower Derwent Valley SPA / Ramsar	Distance to the Humber Estuary SPA / Ramsar	Size (ha)	Habitat Type	Surrounding Development	Nature of Flightlines to / from the SPAs / Ramsars	Potential Implications for SPA / Ramsar waterfowl
BARL-K	Land at Turnhead Farm, Barlby	6.1km	13.6km	1.02	Existing brownfield development	Rural	Relatively uninterrupted flightline to the SPA / Ramsar	No
OSGB-C	Land East of St Leonards Avenue	6.7km	12km	0.84	Arable land (probably cereal)	Semi-rural, amidst residential dwellings	Relatively uninterrupted flightline to the SPA / Ramsar	No
OSGB-D	Osgodby Nurseries, Hull Road	5.8km	11.5km	0.8	Arable land (probably cereal)	Semi-rural, amidst residential dwellings	Relatively uninterrupted flightline to the SPA / Ramsar	No
OSGB-G	Lake View Farm, Osgodby	5.7km	11.6km	0.69	Largely existing brownfield development	Semi-rural, amidst residential dwellings	Relatively uninterrupted flightline to the SPA / Ramsar	No
OSGB-I	Land east of Sand Lane, Osgodby	5.5km	11.3km	2.81	Arable land (probably cereal)	Rural	Relatively uninterrupted flightline to the SPA / Ramsar	Yes
CARL-G	Land north of Mill Lane, Carlton	9km	8.2km	5.12	Arable land	Rural	Relatively uninterrupted flightlines to both SPAs / Ramsars	Yes
CLIF-B	Bon Accord Farm, Main Street, Cliffe	3.7km	8.9km	0.64	Some brownfield development and small section of grassland	Amidst existing residential dwellings and next to major A road	Relatively uninterrupted flightlines to both SPAs / Ramsars	No
CLIF-O	Land north of Cliffe Primary School, Main Street, Cliffe	3.8km	9km	3.03	Arable land (probably cereal)	Semi-rural	Flightlines to both SPAs / Ramsars potentially impeded by residential development	Yes

Allocation Ref	Site Name	Distance to the Lower Derwent Valley SPA / Ramsar	Distance to the Humber Estuary SPA / Ramsar	Size (ha)	Habitat Type	Surrounding Development	Nature of Flightlines to / from the SPAs / Ramsars	Potential Implications for SPA / Ramsar waterfowl
HEMB-G	Land East of Mill Lane, Hemingbrough	3.1km	6.7km	1.59	Arable land (potentially cereal)	Rural	Relatively uninterrupted flightlines to both SPAs / Ramsars	Yes
HEMB-K	Land South of School Road, Hemingbrough	2.6km	6.6km	0.21	Arable land	Rural	Relatively uninterrupted flightlines to both SPAs / Ramsars	No
SELB-BZ	Cross Hills Lane, Selby	9.1km	13.8km	78.92	Mostly arable land and some grassland	More urbanised, on the western edge of Selby town	Flightlines to both SPAs / Ramsars potentially impeded by residential development	Yes
SELB-AG	Land on the former Rigid Paper Site, Denison Road, Selby	7.5km	12.3km	8.24	Wet grassland	Urban	Flightline to the Lower Derwent SPA / Ramsar potentially interrupted	No
SELB-B	Industrial Chemicals Ltd, Canal View, Selby	8.1km	12.6km	15.02	Brownfield development and approx. 50% grassland	Urban	Flightline to the Lower Derwent SPA / Ramsar potentially interrupted	No
SELB-CA	Olympia Park, Barlby Road, Barlby	6.4km	11.2km	33.6	Brownfield development and a portion of arable fields	Semi-rural (on eastern edge of Selby town, but opening towards the countryside)	Relatively uninterrupted flightline to the Lower Derwent Valley SPA / Ramsar	Yes
SELB-CR	Former Ousegate Maltings	7.9km	12.7km	0.41	Existing development	Urban	Flightline to both SPA / Ramsars potentially interrupted	No
NDUF-D	Land north of the A163	475.9m	11.3km	1.8	Arable land	Semi-rural (on eastern edge of North Duffield, but opening towards the countryside)	Relatively uninterrupted flightline to the Lower Derwent Valley SPA / Ramsar	Yes
NDUF-O	Land north of Gothic Farm, Back Lane	400.2m	11.6km	3.28	Arable land	Semi-rural (on northern edge of North Duffield, but opening towards the countryside)	Relatively uninterrupted flightline to the Lower Derwent Valley SPA / Ramsar	Yes
RICC-J	Land at Landing Lane	7.1km	15.7	1.2	Arable land	Semi-rural (on southern edge of Riccal, but	Flightlines to both SPAs / Ramsars potentially	Yes

Allocation Ref	Site Name	Distance to the Lower Derwent Valley SPA / Ramsar	Distance to the Humber Estuary SPA / Ramsar	Size (ha)	Habitat Type	Surrounding Development	Nature of Flightlines to / from the SPAs / Ramsars	Potential Implications for SPA / Ramsar waterfowl
						opening towards the countryside)	impeded by residential development	

6.60 The assessment in Table 6 above highlights that several sites allocated in the SLP have the potential to be functionally linked to the Lower Derwent Valley SPA / Ramsar and / or the Humber Estuary SPA / Ramsar. This data also highlights that the identification of functionally linked habitat in relation to growth in the former Selby district is not straightforward. For example, the site allocated in Carlton is fairly large (over 5ha in size) and comprises arable land, which is suitable foraging habitat. However, the allocation also lies quite far from the Lower Derwent Valley SPA / Ramsar and Humber Estuary SPA/ Ramsar (between 8 and 9km), which is close to the maximum foraging distances for the identified pertinent species. Notwithstanding this, as a precautionary measure, this site has been flagged as having potential implications for SPA / Ramsar waterfowl.

6.61 While few allocations fulfil all criteria of functionally linked habitats, development proposals in one area is of primary concern:

- The site allocated at Olympia Park, Barlby Road, Barlby (SELB-CA) is large and lies on the eastern edge of Selby town. While the site does comprise brownfield elements, the eastern section of the allocation constitutes entirely arable land. At a relatively uninterrupted flightline distance of 6.4km to the Lower Derwent Valley SPA / Ramsar (11.2km from the Humber Estuary SPA/ Ramsar, therefore beyond the 10km precautionary distance described in paragraph 6.58), it cannot be excluded that this allocation constitutes functionally linked habitat to Lower Derwent Valley SPA / Ramsar.

6.62 Overall, it is considered that policy mitigation in relation to the above site allocation is required, to avoid adverse effects on the integrity of the Lower Derwent Valley SPA / Ramsar regarding the loss of functionally linked habitat.

In- combination Assessment

6.63 Of particular relevance to the Lower Derwent Valley SPA / Ramsar and the Humber Estuary SPA/ Ramsar is the recently submitted East Yorkshire Solar Farm (EN010143). This is a National Infrastructure Project, covering 1,445 hectares (ha) of land, predominately agricultural land.

6.64 The Project has been subjected to its own HRA which concluded that *"Overall, given the adequate mitigation framework that is in place, the AA concluded that the Scheme would not result in adverse effects on the integrity of the Lower Derwent Valley SPA/Ramsar and Humber Estuary SPA/Ramsar regarding the loss of functionally linked habitat."*

Conclusion

6.65 In the first instance, the SLP was reviewed to assess whether relevant / appropriate mitigation wording is already included in the plan. It is considered that two policies in the SLP contain protective policy wording that is supportive for the preservation of foraging habitats. **Policy NE2 (Protect and Enhance Green and Blue Infrastructure)** states that '*The Council will seek to protect, maintain, enhance and, where possible, restore and extend Selby District's green and blue infrastructure assets (GBI)*.' While the policy does not refer to functionally linked habitats for birds, it provides general protection to all green infrastructure, which includes habitats that the birds may forage in (albeit not arable land).

6.66 Furthermore, and more importantly, **Policy NE1 (Protecting Designated Sites and Species)** contains wording that extends protection to European sites, and their qualifying species and habitats. For example, the policy states sets out a requirement for development within 10km of Lower Derwent Valley SPA/Ramsar or Humber Estuary SPA/Ramsar to either confirm that habitat on the site is not suitable for SPA birds, or to undertake a suite of non-breeding bird surveys to inform the need for mitigation.

6.67 The supporting text goes on to state *"To meet the requirements of the Habitats Directive, developers of sites within 10km of these designations must provide evidence that proposals will not result in adverse effects on the integrity of designated areas and associated wildlife through loss of functionally-linked land. Evidence that the development proposals will not cause adverse effects should be submitted through the planning application process and can be either because the development site is not a suitable habitat, or does not currently support a significant proportion of the protected species associated with the designation. Evidence should include surveys of the proposed development sites current usage, (if any), by designated species, including for over wintering SPA/Ramsar bird species. A land parcel can be considered to support a significant population of a designated species if it is regularly used by 1% of the qualifying bird population. Non-breeding bird surveys must be undertaken during autumn, winter and spring."*

6.68 The sites identified in Table 6 have also been listed as requiring *"Appropriate Assessment for functionally linked habitats as they lie within the typical foraging ranges of species associated with the Lower Derwent Valley and Humber Estuary SPA/Ramsar designations"* and this wording is included in the Policy for each relevant allocation. With this wording included in the SLP, adverse effects on the integrity of the Lower Derwent Valley SPA / Ramsar can be excluded.

6.69 It is considered that allocating suitable sites for development prior to at least one season of wintering bird surveys being completed is appropriate and legally compliant in this case. Firstly, the law accepts that ecological investigation to support plan development must be tiered, with more detailed investigation undertaken at each subsequent stage:

- The Court of Appeal[98] has ruled that provided the competent authority is duly satisfied that mitigation can be achieved in practice (in other words that solutions exist that are likely to be effective) this will suffice to enable a conclusion that the proposed development would have no adverse effect.
- The High Court[99] has ruled that for '*a multistage process, so long as there is sufficient information at any particular stage to enable the authority to be satisfied that the proposed mitigation can be achieved in practice it is not necessary for all matters concerning mitigation to be fully resolved before a decision maker is able to conclude that a development will satisfy the requirements of the Habitats Regulations*'.
- Advocate-General Kokott[100] has commented that *'It would also hardly be proper to require a greater level of detail in preceding plans* [than lower tier plans or planning applications] *or the abolition of multi-stage planning and approval procedures so that the assessment of implications can be concentrated on one point in the procedure. Rather, adverse effects on areas of conservation must be assessed at every relevant stage of the procedure to the extent possible on the basis of the precision of the plan. This assessment is to be updated with increasing specificity in subsequent stages of the procedure'*.

6.70 Secondly, the functionally-linked habitats in question are common, widespread and easily recreated (or managed in a more favourable manner) and the species in question do not have highly specific habitat requirements and are sufficiently widespread in their use of this functionally-linked land that development is only likely to affect a small amount of their overall foraging resource.

Water Quality

6.71 An assessment of the European sites linked to development across Selby District, indicated that the following European sites could be impacted through changes in water quality:

- Lower Derwent Valley SPA / Ramsar / SAC
- River Derwent SAC
- Humber Estuary SPA / Ramsar / SAC

6.72 The main scope for impact is via treated wastewater discharge. Moreover, some allocations may have the potential for impacting the water quality in aquatic European sites through direct surface run-off (such as from overflowing sewerage systems or Package Treatment Plants; PTPs). The following individual

[98] No Adastral New Town Ltd (NANT) v Suffolk Coastal District Council Court of Appeal, 17th February 2015
[99] High Court case of R (Devon Wildlife Trust) v Teignbridge District Council, 28 July 2015
[100] Opinion of Advocate General Kokott, 9th June 2005, Case C-6/04. Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland, paragraph 49.
http://curia.europa.eu/juris/document/document.jsf?docid=58359&doclang=EN

development allocations were screened in for Appropriate Assessment 'alone' because they lie in close proximity to European sites that are dependent on good water quality:

- Land East of Mill Lane, Hemingbrough (HEMB-G) – 1.2km from the River Derwent SAC
- Land South of School Road, Hemingbrough (HEMB-K) – 1.5km from the River Derwent SAC
- Land north of A163, North Duffield (NDUF-D) – 475.9m from the Lower Derwent Valley SPA / Ramsar
- Land north of Gothic Farm, Back Lane (NDUF-O) - 400.2m from the Lower Derwent Valley SPA / Ramsar

6.73 Furthermore, the previous chapter identified several SLP policies for which LSEs regarding water quality impacts could not be excluded, including:

- Policy SG2 – Spatial Approach (Strategic Policy) (specifies that a minimum of 6,452 dwellings will be delivered between 2020 and 2040 and outlines the applicable settlement hierarchy)
- Policy EM1 – Meeting Employment Needs (Strategic Policy) (provides for three employment allocations in Eggborough, Sherburn in Elmet and Selby, totalling an area of 130.95ha)
- Policy EM5 – Tourist, Recreation and Cultural Facilities (Strategic Policy) (supports tourism and recreation developments across the district)
- Policy EM6 – Holiday Accommodation (Strategic Policy) (supports the provision of various types of holiday accommodation, such as hotels, guest houses and holiday cottages)
- Policy HG1 – Meeting Local Housing Needs (Strategic Policy) (specifies the delivery of 7,940 net new dwellings across the district; i.e. the quantum that needs assessment)
- Policy HG2 – Windfall Developments (Strategic Policy) (hypothetically enables the provision of further dwellings – in addition to those detailed in Policy HG1)
- Policy HG14 – Gypsy & Traveller Sites (provides for 12 Gypsy and Traveller Pitches in Newthorpe)
- Policy S1 - Selby Station Quarter Special Policy Area (hypothetically enables the provision of further dwellings in addition to those detailed in Policy HG1)
- Policy S2 - Selby Gateway Special Policy Area (hypothetically enables the provision of additional employment land)
- Policy T1 Tadcaster Town Centre Regeneration Area – Special Policy Area (hypothetically enables the provision of further dwellings in addition to those detailed in Policy HG1)
- Policy T2 London Road Special Policy Area (supports mixed use development)

6.74 The following Appropriate Assessment combines the discussion of the River Derwent SAC and the Lower Derwent Valley SPA / Ramsar / SAC, because these are hydrologically connected, interdependent sites. The Humber Estuary SPA / Ramsar / SAC, while also in wider hydrological connectivity with the River Derwent, is discussed separately; especially due to it being a considerable distance (in terms of flowpath) from the River Derwent.

River Derwent SAC and the Lower Derwent Valley SPA / Ramsar / SAC

6.75 The River Derwent SAC and the Lower Derwent Valley SPA / Ramsar both lie in the wider Humber River Basin District and in the Environment Agency's Derwent Management Catchment. The Derwent Lower Yorkshire operational catchment covers an area ranging from Elvington down to Barmby on the Marsh (where the River Derwent meets the River Ouse), which encompasses large parts of the River Derwent SAC and the Lower Derwent Valley floodplains.

6.76 The land surrounding these European sites is largely low-lying agricultural land and the EA's Catchment Data Explorer highlights that agriculture is by far the most important Reason For Not Achieving Good Status (RNAGS), followed by the water industry, which includes Wastewater Treatment Works (WwTWs). The SIP

for the River Derwent SAC lists water pollution as one of the main threats to the site, highlighting that diffuse sediment run-off is the and cattle trampling are the primary issues in the SAC. Point-source contributions from WwTWs are not specifically mentioned. The SIP for the Lower Derwent Valley SPA / Ramsar / SAC does not mention water pollution as a threat. Notwithstanding this, AECOM considers that the SPA / Ramsar / SAC is sensitive to changes in water quality, particularly from high phosphate loadings in treated sewage effluent.

6.77 A review of the European Commission urban wastewater website indicates that only one major WwTW serves Selby District. This is at Wheldrake (located outside of the former Selby district administrative boundary), which discharges into the River Derwent. The emerging SLP allocates only a few sites that are likely to produce wastewater that discharges into the R. Derwent, including the residential site in North Duffield. The remaining site allocations, particularly urban growth around Selby town and the new settlement proposal at Stillingfleet (3,952 dwellings of which 945 dwellings are to be delivered in the plan period), will all be treated by WwTWs discharging into the River Ouse. The R. Ouse meets the R. Derwent downstream from the River Derwent SAC and the Lower Derwent Valley SPA / Ramsar, meaning that a significant proportion of the volume of treated sewage effluent associated with growth allocated in the SLP will not be in hydrological continuity with these sites. Yorkshire Water have recently put their draft Drainage and Wastewater Management Plan (DWMP) out to consultation. The DWMP is accompanied by a Habitats Regulations Assessment but it only goes up to HRA screening (test of likely significant effects) with the appropriate assessment still to be undertaken. The River Derwent SAC has been screened in for appropriate assessment pending further details. Although a series of European sites were identified by Natural England as suffering from excessive nutrient inputs in March 2022 (thereby requiring a nutrient neutrality approach to be introduced) the River Derwent SAC was not on that list.

6.78 Four site allocations were screened in for Appropriate Assessment ‘alone’, due to their proximity to the River Derwent SAC and, particularly, the Lower Derwent Valley SPA / Ramsar. On urban development sites, the high coverage of the ground by impervious surfaces (e.g. roads, parking areas, rooftops) prevents most of the water from infiltrating the ground, where natural attenuation processes would result in some pollutant removal. Instead, surface run-off either reaches surface waterbodies directly or is transported to recipient streams via storm sewer systems. The pollutants that might affect the water quality in that way include sediment, oil / grease, toxic chemicals from cars, pesticides from urban greenspaces, road salts and heavy metals. Furthermore, surface run-off typically has higher temperatures, which can impair the health and reproduction of aquatic life.

6.79 The type of sewage treatment in place will also have potential water quality effects, particularly in the allocation in North Duffield. Not all properties are connected to the mains sewerage system and thus have in-situ wastewater treatment solutions, such as septic tanks and small Package Treatment Plants (PTPs). Septic tanks are very basic systems that separate liquids from solids and allow the natural breakdown of the sludge by bacteria. PTPs provide more advanced cleaning of wastewater by utilising air flow to maximise the breakdown of chemical contaminants. Notwithstanding this, they are subject to tight regulations by the Environment Agency. Both in-situ technologies are associated with risks such as failure, leakage and overflow, with the potential to result in localised water quality impacts.

In-Combination Assessment

6.80 Notwithstanding the relatively small overall amount of growth in the former Selby district that may impact the water quality in the Lower Derwent Valley, this needs to be set into the context of the in-combination growth delivered across the authority of East Riding of Yorkshire. Several WwTWs serving that authority (e.g. Pocklington and Melbourne WwTWs along the Pocklington Canal, and Stamford Bridge WwTW further upstream on the R. Derwent) will also discharge into the R. Derwent, and potentially lead to in-combination water quality effects in the river and associated European sites.

6.81 The available headroom at WwTWs is the primary factor in determining whether additional growth can be supported. The Environment Agency sets permit levels for aquatic pollutants (this includes nutrients such as phosphorus) for WwTWs. These permits identify the maximum amounts of pollutants that can be discharged from sewage works without putting the Conservation Objectives of European sites at risk. If permit limits are exceeded, mitigation measures are required to ensure that adverse effects on the integrity of linked European sites are prevented. Mitigation measures may include technological improvements at WwTWs, off-site measures (e.g. downstream construction wetlands) or rerouting of sewage to works that have remaining capacity.

6.82 Moreover, under the Environment Act 2021 there is a statutory requirement for water and sewerage companies to produce DWMPs (they must cover a minimum of 25 years) looking at current and future capacity, pressures, and risks to their networks such as climate change and population growth. DWMPs must detail how companies will manage these pressures and risks through their business plans and how they will work with other risk management authorities or drainage asset owners.

6.83 Water and sewerage companies are obliged to service growth so if that requires them to provide an alternative treatment solution they will do so. Each DWMP has its own HRA and cannot be adopted if the water and sewerage companies can't either avoid effects on European sites or deliver suitable compensation.

6.84 Policy IC4 (Water Supply, Wastewater Treatment and Drainage Infrastructure) therefore specifically aims to ensure that adequate water supply and wastewater infrastructure to existing, new, or improved, wastewater drainage and treatment facilities is secured prior to first occupation of the development. Given this it is considered that the plan contains adequate safeguards to ensure no adverse effect on integrity would arise either alone or in combination with other plans and projects.

6.85 Given it is an intertidal waterbody, with both freshwater and seawater input being important, it is considered that the Humber Estuary SPA / Ramsar / SAC is sensitive to both increased phosphorus and nitrogen loadings. The potential eutrophication associated with high nutrient input to the estuary has the potential to alter the structure of SAC habitats (such as the Atlantic saltmarsh) and to affect qualifying waterfowl and waders by impacting their food resources. The flowpath distance between the confluence of the Rivers Derwent and Ouse and the Humber Estuary SPA / Ramsar / SAC is approx. 7.2km. While some degree of nutrient attenuation is likely to occur over this distance, the estuary will receive the in-combination treated sewage effluent from the entire former Selby district and most of the City of York (York WwTW also discharges to the R. Ouse). Clearly, the discharge of nutrients in sewage requires further consideration, especially considering that none of the WwTWs in these two authorities have bespoke nitrogen or phosphorus removal in place.

6.86 Natural England's SIP identifies water pollution as the most important threat / pressure to the integrity of the Humber Estuary SPA / Ramsar / SAC. One of the main concerns is an annual dissolved oxygen (DO) sag in the River Ouse, which may have implications for the upstream migration of sea lamprey and other qualifying species. While the reasons for these low annual Dissolved Oxygen (DO) levels are unknown, it cannot be excluded that nutrient discharge from WwTWs is a contributing factor. Furthermore, there are several point sources contributing high phosphorus loadings to the estuary, including a former smelting plant and several clay pits. These sources all have the potential to act in-combination with the growth allocated in the SLP.

6.87 Review of the Environment Agency Catchment Data Explorer highlights that the R. Ouse from the River Wharfe to the Upper Humber had moderate ecological status in 2019. Specifically, the physico-chemical parameters failed to achieve good status because the phosphate concentrations in the R. Ouse were rated as 'Moderate'. Various RNAGS are given, including point-source continuous discharge of treated sewage effluent. Overall, these data highlight that the water entering the Humber Estuary SPA / Ramsar / SAC is currently not meeting its water quality targets in terms of phosphorus. The Middle Humber also has a 'Moderate' classification for nitrogen, illustrating that the overall nitrogen loading may also represent an issue for the ecological integrity of the site.

6.88 The R. Ouse is likely to receive the in-combination treated sewage effluent from 7,728 dwellings allocated in the SLP and the 11,788 dwellings allocated in the emerging City of York Local Plan. Therefore, it is important to ensure that there remains sufficient headroom in the WwTWs serving the former Selby district (see earlier AA on the River Derwent SAC and the Lower Derwent Valley SPA / Ramsar / SAC), in order to ensure that the integrity of the Humber Estuary SPA / Ramsar / SAC is protected.

6.89 Moreover, under the Environment Act 2021 there is a statutory requirement for water and sewerage companies to produce DWMPs (they must cover a minimum of 25 years) looking at current and future capacity, pressures, and risks to their networks such as climate change and population growth. DWMPs must detail how companies will manage these pressures and risks through their business plans and how they will work with other risk management authorities or drainage asset owners.

6.90 Water and sewerage companies are obliged to service growth so if that requires them to provide an alternative treatment solution they will do so. Each DWMP has its own HRA and cannot be adopted if the

water and sewerage companies can't either avoid effects on European sites or deliver suitable compensation.

6.91 Yorkshire Water have produced a Drainage and Wastewater Management Plan (DWMP) covering 2025-2050, which is accompanied by a Habitats Regulations Assessment. The DWMP is based on robust population projections for future growth to 2050. The HRA[101] ultimately concludes that with appropriate mitigation, no likely impact is expected on any protected sites, including the River Derwent SAC.. Since this goes beyond the Local Plan period and covers growth in Selby as well as elsewhere in their supply area, it provides the most robust assessment possible.

6.92 Moreover, policy IC4 (Water Supply, Wastewater Treatment and Drainage Infrastructure) therefore specifically aims to ensure that adequate water supply and wastewater infrastructure to existing, new, or improved, wastewater drainage and treatment facilities is secured prior to first occupation of the development. Given this it is considered that the plan contains adequate safeguards to ensure no adverse effect on integrity would arise either alone or in combination with other plans and projects.

6.93 The need to protect water quality, level or flow is also addressed by Policy NE 1 of the Local Plan, which states that any application that has the potential to affect water quality, levels or flow within designated SACs/SPAs/Ramsars must consider potential impacts on hydrological regimes which could affect the integrity of designated habitats, applying appropriate mitigation where deemed necessary, including through measures set out in IC4 and NE5. This specifically relates to Land East of Mill Lane, Hemingbrough (HEMB-G), Land South of School Road, Hemingbrough (HEMB-K), Land north of A163, North Duffield (NDUF-D) and Land north of Gothic Farm, Back Lane (NDUF-O) due to their proximity to the Lower Derwent Valley SPA / Ramsar.

Water Quantity, Level and Flow

6.94 Delivery of the SLP will inevitably result in an increase on the potable water demand within the district, which may be associated with a requirement for further water abstraction. The following European sites depend on an appropriate supply of freshwater:

- River Derwent SAC
- Lower Derwent Valley SPA / Ramsar / SAC
- Humber Estuary SPA / Ramsar / SAC

6.95 The previous chapter identified several SLP policies for which LSEs on the water quantity, level and flow in these European sites could not be excluded, including:

- Policy SG2 – Spatial Approach (Strategic Policy) (specifies that a minimum of 6,452 dwellings will be delivered between 2020 and 2040 and outlines the applicable settlement hierarchy)
- Policy EM1 – Meeting Employment Needs (Strategic Policy) (provides for three employment allocations in Eggborough, Sherburn in Elmet and Selby, totalling an area of 130.95ha)
- Policy EM5 – Tourist, Recreation and Cultural Facilities (Strategic Policy) (supports tourism and recreation developments across the district)
- Policy EM6 – Holiday Accommodation (Strategic Policy) (supports the provision of various types of holiday accommodation, such as hotels, guest houses and holiday cottages)
- Policy HG1 – Meeting Local Housing Needs (Strategic Policy) (specifies the delivery of 7,940 net new dwellings across the district; i.e. the quantum that needs assessment)
- Policy HG2 – Windfall Developments (Strategic Policy) (hypothetically enables the provision of further dwellings – in addition to those detailed in Policy HG1)
- Policy HG14 – Gypsy & Traveller Sites (provides for 12 Gypsy and Traveller Pitches in Newthorpe)
- Policy S1 - Selby Station Quarter Special Policy Area (hypothetically enables the provision of further dwellings in addition to those detailed in Policy HG1)

[101] Available at: https://www.yorkshirewater.com/media/5mbjzlqx/yw_dwmp-hra_report_final.pdf

- Policy S2 - Selby Gateway Special Policy Area (hypothetically enables the provision of additional employment land)
- Policy T1 Tadcaster Town Centre Regeneration Area – Special Policy Area (hypothetically enables the provision of further dwellings in addition to those detailed in Policy HG1)
- Policy T2 London Road Special Policy Area (supports mixed use development)

6.96 It is to be noted that the above listed European sites have the highest potential to be impacted by the further exploration of water resources.

6.97 The River Derwent SAC is designated for being a water course of plain to montane levels with *Ranunculion fluitantis* and *Callitricho-Batrachion* vegetation. Furthermore, the river supports several fish species (e.g. river lamprey and bullhead), as well as the anadromous species sea lamprey travelling upstream from the Humber Estuary. Sufficient water levels / flows are especially important for anadromous species in order to enable their migratory routes, which are essential to the species' reproductive success. Natural England's SIP highlights water abstraction as one of the threats to the integrity of the SAC. A sufficient supply of freshwater from the River Derwent (via flooding or surface water and groundwater connectivity) is also integral in supporting the habitats and species of the Lower Derwent Valley SPA / Ramsar / SAC.

6.98 A sufficient input of freshwater is also integral to the Humber Estuary SPA / Ramsar / SAC that lies downstream from the confluence of the River Ouse and the River Derwent. The Humber Estuary SAC is also designated for sea lamprey and a reduced in-combination input of freshwater input from the R. Ouse and its upstream tributaries, may prevent this species from reaching its spawning grounds. The volume of freshwater input also influences salinity gradients, tidal mixing processes, DO concentrations and prey availability in the estuary, with potential knock-on impacts on qualifying SPA / Ramsar waterfowl.

6.99 The process of water abstraction and the public water supply are generally considered on large spatial scales and it is generally not possible (nor appropriate) to assess individual site allocations for their potential effects on water levels and flows.

6.100 Water companies publish Water Resource Management Plans (WRMPs). These are statutory documents that all water companies must produce at least every five years. WRMPs set out how the water company intends to achieve a secure supply of water for their customers while protecting and enhancing the environment.

6.101 The plan must forecast the expected water supply and demand (for public water supply) over, at least, 25 years and determine a preferred programme to meet the water resource deficit by identifying and appraising a range of options. WRMPs are subject to their own HRAs and are 'regional' documents that by definition consider in-combination impacts across multiple authorities. Therefore, the following AA merges the discussion on relevant European sites, making explicit reference to sites where necessary.

In-Combination Assessment

6.102 To assess potential adverse impacts of the SLP on the water quantity, level and flow in relevant European sites, the latest WRMP published by Yorkshire Water (the company responsible for the potable water supply in Selby District) was reviewed. The company's latest WRMP was published in April 2020 and provides an appraisal of different water resource options likely to be required to serve the growing population. Generally, any water resource options that do not increase the existing consented abstractions or 'exploit' new resources are unlikely to represent a threat for the integrity of European sites. Consented abstractions would have been previously subject to HRA. Instead, proposals for increased abstraction volumes or the development of previously unused water resources, are most likely to be a risk for the hydrological integrity of aquatic sites. For example, a supply management option that represents a particular issue for marine sites is the desalination of saltwater, which effectively removes marine habitat and alters the solute balance in the aquatic environment.

6.103 The WRMP comprises two Water Resource Zones (WRZs) that make up the Yorkshire Water supply area, namely the Grid Surface Water Zone (GSWZ) and the East Surface Water Zone (ESWZ). The former Selby district lies in the GSWZ, which is a large conjunctive use zone in which water resources can be shared between different geographic areas according to need. Yorkshire Water has an agreement with Severn Trent Water for the abstraction of 21,550 Ml/yr from the Derwent Valley reservoirs, which is used to supply large parts of South Yorkshire including Selby District. Another feature of Yorkshire Water's water supply is that it derives from different sources, including 45% from impounding reservoirs, 30% from rivers and 25% from

boreholes. Abstracting water from various resources ensures flexibility and enables Yorkshire Water to better respond to environmental pressures, such as decreases in the Deployable Output from rivers.

6.104 The Environment Agency (EA) publishes Catchment Abstraction Management Strategies (CAMS) for all major waterbodies in the UK. The CAMS ensure that enough water is available for people, while sufficient water remains in the waterbodies to support a healthy environment. As such the EA may attach certain conditions to abstraction licenses (e.g. time limitations or Hands-Off Flows) or may make certain resources unavailable for licensing. The CAMS for the River Derwent indicates that water availability is not an issue at high, mid and low flows. However, at very low flows only limited water may be available for use. However, most Assessment Points in the R. Derwent have at least restricted water available for licensing at very low flows.

6.105 Notably, Yorkshire Water's WRMP provides a forecast of the supply-demand balance over the plan period based on robust population projections. Since this goes beyond the Local Plan period and covers growth in Selby as well as elsewhere in their supply area, it provides the most robust assessment possible. This balances the Deployable Output (i.e. the water available for use) from a 1 in 200-year severe drought against an unconstrained demand year. In other words, this balance is precautionary as it models a scenario in which groundwater levels or river flows are much lower than normal, restricting the amount of water available for abstraction. The key challenges that were taken into account in determining the supply-demand balance for the WRMP included:

- A projected increase of the Yorkshire population by one million by 2045;
- Losses resulting from climate change, amounting to 100 Ml/d;
- Environmental pressure to reduce the amount of water that is abstracted;
- Process losses and leakages; and
- Provision of resilience.

6.106 The WRMP shows that it will be in a supply-demand surplus between 2015/16 and 2035/36. However, subsequently demand is modelled to outpace supply, leading to a supply-demand deficit of 6.49 Ml/d in 2035/36 and 33.97 Ml/d by 2044/45. Yorkshire Water identifies this deficit to be the result of the risks associated with climate change and sustainability reductions applied at some point in the WRMP period. The supply-demand deficit highlights that further resource options required appraisal.

6.107 Water companies respond to supply-demand deficits by considering development options required to meet the growing water demand in the WRMP period. These options may involve a combination of demand management (e.g. investments to reduce leakage reduction, install smart meters, etc.) and supply-side (e.g. bulk water transfer, desalination, water reuse schemes and new groundwater / river abstractions). Typically, demand management is regarded as less 'invasive' and preferable regarding the environment, but it is often insufficient to meet the growing water demand. In contrast, the exploitation of new water resources or increases to existing abstractions are considered primary means through which adverse effects on European sites might occur. The list of potential options then undergoes several rounds of screening from an 'unconstrained', a 'constrained' to a 'feasible' options list. The feasible options then undergo detailed environmental assessments following statutory requirements, including HRA and Water Frameworks Directive Assessment (WFDA).

6.108 Yorkshire Water's preferred solution to meet the projected water demand primarily involves a significant leakage reduction programme. This is aiming to reduce leakage to 150 Ml/d by 2044/45. However, the company also considers taking forward several supply-side solutions, including groundwater options in North and East Yorkshire and an abstraction license increase for the River Wharfe (which feeds into the R. Ouse and ultimately contributes freshwater input to the Humber Estuary SPA / Ramsar / SAC. The River Wharfe proposal is for an annual abstraction limit increase of 10 Ml/d, which would have a potential moderate impact on the river flow. However, a review of the CAMS for the Wharfe and Lower Ouse, highlights that Assessment Point 2 (River Wharfe) currently has water available for licensing.

6.109 HRA report that there is already a statutory process to cover this. There is an adopted WRMP which will go well beyond the Local Plan period, is based on robust population projections, and will have had its own HRA which should have concluded no adverse effects on the integrity of European sites. Check the website and beef up the report where we can with core conclusions from that HRA. All the LPA can do is require

development to be suitably phased with any improvement in public water supply infrastructure. They already have this in a general policy but are looking into strengthening the wording.

6.110 There is an adopted WRMP which goes well beyond the Local Plan period and is based on robust population projections. The HRA of the current WRMP (WRMP19), published in 2019 was submitted to the relevant regulators (Natural England and Environment Agency) and concluded no likely significant effects either alone or in-combination with other plans and projects. This has since been replaced by WRMP24.

6.111 The follow up WRMP (WRMP24), builds on WRMP19. The HRA of Yorkshire Water's WRMP24 is not publicly accessible. However, cannot be adopted if the water and sewerage companies can't either avoid effects on European sites or deliver suitable compensation. Also, given that the R. Wharfe has water available for licensing, it is not expected that an increase of 10 Ml/d will lead to material effects on the river. Furthermore, consent to the proposal will have to be granted by the Environment Agency. This process guarantees that adverse effects on the integrity of the Humber Estuary SPA / Ramsar / SAC will not occur.

6.112 The HRA of the WRMP[102] has concluded that following inclusion of appropriate mitigation measures during the construction phase of relevant schemes that no adverse effects on the integrity of any European site are anticipated.

6.113 In conclusion it is therefore considered that adverse effects on integrity will not arise from this pathway due to the Selby Local Plan, either alone or in combination with other plans or projects. The need to protect water quality, level or flow is also addressed by Policy NE 1 of the Local Plan, which states that any application that has the potential to affect water quality, levels or flow within designated SACs/SPAs/Ramsars must consider potential impacts on hydrological regimes which could affect the integrity of designated habitats, applying appropriate mitigation where deemed necessary, including through measures set out in IC4 and NE5.

Atmospheric Pollution

6.114 The screening for LSEs section identified that the Lower Derwent Valley SAC, Lower Derwent Valley SPA/Ramsar, Skipwith Common SAC and River Derwent SAC required an Appropriate Assessment regarding atmospheric pollution. This was due to the fact that pollution-sensitive habitats lie directly adjacent to several potential commuter routes linking The former Selby districtwith the authority of East Riding of Yorkshire.

6.115 The following SLP policies with the potential to increase regular commuter traffic were identified and screened in for Appropriate Assessment (it is to be noted that Policies EM6 and EM7, both promoting tourism opportunities, were not screened in because they will not increase the 'regular' traffic burden in the district):

- Policy SG2 – Spatial Approach (Strategic Policy) (specifies that a minimum of 6,452 dwellings will be delivered between 2020 and 2040 and outlines the applicable settlement hierarchy)
- Policy EM1 – Meeting Employment Needs (Strategic Policy) (provides for three employment allocations in Eggborough, Sherburn in Elmet and Selby, totalling an area of 130.95ha)
- Policy HG1 – Meeting Local Housing Needs (Strategic Policy) (specifies the delivery of 7,940 net new dwellings across the district; i.e. the quantum that needs assessment)
- Policy HG2 – Windfall Developments (Strategic Policy) (hypothetically enables the provision of further dwellings – in addition to those detailed in Policy HG1)
- Policy HG14 – Gypsy & Traveller Sites (provides for 12 Gypsy and Traveller Pitches in Newthorpe)
- Policy S1 - Selby Station Quarter Special Policy Area (hypothetically enables the provision of further dwellings in addition to those detailed in Policy HG1)
- Policy S2 - Selby Gateway Special Policy Area (hypothetically enables the provision of additional employment land)
- Policy T1 Tadcaster Town Centre Regeneration Area – Special Policy Area (hypothetically enables the provision of further dwellings in addition to those detailed in Policy HG1)

[102] Ricardo Energy & Environment (2022) Habitats Regulation Assessment of the Draft WRMP24. Report prepared for Yorkshire Water Services, September 2022.

- Policy T2 London Road Special Policy Area (supports mixed use development)

Skipwith Common SAC

6.116 The qualifying Northern Atlantic wet heaths with *Erica tetralix* and the European dry heaths within the SAC both have a critical nitrogen load of 5-15 kg N/ha/yr. Heathlands are nutrient-poor habitats and resident species have specifically adapted to these conditions. An exceedance of the critical load would lead to a transition from heather to more competitive grasses. Furthermore, excessive nitrogen deposition leads to a decline in lichen abundance and diversity, changes in plant biochemistry and increased susceptibility of abiotic stress (e.g. frost and drought). York Road, although a minor road, does lie within 200m of the SAC and could be affected by growth in Selby. For this reason Natural England requested that air quality impacts on the SAC are covered by modelling.

6.117 The results of the updated 2024 air quality modelling are presented in Appendix C. When interpreting air quality data it is important to note that:

- Paragraph 5.26 of Natural England guidance[103] states that '*An exceedance* [of the critical level or load] *alone is insufficient to determine the acceptability (or otherwise) of a project'.* So, the fact that the critical level for NOx or critical load for nitrogen are already exceeded is not a legitimate basis to conclude that any further NOx or nitrogen (no matter how small) will result in an adverse effect;
- Paragraph 4.25 of the same guidance states '*…1% of critical load/level are considered by Natural England's air quality specialists (and by industry, regulators and other statutory nature conservation bodies) to be suitably precautionary, as any emissions below this level are widely considered to be imperceptible…There can therefore be a high degree of confidence in its application to screen for risks of an effect*'.

6.118 The SAC boundary is adjacent to York Road. However, the SAC is internationally designated for its heathland. The nearest area of heathland is c. 95m from the roadside according to www.magic.gov.uk and the vast majority of heathland on the SAC is over 400m from York Road, well beyond the zone of influence. This is relevant to the assessment because pollution effects due to traffic decline rapidly with increasing distance from the roadside. Modelled NOx concentrations are well below the critical level by 90m from the roadside under all scenarios.

6.119 While ammonia concentrations exceed the critical level for lower plants (1 μgm^{-3}) throughout the transect, being 2.12 μgm^{-3} under all scenarios, this is overwhelmingly due to existing sources in the general area such as agriculture and the contribution of the Local Plan at 90m from the road and beyond is so small as to be effectively invisible in the modelling. The same is true of nitrogen deposition; deposition rates are well above the critical load for heathland but that is due to existing background sources. The 'in combination' dose (i.e. Selby Local Plan combined with other traffic growth over the plan period) is responsible for a less than 0.01 kgN/ha/yr at 90m from the roadside which is less than 0.1% of the critical load, well below the 1% of the critical load threshold that Natural England uses to dismiss a contribution as insignificant and too small to actually show in the model.

6.120 Therefore, it can be concluded that the Selby Local Plan will not have an adverse effect on the integrity of Skipwith Common SAC through reduced air quality either alone or in combination with other plans or projects.

Lower Derwent Valley SAC/SPA

6.121 As discussed earlier in the report, the qualifying lowland hay meadows in the SAC have a critical nitrogen load of 10-20 kg N/ha/yr. An exceedance of the critical load could lead to an increase in tall grasses and to a decline in overall plant diversity. While less sensitive, the golden plover feature of the SPA is also identified as being potentially sensitive to nitrogen deposition on alluvial meadow according to APIS. Notwithstanding this, it is noted that source apportionment data for the SAC show that livestock (33%) and fertilisers (8%) make a much greater contribution to nitrogen deposition within the grid square than road transport (5%, which is very low compared to many other SACs and almost certainly attributable to the absence of major roads and other significant combustion sources around the site). Moreover, the Local Plans will only make

[103] 'Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations. Version: June 2018'. http://publications.naturalengland.org.uk/publication/4720542048845824

a potentially significant contribution to nitrogen deposition within the SAC in a very localised area, up to 200m from major journey to work routes.

6.122 In this rural part of Selby District, the A163 is one of the main roads connecting the former Selby district with the East Riding of Yorkshire and is the only such connection through the SAC. The Department for Transport's road traffic statistics show that this A road is fairly quiet, with 2,637 cars, 568 Light Goods Vehicles and 203 Heavy Goods Vehicles being counted at manual count point 73457 near Skipwith Common in 2019. It is likely that the primary journey-to-work routes between the former Selby district and the East Riding of Yorkshire would involve the A163. For example, according to Google Maps, the fastest routes between Selby and Market Weighton or Beverley (two of the main settlements in the southern part of East Riding and Yorkshire) would be along that road. Even for a trip between Selby town and the City of Hull, one of the three suggested routes involves the A163 (with little difference in distance or journey time between the route options).

6.123 Therefore, as a second step it was important to establish the likely commuter flux between the former Selby district and East Riding of Yorkshire. Census 2021 data shows that of 10,870 commuters travelling into the former Selby district for work, 2,043 (18.8%) people travel from the East Riding of Yorkshire. Only Wakefield District contributes a higher proportion of commuters (2,111 people, 19.4%). When considering the outflow of commuters from Selby District, Leeds and York are both more important workplace destinations. Notwithstanding this, the East Riding of Yorkshire still is the 4th most important destination (1,461 commuters, 8.4%). The importance of the former Selby district as a workplace destination for residents from the East Riding of Yorkshire is particularly important, because the SLP allocates a minimum of 91.2ha of employment land (most of it around Selby town). This could lead to an increase in the number of commuters along the A163 through the Lower Derwent Valley SAC and corresponding elevations in nitrogen deposition rates.

6.124 In their response to the Regulation 18 consultation, Natural England commented that the assessment undertaken for the City of York Local Plan on the A166, A1079 and B1228 where they cross the Lower Derwent Valley designations to be considered in the HRA of the Selby Local Plan. However, the A1079 and A166 are both over 200m from the Derwent Valley SPA/Ramsar and while the B1228 is within 200m of the SPA/Ramsar site, none of these roads are likely to be significant journey to work routes for residents of Selby town or District travelling eastward as they would necessitate significant detours. The A163 is clearly the main route going east from the former Selby district to reach places such as Market Weighton.

6.125 Three transects were modelled into the SAC/SPA/Ramsar site from the A163. Forecast NOx concentrations are well below the critical level throughout all three modelled transects in all scenarios. Therefore NOx as a pollutant in atmosphere can be dismissed. Total ammonia concentrations do not exceed the critical level for general vegetation (3 μgm^{-3}) at any point on any transect under any modelled scenario. While the lower critical level (1 μgm^{-3}) is identified on APIS as being suitable for the alluvial forest interest feature of the SAC, it is understood from the Supplementary Advice on the Conservation Objectives that this interest feature is only found at Thornton Ellers (SE729456) which is well beyond the modelled transect. Therefore, since the critical level for general vegetation will not be exceeded no adverse effect on the integrity of the SAC/SPA/Ramsar site will arise from ammonia in atmosphere.

6.126 The minimum critical load for nitrogen relevant to the habitats in the SAC/SPA/Ramsar site (10 kgN/ha/yr) is exceeded throughout all three transects due to background sources of nitrogen such as agriculture. The only SAC feature susceptible to atmospheric nitrogen deposition is its alluvial meadows. The only SPA species noted as being susceptible to nitrogen deposition to alluvial meadows is wintering golden plover. On the most affected transect E02a, the nitrogen dose due to Selby Local Plan alone does not exceed 1% of the critical load at any point on any transect under any scenario. The in combination dose due to all traffic growth exceeds 1% of the critical load, but only within 10m of the roadside. Therefore, the 'in combination' dose due to traffic growth is mathematically imperceptible except in an immediate roadside location which will be affected by general edge effects from the road irrespective of future traffic growth.

6.127 Moreover, given that the site is alluvial meadow, the road (and particularly traffic growth due to Local Plans) will be a minimal source of nitrogen compared to fluvial sources. Although the river only inundates the meadows for parts of the year, more nitrogen and phosphorus will enter the system during the c. 6 months of periodic inundation than will come from atmosphere during a 12 month period. For example, a typical nitrate loading for the River Derwent is 11.29 mg/l [104].Therefore if the river floods 1 ha of the SAC to a 30

[104] https://pure.york.ac.uk/portal/en/publications/spatial-and-temporal-trends-in-nitrate-concentrations-in-the-river-derwent-north-yorkshire-and-its-need-for-nvz-status(2f4ccfd6-b21a-4908-b2b3-

cm depth the flood waters overlying that hectare contain 34 kilograms of nitrogen as nitrate. In contrast, our modelling indicates the total 'in combination' loading to the SAC from traffic growth is a worst case 0.37 kilograms of nitrogen per hectare, and that will apply to considerably less than 0.1% of the SAC. Moreover, whereas the river will contribute both nitrogen and phosphorus loading, only nitrogen derives from atmosphere. Differences in management regime and stocking density (noting that livestock will also be contributing nitrogen to the site), along with flood depth and duration, will be the main factors governing the botanical quality of the sward.

6.128 As a result, it is considered that the forecast nitrogen deposition would not materially interfere with the ability of either the SAC or SPA to achieve their conservation objectives and therefore would not result in an adverse effect on the integrity of the SAC or SPA.

River Derwent SAC

6.129 With regard to the A163, impacts have already been assessed for Lower Derwent Valley SAC/SPA/Ramsar site and a similar conclusion of no adverse effect on integrity can be drawn for the interest features of River Derwent SAC. Most only use the river channel itself and while otter may use the adjacent meadows, they have broad habitat requirements and are not affected by relatively subtle changes to species composition or habitat structure, except at the coarsest level. With regard to the A63, the modelling in Appendix C shows that the critical level for NOx or the relevant critical level for ammonia (the upper critical level of 3 μgm^{-3} applicable to general vegetation) will not be exceeded at any point on either transect (E03a and E03b) under any scenario. The critical load for nitrogen deposition is exceeded throughout both transects but this is due to background sources. The functionally-linked habitat adjacent to the river channel at this location appears to be predominantly wet woodland. However, according to APIS wet woodland (Alluvial forests with Alnus glutinosa and Fraxinus excelsior) are not vulnerable to nitrogen deposition. Moreover, as discussed for the A163, habitat use by otter is not affected by relatively subtle changes to species composition or habitat structure, except at the coarsest level.

6.130 It is therefore possible to conclude that atmospheric nitrogen deposition due to the Selby Local Plan will not have an adverse effect on the integrity of the River Derwent SAC.

e985e93ba575).html#:~:text=The%20Derwent%20is%20a%20relatively%20clean%20river%3B%20however%2C,data%20from%201990%20to%202004%20for%20Derwent%20Bridge

7. Conclusions

7.1 This HRA discussed potential implications of the SLP on European sites within the former Selby district and up to 10km from the authority boundary. Several impact pathways were identified to be relevant to the SLP, including recreational pressure, loss of functionally linked habitat, water quality, water quantity, level and flow, and atmospheric pollution. At the LSEs stage, all impact pathways were taken forward to Appropriate Assessment, for a more detailed appraisal of potential effects on European sites. Due to an absence of LSEs, the Kirk Deighton SAC, the Thorne & Hatfield Moors SPA and the Thorne Moor SAC were excluded from Appropriate Assessment. The following paragraphs summarise the main conclusions and recommendations arising from work carried out in the Appropriate Assessment.

Recreational Pressure

Lower Derwent Valley SPA / Ramsar / SAC, Skipwith Common SAC, Humber Estuary SAC/SPA/Ramsar

7.2 It was determined that the SLP would lead to a relatively small amount of growth (320 dwellings) within 5km of the either SPA / Ramsar / SAC, with most housing lying beyond easy walking distance. For Lower Derwent Valley SPA/SAC/Ramsar the access point to the European site most relevant to the former Selby district was least busy in Footprint Ecology's visitor survey (no visitors were recorded over 16 hours of surveying). The amount of housing proposed for allocation within 5km of the SAC/SPA/Ramsar site is small and analysis of the visitor survey data for the SAC/SPA/Ramsar site leads to a conclusion that this amount of housing growth will not significantly change visitor pressure in the SAC/SPA/Ramsar even in combination with other plans and projects due to low levels of visitor use of the closest parts of the SPA to these allocations. However, Natural England noted in consultation responses that for Lower Derwent Valley SAC/SPA the surveyed focussed on certain gateways to the site and therefore may have underestimated diffuse visitors.

7.3 Moreover, the Council will review the Lower Derwent Valley SPD that was produced with adjacent local authorities as a draft in 2017, with a view to adoption as a method of addressing future recreational pressure. The SDP was adopted by ERYC in 2018 as at that moment in time the other local authorities involved in the document, including Selby, were/ are at different stages in the preparation of their respective Local Plans, and SPDs must relate to adopted Local Plan policies. This is reflected in a requirement in Policy NE1 that '*Proposals that may directly, indirectly or cumulatively impact on a Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site sites will only be supported where it can be demonstrated that there will be no adverse effects on the integrity of the sites… This part of the Policy relates to development that is located within… the 1km Lower Derwent Valley Area of Restraint. Such development must consider the guidance set out in the Lower Derwent Valley Supplementary Planning Document or its successor… 5 Kilometres of the Lower Derwent Valley SAC/SPA/Ramsar. Such development must have regard to up-to-date visitor monitoring data and where necessary apply appropriate mitigation to reduce recreational pressure from development, including any necessary financial contributions towards the delivery of measures identified in the Lower Derwent Valley Supplementary Planning Document'.*

7.4 The Local Plan allocates 382 dwellings within 5km of the Skipwith Common SAC, a distance that typically reflects the core recreational catchment of heathland sites. It is considered unlikely that the other specific allocations would have an impact on the SAC 'alone' and the remainder of this assessment thus considers the impacts of Policy SG2 (Spatial Approach), particularly in-combination with residential growth projected in the City of York. Extrapolating from visitor survey data it is therefore considered that the development in the Local Plan would make a negligible contribution to any increase in recreational pressure on Skipwith Common SAC. Nonetheless, as a precaution Policy NE1 of the Local Plan includes a requirement in Policy NE1 that '*Proposals that may directly, indirectly or cumulatively impact on a Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site sites will only be supported where it can be demonstrated that there will be no adverse effects on the integrity of the sites… This part of the Policy relates to development that is located within… 5 Kilometres of Skipwith Common SAC. Such development must have regard to up-to-date visitor monitoring data and where necessary apply appropriate mitigation to reduce recreational pressure from development'.*

7.5 Finally, to ensure that the integrity of the Lower Derwent Valley SPA / Ramsar / SAC and the Skipwith Common SAC is maintained in the long-term, it was recommended that visitor monitoring in these sites is undertaken every five years. Moreover, Policy NE1 has been specifically amended to ensure that developments will need to consider their potential for causing recreational pressure within 5km of these sites (or 10km of Humber Estuary SAC/SPA/Ramsar site) and if necessary provide mitigation.

7.6 The residential sites closest to the Humber Estuary allocated in the SLP are in Hemingbrough, amounting to a relatively modest increase of 131 dwellings over the plan period. At their closest point, these new dwellings will be approx. 6.6km from the Humber Estuary SPA / Ramsar / SAC. Furthermore, it is to be noted that most allocations, especially the larger settlements, lie further than 11.5km from the site. Given the data presented above, in particular the postcode and visitor origins data, it is considered unlikely that residential growth in the former Selby district will materially increase recreational pressure along the Humber estuary, 'alone' or in-combination and thus no adverse effect on integrity would arise. However, to underline this conclusion additions have been made to Policy NE1.

7.7 Overall, given this evidence, it was concluded that the emerging SLP will not result in adverse effects on the site integrity of the Lower Derwent Valley SPA / Ramsar / SAC, Skipwith Common SAC or Humber Estuary SPA/SAC/Ramsar regarding recreational pressure.

Loss of Functionally Linked Habitat

Lower Derwent Valley SPA / Ramsar and the Humber Estuary SPA / Ramsar

7.8 The Appropriate Assessment indicated that several of the residential and employment sites allocated in the SLP lie within the maximum foraging distances of Bewick's swans and golden plover, qualifying species of nearby European sites such as the Lower Derwent Valley SPA / Ramsar and the Humber Estuary SPA / Ramsar that will forage inland as opposed to being predominantly coastal feeders like the other qualifying species. Furthermore, several sites comprise suitable foraging habitat and are sufficiently large to be potentially linked to European sites. While the SLP already requires for proportionate ecological assessments, AECOM recommends that further wording requiring the need for overwintering bird surveys is included in the plan to provide further specificity. At present, adverse effects (without mitigation) arising from some of the sites allocated in the Local Plan cannot be excluded, particularly in relation to the Lower Derwent Valley SPA / Ramsar.

7.9 This relates to the following sites:

- OSGB-I Land east of Sand Lane, Osgodby
- CARL-G Land north of Mill Lane, Carlton
- CLIF-O Land north of Cliffe Primary School, Main Street, Cliffe
- HEMB-G Land East of Mill Lane, Hemingbrough
- SELB-BZ Cross Hills Lane, Selby
- SELB-CA Olympia Park, Barlby Road, Barlby
- NDUF-D Land north of the A163
- NDUF-O Land north of Gothic Farm, Back Lane
- RICC-J Land at Landing Lane

7.10 Policy NE1 supporting text states *"To meet the requirements of the Habitats Directive, developers of sites within 10km of these designations must provide evidence that proposals will not result in adverse effects on the integrity of designated areas and associated wildlife through loss of functionally-linked land. Evidence that the development proposals will not cause adverse effects should be submitted through the planning application process, and can be either because the development site is not a suitable habitat, or does not currently support a significant proportion of the protected species associated with the designation. Evidence should include surveys of the a proposed development sites current usage, (if any), by designated species, including for over wintering SPA/Ramsar bird species. A land parcel can be considered to support a*

significant population of a designated species if it is accessed by 1% of the qualifying bird population. Non-breeding bird surveys must be undertaken during autumn, winter and spring."

7.11 The sites identified in Table 6 have also been listed as requiring *"Appropriate Assessment for functionally linked habitats as they lie within the typical foraging ranges of species associated with the Lower Derwent Valley and Humber Estuary SPA/Ramsar designations".*

7.12 With the inclusion of this text to Policy NE1 supporting text, adverse effects on the integrity of the Lower Derwent Valley SPA / Ramsar can be excluded.

Water Quality

River Derwent SAC, Lower Derwent Valley SPA / Ramsar and Humber Estuary SPA / Ramsar

7.13 The qualifying habitats and species of the River Derwent SAC, the Lower Derwent Valley SPA / Ramsar and the Humber Estuary SPA / Ramsar are sensitive to negative changes in water quality, particularly the discharge of phosphorus in wastewater. Potential sources of phosphorus from development sites include surface runoff from impermeable surfaces and leaking / overflowing Package Treatment Plants (PTPs), as well as treated sewage effluent from Wastewater Treatment Works (WwTWs).

7.14 Regarding the discharge of treated sewage effluent, by far the most important contributor of these sources to phosphorus loading in freshwater systems. Policy IC4 (Water Supply, Wastewater Treatment and Drainage Infrastructure) aims to ensure that adequate water supply and wastewater infrastructure to existing, new, or improved, wastewater drainage and treatment facilities is secured prior to first occupation of the development. Moreover, The need to protect water quality, level or flow is also addressed by Policy NE 1 of the Local Plan, which states that any application that has the potential to affect water quality, levels or flow within designated SACs/SPAs/Ramsars must consider potential impacts on hydrological regimes which could affect the integrity of designated habitats, applying appropriate mitigation where deemed necessary, including through measures set out in IC4 and NE5.

7.15 As such, adverse effects on the integrity of the River Derwent SAC, the Lower Derwent Valley SPA / Ramsar and the Humber Estuary SPA / Ramsar can be excluded.

Water Quantity, Level and Flow

River Derwent SAC, Lower Derwent Valley SPA / Ramsar and Humber Estuary SPA / Ramsar

7.16 The HRA of Yorkshire Water's WRMP[105] has concluded that following inclusion of appropriate mitigation measures during the construction phase of relevant schemes that no adverse effects on the integrity of any European site are anticipated. In conclusion it is therefore considered that adverse effects on integrity will not arise from this pathway due to the Selby Local Plan, either alone or in combination with other plans or projects. The need to protect water quality, level or flow is also addressed by Policy NE 1 of the Local Plan, which states that any application that has the potential to affect water quality, levels or flow within designated SACs/SPAs/Ramsars must consider potential impacts on hydrological regimes which could affect the integrity of designated habitats, applying appropriate mitigation where deemed necessary, including through measures set out in IC4 and NE5.

[105] Ricardo Energy & Environment (2022) Habitats Regulation Assessment of the Draft WRMP24. Report prepared for Yorkshire Water Services, September 2022.

Atmospheric Pollution

Skipwith Common SAC

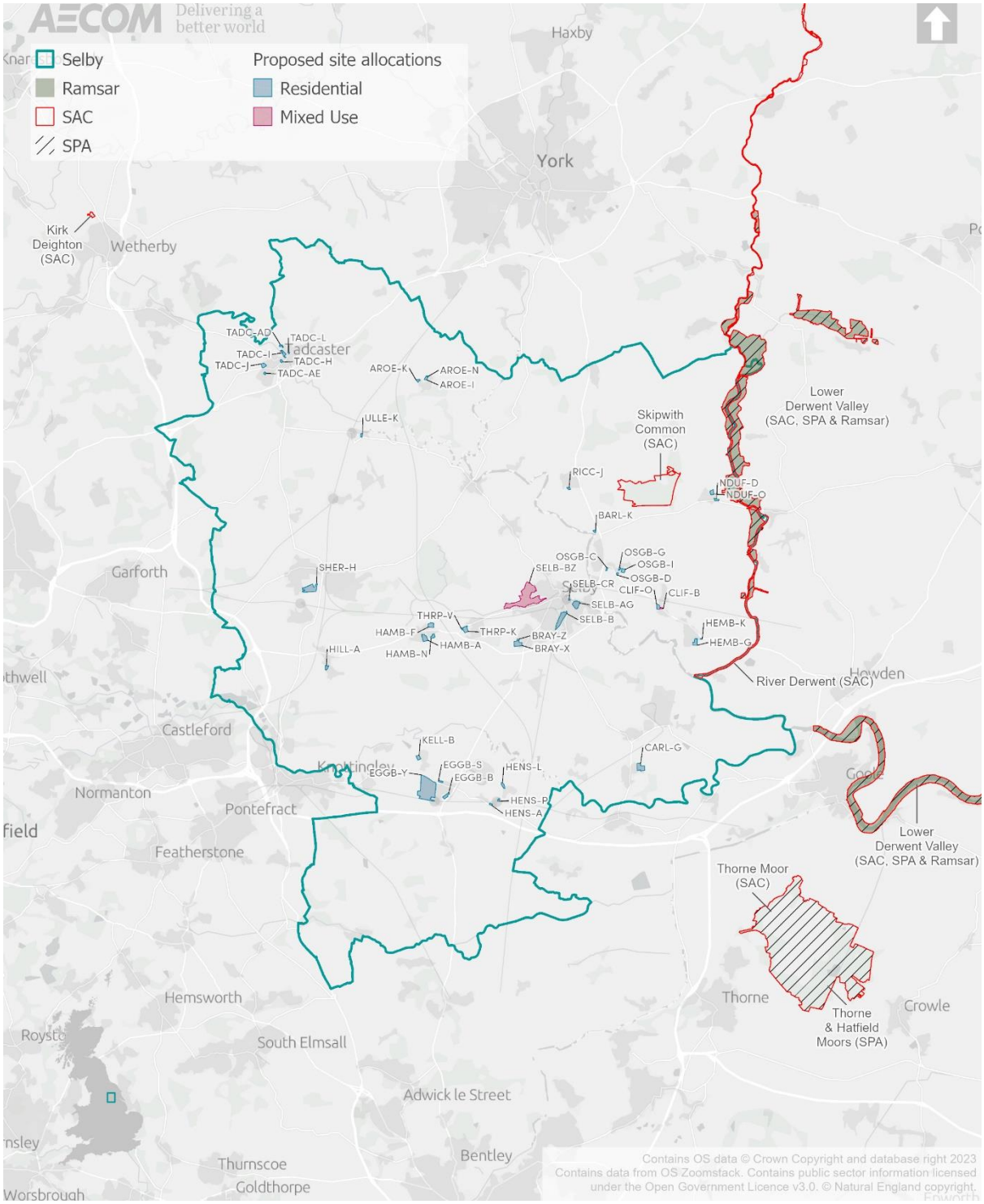
7.17 The qualifying Northern Atlantic wet heaths with *Erica tetralix* and the European dry heaths within the SAC both have a critical nitrogen load of 5-15 kg N/ha/yr. Heathlands are nutrient-poor habitats and resident species have specifically adapted to these conditions. An exceedance of the critical load would lead to a transition from heather to more competitive grasses.

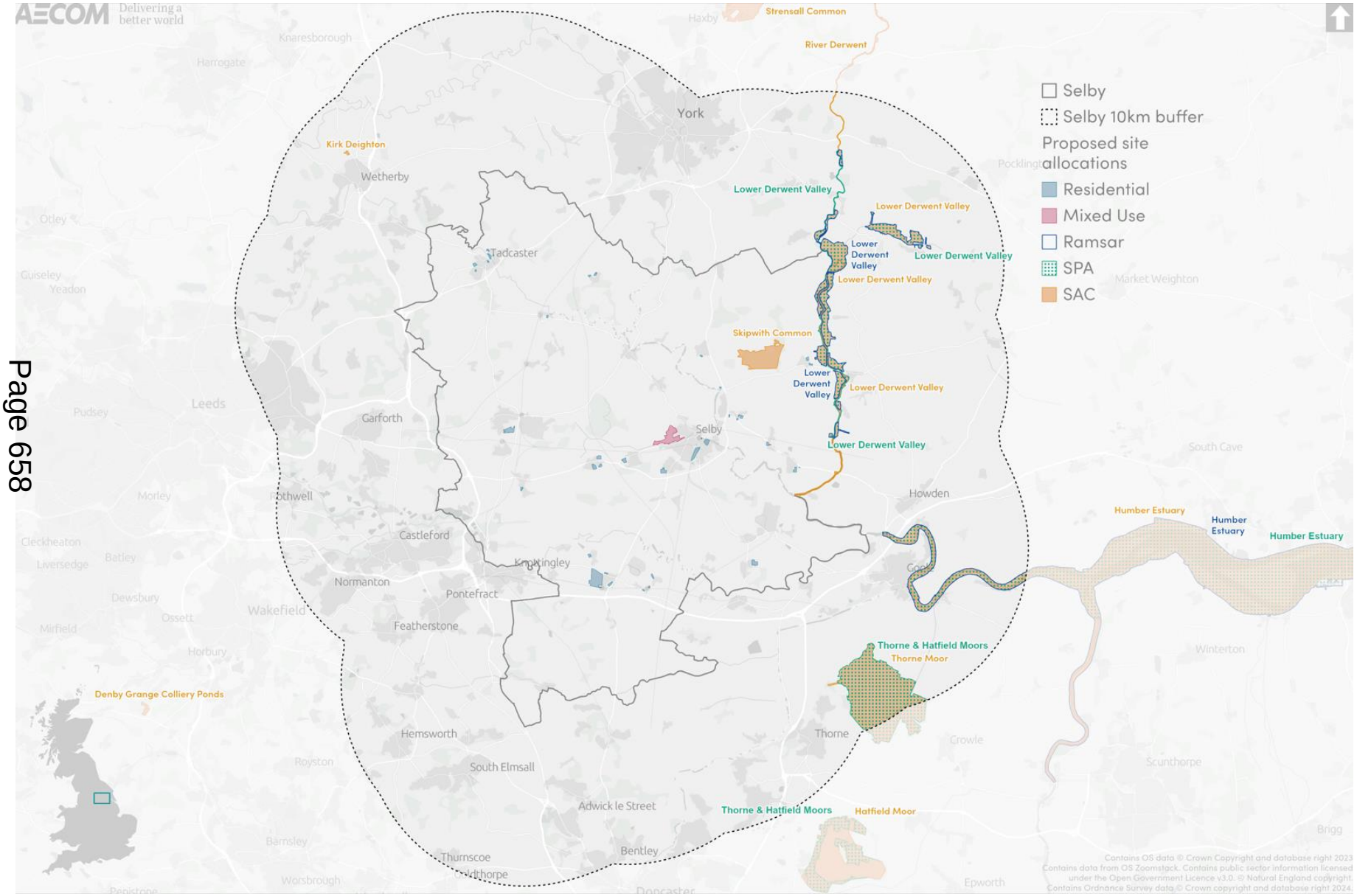
7.18 York Road, although a minor road, does lie within 200m of the SAC and could be affected by developmental growth. For this reason Natural England requested that air quality impacts on the SAC are covered by modelling. However, as a result of modelling it was possible to conclude that the Selby Local Plan will not have an adverse effect on the integrity of Skipwith Common SAC through reduced air quality either alone or in combination with other plans or projects.

Lower Derwent Valley SAC/SPA/Ramsar site

7.19 The lowland hay meadows in the Lower Derwent Valley SAC are sensitive to atmospheric pollution. The Appropriate Assessment determined that the A163, a likely commuter route between the East Riding of Yorkshire and Selby District, bisects the SAC and could lead to an increase in nitrogen deposition in sensitive habitats. While less sensitive, the golden plover feature of the SPA is also identified as being potentially sensitive to nitrogen deposition on alluvial meadow according to APIS. However, modelling demonstrated that it was possible to conclude that the Selby Local Plan will not have an adverse effect on the integrity of Lower Derwent Valley SPA/SAC/Ramsar through reduced air quality either alone or in combination with other plans or projects.

Appendix A Map of sites allocated in the Selby Local Plan and European sites within 10km of Selby District




AECOM Delivering a better world
Selby
Selby 10km buffer
Proposed site allocations
Residential
Mixed Use
Ramsar
SPA
SAC
Strensall Common
River Derwent
York
Kirk Deighton
Wetherby
Lower Derwent Valley
Tadcaster
Skipwith Common
Selby
Garforth
Leeds
Castleford
Pontefract
Normanton
Featherstone
Knottingley
Howden
Humber Estuary
Thorne & Hatfield Moors
Thorne Moor
Denby Grange Colliery Ponds
Hemsworth
South Elmsall
Adwick le Street
Thorne
Hatfield Moor
Bentley
Thurnscoe
Doncaster
Scunthorpe
Contains OS data © Crown Copyright and database right 2023
Contains data from OS Zoomstack. Contains public sector information licensed under the Open Government Licence v3.0. © Natural England copyright.
Contains Ordnance Survey data © Crown copyright and database right 2024.

Appendix B Test of Likely Significant Effects (ToLSEs) Screening Tables

Table 7: Screening table of the policies included in the Selby Local Plan. Where a policy is shaded green, there are no linking impact pathways to European sites and LSEs can be excluded. Where the screening outcome is shaded orange, LSEs cannot be excluded and the policy is screened in for Appropriate Assessment.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
Section 4: Strategic Growth Policies		
Policy SG1 - Achieving Sustainable Development (Strategic Policy)	A. When considering proposals for new development the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work positively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. B. Planning applications that accord with the policies in the Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise. C. In the absence of a five-year housing supply or where policies are out of date (as defined by the National Planning Policy Framework) or not being able to meet the requirements of the Housing Delivery Test at the time of making the decision then the Council will grant permission, which is consistent with the role of the settlement hierarchy as set out in Policy SG2 unless material considerations indicate otherwise, taking into account whether: 1. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; and 2. Specific policies in that Framework indicate that development should be restricted; and 3. The site is well related to the existing built form and is of a scale and nature that is in keeping with the form and scale of the settlement; and 4. The development contributes to meeting the Visions and Objectives of the Local Plan. D. The Council will support proposals which seek to mitigate and adapt to the causes and effects of climate change, through the creation of well-designed development, which optimises opportunity of active travel and public transport to support sustainable transport corridors and movement.	LSEs of this policy on European Sites can be excluded. This is a development management policy that aims for sustainable development in Selby District. It specifies that planning applications in line with the National Planning Policy Framework and the policies in the Selby Local Plan will be approved. However, the policy does not provide a quantum and / or location of employment development. There are no impact pathway present. Overall, Policy SG1 is screened out from Appropriate Assessment.
Policy SG2 - Spatial Approach (Strategic Policy)	A. In order to meet the Council's Vision to build on North Yorkshire's strong local economy and resilient communities, a minimum of 91.2 hectares of employment land and at least 7,728 new homes will be delivered through: 1. The allocation of land for new housing and employment growth to support the growth of Selby Urban Area reflecting its role as the former Selby district's Principal Town, with a range of services, whilst recognising the opportunities for the regeneration of the town centre due to its rail connectivity and the availability of previously developed land. Special Policy Areas are also designated at the Selby Station Quarter and the Selby Gateway recognizing opportunities for the redevelopment of these specific locations. 2. The allocation of land for new housing in Tadcaster to reflect its role as a Local Service Centre and to support a heritage-led approach to the regeneration of the historic brewing centre. 3. The limited further expansion of Sherburn in Elmet supporting its role as a Local Service Centre with a range of employment opportunities, shops and facilities. 4. The allocation of land representing a large expansion of the settlement of Eggborough (to deliver approximately 945 dwellings in the Plan period) reflecting its sustainable location, railway access to Leeds and proximity to the emerging employment locations at Konect (the former Kellingley Colliery) and Core 62 (the former Eggborough Power Station). 5. The allocation of land for new housing in the Tier 1 and Tier 2 Villages as defined in the Settlement Hierarchy of an appropriate scale reflecting each settlement's role. 6. Supporting small scale-windfall development within and adjacent to the main built-up area of Smaller Villages as defined in the Settlement Hierarchy where it is considered appropriate to their scale, form and character to support their continued vitality.	Likely Significant Effects (LSEs) of this policy cannot be excluded. This policy specifies the preferred spatial development approach for Selby District. The policy sets out the broad development to be delivered across the district, including at least 7,728 new homes and a minimum of 91.2ha of employment land. The Preferred Approach SG2 also provides detail on where this development will be delivered, which will mostly occur as redevelopment of existing brownfield sites in Selby Town and Tadcaster. However, an expansion of Sherburn and Eggborough are also provided for. Some growth will occur in Tier 1 and Tier 2 villages. The following impact pathways on European sites are linked to this policy: • Recreational Pressure • Loss of Functionally Linked Habitat • Water Quality • Water Quantity, Level and Flow • Atmospheric Pollution

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	7. Providing support for the redevelopment of previously developed land for new rail focused employment opportunities at Gascoigne Wood rail interchange- and the opportunity to redevelop Olympia Park for employment use making the most of the site's sustainable location on the edge of Selby Urban Area. 8. Development in the countryside to support agriculture, the local rural economy, tourism and recreation where it does not detract from the intrinsic character of the surrounding area. B. Development will be supported in line with the Settlement Hierarchy below. Hamlets and other groups of buildings that are not identified within the settlement hierarchy will be treated as part of the countryside. **Hierarchy** / **Settlement** Principal Town: Selby Urban Area Local Service Centre: Sherburn in Elmet and Tadcaster Tier 1 Villages: Barlby & Osgodby; Brayton; Byram and Brotherton; Carlton, Eggborough & Whitley; Hambleton; Hemingbrough; Riccall; South Milford; and Thorpe Willoughby Tier 2 Villages: Appleton Roebuck; Camblesforth; Cawood; Church Fenton; Cliffe; Escrick; Fairburn; Hensall; Kellington; Monk Fryston & Hillam; North Duffield; Ulleskelf and Wistow Smaller Villages: Barkston Ash; Barlow; Beal; Bilbrough; Bolton Percy; Burn; Burton Salmon; Biggin; Birkin; Chapel Haddlesey; Church Fenton Airbase; Colton; Cridling Stubbs; Drax; Gateforth; Healaugh; Heck; Hirst Courtney; Kelfield; former Kellingley; ; Kirk Smeaton; Little Fenton; Little Smeaton; Lumby; Newland; Newton Kyme; Ryther cum Ossendyke; Saxton; Skipwith; South Duffield; Stillingfleet; Stutton; ; Thorganby; Towton; West Haddlesey and Womersley.	Overall, Policy SG2 is screened in for Appropriate Assessment.
Policy SG3 - Development Limits (Strategic Policy)	Development Limits are: A. Defined around the Selby Urban Area, Tadcaster, Sherburn in Elmet and the Tier 1 and Tier 2 Villages as defined in the Settlement Hierarchy. Within Development Limits proposals will be supported (subject to other relevant planning policies) for infill development, the re-development of previously developed land and the conversion/change of use of existing buildings, in accordance with Policy HG2 for housing development and EM3 for economic development. Outside the Development Limits; B. Development will be supported, in the Smaller Villages, as defined in the Settlement Hierarchy, for very small-scale development commensurate with the character of the individual settlement, in accordance with Policy HG2 for residential, EM4 for economic development and other relevant policies. C. Hamlets and groups of buildings not identified within the Settlement Hierarchy will be treated as part of the Countryside and proposals for development will be determined in accordance with Policy SG4 (Development in the Countryside), an adopted Neighbourhood Plan and other local and national policies.	LSEs of this policy on European Sites can be excluded. This is a development management policy that defines developments limits in key areas of the settlement hierarchy. Importantly, proposals outside these set boundaries will have to be in accordance with National Policy as well as policies in this Local Plan. The policy does not provide a quantum or location of residential or employment development. There are no impact pathway present that link to European sites. Overall, Policy SG3 is screened out from Appropriate Assessment.
Policy SG4 - Development in the Countryside (Strategic Policy)	The Council will seek to ensure that the former The former Selby districtarea remains a special place to live by supporting development which protects and enhances the intrinsic character and beauty of the countryside, recognising the important role it plays in the local economy, for the health and well-being of local residents and as a biodiversity resource. Development in the countryside as defined in Policy SG2 (Spatial Approach) will be limited to activities which have an essential need to be located in the countryside as set out in national policy and will not adversely harm the character, appearance and environmental qualities of the area in which it is located and are supported by other Development Plan policies including;	LSEs of this policy on European Sites can be excluded. This is a policy that manages development in the countryside. The policy particularly relates to the protection of agricultural land (Grades 1 to 3a) and thus has no real bearing on European sites.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	• EM4 The Rural Economy • EM5 Tourist, Recreation and Cultural Facilities • EM6 Holiday Accommodation • HG2 Windfall Development • HG3 Rural Workers Dwellings • HG4 Replacement Dwellings in the Open Countryside • HG5 Re-Use or Conversion of Rural Buildings in the Open Countryside • HG8 Rural Housing Exception Sites • HG9 Conversions to Residential Use and Changes of Use to Garden Land Best and Most Versatile Agricultural Land A. The best and most versatile land will be protected by; 1. Avoiding the irreversible loss of the best and most versatile agricultural land (Grade 1 to 3a) where possible; and 2. Avoiding the irreversible loss of Grade 1 agricultural land unless there are exceptional circumstances where the benefits of the proposal significantly outweigh the loss of land. B. Where the Council accepts that the applicant has demonstrated that there is a need for best and most versatile agricultural land to be developed and there is a choice between sites or areas of land in different grades; land of the lowest grade available should be used except where other policy or material considerations outweigh land quality issues. Proposals for development should demonstrate that soil resources have been protected and used sustainably in line with best practice.	The policy does not provide a quantum or location of residential or employment development. There are no impact pathways present that link to European sites. Overall, Policy SG4 is screened out from Appropriate Assessment.
Policy SG5 - Green Belt (Strategic Policy)	The extent of the West Yorkshire and City of York Green Belts is illustrated on the Policies Map. Development within the designated Green Belt, as identified on the Policies Map will be determined in accordance with the National Planning Policy Framework or its successor.	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This is a development management strategy that establishes the Green Belts of West Yorkshire and the City of York. Establishing the development criteria for proposals in the Green Belt has no bearing on European sites. Overall, there are no impact pathways present and Policy SG5 is screened out from Appropriate Assessment.
Policy SG6 – Safeguarded Land (Strategic Policy)	The following sites, as shown on the Policies Map, are designated as Safeguarded Land to meet longer-term development needs beyond the Plan period. Location — Site size (hectares) Land west of Garden Lane, Sherburn in Elmet — 6.2 Land north of Springfield Road, Sherburn in Elmet — 2.66 Development of Safeguarded Land will be restricted to: 1. That which is necessary in relation to the operation of existing uses; or 2. Temporary uses that will not prejudice the possibility of the site's future comprehensive development; and 3. In all cases, where it is not detrimental to the character of the site and its surroundings. It is intended that the release of Safeguarded Land, if required, will be carried out as part of future Local Plan preparation.	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This is a development management strategy that safeguards two land parcels for longer-term development needs beyond the plan period. However, given that such development would not occur within the current time period (the focus of assessment of this HRA), this has no relevance for this assessment. Overall, there are no impact pathways present and Policy SG6 is screened out from Appropriate Assessment.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
Policy SG7 - Strategic Countryside Gaps (Strategic Policy)	Development within the Strategic Countryside Gaps, as defined on the Policies Map, will only be supported where it is demonstrated that it will maintain and enhance the open character of the countryside and where the gap will not be compromised.	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This is a development management strategy that protects strategic countryside gaps from development. However, the protection of such gaps has no bearing on European sites. Overall, there are no impact pathways present and Policy SG7 is screened out from Appropriate Assessment.
Policy SG8 - Neighbourhood Planning (Strategic Policy)	The Council will support Neighbourhood Plans which are considered to be in general conformity to the Strategic Policies identified in the Local Plan. The following Neighbourhood Plans have been formally made: • Appleton Roebuck and Acaster Selby (2017) • Church Fenton (2021) • Escrick (2022) The Council will support development in accordance with up to date, made Neighbourhood Plans. The following are formal designated Neighbourhood Areas; • Brayton • Selby Town • Tadcaster • Ulleskelf **Housing development** The former The former Selby districtarea housing requirement will be met over the Plan period through a combination of implemented planning permissions since the base date of the Local Plan, the allocation of unimplemented planning permissions at 31 March 2023 and the allocation of new sites, including a 5% buffer to provide flexibility and an over-supply of sites to ensure that sufficient housing is delivered as set out in Policy HG1. There is no requirement for housing development to be allocated in Neighbourhood Plans to meet the identified housing needs for the District set out under Policy HG1. Emerging Neighbourhood Plans will be encouraged to plan positively for growth by considering additional sites to those identified through the site allocations in the Local Plan or alternative sites where it has been demonstrated that allocations will no longer be delivered.	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy establishes the formal designated Neighbourhood Plan (NP) areas for which NPs will be forthcoming. However, the delineation of such areas has no relevance to European sites. Any additional development allocated in NPs would be subject to its own HRA. Overall, there are no impact pathways present and Policy SG8 is screened out from Appropriate Assessment.
Policy SG9 – Design (Strategic Policy)	A. In order to make the former The former Selby districtarea a great place to live and enjoy, all new development should be well designed and beautiful, responding positively to the special character and local distinctiveness of the area. In order to achieve this all new development should seek to reflect national and local policies and guidance which promotes high-quality design including Neighbourhood Plans,Conservation Area Appraisals and Village Design Statements. B. Development should, where appropriate, seek to: 1. Respond to its location in terms of the natural, historic and built environment reflecting important views and landscapes and reinforce the distinctiveness and character of the local area having regard to the existing form, scale, density, layout, building materials and detailing; 2. Facilitate social inclusion, promote user-friendly environments and provide safe and secure places to live and work by designing out antisocial behaviour through the creation of developments with natural surveillance having regard to Secured by Design principles. Development proposals which will generate crowds in public spaces should consider appropriate security measure in the design of buildings and spaces;	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy sets out various design criteria for new developments in Selby District, such as the provision of private amenity space, connections to open spaces and green infrastructure networks, and considerations of wildlife and local heritage. Much of the policy detail is positive, however there are unlikely to be any impacts on European sites. Specifically, the policy does not provide a quantum and / or location of residential or employment growth.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	3. Provide sufficient private amenity space which is appropriate to the type of development proposed ensuring proposals do not have an adverse impact on overlooking, loss of privacy, light or disturbance from noise, vibration, odour or fumes; 4. Make efficient use of land by not adversely affecting the potential development of a wider area of land which could otherwise be available for development. This can be achieved by ensuring that allocated sites which are built out in part, leave an access into the remainder of the site; 5. Ensure that the highest levels of sustainability are achieved through the design of buildings and by making efficient use of resources. Proposals should sufficiently consider the long-term implications of climate change such as flood risk, water supply, biodiversity and landscape, and the risk of over-heating from rising temperatures; 6. Promote active travel and healthy lifestyles through the promotion of walking and cycling links, access to areas for recreation and the principles of Building for Healthy Lives (or successor document). Proposals for Major Development should be accompanied by a Health Impact Assessment Screening Checklist which will determine whether a full assessment is required and where appropriate, a full Health Impact Assessment should be undertaken, and any design requirements accommodated into the scheme; 7. Make sure that adequate access and internal roads are provided to ensure safe internal vehicular movements; 8. Provide connections to existing open spaces, green infrastructure networks and Public Rights of Way outside of the development boundary; 9. Incorporate multi-functional green infrastructure within sites to provide carbon storage and Sustainable Drainage Systems (SuDS); 10. Provide specific and dedicated spaces for wildlife to encourage a more robust and connected network of habitats. Major Development should provide integrated swift or bat bricks and hedgehog holes whilst all development should be brought forward in accordance with Building for Nature Standards or its successor; 11. Integrate Public Art developed with the local community into all Major Development schemes; 12. Be configured to bring about an increase in the level of bus use, and the layout of streets and paths in new developments should facilitate direct and efficient bus operation, with direct and pleasant walking routes to bus stops. Masterplans and Design Codes may be required for large-scale development, which will be delivered in phases. Applicants will be expected to engage positively with the Council and the local community in developing Masterplans and Design Codes.	Overall, there are no impact pathways present and Policy SG9 is screened out from Appropriate Assessment.
Policy SG10 - Proposals for low carbon and renewable energy storage and generation (including hydrogen transportation networks).	A. Proposals for low carbon and renewable energy storage, transportation networks and generation will be supported where: 1. Planning impacts of the development and associated infrastructure, both individually and cumulatively, are, or can be made, acceptable; 2. Appropriate weight, consideration and mitigation has been given to the following where applicable: i. Landscape character and sensitivity; ii. Designated nature conservation sites, features, functionally-linked land, protected habitats and species; iii. Designated and non-designated heritage assets and their settings; iv. Hydrology and water quality; v. Impact on Infrastructure and Transport Networks including highways, rail, aviation operations, navigational systems, Public Rights of Way, television, radio, telecommunications systems; vi. Living conditions and amenity including due to noise, odour, dust, vibration, visual intrusion, shadowing or flicker. 3. Community engagement has been undertaken which demonstrates the delivery of environmental, social and economic benefits and how concerns will be addressed/mitigated for;	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy sets out a list of criteria that must be met by proposals aimed at developing new low carbon and renewable infrastructure and the delivery of community energy systems. However, while positive, this policy is unlikely to be relevant to European sites. Specifically, the policy does not provide a quantum and / or location of such developments. Overall, there are no impact pathways present and Policy SG10 is screened out from Appropriate Assessment.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	4. The site will be recovered to a safe condition, with a suitable use, to a minimum of its original value and condition, within a defined and agreed period should the infrastructure cease to be operational. B. Proposals to facilitate heat recovery and delivery of community energy systems such as combined heat and power (CHP), combined cooling, heat and power (CCHP) and district heating networks should be explored where; 1. development is in proximity to existing sources of heat generations; or 2. there is sufficient heat density/demand to anchor loads; and 3. provision of combined heat and power systems does not cause significant harm to heritage assets.	
Policy SG11 - Flood Risk (Strategic Policy)	A. To enable communities to manage, be resilient and adapt to flood risk, development will only be supported where it can be demonstrated that: 1. The site falls within areas of lowest flood risk as set out in the most up-to-date Environment Agency flood risk maps and/ or Selby District's Strategic Flood Risk Assessment (SFRA) maps; or 2. The development is of a type that is exempt from the sequential and exceptions tests, as determined by national policy; or 3. The site has passed through a Sequential Test as set out by the Local Planning Authority; or 4. Where there are no sequentially preferable sites, the site has been assessed through the application of the Exception Test as set out in the National Planning Policy Framework and; 5. The proposal does not increase the risk of flooding off-site; 6. A scheme that has to be located in Flood Zone 3b (functional floodplain) involving essential infrastructure that has passed the Exception Test, or water-compatible uses, will be designed and constructed to: i. remain operational and safe for users in times of flood; and ii. result in no net loss of floodplain storage; and iii. not impede water flows and not increase flood risk elsewhere. B. If a site has passed the Sequential and Exception Tests the following criteria will need to be applied where viable and feasible to make it acceptable in detail: 1. Where the development is located in areas of flood risk such as Flood Zone 2 (or higher) and does not constitute Minor Development or a change of use the development layout within the site will be subject to the sequential approach, with the highest vulnerability development located in areas at lowest flood risk within the site; 2. Relevant flood resilience construction methods identified through an up to date site-specific Flood Risk Assessment (FRA) should be implemented to reduce the impact and likelihood of a flood event; 3. Where the development has existing trees, woodland and/or hedgerows these should be retained where the risk of flooding from surface water has been identified and it is possible, and if not retained the developer must agree a tree planting scheme in line with Policy NE6 where determined to be the best option to help reduce identified flood risk from surface water; 4. The features that manage surface water are commensurate with the design of the development in terms of size, form and materials and make a positive contribution to reducing flood risk. More specific development control guidance should incorporate comments from the Lead Local Flood Authority;	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy provides detailed criteria that development proposals will have to meet to minimize flood risk (both in the allocated themselves and adjacent parts of the district). Importantly, the policy stipulates that Sustainable Drainage Systems (SuDS) will have to be used and that hard surfaces should be permeable, where possible. This is particularly important for proposals in North Duffield, which have the potential to result in water quality and water quantity, level and flow impacts in the Lower Derwent Valley SPA / Ramsar / SAC and the River Derwent SAC. At its closest point, the SPA / Ramsar is only approx. 330m from the allocation 'Land North of A163, North Duffield'. The policy does not provide a quantum and / or location of residential or employment growth. Overall, there are no impact pathways linking this policy to European sites and Policy SG11 is therefore screened out from Appropriate Assessment.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	5. Sustainable Drainage Systems (SuDS) where appropriate are incorporated in accordance with the National Planning Policy Framework and the non-statutory technical standards, but taking advice from those organisations that provide input through the planning process including the Lead Local Flood Authority, and in relevant areas the Internal Drainage Boards; 6. Wastewater and effluent should be disposed to dedicated treatment plants wherever possible and make the best use of existing sewerage networks. Infrastructure for new development should ensure that surface water is always drained and managed separately from foul water. It is considered that combined sewer systems, which carry both foul and surface water, have limited capacity and are more likely to lead to foul flooding and are therefore not supported for new development; 7. Hard surfaces on developments should be permeable where practicable in line with highways guidance from the Local Highways Authority unless proven not to be possible by site investigation; 8. Proposals involving building over existing culverts, or the culverting or canalisation of watercourses will not be permitted unless it can be demonstrated to be in the interests of public safety or to provide essential infrastructure and that there will be no detrimental effect on flood risk and biodiversity. Where feasible, development proposals should incorporate re-opening of culverts, modification of canalised watercourses and consideration of mitigation measures to achieve a more natural state; 9. All developments planning work in, on, under or near ordinary watercourses (including piped ordinary watercourses), or discharging surface water into a watercourse within the defined Drainage District require consent from the Internal Drainage Board and need to have regard to all relevant byelaws; 10. In terms of mitigation, sites should follow the relevant guidance detailed within the Strategic Flood Risk Assessment(s), including: i. Setting of finished floor levels; and ii. Management of residual depths, hazards, etc.; and iii. Consideration to the design flood event; and iv. Access and egress requirements. 11. In some developments (for example, commercial/industrial), raising floor levels may not be possible due to operational requirements. In these instances alternative measures should be considered and agreed with the Environment Agency before implementation. C. Where required by the National Planning Policy Framework (NPPF) and set out in Planning Practice Guidance, proposals for development should be accompanied by a site-specific Flood Risk Assessment (FRA). The need for a FRA is described in the NPPF, however Footnote 55 of the NPPF also refers to the need for the SFRA to provide guiding details for sites where a FRA will be necessary; and not just relying on the Environment Agency flood zones. D. Development allocated in the Local Plan will not be subject to the Sequential/Exception Tests identified in Part A as it has already been determined through the Local Plan process that they have passed these Tests.	
Policy SG12: Valuing the Historic Environment (Strategic Policy)	The former The former Selby districtarea's heritage assets will be preserved and where appropriate enhanced in a manner commensurate to their significance. Developments which will help in the management, conservation, understanding and enjoyment of the area's historic environment, especially for those assets which are at risk, will be encouraged. Particular attention will be paid to the conservation of those elements which contribute most to the former The former Selby districtarea's distinctive character and sense of place. These Include: • The archaeology and historic landscapes of the Magnesian Limestone Ridge and the Humberhead Levels; • The significant ritual and funerary sites and archaeological remains associated with Newton Kyme Henge and Skipwith Common; • The Roman heritage of the Tadcaster area; • Medieval sites – particularly moated and manorial sites; • The registered Battlefield at Towton and its setting; • The former The former Selby districtarea's historic Parks and Gardens • The former The former Selby districtarea's significant ecclesiastical history, as exemplified by Selby Abbey, • Cawood Castle and the Bishop's Canal; • The formet The former Selby districtarea's strong industrial heritage, relating principally to mining and shipbuilding,	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy provides protection to heritage environments and assets. It stipulates that such assets should be conserved or enhanced through development proposals. However, the preservation of historic environments has no relevance to European sites. Overall, there are no impact pathways linking this policy to European sites and Policy SG12 is therefore screened out from Appropriate Assessment.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	• in contrast with its largely rural character; • The 19th Century farming heritage of the area; • 20th Century military remains, most notably the airfields of former RAF Riccall and • RAF Church Fenton; and • The designated heritage assets of the former Selby district. .	
Policy SG13: Planning Applications and the Historic Environment (Strategic Policy)	In order to preserve and/or enhance the historic environment, a development scheme will be supported which meets the following; A. Development affecting a heritage asset should preserve, and where appropriate, enhance those elements which contribute to its significance. B. Harm to elements which contribute to the significance of a designated heritage asset (or an archaeological site of national importance) will only be supported where this is clearly justified and outweighed by the public benefits of the proposal. Substantial harm or total loss to the significance of a designated heritage asset (or an archaeological site of national importance) will be permitted only in those circumstances set out in the National Planning Policy Framework. C. Development affecting a Conservation Area should preserve and where appropriate enhance those elements which make a positive contribution to the character or appearance of the area, including its setting, and should be in accordance with the guidance set out in adopted Conservation Area Appraisals. D. Development which would remove, harm, or undermine the significance of a non-designated heritage asset will only be permitted where the benefits are considered sufficient to outweigh the harm, having regard to the scale of any harm and the significance of the asset. E. Proposals for the sympathetic re-use of vacant and “at risk” buildings will be supported where they prevent further deterioration of the buildings condition, maintain, or enhance their significance, and support their long-term conservation. F. In order to satisfy the requirements of this policy, a Heritage Statement must be undertaken by suitably qualified expertise and submitted in support of any proposals which effect the historic environment. G. Where there is potential for archaeological remains, applicants will be required to undertake an archaeological field evaluation commensurate to the likelihood and/or significance of the archaeology.	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy provides protection to heritage environments and assets. It stipulates that such assets should be conserved or enhanced through development proposals. However, the preservation of historic environments has no relevance to European sites. Overall, there are no impact pathways linking this policy to European sites and Policy 13 is therefore screened out from Appropriate Assessment.
Section 5: Supporting a Diverse Local Economy and Thriving Town Centres		
Policy EM1 - Meeting Employment Needs (Strategic Policy)	The Council will support sustainable economic growth through the allocation of economic development proposals at the following sites as shown on the Policies Map: **Site Ref.** / **Settlement** / **Location** / **Area to be developed as employment land (Hectares)** EGGB-AA / Eggborough / Eggborough Power Station / 40 SHER-AA / Sherburn in Elmet / Gascoigne Wood / 57.35 SELB-CA / Selby / Olympia Park / 33.6 **TOTAL** / **130.95ha**	Likely Significant Effects (LSEs) of this policy cannot be excluded. This policy supports economic growth in three employment allocations in Eggborough, Sherburn in Elmet and Selby town respectively, totaling 130.95ha in area. The allocation of new employment land could potentially lead to the loss of supporting habitats for SPA / Ramsar birds (such as from the Lower Derwent Valley SPA / Ramsar or the Humber Estuary SPA / Ramsar). Furthermore, it is likely to increase commuter traffic within Selby District, as well as contributing to the volume of potable water used and treated sewage produced. The following impact pathways on European sites are linked to this policy: • Loss of Functionally Linked Habitat • Water Quality • Water Quantity, Level and Flow • Atmospheric Pollution Overall, Policy EM1 is screened in for Appropriate Assessment.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
Policy EM2 - Protection of Employment Land (Strategic Policy)	A. The following defined Key Employment Areas, as shown on the Policies Map, will be protected in order to safeguard existing or potential jobs: **Site** — **Status** Core 62 (Former Eggborough Power Station), Eggborough — Permitted Church Fenton Creative Studios, Church Fenton — Permitted Konect (Former Kellingley Colliery), Kellingley — Permitted Sherburn 2, Sherburn in Elmet — Permitted Drax Power Station, Drax — Existing employment site Selby Business Park, Bawtry Road, Bayton — Existing employment site Access 63, East Common Lane, Selby — Existing employment site Station Road, Tadcaster — Existing employment site York Road, Tadcaster — Existing employment site Sherburn Enterprise Park, Sherburn in Elmet — Existing employment site North Point Business Park, Selby Road (North), Eggborough — Existing employment site Selby Road (South), Eggborough — Existing employment site B. Proposals for the expansion, intensification or redevelopment of a Key Employment Area for employment uses will be supported where it does not harm the amenity of the surrounding area. The use of conditions will be considered for applications for office, research and development and light industrial uses (Use Class Eg) to ensure that they remain within that use in perpetuity. C. The development of Key Employment Areas for non-employment uses will only be supported where: 1. The proposal is for an ancillary use; and 2. The proposal is not for residential use; and 3. Development would not result in a significant loss of existing jobs or employment potential. D. On all other existing employment sites / premises (i.e. those not in defined Key Employment Areas) a change of use to non-employment uses will be resisted unless it can be demonstrated that: 1. There will still be an adequate supply of employment land in the locality as defined by the latest Housing & Economic Development Needs Assessment; and 2. The land or premises cannot satisfactorily support continued employment use as demonstrated by the submission of evidence which demonstrates that the site or premises has been actively marketed for a period of 12 consecutive months.	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy protects existing employment land across The former Selby districtto ensure that existing or future jobs are safeguarded. While the allocation of employment land is associated with various impact pathways, this policy relates to existing or permitted employment land, which would have already been assessed in a previous HRA. Therefore, there are no additional impact pathways present Overall, Policy EM2 is screened out from Appropriate Assessment.
Policy EM3 - Economic Development (Strategic Policy)	A. New employment development, including change of use, on land not allocated for employment development, will be supported within the Development Limits of existing settlements. B. Proposals for the expansion of existing employment uses will be permitted within and immediately adjacent to the Development Limits of existing settlements. C. In all cases the following criteria must be met: 1. Development is of a scale appropriate to the hierarchy of the settlement in which it is proposed;	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy defines more general criteria that must be met by successful development proposals. Among the criteria is that such development should not cause harm to ecological features. However, the policy does not provide a quantum and / or location of employment growth. The quantum and broad location of employment development has already been assessed in Policy EM1.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	2. Development is of a type and design sympathetic to the location within which it is proposed; 3. Development would not have an unacceptable impact on highways or other forms of infrastructure and provides electric vehicle charging points; 4. Development would not cause harm to local amenity, landscape, ecology, historic environment or other environmental and cultural heritage considerations; and 5. Development is supported by a landscaping scheme and boundary details which appropriately respond to the locality and setting.	Overall, there are no linking impact pathways present and Preferred Approach EM3 is screened out from Appropriate Assessment.
Policy EM4 - The Rural Economy (Strategic Policy)	A. A prosperous rural economy will be supported by allowing development in Smaller Villages and Countryside, including farm diversification, if it: 1. Expands existing businesses through either the conversion of existing buildings or well-designed new buildings; or 2. Redevelops an existing or former employment site or premises; or 3. Supports the sustainable diversification of agricultural and other land-based businesses; or 4. Is related to tourism or recreation, subject to the requirements of Policy EM5 or Policy EM6. B. Development within Smaller Villages and Countryside will be expected to: 1. Be of a scale commensurate with an existing use, or that reasonably required for a new use, and with the rural character of the location; and 2. Successfully mitigate any harmful impacts on the countryside, biodiversity, landscape or local character of the area; and 3. Comply with Policy IC6 (Sustainable Transport, Highway Safety and Parking) and not adversely impact on the local road network.	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy generally supports small-scale economic proposals in the countryside, provided they meet certain criteria. Development proposals should not have harmful effects on biodiversity. However, the policy does not provide a quantum and / or location of employment growth. The quantum and broad location of employment development has already been assessed in Policy EM1. Overall, there are no linking impact pathways present and Policy EM4 is screened out from Appropriate Assessment.
Policy EM5 - Tourist, Recreation and Cultural Facilities (Strategic Policy)	Proposals for tourist, recreation and cultural facilities will be permitted provided: A. The nature and scale of the proposal would be appropriate to the locality; B. The proposal would not have a significant adverse effect on the character and appearance of the area; C. The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity; D. Proposals that come forward within the countryside, subject to compliance with Policy EM4 (The Rural Economy), will require suitable justification to be provided that the use requires a rural location and that it cannot be accommodated within the Development Limits of an existing settlement; and E. Proposals affecting the Lower Derwent Valley Area of Restraint meet the requirements of Policy NE1 (Protecting Designated Sites and Species).	Likely Significant Effects (LSEs) of this policy cannot be excluded. This policy supports development proposals for tourist and recreation opportunities. Several European sites in The former Selby districtare sensitive to recreational pressure and, depending on the nature and location of tourism proposals, this could increase the recreational footfall in sensitive areas. Tourism development is also associated with other impact pathways (see below). The following impact pathways on European sites are linked to this policy: • Recreational Pressure • Loss of Functionally Linked Habitat • Water Quality • Water Quantity, Level and Flow • Atmospheric Pollution Overall, Policy EM5 is screened in for Appropriate Assessment.
Policy EM6 - Holiday Accommodation (Strategic Policy)	A. Proposals for serviced and non-serviced holiday accommodation, including hotels, guest houses, holiday cottages, static caravans and lodges, will be permitted where: 1. The development is located within the Development Limits of an existing settlement; or 2. If located in the Countryside the proposal represents:	Likely Significant Effects (LSEs) of this policy cannot be excluded. This policy links to Policy EM5, which provided for tourism development within the district. Policy EM6 provides support to serviced and non-serviced holiday accommodation, potentially in the open countryside.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	i. An extension or replacement to existing holiday accommodation; or ii. The reuse of an existing building which is structurally capable of conversion; or iii. Static caravans or holiday lodges, where development can demonstrate the highest possible standards of siting, design and landscaping. 3. All proposals will be required to meet the following criteria: i. The size and scale of the proposal would be appropriate to the locality; ii. The development does not create an over-concentration of properties in use as tourist accommodation to the detriment of local amenity; iii. Development would not have an unacceptable impact on highways or other forms of infrastructure; iv. Development would not have a harmful impact on the countryside, biodiversity, landscape or local character of the area; and v. Where the development is for a hotel, the proposal should demonstrate compliance with the sequential approach in accordance with national policy and Policy EM7 (Town Centres and Retailing). B. Proposals for touring caravans, motorhomes, Aires and camping facilities will be supported where: 1. The proposal would not have a significant impact on the character and open appearance of the countryside or harm recognised nature conservation interests; 2. The proposal would be well screened and would not have a significant adverse impact on local amenity; 3. The site would have good access to the primary road network and would not have an unacceptable impact on highways; 4. Any ancillary buildings or structures are demonstrably essential to providing basic services on the site; and 5. The number of pitches proposed are in proportion to the size of the locally resident population so as not to disrupt community life. C. To ensure that holiday accommodation does not result in the creation of permanent living accommodation, conditions may be imposed which restrict the use and / or period of occupation. D. Proposals affecting the Lower Derwent Valley Area of Restraint meet the requirements of Policy NE1 (Protecting Designated Sites and Species). E. Proposals would not have detrimental impact on sites of historical or archaeological importance or their setting in accordance with Policy SG13 (Planning Applications and the Historic Environment).	As highlighted in relation to the previous policy, the Lower Derwent Valley SPA / Ramsar / SAC and the Skipwith Common are sensitive to recreational pressure. Depending on the scale and location of holiday accommodation, the recreational footfall in these sites could increase. Holiday accommodation would also contribute to other impact pathways (see below). The following impact pathways on European sites are linked to this policy: • Recreational Pressure • Loss of Functionally Linked Habitat • Water Quality • Water Quantity, Level and Flow • Atmospheric Pollution Overall, Policy EM6 is screened in for Appropriate Assessment.
Policy EM7 - Town Centres and Retailing (Strategic Policy)	A. Support will be given to maintaining and enhancing the vitality and viability of the following retail hierarchy of defined Town Centres: 1. Selby - Principal Town Centre 2. Tadcaster and Sherburn in Elmet - Minor Towns Centres This will be achieved by ensuring that proposals for main town centre uses will be supported (within the defined Town Centre boundaries as shown on the Policies Map) in line with their respective roles in the retail hierarchy as follows: a. Selby Town Centre is the dominant centre in the former district area. Its role as the Principal Town Centre will be supported through a focus for town centre uses including retail, commercial, leisure, entertainment, food and drink, recreation, arts and cultural uses. The continued renaissance of the Town Centre will be promoted through the diversification of uses, including the re-purposing of upper floors to residential use, sensitive conservation work, improved pedestrian and cycle linkages and an enhanced evening and visitor economy. A Town Centre Design Guide Supplementary Planning Document will be prepared with a view to help improve the visual character of the high street. Opportunities will be taken to enhance the town's weekly market and promote town centre spaces for events and leisure activities. b. Tadcaster and Sherburn in Elmet Minor Town Centres have an important role serving more localised catchments:	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This is an economic policy that maintains the Selby, Tadcaster and Sherburn town centres. However, the provision of retail outlets, entertainment and arts in town centres has no bearing on European sites. Policy EM7 does not provide a quantum and / or location of employment growth. Overall, there are no linking impact pathways present and Policy EM7 is thus screened out from Appropriate Assessment.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	i. In Tadcaster, priority will be given to the regeneration of the Town Centre in a way which utilises the town's high-quality built heritage and attractive riverside location. ii. Improvements to the retail offer and range of facilities will be encouraged in Sherburn in Elmet Town Centre to ensure that the local community is supported by a wider range of shops and services, including an enhanced evening economy. This may be achieved through an extension or remodelling of the existing Town Centre. B. Retail development and proposals for other main town centre uses, outside the Town Centre boundaries of Selby, Tadcaster and Sherburn in Elmet will be required to: 1. Meet a purely localised need and conform with Policy EM8 (Local Shops); or 2. Demonstrate compliance with the Sequential Approach; and 3. Provide an Impact Assessment for proposals that have a floorspace in excess of 400 square metres gross (280 square metres net).	
Policy EM8 - Local Shops	Outside defined Town Centre boundaries (as shown on the Policies Map), the health and well-being of local shops will be promoted. A. Planning permission for the change of use of a local shop, including post offices, pubs and petrol stations, to other uses will only be permitted if it can be shown that: 1. The business is no longer financially viable; or 2. There is an appropriate alternative within the same village or community. B. Proposals for new local shops within existing settlements will be permitted where: 1. The shop is small scale (no more than 280 square metres net) and of a type and in a place that would meet localised daily needs including on strategic housing sites where a need for a Local Centre has been identified; 2. The shop is located and designed to encourage trips by pedestrians and cyclists; and 3. The proposal would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity.	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy promotes local shops outside established Town Centres. Positively, new local shops should encourage sustainable travel modes (e.g. walking and cycling). The policy does not provide a quantum and / or location of employment growth. Overall, there are no linking impact pathways present and Policy EM8 is thus screened out from Appropriate Assessment.
Policy EM9 - Hot Food Takeaways	A. Proposals for hot food takeaways will only be permitted in locations where they satisfy other relevant policies of the Plan and the following criteria: 1. They do not lead to clustering or proliferation of such uses where they undermine objectives to promote healthy living and the vitality and viability of the defined Town Centres; and 2. They do not have a negative impact upon the amenity and safety of residents and other businesses in the area; to include highway safety and parking, hours of operation, control of odours, and litter and waste disposal; and B. Subject to meeting the above criteria, hot food takeaways which are located within 400 metres of a secondary school or further education college will not be supported unless the opening hours are restricted until after 17:00 on weekdays.	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy restricts the delivery of hot food takeaways by specifying further criteria that such businesses must fulfill. However, the provision of takeaways has no bearing on European sites. Overall, there are no linking impact pathways present and Policy EM9 is thus screened out from Appropriate Assessment.
Policy EM10 - Advertisements	A. Applications for consent to display advertisements will be permitted where the size of the sign and the materials used are appropriate to the street scene and will not have an adverse effect on either the amenity of the area or on public and road safety B. Proposals for the display of advertisements within Conservation Areas and on, or affecting, a Listed Building will be granted consent provided the advertisement would not detract from the architectural and historic character of the street scene and would accord with the provisions of Policy SG13 (Planning Applications and the Historic Environment). The proposed advertisement should use a high standard of materials and if it is proposed that the advertisement be illuminated, the design, method and degree of illumination should not detract from	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy relates to the permissiveness of advertisements across Selby District. However, the provision of advertisements has no bearing on European sites.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	the overall character of the area.	Overall, there are no linking impact pathways present and Policy EM10 is thus screened out from Appropriate Assessment.
Section 6: Providing the Right Infrastructure To Support Local Communities		
Policy IC1- Infrastructure Delivery (Strategic Policy)	The Council will work with infrastructure providers and developers to ensure that additional capacity is delivered to meet the requirements of the Plan Area by ensuring that: A. The development of new or improvements to existing infrastructure will be supported where it can be demonstrated that: 1. There is an identified need; 2. The proposal is located close to where the need arises; 3. The proposal will be accessible to all potential users; 4. There are no adverse impacts on the surrounding highway network; 5. The location and design considers long-term climate resilience and will not detract from the character of the local area; 6. Satisfactory areas for amenity and circulation are provided to support the scheme. B. All new development will provide new or improved infrastructure, as necessary and evidenced, either on-site or through proportionate contributions towards the overall costs of off-site provision. Consideration of what infrastructure is required and how it will be delivered, should: 1. Have regard to the infrastructure requirements set as out in the Local Plan evidence base and Infrastructure Delivery Plan; 2. Assess whether existing infrastructure has sufficient capacity to support the new development; 3. Calculate and request proportionate financial contributions from the developer, for any off-site provision and towards the costs of adoption and ongoing maintenance of the new infrastructure to be provided where relevant; 4. Require the delivery of the new, or improved infrastructure to be operational prior to the occupation of the appropriate phase of development which it is required to support.	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This Strategic Policy stipulates that the Council will cooperate with infrastructure providers in securing the delivery of appropriate infrastructure. It also ensures that developers will need to provide financial contributions towards appropriate infrastructure. This is an important policy because it means that appropriate potable water provisioning and wastewater treatment infrastructure will be in place prior to the occupation of residential developments. This is important for protecting the integrity of European sites that are dependent on good water quality or natural flow regimes. Overall, there are no linking impact pathways present and Policy IC1 is therefore screened out from Appropriate Assessment.
Policy IC2 - Protection of Existing Community Facilities (Strategic Policy)	Development which results in the loss of existing community facilities will only be supported where: A. An assessment has been undertaken which has clearly shown the facility and its land is surplus to requirements; or B. It is no longer financially viable; or C. The resulting loss would be replaced by equivalent or better provision for the relevant community, in terms of size, quality and accessibility in a suitable location; or D. The redevelopment of the site is for alternative community use, the benefits of which clearly outweigh the loss of the current or former use. In cases where replacement facilities are to be provided elsewhere, a clear commitment to replace them in a timely manner must be evidenced, in order for planning permission to be granted.	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy protects existing community facilities from conversion to other uses. However, this has no relevance for European sites. Overall, there are no linking impact pathways present and Policy IC2 is screened out from Appropriate Assessment.
Policy IC3 Protection and Creation of New Open Space, Sport and Recreation Provision (Strategic Policy)	The Council will seek to protect all open space, Local Green Space and sport and recreation facilities as defined on the Policies Map which will be regularly updated using the most recent evidence base.	There are no Likely Significant Effects (LSEs) of this policy on European Sites.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	A. Protecting and Enhancing existing provision Development which involves the whole or partial loss of open space, sports or recreation facilities, including playing fields, identified on the Local Plan Policies Map or a 'made' Neighbourhood Plan will only be supported where: 1. It can be demonstrated that existing open space or recreational facilities are surplus to requirements in line with the most recent evidence base; or 2. A satisfactory replacement facility is provided, and available for use before the existing facility is lost, in a suitable location, accessible to current users, and at least equivalent, or better provision, in terms of its size, function, attractiveness and quality; or 3. Sports and recreational facilities or open space are to be replaced for alternative sports and recreational provision or open spaces which aligns with the quantitative and qualitative requirements of the latest Green Space Audit where the benefits clearly outweigh the loss of the current provision; or 4. Sports and recreation facilities or open space can best be retained or enhanced through the redevelopment of a smaller part of the site. **B. Residential Development** B. Residential development schemes of 10 dwellings or more will only be supported where they provide the necessary quantity, quality and accessibility of open space and sport and recreation by: 1. Providing open space, sport and recreation on-site to meet the needs arising from the development in line with the standards set out below:	Access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, while also bringing wider nature benefits and supporting efforts to address climate change. A wide range of accessible open spaces helps reduce conflicts between recreation, biodiversity and agricultural management with additional open space provision to help avoid and mitigate recreational impacts on sensitive designated sites such as Skipwith Common SAC and the Lower Derwent Valley SAC. This policy is likely to be beneficial for European sites in the long-term. Overall, there are no linking impact pathways present and Policy IC3 is screened out from Appropriate Assessment.

Type	Quantity Standards (hectares (ha) per 1,00 population)*	Provision
Informal Green Space5	0.6ha	Amenity green space Village greens Common land Wide grass verges Green Corridors
Parks and Recreation Grounds	0.8 ha	Parks Recreation grounds Informal playing fields
Equipped Areas of Play	0.25 ha 1 area of equipped play	Local Areas for Play (LAP)(i)
		Local Equipped Areas for Play (LEAP)(ii)
		Neighbourhood Equipped Areas of Play (NEAP)(iii)
Other outdoor play provision	0.3 ha	Multi Use Games Areas (MUGAs) / skate park
Allotments	0.25 ha	

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.

Natural & Semi-Natural	1.8 ha	Areas of woodland in built up areas Scrub Heathland Grasslands
Indoor and Outdoor Sports	1.6 ha	Refer to the playing Pitch Strategy and Action Plan for details of where new provision or improvement enhancement is required.

(* the standards set out above are derived from evidence in the Green Space Audit (2022) and Playing Pitch Strategy and Action Plan (2020) and should be implemented in accordance with the details in Appendix D (Developer Contributions for New Open Space, Sport and Recreation). New development under Part B of this Policy will be required to meet these standards or any updated standards derived from the most recent Green Space Audit or Play Pitch Strategy/Action Plan or equivalent).
i. LAP (Local Area for Play) required for all sites of 10 dwellings or more.
ii. LEAP (Local Equipped Area for Play) required for all sites of 20 dwellings or more.
iii. NEAP (Neighbourhood Equipped Area for Play) required for all sites of 200+ dwellings.
iv. Other outdoor provision (Multi Use Games Areas (MUGAs)/skate parks) required for all sites of 200 or more dwellings.

Or, where the Council accepts that it is not practical or desirable to provide open space, sport and recreation provision on-site for a particular scheme:

2. The Council will seek financial contributions through S106 agreements for either new off-site open space, sport and recreation provision or improvements to existing local open space, sport and recreation provision within the parish or related locality where services are shared between closely related parishes as identified in the most recent Green Space Audit and Playing Pitch Strategy and Action Plan or equivalent;

3. A S106 agreement will be used to secure the long-term maintenance and management of new open space, sport and recreation created as part of new development (also including inspection, maintenance and management of sport and play facilities, pitches and equipped play areas) both on-site and off-site.

C Local Green Space
Development within Local Green Space sites designated in a Neighbourhood Plan or through this Local Plan will be determined in accordance with national policy for Green Belts.

D. New Recreation and Sports Provision
The provision of new recreation and sports facilities will be supported where proposals are proportionate and relative to their purpose and catchment area. Schemes should be designed so that they are physically accessible to all members of the community and, where feasible, should prioritise and promote access by walking, cycling and public transport. Care should be taken to ensure that the new facilities can be operated without causing adverse harm to the amenity of neighbouring residents.

Policy IC4 - Water Supply, Wastewater Treatment and Drainage Infrastructure (Strategic Policy)	The Council will work with statutory water infrastructure providers, prospective developers and key stakeholders to identify where strategic solutions to water supply, wastewater treatment and drainage-related infrastructure investment may be required or where phasing is necessary to ensure there is sufficient headroom within existing facilities in order to support the strategic aims and expectations of this Plan. Development must incorporate satisfactory measures in line with the following: A. Adequate water infrastructure to existing, new, or improved, facilities with capacity must be secured prior to first occupation a development. This includes but is not limited to water supply, wastewater and sewage infrastructure and surface water run-off considerations.	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This Strategic Policy stipulates that the Council will cooperate with infrastructure providers in securing the delivery of appropriate infrastructure. It also ensures that developers will need to provide financial contributions towards appropriate infrastructure. This is an important policy because it means that appropriate potable water provisioning and wastewater treatment infrastructure will be in place prior to

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	B. Where new water-related infrastructure (including but not limited to water supply. Wastewater treatment and surface water run-off) is needed to serve development, this must: 1. Consider the requirements of Policy NE5 (Protecting and Enhancing Rivers and Waterbodies) and contribute towards an improvement in water quality; 2. Consider the potential effects on European designated nature conservation sites, demonstrating no adverse effects, if necessary, utilising mitigation to achieve this conclusion as set out in Policy NE1 (Protecting Designated Sites and Species); 3. Consider the potential effects upon the natural and historical environment (including but not limited to local archaeology, existing ecosystems, and nationally and locally designated nature conservation sites 4. Ensure an appropriate distance between development and wastewater treatment works, sufficient to allow for operational needs, including any potential expansion of the works, and in order to avoid any odour or noise issues for sensitive neighbouring uses; 5. Be carried out in compliance with British Standard BS EN 12566, or any future appropriate standards. C. Where non-mains sewerage solutions such as package treatment plants are proposed, it must be demonstrated, in addition to the above, that: 1. Development is sufficiently remote from the existing sewerage network and it is not able to connect to a public sewer; and 2. Include tertiary treatment of the effluent to substantially reduce phosphates such as through the installation of a phosphate removal unit as part of the development, use of multi-function constructed wetlands or discharge of water from the package treatment plant to reedbed system; and 3. Ensure, through siting and design that there will be no adverse impact upon residential amenity. D. Septic tanks should only be used in exceptional circumstances.	the occupation of residential developments. This is important for protecting the integrity of European sites that are dependent on good water quality or natural flow regimes. Overall, there are no linking impact pathways present and Policy IC4 is screened out from Appropriate Assessment.
Policy IC5 – Digital and Communications Infrastructure (Strategic Policy)	A. New residential and commercial development will be supported where: 1. High quality digital and communications infrastructure is integrated into the design; 2. Provision will be available at first occupation; and 3. Schemes are designed to support access to Full Fibre to Premises (FTTP) Broadband as a minimum, or the fastest technical available emerging technology where viable. Where this is not feasible, developers will be required to: i. Demonstrate that connections are not deliverable including through consultation with broadband providers and; ii. Incorporate infrastructure for full future connectivity e.g. through laying of ducting, cabling and all necessary built infrastructure. B. Development for new digital and telecommunications equipment will be supported where: 1. Existing masts, communication infrastructure, buildings or street furniture is utilised; 2. New equipment is the minimum size possible; 3. The siting, scale and design of the apparatus does not have a significant adverse impact on the character of the host building or wider local area; and	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This is a development management policy that supports the delivery of improved telecommunications and digital infrastructure, such as broadband. However, it does not identify a location or a quantum (or the nature of the infrastructure in question) and thus has no relevance for European sites. Specific proposals will need to be considered on their own merits as part of the planning application process in the usual manner. Overall, there are no linking impact pathways present and Policy IC5 is screened out from Appropriate Assessment.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	4. The significance of heritage assets are preserved or, where appropriate enhanced. C. Mobile Network Operators (MNOs) and Internet Service Providers (ISPs) should be notified of development proposals, and works should be co-ordinated to minimise disruption to the highways network and local communities.	
Policy IC6 - Sustainable Transport, Highway Safety and Parking (Strategic Policy)	The Council will work with other authorities, stakeholders, transport providers and developers to deliver a suitable transport network and associated infrastructure which supports sustainable travel, accessible to all, and helps to deliver net zero carbon emission across the Plan Area. This will be achieved by: A. Safeguarding the long-term opportunities for waterborne and rail-freight transhipment B. Supporting development which is located in areas: 1. Well-served by existing walking, cycling and public transport infrastructure; 2. Accessible to all sections of the community; and 3. Provides linkages to and between developments in order to promote active travel. C. Supporting development which incorporates into its design and layout: 1. Safe pedestrian, cycling, vehicular, emergency and refuse vehicle access; 2. Appropriate measures to avoid, mitigate and manage any significant impacts on highway capacity, congestion or safety, including any contribution to cumulative impacts, measures for network and traffic management, suitable crossing points, footways and dedicated provision for cyclist, equestrian and disabled users where necessary; 3. High-quality walking and cycling networks and connections to support the objectives of the Local Cycling Walking Infrastructure Plans; 4. Improvements to the capacity and accessibility of public transport between settlements in the Plan Area and to the cities of York, Leeds and Hull; 5. A reduction in transport carbon emissions such as through the use or support of low and ultra-low emission vehicles, car clubs and rail or waterborne freight; 6. New and improved transport facilities associated with the Local and Strategic Road Networks and imrovements to accessibility of rural areas in line with identified and evidenced needs. D. Supporting development which incorporates adequate provision for parking, including: 1. Car, cycle, disabled and operational parking, in line with the requirements of the Highways Authority Interim Guidance on Transport Issues (2015) and any subsequent updates; 2. Parking with infrastructure provision for low-emission vehicles; 3. Where development is in close proximity to existing town centres or transport hubs, lower parking requirements may be considered where: i. It can be demonstrated that other active or sustainable travel uptake can be delivered; or ii. Enhancements to existing public car parking can be delivered to improve the vitality of local centres, public transport hubs or public use low carbon vehicle infrastructure; and iii. It can be shown that there will be no additional unauthorised or detrimental on-street parking within the locality of the development as a result of fewer parking spaces being provided. E. Supporting development which would not result in the loss of off-street or on-street car parking spaces unless:	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This Strategic Policy provides strong support for sustainable transport modes, such as walking, cycling and public transport. The policy stipulates that development proposals with good access to alternative travel modes will be prioritized. It also states that individual developments having a significant impact on road traffic, are expected to provide on- and off-site mitigation. This policy is important because it is likely to help reduce the car-based commuter traffic resulting from the SLP. This could benefit European sites that are sensitive to atmospheric pollution (e.g. the Lower Derwent Valley SAC), as it may help reduce nitrogen deposition along the A163. Overall, there are no linking impact pathways present and Policy IC6 is therefore screened out from Appropriate Assessment.

<table>
<tr><th>Policy number/ name</th><th>Policy detail</th><th>Likely Significant Effects Screening Assessment.</th></tr>
<tr><td></td><td>1. Alternative provision, for at least the same number of spaces, can be made at an appropriate location; or

2. It can be demonstrated that there is no longer a requirement for the existing level of car parking.

F. Contributions may be sought from all development to on and off-site mitigation and where necessary Transport Statements, Assessments Travel Plans and post-development monitoring may be required.</td><td></td></tr>
<tr><td>Policy IC7 - Public Rights of Way</td><td>Development which may have an impact on a Public Right of Way network will only be supported where it can be demonstrated that:

A. Satisfactory and alternative routes are provided, with adequate signage and the new access is of the same or better standard; and

B. Where appropriate and viable, all reasonable opportunities for enhancement have been taken up. Enhancements can include:

1. New or improved links to the existing Public Right of Way or sustainable travel network, including public transport, especially where routes can minimise conflict.

2. The provision of improved facilities to make routes more accessible or attractive to users.</td><td>There are no Likely Significant Effects (LSEs) of this policy on European Sites.

This policy protects the Public Rights of Way (PRoWs). It specifies that development proposals can only impact PRoWs if adequate alternative routes or new links are provided.

The protection of PRoWs is integral to maintaining the attractiveness of local greenspaces. Well-connected local outdoor spaces are likely to help alleviate recreational pressure in more sensitive sites, such as the Lower Derwent Valley SPA / Ramsar and the Skipwith Common SAC. Therefore, this is a positive policy from an HRA perspective.

Overall, there are no linking impact pathways present and Policy IC7 is screened out from Appropriate Assessment.</td></tr>
<tr><td colspan="3">Section 7: Creating High Quality Places to Live</td></tr>
<tr><td>Policy HG1- Meeting Local Housing Needs (Strategic Policy)</td><td>The Council will meet its housing requirements over the Plan period through:

A. The completion of 1328 dwellings on sites with planning permissions, as listed in Appendix A, and;

B. The allocation of new sites in the table below and identified on the Policies Map to provide 5,307 dwellings over the plan period. They will be developed in accordance with the relevant Local Plan policy requirements and the development requirements identified for each site.

C. Outside of the planned supply outlined above, it is expected that approximately 920 dwellings could be delivered as windfall over the Plan period.

<table>
<tr><th>Site Ref</th><th>Settlement</th><th>Location</th><th>Proposed Dwellings over the Plan Period</th></tr>
<tr><td>AROE-I</td><td>Appleton Roebuck</td><td>Land Adjacent to Malt kiln Lane</td><td>36</td></tr>
<tr><td>AROE-K</td><td>Appleton Roebuck</td><td>Land adjacent to Hillcrest House, Colton Lane</td><td>28</td></tr>
<tr><td>AROE-N</td><td>Appleton Roebuck</td><td>Therncroft, Malt Kiln Lane</td><td>4</td></tr>
<tr><td>BARL-K</td><td>Barlby & Osgodby</td><td>Land at Turnhead Farm, York road</td><td>30</td></tr>
<tr><td>OSGB-C</td><td>Barlby & Osgodby</td><td>Land East of St Leonards Avenue</td><td>20</td></tr>
<tr><td>OSGB-D</td><td>Barlby & Osgodby</td><td>Osgodby Nurseries, Hull Road</td><td>25</td></tr>
<tr><td>OSGB-G</td><td>Barlby & Osgodby</td><td>Lake View Farn, The Hollies</td><td>21</td></tr>
</table>
</td><td>Likely Significant Effects (LSEs) of this policy cannot be excluded.

This policy expands on the Spatial Strategy provided in Policy SG2 - Spatial Approach. It provides a detailed breakdown of how the housing need will be satisfied (i.e. implementations of existing planning permissions and new allocations). Furthermore, the policy specifies where 5,314 new residential dwellings will be allocated.

The spatial distribution of new housing is important in determining the magnitude of recreational pressure in European sites. For example, allocating sites in the north-eastern part of the authority could place additional burden on the Skipwith Common SAC or the Lower Derwent Valley SPA / Ramsar / SAC. Therefore, the distribution of development will have to be examined further in the Appropriate Assessment.

The following impact pathways on European sites are linked to this policy:

• Recreational Pressure
• Loss of Functionally Linked Habitat
• Water Quality
• Water Quantity, Level and Flow
• Atmospheric Pollution

Overall, Policy HG1 is screened in for Appropriate Assessment.</td></tr>
</table>

Policy number/ name	Policy detail				Likely Significant Effects Screening Assessment.
	OSGB-I	Barlby & Osgodby	Land east of Sand Lane	72	
	BRAY-X	Brayton	Land north of Mill Lane	188	
	BRAY-Z	Brayton	Land south of St Wildfrid's Close	20	
	CARL-G	Carlton	Land north of Mill Lane	150	
	CLIF-B	Cliffe	Land at Bon Accord Farm, Main Street	16	
	CLIF-O	Cliffe	Land north of Cliffe Primary School, Main Street	56	
	EGGB-B	Eggborough	Land West of White House Farm, Low Eggborough Road	109	
	EGGB-S	Eggborough	Teasle Hall Farm, Weeland Road	35	
	EGGB-Y	Eggborough	Land West of Kellington Lane	1,015	
	HAMB-A	Hambleton	Manor Farm, Chapel Street	128	
	HAMB-F	Hambleton	Land south of Scalm Lane	103	
	HAMB-N	Hambleton	Land east of Gateforth Lane	56	
	HEMB-G	Hemingbrough	Land to the rear of Plinthstones, School Road	123	
	HEMB-K	Hemingbrough	Land south of School Road	8	
	HENS-A	Hensall	Land to North of Weeland Road	24	
	HENS-L	Hensall	Land to North of Wand Lane	54	
	HENS-P	Hensall	Land South of Station Road	22	
	KELL-B	Kellington	Land south of Lunn Lane	60	
	HILL-A	Monk Fryston / Hillam	Land West of Main Street / Lumby Hill, Hillam	33	
	NDUF-D	North Duffield	Land north of the A163	40	
	NDUF-O	North Duffield	Land north of Gothic Farm, Back Lane	70	
	RICC-J	Riccall	Land at Landing Lane	25	
	SELB-AG	Selby Urban Area	Land on the Former Rigid Paper site	330	
	SELB-B	Selby Urban Area	Industrial Chemicals Ltd	450	
	SELB-BZ	Selby Urban Area	Cross Hills Lane	1,015	
	SELB-CR	Selby Urban Area	Former Ousegate Maltings	14	

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	SHER-H | Sherburn in Elmet | Land adjacent to Prospect Farm, Milford Road | 380 TADC-AD | Tadcaster | 'Fircroft' and Former Barnardo's Home, Wighill Lane | 5 TADC-AE | Tadcaster | Land off Hillcrest Court | 30 TADC-H | Tadcaster | Chapel Street/ Central Area Car Park | 43 TADC-I | Tadcaster | Land at Mill Lane | 180 TADC-J | Tadcaster | Land at Station Road | 104 TADC-L | Tadcaster | Land to rear of 46 Wighill Lane and Former Coal Yard | 10 THRP-K | Thorpe Willoughby | Land South of Leeds Road | 127 THRP-V | Thorpe Willoughby | Land at Swallowvale Leeds Road | 14 ULLE-K | Ulleskelf | Land east of Bell Lane | 29 Total Dwellings 5,302	
Policy HG2 -Windfall Development (Strategic Policy)	Residential developments on sites not allocated in Policy HG1 (Meeting Local Housing Needs) will be supported: A. In the Selby Urban Area, Sherburn in Elmet, Tadcaster and the Tier 1 and 2 Villages, providing they are within the Development Limits of these settlements. The types of housing developments supported includes conversions, replacement dwellings, redevelopment of previously-developed land, and appropriate scale development on greenfield land, including the conversion and redevelopment of farmsteads B. In the Smaller Villages, providing they are for conversions, replacement dwellings, redevelopment of previously-developed land and the in-filling of small gaps within the main built-up area of the settlement. Very small-scale development, adjacent to the main built-up area, will be supported where: 1. the development represents incremental growth of the village commensurate to its size and role; and 2. the development is of a high-quality design which reflects the character and form of that part of the village; and 3. respects the intrinsic character and setting of the countryside; and 4. it does not in itself, or in association with other developments, result in a cumulative level of development which is harmful; and 5. it provides for a mix of housing types which meets the Local Plan housing requirements as set out in the Housing and Economic Development Needs Assessment (HEDNA) or successor document. C. On sites adjacent to the main built-up area of any settlement to meet rural affordable housing need, which meets the provisions of Policy HG8 (Rural Housing Exception Sites). D. Sites in the Countryside will need to comply with the provisions set out in SG4 (Development in the Countryside). E. Where relevant, regard should also be taken of the design principles contained in adopted Village Design Statements and Neighbourhood Plans.	Likely Significant Effects (LSEs) of this policy cannot be excluded. This policy potentially adds to the volume of housing delivered under Policy HG1. It supports windfall housing development, in principle, in the urban areas and smaller villages of Selby District. While it is acknowledged that most housing to be delivered in the district is specified in other policies, individual housing developments could still add to the identified impact pathways. The following impact pathways on European sites are linked to this policy: • Recreational Pressure • Loss of Functionally Linked Habitat • Water Quality • Water Quantity, Level and Flow • Atmospheric Pollution Overall, Policy HG2 is screened in for Appropriate Assessment.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
Policy HG3 - Rural Workers Dwellings	A. Development of new dwellings to meet the essential needs of rural worker(s) to live permanently at or near their place of work in the Countryside, will be supported where it meets all of the following criteria: 1. There is a clearly established functional need to support a rural enterprise that has been operational for a minimum period of three years and is demonstrated to be commercially viable; and 2. The need relates to a full-time worker who is employed in rural employment; and 3. The need could not be met through an existing dwelling or through conversion of a suitable building on the operational unit, or any other existing accommodation in the area which is suitable and available for occupation by the rural worker(s); and 4. The new dwelling is of a size which is commensurate with the established functional requirement of the enterprise and is appropriately sited within or adjacent to an existing complex of buildings unless it can be clearly established that the requirements of the enterprise necessitate a more isolated location. B. Where a new enterprise has an essential functional need but the business is not fully established, or an expanding business can demonstrate it has an essential functional need for a second rural worker's dwelling, it should be granted for a temporary basis, and should for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. It will however, still need to comply with criteria A 1 to 4 of this Policy. C. Any permission granted will be subject to an occupancy condition restricting the use of the dwelling for the required purpose. The removal of an occupancy condition will only be supported where it can be demonstrated that there is no longer a need for the accommodation in the locality. D. No additional rural workers' dwellings will be permitted where a former rural worker's dwelling has been approved and then been converted to market housing.	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy, in principle, supports the development of new dwellings in the countryside to accommodate rural workers near their place of work. However, the policy does not in itself provide a quantum or location of housing growth. As such, the policy has no bearing on European sites. Individual proposals will need to be considered on their own merits through the planning consent process in the usual manner. Overall, there are no linking impact pathways present and Policy HG3 is screened out from Appropriate Assessment.
Policy HG4 - Replacement Dwellings in the Countryside	Development of replacement dwellings on a one for one basis in the Countryside will be supported where; A. The original dwelling is permanent and not the result of a permission for a temporary dwelling; B. The original dwelling has not been abandoned or has fallen into such as state of dereliction that it no longer has the appearance of a dwelling; C. The original dwelling is not of architectural or historic merit (where restoration and renovation will be preferred to replacement); D. The proposed replacement dwelling is located within the existing curtilage and on the site or within close proximity to the existing dwelling and is not in close proximity to intensive livestock uses or industrial uses that could result in unacceptable levels of noise, amenity or access for the occupiers of the dwelling. Where it is demonstrated that a re-positioning is more beneficial to the character, location and use of the site, a condition will be applied to ensure the demolition of the original dwelling on completion or occupation of the new dwelling; E. The design and materials to be used complement and reflect the local buildings and architectural detailing and are appropriate to the character and landscape setting in terms of scale, height, massing and density; architectural detailing and are appropriate to the character and landscape setting in terms of scale, height, massing and density; F. The replacement dwelling and ancillary works within the curtilage will not have a significant adverse effect on the intrinsic character or appearance of the surrounding countryside or on neighbouring properties, and G. The design complies with Policy SG9 (Design).	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy supports the provision of replacement dwellings, provided these don't impact on wildlife designations. As this is also relevant to Policy HG5, the provision of replacement dwellings will reduce the overall loss of greenfield sites, which may benefit European sites designated for mobile bird species. Furthermore, the policy does not provide a quantum or location of housing growth. As such, the policy has no bearing on European sites. Overall, there are no linking impact pathways present and Policy HG4 is screened out from Appropriate Assessment.
Policy HG5 - Reuse or Conversion of Rural Buildings in the Countryside	A. The conversion of existing buildings in the countryside to new housing (which would not be dealt with through "prior approval/notification") will be supported, where;	There are no Likely Significant Effects (LSEs) of this policy on European Sites.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	1. It would reuse a structurally sound building without significant reconstruction, alteration or extension and the preservation of the building will enhance the immediate setting; and 2. The building is not in close proximity to intensive livestock uses or industrial uses that could result in unacceptable levels of noise, amenity or access for the occupiers of the dwelling; and 3. The conversion of the rural building and ancillary works within the curtilage will not have a significant adverse effect on the intrinsic character or appearance of the surrounding countryside; and not have a significant adverse effect on the intrinsic character or appearance of the surrounding countryside; and 4. Any new materials to be used respect and complement the existing building; and 5. The boundary treatments of the residential development are appropriate to the rural landscape character and use materials which respect and positively contribute to the rural setting. B. Permitted Development Rights may be withdrawn for development under this Policy where a future alteration or extension could have a detrimental effect on the character or setting of the converted building or area.	This policy supports the conversion of existing dwellings into new housing. This is generally a positive approach, as the conversion of brownfield sites minimizes the potential for loosing functionally linked habitats (e.g. for the Lower Derwent Valley SPA / Ramsar or the Humber Estuary SPA / Ramsar). Furthermore, this policy does not provide a quantum or location of housing growth. As such, the policy has no bearing on European sites. Overall, there are no linking impact pathways present and Policy HG5 is screened out from Appropriate Assessment.
Policy HG6 - Creating the Right Type of Homes (Strategic Policy)	All new residential development should provide an appropriate type and size of new homes to meet the current and future housing requirements of local people. New residential development will be supported where: A. A range of house types and sizes, both market and affordable, is provided that reflects the identified housing needs and demands of local communities shown in the latest Housing and Economic Development Needs Assessment, or in the case of affordable housing, information from North Yorkshire Home Choice (or successor documents/systems); and B. Dwellings meet the Nationally Described Space Standards (2015) or any successor standards or policy; and C. On developments of 10 or more dwellings, 6% (rounded up) of new homes are built to M4(3) 'wheelchair user' standard; and D. They are built with sustainable design, in accordance with Policy SG9 (Design); and E. Development promotes the effective use of land on windfall sites by achieving minimum densities of; 1. 35 dwellings per hectare within the Selby Urban Area, Tadcaster, Sherburn in Elmet. 2. 30 dwellings per hectare in Tier 1 Villages 3. 25 dwellings per hectare in Tier 2 Villages. 4. 20 dwellings per hectare in the Smaller Villages and the Countryside.	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This housing management policy provides detail on the type, density and capacity of new housing. However, this will not impact the overall quantum of housing to be delivered. As such, the policy has no bearing on European sites. Overall, there are no linking impact pathways present and Policy HG6 is screened out from Appropriate Assessment.
Policy HG7 - Affordable Housing (Strategic Policy)	The Council will work with a range of public and private sector partners in order to deliver affordable housing across the Plan Area to meet the needs of local people. A. In order to achieve this the Council will seek on-site provision of affordable homes on windfall developments of 10 or more dwellings, or where the site area is greater than 0.5 hectares. The minimum affordable housing requirement for each allocated site is set out in the individual site policies in Part 3 of this Plan. For windfall sites, the following on-site minimum provision will be sought; • High Value Area - Greenfield / Brownfield - 20% • Low Value Area – Greenfield – 10%	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This housing management policy specifies the amount of affordable housing to be delivered in different types of housing development. However, the policy does not provide a quantum or location of housing growth. As such, the policy has no bearing on European sites.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	• Low Value Area – Brownfield – 5% (Proposals for Extra Care/Sheltered Housing in Class C will be exempt) B. In exceptional circumstances, all or part of the affordable housing provision may be acceptable off-site or through a commuted sum in lieu of built provision, where the agreed approach contributes to the objective of creating mixed and balanced communities. An applicant may only vary from the affordable dwelling target if they can provide compelling up-to-date evidence which demonstrates that a site is not viable with the prescribed affordability rate. C. In all cases where affordable housing is provided it must: 1. reflect the appropriate type and size of homes to meet local needs as informed by the Council's latest evidence on local housing need; and by the Council's latest evidence on local housing need; and 2. meet the minimum bedroom and space standards required by the nominated affordable housing provider; and 3. be distributed throughout the market housing in any development and the design and layout of the affordable homes should also be indistinguishable from the market housing. D. At least 25% of the affordable dwellings must be First Homes (unless the development is one of the types listed as an exception under paragraph 66 of the National Planning Policy Framework, December 2023) and a mix of affordable rent, shared ownership and home ownership. E. On large sites with multiple phases of development, the amount of affordable housing must be proportional to the size of each phase. Proposals on sites which have sub divided into smaller sites to avoid affordable housing contributions will not be supported. F. Where vacant buildings are being reused or redeveloped, affordable housing contributions due should be reduced by a proportionate amount. The precise amount of affordable housing, or commuted sum payment to be provided is a matter for negotiation at the time of a planning application, having regard to any abnormal costs, economic viability and other requirements associated with the development. G. Further guidance on providing affordable housing will be provided through an Affordable Housing Supplementary Planning Document.	Overall, there are no linking impact pathways present and Policy HG7 is screened out from Appropriate Assessment.
Policy HG8 - Rural Housing Exception Sites (Strategic Policy)	Rural Exceptions Sites A. Development for affordable housing in rural areas will be supported as an exception to normal planning policy, provided all of the following criteria are met: 1. The site is within or adjoining the Development Limits/main built form of a Tier 1 Village, Tier 2 Village or a Smaller Village. 2. The scale and design of the development is sympathetic to the layout and character of the main built form and landscape setting of the village; and 3. A local need has been identified through a local housing needs survey, the nature of which is met by the proposed development; and 4. An appropriate agreement will be secured, at the time of the granting of planning permission to secure the long-term future of the affordable housing in perpetuity B. Small numbers of market homes may be allowed on rural exception sites at the Local Planning Authority's discretion, for example where essential to enable the delivery of affordable units without grant funding, in accordance with the National Planning Policy Framework. Community-Led Exception Sites C. Ent Community Led proposals instigated and taken forward by a not-for profit organisation set up and run primarily for the purpose of meeting the housing needs of its members and the wider local community will be acceptable, provided all of the following criteria are met:	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This housing management policy allows for rural exception sites outside development limits or the built form of settlements. However, the policy does not provide a quantum or location of housing growth. As such, the policy has no bearing on European sites. Individual proposals will need to be considered on their own merits through the planning consent process in the usual manner. Overall, there are no linking impact pathways present and Policy HG8 is screened out from Appropriate Assessment.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	1. The need for the homes has been evidenced; 2. The site is within or adjoining the Development Limits/main built form of a settlement listed in Policy SG2 (Spatial Approach); 3. They are not larger than one hectare in size and which do not exceed 5% of the size (in dwellings) of the existing settlement at the time of determination; 4. They consist of affordable housing types suitable for first time buyers and/or first time renters, and; 5. The scale and design of the development is sympathetic to the layout and character of the main built form and landscape setting of the settlement. D. In all cases sites must not compromise the protection given to areas or assets of particular importance such as Green Belts, Sites of Special Scientific Interest, Sites of Importance for Nature Conservation, Ancient Woodlands or National Nature Reserves.	
Policy HG9 - Conversions to Residential Use and Changes of Use to Garden Land	A. Conversion of existing buildings for new housing and changes of Use to garden land will be supported where: 1. The development is appropriate to the setting in terms of the relationship to adjoining buildings, spaces around buildings, landscape features and local character; 2. The materials to be used respect and complement existing buildings; 3. The development respects and positively contributes to any applicable wildlife, landscape character or heritage designations; 4. There is no unacceptable impact on any neighbouring property in terms of amenity, noise or access; 5. There is no unacceptable loss of parking, garden or amenity area; 6. The development will not undermine the retention of any occupancy condition; 7. The conversion and ancillary works within the curtilage will not have a significant adverse effect on the intrinsic character or appearance of the surrounding environment; 8. The boundary treatments of the development are appropriate to the landscape character and use materials which respect and positively contribute to the setting; and B. Conversions of existing buildings for new housing will be supported where, in addition to A1 to A8 above: 1. the preservation of the building will enhance the immediate setting and 2. it would reuse a structurally sound redundant or disused building without significant reconstruction, alteration or extension. Permitted Development Rights may be withdrawn for development under this Policy where a future alteration or extension could have a detrimental effect on the character or setting of the converted building or area.	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy supports the conversion of existing dwellings into new housing and change of use to garden land. This is generally a positive approach, as the conversion of brownfield sites minimizes the potential for loosing functionally linked habitats (e.g. for the Lower Derwent Valley SPA / Ramsar or the Humber Estuary SPA / Ramsar). Furthermore, this policy does not provide a quantum or location of housing growth. As such, the policy has no bearing on European sites. Overall, there are no linking impact pathways present and Policy HG9 is screened out from Appropriate Assessment.
Policy HG10 - Self Build and Custom Build Housing	In order to meet local needs for self-build and custom-build housing; A. Sites providing 50 or more residential dwellings will be required to supply up to 3% (rounded up) of the total plots to self-builders or to custom housebuilders subject to appropriate demand being demonstrated through the Local Planning Authority's Self-Build and Custom-Build Register at the time the planning approval is considered and the proposal being demonstrated as viable. B. Support for self-build and custom-build housing proposals will also be given in accordance with Policy HG2 (Windfall Development).	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy relates to the provision of self and custom build housing. However, the type of housing provided in allocations (i.e. whether self-built or not) has no bearing on European sites. Furthermore, the policy does not in itself provide a quantum or location of housing growth. As such, the policy has no bearing on European sites.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	C. All self-build/custom-build plots are to be occupied as homes by the self/custom-builders for a period of three years. Where plots which have been appropriately marketed for self-build and have not sold within a 12-month time period, then, upon approval by the Council, these plots may be built out as conventional market housing by the developers. D. Communities preparing Neighbourhood Plans will be encouraged to consider the identification of sites specifically for self and custom-build projects within their Neighbourhood Plan Area.	Overall, there are no linking impact pathways present and Policy HG10 is screened out from Appropriate Assessment.
Policy HG11 - Older Persons and Specialist Housing	Development specifically designed to meet the accommodation needs of 'older people' and / or 'people with disabilities' will be supported where: A. It supports the right mix of housing as identified in the most up to date Housing and Economic Development Needs Assessment; and B. It is in a location accessible by public transport, or within a reasonable walking distance, of essential facilities which include grocery shops, medical services; and public open spaces. C. Where proposals are in the form of apartments/flats a satisfactory standard of communal areas for occupants will be sought; D. Where developments fall within Use Class C3, affordable housing will be required in accordance with the preferred approach of Policy HG7 (Affordable Housing) and; E. Where the development is for older persons, there is to be a condition limiting the reoccupation of residences to those who are classed as older people in the National Planning Policy Framework.	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy relates to the accommodation needs of older people or people with disabilities. However, the type of housing provided in allocations has no relevance to European sites. The policy does not in itself provide a quantum or location of housing growth. As such, the policy has no bearing on European sites. Overall, there are no linking impact pathways present and Policy HG11is screened out from Appropriate Assessment.
Policy HG12 - Householder Applications	Householder development will be supported where it meets the following criteria: A. The design, layout and architectural detail of the development, new buildings or extensions are appropriate to their setting in terms of scale, height, massing and density, as well as in their relationship to adjoining buildings, spaces around buildings, landscape features and local character; B. The development needs to be well related to the original dwelling and will not visibly or physically dominate or cumulatively adversely impact the original dwelling; C. The materials to be used respect and complement existing buildings; D. Where applicable, the development meets the requirements of other Local Plan Polices regarding wildlife, landscape character or heritage designations; E. There is no unacceptable impact on any neighbouring property in terms of amenity, noise or access; F. There is no unacceptable loss of parking, garden or amenity area, and; G. The development will not undermine the retention of any occupancy condition.	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy specifies that householder applications for extensions, gardens etc. will be permitted, provided they do not impact on wildlife designations. While this is positive, it is unlikely that any householder applications would directly impact European sites. The policy does not provide a quantum or location of housing growth. As such, the policy has no bearing on European sites. Overall, there are no linking impact pathways present and Policy HG12 is screened out from Appropriate Assessment.
Policy HG13 - Residential Annexees	Residential Annexes will be supported where: A. The residential annex is within the curtilage of the principal dwelling, shares the same vehicular access, and adequate off-street parking for the occupants of the main house and the annexe can be provided; B. The residential annexe has a functional link with the principal dwelling and will remain in the same ownership of the principal dwelling; C. The conversion, extension or new building(s) are not designed to be fully self-contained to facilitate the subdivision of the original dwelling into separate dwellings. D. The design, layout and architectural detail of the development, new buildings or extensions are appropriate to their setting in terms of scale, height, massing and density, as well as in their relationship to adjoining buildings, spaces around buildings, landscape features and	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy provides further criteria that applications of householders need to fulfill in order to be accepted. However, the policy does not provide a quantum or location of housing growth. As such, the policy has no bearing on European sites. Overall, there are no linking impact pathways present and Policy HG14 is screened out from Appropriate Assessment.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	local character; E. The development needs to be well related to the original dwelling and will not visibly or physically dominate or cumulatively adversely impact the original dwelling; F. The materials to be used respect and complement existing buildings; G. Where applicable, the development meets the requirements of other Local Plan Policies regarding wildlife, landscape character or heritage designations; H. There is no unacceptable impact on any neighbouring property in terms of amenity, noise or access; I. There is no unacceptable loss of parking, garden or amenity area, and; J. The development will not undermine the retention of any occupancy condition.	
Policy HG14 - Gypsy and Traveller Sites	A. The following site, as shown on the Policies Map, is allocated for Gypsy and Traveller uses to ensure a deliverable supply of pitches during the Plan period: **Site Ref** / **Location** / **Number of Pitches** NTHP-A / Land at Hillcrest, Old Great North Road, Newthorpe / 12 B. Proposals for Gypsy and Traveller pitches on non-allocated sites, including new sites or extensions to existing sites, should meet the following criteria: 1. Priority will be given to the extension of established sites which benefit from a permanent planning consent; 2. Not be located in the Green Belt unless very special circumstances can be demonstrated; 3. Be in an area of low flood risk; 4. Be unaffected by contamination, unless the site can be adequately remediated; 5. Have good access to facilities, including schools and healthcare facilities; 6. Provide a good safe living environment with appropriate standards of residential amenity; 7. Be located where there would not be a detrimental impact on highway safety or the flow of traffic; 8. Not materially harm the natural and historic environment; and 9. In rural areas, not be of a size that dominates the nearest settled community. C. Proposals that would involve the loss of authorised Gypsy and Traveller pitches will not be permitted unless new replacement pitches are provided in a suitable location that meets the above criteria.	Likely Significant Effects (LSEs) of this policy cannot be excluded. This policy provides for 12 gypsy and traveller pitches in Newthorpe over the plan period. While this is a very small amount of residential growth, negative impacts cannot be excluded in-combination with the housing provided through other policies. The following impact pathways on European sites are linked to this policy: • Recreational Pressure • Loss of Functionally Linked Habitat • Water Quality • Water Quantity, Level and Flow • Atmospheric Pollution Overall, Policy HG14 is screened in for Appropriate Assessment.
Section 8: Maintaining a High Quality Natural Environment		
Policy NE1 – Protecting Designated Sites and Species (Strategic Policy)	Internationally, nationally, and locally important sites, habitats and species and irreplaceable habitats will be protected through the following principles: A. Proposals that result in the loss or deterioration of irreplaceable habitats such as historic wetlands and species-rich grasslands, ancient woodland, and aged or veteran trees, will be refused unless: 1. there are wholly exceptional reasons; and	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy provides the main protective policy mechanism regarding European site and species. It places European sites at the top of the conservation hierarchy and specifies that development proposals must not

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	2. a suitable compensation strategy exists; B. Proposals that may directly, indirectly or cumulatively impact on a Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site, both within and outside of the Plan Area will only be supported where it can be demonstrated that there will be no adverse effects on the integrity of the sites, if necessary, utilising mitigation to achieve this conclusion. Compensation measures will only be considered in the context of Imperative Reasons Overriding Public Interest assessment (IROPI) and no alternatives, in line with the requirements of the Habitats Regulations. In line with the outcomes of the Local Plan Habitats Regulations Assessment, this part of the Policy relates to development which: 1.Is located within the 1km Lower Derwent Valley Area of Restraint. Such development must also consider the guidance set out in the Lower Derwent Valley Supplementary Planning Document or its successor. 2. Is located within 5 Km of the Lower Derwent Valley SAC/SPA/Ramsar and Skipwith Common SAC, and 10 km of the Humber Estuary SAC/ SPA/ Ramsar. Such development must have regard to up-to-date visitor monitoring data and where necessary apply appropriate mitigation to reduce recreational pressure from development, including any necessary financial contributions towards the delivery of measures identified in the Lower Derwent Valley Supplementary Planning Document. 3. Is located within 10 Km of Special Protection Area (SPA)/SAC/Ramsar and Humber Estuary SPA/SAC/Ramsar designations. Such development must provide evidence that proposals will not result in adverse effects on site integrity through the loss/disturbance of functionally linked land for designated qualifying features, either through: i. Evidence that the proposed development site habitat is unsuitable for SPA/Ramsar designated species, or ii. Assessment of the proposed development sites use by SPA/Ramsar designated species, including through the provision of wintering and passage bird surveys, and if necessary, appropriate mitigation. 4. Has the potential to affect water quality, levels or flow within designated SACs/SPAs/Ramsars. Such development must consider potential impacts on hydrological regimes which could affect the integrity of designated habitats, applying appropriate mitigation where deemed necessary, including through measures set out in IC4 and NE5. 5. Has the potential to affect notified features of designated SACs/SPAs/Ramsars. Such development must consider generation of emissions or particulates and their impacts on air quality and potential deposition and the impacts that may occur, applying mitigation where necessary in line with policy NE7. C. Proposals that may either directly or indirectly negatively impact the features for which a Site of Special Scientific Interest has been notified will not be supported. The only exception will be where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites; D. Development which would harm a Site of Importance for Nature Conservation (SINC) (also known as Local Wildlife Sites-LWS), Local Nature Reserve or a Regionally Important Geological/geomorphological site will not be permitted unless i. There are no reasonable alternative means of meeting the development need, and ii. It can be demonstrated that there are benefits for the proposal which clearly outweigh the need to safeguard the intrinsic local nature conservation value of the site or feature and its contribution to wider biodiversity objectives and connectivity in its location. E. Development affecting biodiversity and geodiversity, including designated sites, species and habitats or non-designated sites or features of biodiversity interest will only be permitted where the proposal: i. Is justified against the relevant criteria above; and ii. Has minimised impact, avoiding significant harm through location or design and demonstrated that where significant harm cannot be avoided, it has been demonstrated that adverse impacts will be adequately mitigated or as a last resort compensated; and	have negative impacts on the Lower Derwent Valley, Skipwith Common and the River Derwent. The policy also clarifies that planning applications with the potential to affect internationally designated sites must be accompanied by a HRA that demonstrates adequate mitigation of impacts. The detailed requirement for this assessment will by definition ensure that no adverse effects on site integrity would arise. Overall, there are no linking impact pathways present and Policy NE1 is screened out from Appropriate Assessment.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	iii. It can be demonstrated that the proposed mitigation or compensatory measures are of an equivalent of better value than assigned to the original site / asset in the ecological assessment.	
Policy NE2 - Protect and Enhance Green and Blue Infrastructure (Strategic Policy)	The Council will seek to protect, maintain, enhance and, where possible, restore and extend the Plan AreasThe former Selby districtgreen and blue infrastructure assets (GBI) supporting the creation of an integrated network for the benefit of nature, people's health and well-being and the economy including landscapes, ecological networks, natural environment, open spaces, Public Rights of Way, geodiversity, biodiversity, river and waterway assets. A. This will be achieved by supporting development which: 1. Protects and enhances the functionality and connectivity of green and blue infrastructure and corridors having regard to the latest green and blue infrastructure (GBI) audits and strategies. The GBI should principally benefit the development and enhance or create or facilitate links to connect to the wider network. 2. Increases connectivity of habitats by locating features which enlarge, connect or support natural and semi-natural green spaces and protected sites for nature conservation in line with Policies NE1 (Protecting Designated Sites and Species) and NE3 (Biodiversity Net Gain). 3. Improves access to green space for recreation and leisure for the health and well-being of users having regard to the latest Green Space Audit and in line with Policy IC3 (Protection and Creation of New Open Space, Sport and Recreation Provision). 4. Are in line with Policy NE5 (Protecting and Enhancing Waterbodies) where they are near to waterways, including those which contribute towards delivering identified opportunities and priorities in the latest green and blue infrastructure audit or strategy. B. Major residential development (proposals of 10 dwellings or more and non-residential development proposals of 0.5 hectares or more) will be required to provide a Green and Blue Infrastructure Masterplan, (the detail required will be commensurate with the scale of the development) as part of the overall masterplan for the development site, to be agreed with the Planning Authority. The Green and Blue masterplan should have regard to the latest green and blue infrastructure audit or strategy, Local Nature Recovery Strategy, and relevant Catchment Management Plans and demonstrate how the development: 1. Avoids loss, damage or deterioration to green and blue infrastructure; and 2. Addresses deficiencies of green and blue infrastructure; and 3. Creates or enhances green and blue infrastructure; and 4. Provides links or access to green and blue infrastructure.	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy aims at protecting and enhancing Selby District's green and blue infrastructure, such as fields, parks, forests and water features. Emphasis is also made on the importance of connectivity between different habitats. While the policy is likely to have beneficial effects for wildlife and biodiversity, it also ensures the provision of greenspaces with high connectivity for local residents. As stated in relation to other policies, this is likely to help mitigate recreational pressure in European sites that are sensitive to recreational pressure. Therefore, this is a positive policy from an HRA perspective. Overall, there are no linking impact pathways present and Policy NE2 is screened out from Appropriate Assessment.
Policy NE3 - Biodiversity Net Gain (Strategic Policy)	The former The former Selby districtarea's natural environment will be enhanced by ensuring that development delivers a net gain in biodiversity for ecological networks in line with government requirements and result in a positive contribution to the protection, creation and enhancement of habitats and species. This will be achieved by requiring; A. All eligible development proposals to provide delivery of net gain in biodiversity, by: 1. Using the Department for Environment, Food and Rural Affairs (Defra) Biodiversity Metric (or other equivalent standard as amended by national guidance or legislation) to assess the original biodiversity value of the site prior to any clearance or modification. 2. Presenting a Biodiversity Net Gain Plan as part of the planning application process which details either on-site, or off-site habitat enhancement, in line with priorities for recovering or enhancing biodiversity habitats and species as set out through the Local Plan evidence bases or Local Nature Recovery Strategy; and 3. Demonstrating proposals will deliver a net gain for biodiversity across all unit types including habitat area, hedgerows and lines of trees, rivers and streams;	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This is positive policy that secures the Council's commitment to supporting development, and/or land management, that aims to leave the natural environment in a measurably better state than it was beforehand. Overall, there are no linking impact pathways present and Policy NE3 is screened out from Appropriate Assessment.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	4. Commit to ensuring the delivery and maintenance / stewardship of the new habitats for at least 30 years through Section 106 agreements, conservation covenants and monitoring. B. In cases where there are no biodiversity opportunities identified or no land is available within the Plan Area, credits from a land bank organisation can be purchased, but must be evidenced as part of the pre-application process.	
Policy NE4 - Protect and Enhance Landscape Character (Strategic Policy)	Development which protects, enhances or restores the landscape character of the former The former Selby districtarea and the setting of settlements for its own intrinsic value and benefit to the economic, environmental and social well-being of the District, will be supported. A. All development must: 1. Promote high-quality designs that respond positively to, and where possible, enhance, the distinctive local landscape character as described in the latest 'Selby Landscape Character Assessment'; and 2. Give particular attention 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, reflecting the 17 character areas defined the latest 'Selby Landscape Character Assessment'; and 3. Respect the overall development guidelines in the latest 'Selby Landscape Sensitivity Study'. B. In addition, development within the four areas designated on the Policies Map as Locally Important Landscape Areas: the Magnesian Limestone Ridge (north and south); Hambleton Hough and Brayton Barff; and Derwent Valley, will only be supported where they meet the following requirements, due to their high sensitivity to inappropriate development: 1. Avoid significant loss of key characteristics that contribute to the quality of the Locally Important Landscape Area; and 2. Respond to the specific recommendations for each Locally Important Landscape Area as set out in the The former Selby districtLandscape Designation Review 2019 (or subsequent update)	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy ensures the protection and enhancement of Selby District's Landscape Character, including the Derwent Valley. However, protection of the landscape character will have no direct relevance for European sites. Overall, there are no linking impact pathways present and Policy NE4 is screened out from Appropriate Assessment.
Policy NE5 - Protecting and Enhancing Rivers and Waterbodies (Strategic Policy)	The Council will work with designated organisations, developers, partners and communities to ensure opportunities for the restoration and enhancement of waterbodies are realised, by ensuring that: A. All development likely to impact on the water environment will have regard to the Water Framework Directive objectives set out in the Humber River Basin Management Plan and ensure: 1. There is no deterioration in the water quality and status of any surface or ground water body. 2. The ability of any surface or ground-water body to achieve Water Framework Directive status objectives is not compromised; 3. That an improvement to the water environment is secured where possible. B. Developments in proximity to waterbodies, frontages, corridors and environments, will protect and enhance their existing and potential functions and characteristics by ensuring they: 1. Include the waterbody or asset is an integral part of development design, 2. Avoid loss, damage or deterioration of water assets 3. Safeguard and improve the environmental quality and ecological value. 4. Protect and enhance amenity value and accessibility;	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy protects and enhances Selby District's waterways, particularly its riverbanks and their functioning as wildlife corridors. Importantly, the policy states that additional recreational facilities in the Lower Derwent Valley Area will not be supported. This is crucial, as this will preserve the rural character of the area surrounding the SPA / Ramsar / SAC and ensure recreational pressure in the site will not significantly increase. In the area around Barlby Bridge and the Selby Urban Area, riverside recreational facilities and additional wharfage will be supported. However, an increase in recreation and / or boating traffic in this area, will not affect the Lower Derwent Valley. Overall, there are no linking impact pathways present and Policy NE5 is screened out from Appropriate Assessment.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	5. Contribute to the significance of heritage assets and landscape value and enhance where possible; 6. Consider opportunities to mitigate for climate change or flooding; 7. Avoid the loss of existing wharfs/associated infrastructure and safeguard long-term opportunities for alternative transport options, the development of port facilities and ships' turning basins; 8. Take into account the latest priorities and strategies for waterbodies, assets and all users, including the Humber River Basin Management Plan and Green and Blue Infrastructure Strategies; C. Development for riverside recreational facilities or waterborne transport such as wharfs, ships' turning basins and ancillary facilities will be supported, provided the proposal: 1. Will not jeopardise the commercial use of the waterway or the operation of existing businesses; 2. Provide appropriate landscape planting to safeguard the amenities of existing residents; 3. Is of a nature and scale appropriate to its location and its ability to absorb users or visitors without causing environmental damage;	
Policy NE6 – Protecting and Enhancing Trees, Woodland and Hedgerows	In order to increase and enhance the quality of trees and hedgerows: A. Developments will be supported where: 1. New streets are tree-lined and opportunities have been taken to incorporate trees within the development and appropriate measures are in place to secure the long-term maintenance of newly-planted trees. 2. There has been a suitable assessment of the woodland, trees and hedgerows (where deemed necessary), to a recognised professional standard which is able to demonstrate evaluation of these features for realistic long-term retention, and how this has positively informed the design process; 3. It has been clearly demonstrated how retained and new features will be protected during development; 4. There has been an appropriate replacement planting scheme agreed in writing with the Local Planning Authority, where the felling of trees or the removal of hedgerow is proved necessary; 5. It prevents the loss or deterioration of woodland unless part of an agreed forestry management scheme; 6. Any proposals for the removal of trees, woodland and/or hedgerows do not increase the risk of flooding; 7. Proposed works to trees under Tree Preservation Orders or within a Conservation Area are not detrimental to the public realm, the character of the designated area, or to the detriment of the health and sustainability of the trees; 8. Proposals promote and enhance the rural and urban tree coverage of the The former Selby districtPlan Area in line with the most recent strategies relating to trees, woodland and hedgerows (for example, the White Rose Forest Partnership Scheme and Conservation Area Appraisals).	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This is a positive policy, supporting the preservation of trees (particularly mature, veteran and ancient trees). However, while positive for wildlife and the integrity of ecological networks, the policy has no direct relevance for European sites. Overall, there are no linking impact pathways present and Policy NE6 is screened out from Appropriate Assessment.
Policy NE7 - Air Quality	A. Development will not be supported where it; 1. Results in further significant air quality deterioration, or the need to declare further Air Quality Management Areas (AQMAs); and 2. Results in any increase in the number of people exposed to poor air quality; and 3. Conflicts with elements of an Authority Air Quality Action Plan (AQAP).	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy stipulates that planning applications with a potential to affect the air quality in SAC, SPA or SSSI, or to create a significant amount of traffic will have to be accompanied by an Air Quality Assessment. The policy also requires that mitigation measures to be provided should be in line with the HRAs of individual planning applications.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	B. Developments will only be permitted if the impact on air quality is acceptable and mechanisms are in place to mitigate adverse impacts and prevent further exposure to poor air quality. This will help to protect human health. C. This will be achieved by: 1. All developments promoting the uptake of low emission mitigation (such as through electric vehicle charging provision) and supporting sustainable travel to reduce air quality impacts. 2. Developments in or affecting an Air Quality Management Area or where pre-application discussions have indicated that the development could result in the designation of an Air Quality Management Area or where the grant of planning permission would conflict with, or render unworkable, elements of the Authority Air Quality Action Plan, applicants must submit an Air Quality Assessment and/or a Dust Assessment Report and identify mitigation measures to ensure no significant adverse effects where development may: i. Involve agricultural or industrial developments which have the potential to produce emissions and particulates which could affect residents; or ii. Create emissions of dust during demolition, earth moving and construction, or through site operations associated with mineral extraction, waste disposal or agriculture; or iii. Impact on the air quality of a Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar or Site of Special Scientific Interest (SSSI), or on a non-statutory site where there is a relevant sensitivity; or iv. Create significant amounts of traffic (the level at which it has the potential to increase local air pollution or nitrogen deposition, either individually or cumulatively), as determined through a Transport Assessment and/or air quality modelling specific to a planning application. D. Mitigation measures should ensure consistency with the Council's Air Quality Action Plan and the Habitats Regulations Assessment where impacts are related to the diversity of ecosystems, and where impacts are traffic related, the North Yorkshire Local Transport Plan.	This policy is important because it will prevent adverse effects on the site integrity of the River Derwent Valley SAC, which is the only European site identified in relation to the SLP, which lies within 200m of a potential major commuter route. Overall, there are no linking impact pathways present and Policy NE7 is screened out from Appropriate Assessment.
Policy NE8 - Pollution and Contaminated Land	A. Development which could present noise pollution, light pollution, groundwater pollution, contamination of land or water and other environmental pollution or unstable land will not be permitted unless satisfactory remedial or preventative measures are incorporated. This will be considered an integral element of the scheme. Measures should be carried out before the use of the site commences and sufficient consideration provided to both human and environmental receptors of any potential impact. Planning applications must be accompanied by the appropriate assessments in line with the Council's Validation Checklist. B. Where evidence exists that a site might be contaminated, as identified through a preliminary risk assessment, or using the Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG) screening assessment form, 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. C. Development proposals should be designed to minimise the risk of erosion, subsidence and further instability, while maximising the opportunities for the reclamation, restoration and reinstatement of contaminated land. D. Proposals for the redevelopment or reuse of land which is known or suspected to be contaminated and also development or activities which present a significant new risk of land contamination will be assessed having regard to: 1. The findings of a preliminary land contamination or land stability risk assessment; 2. The compatibility of the intended use with the condition of the land; 3. The environmental sensitivity of the site; 4. The identification of human receptors and necessary mitigation. E. Proposals that fail to demonstrate that the intended use would be compatible with the condition of the land or which fail to secure appropriate opportunities for remediation will not be supported.	There are no Likely Significant Effects (LSEs) of this policy on European Sites. This policy relates to development proposals on polluted or contaminated land. However, such proposals have no direct relevance for European sites. Overall, there are no linking impact pathways present and Policy NE8 is screened out from Appropriate Assessment.

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
Site Allocations Policies		
Policy S1 - Selby Station Quarter Special Policy Area	Development located in the Selby Station Quarter (as shown on the Policies Map) will be supported where it helps deliver the Council's objectives to: 1. Improve pedestrian and cycle access to Selby town centre and to the rail and sus stations; 2. Improve the public realm around the stations and the Ousegate riverside corridor; 3. Promote opportunities to increase active travel into Selby town and improve access to the wider Leeds City Region, including through the provision of adequate railway station parking; 4. Promote opportunities to bring residential uses back into the Special Policy Area; 5. Develop a sustainable new community; and 6. Conserve and enhance the significance of Selby Town Conservation Area and other heritage assets in the area, including their setting, ensuring that development references local character.	Likely Significant Effects (LSEs) of this policy cannot be excluded. This policy supports economic growth in Selby. This policy potentially adds to the volume of housing delivered under Policy HG1. While it is acknowledged that most housing to be delivered in the district is specified in other policies, individual housing developments could still add to the identified impact pathways. The following impact pathways on European sites are linked to this policy: • Recreational Pressure • Loss of Functionally Linked Habitat • Water Quality • Water Quantity, Level and Flow • Atmospheric Pollution Overall, Policy S1 is screened in for Appropriate Assessment.
Policy S2 – Selby Gateway Special Policy Area	Development located in the Selby Gateway (as shown on the Policies Map) will be supported where it helps to deliver: 1. An attractive landscaped gateway to the town of Selby along both sides of Barlby Road, which promotes and improves the walking and cycling routes in this area. 2. The redevelopment of the Olympia Mills site on the southern side of Barlby Road and north of the railway line for employment purposes. 3. Redevelop the land south of the railway, on the Olympia Park West site, for solar energy generation, which will power the Mill and supply carbon-free energy to the National Grid.	Likely Significant Effects (LSEs) of this policy cannot be excluded. This policy supports economic growth in Selby. The redevelopment of land for employment purposes could potentially lead to the loss of supporting habitats for SPA / Ramsar birds (such as from the Lower Derwent Valley SPA / Ramsar or the Humber Estuary SPA / Ramsar). Furthermore, it is likely to increase commuter traffic within Selby District, as well as contributing to the volume of potable water used and treated sewage produced. The following impact pathways on European sites are linked to this policy: • Loss of Functionally Linked Habitat • Water Quality • Water Quantity, Level and Flow • Atmospheric Pollution Overall, Policy S2 is screened in for Appropriate Assessment.
Policy T1 - Tadcaster Town Centre Regeneration Area – Special Policy Area	Proposals within the Tadcaster Town Centre Regeneration Area (as shown on the Policies Map) will be supported where they help to deliver the regeneration of the town centre as a whole and the Council's objectives to: 1. Meet the Vision for Tadcaster by 2040 as set out in Part 1 of the Local Plan which in essence is to deliver a heritage-led regeneration of Tadcaster for it to be a sustainable, prosperous and vibrant market town reflecting its historic environment, brewing heritage, attractive open riverside setting and sense of community; 2. Reintroduce housing into the town centre through a high-quality, heritage-led scheme on the Central Area Car Park (TADC-H) and new housing at Mill Lane (TADC-I); 3. Provide a new publicly-accessible Town Green, which will serve the amenity and recreation needs of the new residents of the car park redevelopment housing scheme and provide space for the health and well-being of town centre users. The Town Green will also protect and enhance Tadcaster Conservation Area and the setting of the Grade II* Listed Old Vicarage and other Listed Buildings which surround the site;	Likely Significant Effects (LSEs) of this policy cannot be excluded. This policy potentially adds to the volume of housing delivered under Policy HG1. While it is acknowledged that most housing to be delivered in the district is specified in other policies, individual housing developments could still add to the identified impact pathways. The following impact pathways on European sites are linked to this policy: • Recreational Pressure • Water Quality • Water Quantity, Level and Flow • Atmospheric Pollution

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	4. Provide a new underground car park, as part of the TADC-H allocation to replace Central Area Car Park for town centre users and to provide parking for the new housing site residents and other replacement on and off-street parking to meet the total identified needs for approximately 227 spaces (short and long-stay use) or suitable, like-for-like alternative sites as agreed with the Local Planning Authority to meet Local Highways Authority requirements; 5. The development of the town centre scheme and the wider site allocations will be subject to a Developer Agreement(s) to secure the delivery of each element of the overall regeneration scheme; 6. Provide a new multi-functional green space in Robin Hood Yard (and safe access to it for all users), for the purposes of linking the town centre to the riverside for pedestrians and cyclists. Part of the area could provide some limited parking and servicing for surrounding residents and businesses subject to proven highway safety and high-quality design; 7. Bring back into use derelict or vacant properties and sites for residential uses (at least 30 dwellings) or other appropriate town centre uses. In particular, but not restricted to: The White Swan, High Street; 8-10 Kirkgate; Shann House; and 24-26 High Street; 8. Enhance the town centre experience for its users by undertaking highways and junction alterations to accommodate an improved two-way through-traffic route along St. Joseph's Street; re-configured junctions at its north and south ends; improvements to Chapel Street; physical and restricted vehicle access, subject to appropriate Traffic Regulation Orders (TROs) along Westgate and Kirkgate to provide a new safe and attractive pedestrian-priority and low-traffic area; and provide sufficient and suitably-located off-street and on-street parking bays throughout the Town Centre Regeneration Area to meet existing residents' needs and the needs of other town centre users including those with impaired mobility in the interests of highways safety; 9. Enhance walking and cycling routes within the town centre and increase opportunities for sustainable transport by providing walking, cycling and bus infrastructure to link the town centre to residential and employment areas around the town and to allow longer distance, wider links to higher order centres for jobs and leisure activities for local residents but also to attract visitors to support the town's services and facilities and cultural, tourist and shopping offers; 10. Preserve and where appropriate enhance those elements which make a positive contribution to the character of Tadcaster Conservation Area and other heritage assets, including their setting, and key views within the town ensuring that development references detailing, styles and building methods and local materials and should be in accordance with the guidance set out in the adopted Tadcaster Conservation Area Appraisal; and 11. Ensure high-quality design of new developments, bringing back into use empty buildings and sites, and highways schemes by ensuring the design and layout of schemes and use of locally distinctive materials reflects the requirements of a new Design Code developed with the community and agreed with the Local Planning Authority, to ensure an exemplar heritage-led regeneration scheme of the highest quality.	Overall, Policy T1 is screened in for Appropriate Assessment
Policy T2 - London Road Special Policy Area	Proposals within the London Road Special Policy Area (as shown on the Policies Map) will be supported for a mix of uses including multi-functional green space, commercial, retail, parking or residential where they help to deliver the regeneration of the town centre as a whole. In addition to satisfying the requirements of relevant planning policies, development proposals within the Special Policy Area will be required to: 1. Follow a comprehensive, phased approach to development in accordance with a masterplan to be approved by the Local Planning Authority. 2. Provide a new primary access for vehicles, cycles and pedestrians onto the A162 London Road to the east. 3. Provide safe cycle and pedestrian routes linking to the surrounding residential areas and the town centre. 4. Ensure the design and layout is informed by the rural landscape character and takes account of the overhead power lines . 5. Avoid light pollution from flood lights and to orientate buildings to minimise noise disturbance to protect residential amenity.	Likely Significant Effects (LSEs) of this policy cannot be excluded. This policy potentially adds to the volume of housing delivered under Policy HG1. While it is acknowledged that most housing to be delivered in the district is specified in other policies, individual housing developments could still add to the identified impact pathways. The following impact pathways on European sites are linked to this policy: • Recreational Pressure • Loss of Functionally Linked Habitat • Water Quality • Water Quantity, Level and Flow • Atmospheric Pollution Overall, Policy T2 is screened in for Appropriate Assessment

Policy number/ name	Policy detail	Likely Significant Effects Screening Assessment.
	6. Protect the trees covered by a Tree Preservation Order, and retain and enhance the strong landscape buffers along all the site boundaries. 7. Address potential contamination associated with the former railway land to the west of the site.	

Appendix C Air quality modelling results

	Total Annual Mean NO_X (µg/m^3)				Total Annual Mean ammonia NH_3 (µg/m^3)				Total Annual Mean N Dep (kgN/ha/yr)			
Road Link and distance from road	**2019 Baseline**	**2040 Future Baseline assuming no traffic growth**	**2040 Do Minimum (without Selby Local Plan)**	**2040 Do Something (with Selby Local Plan)**	**2019 Baseline**	**2040 Future Baseline assuming no traffic growth**	**2040 Do Minimum (without Selby Local Plan)**	**2040 Do Something (with Selby Local Plan)**	**2019 Baseline**	**2040 Future Baseline assuming no traffic growth**	**2040 Do Minimum (without Selby Local Plan)**	**2040 Do Something (with Selby Local Plan)**
E01_0.199053586m	13.56	6.90	7.03	7.06	2.26	2.21	2.23	2.23	18.26	16.18	16.29	16.31
E01_10m	9.95	6.44	6.49	6.50	2.16	2.15	2.15	2.15	17.48	15.81	15.85	15.85
E01_20m	9.26	6.36	6.39	6.39	2.14	2.14	2.14	2.14	17.33	15.74	15.77	15.77
E01_30m	8.96	6.32	6.34	6.34	2.14	2.13	2.13	2.13	17.27	15.72	15.73	15.73
E01_40m	8.79	6.30	6.32	6.32	2.13	2.13	2.13	2.13	17.23	15.70	15.71	15.71
E01_50m	8.69	6.29	6.30	6.30	2.13	2.13	2.13	2.13	17.21	15.69	15.70	15.70
E01_60m	8.62	6.28	6.29	6.29	2.13	2.13	2.13	2.13	17.20	15.69	15.69	15.69
E01_70m	8.56	6.27	6.28	6.28	2.13	2.12	2.13	2.13	17.19	15.68	15.69	15.69
E01_80m	8.52	6.27	6.27	6.28	2.13	2.12	2.13	2.13	17.18	15.68	15.68	15.68
E01_90m	8.49	6.26	6.27	6.27	2.13	2.12	2.12	2.12	17.17	15.67	15.68	15.68
E01_100m	8.46	6.26	6.26	6.27	2.12	2.12	2.12	2.12	17.17	15.67	15.68	15.68
E01_110m	8.44	6.25	6.26	6.26	2.12	2.12	2.12	2.12	17.16	15.67	15.67	15.68
E01_120m	8.42	6.25	6.26	6.26	2.12	2.12	2.12	2.12	17.16	15.67	15.67	15.67
E01_130m	8.40	6.25	6.26	6.26	2.12	2.12	2.12	2.12	17.16	15.67	15.67	15.67
E01_140m	8.39	6.25	6.25	6.25	2.12	2.12	2.12	2.12	17.16	15.67	15.67	15.67
E01_150m	8.38	6.25	6.25	6.25	2.12	2.12	2.12	2.12	17.15	15.67	15.67	15.67
E01_160m	8.37	6.25	6.25	6.25	2.12	2.12	2.12	2.12	17.15	15.66	15.67	15.67
E01_170m	8.36	6.24	6.25	6.25	2.12	2.12	2.12	2.12	17.15	15.66	15.67	15.67
E01_180m	8.35	6.24	6.25	6.25	2.12	2.12	2.12	2.12	17.15	15.66	15.67	15.67
E01_190m	8.34	6.24	6.25	6.25	2.12	2.12	2.12	2.12	17.15	15.66	15.66	15.67
E01_200m	8.34	6.24	6.25	6.25	2.12	2.12	2.12	2.12	17.15	15.66	15.66	15.66
E02a_0.26314243431m	24.61	8.47	8.90	8.99	2.67	2.50	2.55	2.56	21.20	17.78	18.08	18.14
E02a_10m	14.54	7.24	7.40	7.43	2.36	2.31	2.32	2.33	18.87	16.68	16.79	16.81
E02a_20m	12.23	6.95	7.05	7.07	2.30	2.26	2.28	2.28	18.34	16.44	16.51	16.52
E02a_30m	11.22	6.83	6.90	6.92	2.27	2.25	2.25	2.26	18.12	16.34	16.38	16.39
E02a_40m	10.64	6.76	6.81	6.83	2.25	2.24	2.24	2.24	17.99	16.28	16.32	16.32
E02a_50m	10.26	6.71	6.76	6.77	2.24	2.23	2.23	2.24	17.91	16.25	16.27	16.28
E02a_60m	10.00	6.68	6.72	6.73	2.24	2.23	2.23	2.23	17.86	16.22	16.24	16.25
E02a_70m	9.81	6.65	6.69	6.70	2.23	2.22	2.23	2.23	17.81	16.20	16.22	16.23
E02a_80m	9.66	6.64	6.67	6.67	2.23	2.22	2.22	2.22	17.78	16.19	16.21	16.21
E02a_90m	9.55	6.62	6.65	6.66	2.23	2.22	2.22	2.22	17.76	16.18	16.19	16.20
E02a_100m	9.45	6.61	6.64	6.64	2.22	2.22	2.22	2.22	17.74	16.17	16.18	16.19
E02a_110m	9.37	6.60	6.62	6.63	2.22	2.22	2.22	2.22	17.72	16.16	16.17	16.18
E02a_120m	9.31	6.59	6.61	6.62	2.22	2.21	2.22	2.22	17.71	16.16	16.17	16.17
E02a_130m	9.25	6.59	6.61	6.61	2.22	2.21	2.22	2.22	17.70	16.15	16.16	16.16
E02a_140m	9.21	6.58	6.60	6.60	2.22	2.21	2.21	2.21	17.69	16.15	16.16	16.16
E02a_150m	9.17	6.58	6.59	6.60	2.22	2.21	2.21	2.21	17.68	16.14	16.15	16.15
E02a_160m	9.13	6.57	6.59	6.59	2.22	2.21	2.21	2.21	17.67	16.14	16.15	16.15

	Total Annual Mean NO_X (µg/m^3)				Total Annual Mean ammonia NH_3 (µg/m^3)				Total Annual Mean N Dep (kgN/ha/yr)			
Road Link and distance from road	**2019 Baseline**	**2040 Future Baseline assuming no traffic growth**	**2040 Do Minimum (without Selby Local Plan)**	**2040 Do Something (with Selby Local Plan)**	**2019 Baseline**	**2040 Future Baseline assuming no traffic growth**	**2040 Do Minimum (without Selby Local Plan)**	**2040 Do Something (with Selby Local Plan)**	**2019 Baseline**	**2040 Future Baseline assuming no traffic growth**	**2040 Do Minimum (without Selby Local Plan)**	**2040 Do Something (with Selby Local Plan)**
E02a_170m	9.10	6.57	6.58	6.59	2.22	2.21	2.21	2.21	17.67	16.14	16.15	16.15
E02a_180m	9.07	6.56	6.58	6.58	2.21	2.21	2.21	2.21	17.66	16.14	16.14	16.14
E02a_190m	9.05	6.56	6.57	6.58	2.21	2.21	2.21	2.21	17.66	16.13	16.14	16.14
E02a_200m	9.02	6.56	6.57	6.57	2.21	2.21	2.21	2.21	17.65	16.13	16.14	16.14
E02b_0.26994339597m	21.21	8.06	8.39	8.46	2.56	2.43	2.47	2.48	20.41	17.40	17.64	17.69
E02b_10m	13.00	7.05	7.17	7.19	2.32	2.28	2.29	2.29	18.52	16.52	16.60	16.62
E02b_20m	11.24	6.83	6.90	6.92	2.27	2.25	2.25	2.26	18.12	16.34	16.39	16.40
E02b_30m	10.47	6.74	6.79	6.80	2.25	2.23	2.24	2.24	17.95	16.26	16.30	16.30
E02b_40m	10.04	6.68	6.72	6.73	2.24	2.23	2.23	2.23	17.86	16.22	16.25	16.25
E02b_50m	9.76	6.65	6.68	6.69	2.23	2.22	2.22	2.23	17.80	16.20	16.22	16.22
E02b_60m	9.57	6.63	6.65	6.66	2.23	2.22	2.22	2.22	17.76	16.18	16.19	16.20
E02b_70m	9.43	6.61	6.63	6.64	2.22	2.22	2.22	2.22	17.73	16.17	16.18	16.18
E02b_80m	9.33	6.60	6.62	6.62	2.22	2.21	2.22	2.22	17.71	16.16	16.17	16.17
E02b_90m	9.24	6.59	6.60	6.61	2.22	2.21	2.22	2.22	17.70	16.15	16.16	16.16
E02b_100m	9.18	6.58	6.59	6.60	2.22	2.21	2.21	2.21	17.68	16.14	16.15	16.15
E02b_110m	9.12	6.57	6.59	6.59	2.22	2.21	2.21	2.21	17.67	16.14	16.15	16.15
E02b_120m	9.08	6.56	6.58	6.58	2.21	2.21	2.21	2.21	17.66	16.14	16.14	16.14
E02b_130m	9.04	6.56	6.57	6.58	2.21	2.21	2.21	2.21	17.65	16.13	16.14	16.14
E02b_140m	9.01	6.56	6.57	6.57	2.21	2.21	2.21	2.21	17.65	16.13	16.14	16.14
E02b_150m	8.98	6.55	6.56	6.57	2.21	2.21	2.21	2.21	17.64	16.13	16.13	16.13
E02b_160m	8.95	6.55	6.56	6.56	2.21	2.21	2.21	2.21	17.64	16.12	16.13	16.13
E02b_170m	8.93	6.55	6.56	6.56	2.21	2.21	2.21	2.21	17.63	16.12	16.13	16.13
E02b_180m	8.91	6.54	6.55	6.56	2.21	2.21	2.21	2.21	17.63	16.12	16.13	16.13
E02b_190m	8.89	6.54	6.55	6.55	2.21	2.21	2.21	2.21	17.63	16.12	16.12	16.12
E02b_200m	8.88	6.54	6.55	6.55	2.21	2.21	2.21	2.21	17.62	16.12	16.12	16.12
E02c_0.38550736079m	21.40	8.08	8.42	8.49	2.57	2.44	2.48	2.49	20.45	17.42	17.66	17.71
E02c_10m	13.09	7.06	7.18	7.21	2.32	2.28	2.29	2.30	18.54	16.53	16.61	16.63
E02c_20m	11.31	6.84	6.92	6.93	2.27	2.25	2.26	2.26	18.14	16.35	16.39	16.40
E02c_30m	10.54	6.75	6.80	6.81	2.25	2.23	2.24	2.24	17.97	16.27	16.30	16.31
E02c_40m	10.11	6.69	6.73	6.74	2.24	2.23	2.23	2.23	17.88	16.23	16.25	16.26
E02c_50m	9.83	6.66	6.69	6.70	2.23	2.22	2.23	2.23	17.82	16.20	16.22	16.23
E02c_60m	9.64	6.63	6.66	6.67	2.23	2.22	2.22	2.22	17.78	16.18	16.20	16.20
E02c_70m	9.49	6.62	6.64	6.65	2.22	2.22	2.22	2.22	17.75	16.17	16.19	16.19
E02c_80m	9.38	6.60	6.63	6.63	2.22	2.22	2.22	2.22	17.72	16.16	16.17	16.18
E02c_90m	9.30	6.59	6.61	6.62	2.22	2.21	2.22	2.22	17.71	16.15	16.16	16.17
E02c_100m	9.23	6.58	6.60	6.61	2.22	2.21	2.21	2.22	17.69	16.15	16.16	16.16
E02c_110m	9.17	6.58	6.59	6.60	2.22	2.21	2.21	2.21	17.68	16.14	16.15	16.15
E02c_120m	9.12	6.57	6.59	6.59	2.22	2.21	2.21	2.21	17.67	16.14	16.15	16.15
E02c_130m	9.08	6.56	6.58	6.58	2.21	2.21	2.21	2.21	17.66	16.13	16.14	16.14
E02c_140m	9.04	6.56	6.57	6.58	2.21	2.21	2.21	2.21	17.65	16.13	16.14	16.14
E02c_150m	9.01	6.56	6.57	6.57	2.21	2.21	2.21	2.21	17.65	16.13	16.14	16.14

	Total Annual Mean NO_X (µg/m^3)				Total Annual Mean ammonia NH_3 (µg/m^3)				Total Annual Mean N Dep (kgN/ha/yr)			
Road Link and distance from road	**2019 Baseline**	**2040 Future Baseline assuming no traffic growth**	**2040 Do Minimum (without Selby Local Plan)**	**2040 Do Something (with Selby Local Plan)**	**2019 Baseline**	**2040 Future Baseline assuming no traffic growth**	**2040 Do Minimum (without Selby Local Plan)**	**2040 Do Something (with Selby Local Plan)**	**2019 Baseline**	**2040 Future Baseline assuming no traffic growth**	**2040 Do Minimum (without Selby Local Plan)**	**2040 Do Something (with Selby Local Plan)**
E02c_160m	8.98	6.55	6.56	6.57	2.21	2.21	2.21	2.21	17.64	16.13	16.13	16.13
E02c_170m	8.96	6.55	6.56	6.56	2.21	2.21	2.21	2.21	17.64	16.12	16.13	16.13
E02c_180m	8.93	6.55	6.56	6.56	2.21	2.21	2.21	2.21	17.63	16.12	16.13	16.13
E02c_190m	8.91	6.54	6.55	6.56	2.21	2.21	2.21	2.21	17.63	16.12	16.13	16.13
E02c_200m	8.90	6.54	6.55	6.55	2.21	2.21	2.21	2.21	17.63	16.12	16.12	16.13
E03a_2.5m	32.00	9.84	10.35	10.52	2.67	2.46	2.52	2.55	21.60	17.55	17.92	18.06
E03a_10m	21.75	8.59	8.86	8.96	2.39	2.28	2.31	2.32	19.37	16.51	16.70	16.78
E03a_20m	17.16	8.02	8.20	8.26	2.26	2.20	2.22	2.22	18.39	16.06	16.17	16.22
E03a_30m	15.07	7.77	7.89	7.94	2.21	2.16	2.18	2.18	17.95	15.86	15.94	15.97
E03a_40m	13.87	7.62	7.72	7.75	2.18	2.14	2.15	2.16	17.70	15.75	15.81	15.84
E03a_50m	13.09	7.52	7.61	7.64	2.16	2.13	2.14	2.14	17.54	15.67	15.73	15.75
E03a_60m	12.55	7.46	7.53	7.55	2.15	2.12	2.13	2.13	17.43	15.62	15.67	15.68
E03a_70m	12.14	7.41	7.47	7.49	2.14	2.12	2.12	2.13	17.34	15.59	15.63	15.64
E03a_80m	11.83	7.37	7.42	7.44	2.13	2.11	2.12	2.12	17.28	15.56	15.59	15.61
E03a_90m	11.58	7.34	7.39	7.40	2.12	2.11	2.11	2.11	17.23	15.54	15.57	15.58
E03a_100m	11.38	7.31	7.36	7.37	2.12	2.10	2.11	2.11	17.19	15.52	15.55	15.56
E03a_110m	11.21	7.29	7.33	7.35	2.12	2.10	2.11	2.11	17.16	15.51	15.53	15.54
E03a_120m	11.07	7.28	7.31	7.32	2.11	2.10	2.10	2.11	17.13	15.50	15.52	15.52
E03a_130m	10.95	7.26	7.29	7.31	2.11	2.10	2.10	2.10	17.11	15.48	15.50	15.51
E03a_140m	10.84	7.25	7.28	7.29	2.11	2.10	2.10	2.10	17.09	15.48	15.49	15.50
E03a_150m	10.75	7.24	7.27	7.28	2.10	2.10	2.10	2.10	17.07	15.47	15.49	15.49
E03a_160m	10.67	7.23	7.25	7.26	2.10	2.09	2.10	2.10	17.05	15.46	15.48	15.48
E03a_170m	10.60	7.22	7.24	7.25	2.10	2.09	2.10	2.10	17.04	15.46	15.47	15.48
E03a_180m	10.54	7.21	7.23	7.24	2.10	2.09	2.10	2.10	17.03	15.45	15.46	15.47
E03a_190m	10.48	7.20	7.23	7.23	2.10	2.09	2.09	2.09	17.02	15.45	15.46	15.46
E03a_200m	10.43	7.20	7.22	7.23	2.10	2.09	2.09	2.09	17.01	15.44	15.45	15.46

Selby District Council - Air Quality Modelling

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Selby District Council

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Quality information

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1. Introduction

1.1 Selby District Council (SDC) is preparing a Draft Local Plan 2040 which represents a full review of the adopted Local Plan. Once the Local Plan has been through a number of statutory stages of preparation, it will be examined and if found to be sound, it can be adopted. The Council has commissioned AECOM Limited to conduct an air quality assessment to inform the Habitats Regulations Assessment (HRA) of the Regulation 19 preparation of the Local Plan 2040 and to form part of the evidence base. This assessment constitutes an update to the assessment previously carried out in 2022.

1.2 The work presented in this report is to be used to inform the Appropriate Assessment of the HRA. It focuses on the impact of traffic related emissions due to planned development during the Local Plan period on sensitive ecosystems within the Skipwith Common, Lower Derwent Valley, River Derwent and Humber Estuary Special Areas of Conservation (SACs). The SACs are mainly designated for heathland, grassland and marine habitats, in which there are habitats that are sensitive to nitrogen and acid deposition due to several reasons, such as soil acidification and toxicity to species (Natural England, 2018). More specifically, in terms of nitrogen sensitive habitats, Skipwith Common contains European dry and Northern Atlantic wet heaths; Lower Derwent Valley contains lowland hay meadows; River Derwent contains Ranunculion fluitantis and Callitricho-Batrachion vegetation; and Humber Estuary contains salt meadows, coastal dunes, mudflats and sandflats, amongst others.

1.3 This assessment considers the following four key pollutants shown to affect sensitive ecosystems: ammonia (NH_3), oxides of nitrogen (NO_X), total nitrogen deposition and total acid deposition. All pollutants are considered at receptor points, within transects, up to 200m of the roadside, within each of the four SACs considered in the assessment.

1.4 The main aims of this study are to:

- Identify potentially sensitive ecological receptor locations within the SACs within 200m of roads that are expected to be affected by the Local Plan 2040;
- Predict annual mean NO_x and NH_3 concentrations and nitrogen and acid deposition rates for the following scenarios at selected ecological receptors;
    - Baseline year (2019): represents air quality in a recent past year (2019);
    - Future Baseline (2040): uses the traffic data from the ‘current baseline’ in 2019, but applies future assessment year vehicle emission factors and background pollutant concentrations to allow for the ‘in combination’ assessment required for the HRA;
    - 2040 ‘Do Minimum’ (DM) Reference Case: future assessment year, which does not include the influence of planned development from the Local Plan 2040, but does allow for strategic planned development in neighbouring local authorities;
    - 2040 ‘Do Something’ Scenario (DS): future assessment year, which includes the influence of planned development from the Selby District Council Local Plan 2040, and from strategic planned development in neighbouring local authorities.
- Determine if there are any exceedances of NO_x and NH_3 critical levels, and nitrogen and acid deposition critical loads within the four SACs.

1.5 The results and implications of the modelling outputs are presented in the accompanying report ‘Habitats Regulations Assessment (HRA) of the Selby Local Plan Review’. More detail on the Transport Assessment and associated modelling are available separately.

2. Policy Context

Clean Air Strategy

2.1 In 2019, the UK government released its Clean Air Strategy 2019 (Defra, 2019) as part of its 25 Year Environment Plan (Defra, 2018). These documents include targets to reduce emissions of ammonia

from farming activities, and nitrogen oxides from combustion processes, and thus reduce the deposition of nitrogen to sensitive ecosystems.

Environment Act

2.2 The Environment Act 2021 (HM Government, 2021) amends the Environment Act 1995 (HM Government, 1995). On 9th November 2021, the Act received Royal Assent after being first introduced to Parliament in January 2020 to address environmental protection and the delivery of the Government's 25 Year Environment Plan. It includes provisions to establish a set of statutory environmental principles to ensure environmental governance through an environmental watchdog, the Office for Environmental Protection (OEP).

2.3 The Secretary of State must publish a review report every five years (as a minimum and with yearly updates to Parliament). The 25 Year Environment Plan has been adopted as the first Environmental Improvement Plan (EIP) of the Environment Act 2021, with long-term legally binding targets being finalised by Defra[1]. The EIP 2023 was published in January 2023 (updated February 2023), building on the 25 Year Environment Plan, and setting out how the delivery of environmental goals will be coordinated with landowners, communities and businesses.

Habitats Regulations Assessment

2.4 While the UK is no longer a member of the EU, a requirement for HRA will continue as set out in the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.

2.5 The HRA process applies the 'Precautionary Principle'[2] to European sites[3]. Plans and projects can only be permitted having ascertained that there will be no adverse effect on the integrity of the European site(s) in question. To ascertain whether or not site integrity will be affected, an Appropriate Assessment should be undertaken of the Plan or project in question.

2.6 Following evidence gathering, the first stage of any Habitats Regulations Assessment is the screening for Likely Significant Effects (LSEs), a high-level assessment to decide whether the Appropriate Assessment is required. Where it is determined that a conclusion of 'no Likely Significant Effects' cannot be drawn, the analysis proceeds to the Appropriate Assessment.

Other Guidance documents

2.7 Best practice and advice / guidance contained within documents from Natural England (Natural England, 2018), the Institute of Air Quality Management (IAQM) (IAQM, 2020), the Chartered Institute of Ecology and Environmental Management (CIEEM) (CIEEM, 2021) and National Highways (Design Manual for Roads and Bridges DMRB LA105) (DMRB, 2019) have been used to determine the methodology applied, and in the accompanying ecological interpretation of the results.

Critical Levels

2.8 Annual mean critical levels of NO_x and NH_3 are summarised in Table 1. These are concentrations above which adverse effects on ecosystems may occur based on present knowledge. The critical level for NO_x is taken from the EU Ambient Air Quality Directive 2008/50/EU (EU Directives, 2008) which has also been set as the Air Quality Strategy objective for the protection of vegetation and ecosystems, and has been incorporated into English legislation.

2.9 The EU Directive (EU Directives, 2008) states that the sampling point to determine compliance should be sited more than 20 km away from agglomerations or more than 5 km away from other built-up areas, industrial installations or motorways or major roads with traffic counts of more than 50,000 vehicles per day, which means that a sampling point must be sited in such a way that is representative of an area of

[1] https://www.gov.uk/government/news/update-on-progress-on-environmental-targets

[2] The Precautionary Principle, which is referenced in Article 191 of the Treaty on the Functioning of the European Union, has been defined by the United Nations Educational, Scientific and Cultural Organisation (UNESCO, 2005) as: *"When human activities may lead to morally unacceptable harm* [to the environment] *that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that harm. The judgement of plausibility should be grounded in scientific analysis".*

[3] https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site - "*A European site is protected by the Conservation of Habitats and Species Regulations 2017 as amended (known as the Habitats Regulations)*". These include Special Areas of Conservation (SACs), Special Protection Areas (SPAs), and Ramsar sites (wetlands of international importance).

at least 1,000 km^2. Applying the critical level for NO_x to designated nature conservation sites that are located close to busy roads is therefore precautionary.

2.10 The critical levels for NH_3 have not been incorporated into legislation and are a recommendation made by the United Nations Economic Commission for Europe (UNECE) Executive Body for the Convention on Long-Range Transboundary Air Pollution (CLRTAP) (UNECE, 2013).

Table 1: Annual Mean Critical Levels (NO_x and NH_3)

Pollutant	Critical Level
Oxides of nitrogen (NO_x)	30 µg/m^3
Ammonia (NH_3)	3 µg/m^3 for higher plants 1 µg/m^3 for lichens and bryophytes

3. Methodology

3.1 The Local Plan will significantly increase the population and employment opportunities within Selby District, which may result in more commuter journeys being undertaken within 200m of sensitive habitats. Therefore, LSEs cannot be excluded, and four European sites are screened in for Appropriate Assessment regarding this impact pathway. This is in accordance with Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations (Natural England, 2018).

3.2 As such, the air quality modelling methodology and analyses presented in this report have been undertaken to inform the HRA for the Skipwith Common, Lower Derwent Valley, River Derwent and Humber Estuary SACs. These SACs have been considered in the assessment as they contain habitats and species that are sensitive to N deposition. More information on these sites is provided in the introduction section.

3.3 The following sections outline the methodology used to model air quality in the four SACs as listed above, affected by changes to traffic associated with the Selby Local Plan 2040. The following sources of information and data have been used to form the basis of the air quality assessment:

- Department for Environment, Food and Rural Affairs' (Defra) Air Quality Background Concentration Maps based on a 2018 base year (Defra, 2020a);
- Defra's Vehicle Emission Factors (Defra, 2020b);
- Driver Vehicle Licencing Agency (DVLA) statistics on licensed road-using cars and light goods vehicles dataset for 2022 (DVLA, 2022);
- Department for Transport's (DfT) Transport Decarbonisation Plan of future vehicle fleet projections (DfT, 2022);
- Emission rates as published in the Calculator for Road Emissions of Ammonia (CREAM) tool (Air Quality Consultants, 2020);
- 1x1 km modelled nitrogen and acid deposition data and ammonia background concentrations from the Air Pollution Information System (APIS, 2022);
- Traffic count and speed data used to inform the Transport Assessment for 2019 and 2040.

3.4 The modelling assessment was conducted following methodology within Defra's Local Air Quality Management Technical Guidance (LAQM.TG(22) (Defra, 2022), and guidance contained within documents from Natural England (Natural England, 2018), the Institute of Air Quality Management (IAQM) (IAQM, 2020) and the Chartered Institute of Ecology and Environmental Management (CIEEM) (CIEEM, 2021).

Pollutants of Interest

3.5 The pollutants of interest with regard to sensitive ecosystems for which critical levels and critical loads exist, and which are included in the air quality modelling and assessment of impacts on the four SACs listed above, are NO_x, NH_3, and nitrogen and acid deposition. Modelling of these pollutants is undertaken to assess the air quality impacts of planned development in the Local Plan on the SACs alone, and 'in combination' with existing plans within surrounding authorities.

3.6 Whilst emissions of NO_x from road vehicles are regulated according to Euro standards, emissions of NH_3 are not. This means that emissions of NH_3 from individual vehicle types are highly uncertain, particularly as measurements are rarely made (as this is not required for regulatory purposes). The uncertainty associated with the predicted nitrogen deposition rates from NH_3 is also greater than for NO_2, with the NH_3 derived nitrogen deposition rates representing an upper estimate.

3.7 There is currently no tool publicly available for the assessment of road traffic emissions of NH_3 from National Highways, Defra, Natural England, or other nature conservation bodies. However, there is evidence that exclusion of NH_3 from assessments leads to an underestimate of deposited nitrogen (Air Quality Consultants, 2020).

3.8 The methodology used to model NH_3 concentrations from road traffic, using ADMS Roads, and the subsequent contribution to nitrogen deposition within the SACs (described below), is considered the most appropriate that is available at this time. The methodology has been applied by AECOM in several Appropriate Assessments to inform HRA including that for Tunbridge Wells Borough Council, Epping Forest, Wealden and Mid Sussex District Councils.

Nitrogen Oxides

3.9 Detailed dispersion modelling of road traffic emissions of NO_x has been undertaken using the latest version of ADMS Roads (currently v5), combined with the latest version – at the time of assessment – of Defra's Emissions Factor Toolkit (EFT v11). Defra released an update to the EFT (version 12) in December 2023 after the modelling had been carried out, and has therefore not been used in this assessment. The subsequent contribution of emitted NO_x to nitrogen deposition within the SAC has been assessed.

3.10 Future fleet predictions were updated in EFT v11 (November 2021) for the fleet operating outside of London. However, the UK government's policy to ban the sale of new petrol and diesel cars and vans by 2035 (recently postponed from 2030) are not accounted for in the fleet information within this version of the EFT. As such, a more up-to-date fleet projection for the future year fleet has been used, in line with recent DfT policy, which is discussed in more detail below in the "Modelled Vehicle Fleet" subsection. This takes account of the fact that a significant shift in the constitution of the UK vehicle fleet will arise during the 2030s.

3.11 As the latest year for which emission factors are available in EFT v11 is 2030, AECOM has used 2030 information for any later modelled years. This therefore offers a precautionary approach for Local Plan modelling as it would not account for any improvements in vehicle emission factors in the latter part of the plan period (even though such improvements are likely with the introduction of Euro 7 from c.2025 or the ban on the sale of new petrol and diesel cars and vans from 2035, recently postponed from 2030).

Ammonia

3.12 In February 2020, Air Quality Consultants developed and published the Calculator for Road Emissions of Ammonia (CREAM) tool, '*in order to allow tentative predictions regarding trends in traffic-related ammonia emissions over time*'. The tool is based upon remotely sensed pollutant measurements, published real-world fuel consumption data, and ambient measurements of ammonia recorded in Ashdown Forest (2014-2016).

3.13 The report that was published alongside the CREAM tool states that:

"*It should be recognised that these emissions factors remain uncertain. Using them to make future year predictions will clearly be an improvement on any assessment which omits ammonia. They are also considered to be more robust than the emissions factors contained in the EEA Guidebook, which risk significantly under-predicting ammonia emissions. The emissions factors contained in the CREAM model can be considered to provide the most robust estimate of traffic-related ammonia possible at the present time, but they may be updated in the future as more information becomes available*."

3.14 The CREAM tool currently uses vehicle fleet information from Defra's EFT v9 which has now been superseded. AECOM has therefore applied the ammonia emission factors, as derived by Air Quality Consultants and in the current version of CREAM, with the average vehicle fleet on rural roads from EFT v11 to estimate emissions in the SAC.

3.15 The latest version of ADMS Roads has been employed to model the dispersion of emissions of NH_3 from road traffic, consistent with the approach for modelling emissions of NO_x.

Traffic Data

3.16 The traffic data used for this assessment was provided by the client's transport consultants: WSP. Data was provided for York Road and A163 near Skipwith (covering transects E01 and E02a/b/c), and additionally for A63 Knedlington Road / Hull Road (transect E03a/b), A614 Boothferry Road and the M62 near Howden for additional transects (E04a/b and E05a/b) modelled in this update to the original assessment. Due to the height of the M62 Ouse road bridge above the riverbank, the road was modelled at 30m height above ground level.

3.17 The traffic data were provided for a series of road links within 200m of the Skipwith Common, Lower Derwent Valley, River Derwent and Humber Estuary SACs. These links were chosen as they are located on the busiest roads in the area that are expected to experience the greatest increase in flows over the Local Plan period. As such, these are the roads where an air quality effect due to additional traffic growth is most likely to be observed. The modelled road links in each of the SACs are shown in Appendix C Figures 1 to 3.

3.18 Traffic data were provided for each of the road links, in the form of 24-hour Annual Average Daily Traffic (AADT) flows, with percentage heavy duty vehicle (HDV) flows and average speed for three scenarios – 2019 baseline (also used for the future baseline), future year 2040 'Do Minimum', and future year 2040 'Do Something' Scenario representing implementation of the Local Plan. A summary of the traffic data used in the air quality assessment is given in Annex A.1.

Modelled Vehicle Fleet

3.19 For the baseline modelling of the SACs, the nominal EFT v11 "Basic Split" rural fleet for the 2019 year was used, as this aligns well with the 2019 base year traffic data and 2019 meteorological data.

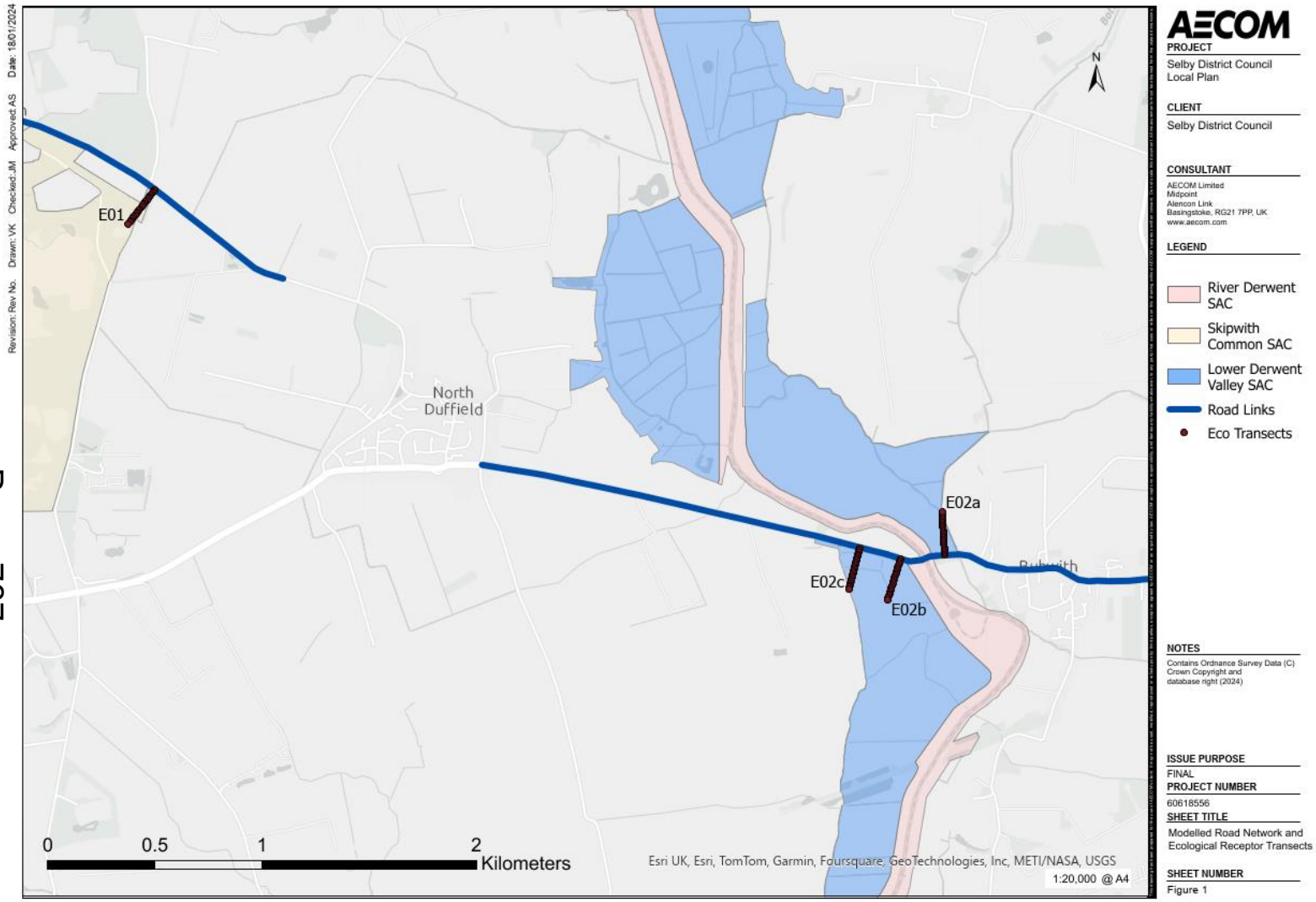
3.20 For the future year (2040) modelling, an approach has been taken to determine the vehicle fleet used in the modelling to apply a more up-to-date projection than that published in the EFT v11 in relation to the uptake of hybrid and zero emission / battery electric vehicles. A current vehicle fleet representative of the local area was determined, which was then projected forward to the future year (2040) following the methodology below.

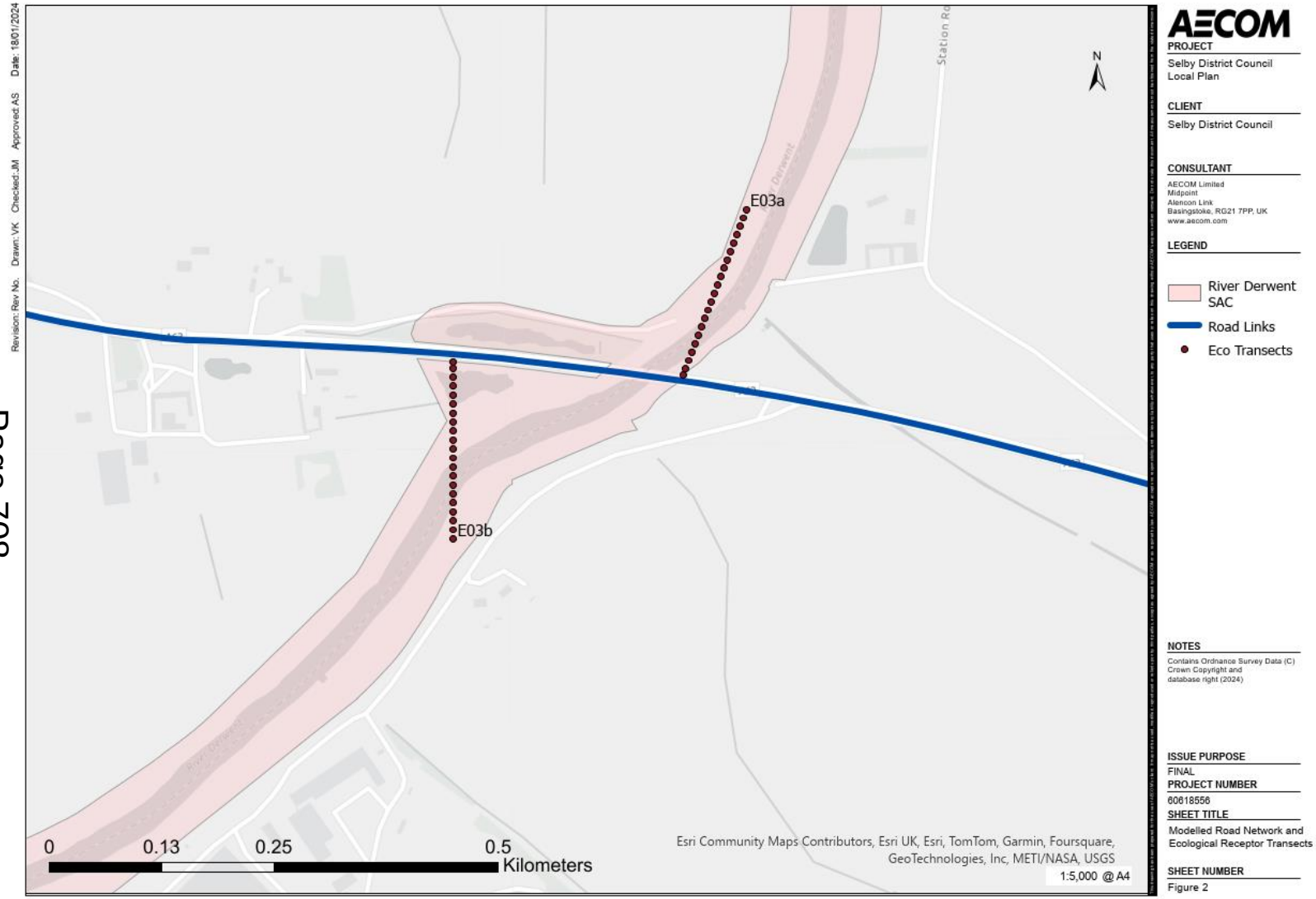
3.21 The current (2022) fleet composition, from which the 2040 fleet projection is based, is derived from the most up-to-date available full-year dataset (2022) of registered light-duty vehicles (LDV) from DVLA (DVLA, 2022). A high-level review of the fleet characteristics was conducted for Selby District Council, neighbouring districts, and the East Riding of Yorkshire and North Yorkshire counties. Although Selby District resides in the county of North Yorkshire, it is adjacent to the East Riding of Yorkshire (ERoY) county and shows greater similarly to the ERoY fleet than that in North Yorkshire and other neighbouring districts. It was therefore decided to use the ERoY fleet, as it is also likely to be more representative of traffic in the model domain, given the proximity of the modelled roads to ERoY. In addition, the Selby and ERoY fleets contain a relatively high proportion of diesel cars, and relatively low electric cars, therefore use of the ERoY fleet as a starting point for the fleet projections constitutes a worst-case assessment.

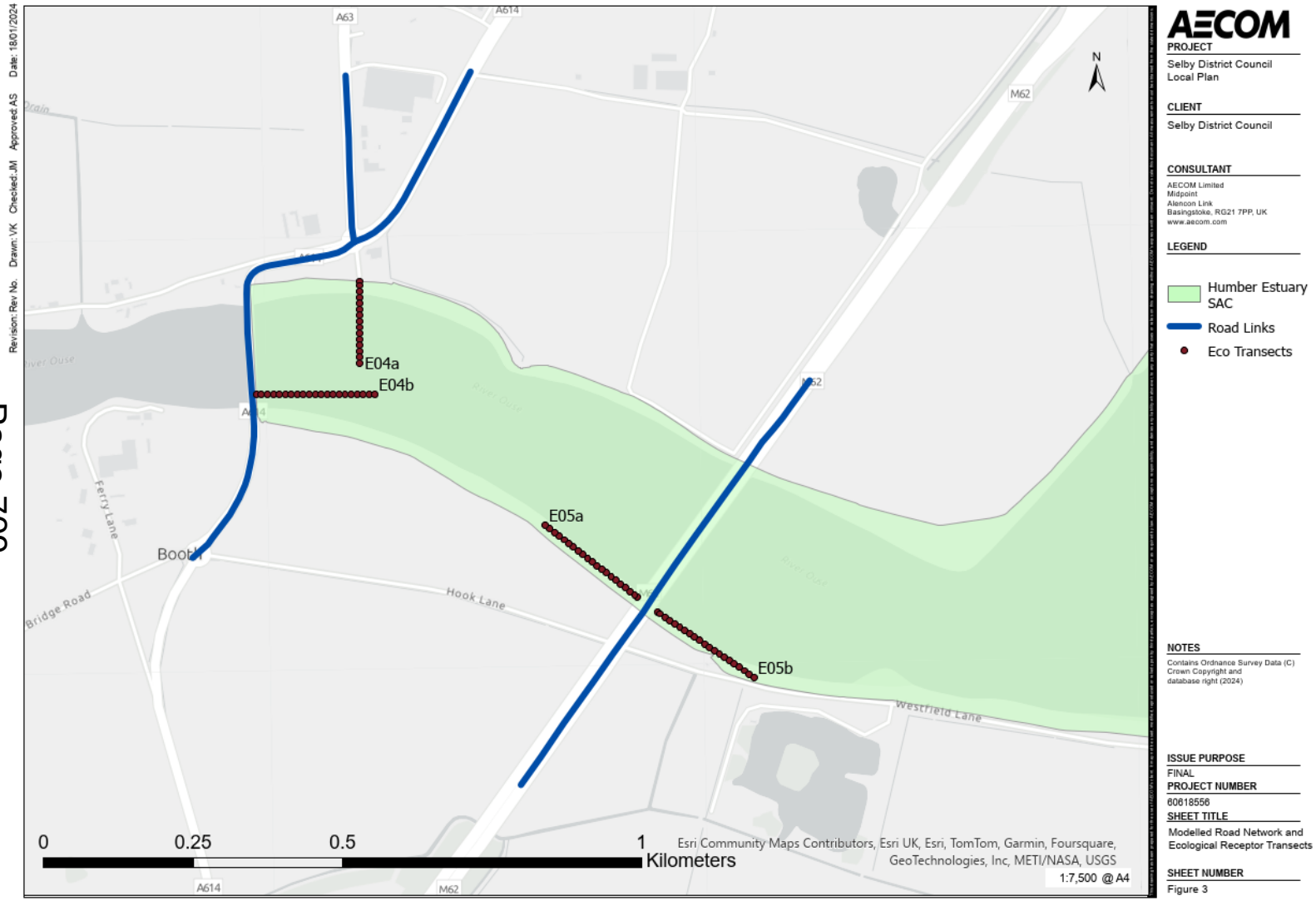
3.22 Light Duty Vehicles (LDVs), which are mainly cars and light goods vehicles (LGVs), comprise the majority of vehicles in the overall fleet (approximately 95%), and therefore this dataset will give a robust and accurate starting point for future fleet projections. Heavy Duty Vehicles (HDVs) made up of buses, coaches and Heavy Goods Vehicles- HGVs), which comprise the remaining ~5% of the fleet (varying by link between ~1% - 10%), have been apportioned based on the EFT basic split for 2040. The exact LDV/HDV split varies according to the provided traffic data and depends on the road link, and the fleet breakdown for each road link takes this split into account.

3.23 Transport projections out to 2050 of UK's intended decarbonisation of the fleet and alignment with Net Zero became available from the DfT's Transport Decarbonisation Plan (TDP) (DfT, 2022). These projections are based on high and low ambition for rates of decarbonisation for every year up to 2050. These projections were adjusted to determine the breakdown of individual fuel types in line with the EFT v11.

3.24 To take a more cautious approach, the lower ambition "Decarbonising Transport Upper" projection was used to project the 2022-based current fleet out to the future year of 2040, by using the calculated year-on-year car, LGV and HDV growth rates for each vehicle fuel type. This projection was deemed to represent a more cautiously realistic scenario than either the EFT v11 or TDP baseline projections.


Date: 18/01/2024
Approved: AS
Checked: JM
Drawn: VK
Revision: Rev No.
E01
North Duffield
E02a
E02c
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Kilometers
Esri UK, Esri, TomTom, Garmin, Foursquare, GeoTechnologies, Inc, METI/NASA, USGS
1:20,000 @ A4
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PROJECT
Selby District Council Local Plan
CLIENT
Selby District Council
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LEGEND
River Derwent SAC
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Lower Derwent Valley SAC
Road Links
Eco Transects
NOTES
Contains Ordnance Survey Data (C) Crown Copyright and database right (2024)
ISSUE PURPOSE
FINAL
PROJECT NUMBER
60618556
SHEET TITLE
Modelled Road Network and Ecological Receptor Transects
SHEET NUMBER
Figure 1


E03a
E03b
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Kilometers
Esri Community Maps Contributors, Esri UK, Esri, TomTom, Garmin, Foursquare, GeoTechnologies, Inc, METI/NASA, USGS
1:5,000 @ A4
Revision: Rev No. Drawn: VK Checked: JM Approved: AS Date: 18/01/2024
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ISSUE PURPOSE
FINAL
PROJECT NUMBER
60618556
SHEET TITLE
Modelled Road Network and Ecological Receptor Transects
SHEET NUMBER
Figure 2



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Selby District Council Local Plan

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LEGEND
- Humber Estuary SAC
- Road Links
- Eco Transects

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ISSUE PURPOSE
FINAL

PROJECT NUMBER
60618556

SHEET TITLE
Modelled Road Network and Ecological Receptor Transects

SHEET NUMBER
Figure 3

Receptors

3.25 Pollutant concentrations and deposition rates have been predicted along defined transects within the SAC within 200m of affected roads, in accordance with National Highways guidance for ecological assessments (LA105) (DMRB, 2019) and Natural England guidance (Natural England, 2018). The greatest impacts from changes in road traffic emissions will be observed and modelled closest to the roadside. Consideration of the road network within 200m of the SAC is therefore considered robust as background concentrations utilised in the assessment will account for all other sources that are not defined explicitly in the model.

3.26 The locations of the ecological transects relevant to this project were agreed with SDC and other stakeholders. The transects are situated at key locations where the greatest impacts upon each of the four SACs assessed are likely to occur. The locations are presented in Appendix C Figures 1 to 3 and further details are presented in Annex A.2.

3.27 For each SAC, the receptors are situated at the closest point to the road within the SAC, and spaced every 10m within the transects, up to 200m from the roadside. All receptors are modelled at ground level (0m height).

3.28 The greatest impacts will generally occur where both the greatest change in traffic flows is expected and the SAC habitats lies closest to the road. This information has been used to select transect locations. The usual approach is to place a transect on a modelled link (sometimes having a transect either side of the road to account for differences in the dispersion of emissions due to meteorology), with each link being defined as a stretch of road between changes in emissions i.e. where there are changes in traffic flows and/or speeds.

3.29 The modelled transects presented in Appendix C Figure 1 to Figure 3 provide good coverage of the SACs, match the previously modelled transects in the 2022 assessment, and avoid modelling in areas where there is only woodland within 200m of the road. This is based on confirmation from Natural England that woodland is not an SAC interest feature, only a Site of Special Scientific Interest (SSSI) interest feature.

Model Setup

3.30 As detailed above, road traffic emissions of NO_x were derived using Defra's EFT v11 and associated guidance and tools (Defra, 2022). For the base year (2019), the nominal EFT "Basic Split" rural vehicle fleet for 2019 was used, whereas for all the future year (2040) scenarios, the 2040 projected fleet as described in the methodology above was used with the default 2030 EFT emission factors. Road traffic emissions of NH_3 were derived using emission rates CREAM V1A (Air Quality Consultants, 2020) combined with the EFT v11 vehicle fleet for the relevant year, using the same vehicle fleet methodology as described above for NO_X.

3.31 Detailed dispersion modelling was undertaken using the current version of ADMS-Roads (v5.0) to model concentrations of NO_x and NH_3 using the parameters in Table 2 for the following scenarios:

- 2019 Baseline – 2019 AADT, 2019 emission factors and 2019 "Basic Split" fleet, and 2019 background concentrations;
- 2040 Future Baseline – 2019 AADT, 2030 emission factors (latest available year), 2040 projected vehicle fleet, and 2030 background concentrations (the latest projected year available from Defra);
- 2040 Do Minimum – 2040 AADT without Local Plan but with all committed development, 2030 emission factors, 2040 projected vehicle fleet, and 2030 background concentrations; and
- 2040 Do Something – 2040 AADT with Local Plan and all committed development using 2030 emission factors, 2040 projected vehicle fleet, and 2030 background concentrations.

3.32 A baseline year was modelled, using 2019 traffic data although it was not possible to undertake a model verification exercise due to a lack of suitable monitoring in the model domain. To support the assessment of the potential impact of the planned development in the Local Plan scenarios,

a ‘future baseline’ and future year ‘do minimum’ scenario were modelled. The ‘do minimum’ scenario includes the influence of development in neighbouring local authorities, whereas the ‘future baseline’ does not.

3.33 The future baseline is a hypothetical scenario as it applies improvements in vehicle emissions standards to the baseline vehicle fleet without allowing for any traffic growth. However, such an approach enables the ‘in combination’ effect of development and traffic growth to be seen unobscured by improvements in emissions technology / performance.

3.34 The difference between the ‘do something’ and the ‘do minimum’ scenarios provides the impact of the planned development within the Local Plan, alone. The difference between the ‘do something’ and the ‘future baseline’ scenarios provides a thorough and precautionary assessment of the impact of the planned development within the Local Plan ‘in combination’, as the ‘future baseline’ accounts for no future growth.

Table 2: General ADMS-Roads Model Conditions

Variables	ADMS-Roads Model Input
Surface roughness at source	0.5m
Surface roughness at Meteorological Site	0.2m
Minimum Monin-Obukhov length for stable conditions	30m
Terrain types	Flat
Receptor location	x, y coordinates determined by GIS, z = 0m for ecological receptors.
Emissions	NO_x – Defra’s EFT v11 NH_3 – CREAM V1A
Meteorological data	1 year (2019) hourly sequential data from Linton-on-Ouse meteorological station.
Receptors	Ecological transects
Model output	Long-term (annual) mean NO_x and NH_3 concentrations.

Plume Depletion

3.35 Plume depletion due to dry deposition onto vegetation was taken into account in the model. This was enabled by using the ADMS-Roads ‘Dry Deposition’ module, applying the ‘grassland’ deposition rates presented in the Air Quality Technical Advisory Group (AQTAG) deposition velocities that are cited in 2020 IAQM guidance (IAQM, 2020), as shown in Table 3.

3.36 The deposition velocity for NO_2 was applied to raw modelled NO_x. This assumes that 100% of NO_x is emitted as NO_2, and therefore represents an optimistic depletion of NO_x from the atmosphere.

Table 3: Nitrogen Deposition Velocities and Conversion Rates

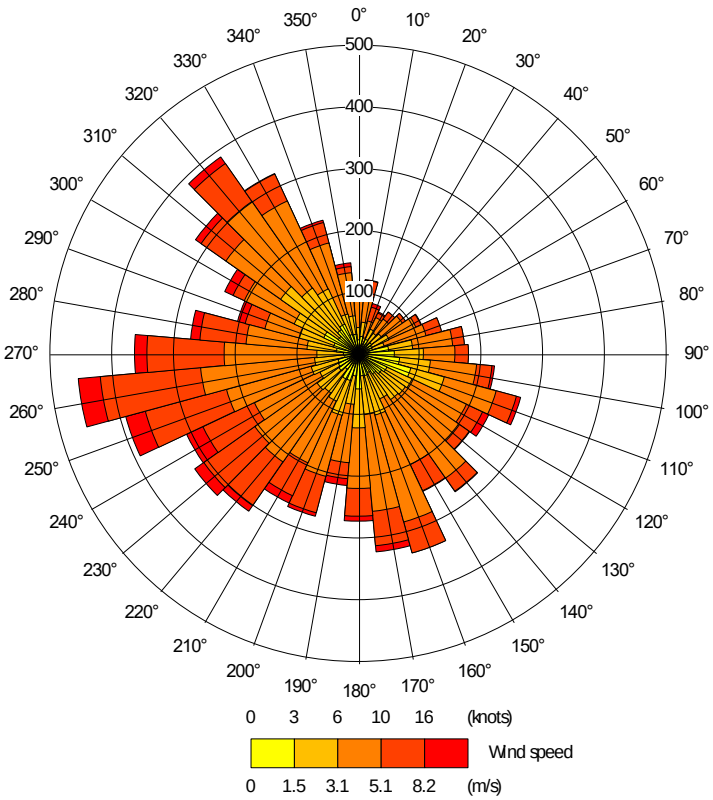
Pollutant	Habitat	Nitrogen deposition conversion rates	Deposition velocity
NO_2	Grassland / short vegetation	1 µg/m^3 NO_2 = 0.14 kgN/ha/yr	0.0015 m/s
NH_3	Grassland / short vegetation	1 µg/m^3 NH_3 = 5.2 kgN/ha/yr	0.020 m/s

Meteorological Data

3.37 One year (2019) of hourly sequential observation data from Linton-on-Ouse meteorological station has been used in this assessment to correspond with the baseline traffic data and emission factors. The station is located approximately 30km north-west of the study area and

experiences meteorological conditions that are representative of those experienced within the air quality study area. Appendix C Figure 4 shows that the dominant direction of wind was from the west/south-west, as is typical for the UK.

Appendix C Figure 4: Wind Rose, Linton-on-Ouse Meteorological Data, 2019



Background Data

3.38 Background concentrations of nitrogen dioxide (NO_2) and NO_x for 2019 and 2030 were sourced from Defra's 2018-based 1x1km background maps in the study area (Defra, 2020a).

3.39 It was decided to not remove explicitly modelled source sectors from the NO_2 and NO_x background concentrations, in order to align with the previous assessment and to give a worst-case assessment. The data presented in Table 4 show that the concentrations are predicted to decrease between 2019 and 2030, and that NO_2 concentrations are well below the annual mean objective value of 40 µg/m³.

3.40 The NH_3 background concentrations from APIS are presented in Table 5.

Table 4: Defra Mapped Background Pollutant Concentrations

Transects	Road Name	Grid Square (X, Y)	Annual Mean Concentrations (µg/m³)			
			2019 NO_2	2019 NO_x	2030 NO_2	2030 NO_x
E01	York Road	467500, 438500	6.4	8.2	5.0	6.2
E02a	A163	470500, 436500	6.7	8.6	5.2	6.5
E02b	A163	470500, 436500	6.7	8.6	5.2	6.5
E02c	A163	470500, 436500	6.7	8.6	5.2	6.5
E03a	A63 Hull Road	470500, 430500	7.4	9.6	5.6	7.1
E03b	A63 Hull Road	470500, 430500	7.4	9.6	5.6	7.1
E04a	A63 Knedlington Road	473500, 426500	9.4	12.3	6.8	8.6
E04b	A614 Boothferry Road	473500, 426500	9.4	12.3	6.8	8.6
E05a	M62	473500, 425500	12.3	16.3	8.0	10.4
E05b	M62	473500, 425500	12.3	16.3	8.0	10.4

Note: Modelled source sectors have not been removed from the total background.

Ecological Data

3.41 APIS provides 'a searchable database and information on pollutants and their impacts on habitats and species'. For each of the four SACs assessed, data for the appropriate habitat have been applied for each receptor along each transect in the study. Data applicable to short vegetation or grassland was used for all transects in each of the SACs considered. This includes critical loads of nitrogen and the average nitrogen and acid deposition rates to the habitat, as presented in Table 5. Note that Critical Load range estimates for N and acid deposition are not available for habitats within the River Derwent SAC (transects E03a/b).

3.42 Background concentrations of ammonia were also sourced from 5x5 km modelled maps available from APIS, whereas background concentrations of NO_x and NO_2 were sourced from Defra's latest 1x1 km maps, thereby accounting for all sources that are not explicitly defined in the model.

3.43 In order to create a robust and scientifically agreed projection for background nitrogen deposition trends in the UK, even allowing for growth, the Joint Nature Conservation Committee (JNCC) commissioned the Nitrogen Futures project, which reported in 2020 (JNCC, 2020). The JNCC Nitrogen Futures project investigated whether a net improvement in nitrogen deposition (including expected development over the same period) was expected to occur to 2030 under a range of scenarios ranging from the most cautious scenario (Business As Usual, BAU, reflecting simply existing emission reduction commitments /measures already in place) to much more ambitious scenarios that would require varying amounts of additional, currently uncommitted, measures from the UK government and devolved administrations.

3.44 The report concluded that *'The scenario modelling predicts a substantial decrease in risk of impacts on sensitive vegetation by 2030, under the most likely future baseline [a scenario called '2030 NAPCP+DA (NECR NO_x)']. This is estimated to achieve the UK Government's Clean Air Strategy (CAS) target for England, defined as a 17% decrease in total reactive N deposition onto protected priority sensitive habitats, with a predicted 18.9% decrease [for England] from a 2016 base year'*. The report predicted a fall in nitrogen deposition by 2030 under every modelled scenario, including the most cautious (2030 BAU). For the BAU scenario nitrogen deposition was forecast to decrease between 2017 and 2030 from 277.1 kt N to 239.5 kt N (i.e. a reduction of 37.6 kt N).

3.45 Background nitrogen deposition at Ashdown Forest was specifically discussed in Annex 5 of the report as a case study. The report predicted a 1-2 kgN/ha/yr reduction in background nitrogen deposition to low growing vegetation (i.e. the heathland interest feature) at the SAC between 2016 and 2030, depending on scenario, and noted that *'The emission reductions predicted between the 2017 and 2030 baseline scenarios cover a range of sectors, including road transport,*

and so improvements are predicted to occur over the whole site, including the worst-affected roadside locations'. This was the case under all modelled scenarios.

3.46 In summary, the Nitrogen Futures study forecast a minimum rate of improvement in background nitrogen of 0.07 kgN/ha/yr at Ashdown Forest, with other forecasts indicating a greater rate of reduction. In line with the forecast for Ashdown Forest, and therefore taking a precautionary approach, this study applies a projected decrease in background nitrogen of 0.07 kgN/ha/yr. The corresponding decrease is also reflected in the total average acid deposition rate for nitrogen in the future scenarios (reduction of 0.065 keq/ha/yr N.).

3.47 Over the 21-year period, this equates to a reduction in the APIS background nitrogen deposition rate presented in Table 5 (3-year average, 2019-21) of 1.47 kg N/ha/yr for the 2040 model scenarios. This decrease is also reflected in the total average acid deposition rate for nitrogen in the 2040 scenarios (reduction of 0.105 keq/ha/yr N).

3.48 No other changes to the APIS data have been made from those presented (3-year average, 2019-21) for any modelled scenario.

3.49 Not to make *any* allowance for improvements in emission factors or background concentrations would result in increased emissions and hence concentrations over the plan period as an increased number of vehicles is expected on the roads. This is not expected to occur as can be seen from previous long-term trends in the UK, which show slowing of improvements over extended periods, not worsening. Historical records (e.g., Defra monitoring trends) show that as increased vehicles enter the fleet that these increases are offset by the improvements in the emissions of the newer vehicles and the removal of older vehicles.

3.50 In 2018 the Court of Justice of the European Union (CJEU) ruled in cases C-293/17 and C-294/17 (often dubbed the Dutch Nitrogen cases). One aspect of that ruling concerned the extent to which autonomous measures (i.e., improvements in baseline nitrogen deposition that are not attributable to the Local Plan) can be taken into account in appropriate assessment, the CJEU ruled that it ***was*** legally compliant to take such autonomous measures into account provided the benefits were not 'uncertain' (paragraphs 130&132). Note that previous case law on the interpretation of the Habitats Directive has clarified that 'certain' does not mean absolute certainty but '*where no reasonable scientific doubt remains'*[4] [emphasis added].

3.51 The forecasts for improvements in NO_x emission factors, background concentrations and background deposition rates used in this report are considered to be realistic and have the requisite level of certainty. This is because a) data are used and to a large extent they build upon established historic trends in NO_x and oxidised nitrogen deposition and b) for total nitrogen deposition they are based on a cautious use of evidenced central government forecasts associated with uptake of technology that has either already been introduced or is widely expected within the professional community to be introduced and effective before 2030, as illustrated in the Nitrogen Futures project:

- When it comes to forecasting the NO_x emissions of additional traffic, it would overestimate those emissions to assume that by 2040 the emission factors will be no different to those in 2019; to make such an assumption would be to fail to take account of the expected continued uptake of Euro 6 compliant vehicles between 2019 and 2040 and would assume (putting it simply) that no motorists would replace their cars during the entire plan period. For example, the latest (Euro 6/VI) emissions standard only became mandatory in 2014 (for heavy duty vehicles) and 2015 (for cars) and the effects will not therefore be visible in the data available from APIS because relatively few people will have been driving vehicles compliant with that standard as early as 2019. Far more drivers can be expected to be using Euro 6 compliant vehicles by the end of the Local Plan period.
- The vehicle emission factors within the air quality modelling tools available only project out to 2030. While the fuel technology is projected out to 2040 following the DfT decarbonisation pathway, as described earlier, the breakdown of euro classifications published in the EFT extends to 2030, and so the 2040 assessment year does not recognise continued uptake of

[4] Case C-239/04 Commission v Portugal [2006] ECR 10183, para. 24; Holohan et al vs. An Bord Pleanála (C-461/17), para. 33

more stringent emissions standards. Therefore, the results are likely to be cautious in terms of emissions related to vehicle age.

Table 5: APIS Data for Ecological Transects for 2019-2021

Transect	Av. N Dep kgN/ha/yr[$]	Critical Load N Dep kgN/ha/yr	Total Av. Acid Dep keq/ha/yr N[$]	Critical Load N Acid Dep keq/ha/yr MaxCLMinN-MaxCLMaxN	Background NH_3 (µg/m^3)*
E01	17.1	5 – 15	1.2	0.80 - 0.64	2.1
E02a	17.6	10 – 20	1.3	4.86 - 0.86	2.2
E02b	17.6	10 – 20	1.3	4.86 - 0.86	2.2
E02c	17.6	10 – 20	1.3	4.86 - 0.86	2.2
E03a	16.8	-	1.2	-	2.1
E03b	16.8	-	1.2	-	2.1
E04a	16.8	5 - 10	1.2	4.86 - 0.86	2.0
E04b	16.8	5 - 10	1.2	4.86 - 0.86	2.0
E05a	16.6	5 - 10	1.2	4.86 - 0.86	2.0
E05b	16.6	5 - 10	1.2	4.86 - 0.86	2.0

Notes: Critical Load data for N and acid deposition were not available for River Derwent SAC (E03a/b transects).
[$] Average nitrogen deposition rate (kgN/ha/yr) projected to decrease by 1.47 kgN/ha/yr from base year to future year (i.e. 0.07 x 21 years = 1.47 kgN/ha/yr). This results in a corresponding decrease in acid deposition of 0.10 keq/ha/yr N.
* Average 2019 NH_3 background concentration applied in modelling assessment = 2.1 µg/m^3

Verification

3.52 Model verification is the process by which the performance of the model is assessed to identify any discrepancies between modelled and measured concentrations at air quality monitoring sites within the study area.

3.53 While there are local air quality monitoring locations located near to transects E04a/b, these are situated beyond the traffic model domain, and have therefore not been used to make an explicit comparison between modelled and measured concentrations. The monitored concentrations at roadside locations in the vicinity of the model domain have, however, been compared to modelled concentrations near the road along nearby transects, and have been considered when deciding on a verification factor to use. Verification factors of 2.5 for NO_X and 1.0 for NH_3 have thus been applied to the modelled concentrations, based upon professional judgement and previous project experience to verify and validate the EFT and CREAM tools.

Deposition velocities

3.54 Deposited nitrogen from road traffic derived NH_3 and NO_2 was estimated using the deposition velocities presented in Table 3. The conversion rates were applied to the final modelled NO_2 and NH_3 concentrations from road traffic, to provide kgN/ha/year. All of the transects across the four SACs considered were modelled and analysed as heathland / grassland i.e. ‘short vegetation’ was used at all locations.

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5. Annexes

Traffic Data

Link	SAC	Transect	2019 Base AADT	2019 Base HDV %	2019 Base Speed (kph)	2040 DM AADT	2040 DM HDV %	2040 DM Speed (kph)	2040 DS AADT	2040 DS HDV %	2040 DS Speed (kph)
York Road	Skipwith Common	E01	1,977	0.8%	66	2,396	0.7%	66	2,467	0.8%	66
A163	Lower Derwent Valley	E02a, E02b, E02c	4,576	7.1%	81	5,651	5.2%	81	5,867	4.9%	81
A63 Hull Road	River Derwent	E03a, E03b	9,363	5.6%	89	11,285	4.3%	88	11,963	4.1%	87
A614 Boothferry Road	Humber Estuary	E04a	10,456	4.6%	72	12,323	4.9%	69	12,622	5.1%	68
A63 Knedlington Road	Humber Estuary	E04a	11,046	6.9%	70	13,731	5.4%	68	14,558	5.2%	67
A614 Boothferry Road	Humber Estuary	E04a, E04b	13,508	7.0%	54	13,711	6.3%	52	13,743	6.3%	53
M62	Humber Estuary	E05a, E05b	71,481	10.7%	108	84,744	10.1%	106	85,947	10.0%	106

Modelled Ecological Receptor Locations

Transect E01	X co-ordinate (m)	Y co-ordinate (m)
E01_0m	467134	438147
E01_10m	467128	438139
E01_20m	467122	438131
E01_30m	467116	438123
E01_40m	467110	438115
E01_50m	467104	438107
E01_60m	467098	438099
E01_70m	467092	438091
E01_80m	467085	438083
E01_90m	467079	438076
E01_100m	467073	438068
E01_110m	467067	438060
E01_120m	467061	438052
E01_130m	467055	438044
E01_140m	467049	438036
E01_150m	467043	438028
E01_160m	467036	438020
E01_170m	467030	438012
E01_180m	467024	438004
E01_190m	467018	437997
E01_200m	467012	437989

Transect E02a	X co-ordinate (m)	Y co-ordinate (m)	Transect E02b	X co-ordinate (m)	Y co-ordinate (m)
E02a_0m	470822	436444	E02b_0m	470616	436422
E02a_10m	470821	436454	E02b_10m	470613	436413
E02a_20m	470821	436464	E02b_20m	470610	436404
E02a_30m	470820	436474	E02b_30m	470607	436394
E02a_40m	470819	436484	E02b_40m	470604	436384
E02a_50m	470819	436494	E02b_50m	470601	436375
E02a_60m	470818	436504	E02b_60m	470598	436365
E02a_70m	470818	436514	E02b_70m	470595	436356
E02a_80m	470817	436524	E02b_80m	470592	436346
E02a_90m	470816	436534	E02b_90m	470589	436337
E02a_100m	470816	436544	E02b_100m	470586	436327
E02a_110m	470815	436554	E02b_110m	470583	436318
E02a_120m	470815	436564	E02b_120m	470580	436308

E02a_130m	470814	436574	E02b_130m	470576	436299
E02a_140m	470813	436584	E02b_140m	470573	436289
E02a_150m	470813	436594	E02b_150m	470570	436280
E02a_160m	470812	436604	E02b_160m	470567	436270
E02a_170m	470812	436614	E02b_170m	470564	436261
E02a_180m	470811	436624	E02b_180m	470561	436251
E02a_190m	470811	436634	E02b_190m	470558	436241
E02a_200m	470810	436644	E02b_200m	470555	436232

Transect E02c	X co-ordinate (m)	Y co-ordinate (m)
E02c_0m	470426	436475
E02c_10m	470423	436465
E02c_20m	470421	436456
E02c_30m	470418	436446
E02c_40m	470416	436436
E02c_50m	470413	436427
E02c_60m	470411	436417
E02c_70m	470408	436407
E02c_80m	470406	436398
E02c_90m	470403	436388
E02c_100m	470401	436378
E02c_110m	470398	436369
E02c_120m	470396	436359
E02c_130m	470393	436349
E02c_140m	470391	436340
E02c_150m	470388	436330
E02c_160m	470386	436320
E02c_170m	470383	436311
E02c_180m	470380	436301
E02c_190m	470378	436291
E02c_200m	470375	436282

Transect E03a	X co-ordinate (m)	Y co-ordinate (m)	Transect E03b	X co-ordinate (m)	Y co-ordinate (m)
E03a_2.5m	470581	430088	E03b_3m	470325	430103
E03a_10m	470583	430095	E03b_10m	470325	430096
E03a_20m	470587	430105	E03b_20m	470325	430086
E03a_30m	470590	430114	E03b_30m	470325	430076
E03a_40m	470594	430123	E03b_40m	470325	430066
E03a_50m	470598	430133	E03b_50m	470325	430056

E03a_60m	470601	430142	E03b_60m	470325	430046
E03a_70m	470605	430151	E03b_70m	470325	430036
E03a_80m	470608	430161	E03b_80m	470325	430026
E03a_90m	470612	430170	E03b_90m	470325	430016
E03a_100m	470616	430179	E03b_100m	470325	430006
E03a_110m	470619	430189	E03b_110m	470325	429996
E03a_120m	470623	430198	E03b_120m	470325	429986
E03a_130m	470626	430207	E03b_130m	470325	429976
E03a_140m	470630	430217	E03b_140m	470325	429966
E03a_150m	470633	430226	E03b_150m	470325	429956
E03a_160m	470637	430235	E03b_160m	470325	429946
E03a_170m	470641	430245	E03b_170m	470325	429936
E03a_180m	470644	430254	E03b_180m	470325	429926
E03a_190m	470648	430264	E03b_190m	470325	429916
E03a_200m	470651	430273	E03b_200m	470325	429906

Transect E04a	X co-ordinate (m)	Y co-ordinate (m)	Transect E04b	X co-ordinate (m)	Y co-ordinate (m)
E04a_63m	473497	426366	E04b_1.5m	473325	426177
E04a_70m	473497	426359	E04b_10m	473333	426177
E04a_80m	473497	426349	E04b_20m	473343	426177
E04a_90m	473497	426339	E04b_30m	473353	426177
E04a_100m	473497	426329	E04b_40m	473363	426177
E04a_110m	473497	426319	E04b_50m	473373	426177
E04a_120m	473497	426309	E04b_60m	473383	426177
E04a_130m	473497	426299	E04b_70m	473393	426177
E04a_140m	473497	426289	E04b_80m	473403	426177
E04a_150m	473497	426279	E04b_90m	473413	426177
E04a_160m	473497	426269	E04b_100m	473423	426177
E04a_170m	473497	426259	E04b_110m	473433	426177
E04a_180m	473497	426249	E04b_120m	473443	426177
E04a_190m	473497	426239	E04b_130m	473453	426177
E04a_200m	473497	426229	E04b_140m	473463	426177
			E04b_150m	473473	426177
			E04b_160m	473483	426177
			E04b_170m	473493	426177
			E04b_180m	473503	426177
			E04b_190m	473513	426177
			E04b_200m	473523	426177

Transect E05a	X co-ordinate (m)	Y co-ordinate (m)	Transect E05b	X co-ordinate (m)	Y co-ordinate (m)
E05a_5m	473961	425839	E05b_5m	473995	425813
E05a_10m	473957	425842	E05b_10m	474000	425810
E05a_20m	473949	425848	E05b_20m	474008	425805
E05a_30m	473942	425854	E05b_30m	474016	425799
E05a_40m	473934	425860	E05b_40m	474024	425794
E05a_50m	473926	425866	E05b_50m	474033	425788
E05a_60m	473918	425873	E05b_60m	474041	425782
E05a_70m	473910	425879	E05b_70m	474049	425777
E05a_80m	473902	425885	E05b_80m	474058	425771
E05a_90m	473894	425891	E05b_90m	474066	425766
E05a_100m	473886	425897	E05b_100m	474074	425760
E05a_110m	473879	425903	E05b_110m	474082	425755
E05a_120m	473871	425910	E05b_120m	474091	425749
E05a_130m	473863	425916	E05b_130m	474099	425743
E05a_140m	473855	425922	E05b_140m	474107	425738
E05a_150m	473847	425928	E05b_150m	474116	425732
E05a_160m	473839	425934	E05b_160m	474124	425727
E05a_170m	473831	425940	E05b_170m	474132	425721
E05a_180m	473823	425947	E05b_180m	474140	425715
E05a_190m	473815	425953	E05b_190m	474149	425710
E05a_200m	473808	425959	E05b_200m	474157	425704

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Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email climatechange@northyorks.gov.uk

Version 2: amended 11 August 2021

Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:
Planning Permission
Environmental Impact Assessment
Strategic Environmental Assessment

However, you will still need to summarise your findings in the summary section of the form below.

Please contact climatechange@northyorks.gov.uk for advice.

Title of proposal	**Revised Publication Local Plan for the former Selby district area**
Brief description of proposal	**Climate Change Impact Assessment**
Directorate	**Community Development**
Service area	**Planning**
Lead officer	**Caroline Skelly**
Names and roles of other people involved in carrying out the impact assessment	**Will Smith** **Kennedy Sheldon**
Date impact assessment started	**20th November 2023**

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Options appraisal

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

In preparing the Local Plan, a Sustainability Appraisal has been undertaken by Aecom. A scoping exercise was carried out to establish the key sustainability issues and objectives for the plan area. The full Sustainability Appraisal covers the spatial growth options for housing and employment as well as the individual site options. A key element of the Sustainability Appraisal process is to explore different ways in which the objectives of the plan can be met and to ensure the most sustainable option is reached.

What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

The Local Plan is a document which informs new development. The Local Plan has a budget which is used to commission required evidence. Where essential infrastructure is needed, this will be addressed through the Infrastructure Delivery Plan.

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How will this proposal impact on the environment? **N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.**		**Positive impact** (Place a X in the box below where relevant)	**No impact** (Place a X in the box below where relevant)	**Negative impact** (Place a X in the box below where relevant)	**Explain why will it have this effect and over what timescale?** **Where possible/relevant please include:** • **Changes over and above business as usual** • **Evidence or measurement of effect** • **Figures for CO_2e** • **Links to relevant documents**	**Explain how you plan to mitigate any negative impacts.**	**Explain how you plan to improve any positive outcomes as far as possible.**
Minimise **greenhouse gas emissions** e.g. reducing emissions from travel, increasing energy efficiencies etc.	Emissions from travel			**X**	New Development through the Local Plan will have the potential to increase car travel greenhouse gas emissions.	The former Selby district area has a relatively high level of car dependency, in part because of the rural nature of parts of the district. The Local Plan has sought to address this through focusing development in the most sustainable locations where there is access to public transport, supporting improvements to digital infrastructure to reduce the number of necessary trips, placing a strong focus on providing sustainable transport connectivity, through the development process.	Continue to monitor the Selby Air Quality Management Area and traffic congestion and review appropriate policies in due course. New consumer behaviours such as the switch to electric and hybrid cars will see a continued decline in emissions from cars. New Development will continue to maximise the benefits of the provision of electric vehicle use.

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How will this proposal impact on the environment? **N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.**		**Positive impact** (Place a X in the box below where relevant)	**No impact** (Place a X in the box below where relevant)	**Negative impact** (Place a X in the box below where relevant)	**Explain why will it have this effect and over what timescale?** **Where possible/relevant please include:** • **Changes over and above business as usual** • **Evidence or measurement of effect** • **Figures for CO_2e** • **Links to relevant documents**	**Explain how you plan to mitigate any negative impacts.**	**Explain how you plan to improve any positive outcomes as far as possible.**
	Emissions from construction	X			The provision of new homes will maximise the use of sustainable materials and infrastructure and construction methods.	Traditional building styles will reflect local materials. This will assist in supporting localised building supply chains. Policies within the plan support ensuring the use of sustainable materials.	Development Management will continue to implement policies which support local, traditional building styles with local material.
	Emissions from running of buildings	X			In cutting emissions, Solar energy now presents a high proportion of installed renewable energy generation capacity in the District area and renewable energy is supported within the plan.	New buildings should be built to the highest sustainability standards.	
	Emissions from data storage						
	Other						

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How will this proposal impact on the environment? **N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.**	**Positive impact** (Place a X in the box below where relevant)	**No impact** (Place a X in the box below where relevant)	**Negative impact** (Place a X in the box below where relevant)	**Explain why will it have this effect and over what timescale?** **Where possible/relevant please include:** • **Changes over and above business as usual** • **Evidence or measurement of effect** • **Figures for CO_2e** • **Links to relevant documents**	**Explain how you plan to mitigate any negative impacts.**	**Explain how you plan to improve any positive outcomes as far as possible.**
Minimise **waste:** Reduce, reuse, recycle and compost e.g. reducing use of single use plastic		X		All new homes are likely to produce waste. However, funds should be collected to organise the recovery of this and fed into appropriate infrastructure, as set out within the IDP.	Collection of funds to implement waste collection and recycling.	
Reduce **water** consumption			X	All new development will by its nature increase demands on local water consumption.	Policies in the Local Plan asks developers to consider water consumption within the design of new properties. Increased efficiency in new homes will be an important part of ensuring stable and safe water supply.	A long-term objective of the Local plan is to conserve water resources, and both protect and enhance the quality of water bodies within the Selby District area.
Minimise **pollution** (including air, land, water, light and noise)			X	There is the potential for new development to affect the consumption of electricity and fossil fuels in Buildings and vehicles and increase pollution.	Policies will ensure that the highest levels of sustainability are achieved through the design of buildings as well as a requirement for major new development to explore community energy systems such as combined heat and power (CHP), combined cooling,	A key aim through the Local Plan is to continue to drive down CO2 emissions from all sources and this is a long-term vision. The plan acknowledges that there are a range of further

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How will this proposal impact on the environment? **N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.**	**Positive impact** (Place a X in the box below where relevant)	**No impact** (Place a X in the box below where relevant)	**Negative impact** (Place a X in the box below where relevant)	**Explain why will it have this effect and over what timescale?** **Where possible/relevant please include:** • **Changes over and above business as usual** • **Evidence or measurement of effect** • **Figures for CO_2e** • **Links to relevant documents**	**Explain how you plan to mitigate any negative impacts.**	**Explain how you plan to improve any positive outcomes as far as possible.**
					heat and power (CCHP) and district heating networks where development is in proximity to existing sources of heat generations or there is sufficient heat density/demand to anchor loads. The Plan also explains that where shared energy systems are not available for new development, all development should consider the use of renewable energy generation using ground and air source heat pumps, thermal panels, photovoltaic panels, or small-scale wind turbines. The plan also seeks to facilitate initiatives to reduce emissions from freight transport by safeguarding rail sidings and wharfs for transhipment opportunities in the future.	opportunities to generate more energy from renewable sources within the district. This is through larger-scale energy generation, providing that this is done with sensitivity to the surrounding landscape and environment. It also includes policies for how opportunities for Low Carbon and Renewable Energy generation and storage should be further considered.

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How will this proposal impact on the environment? **N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.**	**Positive impact** (Place a X in the box below where relevant)	**No impact** (Place a X in the box below where relevant)	**Negative impact** (Place a X in the box below where relevant)	**Explain why will it have this effect and over what timescale?** **Where possible/relevant please include:** • **Changes over and above business as usual** • **Evidence or measurement of effect** • **Figures for CO_2e** • **Links to relevant documents**	**Explain how you plan to mitigate any negative impacts.**	**Explain how you plan to improve any positive outcomes as far as possible.**
Ensure **resilience** to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers			X	The delivery of new development changes the use of land and consequently this can have an impact on Climate Resilience.	Policies within the plan require the design of buildings to consider the impact of increasing temperatures through incorporating the highest standards of design. While the district is at risk of fluvial and tidal flooding, defences are in place to protect large areas and washlands and agricultural land also offer some natural protection. The Local Plan is supported by a strategic flood risk assessment and directs development away from important areas of flood storage and the areas of highest flood risk, as well	Ensuring Development Management processes adhere to and maximise the implementation of Local Plan policies. Continue to support and work with further flood mitigation projects such as the Tadcaster Flood Alleviation scheme and Humber Strategy. The Plan represents Policies and opportunities to implement green infrastructure as a means of

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How will this proposal impact on the environment? **N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.**	**Positive impact** (Place a X in the box below where relevant)	**No impact** (Place a X in the box below where relevant)	**Negative impact** (Place a X in the box below where relevant)	**Explain why will it have this effect and over what timescale?** **Where possible/relevant please include:** • **Changes over and above business as usual** • **Evidence or measurement of effect** • **Figures for CO_2e** • **Links to relevant documents**	**Explain how you plan to mitigate any negative impacts.**	**Explain how you plan to improve any positive outcomes as far as possible.**
					as ensuring that appropriate tests and studies including Flood Risk assessments are carried out on sites where there are any identified concerns. Site allocations and policies both seek to address and mitigate current and future flood concerns through the building design considerations and the inclusion of planting and sustainable drainage systems. The plan will provide an increased rate of tree planting, both as part of new developments and also increased protections to existing trees and hedgerows and open space provision within new development, features which can help minimise the urban heating effect and ensure a degree of	further mitigating the effects of climate change over the long-term.

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How will this proposal impact on the environment? **N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.**	**Positive impact** (Place a X in the box below where relevant)	**No impact** (Place a X in the box below where relevant)	**Negative impact** (Place a X in the box below where relevant)	**Explain why will it have this effect and over what timescale?** **Where possible/relevant please include:** • **Changes over and above business as usual** • **Evidence or measurement of effect** • **Figures for CO_2e** • **Links to relevant documents**	**Explain how you plan to mitigate any negative impacts.**	**Explain how you plan to improve any positive outcomes as far as possible.**
					permeability of surfaces within areas of new developments.	
Enhance **conservation** and wildlife			X	There is the potential for new development to impact on conservation and wildlife.	The Local Plan policies reflect and build upon key national legislative progress regarding wildlife and conservation. In particular - through the implementation of Biodiversity Net Gain, securing opportunities for green corridors, the provision of habitat and habitat restoration and nature-based solutions. However, the plan requires established trees and hedgerows to be retained or replaced, a proportion of all new development to provide open spaces and for new development to seek to improve the natural environment we	The implementation of biodiversity net-gain will present new opportunities to monitor the success in delivering new habitat and biodiversity, within the Local Plan.

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How will this proposal impact on the environment? **N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.**	**Positive impact** (Place a X in the box below where relevant)	**No impact** (Place a X in the box below where relevant)	**Negative impact** (Place a X in the box below where relevant)	**Explain why will it have this effect and over what timescale?** **Where possible/relevant please include:** • **Changes over and above business as usual** • **Evidence or measurement of effect** • **Figures for CO_2e** • **Links to relevant documents**	**Explain how you plan to mitigate any negative impacts.**	**Explain how you plan to improve any positive outcomes as far as possible.**
					have through Biodiversity net gain and similar policies.	
Safeguard the distinctive characteristics, features and special qualities of **North Yorkshire's landscape**			X	New development has the potential to impact on the existing landscape.	The Local Plan looks to achieve growth while protecting and enhancing landscape character. Safeguarding the distinctive characteristics, features and special qualities of North Yorkshire's landscape. There are no international or national designated landscapes in the former Selby district area however the Local Plan has designated four Locally Important Landscape Areas (LILAs) which will be protected through allowing only new development which meets high-quality design principles.	Continue to ensure the expertise of landscape architects are utilised in the consideration of Development Management proposals.

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How will this proposal impact on the environment? **N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.**	**Positive impact** (Place a X in the box below where relevant)	**No impact** (Place a X in the box below where relevant)	**Negative impact** (Place a X in the box below where relevant)	**Explain why will it have this effect and over what timescale?** **Where possible/relevant please include:** • **Changes over and above business as usual** • **Evidence or measurement of effect** • **Figures for CO_2e** • **Links to relevant documents**	**Explain how you plan to mitigate any negative impacts.**	**Explain how you plan to improve any positive outcomes as far as possible.**
Other (please state below)						

Are there any recognised good practice environmental standards in relation to this proposal? If so, please detail how this proposal meets those standards.
The Revised Publication Local Plan document is supported by a full and detailed Sustainability Appraisal which incorporates SEA guidelines.

Summary Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The Local Plan sets out the spatial strategy for the former Selby district area in relation to housing and employment growth, with locally specific policies and site allocations which will help to shape the District's built and natural environment. From the earliest stages of the Local Plan process, Climate Change has been a key consideration. Of course, the provision of new development and growth will bring several potential impacts. However, the former Selby district area, with its links to the energy generation sectors and industry, and with its positive attitude to growth, presented a number of opportunities to reduce greenhouse gas and carbon emissions, which are known to contribute to global warming and climate change. The Local Plan also presented opportunities to mitigate the potential impacts, such as increased temperatures and heat waves, droughts, and more intense rainfall resulting in flooding.

Sign off section

This climate change impact assessment was completed by:

Name	**Will Smith**
Job title	**Senior Planning Policy Officer**
Service area	**SEL Area – Planning Policy**
Directorate	**Planning**

Signature	
Completion date	**04/12/2023**

Authorised by relevant Assistant Director (signature):

Date: 04/12/2023

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Initial equality impact assessment screening form **This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.**	
Directorate	Community Development
Service area	Planning - Selby
Proposal being screened	Selby Local Plan
Officer(s) carrying out screening	Lizzie Phippard and Paula Craddock
What are you proposing to do?	Consultation on the Revised Publication Selby Local Plan 2024
Why are you proposing this? What are the desired outcomes?	A Local Plan is a statutory planning document for the whole of the Local Planning Authority area. The Local Plan needs to be prepared in line with current legislation and to set out development proposals up to 2040. If the Local Plan is out of date, the Council, as the Local Planning Authority, will find it difficult to refuse planning applications for development on sites not allocated or in line with the planning policies in the adopted Local Plan. North Yorkshire Council will continue to prepare the Selby Local Plan to fulfil its duties as the Local Planning Authority and to provide development certainty to the community, landowners, developers, and service and infrastructure providers in the former Selby district area. The Selby Local Plan sets out the Council's approach to development growth in the district of Selby up to 2040. It is an important document as it sets out where development will take place, as well as the local planning policies for determining planning applications submitted to the Council in the former Selby district area. Sites to be developed as well as areas for protection are identified on the Policies Map. The Revised Publication Selby Local Plan 2024 is a further revised draft version of the Selby Local Plan. The Council have considered all the responses received to previous consultations including the Publication 2022 consultation and has revised its decision regarding the policy direction and development proposals based on the evidence provided. The Revised Publication Selby Local Plan consultation is a further formal consultation on the draft Local Plan before the Selby Local Plan is submitted for examination and adoption. The Revised Publication Local Plan is a draft document available for people to comment on the policies and proposals. The document will be available on the Council's website, in libraries within the former Selby district area, and at the following Council buildings: Civic Centre, Selby County Hall, Northallerton
Does the proposal involve a significant commitment or removal of resources? Please give details.	The production of a Local Plan does involve a significant resource which is within the existing Local Plan budget.

Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics

As part of this assessment, please consider the following questions:

- To what extent is this service used by particular groups of people with protected characteristics?
- Does the proposal relate to functions that previous consultation has identified as important?
- Do different groups have different needs or experiences in the area the proposal relates to?

If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your directorate representative for advice if you are in any doubt.

Protected characteristic	**Potential for adverse impact**		**Don't know/No info available**
	Yes	**No**	
Age		✓	
Disability		✓	
Sex		✓	
Race		✓	
Sexual orientation		✓	
Gender reassignment		✓	
Religion or belief		✓	
Pregnancy or maternity		✓	
Marriage or civil partnership		✓	
People in rural areas		✓	
People on a low income		✓	
Carer (unpaid family or friend)		✓	
Are from the Armed Forces Community		✓	
Does the proposal relate to an area where there are known inequalities/probable impacts (for example, disabled people's access to public transport)? Please give details.	The Local Plan seeks to meet the growth of local communities, through the provision of a range of job opportunities, a mix of housing types and tenures and to support sustainable, inclusive communities. Yes, there are known inequalities associated with consultation. For example, there may be a perception that those living outside the main settlements and without access to a car or internet will have difficulty in participating in the consultation. This is why a varied range of engagement techniques have been proposed. Stakeholders can engage in numerous ways whether that be electronically, via letter or at an in-person engagement session. Consultation has been carried out at a number of stages and has provided opportunities for stakeholders to engage at various key points throughout the preparation of the Local Plan. This has allowed the council to maximise communication with stakeholders, including any harder to reach groups or people with protected characteristics, and therefore mitigate against any known impacts. The Council is required to monitor the effectiveness of local plan policies and to report its findings in an Authority Monitoring Report (AMR). The AMR is an essential part of the local plan process and enables the		

	Council to examine past trends and predict future changes across a range of economic, environmental and social indicators; to determine whether relevant local plan policies are having a positive or negative effect; and identify any need to amend, supplement, replace or remove policies.			
Will the proposal have a significant effect on how other organisations operate? (for example, partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	Yes. The Local Plan will have a significant effect on how other organisations operate, but such organisations have been involved and consulted throughout the development of the Local Plan. Communication and engagement have been continuous throughout the production of the Selby Local Plan. This has meant that the opinions of stakeholders have been considered and taken on board if relevant to the progress of the policies. The previous consultation stages (Pre-issues and Options evidence gathering (2019-2020), Issues and Options (2020), Preferred Options (2021) Additional Sites (2021), Evidence based documents (2021) and Publication (2022) have enabled stakeholders to comment on the proposed policies and provide their support, or not to the policy direction. Any outstanding objections from this round of consultation will be considered by an independent Examiner at the Examination following submission of the Local Plan at the next stage. It is therefore considered that any potential effects have been mitigated against.			
Decision (Please tick one option)	EIA not relevant or proportionate:	✓	Continue to full EIA:	
Reason for decision	The Selby Local Plan sets out positive policies that aim to deliver positive impacts and development. The consultation process will inform all stakeholders of the opportunity to be involved and comment on this stage of production.			
Signed (Assistant Director or equivalent)				
Date				

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Log of changes between DPC and Executive Meetings

Para Number/Policy Ref	Change	Reason
Foreword	Text added	
About this consultation	On the 1 April 2023 Selby District Council ceased to exist and the former area became part of a new North Yorkshire Council (as established through the North Yorkshire (Structural Changes) Order 2022). A new Local Plan will be prepared for the new North Yorkshire Council to cover the new geography of the whole of North Yorkshire (outside the National Parks), however given the advanced stage in its preparation the Local Plan for the former Selby district area will continue. The decision to proceed with ~~the~~ this Local Plan for the former Selby district area was approved by North Yorkshire Council on 23 February 2023 and 21 February 2024. The 'Plan Area' for this Selby Local Plan is defined as the former Local Planning Authority area which is contiguous with the former Selby District Council administrative boundary, as shown on the Policies Map. The Local Plan sets out the Council's spatial approach for new growth up to 2040 and the policies which will be used for decision making in the former Selby district Local Planning Authority area. Once adopted the Selby Local Plan will replace the existing Selby District Core Strategy Local Plan (2013) and the saved policies of the Selby District Local Plan (2005) for the Plan Area covering the former Selby District area.	For clarity
Introduction	Once adopted the new Local Plan will replace the adopted Selby District Core Strategy Local Plan (2013) and the saved policies in the Selby District Local Plan (2005)	For accuracy
Spatial Portrait Context 3.2 and 3.19	Amended figures from mid-2020 estimate to 2021 ethnic % from 2011 to 2021 census data.	For accuracy
SG2	Amend to Former RAF Church Fenton Airbase	For clarity
SG2	~~More information on how and why settlements have been placed in the settlement hierarchy can be found in the settlement hierarchy background paper.~~	For clarity reference to background paper removed
SG9	Amend the first sentence to read: “In order to make the former Selby district area a great place to live and enjoy, all new development should be well designed and beautiful, responding positively to the special character and local distinctiveness of the area.	For clarity and to reflect changes to NPPF Dec 2023

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Para Number/Policy Ref	Change	Reason
	In order to achieve this all new development should seek to reflect national and local policies and guidance which promotes high-quality design including the National Design Guide, National Model Design Code, local design codes, Neighbourhood Plans, Conservation Area Appraisals and Village Design Statements"	
SG9	Add new para after para 4.42: Paragraph 134 (National Planning Policy Framework 2023) says that design guides and codes can be prepared at an area-wide, neighbourhood or site specific scale. All guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area, taking into account the guidance contained in the National Design Guide and the National Model Design Code. These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.	To reflect changes to the NPPF Dec 2023
SG10	"Proposals for low carbon and renewable energy storage, ~~transportation networks~~ and generation (including hydrogen transportation networks) will be ~~will be~~ supported where:"	For clarity
SG10	B.3. Community engagement has been undertaken which demonstrates the delivery of environmental, social and economic benefits and how relevant concerns will be addressed/mitigated for;	For Clarity
SG10	B. Proposals to facilitate heat recovery and delivery of community energy systems such as combined heat and power (CHP), combined cooling, heat and power (CCHP) and district heating networks should be explored where; 1. Development is in proximity to existing sources of heat generations; or 2. There is sufficient heat density/demand to anchor loads; and 3. Provision ~~of combined heat and power systems~~ does not cause significant harm to heritage assets.	For clarity
SG10	Amend first sentence as follows: The former Selby district area has a long history in energy generation, with Drax Power Station still the largest supplier of energy in the UK, providing approximately 11% ~~6%~~ of the UK's supply in 2022.	For accuracy
SG10 4.51	Amend the second to last sentence to read:	For clarity

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Para Number/Policy Ref	Change	Reason
	"Other national-scale infrastructure projects are also being developed in the District including improvements to the electricity transport network for renewable energy to enable North Sea wind power to access the grid more easily and the Humber Low-Carbon Pipelines project (HCLP) establishing CO_2 and hydrogen transportation networks to facilitate the delivery of carbon capture proposals to decarbonise the Humber Industrial Cluster."	
SG10	The Policy criteria should be considered for all energy proposals and will need to be scoped out if not relevant. The level of information required in support of a planning application should be proportionate to the scale of the proposal and likely impact~~. Where wind turbines may have the potential to impact on the bird populations associated with the internationally important nature conservation areas of the Lower Derwent Valley and Skipwith Common (RAMSAR, Special Area of Conservation (SAC) and Special Protection Area (SPA)) for example, Habitat Regulations Assessments are likely to be appropriate.~~ ~~when~~ Considerations of potential impacts should encompass infrastructure and transport network implications, ~~this should consider impacts of~~ the construction phase and delivery of components/materials, the operational phase including any hazards such as toppling distances for wind turbines, electrical interference or disruption and safety for low-flying planes and the decommissioning phase. Appropriate organisation and bodies should be consulted by the applicant and there should be no significant decrease in the quality of existing provision of these facilities and services or a clear delivery and monitoring plan of how they will be mitigated. Where wind turbines may have the potential to impact on the bird populations associated with the internationally important nature conservation areas of the Lower Derwent Valley and Skipwith Common (Ramsar, Special Area of Conservation (SAC) and Special Protection Area (SPA)) for example, Habitats Regulations Assessments are likely to be appropriate.	To reflect HRA
SG11	The site falls within areas of lowest flood risk as set out in the most up-to-date Environment Agency flood risk maps and/or ~~Selby District's~~ Strategic Flood Risk Assessment (SFRA) maps;	For accuracy
SG12	The Historic Parks and Gardens of the former Selby district area;	For clarity
SG12	The designated heritage assets of the former Selby district area	For clarity
SG13	~~In order to satisfy the requirements of this policy, a Heritage Statement must be undertaken by suitably qualified expertise and submitted in support of any proposals which impact the historic environment.~~ Any applications which impact the historic environment must be accompanied by a Heritage Impact Assessment undertaken by suitably qualified expertise and a Heritage Statement which demonstrates how the scheme has incorporated any recommended mitigation measures.	For clarity

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<table>
<tr><th>Para Number/Policy Ref</th><th>Change</th><th>Reason</th></tr>
<tr><td>SG13</td><td>Where there is potential for archaeological remains, applicants will be required to undertake an archaeological field evaluation commensurate to the likelihood and/or significance of the archaeology and use the results to inform the design of the scheme accordingly.</td><td>For clarity</td></tr>
<tr><td>EM2</td><td><table><tr><td>Site</td><td>Status</td></tr><tr><td>Core 62 (Former Eggborough Power Station), Eggborough</td><td>Permitted ~~(subject to S106)~~</td></tr></table></td><td>For accuracy</td></tr>
<tr><td>EM3</td><td>Eggborough Power Station was decommissioned in 2018 and has consent for its redevelopment for B2 and B8 employment uses ~~(subject to a S106 agreement).~~ Drax Group PLC is pioneering carbon capture storage technologies with ambitions for the first zero-carbon industrial cluster.</td><td>For accuracy</td></tr>
<tr><td>EM5</td><td>The visitor economy is ~~a priority growth area for the Selby District Economic Development Framework~~ recognised for its importance in the North Yorkshire Economic Growth Strategy 2024-2029 and the Selby District Visitor Economy Strategy (2018-2022 and beyond) aims to develop the area's visitor offer so that both residents and visitors alike can discover and celebrate its rich cultural heritage.</td><td></td></tr>
<tr><td>IC1</td><td>“The sites identified in Part 3 of the Local Plan have been tested and shown to be viable in accordance with infrastructure requirements identified in the Local Plan Viability Study. If at planning application stage the applicant seeks to provide a lower level of infrastructure, they will be required to submit a robust viability assessment for consideration.”</td><td>For clarity</td></tr>
<tr><td>IC2</td><td>Community facilities play an important role in the sustainability and vitality of our local communities which is reflected in the Settlement Hierarchy ~~and Parish Services Audit.~~ Across the former Selby district area a number of community facilities have been lost or are under threat from redevelopment. Where there are no alternative facilities nearby, and there remains a need for them, their loss can have negative implications for the local community. The National Planning Policy Framework (2023, paragraph 88) lists examples of community facilities, such as local shops, meeting places, sports venues, open spaces, cultural buildings, public houses and places of worship.

In assessing if a community facility is no longer required for its current or an alternative community purpose, consideration should be given to the Local Plan evidence base~~. This includes the Parish Services Audit~~ and any other adopted policies and strategies, including Neighbourhood Plans. There should also be consultation with the community, and existing and potential user groups.</td><td>For accuracy</td></tr>
</table>

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Para Number/Policy Ref	Change	Reason
IC3	In addition to the Green Space Audit (2022), an assessment of formal outdoor playing pitch facilities across the Plan Area has been undertaken through the Playing Pitch Assessment (2020) and the ~~Indoor and Outdoor Sports Facilities Assessment~~ Playing Pitch Strategy and Action Plan (2021) ~~produced~~ which provides a comprehensive audit of existing outdoor sports provision. While there is unlikely to be a requirement for on-site provision for outdoor sports as part of development proposals it is expected that over the course of the Local Plan period demand will increase and additional provision will be required in line with the recommendations set out in the Playing Pitch Strategy. Provision for outdoor sports is across the former Selby district area and it is expected that financial contributions towards improvements rather than new provision would allow for increased capacity to accommodate housing growth in the area. In addition, a needs assessment of Indoor Sports Facilities was carried out in April 2020 and a resultant Indoor Sports Facilities Strategy published in May 2020. While the Local Plan does not require specific indoor requirements to serve new development, the assessment and strategy/action plan should be used to consider the wider sport and recreation provision context across the Plan Area when considering proposals.	For clarity
IC	The National Planning Policy Framework introduced the concept of Local Green Space, which protects local green areas of special importance to local communities. This enables communities, in particular circumstances, to identify and protect areas that are of value to them through Local and Neighbourhood Plans. Local Green Space, once designated, is subject to the same strong development restrictions as Green Belt, ruling out new development except in very special circumstances. The ~~criteria~~ National Planning Policy Framework (2023, paragraph 106) requires that Local Green Space designation should only be used where the green space is: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land.	For accuracy
IC3	The National Planning Policy Framework (2023, paragraph 102) recognises the importance of opportunities for sport and physical activity in the health and well-being of local communities. ~~Support for new~~ New sport and recreation facilities will be supported where it is of an appropriate scale and design. Where possible opportunities should be explored to encourage dual use of new facilities.	For clarity
IC4	Amend B. point 1 as follows:	For clarity

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Para Number/Policy Ref	Change	Reason
	"Where new water-related infrastructure (including but not limited to water supply, wastewater treatment and surface water run-off considerations) is needed to serve development, this must: 1. Consider the requirements of Policy NE5 (Protecting and Enhancing Rivers and Waterbodies) and contribute towards an improvement in water quality;	
IC4	Amend as follows: The Levelling-Up and Regeneration Act has created a legal requirement for certain wastewater treatment works designated by the Defra Secretary of State to be upgraded by 2030, but this list has not yet been published. As identified in the Infrastructure Delivery Plan, some existing wastewater treatment works are capable of accommodating wastewater from new development through the Plan period, while others will require further investment in the medium term, and in some cases new capacity is required to be installed. Allowing new development in advance of such works could compromise water quality, and it is therefore important that necessary new or upgraded capacity in wastewater treatment works must be shown to be deliverable in advance of first occupation. All foul flows from all new development that is located in or close to sewered areas should be directed to the public sewer system.	For clarity
IC4	~~impact~~ Consider the potential effects upon ~~the natural and historical environment (including but not limited to local archaeology, groundwater, existing ecosystems and designated nature conservation sites and local archaeology); and in the case of~~ European designated nature conservation sites, demonstrating no adverse effects on water quality, level or flow, if necessary, utilising mitigation to achieve this conclusion as set out in Policy NE1 (Protecting Designated Sites and Species.); and "	For accuracy
IC6	6. New and improve~~dment of existing issues~~ transport facilities associated with the Local and Strategic ~~highway~~ Road Networks and improvements to accessibility of rural areas in line with identified and evidenced needs.	
IC6	F. ~~Supporting development which does not have an adverse impact on the highway network, but this may be acceptable if~~ Contributions ~~are secured~~ may be sought from all development to ~~for~~ both on and off-site mitigation ~~as~~ and where necessary~~; which may include requirements to provide~~ Transport Statements, ~~Transport~~ Assessments ~~and Sustainable~~ Travel Plans and post-development monitoring may be required ~~of traffic and mitigation measures to ensure that traffic levels agreed through the original permission are not later exceeded.~~."	For clarity

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<table>
<tr><th>Para Number/Policy Ref</th><th>Change</th><th>Reason</th></tr>
<tr><td>IC6</td><td>6.59 As the population grows and technology advances it is appreciated that there may be demand for new roadside facilities. New amenities, be these emergency services rest stops, lorry parks, or more generalised motorist service areas and filling/recharge stations, ~~should also~~ will be supported where these are robustly evidenced in terms of need, ~~can improve highway safety~~ and do not conflict with other designations in the Plan.”

6.60 The former Selby district area has extensive rural areas which can often make private car ownership the only viable option for some residents and businesses in these locations. Where opportunities arise to increase accessibility to rural areas and resolve issues, these should be maximised. Any necessary improvements to address the cumulative impact of development across the ~~District~~ road network in the Plan Area ~~should~~ will also ~~also~~ be supported where possible.</td><td>For clarity</td></tr>
<tr><td>IC6</td><td>6.61 ~~The County~~ North Yorkshire Council (as the Local Highway Authority) provide guidance on highways safety and car parking for new development proposals. The North Yorkshire County Council Interim Guidance on Transport Issues (2015) relates to all parking which falls under the remit of the County Council (that is, on-street parking in the Plan Area ~~District~~).</td><td>For accuracy</td></tr>
<tr><td>IC7</td><td>6.64 The former Selby District has an extensive Public Rights of Way network which includes the Trans-Pennine Trail, a long-distance route running from the east to west coast which passes through the centre of Selby town.</td><td>For accuracy</td></tr>
<tr><td>IC9</td><td>6.65 Any affected Public Rights of Way should be kept open until an official order for their stopping up, temporary closure or diversion has come into effect.</td><td>For accuracy</td></tr>
<tr><td>IC7</td><td>6.66 The Policy supports the aims and objectives of the North Yorkshire Rights of Way Improvement Plan (ROWIP), in so far as it applies to the Plan Area ~~Selby District~~.</td><td>For accuracy</td></tr>
<tr><td>HG1</td><td><table><tr><td>EGGB</td><td>Eggborough</td><td>Land west of White House Farm, Low Eggborough Road</td><td>~~114~~ 109</td></tr></table></td><td>To reflect housing figures in recently submitted planning application</td></tr>
<tr><td>HG1</td><td>The allocation of new sites in the table below and identified on the Policies Map to provide ~~5,930~~ 5302 dwellings. They will be developed in accordance with the relevant Local Plan policy requirements and the development requirements identified for each site.</td><td>To reflect housing figures in recently submitted planning application</td></tr>
</table>

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Para Number/Policy Ref	Change	Reason
HG1	Sites to support the delivery of ~~5930~~ 5302 dwellings over the Plan period can be seen on the Policies Map and the policies for each of these sites can be seen in Part 3 of this Plan.	To reflect housing figures in recently submitted planning application
HG2	~~E Where relevant, regard should also be taken of the design principles contained in adopted Village Design Statements and Neighbourhood Plans.~~	As this replicated SG9 part A
HG4	~~G The design complies with Policy SG9 (Design)~~	As this replicates SG9
HG10	~~On~~ By the 1 April 2022 a total of 24 individuals had registered on the former Selby District Council's Self-build and Custom-build Register and a mix of both rural and urban locations were being sought. However, the Council cross references self-build completions and permissions against those on the Register and refreshes the Register each year with opt-in emails, so it is recognised that demand for self-build and custom-build housing will change over time.	
Intro to Maintaining a high quality natural environment	~~8.1 Selby District has wide areas of countryside and locally distinctive towns and villages which contribute to making the District a special place to live and work. It has many green spaces and opportunities for informal and formal recreation which support good health and well-being. There are areas of high-quality natural environment, diverse important habitats, and good access to landscape and countryside with opportunities for informal and formal recreation which support good health and well-being.~~ ~~8.2 The natural environment, and access to it, play an important role in the health and well-being of local residents, providing access to open spaces for recreation, as a visual amenity and enabling everyone to enjoy the mental and physical health benefits of connecting with nature. Research highlights how access to green~~	

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Page 751	~~space, such as fields, forests, parks and gardens is linked with a reduced risk of mental and physical health problems, improved mood, and increased life satisfaction. Green spaces provide opportunities to meet and socialise with others. Being around animals and wildlife in their natural habitat is also considered to be beneficial for overall well-being.~~ ~~8.3~~ 8.1 Nature is vital. It provides our life support system, and we cannot survive without it. However, our nature resources are ~~is~~ under threat ~~and damage to plants and wildlife causes devastating changes in the climate.~~ from many sources including direct loss of habitats, nearby land use practices, changes in hydrology and nutrients, disturbance and displacement of wildlife, impact on breeding/migrating birds, pollution, and the effects of climate change. ~~Nature~~ The preservation and restoration of nature is key to the health and well-being of the planet and us. ~~The climate crisis is driving nature's decline; the loss of wildlife and habitats leaves us ill-equipped to reduce our emissions and adapt to change.~~ While Climate change and biodiversity loss are separate issues, they can be interlinked in some instances. Nature's incredible ability to trap carbon safely and provide other important benefits is proven. Nature can make a massive contribution to achieving net zero greenhouse gas emissions by 2050~~. Nature can make a massive contribution to achieving this,~~, but only if we protect and restore our damaged ecosystems. ~~8.4~~ 8.3 Healthy habitats such as protected wetlands, restored peatlands, wildflower-rich grasslands and native woodlands can slow, store and filter water, reducing the risk of flooding downstream and cleaning water naturally. Woodlands and other wild places clean the air, regulate temperature, and improve our health and well-being. Thriving ecosystems provide the pollinators, soils, nutrients, food and water that support natural resilience. Each of these land uses and spaces can perform a range of over-lapping functions, for example recreation open space may provide for recreation needs but also flood water storage, while tree planting provides amenity and habitat but can also help mitigate flood risk and carbon capture. The concept of the green and blue infrastructure is over-arching and provides links and networks across and beyond the Plan Area ~~District~~. 8.4 (Moved from original 8.2): The natural environment and access to it also play an important role in the health and well-being of local residents, ~~providing access to open spaces for recreation, as a visual amenity and~~	

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Page 752	~~enabling everyone to enjoy the mental and physical health benefits of connecting with nature~~. Research highlights how access to green space, such as fields, forests, parks and gardens is linked with a reduced risk of mental and physical health problems, improved mood, and increased life satisfaction. Access to ~~Green spaces provide opportunities to meet and socialise with others.~~ ~~Being around animals and wildlife in their natural habitat is also considered to be beneficial for overall well-being~~ open spaces for recreation, and as a visual amenity, are essential to enabling everyone to enjoy the mental and physical health benefits of connecting with nature. 8.5 (moved from original 8.1): The former Selby ~~D~~district has wide areas of countryside and locally distinctive towns and villages which contribute to making the ~~District~~ Plan Area a special place to live and work. ~~It has many green spaces and opportunities for informal and formal recreation which support good health and well-being.~~ There are areas of high-quality natural environment, diverse important habitats, and good access to landscape and countryside with opportunities for informal and formal recreation which support good health and well-being. ~~8.5~~ 8.6 The Environment Act 2021 includes targets to halt the decline of nature by 2030, including ~~requirements for~~ the creation of Local Nature Recovery Strategies and mandatory Biodiversity Net Gain ~~for development and a healthier freshwater environment~~. The Local Plan seeks to promote development of well-designed places where nature is prioritised and integrated ~~and attractive open spaces are provided~~ in locations which contribute to the quality of a place and to people's quality of life ~~and help meet to achieve the targets of the Act.~~ in the Plan Area.	
NE1	New site added RICC-J Land at Landing Lane	To reflect HRA
NE1	B. Proposals that may directly, indirectly, or cumulatively impact ~~such designations~~ on a Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site within or outside the Plan Area will only	For clarity

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NE1	Is located within ~~The~~ 1 kilometre of the Lower Derwent Valley Area of Restraint, ~~buffer~~ must consider the guidance set out in the Lower Derwent Valley Supplementary Planning Document or its successor.	HRA recommendations
NE1	Although the role of protecting European sites regarding abstraction for public water supply and treatment of sewage effluent falls primarily with Yorkshire Water as utilities provider, it is important that development in the Plan Area keeps pace with any improvements in wastewater treatment infrastructure or development of new water supply sources that Yorkshire Water need to implement to protect European sits. As such proposals within the Plan Area must comply with the requirements of Policy IC4 to ensure that water quality or water levels and flow in European sites are not adversely impacted by new development. The following Local Plan allocations have been screened in to require Appropriate Assessment for water quality at the planning application level as they lie within close proximity to European sites that are dependent on good water quality and details of potential impacts will depend on detailed design of all four sites	For accuracy
NE1	Lower Derwent Valley Area of Restraint Map added	For clarity
NE1	Air Pollution from nitrogen or ammonia deposition can also be a threat to protected species. Increased concentrations are most often associated with increased vehicular traffic, and therefore impacts are usually greatest close to roads, and as a result of increased vehicular journeys. The Habitats Regulations Assessment has identified the potential for impacts on the Lower Derwent Valley SAC and Skipwith Common SAC but this is dependent on the volume of increased traffic, which is currently being modelled at a from planned development. Subsequent traffic modelling and air-quality modelling of the volume of increased traffic likely to be generated by allocations within the Plan, and outside the Plan Area level to assess potential air has ruled out adverse impacts from air quality on European designated sites in proximity to the Plan Area.	To reflect HRA

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	Other sites and sources of pollution impacts and any necessary mitigation will need to carry out their own assessments to determine no adverse effects in line with the above policy.	
NE2	B. Major residential development (proposals of 10 dwellings or more and non-residential development proposals of 0.5 hectares or more) will be required to provide a Green and Blue Infrastructure Masterplan, (the detail required will be commensurate with the scale of the development) as part of the overall masterplan for the development site, to be agreed with the Planning Authority. The Green and Blue masterplan should ~~demonstrating (~~have~~ing~~ regard to the latest green and blue infrastructure audit or strategy, Local Nature Recovery Strategy, relevant Catchment management Plans and North and East Yorkshire Ecological Data Centre (NEYEDC) information~~)~~ and demonstrate how the development:	For clarity
NE2	The Policy requires that some larger developments provide a Green and Blue Infrastructure Masterplan to be agreed by the Local Planning Authority. Ensuring that the delivery of Green and Blue infrastructure across the Plan Area ~~District~~ is directed to the right location is critical, and a masterplan provides a key mechanism in guiding this process. The masterplan should consider the requirements of relevant river basin catchment plans and North Yorkshire GBI strategies including the Local Nature Recovery Strategy and. ~~The masterplan will~~ set out how a development achieves the requirements set out within this Policy, ~~and~~ the level of detail ~~will~~ be~~ing~~ commensurate with the scale of the development. As set out in the Environment Act the provision of biodiversity net-gain is recognised as a key opportunity to unlock tangible and meaningful restoration and enhancement of the natural environment. The masterplan will ensure green and blue infrastructure is conserved, enhanced and secured with benefits for the area ~~Selby District~~ maximised	For clarity
NE5	These waterbodies provide an important resource to the area ~~District~~ in terms of the supply of water for residential, agricultural and business needs, and support wildlife ecosystems and sites. The European Water Framework Directive (WFD) applies to both surface waters and groundwater. It stipulates that Councils must have regard to River Basin Management Plans (RBMPs) as a framework for implementing the provisions of~~,~~ and protecting and enhancing the benefits of the Water Framework Directive.	For clarity
NE5	When determining planning applications, the Council, in consultation with the Environment Agency will seek to ensure there will be no unacceptable impact on the quality of surface and groundwater resources. Consideration will be given to "The Environment Agency's ~~Policy and Practice for the protection of~~ approach	For accuracy

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	to groundwater protection" document (2018, or subsequent updates), which provides guidance on the control of development within identified Source Protection Zones	
NE5	The water environment can have a huge impact on ecology and biodiversity and therefore also needs to be considered in the context of protecting designated sites and species (Policy NE1). Within the Selby District the extensive water network presents many opportunities for nature. The ~~R~~rivers provide extensive habitats and wildlife corridors as well as extensive wetlands. A couple of the most notable examples ~~in the District~~ are the River Ouse as an important route for migratory fish, river and sea lamprey and eels, and the River Derwent as the source of the internally recognised Lower Derwent Valley (LDV) wetland Ramsar ~~AMSAR~~ . It is important that proposals within the Lower Derwent Valley Area of Restraint (identified on the Policies Map) consider the Lower Derwent Valley Supplementary Planning Document which seeks to protect this sensitive area from the adverse impact of recreational use. The Lower Derwent Valley Supplementary Planning Document has been prepared jointly with adjoining Local Planning Authorities and has already been adopted by East Riding of Yorkshire Council. Development which affects water habitats and the ecological environment should also provide ~~B~~biodiversity ~~N~~net ~~G~~gain in line with ~~(~~Policy NE3~~)~~, as well as considering any potential harm water removals or discharges and run-offs might have for ecology.	For clarity
NE5	River environments and water frontages are important elements of the landscape character of the former Selby d~~D~~istrict (particularly in the Lower Derwent Valley) and can contribute to the setting and significance of the Plan Area's ~~District's~~ heritage assets (particularly the River Wharfe in Tadcaster and the River Ouse and Selby Canal in Selby and the River Ouse in Cawood). Where changes to the water environment are being considered it is important that the potential impact on the landscape and heritage assets is considered as well as the opportunities to further reveal, appreciate or understand these assets	For clarity
NE6	~~8.54 The contribution of trees within the urban areas of the District is an important consideration. Strategies such as the England Tree Strategy and the White Rose Forest Partnership encourage the planting of trees to increase tree cover and consider the suitability of planting trees in urban areas and the benefits these deliver.~~ ~~8.55 Trees and woodland also make a key contribution to green infrastructure and ecological connectivity. New woodland planting is being promoted nationally to enhance and maximise the benefits of tree coverage. The~~	For clarity

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	~~Council is working with its neighbouring Authorities and key stakeholders on the White Rose Forest Partnership to increase tree cover as part of the initiative to create a new Northern Forest.~~ Trees, woodland and hedgerows are an important part of the former Selby district area's natural assets. They are an essential component in providing habitat and shelter to a variety of wildlife and make a key contribution to green infrastructure and ecological connectivity. Whilst offering valuable biodiversity, trees and hedgerows also characterise the landscape and contribute to the local distinctiveness of settlements and towns. In addition to providing amenity value they also assist in improving residents' health and well-being. In accordance with paragraph 136 of the NPPF (December 2023) and to meet the requirements of the National Model Design Code (and any local design codes which are adopted), trees make an important contribution to the character and quality of urban environments and all new development should ensure that new streets are tree-lined, (unless in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate). Strategies such as the England Tree Strategy and the White Rose Forest Partnership also encourage the planting of trees to increase tree cover and consider the suitability of planting trees in urban areas and the benefits these deliver. ~~Trees and woodland also make a key contribution to green infrastructure and ecological connectivity~~ (Moved to opening para).~~-~~New woodland planting is being promoted nationally to enhance and maximise the benefits of woodland coverage. The Council is working with its neighbouring Authorities and key stakeholders on the White Rose Forest Partnership to increase tree cover as part of the initiative to create a new Northern Forest. Moved the paragraph regarding Ancient and veteran trees to the end of the policy and signposted back to NE1: Veteran trees and hedgerows are the richest in terms of ecology, landscape and culture, providing an irreplaceable resource. Ancient Woodlands are valuable natural assets and survive relatively undisturbed. As a result, Ancient Woodland presents often unique and complex communities of trees, plants and fungi, as well as insects and other microorganisms. Plantations on Ancient Woodland sites are ancient woods that have been felled and replanted with other tree species. Often, replanting has used conifer species, but this can also include broadleaved planting and non-native species. Although considered damaged, these sites still present the complex soil of Ancient Woodland, and all are considered to contain remnants of the woodland such as species	

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	and organisms which occurred before. Policy NE1 (Protecting Designated Sites and Species) sets out how proposals must consider development which will result in the loss or deterioration of irreplaceable habitats such as ancient woodland and aged or veteran trees.	
NE7	B. Developments will only be permitted if the impact on air quality is acceptable, and mechanisms are in place to mitigate adverse impacts ~~and prevent further exposure to poor air quality~~. ~~This will help to protect human health.~~	For clarity
NE7	8.62 Air quality in the UK has improved significantly in recent decades, but it continues to be ~~is~~ the biggest environmental risk to ~~public health in the United Kingdom~~ human health, and a source of harm to the natural environment. ~~Studies have shown that exposure to poor air quality can have both short and long-term effects on health. Good air quality is essential for our health, quality of life and the environment.~~ Air becomes polluted when it contains substances which can have a harmful effect on the health of people, animals and vegetation. The main causes of air pollution include transport, domestic combustion, ~~and~~ industrial processes and agriculture. ;~~with nitrogen dioxide (NO2) and particulate matter (PM) being the key pollutants with regards to local air quality.~~ New Para:-Studies have shown that exposure to poor air quality can have both short and long-term effects on health with children, the elderly and the already vulnerable most affected. In order to restore nature and improve the quality of our environment we must aim to achieve clean air as a key component of this. Poor air quality has consequences for crop yields and, particularly in the case of ammonia and oxides of nitrogen (NOx), significant impacts for the natural environment and biodiversity. Plants such as mosses and lichens are sensitive to ammonia and woodlands and peatlands - both integral to meeting the UKs net zero target, are sensitive to nitrogen. Air Quality also has the potential to harm our economic growth as poorer health harms productivity, increases costs to social care. Where money in invested in interventions for air quality studies in Europe show reductionsin PM2.5 increase Gross domestic product (GDP). The Policy approach emphasises the need for both health and environmental protection as well as meeting the NO2 objective.	For clarity
NE7	New Para: The UK is a member of the international Convention on Long-Range Transboundary Air Pollution and as such must comply with the National Emission Ceilings Regulations 2018. National-level air quality regulations for concentrations are set by the Air Quality Standards Regulations 2010, which set limits for several pollutants, and the Environment Act 2021 sets a further 2 new legally binding long terms targets.	For clarity

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	New Para: The 25 Year Environment Plan (25YEP) set out a framework and vision to help the natural world regain and retain good health for which clean air is a significant goal, and the Environmental Improvement Plan (EIP) 2023 (which is the first 5 year review of the 25YEP) set specific interim targets in relation to Air Quality to achieve this. These include reductions in emissions of: • nitrogen dioxides • sulphur dioxide • PM2.5 • ammonia • Non-methane volatile organic compounds New para: The Local Air Quality Management Framework, underpinned by the Environment Act 1995 sets local limits, put into place through the Air Quality (England) Regulations 2000 (as amended in 2002). The framework requires relevant local authorities to assess the quality of their air and, if it does not comply with relevant concentration limits, put in place a plan to remedy the problem. Defra have also published the Air Quality Strategy for England 2023, which sets out air quality standards, objectives, and measures as part of a delivery plan for improving ambient air quality which all local authorities in England must have regard to and will be updated every 5 years.	
NE7	Amend the paragraph as follows: "The Local Plan spatial strategy directs development to sustainable locations to reduce the need to travel and increases opportunities to use alternative modes such as the use of public transport in order to reduce congestion and car-related air quality impacts. However, consideration needs to be given to a careful balance between renewable and low-carbon energy and local air quality (for example, biomass boilers are good for	To reflect HRA

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	carbon but not necessarily for local air quality). Cycling offers the economic advantages of affordable transport while having the potential to reduce congestion and improve air quality through reduced car use. The Habitats Regulations Assessment, through district level modelling of the volume of increased traffic to be generated by allocations within the plan, has ruled out adverse impacts from air quality on European designated sites in proximity to the Plan area. However, other sites and sources of pollution will need to carry out their own assessments to determine no adverse effects on European Designated Nature Conservation sites in line with the above policy and NE1 (Protecting Designated Sites and Species).	
NE7	The former Selby District Council published an Air Quality Action Plan (AQAP) for the AQMA ~~I~~in 2018, ~~the Council, in line with its requirements, approved the Air Quality Action Plan~~. conjunction with former North Yorkshire County Council and other partners ~~to improve air quality and protect the health of residents. Progress is reviewed and reported every year~~. This document recognises the impact the Local Plan can have on future air quality. It was intended to be a live document, continuously reviewed and developed to take account of future development, changes in traffic generation and air quality needs. It identifies a number of actions and future measures and progress each year is reported in the Air Quality Annual Status Reports, now produced by North Yorkshire Council. An Air Quality Assessment (AQA) is not necessarily required for all developments in an Air Quality Management Area and a full assessment is only likely to be required for larger sites or those for example which create significant amounts of traffic or pollution ~~for example~~. The policy does not provide an exhaustive list of all the situations in which an Air Quality Assessment is required. Significant amounts of traffic is defined as that which gives rise to significant changes in traffic volumes of +/- 5% change in annual average daily traffic or peak hour flows within AQMAs or +/- 10% outside Air Quality Management Areas. ~~In line with the Air Quality Action Plan, further supplementary guidance will be prepared that will define the development triggers for different levels of Air Quality Assessment and the Council will also consider the need for emission assessments / damage costs / mitigation statements.~~	For clarity
NE7	Planning permission plays an important role in improving local air quality and reducing potential emissions caused by development. This includes giving consideration to building materials, highways, transport, electric vehicle charging, ~~and~~ processes and impact pathways. It is also important that design and layout of schemes incorporate exposure reduction measures for both human and environmental exposure such as orientation, location and setting buildings back as well as emission mitigation measures. The Council will consider the need for emission assessments / damage costs / mitigation statements as required.	For clarity

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Para Number/Policy Ref	Change	Reason
SELB-B	Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Staynor Hall, Barwick Parade, Selby High, Brayton Academy, or other schools serving the development.	For accuracy
SELB-BZ	Amend to say:- Develop the site in accordance with a comprehensive phasing masterplan which covers the entire site, in order to provide the appropriate infrastructure requirements in an integrated and economically viable way. The first phase of development must begin with the land immediately to the north of Leeds Road, following the construction of a bridge over the Selby Dam via Meadway, as this enables Leeds Road to be used for construction traffic and provides access into and through the development to reduce newly generated traffic on the existing highway network in the town centre. The site is allocated for mixed use development, but the predominant use is to be residential. The incorporation of the existing green infrastructure areas along Selby Dam as publicly accessible space will reduce the developable area in this location.	For clarity
SELB-BZ	Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Selby High, Brayton Academy, or other schools serving the development.	For accuracy
SELB-BZ	Due to the identified heritage assets in this location (the eastern part of the site adjoins Leeds Road Conservation Area and a number of Listed Buildings), ensure the design and layout of the development reflects the guidance set out in the Selby Town Conservation Area Appraisal and incorporate the recommended mitigation measures as set out in the Heritage Impact Assessment which has been undertaken to preserve and where appropriate enhance these features.	For accuracy
SELB-BZ	1. ~~The 33.6 hectares of employment development will occur on the undeveloped part of the site. The existing businesses on the site are excluded from the above policy criteria, but they will gain vehicular access from the new distributor road which connects to the A63.~~	Repetition
SELB-CA	Due to the identified heritage assets in this location (the site is close to Selby Town Conservation Area and a number of Listed Buildings as well as the potential to impact the town's skyline especially Selby Abbey), ensure the design and layout of the development reflects the guidance set out in the Selby Town Conservation Area Appraisal, to preserve ~~Protect~~ and where appropriate enhance the character and setting of Selby Town Centre	For clarity

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	Conservation Area, including maximising views to the Abbey Church and ensuring Selby skyline is not detrimentally impacted.	
Tadcaster introduction	with a population of 5,899 ~~5,926~~ (~~2020~~ 2021 ~~ONS~~ Census).	For accuracy
T1	It will also have the benefits of a largely car-free development with ~~off-site~~ car parking for residents provided ~~nearby~~ in a new underground car park."	For clarity
TADC-AD	Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Tadcaster Primary, Riverside Primary, Tadcaster Grammar, or other schools serving the development.	To reflect requirements for education
TADC-AE	Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Tadcaster Primary, Riverside Primary, Tadcaster Grammar, or other schools serving the development.	To reflect requirements for education
TADC-H	Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Tadcaster Primary, Riverside Primary, Tadcaster Grammar, or other schools serving the development.	To reflect requirement for education
TADC-L	Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Tadcaster Primary, Riverside Primary, Tadcaster Grammar, or other schools serving the development.	To reflect requirement for education
Sherburn introduction	has a population of ~~8,069~~ 8,497 (~~2020~~ 2021 Census)	For accuracy
SHER-H	Provide land ~~for an additional~~ to expand the existing drop off point ~~for~~ at the Athelstan Community Primary School to support existing and new residents.	To reflect requirement for education
Appleton Roebuck	has a population of ~~908~~ 830 (~~2020 ONS~~ 2021 Census)	For accuracy

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Para Number/Policy Ref	Change	Reason
AERO-I	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Appleton Roebuck Primary, Tadcaster Grammar, or other schools serving the development.	To reflect requirement for education
AERO-K	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Appleton Roebuck Primary, Tadcaster Grammar, or other schools serving the development.	To reflect requirement for education
AERO-N	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Appleton Roebuck Primary, Tadcaster Grammar, or other schools serving the development.	To reflect requirement for education
AERO-N	~~Wherever possible, retain~~ Retain mature trees and established hedgerows along the boundaries of the site	For clarity
Barlby and Osgodby	has a population of ~~4,425~~ 4,266 (~~2020 ONS~~ 2021 Census)	For accuracy
BARL-K	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Barlby Community Primary, Barlby High, or other schools serving the development.	To reflect education needs
BARL-K	Undertake an Appropriate Assessment for recreational pressure from development (having regard to up to date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 Kilometres of the LDV or Skipwith Common or 10 kilometres of Humber Estuary.	To reflect HRA
OSGB-C	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Barlby Community Primary, Barlby High, or other schools serving the development.	To reflect education needs
OSGB-D	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Barlby Community Primary, Barlby High, or other schools serving the development.	To reflect education needs

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Para Number/Policy Ref	Change	Reason
OSGB-G	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Barlby Community Primary, Barlby High, or other schools serving the development	To reflect education needs
OSGB-I	Undertake an Appropriate Assessment for functionally-linked habitats as the site lies within the typical foraging ranges of species associated with the Lower Derwent Valley and Humber Estuary SPA/Ramsar designations and provides potentially suitable habitat. This should include either evidence that the proposed development site habitat is unsuitable for SPA/Ramsar designated species or assessment of the proposed development sites use by SPA/Ramsar designated species, including through the provision of wintering and passage bird surveys, and if necessary, appropriate mitigation."	To reflect HRA
BRAY-X	Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Brayton Church of England Primary, St Mary's Catholic Primary, Brayton Academy, or other schools serving the development.	To reflect education requirements
BRAY-Z	Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Brayton Church of England Primary, St Mary's Catholic Primary, Brayton Academy, or other schools serving the development.	To reflect education requirements
Carlton introduction	has a population of ~~2,034~~ 2039 (~~2020~~ 2021 Census)	For accuracy
CARL-G	Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the ~~District~~ Plan Area as a result of the development on this site, Carlton Primary, Holy Family Catholic High School, or other schools serving the development.	To reflect education requirements

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CARL-G	Undertake an Appropriate Assessment for: **i)** Functionally-linked habitats as the site lies within the typical foraging ranges of species associated with the Lower Derwent Valley and Humber Estuary SPA/Ramsar designations and provides potentially suitable habitat. This should include either evidence that the proposed development site habitat is unsuitable for SPA/Ramsar designated species or assessment of the proposed development sites use by SPA/Ramsar designated species, including through the provision of wintering and passage bird surveys, and if necessary, appropriate mitigation. **ii)** Recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.	HRA requirement
CARL-G	has a population of ~~1439~~ 1378 (~~2020~~ 2021 Census)	For accuracy
CLIF-O	Provide a well-designed development, that acts as ~~both~~ a gateway to ~~Carlton~~ Cliffe and ~~as the final piece in completing the linear form of this village. This development occupies an important position in the village of Cliffe because it~~ completes the linear form of the village, from north to south along Main Street and ~~North~~ York Road. The design of the development therefore needs to tie together the existing development to the north and south of the A63. Buildings should be varied in their design and be set back behind front gardens to assist with off-street parking. Development should be no more than two storeys in height.	For clarity
	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Cliffe Primary School, Barlby High, or other schools serving the development.	
CLIF-O	Undertake an Appropriate Assessment for: i) Functionally-linked habitats as the site lies within the typical foraging ranges of species associated with the Lower Derwent Valley and Humber Estuary SPA/Ramsar designations and provides potentially suitable habitat. This should include either evidence that the proposed development site habitat is unsuitable for SPA/Ramsar designated species or assessment of the proposed	To reflect the HRA

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	development sites use by SPA/Ramsar designated species, including through the provision of wintering and passage bird surveys, and if necessary, appropriate mitigation; and Recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.	
Eggborough and Whitley	has a population of ~~3,534~~ 3,633 (~~2020~~ 2021 ~~ONS~~ Census)	For accuracy
EGGB-S	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at C Whitley and Eggborough Primary School, Brayton Academy, or other schools serving the development.	To reflect education requirements
EGGB-Y	Undertake a Transport Assessment to consider the likely significant impact of the proposal on the highway network. ~~The site lies in close proximity to neighbouring Wakefield Council who are seeking to implement a sustainable transport package, including a new link road, to support the growth and regeneration of Knottingley scheme for a new link road bypassing the town of Knottingley. The Transport Assessment should determine whether it is necessary for planning contributions to be sought from this development to help fund this new road as part of the Knottingley Sustainable Transport Package."~~	To reflect Wakefield Inspectors Report
Hambleton introduction	has a population of ~~2,084~~ 2,187 (~~2020~~ 2021 ~~ONS~~ Census)	For accuracy
HAMB-F	Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, Hambleton Church of England primary, Selby High, or other schools serving the development.	To reflect education requirements

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Para Number/Policy Ref	Change	Reason
HAMB-N	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Hambleton Church of England primary, Selby High, or other schools serving the development	To reflect education requirements
Hemingbrough Introduction	has a population of ~~1,974~~ 1,996 (~~2020~~ 2021 ~~ONS~~ Census)	For accuracy
HEMB-G	Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Hemingbrough Primary, Barlby High, or other schools serving the development.	To reflect education requirements
HEMB-G	Undertake an Appropriate Assessment for: i) Functionally-linked habitats as the site lies within the typical foraging ranges of species associated with the Lower Derwent Valley and Humber Estuary SPA/Ramsar designations and provides potentially suitable habitat. This should include either evidence that the proposed development site habitat is unsuitable for SPA/Ramsar designated species or assessment of the proposed development sites use by SPA/Ramsar designated species, including through the provision of wintering and passage bird surveys, and if necessary, appropriate mitigation; and ii) Water quality (and incorporate any required mitigation measures) as the site has the potential to affect water quality, levels or flow lies within designated SACs/SPAs/Ramsars relatively close proximity to European Sites that are dependent on good water quality. Details of potential impacts will depend on detailed design of the site. Such development must consider potential impacts on hydrological regimes which could affect the integrity of designated habitats, applying appropriate mitigation where deemed necessary, including through measures set out in IC4 and NE5; and iii)Recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.	To reflect HRA

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Para Number/Policy Ref	Change	Reason
HEMB-K	Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Hemingbrough Primary, Barlby High, or other schools serving the development.	To reflect education requirements
HEMB-K	Undertake an Appropriate Assessment for: i) Water quality (and incorporate any required mitigation measures) as the site has the potential to affect water quality, levels or flow lies within designated SACs/SPAs/Ramsars relatively close proximity to European Sites that are dependent on good water quality. Details of potential impacts will depend on detailed design of the site. Such development must consider potential impacts on hydrological regimes which could affect the integrity of designated habitats, applying appropriate mitigation where deemed necessary, including through measures set out in IC4 and NE5; and Recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.	To reflect HRA
HENS-A	has a population of ~~821~~ 792 (~~2020 ONS~~ 2021 Census)	For accuracy
HENS-A	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising as a result of the development on this site, at Hensall Primary, the Snaith School, or other schools serving the development.	To reflect education requirements
HENS-L	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising as a result of the development on this site, at Hensall Primary, the Snaith School, or other schools serving the development.	To reflect education requirements

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Para Number/Policy Ref	Change	Reason
HENS-P	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising as a result of the development on this site, at Hensall Primary, the Snaith School, or other schools serving the development.	To reflect education requirements
KELL-B	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Kellington Primary, Sherburn High, or other schools serving the development.	To reflect education requirements
Monk Fryston and Hillam introduction	has a population of ~~1,792~~ 1,717 (~~2020 ONS~~ 2021 Census)	For accuracy
HILL-A	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, Monk Fryston Church of England Primary, Sherburn High, or other schools serving the development.	To reflect education requirements
North Duffield introduction	has a population of ~~1,357~~ 1,305 (~~2020 ONS~~ 2021 Census)	For accuracy
NDUF-D	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at North Duffield Primary, Barlby High, or other schools serving the development.	To reflect education requirements
NDUF-D	9. Undertake an Appropriate Assessment for: i) (Functionally-linked habitats as the site lies within the typical foraging ranges of species associated with the Lower Derwent Valley and Humber Estuary SPA/Ramsar designations and provides potentially suitable habitat. This should include either evidence that the proposed development site habitat is	To reflect HRA

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Para Number/Policy Ref	Change	Reason
	unsuitable for SPA/Ramsar designated species or assessment of the proposed development sites use by SPA/Ramsar designated species, including through the provision of wintering and passage bird surveys, and if necessary, appropriate mitigation; and ii)Water quality (and incorporate any required mitigation measures) as the site has the potential to affect water quality, levels or flow lies within designated SACs/SPAs/Ramsars relatively close proximity to European Sites that are dependent on good water quality. Details of potential impacts will depend on detailed design of the site. Such development must consider potential impacts on hydrological regimes which could affect the integrity of designated habitats, applying appropriate mitigation where deemed necessary, including through measures set out in IC4 and NE5; and iii)Recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.	
NDHF-O	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at North Duffield Primary, Barlby High, or other schools serving the development.	To reflect education requirements
Ricall introduction	has a population of ~~2,421~~ 2,520 (~~2020 ONS~~ 2021 Census)	For accuracy
RICC-J	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Ricall Primary, Barlby High, or other schools serving the development.	For accuracy
RICC-K	Undertake an Appropriate Assessment for: i) Functionally-linked habitats as the site lies within the typical foraging ranges of species associated with the Lower Derwent Valley and Humber Estuary SPA/Ramsar designations and provides potentially suitable habitat. This should include either evidence that the proposed development site habitat is unsuitable for SPA/Ramsar designated species or assessment of the proposed development sites use by	To reflect the HRA

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Para Number/Policy Ref	Change	Reason
	SPA/Ramsar designated species, including through the provision of wintering and passage bird surveys, and if necessary, appropriate mitigation; and ii)Recreational pressure from development (having regard to up-to-date visitor monitoring data and incorporate any required mitigation measures) as the site lies within 5 kilometres of the LDV or Skipwith Common or 10 kilometres of the Humber Estuary.	
Thorpe Willoughby introduction	has a population of ~~3,343~~ 3,486 (~~2020 ONS~~ 2021 Census)	For accuracy
THRP-K	Provide S106 financial contributions for additional early years, primary, secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Hambleton Church of England Primary, Thorpe Willoughby Primary, Selby High, or other schools serving the development.	To reflect education requirements
THRP-V	Provide a vehicle, cycling and pedestrian access to the site from Leeds Road, which ~~includes traffic calming measures~~ extends a traffic speed reduction to the west of the site along the A63.	For clarity
THRP-V	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Hambleton Church of England Primary, Thorpe Willoughby Primary, Selby High, or other schools serving the development.	To reflect education requirements
THRP-V	~~The site could support bats, various nesting birds and other wildlife due to the presence of the disused pig breeding buildings to the south. The potential for development to disturb protected species and habitats means that proposals for development of the site will need to be supported by an Ecological Survey and the site to be designed to encourage biodiversity~~	For consistency

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Para Number/Policy Ref	Change	Reason
Ulleskelf Introduction	has a population of ~~786~~ 829 (~~2020 ONS~~ 2021 Census)	For accuracy
ULLE-K	Provide S106 financial contributions for additional early years, primary, ~~and~~ secondary and Special Educational Needs and Disability (SEND) school places to meet demand arising in the Plan Area as a result of the development on this site, at Church Fenton Church of England school, Tadcaster Grammar, or other schools serving the development.	To reflect education requirements

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Feedback from

Development Plans Committee (16 January 2024)

and

Selby and Ainsty Area Constituency Committee (19 January 2024)

on

Selby Local Plan

Development Plans Committee – 16 January 2024

Members highlighted the following in relation to the report:-

- There was disappointment from some Members that the Heronby proposal was to be removed from the Plan as new settlements provide an appropriate strategy to ensure new development is planned along with infrastructure. A question was raised as to whether requirements could me met if the site is removed It was explained that there some sites had been added as technical issues had been addressed however a significant buffer built into the target, which also excluded windfalls. It was noted that ongoing objections from City of York Council, and concerns raised by Highways, had led to Heronby being removed from the Plan, enabling the wider Selby Local Plan to progress as soon as possible. The forthcoming North Yorkshire Local Plan, which would replace the various Development Plans, would give further consideration to the Heronby Proposals.

- A Member raised concerns that an objection by City of York Council could have such a major influence on a Local Plan in North Yorkshire and suggested that the Heronby proposal be returned to the proposed Plan as this provided a holistic approach to development in the Selby area. In response it was stated that legal advice, from Counsel, emphasised that it would be difficult for the Heronby proposal to be re-instated while the objection remained, which would result in a further delay in the progression of the Plan, which would lead to difficulties in maintain control of speculative development in the Selby area.

- It was noted that work had commenced on the North Yorkshire Plan, with a Call for Sites taking place shortly, therefore the work on Heronby would continue in relation to this. The removal at this time was being proposed so as not to unduly delay the progression of the Selby Local Plan.

- Members emphasised the urgent need for housing development to ensure that local people could remain in their local areas and considered that the removal of Heronby did not support that.

- The timescales for the North Yorkshire Plan were outlined with an expected adoption date of 2028. Members noted that further consultation on the Heronby proposal would further delay the Selby Local Plan but considered that it was unlikely that anything would change in terms of including the scheme in the North Yorkshire Plan,

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and that it would be better to negotiate and reconsult at this stage rather than push it back into the consultation stage for the North Yorkshire Plan.

- A Member highlighted the details outlined in the Selby Local Plan in relation to additional residential development at Hambleton, North Duffield and Eggborough. He suggested that infrastructure and facilities were required to assist these new developments, in those locations, as those currently in those areas were in danger of being overwhelmed. He stated that careful thought was required of these locations being sustainable as the fall-out from removing Heronby and extending the local villages to provide the housing development could create problems for those areas. Other Members highlighted their concerns regarding the extended development of existing villages and the impact of the existing residents and resources within those locations. It was suggested that new settlements were more able to develop the necessary infrastructure and facilities as part of their development, rather than tagging new development onto existing areas. It was also more appropriate for issues around Climate Change to be addressed through the development of a new settlement, as these could be built in, rather than try and retrofit existing properties.

- It was requested that greater clarity be provided in what was required from the Plan and how this was to be achieved in relation to Climate Change.

- A Member stated that he was totally opposed to the inclusion of Heronby as a development within any Local Plan, citing the current difficulties on the A19 which would only be exacerbated by the development of Heronby. He considered that the development of Heronby would only lead to further calls for a by-pass in that area. A Member suggested that input from National Highways was required in respect of the potential impact the development of Heronby would have on the A19 before this was further pursued.

Resolved:-

That the report be noted and the recommendation outlined within the report be submitted to the Executive, alongside the comments of the Committee, with a recommendation for approval.

(This was voted against by one Member of the Committee due to the continued pursual of the Heronby development)

Selby and Ainsty Area Constituency Committee – 19 January 2024

Members highlighted the following in relation to the report:-

- A Member requested the legal details that had been provided by Counsel in respect of the objection to the Heronby proposal from City of York Council be shared with Members of the Committee, as he had concerns that a neighbouring Local Authority could interfere with the North Yorkshire process. It was also stated that further details were required in relation to the nature of the objection. In response it was stated that it would be checked how the legal details could be shared with Members.

- Whilst agreeing that the highways issues made Heronby a difficult prospect a Member considered that a new settlement was the best solution to the housing

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issues in the area. He noted that the extension of Burn had been mooted as a possible alternative to Heronby but was ruled out because of flood risk, however, the further extensions of Hambleton and Eggborough were continuing despite the flood risk at those locations. He also had concerns regarding the continued expansion of these local villages and considered a new settlement to be the best solution to this, therefore, Heronby with a highways' solution would be the best way forward. Other Members echoed this view emphasising the need to avoid turning local villages into small towns. It was also noted that the forthcoming Mayoral Authority would have a say in the highways situation, which could help to alleviate the current impasse with City of York Council.

- A Member referred to the proposals for Eggborough and raised concerns regarding the ambiguity and contradiction contained within the policies.

- The Member also raised concerns regarding the amount of affordable and social housing that was being provided in the area. He noted that the minimum figure for these was outlined to developers, but, in nearly all developments, this was the maximum achieved, with many well under the minimum requirement. He emphasised the need for affordable and social housing to prevent young people from leaving the Selby area due to housing costs. Other Members agreed and felt the provision of new settlements, with guaranteed levels of social and affordable housing included, would address this issue, however, concern was raised that any movement by the Committee to insist on this could delay the implementation of the Selby Local Plan. Moving forward without a Local Plan could leave the area open to piecemeal, uncoordinated development, with at least 5 years to wait until the overarching North Yorkshire Plan was in place. It was suggested therefore that the recommendation to support the Plan should be approved with a message that levels of affordable and social housing required a substantial increase.

- Thanks was given to officers to the answers provided following a number of concerns was raised in relation to the Heronby proposal. The Member suggested Heronby should be removed from consideration altogether due to its potential impact on the already busy junction of the A19 with the A64. However, as he felt it important that the Local Plan he suggested that the proposal should be agreed at this stage, with further discussions around the inclusion of Heronby in the North Yorkshire Plan undertaken at a later stage.

- A Member stated that he was supportive of the inclusion of Heronby in the North Yorkshire Plan provided that appropriate steps were taken to alleviate the traffic problems on the A19. He outlined his disappointment that the Environment Agency had blocked the potential Burn development for potential flooding issues when the other areas earmarked for development had similar issues.

- It was clarified that the legal advice was provided by the King's Counsel.

- In relation to the issues raised in respect of social and affordable housing a Member proposed the following motion, which was seconded:-

  "The Selby and Ainsty Committee is concerned about the lack of affordable housing, both social renting and starter homes that enable young families to get on the housing ladder, in the emerging Selby Local Plan. We call upon the Executive to

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delay the decision to put the plan out for consultation whilst the percentage of affordable housing, currently 13%, is looked at by senior officers and the Selby district councillors."

Concern was raised that this may create an undue delay on the implementation of the Selby Local Plan. There was also concern around the 13% figure within the motion with regards to whether this was accurate, and whether Members could vote on this matter without having taken account of the full, and corroborated details for this. In relation to this it was noted that the adoption of the Plan had still to go through further processes, including public examination, therefore, the details would be checked and corroborated as the process moved forward.

A Member stated that affordable and social housing proposals often featured in the plans submitted by developers, but were watered down to a minimum level when the development actually took place. He emphasised that strong evidence was required that this type of housing was being built and that developers were maintaining their original proposals to provide an appropriate level of social and affordable housing.

Members agreed that the provision of social and affordable housing was important to the area but reiterated their concerns that the motion may cause an undue delay to the implementation process for the Selby Local Plan. Officers outlined the process and noted that any delay could mean it is overtaken by the development of the North Yorkshire Plan. The examination of the Selby Local Plan would provide an opportunity for issues such as this to be raised prior to implementation, however, delaying the current process could be problematic.

The Member who submitted the motion suggested that this provided a good opportunity to determine whether the Plan provided sufficient social and affordable housing and that position could be easily tested. In view of the remarks from other Members he agreed to add, "without unduly delaying the implantation process" to his motion. This was accepted and again seconded

Resolved –

(i) The Selby and Ainsty Committee is concerned about the lack of affordable housing, both social renting and starter homes that enable young families to get on the housing ladder, in the emerging Selby Local Plan. We call upon the Executive to delay the decision to put the plan out for consultation whilst the percentage of affordable housing, currently 13%, is looked at by senior officers and the Selby district councillors, without unduly delaying the implantation process.

Voting on this motion was as follows:-

8 for, 7 against

(ii) That the report be noted and the recommendation outlined within the report be submitted to the Executive, alongside the comments of the Committee, with a recommendation for approval.

Voting on this was as follows:-

9 for, 5 against, 1 abstention

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North Yorkshire Council

Selby and Ainsty Area Constituency Committee
Development Plans Committee
Executive Committee
Full Council

21st February 2024

MALTKILN NEW SETTLEMENT – Submission of the New Settlement (Maltkiln) Development Plan Document

Report of the Corporate Director of Community Development.

1.0 PURPOSE OF REPORT

1.1 To consider the content of the Regulation 19 Draft New Settlement (Maltkiln) Development Plan Document (DPD) and accompanying submission documents and seek renewed agreement for submission to the Secretary of State for public examination.

1.2 To agree the process of decision making during the Examination in respect of agreeing modifications to the Plan and responding to questions from the Inspector (including the provision of supporting statements and documentation).

2.0 BACKGROUND

2.1 The development of a new settlement known as Maltkiln is a key part of the Harrogate District Local Plan's growth strategy, providing much needed homes and jobs in a sustainable location along the York-Harrogate-Leeds rail line. The broad location of the new settlement was established in the Harrogate District Local Plan (adopted 2020), but the Plan states that the boundary, form and nature of the new settlement will be set through a development plan document (DPD).

2.2 A draft DPD has now been prepared which sets an ambitious thirty-year vision for Maltkiln and a policy framework to guide how it is developed. Its evolution has been underpinned by evidence base work, community involvement and public consultation. The next and final stage of the DPD process is submission to the secretary of state for an examination in public. This will allow independent scrutiny of the DPD and allow a further chance for communities and stakeholders to influence the process and the final DPD. If adopted, the DPD will provide a robust framework for the Council to guide and manage the long-term development of Maltkiln.

2.3 A decision was taken by former Harrogate Borough Council in September 2022 to publish the Regulation 19 consultation and submit the DPD for examination thereafter. This decision still has legal standing, but given the time that has elapsed for the reasons set out below it is felt prudent to seek re-confirmation of that decision. This report also provides an opportunity to present and agree the final

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submission documents, many of which have been updated following Reg 19 consultation held in Autumn 2022.

2.4 Additionally, delegated authority is sought to ensure the efficient running of the examination in public.

3.0 THE DRAFT NEW SETTLEMENT (MALTKILN) DPD

What is the DPD and Why is it Important?

3.1 The draft DPD sets a clear and ambitious thirty-year vision for Maltkiln and a policy framework to guide how it is developed. The policies and proposals in the draft DPD aim to create a mixed-use settlement, where people have access to homes, a range of employment types, local services and facilities, public transport and open spaces. This mix of uses is focused around the Cattal rail station and the new local centre enabling the residents to benefit from key walking, cycling and public transport corridors. Maltkiln will deliver as a minimum 3,000 homes and 5ha of employment land, plus additional employment opportunities within the local centre alongside supporting home working and flexible working, including the provision of flexible co-working space within the local centre.

3.2 Preparation of Development Plan Documents is governed by planning legislation and progression of the DPD through the final stages of the process will allow the Council to give increased weight to the Plan in the determination of planning applications. If adopted, full weight can be given to DPDs and therefore in the case of the New Settlement (Maltkiln) DPD, allow the Council to drive development of the new settlement in a comprehensive manner, ensuring that appropriate infrastructure is provided and that the vision for a zero-carbon settlement is realised.

4.0 PREPARATION OF THE DPD

4.1 This section provides more detail about how the DPD was prepared, including how communities were involved and how matters such as climate change were addressed. It also covers how the necessary legal requirements were met in terms of environmental appraisals, duty to cooperate etc. It also covers delivery of the new settlement, which was discussed at the Council's Executive on the 12th of December 2023.

Community Involvement

4.2 The Draft DPD was developed in consultation with community groups and specialist organisations, ensuring policies are deliverable and as far as possible, reflect the aspirations of wider communities.

4.3 Early, informal stakeholder engagement was integral to the development of the Concept Framework – the first piece of work undertaken to inform the DPD. This targeted engagement helped develop the evidence base, key themes and options for how the new settlement could look and workshop/drop in events were held in May, July and September of 2018.

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4.4 In addition to the Harrogate Borough Council's Statement of Community Involvement (SCI) which sets out the approach to community engagement and consultation, the former Harrogate Borough Council also developed a bespoke Engagement Strategy which outlined additional measures and methods that the council aspired to use to make sure that as many people as possible could engage with the DPD and were not disadvantaged by circumstances arising from Covid-19 in particular. This was informed by District and Parish Councillors as well as the campaign group active at the time, Keep the Hammertons Green.

4.5 At the request of the local community, a community liaison group was established comprising of representatives from the relevant parish, district and county councils. The local campaign group and the promoters of Maltkiln were also invited to attend. The group's remit was to act as a sounding board for the development of the Maltkiln DPD and provide a forum through which questions and issues relating to the DPD can be raised. The sessions have always been well attended and constructive feedback and ideas were provided.

4.6 Regulation 18 consultation ran from Monday 19 October 2020 to Friday 22 January 2021 (a little over 13 weeks); the statutory period extended at the request of the local community. This consultation sought views on the vision and objectives for the new settlement, three concept options for how the new settlement may be laid out, as well as highlighting the emerging preferred option.

4.7 Comments received during the Regulation 18 consultation on the Draft Local DPD were considered and have fed into the content of the Publication Draft DPD. The Publication Draft DPD was published for consultation in October 2022.

4.8 All responses received have been considered. A summary of the key issues raised, and the Council's response is contained within the consultation statement (Appendix 3). In some cases, these have prompted proposed amendments for the Inspector to consider during the examination in public. These proposed amendments aim to provide further clarity to the policies proposed and do include any significant changes to the policies within the Regulation 19 draft. A schedule of these is included in Appendix 2 and have also been incorporated into a version of the Regulation 19 Draft using tracked changes for ease of reference.

Infrastructure

4.9 An Infrastructure Delivery Plan (IDP) has been prepared to identify the key infrastructure necessary to facilitate and support the development of the new settlement in a timely, co-ordinated and sustainable way, including transport Infrastructure. The IDP includes a cost schedule, which sets out the source of funding for each item of infrastructure. The information within the IDP has been prepared in consultation with infrastructure providers and the site promoter and has informed an assessment of viability. The IDP and Viability Reports can be found in Appendix 9 and Appendix 10.

Climate Change Strategy

4.10 The New Settlement (Maltkiln) DPD has been developed with climate change mitigation and resilience at the forefront, and the former Harrogate Borough Council

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commissioned a Climate Change Strategy (Appendix 13) to explore the best ways to achieve its climate change ambitions in the DPD. This was developed in consultation with the Harrogate District Climate Change Coalition (which included local community action groups and key stakeholders). The strategy identifies four priority areas for action:

- Net zero carbon movement and active travel;
- Net zero carbon energy supply and use;
- Inclusive flexible living and working;
- Climate resilience.

4.11 Taken together the climate change policies in the DPD seek to ensure that each of the four climate change priorities are secured.

4.12 It is important to note that the policies in the DPD require more ambitious action than the adopted Local Plan. Therefore, the recommendation to secure delivery and progression of the DPD will have a positive effect on the Council's climate change aspirations by seeking to achieve that development is carbon net zero across all phases.

Duty to Cooperate

4.13 The Council has an ongoing Duty to Co-operate discussions with neighbouring authorities in regard to plan-making. The duty to cooperate is not a duty to agree, but local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before submitting their Local Plans for examination.

4.14 The principle of a new settlement was established via policy DM4 of the adopted Harrogate District Local Plan. In submitting that plan for examination a Duty to Co-operate statement was provided that set out the steps that had been taken to fulfil the Duty to co-operate requirements and concluded that there were no outstanding issues of strategic importance. This highlighted those bodies where on-going dialogue would be needed as the Maltkiln DPD was being prepared, including City of York Council, Network Rail, Highways England (National Highways) and the former North Yorkshire County Council.

4.15 The former Harrogate Borough Council worked closely with the former North Yorkshire County Council on the development of policies, in particular in respect of education and transport. In addition, there has been dialogue and meetings with Network Rail, National Highways, Environment Agency, and Historic England as the DPD has been prepared.

4.16 Regular dialogue has also taken place with City of York Council and Leeds City Council throughout the preparation of the DPD and both organisations have committed to formalising Statements of Common Ground to assist the anticipated examination in public. Further details can be found in the New Settlement Duty to Co-operate Paper in Appendix 8.

Environmental Appraisals

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4.17 In preparing the DPD the Planning and Compulsory Purchase Act 2004 requires that a Sustainability Appraisal (SA) is undertaken. Alongside this there is a requirement to undertake a Strategic Environmental Assessment (SEA) in line with the EU Directive on Strategic Environmental Assessment. The Sustainability Appraisal undertaken to inform the DPD incorporates the requirements of the SEA Directive.

4.18 The SA is an iterative process for considering and communicating the likely significant effects of an emerging plan, and reasonable alternatives, in relation to economic, social and environmental factors. The aim of SA is to inform and influence the plan-making process with a view to avoiding or mitigating negative effects and maximising positive effects. Through this approach, the SA seeks to maximise the emerging DPDs contribution to sustainable development.

4.19 The Council commissioned AECOM to prepare an SA to support the Maltkiln DPD. The SA report (Appendix 4) documents the process; specifically, it:

- summarises the effects of reasonable alternatives
- summarises the cumulative/combined effects of the DPD
- makes recommendations for improvements
- sets out a monitoring framework

4.20 The Conservation of Habitats and Species Regulations 2017 (as amended) require that '… before deciding to … give any consent for a plan or project which is likely to have a significant effect on a European site … shall make an appropriate assessment of the implications for the site in view of that sites conservation objectives… The authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site'.

4.21 In October 2020 the Council produced a Habitats Regulations Assessment Screening Report which concluded that no likely significant effects would arise on any such European sites from the development of, either alone or in combination with other plans and projects. AECOM were then commissioned to review the Publication Draft DPD and produce an updated Habitats Regulations Assessment (HRA). This report is set out at Appendix 5.

4.22 Following the Regulation 19 consultation, representations on both the HRA and SA were considered. A summary of the issues raised, as well as responses, are set out in Appendix 4 and 5. The conclusion of these reports is that there is no change in the scoring/outcomes of the assessments undertaken. Additionally, it is not considered that any of the proposed amendments included in Appendix 5 require any further SA at this stage.

Equality Analysis

4.23 The Equality Act 2010 prohibits discrimination on the grounds of the following nine characteristics: age, disability, gender reassignment, marriage or civil partnership status, pregnancy and maternity, race, religion or belief, sex (gender), and sexual orientation. Within the legislation these characteristics are termed protected characteristics.

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4.24 The Act introduced a new public sector equality duty, replacing similar duties under previous legislation. The new duty requires public bodies, such as Harrogate Borough Council, to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

4.25 Completion of an Equality Analysis Report (see Appendix 6) has been on-going process that has taken place alongside the preparation of the DPD in order to inform its content and ensure that the plan meets the three aims of the equality duty. Further detail can be found in Section 10 of this report which sets out more detail about the equalities implications of the DPD.

Delivery

4.26 In January 2023 (following the Regulation 19 consultation) the Council were notified that an area of land included within the proposed boundary (See Appendix A) was no longer available. The land which has been withdrawn forms a substantial part of the proposed new settlement area (approx.128ha or 42% of the total area). Importantly, the land occupies a significant area around Cattal Rail Station which is intended to be the focal point of the settlement and provide a range of services to ensure that the settlement is an exemplar of sustainable development.

4.27 The Council paused submission to consider the implications of this for the DPD. Work was undertaken to explore whether the objectives and policies of the proposed DPD could be met on remaining land within the proposed boundary, or other land in the broad location by amending the boundary. A range of options were explored, including:

- Delivery of a new settlement on the remaining land within the proposed boundary;
- Extend the boundary to include the land available and additional land to the north, south, east and west;
- Deliver a new settlement on the previously discounted options (published for consultation in October 2020).
- Keep the remaining DPD boundary and use CPO powers to acquire all or some of the unavailable land.

4.28 These options were presented to Executive on the 12th December 2023 (hyperlink to report/minutes) who resolved to pursue delivery of the DPD Maltkiln on the basis that, if an agreement cannot be reached with the owners of the land outlined, the Council would, in principle, be willing to use its Compulsory Purchase Powers (CPO) to ensure delivery of the new settlement. In this regard, it will be noted that the landowners had previously made their land available and supported the DPD, and it is the Council's intention to engage further with the Landowner to ascertain whether there is scope for a negotiated agreement.

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4.29 This decision that the Council is willing in principle to use its compulsory purchase powers will assist in demonstrating that Maltkiln remains deliverable, even if agreement cannot be reached. This allows the Council to progress the proposed Maltkiln DPD through the final stages of the development plan process, with the aim of achieving an adopted Plan to guide development of the new settlement.

5.0 NEXT STEPS

5.1 Upon submission, the Secretary of State appoints an Inspector to carry out an independent examination. This process is dealt with by the Planning Inspectorate.

5.2 During the course of the Examination it is expected that the Inspector will request further information and opinions from the Council. In the main officers of the Council will provide responses to the Inspector based on the content of the DPD and its supporting evidence. However the Inspector may seek the Council's views on matters such as:

- Whether alternative policy wording would be acceptable.
- How a particular policy issue should be addressed through amended wording or a new policy.
- Whether an alternative approach would be preferable.

5.3 In order that the Examination can progress efficiently prompt responses will be required. It is not unusual during the course of hearing sessions for a formal position on a matter to need to be established over night following the close of the day's session. The hearing sessions are run to a timetable set by the Inspector; without delegated authority maintaining the timetable would be impossible.

5.4 It is important to note that whilst delegated powers will allow a formal position to be presented to the hearing sessions on behalf of the Council, ultimately resultant modifications will be for Full Council (with prior consideration at Development Plans Committee) to agree before the Plan is adopted.

6.0 CONTRIBUTION TO COUNCIL PRIORITIES

6.1 Delivery of Maltkiln would make a significant contribution to a number of council priorities, specifically:

- Providing good quality, affordable and sustainable housing that meets the needs of our communities
- Creating a well-connected and planned place with good transport links and digital connectivity
- Providing economically sustainable growth that enables people and places to prosper
- Assisting new and existing businesses to thrive and grow
- People are supported to have a good quality of life and enjoy active and healthy lifestyles
- Supporting the Council's climate change ambitions

7.0 ALTERNATIVE OPTIONS CONSIDERED

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7.1 **Stopping progression of DPD and consider as part of the new Local Plan for North Yorkshire:**

This is not recommended as the principle of a new settlement in the Cattal area has already been rigorously tested through the local plan examination process and been found sound. Aside from the issue of land availability (which has been resolved through resolution to use CPO powers if needed), there is no good reason to doubt that conclusion, or to presuppose that a later Local Plan would come to a different conclusion. As demonstrated in the Harrogate District Local Plan examination, this location represents a sustainable location on a railway line to serve demand in the housing market area. Additionally, a promoter is still in place to deliver the scheme. Therefore, re-opening debate on the merits of Maltkiln through a new Local Plan process would constitute unnecessary resource and delay. Stopping progression of the DPD would also undermine the ability of the Council to pursue a plan-led approach to the new settlement in the event of speculative planning applications in the area.

7.2 **Not to delegate authority to the Corporate Director Community Development in consultation with the Executive Member for Open to Business, to make decisions during the examination in public:**

This is not recommended as it would result in delays to the examination process and therefore adoption of the DPD.

8.0 FINANCIAL IMPLICATIONS

8.1 Progressing the DPD through an examination in public will incur expenditure, including:

- Costs of hosting and resourcing the examination (although it is hoped that this can be reduced by hosting the examination at North Yorkshire Council offices).
- Costs of the Planning Inspector (the Planning Inspectorate charge a day rate for Inspector time).
- Appointment of an independent Programme Officer to administer the examination and act as point of communication with the Inspector (please note that this is a requirement of the Regulations guiding development plans).
- Legal fees – it is envisaged that the Council will need to seek specialist legal advice throughout the examination in order to minimise risk of legal challenge / judicial review.
- Costs associated with further consultation if mandated by the Planning Inspector.

8.2. It is difficult to quantify the costs of an examination in public because the duration is determined by the planning inspectorate and the issues raised. £126,500 was allocated by the former Harrogate Borough Council to cover the cost of examination. This was held in reserves that have now transferred to North Yorkshire Council.

9.0 LEGAL IMPLICATIONS

9.1 Officers have prepared a legal compliance and soundness checklist in line with best practice guidance in order to ensure that all legal requirements and tests of

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soundness have been met. This concludes that the DPD has met the necessary tests.

9.2 Both Development Plans and Compulsory Purchase Powers are governed by legislation, specifically The Town and Country Planning (Local Planning) (England) Regulations 2012 and the Town and Country Planning Act 1990 (Section 226).

9.3 The Council has sought legal advice from its Planning lawyers(s) throughout the preparation of the DPD and has consulted the Head of Legal Services in preparation of this report.

9.4 The Council has also sought independent specialist legal advice in relation to using CPO as a possible mechanism for delivery if negotiations are not successful in order to ensure that any legal risks to the Council are minimised.

10.0 EQUALITIES IMPLICATIONS

10.1 Equality analysis has taken place alongside the development of the New Settlement DPD to understand the potential effects of emerging policies on people with protected characteristics and to use this information to seek to eliminate negative effects and maximise positive effects.

10.2 The analysis concludes that none of the policies have an overall negative effect and indeed many policies have positive effects for individuals and groups with protected characteristics, with the greatest number relating to the characteristics of age and disability. It also shows that, through a large number of policies, the DPD will advance the equality of opportunity in relation to most protected characteristics. To a lesser degree the DPD will also help to foster good relations between groups.

10.3 It is therefore considered that all reasonable and proportionate steps have been taken to maximise the positive equality benefits that will be realised through delivery of the DPD and that the plan will not lead to discrimination, harassment or victimisation but will help to eliminate such conduct. Implementation of the DPD will also advance the equality of opportunity for individuals and groups with protected characteristics and help to foster good relations between groups.

10.4 It is not considered that any of these conclusions would be altered by the use of compulsory purchase powers in order to deliver the new settlement.

11.0 CLIMATE CHANGE IMPLICATIONS

11.1 The adopted Harrogate Local Plan 2014-2035 included a new settlement in its growth strategy as a way to meet housing and economic development needs in a sustainable way, with services provided that reduce the need for travel. In addition, the broad location for the new settlement was chosen in order to maximise the opportunities for sustainable travel.

11.2 The New Settlement (Maltkiln) DPD has been developed with climate change mitigation and resilience at the forefront, and the former Harrogate Borough Council commissioned a Climate Change Strategy to explore the best ways to achieve its climate change ambitions in the DPD. This identifies four priority areas for action:

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- Net zero carbon movement and active travel;
- Net zero carbon energy supply and use;
- Inclusive flexible living and working;
- Climate resilience.

11.3 Taken together the climate change policies in the DPD seek to ensure that each of the four climate change priorities are secured.

11.4 It is important to note that the policies in the DPD require more ambitious action than the adopted Local Plan. Therefore, the recommendation to secure delivery and progression of the DPD will have a positive effect on the Council's climate change aspirations by ensuring that development is carbon net zero across all phases.

12.0 REASONS FOR RECOMMENDATIONS

12.1 In order to comply with the requirements of the Town and Country Planning (Local Planning) (England) regulations 2012.

12.2 Having in place an up to date set of policies and proposals to define the boundary, form and nature of the new settlement enables the Council to continue to lead, guide and manage the long-term development of Maltkiln.

12.3 Delegated authority will ensure that matters raised by the Inspector can be dealt with promptly to ensure the efficient running of the examination.

13.0 RECOMMENDATIONS

i) That the Council submit the Submission Draft DPD and accompanying submission documents to the Secretary of State for examination.

ii) That the Corporate Director Community Development in consultation with the Executive Member for Open to Business, be authorised to make minor amendments and graphical improvements to the Submission Draft DPD and submission documents prior to submission.

iii) That for the period of the examination in public, delegated authority be given to the Head of Infrastructure and Delivery, in consultation with the Executive Member for Open to Business, to:

a. provide formal responses to questions from the Inspector alongside other supporting statements and documentation as requested by the Inspector.
b. agree modifications to the plan through the examination period in order to make the plan sound.
c. To undertake all other necessary steps required as part of the examination

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APPENDICES:

Core Submission Documents

Appendix 1: New Settlement (Maltkiln) DPD Regulation 19 Pre-Submission Draft October 2022
Appendix 2: New Settlement (Maltkiln) DPD Submission Draft Proposed Modifications Schedule February 2024
Appendix 3: New Settlement (Maltkiln) DPD Submission Draft Consultation Statement Feb 2024
Appendix 4: New Settlement (Maltkiln) DPD Submission Draft Sustainability Appraisal Feb 2024
Appendix 5: New Settlement (Maltkiln) DPD Submission Draft Habitat Regulations Assessment Feb 2024
Appendix 6: New Settlement (Maltkiln) DPD Equality Analysis Submission February 2024

Supporting Submission Documents

Appendix 7: New Settlement (Maltkiln) DPD Soundness and Legal Compliance Assessment Feb 2024
Appendix 8: New Settlement (Maltkiln) DPD Duty to Cooperate Paper February 2024
Appendix 9: New Settlement (Maltkiln) DPD Viability Assessment
Appendix 10: New Settlement (Maltkiln) DPD Submission Draft Infrastructure Delivery Plan Feb 2024
Appendix 11: New Settlement (Maltkiln) DPD Strategic Green Gap Background Paper Oct 2022
Appendix 12: New Settlement (Maltkiln) DPD Access and Movement Background Paper Feb 2024
Appendix 13: New Settlement (Maltkiln) DPD Climate Change Strategy October 2022
Appendix 14: New Settlement (Maltkiln) Flood Risk Sequential Assessment October 2022
Appendix 15: New Settlement (Maltkiln) DPD Heritage Impact Assessment October 2022

Appendix A : Equality Analysis Screening Form
Appendix B : Climate Change Screening Form

BACKGROUND DOCUMENTS:

Report to the Executive Committee 12th December 2023: Delivery of the New Settlement (Maltkiln) Development Plan Document. Report can be viewed on the Council's website: Maltkiln Development Report.pdf (northyorks.gov.uk)

Corporate Director – Nic Harne, Corporate Director Community Development
County Hall
Northallerton
November 2023

Report Author – Tracey Rathmell, (Head of Infrastructure and Delivery)
Presenter of Report – Tracey Rathmell, (Head of Infrastructure and Delivery)
Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

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Feedback from

Development Plans Committee (16 January 2024)

and

Selby and Ainsty Area Constituency Committee (19 January 2024)

Maltkiln New Settlement

Development Plans Committee – 16 January 2024

Members highlighted the following in relation to the report:-

- This provides an opportunity for a new settlement, to deliver new housing in a planned and sustainable way.
- A Member asked that the Community Liaison Group be provided with an opportunity to comment on the Plan. He also asked, should the Plan not be approved as stated, or be delayed, whether the area could then be open to speculative applications for development. In response it was stated that the Council had a duty to determine applications in line with the adopted Local Plan. The weight to which the Council could attach to the DPD would depend on a number of factors, including how far advanced it was and the extent to which there were outstanding issues. Without the DPD, there would not be a detailed policy framework to guide development. It was therefore noted that not progressing the DPD would be a risk.
- It was stated that an area of previously available land within the proposed boundary had been withdrawn and that Executive had resolved to use Compulsory Purchase Powers if necessary. Concern was raised that the Compulsory Purchase Order (CPO) process could delay the Plan or could leave the development without the necessary infrastructure. In response, it was emphasised that DPD seeks to ensure a holistic approach would be undertaken to deliver the Plan and the required infrastructure.
- A Member stated that he was opposed to this development as he considered that the Flaxby Golf Course was a more preferential site, which would not have required the costly process of CPOs for delivery. It was stated, in response, that there had been extensive consideration of the broad location during the Local Plan process. In relation to the costs of CPO, the report to Executive outlined a number of options to take this forward if necessary, including some at minimal risk and cost to the Council.
- The Chair emphasised that the potential use of CPO was not being used as threat to force the landowner to agree to the use of the land, but would only be utilised if absolutely necessary.
- A Member asked about the potential length of time for the CPO process. In response it was noted that the process was governed by regulations and was likely to take between 1 year and 18 months.
- In response to a Member it was noted that Counsel advice indicated a resolution in line with the report's recommendation was sufficient to satisfy the Inspector that the scheme was deliverable and itis envisaged that the DPD would need to be adopted before any CPO proceedings. It was stated that timescales for an examination in public are difficult to predict, but on average the process from adoption to submission takes around 1 year.

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- Members emphasised the need to see the Plan through to its fruition as there had been far too much work and consultation undertaken to start the process from the beginning and the Plan provided an opportunity to guide development of the new settlement.
- The proximity to rail links was a major positive for Maltkiln and Members emphasised the need for these to be achieved successfully. It was stated that there was still available land near to the railway station and rail links are very much at the heart of the proposal and there are policies proposed to ensure this
- A Member asked whether the process and procedure for development would be commenced before any action on CPOs would be undertaken. In response it was noted that this was a long-term development – indeed the adopted Harrogate Local Plan envisaged the 1000 dwellings by 2035 – and a development of this scale would always be developed in phases.
- A Member stated that the site had been chosen for its sustainability as it provided an opportunity to link into other forms of transport to serve the area rather than relying on the private car. It was also chosen to ensure that there was not a reliance on having to add development on to existing settlements in an attempt to avoid these becoming overpopulated and strain being put on local services and infrastructure.
- Concern was expressed that costs of both CPO of the land and infrastructure for the development may not be fully compensated by the developer resulting in costs for the Council. It was emphasised that infrastructure costs on major schemes are ordinarily met by the developer and that there were a variety of options available to the Council should it need to pursue a CPO.
- It was suggested that clearer and stronger emphasis should be placed on the work being undertaken towards ‘net zero’, within the Plan as this may be difficult to quantify at the public examination stage.
- A Member raised concerns regarding the withdrawal of the land resulting in the need for CPO and the affect this would have on the proposals, especially should the CPO process be delayed. It was stated that a phased approach was a normal for large scale developments such as new settlements and that various options would be considered as to how to progress the new settlement once the DPD had been submitted for examination. It was reiterated that the CPO process would only be utilised if absolutely necessary and that further work would need to be undertaken to determine how this would be achieved.
- Details of the education provision were requested and whether sufficient space had been set aside for playing fields. In response it was stated that officers had been working with colleagues in education throughout preparation of the DPD and that the proposed framework included 2 primary schools. It was explained that education officers did not expect that a Secondary School would be required, given the size of the settlement, therefore, facilities at Boroughbridge High School would be extended and a bus would operate to and from that school to accommodate pupils from the new settlement. The DPD includes safeguarded land for a secondary school should the need emerge in the future.
- A Member asked, should the development not take place, where the required housing would be provided as the difficulty of adding development to existing towns and villages had been explained earlier in the meeting. In response it was stated that the issue would require further investigation to identify appropriate sites, should this

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be the case. Picking up on this issue, a Member stated that, despite having some reservations around the potential CPO of land to deliver the scheme, it was necessary that the new settlement was agreed to allow the process of delivery to be undertaken, to address housing issues in the area.

Resolved:-

That the report be noted and the recommendation outlined within the report be submitted to the Executive, alongside the comments of the Committee, with a recommendation for approval.

(All Members voted in favour other than 1 abstention)

Selby and Ainsty Area Constituency Committee – 19 January 2024

Members highlighted the following in relation to the report:-

- It was clarified that the new settlement was located within the Constituency Area, which was why it was being considered by the ACC, before ultimately being considered by Full Council. It was expected that the Plan would be submitted for Public Examination in March 2024, with hearings anticipated to take place in the Autumn of 2024.
- A Community Liaison Group has been established to feed into the planning of Maltkilnand the dialogue through this has been useful.
- A Member asked whether Counsel's Advice was available to be shared with Members, in a similar position as for the Selby Local Plan, in respect of the amount of affordable housing to be included in the settlement and the potential CPO process required. In response it was noted that the overall legal advice for both Maltkiln and the Selby Local Plan was contained in one document, and the most appropriate method of sharing that information would be discussed with legal officers.
- In terms of the provision of affordable housing the remit of the Local Plan set an expected delivery target of 40% however it was emphasised that this could be challenging in the earlier phases of delivery.
- A Member asked about the potential cost of undertaking CPOs to acquire the necessary land. He stated that he would like all such issues to be addressed through the sharing of the legal advice and through disclosure by officers, before the Plan was progressed. He raised concerns regarding the potential costs having to met by the Council unless the position was clarified beforehand.
- A Member stated that, whilst understanding the concerns of the Member, there would always be issues to resolve in terms of providing new settlements. He considered that this proposal had come too far to drop at this stage due to the concerns outlined, and asked that this be moved forward appropriately as it was a good example of a new settlement which provided the much needed experience for the Council of such a development, going forward.

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Resolved:-

That the report be noted and the recommendation outlined within the report be submitted to the Executive, alongside the comments of the Committee, with a recommendation for approval.

Voting was as follows:-

10 for

2 against

2 abstain

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North Yorkshire Council

Executive

6 February 2024

Community Infrastructure Levy Spending Protocol and Infrastructure Funding Statement 2022/23

Report of the Corporate Director of Community Development

1.0 PURPOSE OF REPORT

1.1 To approve the Community Infrastructure Levy (CIL) Spending Protocol which oversees the convergence of legacy council's CIL receipts and collection, auditing and spending of future CIL monies. This ensures that CIL serves its purpose of contributing to the delivery of the infrastructure necessary to support development in North Yorkshire (set out in Section 4 of this report).

1.2 To approve the 2022/23 North Yorkshire Annual Infrastructure Funding Statement and publish on the North Yorkshire Council website

2.0 BACKGROUND

What is the Community Infrastructure Levy (CIL)?

2.1 Community Infrastructure Levy (CIL) was introduced in 2010 through the Community Infrastructure Levy Regulations 2010, which were updated in 2019. CIL is one of three distinct mechanisms by which new development can contribute funding for the infrastructure needed to support it. Others being S106 Planning Obligations and s278 highway pre-requisites.

2.2 CIL takes the form of a tariff per square metres of additional floorspace and is only payable for certain types of development in certain locations also known as zones. The specific CIL charging rates, types of development and charging zones are identified in a local authority specific Charging Schedule and the rates are based on viability testing and identified funding gaps for infrastructure necessary to support future development. The CIL Charging Schedule is subject to public consultation and independent Examination. The implementation of CIL by a local authority is not mandatory and there are some areas where after viability testing, it is concluded that development could not bear the additional costs of CIL.

2.3 CIL differs fundamentally from S106 in that the funds collected are not tied to a specific development or the provision of specific infrastructure. Unlike infrastructure provided through S106 planning obligations, which must be necessary to mitigate the impact of a particular development and used only for that specific purpose, CIL funds can be used flexibly to fund any infrastructure as defined within the regulations.

2.4 On receipt, CIL payments are divided into three parts in line with the CIL regulations as follows:

- **Neighbourhood Portion**: For communities without a 'made' Neighbourhood Plan 15% of CIL receipts are passed twice a year to those Parish Councils where

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development has taken place to be spent on local priorities (capped to a maximum of £100 (index linked) per existing council tax dwelling). Communities with a 'made' Neighbourhood Plan (or in areas where there is a Neighbourhood Development Order) will receive 25% of the levy revenues arising from the development that takes place in their area. This amount will not be subject to a maximum limit. Unparished areas will still benefit from the relevant neighbourhood portion however, in line with Government guidance, the charging authority will retain the CIL receipts and consult and engage with the community where development has taken place to establish how to spend the Neighbourhood funding.

- **Administration** 5% of the total amount of CIL collected in that year will be applied to administrative expenses incurred in that year. In line with government guidance, any unspent funds at the end of a year from the administrative portion will be treated as general funds.

- **Strategic Funding Po**t The remaining funds (70% or 80% of the levy) will be retained by the charging authority to be spent on infrastructure that supports growth within the area. This 'pot' should be spent on a prioritised list of infrastructure projects.

Spending of CIL

2.5 The CIL Regulations, whilst being very clear about the 'rules' for collecting CIL, does not prescribe the process for spending. It is expected that individual charging authorities develop their own process for determining spending priorities with the only requirement being that CIL is used to fund infrastructure. The National Planning Policy Guidance states that the levy can be used to fund a wide range of infrastructure including transport, flood defences, schools, hospitals and other health and social care facilities. This definition therefore allows the levy to be spent on a very broad range of facilities and gives local areas the opportunity to choose what infrastructure is needed to deliver the Local Plan. In essence, the only government guidance is that it must be spent on infrastructure needed to support the development of the area and the charging authority must decide what infrastructure is needed.

2.6 Whilst the CIL regulations are not specific about the decision-making process for prioritising the spending of CIL, they do set out requirements on local authorities to monitor, report and publish annually, details of all funding received and all expenditure of CIL funding for the previous financial year. This has to be completed through the annual Infrastructure Funding Statement (IFS) which the Council is required to produce and publish each year. The IFS also has to include a list of agreed spending priorities and/or individual projects which CIL is expected to be spent on for the forthcoming year. This is known as the Infrastructure List. The regulations also allow CIL and S106 monies to be spent on the same infrastructure.

2.7 The 2023 IFS will be based on information for the financial year 2022/23 so whilst being one document for North Yorkshire, it will be split to report on the individual financial information for each legacy district council. This report will not include the infrastructure list identifying the future spending priorities as these have not yet been established. The 2024

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IFS will report on the financial details for the first financial year of the new authority and will include an Infrastructure List.

2.8 The Community Infrastructure Levy (CIL) Regulations have been amended several times since 2010. The latest amendments came into force on 1 September 2019. These latest amendments to the Regulations make a number of significant changes to the operation of CIL and Section 106 planning obligations, specifically giving councils greater flexibility over the identification of infrastructure priorities. These changes, together with LGR, are particularly relevant to North Yorkshire Council now as a Unitary Authority.

CIL in North Yorkshire

2.9 The Community Infrastructure Levy is a charge which can only be implemented by a planning authority. In two tier authorities this would be a District or Borough Council – for CIL purposes these are known as 'Charging Authorities'. Prior to LGR the following existed:

- Four charging authorities (Hambleton, Harrogate, Ryedale and Selby) with their own CIL Charging Schedules
- No CIL in Craven, Richmondshire and Scarborough

2.10 Since LGR North Yorkshire Council has become the CIL Charging Authority and the implications of this are:

- there is now one Charging Authority Area, North Yorkshire Council rather than the previous four areas of Harrogate, Hambleton, Ryedale and Selby
- there are four Charging Schedules each corresponding to the former district areas
- CIL does not operate in the former Craven, Richmondshire and Scarborough Council areas. In these areas, S106 and S278 agreement are the sole obligation mechanisms so there are different considerations

2.11 Until the new Local Plan has been adopted the existing Local Plans and CIL Charging Schedule will continue to apply within those legacy District Council areas, unless viability issues indicate that it should be reviewed. It is necessary however to ensure that a consistent approach is developed to address the following:

- where CIL monies collected in legacy charging authorities should be spent
- developing a priority spending list (or lists) to guide CIL spend
- develop a process at officer level for creating, maintaining and reviewing the priority list of projects and recommending projects for spend
- Set out the process for political sign off for spend

2.12 The majority of the legacy Councils did not have a consistent list of CIL spending priorities or governance arrangements as shown in the table overleaf. This emphasises the importance of developing a consistent approach across the new area.

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Legacy Charging Authority	Existing CIL Spending Priorities	Existing CIL Spending Decision Making Process	Approx £ in CIL Pot **(at 1/4/23)**[1]
Selby	Infrastructure Delivery Plan (IDP) for emerging Selby Local plan to set future infrastructure priorities. Current priorities are: • Improvements to Strategic Highways Network • Strategic Flood Mitigation Measures • Healthcare provision	No formal arrangements had been established for spending decisions, with the two committed schemes being determined by Executive.	£2m
Hambleton	Key strategic infrastructure schemes in relation to the planned growth of the district in terms of need, timing and relevance to the Development Plan and wider Council published priorities are prioritised and CIL monies allocated accordingly	Spending decision based on 'bidding' process where bids received by Planning from a variety of sources (colleagues, elected members, community groups directly), Decisions taken by Management Team, Cabinet and Council (and recently the section 24 approval process). This bidding process was only carried out once. However approx. £3.2 million was allocated to projects	£2.2m
Ryedale	No prioritised list of Infrastructure projects to inform CIL spend prior to reorganisation however it was anticipated that the infrastructure requirements listed in the development plan would have been the basis for a priority list.	In the run up to reorganisation, RDC tried to establish a 'Community Grant Scheme' process to spend the CIL money accrued. This was not approved so no process in place however an allocation of £2million funding towards improvement works at Welburn Hall School was approved by NYC Executive in June 2023. This will appear in the 2023/24 IFS.	£3.2m[2]
Harrogate	Harrogate District Infrastructure Delivery Plan 2018 identified infrastructure required to support delivery of the Local Plan. The IFS lists in broad terms the type of infrastructure that would be funded via CIL. Work on a specific CIL Expenditure Strategy was commenced and whilst agreed by Management Board was not signed off politically. This strategy involved developing a detailed list of infrastructure projects based on the IDP which would be prioritised.	Draft Expenditure Strategy identified the creation of an Officer group to: • review and agree projects to go on the Infrastructure List • Agree priority projects to recommend for progression • make recommendations to Cabinet or the appropriate committee for agreement, depending on the amount required, and will then follow normal procurement and tendering process.	£161K

[1] These figures are gained from the 2022/23 Infrastructure Funding Statement and do not take into account any CIL monies received or spending allocation decisions taken since 31/3/2023
[2] This figure is from 31/3/23 which is before the decision to allocate the £2million.

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The Future of CIL

2.13 The Levelling Up and Regeneration Act 2023 (LURA) which came into force in October 2023 provides the legislative framework for the introduction of a new Infrastructure Levy (IL) which is intended to replace the current system of developer contributions (CIL and S106). It will only come into force on the introduction of secondary legislation which will include more details about how it will operate. The IL will be rolled out gradually through a robust test and learn process and is expected to be extended nationally by around mid 2030.

2.14 The intention of the Infrastructure Levy is expected to be as follows:

- will be the main means for funding affordable housing
- can be spent on 'non-infrastructure' matters such as social care and childcare
- will be value based (% of the value of the completed property) compared to CIL which is a fixed charge per sq m
- will be mandatory for local authorities
- will apply to all types of development however the % charged will be differentiated
- will replace S106 agreements except for the largest, complex sites
- site specific integral infrastructure such as highways, flooding, drainage etc will be delivered through planning conditions or planning obligations called delivery agreements

2.15 CIL and S106 will continue to be used until the IL comes into force and it is expected that details on transition arrangements will be published by the Government nearer the time.

2.16 Whilst the intention to bring in the IL is clear from the LURA, as noted, it does require the introduction of secondary legislation, no date has been given for this and if approved will involve a significant lead in period. Therefore, it is imperative to ensure the introduction of a spending protocol for current and future CIL money to ensure the continual funding of vital infrastructure through the use of the current CIL arrangements.

2.17 The current CIL charging schedules for Harrogate, Hambleton, Ryedale and Selby will continue to operate and continue to collect money until the IL comes into force, existing Charging Schedules reviewed or a new CIL charging schedule is produced for the new council geography on the back of the new local plan. If the current CIL regime is to continue, and a new CIL charging schedule is prepared for the new council geography, there is no guarantee that CIL will continue to be charged in the existing areas or will be introduced in the areas where CIL presently does not exist. This is due to the fact that the justification and evidence governing the introduction of CIL and the relevant charging zones and rates is still based on viability and the ability of the development to bear the additional costs of CIL. Put simply whilst we might choose to introduce a CIL there may be areas of North Yorkshire that attract a zero tariff.

3.0 RECOMMENDED APPROACH

Geographical Scope of CIL Spending

3.1 As can be seen from the table above, there are significant differences in the 'size' of the CIL pots due to the length of time CIL has been in existence in each of the charging authority areas, and individual decisions about 'pot' building and spending. Harrogate for example only implemented CIL in October 2020 so after accruing a small amount in the CIL pot decided to allow the funding to accrue before significant expenditure was incurred however for some the 'CIL pot' is now a meaningful amount.

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3.2 As North Yorkshire is now the charging authority it is important to establish the geographical area for spending as the available spending 'pot' is the total of all the legacy Councils and therefore could be spent anywhere within the charging authority area including within those areas where CIL did not previously exist. It is important to remember however that discussion about the 'spending pot' refers to money within the Strategic CIL pot which is 75% or 80% of the total CIL received due to 15% or 25% being allocated to individual Parish/Town Councils through the Neighbourhood Fund. This enables local communities to spend money on local priorities.

3.3 There are two options therefore to be considered for the spending of legacy Strategic CIL as follows:

1. spent within the individual legacy authority areas of Hambleton, Harrogate, Ryedale and Selby where the CIL money was accrued and collected
2. pooled into a 'CIL pot' to be spent throughout North Yorkshire, regardless of where the CIL was accrued

3.4 Whilst there is no direct link required with CIL between a specific development and mitigation as in the S106 process, nevertheless there is a presumption that it should be spent on infrastructure that is needed to support new development allocated in the adopted Local Plan of the charging authority i.e that it directly relates to the growth identified in that Local Plan and in recognition that existing infrastructure of a local area should not be expected to simply 'absorb' new growth

3.5 In order to adopt a CIL Charging Schedule the charging authority must evidence that the viability of development in an area is enough to be able to withstand the extra costs of CIL and that there is a sufficient funding gap to the delivery of the necessary infrastructure identified in the IDP for the local plan. Whilst CIL money can be spent across the whole North Yorkshire area, CIL money should not be used to fix existing infrastructure deficits and the significant role of CIL in delivering the infrastructure required to bring forward the individual local plan allocations in the area it was collected needs to be recognised.

3.6 It is recommended therefore that whilst North Yorkshire is the new charging authority, CIL money should be spent on infrastructure projects that help deliver local plan growth within the area it has been accrued and collected. These areas will correspond to the individual legacy District Council areas of Harrogate, Hambleton, Ryedale and Selby. This recommendation will also result in the 2024 North Yorkshire IFS reporting separate CIL accounts for Hambleton, Harrogate, Ryedale and Selby. CIL money will therefore not be spent in the legacy District Council areas of Craven, Richmondshire and Scarborough. These areas will however still benefit from developer contributions through S106 and S238s. The only exception to this would be if money was needed to fund infrastructure projects in adjoining areas if they are identified as being needed to support local plan growth within the legacy CIL area e.g a strategic highway improvement in an adjoining authority (North Yorkshire or otherwise) that is needed to support a local plan allocation or priority in the legacy CIL area. Whilst this exception is possible, it would be expected that the majority of the CIL money available would be spent within the relevant legacy CIL authority area.

3.7 As detailed above, some of the legacy districts have a significant CIL pot and therefore it could be argued that pooling them into one CIL pot to be spent across the whole of North

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Yorkshire would be a more beneficial and efficient use of them. However, whilst these appear to be significant amounts of money, it is important to understand that the costs of the infrastructure projects identified in each of the individual legacy authority Infrastructure Delivery Plans to support and deliver the local plan growth and objectives are also substantial and the funding available is not sufficient to cover them all.

CIL Infrastructure Priority List/s

3.8 The Council has the responsibility for prioritising the spending of CIL. The only overarching rule is that CIL must be spent on infrastructure to support the overall development of the area. Infrastructure includes transport improvements, roads, pedestrian and cycle routes, sports and community facilities, libraries, schools, flood mitigation and coast protection. CIL can be spent on both capital projects and revenue projects such as the maintenance of infrastructure.

3.9 The adopted Local Plans of the former charging authority areas remain in force until such time as a new Local Plan for North Yorkshire is adopted. These plans and the associated Infrastructure Delivery Plans (IDPs) should continue to be used as the basis for CIL spending priorities.

3.10 Whilst the Strategic CIL pot is considerable for some of the legacy authorities it is still necessary to prioritise the projects within each Local Plan and IDP as there is not sufficient money available to fund the projects in their entirety. CIL in fact is not designed to fund infrastructure projects in total and therefore the IDPs also include reference to a wide variety of funding mechanisms including S106s, LEP funding, Central Government funding and direct investment from infrastructure providers themselves.

3.11 As there are no legal requirements about how CIL money should be allocated, there are a wide variety of options employed by charging authorities across the country to prioritise infrastructure projects ranging from percentage allocation, community bidding processes and ring fencing for one or two large projects or council priorities e.g education. Any process approved for North Yorkshire will be a transitional arrangement whilst the new Local Plan and any associated CIL policies are established and therefore it is important that it is not overly complex and can be something that can be implemented quickly and easily.

3.12 It is therefore recommended that for each of the legacy charging authority areas the following process should be introduced:

1) list of all infrastructure projects should be identified based on the individual IDPs, IFSs or those that meet the Local Plan priorities and objectives (Cross-service Officer Working Group)
2) these projects should then be prioritised using the following criteria: (Cross-service Officer Working Group)

Is it presently on the Infrastructure List from the IFS or IDP?
How does it support the delivery of growth or priorities within the Council's Local Plan? • number and importance of the site enabled by the project • is it 'essential' infrastructure in terms of type or timing of delivery • what is the geographical area covered by the project/improvement

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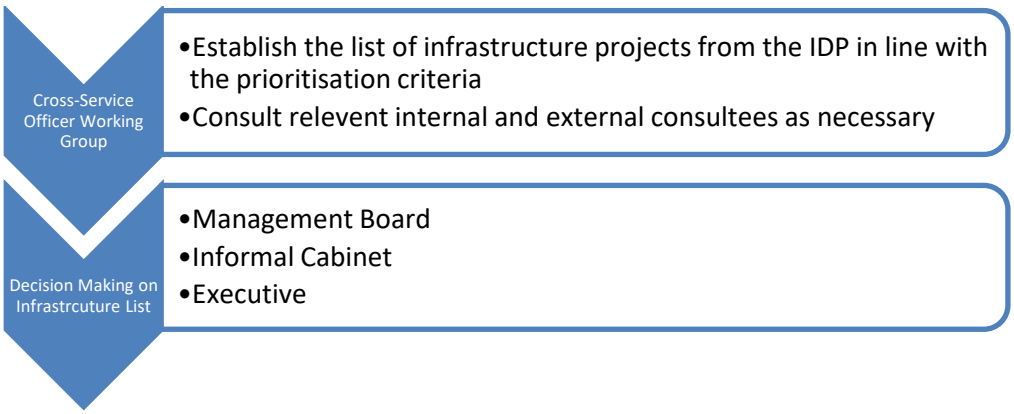
• what is the community benefit
Are there any alternative sources of funding that could be used to deliver the project, and if so which source(s);
Would it enable other sources of funding to be secured that would not otherwise be available (e.g. needed to match or draw down grant funding) and/or ensure timely delivery of projects partially funded through Section 106 legal agreements

3) Formal Decision making through Management Board, Cabinet and Executive

3.13 It is recommended that the annual infrastructure list for projects within former legacy authority charging areas will be drawn up, using the criteria above, by a cross service officer working group in consultation with relevant internal officers and external infrastructure providers where necessary. Changes made to the CIL Regulations in 2019 mean that public consultation would not be needed on the Infrastructure List,

3.14 The resultant list of prioritised projects will form the Infrastructure List which will be published within and will inform the preparation of the annual IFS which must be published each year. If agreed by the Executive whilst being one list, only money accrued in the respective district area can be spent on projects within that area (see Recommendation 1 of this report). It will be necessary to review the list each year through the process above.

The overall process is summarised in the flow chart below:



3.15 It is important to note that some infrastructure, such as utility services, will continue to be delivered by the private sector. Developers may need to contribute directly to the private sector utility companies for connections and reinforcements to the network. These form of infrastructure projects will therefore not be included in the consideration of projects for the infrastructure lists.

Spending Decision Making

3.16 As the annual Infrastructure List will have been formally approved by Executive, as long as there is sufficient levies accrued in the same former charging authority area, the authorisation of spend will follow the Council's financial management permissions

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3.17 As noted above, The Community Infrastructure Levy (CIL) regulations and National Planning Policy Framework (NPPF) require for any local authority that has received developer contributions (section 106 planning obligations or Community Infrastructure Levy) must publish online an infrastructure funding statement every year.

3.18 An IFS must contain:

- Details of the income and expenditure relating to Community Infrastructure Levy (CIL) and Section 106 (S106) agreements.
- A report on the infrastructure projects or types of infrastructure that the authority intends to fund wholly or partially with CIL (excluding the neighbourhood portion). This is to be known as the 'Infrastructure List'.

3.19 The 2022/23 IFS (Appendix C) covers the financial year before the formation of North Yorkshire Council and therefore the required information is split by each of the legacy District. Key headline figures from the IFS for the new North Yorkshire Council area however are:

- 614 affordable homes were delivered
- £6,324,805.85 of S.106 contributions were received from new development
- £2,649,580.48 of CIL money was received
- £475,586.15 of CIL money (the local allocation) was passed to town and parish councils
- £8,203,084.49 of S106 funding was spent on infrastructure to mitigate development impacts
- £2,324,164.51 of CIL money was spent on infrastructure to support development of the area.

4.0 ALTERNATIVE OPTIONS CONSIDERED

4.1 CIL regulations do not include anything about the process for spending CIL, only requiring that it is spent on infrastructure. It is the responsibility of individual local authorities to develop their own process for spending CIL.

Geographical Scope of CIL

4.2 To pool the CIL money into a 'pot' to spend anywhere in North Yorkshire regardless of which legacy District it was collected in. This was disregarded as there is a presumption that CIL should be spent on infrastructure that is needed to support the new development allocated in the Local Plan and therefore spending outside the relevant Local Plan area would not fulfil this requirement. The only exception to this would be the reasons described above in Para 3.6 where spending outside the area would still meet the objective of supporting a local plan allocation or priority in the legacy CIL area.

4.3 Despite the fact that pooling CIL into one 'pot would generate a significant amount of money for North Yorkshire, the option is also disregarded because the costs of the infrastructure projects identified in each of the individual legacy authority Infrastructure Delivery Plans to support and deliver the local plan growth and objectives are also substantial. The funding available is not sufficient to cover them all and therefore the funds

would not be sufficient to also fund additional projects in the non-CIL areas of Scarborough, Richmondshire and Craven.

CIL Infrastructure Priority List/s

4.4 To establish a bidding process whereby Council departments and/or communities can bid for CIL money for projects. This option was disregarded because it would have significant resource implications in terms of establishment, administration, operation costs and officer time. It would still need to be operated on a 'legacy district' basis which would also be complex and time-consuming. The protocol for CIL spending is only intended to be in place until the new Local Plan is adopted and a new CIL Charging Schedule if necessary is established for the new County.

4.5 To not establish a protocol and each legacy district continue as present. This option has been rejected for the following reasons:

- would not provide any consistency across the existing CIL areas
- would result in reduced/no spending on critical infrastructure due to the lack of priorities and process in some areas
- could result in spending that is not in line with Local Plan growth objectives

Annual Infrastructure Funding Statement

4.6 There is no alternative, as failing to publish an IFS would mean that the Council would not meet the requirements of the Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019.

5.0 FINANCIAL IMPLICATIONS

5.1 The Community Infrastructure Levy (CIL) together with Planning Obligations (s106) represent sources of funding to provide additional infrastructure or services necessary to enable or support development.

5.2 Such funding normally only represents a proportion of the total cost of the infrastructure. Therefore, additional funding from other sources may be required to deliver the infrastructure necessary. These sources could include Department for Transport via National Highways and Network Rail, Department for Education, and specific grants including Grant in Aid from Defra and Levelling up funding.

5.3 CIL provides for an administration fee, as a process the administration is self-financing. There are no VAT implications (CIL is o/s for VAT)

6.0 LEGAL IMPLICATIONS

6.1 The Council's legal officers have been consulted during the preparation of this report and their feedback has been considered in bringing together these recommendations.

7.0 EQUALITIES IMPLICATIONS

7.1 This proposal ensures that CIL money already collected is spent on infrastructure within the legacy districts and that future spending priorities are identified in line with projects that support Local Plan growth within each area. These projects provide the valuable

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infrastructure required to support additional growth to ensure that existing communities are not negatively impacted by insufficient or ineffective infrastructure. It is concluded therefore that the proposal would not negatively impact any of protected characteristics. In fact, the provision of essential infrastructure is likely to benefit these groups and the community as a whole.

8.0 CLIMATE CHANGE IMPLICATIONS

8.1 This proposal looks to develop a spending protocol for existing and future CIL monies and approve the Annual Infrastructure Funding Statement (IFS). The IFS is a factual document detailing the spend of S106 and CIL funding over the last financial year and therefore there are no climate change impacts relevant to this.

8.2 The use of CIL helps provide the supporting infrastructure required by the housing and employment growth identified in the relevant Local Plans. Without this necessary supporting infrastructure, development would be less sustainable thereby having a corresponding effect on Climate change.

8.3 As this proposal looks to establish a process, the impacts are neutral.

9.0 REASONS FOR RECOMMENDATIONS

9.1 The recommendations within the report will:

- provide clarity, transparency and consistency in the allocation and spending of CIL receipts
- ensure CIL receipts are spent on infrastructure required to support development, in accordance with the CIL Regulations 2010 specifically as amended in September 2019 ('the CIL Regulations')
- ensure CIL serves its purpose of supporting the delivery of the infrastructure necessary to support the development in North Yorkshire
- meet regulations with regard to the approval and publication of the IFS

10.0 RECOMMENDATIONS

1) To spend CIL monies within the same geographical area (previous local authority boundary) from which they were levied, pre and post 1/4/2023
2) To agree the process for prioritisation of CIL funded infrastructure as set out in paragraphs 3.8 – 3.15 of this report
3) To approve the 2022/23 Annual Infrastructure Statement (Appendix C) and publish it on the Council website

APPENDICES:

Appendix A – Equality Impact Assessment
Appendix B – Climate Impact Assessment
Appendix C – 2022/23 North Yorkshire Annual Infrastructure Funding Statement

BACKGROUND DOCUMENTS:

None

Nic Harne
Corporate Director – Community Development
County Hall
Northallerton

Report Author Rachael Hutton, Principal Policy & Delivery Officer

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

PLEASE ALSO NOTE THAT IF ANY REPORTS / APPENDICES INCLUDE SIGNATURES THESE MUST BE REMOVED / DELETED PRIOR TO SENDING REPORTS / APPENDICES TO DEMOCRATIC SERVICES. Appendices should include an Equality Impact Assessment and a Climate Impact Assessment where appropriate

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Appendix A: Initial equality impact assessment screening form **This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.**	
Directorate	Community Development
Service area	Planning
Proposal being screened	Community Infrastructure Policy Spending Protocol and Infrastructure Funding Statement
Officer(s) carrying out screening	Rachael Hutton, Principal Policy and Delivery Officer
What are you proposing to do?	To approve the Community Infrastructure Levy (CIL) Spending Protocol which oversees the convergence of legacy council's CIL receipts and collection, auditing and spending of future CIL monies. This ensures that CIL serves its purpose of contributing to the delivery of the infrastructure necessary to support development in North Yorkshire.
Why are you proposing this? What are the desired outcomes?	The recommendations within the report will: • provide clarity, transparency and consistency in the allocation and spending of CIL receipts • set out the relationship between the North Yorkshire Council as the new charging authority and the legacy charging authorities • ensure CIL receipts are spent on infrastructure required to support development, in accordance with the CIL Regulations 2010 specifically as amended in September 2019 ('the CIL Regulations') • ensure CIL serves its purpose of supporting the delivery of the infrastructure necessary to support the development in North Yorkshire • meet regulations with regard to the approval and publication of the IFS
Does the proposal involve a significant commitment or removal of resources? Please give details.	The Community Infrastructure Levy (CIL) together with Planning Obligations (s106) represent sources of funding to provide additional infrastructure or services necessary to enable or support development. Such funding normally only represents a proportion of the total cost of the infrastructure. Therefore, additional funding from other sources may be required to deliver the infrastructure necessary. These sources could include Department for Transport via National Highways and Network Rail, Department for Education, and specific grants including Grant in Aid from Defra and Levelling up funding. CIL provides for an administration fee, as a process the administration is self-financing. There are no VAT implications (CIL is o/s for VAT)
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics As part of this assessment, please consider the following questions: • To what extent is this service used by particular groups of people with protected characteristics?	

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- Does the proposal relate to functions that previous consultation has identified as important?
- Do different groups have different needs or experiences in the area the proposal relates to?

If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your directorate representative for advice if you are in any doubt.

Protected characteristic	**Potential for adverse impact**		**Don't know/No info available**
	Yes	**No**	
Age		✓	
Disability		✓	
Sex		✓	
Race		✓	
Sexual orientation		✓	
Gender reassignment		✓	
Religion or belief		✓	
Pregnancy or maternity		✓	
Marriage or civil partnership		✓	
People in rural areas		✓	
People on a low income		✓	
Carer (unpaid family or friend)		✓	
Are from the Armed Forces Community		✓	

Does the proposal relate to an area where there are known inequalities/probable impacts (for example, disabled people's access to public transport)? Please give details.	No			
Will the proposal have a significant effect on how other organisations operate? (for example, partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	No			
Decision (Please tick one option)	EIA not relevant or proportionate:	✓	Continue to full EIA:	
Reason for decision	This proposal ensures that CIL money already collected is spent on infrastructure within the legacy districts and that future spending priorities are identified in line with projects that support Local Plan growth within each area. These projects provide the valuable infrastructure required to support additional growth to ensure that existing communities are not negatively impacted by insufficient or ineffective infrastructure. It is concluded therefore that the proposal would not negatively impact any of protected characteristics. In fact, the provision of essential infrastructure is likely to benefit these groups and the community as a whole.			
Signed (Assistant Director or equivalent)	Trevor Watson			
Date	22/1/24			

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Appendix B: Initial Climate Change Impact Assessment (Form created August 2021)

The intention of this document is to help the council to gain an initial understanding of the impact of a project or decision on the environment. This document should be completed in consultation with the supporting guidance. Dependent on this initial assessment you may need to go on to complete a full Climate Change Impact Assessment. The final document will be published as part of the decision-making process.

If you have any additional queries, which are not covered by the guidance please email climatechange@northyorks.gov.uk

Title of proposal	Community Infrastructure Policy Spending Protocol and Infrastructure Funding Statement
Brief description of proposal	To approve the Community Infrastructure Levy (CIL) Spending Protocol which oversees the convergence of legacy council's CIL receipts and collection, auditing and spending of future CIL monies. This ensures that CIL serves its purpose of contributing to the delivery of the infrastructure necessary to support development in North Yorkshire. To approve the 2022/23 North Yorkshire Annual Infrastructure Funding Statement and publish on the North Yorkshire Council website
Directorate	Community Development
Service area	Planning
Lead officer	Tracey Rathmell, Head of Delivery and Infrastructure
Names and roles of other people involved in carrying out the impact assessment	Rachael Hutton, Principal Policy and Delivery Officer

The chart below contains the main environmental factors to consider in your initial assessment – choose the appropriate option from the drop-down list for each one.

Remember to think about the following;

- Travel
- Construction
- Data storage
- Use of buildings
- Change of land use
- Opportunities for recycling and reuse

Environmental factor to consider	For the council	For the county	Overall
Greenhouse gas emissions	No effect on emissions	No Effect on emissions	No effect on emissions
Waste	No effect on waste	No effect on waste	No effect on waste
Water use	No effect on water usage	No effect on water usage	No effect on water usage
Pollution (air, land, water, noise, light)	No effect on pollution	No effect on pollution	No effect on pollution
Resilience to adverse weather/climate events (flooding, drought etc)	No effect on resilience	No effect on resilience	No effect on resilience
Ecological effects (biodiversity, loss of habitat etc)	No effect on ecology	No effect on ecology	No effect on ecology
Heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape

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If any of these factors are likely to result in a negative or positive environmental impact then a full climate change impact assessment will be required. It is important that we capture information about both positive and negative impacts to aid the council in calculating its carbon footprint and environmental impact.

Decision (Please tick one option)	Full CCIA not relevant or proportionate:	✓	Continue to full CCIA:	
Reason for decision	This proposal looks to develop a spending protocol for existing and future CIL monies and approve the Annual Infrastructure Funding Statement (IFS). The IFS is a factual document detailing the spend of S106 and CIL funding over the last financial year and therefore there are no climate change impacts relevant to this. The use of CIL helps provide the supporting infrastructure required by the housing and employment growth identified in the relevant Local Plans. Without this necessary supporting infrastructure, development would be less sustainable thereby having a corresponding effect on Climate change. As this proposal looks to establish a process, the impacts are neutral.			
Signed (Assistant Director or equivalent)	Trevor Watson			
Date	22/1/24			

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Appendix C

Infrastructure Funding Statement

Monitoring year 2022/2023

To be published February 2024

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1. Definitions

Agreed – contributions that have been agreed within a signed legal agreement but have not yet been collected/delivered because the appropriate trigger point for payment has not yet been reached. If the planning application is not implemented, these will not be received.

Allocated – contributions that have been received and assigned to specific projects.

Bonds – financial securities which will need to be paid at certain trigger points during the development; either held or repaid to the developers.

Community Infrastructure Levy (CIL) - applies a charge on new developments to help pay for infrastructure (to be noted this only applies to some parishes within the North Yorkshire curtilage).

Infrastructure – Infrastructure is a broad definition covering the different structures, operations, services, facilities, and space that we use to conduct our lives and those of our families. It primarily encompasses the following areas:

(i) Affordable housing – as defined in the National Planning Policy Framework: housing for sale or rent for those whose needs are not met by the open market.
(ii) Education: nursery and early years/Primary/Secondary/Post-16/SEN.
(iii) Highways (Roads, cycleways, and paths).
(iv) Transport and travel (rail and bus infrastructure).
(v) Open space and leisure (including sports facilities): All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes, and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.
(vi) Community facilities (such as village halls)
(vii) Digital infrastructure (broadband): this includes electronic communications networks, such as next generation mobile technology (such as 5G) and full fibre broadband connections. It also includes radio and electronic communications masts, and the sites for such installations.
(viii) Green and blue infrastructure and biodiversity resilience such as rivers, streams, and woodland: a network of multifunctional green space, urban and rural, which can deliver a wide range of environmental and quality of life benefits for local communities.
(ix) Flood and water management (flood mitigation, management, and defence): this includes infrastructure with the purpose of managing the risk of flood and coastal erosion. This can include structural measures to reduce the likelihood and impact of floods, such as hard defences and flood relief works. It can also include soft

defences such as green infrastructure (e.g. natural flood management and sustainable drainage systems).

(x) Economic development – supporting expansion of resilience to business in the locality.

(xi) Health (GP/Acute/Mental Health/Primary Care).

Land – this includes land which is provided instead of money.

Received – contributions received, either monetary or non-monetary, that have been transferred to North Yorkshire Council (NYC).

Section 106 – A land charge regulation within the planning act which covers aspects that planning conditions cannot.

Spent/Delivered – monetary or non-monetary contributions that have been used as intended, either by spending the allocated funds or completing the contribution as agreed.

CIL regulation definitions:

- **59A** - places a duty on charging authorities to pass some Levy funds to local councils where some or all of the chargeable development takes place in an area for which there is a parish or community council. It sets out the proportion of the CIL raised in relation to a development that it applies to. E.g.) 15% neighbourhood.
- **59B** – Sets out how the duty in reg 59A applies where the charging authority accepts a land payment.
- **Regulation 59E** - The charging authority is able to recover funds from the local council in certain circumstances. That is if the local council has not applied the CIL to support the development of its area within 5 years of receipt or has applied the Levy otherwise than in accordance with regulation 59C. When Levy receipts are recovered from a local council, the charging authority must use those funds to support development in the area of that local council.
- **Regulation 59F** - Makes provision for where the duty in regulation 59A does not apply, namely where a chargeable development (or part of a development) takes place in an area for which there is not a parish or community council. In that case, the charging authority has wider spending powers in relation to those parts of its area for which there is not a parish or community council. Those powers are the same as those given to parish or community councils and apply to those funds that would have been passed on had the development taken place in an area for which there is a parish or community council.

2.0 Introduction

2.1 This is the North Yorkshire Council Infrastructure Funding Statement (IFS). Local authorities that receive contributions from developers must produce an IFS annually as required by the Community Infrastructure Levy (amendment)(England) Regulation 2019; this came into force 1 September 2019.

2.2 North Yorkshire Council came into being on 1 April 2023 replacing North Yorkshire County Council, Selby District Council, Harrogate District Council, Richmondshire District Council, Hambleton District Council, Craven District Council, Scarborough Borough Council and Ryedale District Council.

2.3 This statement sets out the position for these areas for the financial year immediately prior to the establishment of North Yorkshire Council (NYC) (outside the National Parks). The IFS summaries the amount of developer contributions obtained, allocated and spent in the previous financial year (1 April 2022 – 31 March 2023). The report covers both Section 106 agreements (S.106) commuted sums and Community Infrastructure Levy (CIL) where it is in place.

2.4 The report aims to offer local communities and developers' clarity and transparency on contributions received and how these have been or are intended to be used.

Headline Figures from 2022/23

To summaries below are some key headline figures which cover the whole geographical area of the new North Yorkshire Council.

CIL is currently collected in the former district areas of Harrogate, Selby, Hambleton and Ryedale.

In 2022/23 the former districts that now make up North Yorkshire Council:

- Delivered 614 affordable homes across North Yorkshire.
- Received £6,324,805.85 of S.106 contributions from new development.
- Received £2,649,580.48 in CIL.
- Distributed £475,586.15 of CIL (the local allocation) to town and parish councils.
- Spent £8,203,084.49 of S.106 funds on infrastructure to mitigate development impacts and £2,324,164.51 of CIL on infrastructure to support development of the area.

2.5 This is the first Infrastructure Funding Statement to be produced by North Yorkshire Council since it came into being 1 April 2023. In this early stage of the new council this report will include entries from each of the former district areas.

2.6 In summary, this statement will be set out as follows:

Each former district area will set out data and information relating to Section 106 planning obligations receipts for the previous financial year.

It will then go onto report on CIL receipts for the previous financial year, where applicable.

Both sections will include reporting on specific infrastructure projects either delivered or planned, from the monitoring year 2022/23.

The report will then set out the infrastructure position for the former North Yorkshire County Council.

3.0 Section 106 Agreements

3.1 Section 106 of the Town and Country Planning Act 1990 enables a local planning authority (LPAs) to enter into a negotiated agreement – a planning obligation – to mitigate the impact of a specific development and make it acceptable in planning terms. The planning obligations take the form of a Section 106 (S.106) agreement between a developer/landowner, the council, and possibly other parties, or alternatively a unilateral undertaking providing a legal commitment by the developer alone.

3.2 Planning obligations are legal agreements that can be attached to a planning permission to mitigate the impact of development. For example, new residential development can place additional pressure on existing social, physical, and economic infrastructure in the surrounding area. Planning obligations aim to balance extra pressure with improvements to the surrounding area, to ensure that development makes a positive contribution.

3.3 Planning obligations could be sought for the provision or contribution to a new or improved road, school, health facility or local green infrastructure. Local planning authorities can also seek planning obligations to secure a proportion of affordable housing from residential developments.

3.4 Regulations state that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

(i) necessary to make the development acceptable in planning terms;
(ii) directly related to the development;
(iii) and fairly and reasonably related in scale and kind to the development.

3.5 The statement will now present the S.106 position for the monitoring year for each former area, using a summarised and more detailed table.

3.6 Selby

3.7 The following table sets out the position for the former Selby area in relation to S.106 planning obligations in line with the requirements of the CIL Regulation (2019 Amendment) 121A Schedule 2 Section 3:

Regulation requirement	Amount
(a)the total amount of money to be provided under any planning obligations which were entered into during the reported year;	£10,850.00
(b)the total amount of money under any planning obligations which was received during the reported year;	£326,340.71
(c)the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority;	£0
(d)summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of— (i)in relation to affordable housing, the total number of units which will be provided; (ii)in relation to educational facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided;	(i) None (ii) NYC Education to provide
(e)the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure;	£95,279
(f)the total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend);	£2,731,598.39
(g)in relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item;	• £93,329 – Allocated to Recreational Open Space Projects in the former Selby area • £1,950 allocated to Waste Services within the former Selby Area
(h)in relation to money (received under planning obligations) which was spent by the authority during the reported year (including transferring it to another person to spend), summary details of— (i)the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item;	(i) •Affordable housing £2,470173.23 •Recreational Open Space £30,363.45

Regulation requirement	Amount
(ii)the amount of money (received under planning obligations) spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part); (iii)the amount of money (received under planning obligations) spent in respect of monitoring (including reporting under regulation 121A) in relation to the delivery of planning obligations;	Spent across Cliffe, Barlby and Osgodby, Drax, Tadcaster and Thorpe Willoughby including • village green extensions, • play equipment • outdoor gym, • woodland walk • Picnic areas • cycle racks. • Education £223,136.71 passed to NYC CYPS Including money to be spent at or within the locality of: • Selby Abbey Primary £92,339.25 • Hambleton CE £46,906.20 • Selby High £83,891.26 •£7925 passed to waste and recycling services within the former Selby area (ii) £0 (iii) £0
(i)the total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer-term maintenance (“commuted sums”), also identify separately the total amount of commuted sums held.	£0

3.8 Harrogate

3.9 The below summary table sets out the general Section 106 position for the former Harrogate area for the monitoring year 2022/23.

Regulation requirement	Amount
(a) the total amount of money to be provided under any planning obligations which were entered into during the reported year;	£919,914.43
(b) the total amount of money under any planning obligations which was received during the reported year;	£2,855,327.91
(c)the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority;	£3,621,381.46
(d) summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of— (i) in relation to affordable housing, the total number of units which will be provided; (ii) in relation to educational facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided;	(i) 287 (ii) To be provided by NYC
(e) the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure;	£1,415,525.06
(f) the total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend);	£307,846.87
(g) in relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item;	• Affordable housing projects £988,680.74 • Public open space projects in the associated parishes £363,424.52 • Air Quality management projects £63,419.80
(h) in relation to money (received under planning obligations) which was spent by the authority during the reported year (including transferring it to another person to spend), summary details of— (i) the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item;	(i) • Health Care - GP practices in Knaresborough £37,968.50 • Parks, Open Space Sports and Leisure £269,878.37 Including ○ Parks and Gardens - £10,522.35

Regulation requirement	Amount
(ii) the amount of money (received under planning obligations) spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part); (iii) the amount of money (received under planning obligations) spent in respect of monitoring (including reporting under regulation 121A) in relation to the delivery of planning obligations;	○ Children's play £6,581.69 ○ Village Hall enhancements £180,209.63 ○ Allotment enhancements £1,586.74 ○ Churchyards cemetery - £34,889.78 ○ Outdoor Sport £10,351.34 ○ Open Space and parks - £24,283.40 • S106 refund - £1,453.07 (ii) £0.00 (iii) £14,658.00
(i) the total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer-term maintenance ("commuted sums"), also identify separately the total amount of commuted sums held.	£0

3.10 Ryedale

3.11 The below table sets out the Section 106 position for the former Ryedale area for the monitoring year 2022/23.

Regulation requirement	Amount
(a) the total amount of money to be provided under any planning obligations which were entered into during the reported year;	£0
(b) the total amount of money under any planning obligations which was received during the reported year;	£1,757,985.00
(c) the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority;	£1,094,215.76
(d) summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of— (i) in relation to affordable housing, the total number of units which will be provided; (ii) in relation to educational facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided;	(i) A total of 73 affordable housing completions. The affordable housing units were delivered on the following schemes; •Whitby Road, Pickering – 21 units; •Westfield, Kirkbymoorside – 30 units; •Outgang Road, Pickering – 20 units. (ii) None
(e) the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure;	£1,049,893.39
(f) the total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend);	£2,081,252.33
(g) in relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item;	Sports and leisure: • £170,000 - Malton Sports Centre for a sports hall project Education commuted sums: • £132,561 – Westgate Old Malton to contribute to St Mary's Primary School Malton (Expansion) • £54,132.00 also Westgate Old Malton – Malton School new block

Regulation requirement	Amount
	• £227,733.00 - Broughton Road St Mary's Primary School Malton (Expansion) • £190,344.00 - Rainbow Lane – St Marys Primary School Malton (Expansion) • £72,728.00 - Rainbow Lane – Malton School new block Affordable housing: • £98,645.39 - 5 Vine Street, Norton • £103,750.00 - Black Swan Yard Helmsley
(h) in relation to money (received under planning obligations) which was spent by the authority during the reported year (including transferring it to another person to spend), summary details of— (i)the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item; (ii)the amount of money (received under planning obligations) spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part); (iii)the amount of money (received under planning obligations) spent in respect of monitoring (including reporting under regulation 121A) in relation to the delivery of planning obligations;	(i) Education commuted sums: • £832,938.00 – St Mary's Primary School (Malton) expansion (£591,426) and Malton School new block (£241,512) • £119,680.00 – St Mary's Primary School (Malton) expansion • £610,985.00 – Kirkbymoorside Community Primary School, project not yet completed Affordable housing: • £79,755.08 - Railway Tavern Norton • £119,074.15 - 82 Castlegate, • £5,571.25 - 5 Vine Street, Norton • £5,650.35 - Black Swan Yard, Helmsley • £250,000 – Outgang Lane, Pickering • £35,455.00 - RHE and NY Strategy Mng Public Open Space Improvements: • £22143.50 – including Leavening gardens and allotments (ii) N/A (iii) N/A
(l) the total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer-term maintenance ("commuted sums"), also identify separately the total amount of commuted sums held.	£0

3.14 Hambleton

3.15 The below table sets out the Section 106 position for the former Hambleton area for the monitoring year 2022/23.

Regulation requirement	Amount
(a) the total amount of money to be provided under any planning obligations which were entered into during the reported year;	Blind Lane Aiskew – 20/02882/OUT (April 2022) Open Space Contribution £16,963 Former Shipton Service Station – 21/02619/FUL (Nov 2022) Open Space Contribution £2,592.21 Northallerton Road Leaming Bar – 21/02282/FUL (Aug 2022) Off Site Young Persons Facilities Contribution £21,010.84. There is also a Travel Plan Monitoring Fee of £5,000 payable on First Occupation. Total: £45,566.05
b) the total amount of money under any planning obligations which was received during the reported year;	£21,097.23
(c)the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority;	£1,550,243.32
(d) summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of— (i) in relation to affordable housing, the total number of units which will be provided; (ii) in relation to educational facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided;	(i)North of Stillington Road, Easingwold 18 North and west of Woodlands Walk, Tanton Road Stokesley 9 Stations Yar, West Tanfield 1 90 Bedale Road Aiskew 17 North of Crakehall Water Mill, Little Crakehall 5 Land to west of Cedar Road and Oak Drive Sowerby, Thirsk 54 Land Off Danes Crest Brompton 21 Total 125 affordable units. (ii) 0
(e) the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure;	£60,235.83 (£47,735.83 for Housing Development Officer, £12,500 for Leven Improvement Project)
(f) the total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend);	£849,685.81
(g) in relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items	• Affordable Housing - £47,735.83 for Housing Development Officer • Open Space, Sports and Leisure - £12,500 for Leven Improvement Project

Regulation requirement	Amount
of infrastructure on which the money has been allocated, and the amount of money allocated to each item;	
(h) in relation to money (received under planning obligations) which was spent by the authority during the reported year (including transferring it to another person to spend), summary details of— (i) the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item; (ii) the amount of money (received under planning obligations) spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part); (iii) the amount of money (received under planning obligations) spent in respect of monitoring (including reporting under regulation 121A) in relation to the delivery of planning obligations;	(i) • Affordable Housing £367,763 • Search fees £45.00 • Open Space, Sports and leisure £481,877.81 (including £389.21 on maintenance (ii) N/A (iii) N/A
(i) the total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer-term maintenance ("commuted sums"), also identify separately the total amount of commuted sums held.	£12,224.36

3.18 Craven

3.19 The below table sets out the Section 106 position for the former Craven area for the monitoring year 2022/23.

Regulation requirement	Amount
(a) the total amount of money to be provided under any planning obligations which were entered into during the reported year;	£0
(b) the total amount of money under any planning obligations which was received during the reported year;	£707,083
(c)the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority;	£778,985
(d) summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of— (i) in relation to affordable housing, the total number of units which will be provided; (ii) in relation to educational facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided;	(i) 0 Units (ii) NYC Education to provide
(e) the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure;	£745,349.19
(f) the total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend);	£368,172.26
(g) in relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item;	• Children's Equipped Play £43,275.04 • Youth Provision & Informal Play £42,705.66 • Adult Provision, recreation & playing fields £638,289.49 • Allotment and Civic & Amenity Space £ 21,079.00
(h) in relation to money (received under planning obligations) which was spent by the authority during the reported year (including transferring it to another person to spend), summary details of— (i) the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item;	(i) • £91,478 Affordable Housing £276,694.26 Public Open Space including: • Children's Equipped Play £99,758.67 • Youth Provision & Informal Play £109,610.00

Regulation requirement	Amount
(ii) the amount of money (received under planning obligations) spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part); (iii) the amount of money (received under planning obligations) spent in respect of monitoring (including reporting under regulation 121A) in relation to the delivery of planning obligations;	• Adult Provision, recreation & playing fields £53,360.79 • Allotment and Civic & Amenity Space £13,964.80 (ii) £0 (iii) £0
(i) the total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer-term maintenance ("commuted sums"), also identify separately the total amount of commuted sums held.	£0

3.20 Scarborough

3.21 The below table sets out the Section 106 position for the former Scarborough area for the monitoring year 2022/23.

Regulation requirement	Amount
(a) the total amount of money to be provided under any planning obligations which were entered into during the reported year;	£581,258
(b) the total amount of money under any planning obligations which was received during the reported year;	£533,500
(c)the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority;	£2,820,210
(d) summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of— (i) in relation to affordable housing, the total number of units which will be provided; (ii) in relation to educational facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided;	(i) 129 affordable dwellings (ii) 11.5 primary school places
(e) the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure;	£475,508
(f) the total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend);	£308,315
(g) in relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item;	• Homelessness Strategy £380,192 • Cinder Track, Scarborough £12,414 • Falsgrave Park, Scarborough £6,996 • Public Open Space, Oliver's Heights, Scarborough £5,336 • Eastside Community Centre, Whitby (Sports) £50,000 • White Leys Play Area, Whitby £709 • Scalby-Scarborough bus service subsidy. £19,861
(h) in relation to money (received under planning obligations) which was spent by the authority during the	(i)

Regulation requirement	Amount
reported year (including transferring it to another person to spend), summary details of— (i) the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item; (ii) the amount of money (received under planning obligations) spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part); (iii) the amount of money (received under planning obligations) spent in respect of monitoring (including reporting under regulation 121A) in relation to the delivery of planning obligations;	• Affordable Housing, Trafalgar Square, Scarborough £90,738 • Affordable Housing, Sneaton Castle, Whitby £30,000 • Public Open Space, Oliver's Heights, Scarborough £11,413 • Filey Sports Ground Improvements £5,576 • Scalby-Scarborough bus service subsidy £90,059 • West Ayton GP Surgery improvements £34,068 (ii) £0 (iii) £5,696
(i) the total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer-term maintenance ("commuted sums"), also identify separately the total amount of commuted sums held.	£32,971

3.22 Richmondshire

3.23 The below table sets out the Section 106 position for the former Richmondshire area for the monitoring year 2022/23.

Regulation requirement	Amount
(a) the total amount of money to be provided under any planning obligations which were entered into during the reported year;	£23,600
(b) the total amount of money under any planning obligations which was received during the reported year;	£47,400
(c)the total amount of money under any planning obligations which was received before the reported year which has not been allocated by the authority;	£515,326
(d) summary details of any non-monetary contributions to be provided under planning obligations which were entered into during the reported year, including details of (i) in relation to affordable housing, the total number of units which will be provided; (ii) in relation to educational facilities, the number of school places for pupils which will be provided, and the category of school at which they will be provided;	(i) 0 (ii) N/A
(e) the total amount of money (received under any planning obligations) which was allocated but not spent during the reported year for funding infrastructure;	£0
(f) the total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another person to spend);	£257,000
(g) in relation to money (received under planning obligations) which was allocated by the authority but not spent during the reported year, summary details of the items of infrastructure on which the money has been allocated, and the amount of money allocated to each item;	£0
(h) in relation to money (received under planning obligations) which was spent by the authority during the reported year (including transferring it to another person to spend), summary details of— (i) the items of infrastructure on which that money (received under planning obligations) was spent, and the amount spent on each item; (ii) the amount of money (received under planning obligations) spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part); (iii) the amount of money (received under planning obligations) spent in respect of monitoring (including	(i) • Affordable housing projects £257,000 including: • £217,000 towards the upper Dales CLT, • £20,000 to Middleham Town Council and • £20,000 towards Hudswell Community Charity) (ii) £0 (iii) £0

Regulation requirement	Amount
reporting under regulation 121A) in relation to the delivery of planning obligations;	
(i) the total amount of money (received under any planning obligations) during any year which was retained at the end of the reported year, and where any of the retained money has been allocated for the purposes of longer-term maintenance (“commuted sums”), also identify separately the total amount of commuted sums held.	£0

4.0 Community Infrastructure Levy (CIL)

4.1 The 2008 Planning Act made provision that most financial contributions could be secured by the Community Infrastructure Levy (CIL). It was the government's intention at the time that this would become the usual means of securing funding for off-site infrastructure, excluding affordable housing. This general intention has not changed and may be expanded in due course. It would also allow the pooling of contributions (in a manner not previously permitted by s.106 agreements) over a wide geographic coverage (rather than only to the town/parish where the development which generated the funds was sited).

4.2 In contrast to S.106 contributions:

- there does not need to be a direct link between the payment and the infrastructure provided.
- the use of CIL is not specified at the point of collection.
- its calculation is an administrative process rather than a negotiation based on an assessment of development impacts.
- it applies to developments that are often smaller in scale.
- A proportion of the CIL is allocated locally, and to cover its administration.

4.3 Prior to the establishment of North Yorkshire Council, CIL was adopted in four of the former Councils:

- Selby District Council, adopted CIL in 2016
- Harrogate District Council, adopted CIL in 2020
- Hambleton District Council, adopted CIL in 2015
- Ryedale District Council, adopted CIL in 2016

4.4 The charging schedules in place for these former districts will continue for the respective areas as part of North Yorkshire Council. The Craven, Scarborough and Richmondshire areas do not currently have a CIL charging schedule in operation.

4.5 Harrogate (CIL)

4.6 CIL was adopted by the former Harrogate Borough Council and came into effect on 1 October 2020. The Levy rates are published in the charging schedule:

https://www.northyorks.gov.uk/sites/default/files/2023-03/Community%20infrastructure%20levy%20charging%20schedule%20July%202020%20-%20accessible.pdf

4.7 The following sets out a summary of the CIL receipts for 2022/23:

Regulation requirement	Amount
(a) The total value of CIL set out in all demand notices issued in the reported year;	£148,467.15
(b) the total amount of CIL receipts for the reported year;	£136,742.15
(c) the total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year but which have not been allocated;	£24,950.69
(d) the total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year and which have been allocated in the reported year;	£4,403.06
(e) the total amount of CIL expenditure for the reported year;	£0
(f) the total amount of CIL receipts, whenever collected, which were allocated but not spent during the reported year;	£0
(g) in relation to CIL expenditure for the reported year, summary details of— (i) the items of infrastructure on which CIL (including land payments) has been spent, and the amount of CIL spent on each item; (ii) the amount of CIL spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part); (iii) the amount of CIL spent on administrative expenses pursuant to regulation 61, and that amount expressed as a percentage of CIL collected in that year in accordance with that regulation;	(i) Refer to the Neighbourhood area apportionment table detailed in 4.8. (ii) N/A (iii) £6,837.11
(h) In relation to CIL receipts, whenever collected which were allocated but not spent during the reported year. Summary details of the items of infrastructure on which CIL (including land payments) has been allocated, and the amount of CIL allocated to each item;	£0
(i) the amount of CIL passed to— (i) any parish council under regulation 59A or 59B (definition in Section 1); and (ii) any person under regulation 59(4);	(i) £0 (ii) £0
(j) summary details of the receipt and expenditure of CIL to which regulation 59E (CIL recovered from a local Council,	

Regulation requirement	Amount
further description in Section 1 of Statement) or 59F (CIL development that takes place in an area without a parish or community council, details in Section 1) applied during the reported year including— (i) the total CIL receipts that regulations 59E and 59F applied to; (ii) the items of infrastructure to which the CIL receipts to which regulations 59E and 59F applied have been allocated or spent, and the amount of expenditure allocated or spent on each item;	(i) £0 (ii) £0
(k) summary details of any notices served in accordance with regulation 59E, definition including— (i) the total value of CIL receipts requested from each parish council; (ii) any funds not yet recovered from each parish council at the end of the reported year;	(i) None (ii) None
(l) the total amount of— (i) CIL receipts for the reported year retained at the end of the reported year other than those to which regulation 59E or 59F applied; (ii) CIL receipts from previous years retained at the end of the reported year other than those to which regulation 59E or 59F applied; (iii) CIL receipts for the reported year to which regulation 59E or 59F applied retained at the end of the reported year; (iv) CIL receipts from previous years to which regulation 59E or 59F applied retained at the end of the reported year	(i) £136,742.15 (ii) £24,950.69 (iii) £0 (iv) £0

4.8 The below table sets out the portion of CIL distributed to the relevant neighbourhood area within the monitoring year, with information on the associated infrastructure projects:

Town/Parish	Planning Reference	Amount received	Date sent	Spend or anticipated spend
Killinghall	20/04084/FULMAJ	£342.71	26.7.21	Not reported
Laverton	21/02755/FUL	£1670.25	28.2.22	Not reported
Marton cum Grafton	20/03911/FUL	£990.00	30.9.21	Not reported

4.9 *CIL expenditure*

There has been £0 of expenditure in relation to Council held levy. However, a total of £3002.96 has been distributed to the associated Parish and Town Council's through the 15%/25% proportion per liable scheme, over the monitoring period 1 April 2022 to 31 March 2023.

4.10 Selby (CIL)

4.11 CIL was adopted by the former Selby District Council and came into effect January 2016. The Levy rates are published in the charging schedule:

https://www.northyorks.gov.uk/sites/default/files/fileroot/planning_migrated/developer_contributions/CIL_Charging_Schedule_Jan.pdf

4.12 The following table sets out a summary of the CIL receipts for 2022/23:

Regulation requirement	Amount
(A) The total value of CIL set out in all demand notices issued in the reported year;	£568,125.62
(B) the total amount of CIL receipts for the reported year;	£462,563.92
(C) the total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year but which have not been allocated;	£2,871,744.90
(D) the total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year and which have been allocated in the reported year;	£100,542.18
(E) the total amount of CIL expenditure for the reported year;	£750,000.00
(F) the total amount of CIL receipts, whenever collected, which were allocated but not spent during the reported year;	£233,750.00
(G) in relation to CIL expenditure for the reported year, summary details of— (i) the items of infrastructure on which CIL (including land payments) has been spent, and the amount of CIL spent on each item; (ii) the amount of CIL spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part); (iii) the amount of CIL spent on administrative expenses pursuant to regulation 61, and that amount expressed as a percentage of CIL collected in that year in accordance with that regulation;	(i)£750,000.00 (ii) £0 (iii) £40,230
(H) In relation to CIL receipts, whenever collected which were allocated but not spent during the reported year. Summary details of the items of infrastructure on which CIL (including land payments) has been allocated, and the amount of CIL allocated to each item;	£233,750.00
(I) the amount of CIL passed to— (i) any parish council under regulation 59A or 59B (definition in Section 1 of statement); and (ii) any person under regulation 59(4);	(i) £106,915.17 (ii)£0
(J) summary details of the receipt and expenditure of CIL to which regulation 59E (CIL recovered from a local Council, further description in Section 1 of Statement) or 59F (CIL development that takes place in an area without a parish or	(i)£0

Regulation requirement	Amount
community council, details in Section 1) applied during the reported year including— (i) the total CIL receipts that regulations 59E and 59F applied to; (ii) the items of infrastructure to which the CIL receipts to which regulations 59E and 59F applied have been allocated or spent, and the amount of expenditure allocated or spent on each item;	(ii) £0
(k) summary details of any notices served in accordance with regulation 59E, definition including— (i) the total value of CIL receipts requested from each parish council; (ii) any funds not yet recovered from each parish council at the end of the reported year;	(i) £0 (ii) NA
(l) the total amount of— (i) CIL receipts for the reported year retained at the end of the reported year other than those to which regulation 59E or 59F applied; (ii) CIL receipts from previous years retained at the end of the reported year other than those to which regulation 59E or 59F applied; (iii) CIL receipts for the reported year to which regulation 59E or 59F applied retained at the end of the reported year; (iv) CIL receipts from previous years to which regulation 59E or 59F applied retained at the end of the reported year	(i) £444,229.45 (ii) £2,791,744.86 (iii) £0 (iv) £0

4.13 The below table sets out the portion of CIL distributed to the relevant neighbourhood area within the monitoring year, with information on the associated infrastructure projects:

Town/Parish	Planning Reference	Amount received	Date sent	Spend or anticipated spend
Appleton Roebuck	2020/0258/ATD, 2020/0259/ATD,2020/0278/ATD,2020/0279/ATD,2020/0287/ATD	£22,529.83	21/04/22	No response received from PC
Barkston Ash	2019/0804/FUL	£387.77	Still held by NYC	No response from PC of accounts
Barlby & Osgoby	2022/0444/FUL	£554.23	Nov22	£554.23 spent on environmental improvements
Brotherton	2017/1017/FUL, 2018/0583/FUL, 2018/1332/FUL, & 2020/1033/FUL	£5891.82	16/05/22	No response received from PC
Camblesforth	2018/1115/FUL & 2018/1240/FUL	£7961.38	09/05/22	No response received from PC
Carlton	2020/0946/REM	£281.99	16/06/22	PC are raising funds for a repair project of the cemetery walls
Cliffe	2016/1457/FUL & 2019/1218/REM	£8108.70	16/06/22	No response received from PC
Fairburn	2019/1352/FUL	£7913.70	03/11/22	No response received from PC
Hemingbrough	2019/0217/REM, 2018/1045/FUL & 2019/1329/FUL	£7155.51	21/06/22	No response received from PC
Kellington	2020/0807/FUL & 2019/1328/REMM	£11,148.52	25/04/22 & 31/03/23	No response received from PC
Monk Fryston	2020/0567/FUL	£5127.55	09/05/22	No response received from PC
Newland	2020/1174/ATD	£4540.61	21/06/22	Land clearance of public space and a war memorial plaque
Selby	2020/0776/FULM	£1021.94	June 22	Play equipment, bins and picnic benches for local park
Sherburn	2020/1265/FUL	£2787.92	April 22	No response received from PC
South Milford	2021/0155/S73	£1596.89	21/04/22	No response received from PC
Stillingfleet	2021/0447/S73	£1794.11	15/08/22	Allocated to spend on a village playground project

Stutton	**2017/1227/REM**	**£491.25**	**21/06/22**	**Spent on a village war memorial**
Thorganby	**2018/0226/FUL & 2018/0598/FUL**	**£3900.10**	**21/06/22**	**No response received from PC**
Ulleskelf	**2019/0325/FULM**	**£120,118.40**	**April 22**	**Allocated to extension and refurbishments of sports pavilion**

4.14 *CIL expenditure*

A total of £213,312.22 has been distributed to the associated Parish and Town Council's through the 15%/25%* proportion per liable scheme, over the monitoring period 1 April 2022 to 31 March 2023. As per section G £750,000 has been spent on a new surgery at Sherburn In Elmet.

4.15 Hambleton (CIL)

4.16 CIL was adopted by the former Hambleton District Council and came into effect April 2015. The Levy rates are published in the charging schedule:

https://www.northyorks.gov.uk/sites/default/files/fileroot/planning_migrated/developer_contributions/CIL_Full_Charging_Schedule___March_2015.pdf)

4.17 The following sets out a summary of the CIL receipts for 2022/23:

Regulation requirement	Amount
(a) The total value of CIL set out in all demand notices issued in the reported year;	£2,974,423.79 (CIL) + £2,037.70 (Surcharge) Total = £2,976,461.79
(b) the total amount of CIL receipts for the reported year;	£1,783,744.46 (CIL) + £2,435.00 (Surcharge) Total = £1,786,179.46
(c) the total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year but which have not been allocated;	£1,258,398.10
(d) the total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year and which have been allocated in the reported year;	Allocated £1,019,793.00 – Projects in 22/23 Allocated £227,639.72 Parish Council contributions
(e) the total amount of CIL expenditure for the reported year;	£1,311,890.61 – projects £267,561.67 - parish council £89,187.22 - admin
(f) the total amount of CIL receipts, whenever collected, which were allocated but not spent during the reported year;	£3,298,587.39
(g) in relation to CIL expenditure for the reported year, summary details of— (i) the items of infrastructure on which CIL (including land payments) has been spent, and the amount of CIL spent on each item; (ii) the amount of CIL spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part); (iii) the amount of CIL spent on administrative expenses pursuant to regulation 61, and that amount	(i) Refer to the Neighbourhood area apportionment table below. (ii) Nothing borrowed in 22/23 (iii) 89,187.22 As a percentage of total collected 4.993%

Regulation requirement	Amount
expressed as a percentage of CIL collected in that year in accordance with that regulation;	
(h) In relation to CIL receipts, whenever collected which were allocated but not spent during the reported year. Summary details of the items of infrastructure on which CIL (including land payments) has been allocated, and the amount of CIL allocated to each item;	£3,298,587.39 £2,000,000 Northallerton Primary School £340,000 Bedale 3G Pitch £776,403.00 Sowerby 3G pitch and changing facilities £560,442 Northallerton Sports Village £114,520 Aiskew Community Hall £161,613 Easingwold Market Place footways and accessibility £150,000 Huby and Sutton Community Shop £80,000 Northallerton Town Allotments £8,000 Northallerton Green Corridors £103,438 Topcliffe Playpark and allotments £100,000 Watson Scout Centre £40,000 Northallerton Town Centre toilets £45,000 Tollerton play area £8,208 Thormanby PArish Meeting £40,000 Thirsk Primary School MUGA £60,864 Easingwold Community Hub £22,190 Brafferton and Helperby Cobbles and allotments
(i) the amount of CIL passed to— (i) any parish council under regulation 59A or 59B (definitions found in Section 1); and (ii) any person under regulation 59(4);	(i) £267,561.67 (ii) None
(j) summary details of the receipt and expenditure of CIL to which regulation 59E (CIL recovered from a local Council, further description in Section 1 of Statement) or 59F (CIL development that takes place in an area without a parish or community council, details in Section 1) applied during the reported year including— (i) the total CIL receipts that regulations 59E and 59F applied to; (ii) the items of infrastructure to which the CIL receipts to which regulations 59E and 59F applied have been allocated or spent, and the amount of expenditure allocated or spent on each item;	(i) £0 (ii) N/A
(k) summary details of any notices served in accordance with regulation 59E, definition including— (i) the total value of CIL receipts requested from each parish council;	(i) N/A (ii) N/A

Regulation requirement	Amount
(ii) any funds not yet recovered from each parish council at the end of the reported year;	
(l) the total amount of— (i) CIL receipts for the reported year retained at the end of the reported year other than those to which regulation 59E or 59F applied; (ii) CIL receipts from previous years retained at the end of the reported year other than those to which regulation 59E or 59F applied; (iii) CIL receipts for the reported year to which regulation 59E or 59F applied retained at the end of the reported year; (iv) CIL receipts from previous years to which regulation 59E or 59F applied retained at the end of the reported year	(i) £104,250.26 (ii) £5,235,362.38 (iii) N/A (iv) N/A

4.18 The table overleaf sets out the portion of CIL distributed to the relevant neighbourhood area within the monitoring year, with information on the associated infrastructure projects:

Town/Parish	Planning Reference	Amount received	Date sent	Spend or anticipated spend
Ainderby Steeple	20/01007/FUL	£1,032.90	October 2022	The money contributed towards the cost of investigating and repairing the drainage system and resurfacing of an unadopted lane leading down to the railway line from the edge of the village green, which had badly deteriorated and was causing problems for the residents who live there. The total cost of the roadworks was £5,550.36.
Aiskew	20/01889/REM 20/00497/FUL 20/00497/FUL 20/01084/FUL 21/00220/REM 21/01343/FUL	£969.30 £14,637.07 £12,648.11 £1,633.50 £27,501.04 £734.44	April 2022 April 2022 October 2022 October 2022 October 2022 October 2022	The total £58,123.46 sent to the parish within this monitoring year contributes to a larger pot totalling £144,000. The Councillors have decided to spend approximately £64,000 of this CIL money

				so far, on the following projects: I. Community Hall (Feasibility Study) II. Kingfisher Toddler Play Area III. Kingfisher Swings IV. Mattison replacing artificial grass area. V. Freemans Way Basketball Boards VI. Leeming Bar Play area fencing VII. Christmas trees area for Aiskew VIII. Christmas Lighting for Aiskew and Leeming Bar IX. Ascough Wynd Play Area Revamp / enlarge. X. Orchard on Freemans Way Park XI. Wensleydale Railway
Alne	21/00415/MRC 21/00584/REM 21/00584/REM 22/00071/FUL	£3112.31 £862.13 £862.13 £1619.77	April 2022 April 2022 October 2022 October 2022	The Parish Council are looking to make a £9,000 grant to APLA the villages recreation organisation for new equipment but this has yet to be agreed and is likely to be agreed at the October meeting.
Bagby	18/00124/REM	£1,641.75	April 2022	The parish council have put this money towards setting up allotments for residents in Bagby.
Birkby	17/01899/FUL	£247.50	April 2022	Project yet to be agreed.
Brafferton and Helperby	20/01429/MBN	£160.13	April 2022	CIL holdings have been used to partly cover the cost of works to cobbles in Main Street, Helperby this year.
Burneston	20/02702/MRC	£1567.50	April 2022	The CIL Money received went towards the cost of buying a Visual Display Unit for Burneston to help control the speeding traffic through the village. The amount received together with a grant from NYCC covered the cost.

Burrill with Cowling	19/00052/FUL 22/00737/MRC	£2,928.75 £2,366.01	October 2022 October 2022	The Parish is looking into the purchase and installation of a defibrillator. At this stage I would estimate the expenditure to be £2200. No decision has been made yet on the remaining funds.
Carlton Miniott	20/02429/REM	£1,982.06	October 2022	Part of the CIL money received has been used to purchase a defibrillator and install it. The Council is also organising training on the use of the defibrillator.
Carthorpe	21/02119/REM	£2,871.00	October 2022	The CIL money was used to purchase a refurbished Old Red Telephone Box which has been installed in the village and is being used as a community swap shop. The cost of the phone box was £3684.00.
Crakehall	20/00330/FUL 20/00330/FUL	£2,853.10 £8,559.29	April 2022 October 2022	Project(s) yet to be agreed, but the two main areas of consideration are: Refurbishment of the old chapel in Crakehall cemetery. Some initial repainting has been done and a small amount of CIL money was spent on this. The chapel requires some replacement stonework to rehang the bell and then a complete repaint inside, enquiries are ongoing to source a stonemason and we have volunteers for repainting. Replacement of ageing and broken play equipment. Recent inspections have revealed a need to replace certain items with a capital cost estimated at some £25000. The intention is to apply for a lottery grant after the rules change in

				November and depending upon the outcome of that, some CIL monies may be used to supplement any award. Updates on spend will be published in the next IFS.
Dalton	19/00099/FUL 20/00054/FUL	£8,580.00 £783.75	April 2022 October 2022	No response received
Easingwold	18/02681/FUL 21/00140/MRC 19/00085/FUL 19/00085/FUL 20/02538/FUL 21/00040/REM	£7,462.1 £891.00 £1,274.63 £1,274.63 £27,220.50 £994.13	April 2022 April 2022 April 2022 October 2022 October 2022 October 2022	All CIL monies received by the Town Council contributed to a major paths project carried out in Easingwold over summer 2023.
East Harlsey	19/01306/FUL 21/02236/MRC	£1,012.40 £880.15	April 2022 October 2022	The parish have spent £3947.10 so far in CIL spending. This includes the money received in this monitoring years, and previous years. Croft Castings – July 2023 £2490.80 Village hall benches – Feb 2023 £1077.30 Church Bench – March 2023 £379
Exelby, Leeming and Londonderry	20/02906/MRC	£6,230.81	April 2022	No response received
Felixkirk	18/01398/FUL	£247.50	April 2022	No response received
Great and Little Broughton	20/02641/FUL	£730.13	April 2022	No response received
Hackforth	20/02821/REM 20/02821/REM	£416.63 £1,249.88	April 2022 October 2022	Project(s) yet to be agreed.
Hornby	21/02080/FUL	£820.24	October 2022	The Parish have not yet formally decided on a project. There is a possibility the money will used for a children's play area, but a location needs to be identified.

Huby	21/01846/REM 20/02777/MRC	£536.25 £1,493.25	October 2022 October 2022	No response received
Husthwaite	19/01139/FUL 21/01960/FUL	£1,831.50 £4,306.50	April 2022 October 2022	£600.00 towards the erection of a 1.8m high green fence between the recreation area and the primary school to enhance safeguarding and deter trespassers to school property. (total coats of project £3935) £1231.50 went towards the repair and replacement of equipment in Husthwaite recreation area including the basket swing and repairs to adventure trail (the total cost of the project £3785). £1291 for the repair of the monkey bars in the Husthwaite recreation area £3015.50 still to be allocated.
Hutton Rudby	16/01836/FUL	£12,820.50	October 2022	The Parish is in the process of designing and seeking tenders for the building of steps to go across the village green to enable residents to safely cross from Church House. This will incorporate handrails and a platform halfway down to improve accessibility. There is an alternative route already in place which is wheelchair accessible. The Parish intend that the CIL money will be put towards this project.
Kirkby	20/00859/REM	£2,887.50	April 2022	No response received
Newton on Ouse	20/00672/FUL	£6,072.00	April 2022	The PC agreed at its meeting on 12th September 2023 to allocate £3.000 to Newton on Ouse Community

				Association as a donation towards new playground equipment that they are fundraising for. They need £80,000 in total.
Northallerton	21/01712/REM 18/02646/REM	£1,990.31 £1,056.00	October 2022	These CIL funds have been used towards to provision of new public toilets in Northallerton, the total project cost of which is approximately £130,000.
Raskelf	21/02067/MRC 21/02067/MRC 19/02357/FUL 20/02529/FUL	£1,257.63 £3,772.89 £391.46 £1,911.94	April 2022 October 2022 October 2022 October 2022	No response received
Sandhutton	18/02370/FUL	£396.00	April 2022	The monies were used towards the purchase of two benches for the village green for residents to enjoy (both needed replacement due to concrete cancer) The total Cost £1188.
Shipton	19/02044/FUL 20/00933/FUL	£3,314.84 £1,839.75	April 2022 April 2022	£2445 was used in June for an emergency repair to the zip line. The remaining CIL money has been earmarked for playground expenditure, there is a large piece of wooden equipment that needs replacing. However, the project will cost approximately £20,000, further fundraising is required before they can proceed.
South Otterington	21/00718/REM	£5,860.86	April 2022	A total of £4,176.00 was spent in April 2022 on 4 notice boards for villages with jubilee platinum plaques. This project came from past CIL money. The money received in this monitoring year has no agreed project spend at the stage.

Sutton on the Forest	20/01740/FUL 21/01683/REM 18/00916/FUL	£1,196.25 £2,054.25 £1,641.75	April 2022 April 2022 October 2022	The parish have spent CIL money on the following projects to date: Tables for use at village events £588.00 Dog bins for the village £853.20 The balance of £3,451.05 is in our reserve account ringfenced for future use.
Stillington	22/00959/FUL	£312.57	October 2022	No response received
Thirsk	21/01200/MRC	£7,984.38	April 2022	No response received
Thormanby	21/01702/MRC 21/01515/FUL	£4,537.50 £808.50	April 2022 October 2022	No response received
Tollerton	22/00462/FUL	£248.40	October 2022	No response received
Well	21/00978/REM	£3,712.50	December 2022	No spend has been agreed for the money received in December 2022 yet. Money received in previous years was spent as follows: £1,831.50 received April 2021 went towards payment to streetscape for new young adult equipment, jubilee Beacon and a speed activation sign pole £1831.50 received in November 2021 went towards speed activation sign poles.
West Tanfield	22/00998/REM	£2,546.10	October 2022	Project(s) yet to be agreed.

4.19 *CIL expenditure*

There has been £1,311,890.61 of expenditure in relation to District Council held levy. A total of £227,639.72 has been distributed to the associated Parish and Town Council's through the 15%/20%* proportion per liable scheme, over the monitoring period 1 April 2022 to 31 March 2023.

4.20 Ryedale (CIL)

4.21 CIL was adopted by the former Ryedale District Council and commenced on 1st March 2016. The Levy rates are published in the charging schedule:

https://www.northyorks.gov.uk/sites/default/files/fileroot/planning_migrated/planning_policy/Ryedale_CIL_Charging_Schedule.pdf

4.22 The following table sets out a summary of the CIL receipts for 2022/23:

Regulation requirement	Amount
(a) The total value of CIL set out in all demand notices issued in the reported year;	£162,869.15
(b) the total amount of CIL receipts for the reported year;	£264,094.95
(c) the total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year but which have not been allocated;	£3,037,909.10
(d) the total amount of CIL receipts, collected by the authority, or by another person on its behalf, before the reported year and which have been allocated in the reported year;	£523,899.91 in parish apportionment
(e) the total amount of CIL expenditure for the reported year;	£34,634.21 in parish apportionment
(f) the total amount of CIL receipts, whenever collected, which were allocated but not spent during the reported year;	£6,209.15 in parish apportionment not paid with the monitoring year. No other allocated CIL receipts were unspent.
(g) in relation to CIL expenditure for the reported year, summary details of— (i) the items of infrastructure on which CIL (including land payments) has been spent, and the amount of CIL spent on each item; (ii) the amount of CIL spent on repaying money borrowed, including any interest, with details of the items of infrastructure which that money was used to provide (wholly or in part); (iii) the amount of CIL spent on administrative expenses pursuant to regulation 61, and that amount expressed as a percentage of CIL collected in that year in accordance with that regulation;	G (i) Refer to the Neighbourhood area apportionment table below. (ii) N/A (iii) £0
(h) In relation to CIL receipts, whenever collected which were allocated but not spent during the reported year. Summary details of the items of infrastructure on which CIL (including land payments) has been allocated, and the amount of CIL allocated to each item;	None
(i) the amount of CIL passed to—	i (i) £558,534.12 Since CIL was introduced,

Regulation requirement	Amount
(i) any parish council under regulation 59A or 59B (parish and land payments); and (ii) any person under regulation 59(4);	£34,634,21 this monitoring year (22/23). (ii) N/A
(j) summary details of the receipt and expenditure of CIL to which regulation 59E (CIL recovered from a local Council, further description in Section 1 of Statement) or 59F (CIL development that takes place in an area without a parish or community council, details in Section 1) applied during the reported year including— (i) the total CIL receipts that regulations 59E and 59F applied to; (ii) the items of infrastructure to which the CIL receipts to which regulations 59E and 59F applied have been allocated or spent, and the amount of expenditure allocated or spent on each item;	j (i) £0 (ii) £0
(k) summary details of any notices served in accordance with regulation 59E, including— (i) the total value of CIL receipts requested from each parish council; (ii) any funds not yet recovered from each parish council at the end of the reported year;	k (i) £0 (ii) £0
(l) the total amount of— (i) CIL receipts for the reported year retained at the end of the reported year other than those to which regulation 59E or 59F applied; (ii) CIL receipts from previous years retained at the end of the reported year other than those to which regulation 59E or 59F applied; (iii) CIL receipts for the reported year to which regulation 59E or 59F applied retained at the end of the reported year; (iv) CIL receipts from previous years to which regulation 59E or 59F applied retained at the end of the reported year	l (i) £229,460.74 (ii) £3,037,909.10 (iii) £0 (iv) £0

4.23 The below table sets out the portion of CIL distributed to the relevant neighbourhood area within the monitoring year, with information on the associated infrastructure projects:

Town/Parish	Planning Reference	Amount received	Date sent	Spend or anticipated spend
Kirkbymoorside	20/01186/73M (payment 2 and 3 of 4)	£16,479.38 (£8,239.69 x2)	22.07.2022	The total parish payment to be received from this development once all four payments have been made will come to £32,958.75. The parish have agreed to spend the money on the following projects: • Trees for planters including tubs, planning compost.

Town/Parish	Planning Reference	Amount received	Date sent	Spend or anticipated spend
				• Natural Flood Management Feasibility Assessment for Kirkbymoorside catchment. • Replacement of the existing 'Cantilever swing' and 'Junior swings' (which have been identified as needing replacement in 2022 by the annual play inspection report) at Old Road play area, with an 'Aero Tilt' and a 'Team Swing seat'. • New play equipment at Old Road play area.
Sinnington	19/00109/FUL (2 of 2)	£1,211.25	22.07.2022	The Parish is hoping to carry out some works to the Village Green towards providing car parking spaces for both residents and visitors to use. The CIL money would contribute towards this.
Norton	18/01186/REM 18/01186/REM (2 of 2 Payments) 19/00905/REM	£3,053.25 £6,106.50 £1468.94	22.07.202 16.02.2023 16.02.2023	No response from the Town Council. The spending information will be published in the next Infrastructure Funding Statement.
Sherburn	21/00280/FUL	£258.53	16.02.2023	The parish have spent the CIL funding on a new defibrillator for the local playing fields association.
Rillington	21/01282/FUL	£756.00	16.02.2023	The CIL money is being used to assist in funding a War Memorial for Rillington. This project is “work in progress” and currently on hold pending receipt of permission from the landowner (NYC) for the proposed site. The design has been finalised and work will

Town/Parish	Planning Reference	Amount received	Date sent	Spend or anticipated spend
				start once the owner's permission has been obtained.
Flaxton	18/01136/FUL	£53.55	16.02.2023	The Council is intending to contribute the CIL money towards a project to restore a section of the path in Flaxton. It's the section that runs between Oak Busk Lane and the level crossing. At the moment the path is very narrow and considered dangerous by villagers. The project will restore the path to its original width and therefore make it more useable and safer.
Swinton	21/00641/FUL & 22/00500/FUL	£3,995.85 & £1,173.00	16.02.2023	The funds are paying for a new roof on a Parish council shed, the work has not yet started.
Pickering	21/01261/FUL	£60.00	16.02.2023	It was agreed in August 2023 that £45,000 would be given to Pickering Recreation Ground Committee to enable them to repair the roof and cladding of their building. This was made up of this CIL money and other previously acquired CIL money.
		£34,634.21		

4.24 *CIL expenditure*

There has been no expenditure in relation to District Council held Levy. However, a total of £34,634.21 has been distributed to the associated Parish and Town Council's through the 15% proportion per liable scheme, over the monitoring period 1 April 2022 to 31 March 2023.

5.0 CIL Spending

5.1 This is an interim Infrastructure Funding Statement. North Yorkshire Council is presently preparing and seeking approval on a CIL Spending Protocol which will be implemented in Spring/Summer 2024. This protocol will involve the development of an Infrastructure List (through the establishment of Officer and Member Working Groups) which will detail the current and future spending priorities for CIL and will have to be agreed by the Council Executive. Until this priority spend list is established Council CIL spending has been stalled. An updated IFS will be published in due course.

6.0 Former North Yorkshire County Council Reporting

6.1 Prior to Local Government reorganisation (LGR) the former North Yorkshire County Council (NYCC) also published a separate IFS. This was a used as a mechanism for presenting the infrastructure position for education and highways departments.

6.2 The former County Council was not in receipt of any CIL funds within the monitoring year 2022/23. In the case of Harrogate, Richmondshire, Hambleton and Scarborough S.106 commuted sums for Education and Highways have been directly collected and effectively bypass the Council. This means those figures are not included in the LPAs individual IFS figures but are recorded here in section 6.

6.3 The below table sets out the S.106 agreements entered into in the reporting year, together with information on the financial contribution and whether those funds have been received.

Date of S.106 Agreement	Planning Ref	Site	Contribution	Non-financial contribution	Purpose	Received
21-02-2022	20/02538/FUL	Easingwold CP	£352,527.76	None	Education Facilities	£117,510.20
07-02-2022	17/00628/OUT with all matters reserved (19/00757/AORM)	Colburn CP	£363,693.00	None	Education Facilities	None
27-10-2022	21/02763/FULMAJ	King James'	£111,611.50	None	Education Facilities	None
27-10-2022	21/02763/FULMAJ	Manse Farm/Meadowside Academy	£169,950.00	None	Education Facilities	None
06-12-2022	20/02318/OUTMAJ	Pannal CP	£752,826.50	None	Education Facilities	None
06-12-2022	20/02318/OUTMAJ	Rossett School	£536,352.83	None	Education Facilities	None
29-03-2023	21/00668/FULL	Melsonby	£1,500	None	Travel Plans	£1,500
25-08-2022	21/02282/FUL	Leeming Bar	£5,000	None	Travel Plan	None

Date of S.106 Agreement	Planning Ref	Site	Contribution	Non-financial contribution	Purpose	Received
27-10-2022	21/02763/FULMAJ	Knaresborough	£35,397.75 £5,000	None	Highways Works Travel Plan	None
18-01-2023	21/00728/FULMAJ	Marton-cum-Grafton	£1,000	None	Travel Plan	£1,000
06-12-2022	14/02970/FULMAJ 20/02318/OUTMAJ	Harrogate	£691,965.00 Plus £5,000	None	Highways Works and Sustainable transport Infrastructure. Plus £5,000 travel; plan	None
31-03-2023	22/04066/DVCMAJ	Back lane / Dishforth Road	£10,000	None	Traffic Calming	

6. 4 The below table sets out the funds received in the reporting year:

Planning Ref	School/area /Road named in S.106 agreement	Value of payment	Amount as per S.106/CIL agreement	Already received previously	The amount spent	The amount committed but not spent	The amount not committed or spent
19/03854/FULMAJ	Burton Leonard CE	£ 98,571.00	£ 98,571.00	Nil	Nil	£ 98,571.00	Nil
16/01869/FULMAJ	Burton Leonard CE	£ 95,172.00	£ 95,172.00	Nil	Nil	£ 95,172.00	Nil
18/01532/FULMAJ	Green Hammerton CE	£ 56,083.50	£ 74,778.00	£ 18,694.50	Nil	£ 74,778.00	Nil

Planning Ref	School/area /Road named in S.106 agreement	Value of payment	Amount as per S.106/CIL agreement	Already received previously	The amount spent	The amount committed but not spent	The amount not committed or spent
19/02262/ OUTMAJ	Grove Road CP and/or Starbeck and/or other primary schools serving the catchment area	£ 84,408.50	£ 253,225.50	Nil	Nil	£ 84,408.50	Nil
19/02262/ OUTMAJ	Harrogate Grammar School, Harrogate High & Rossett	£ 97,203.47	£ 291,610.41	Nil	Nil	£ 97,203.47	Nil
20/01556/ FULMAJ	Harrogate Grammar School, Harrogate High & Rossett	£ 85,179.94	£ 255,539.83	Nil	Nil	£ 85,179.94	Nil
20/01556/ FULMAJ	HGS, HH & Rossett	£ 85,179.94	£ 255,539.83	Nil	Nil	£ 85,179.94	Nil
19/02262/ OUTMAJ	HGS, HH & Rossett	£ 97,203.47	£ 291,610.41	Nil	Nil	£ 97,203.47	Nil
18/04687/ FULMAJ	Holy Trinity I & J	£ 72,194.76	£ 302,511.00	£ 127,462.50	Nil	£ 199,657.26	Nil
16/00582/ OUTMAJ	Killinghall CE	£ 120,664.50	£ 241,329.00	Nil	Nil	£ 120,664.50	Nil
18/04749/ FULMAJ	Killinghall CE	£ 183,546.00	£ 183,546.00	Nil	Nil	£ 183,546.00	Nil

Planning Ref	School/area /Road named in S.106 agreement	Value of payment	Amount as per S.106/CIL agreement	Already received previously	The amount spent	The amount committed but not spent	The amount not committed or spent
15/04164/ OUTMAJ - 17/03376/ REMMAJ	Kirby Hill CE	£ 492,855.00	£ 492,855.00	Nil	Nil	£ 492,855.00	Nil
13/00535/ EIAMAJ (17/05491 /REMMAJ)	Manse Farm (New School)	£ 200,240.00	£ 2,002,400.00	£ 200,240.00	Nil	£ 400,480.00	Nil
17/05595/ OUTMAJ / 19/02342/ REMMAJ	Pannal CP	£ 147,290.00	£ 441,870.00	£ 147,290.00	Nil	£ 294,580.00	Nil
20/01556/ FULMAJ	Primary education within Harrogate	£ 78,830.00	£ 236,490.00	Nil	Nil	£ 236,490.00	Nil
18/04687/ FULMAJ	Ripon Grammar School	£ 111,572.36	£ 169,049.02	Nil	Nil	£ 111,572.36	Nil
17/05595/ OUTMAJ	Rossett School and/or Harrogate Grammar School	£ 114,317.23	£ 342,951.70	£ 114,317.23	Nil	£ 228,634.46	Nil
19/01734/ FULMAJ	Tockwith CE	£ 72,512.00	£ 217,536.00	£ 72,512.00	Nil	£145,024.00	Nil
14/00779/ OUT	Middleton Tyas CE	£ 118,965.00	£ 118,965.00	Nil	Nil	£ 118,965.00	Nil

Planning Ref	School/area /Road named in S.106 agreement	Value of payment	Amount as per S.106/CIL agreement	Already received previously	The amount spent	The amount committed but not spent	The amount not committed or spent
13/01314/ MOUT	Kirkbymoorside CP	£ 610,985.00	£ 610,985.00	Nil	Nil	£ 610,985.00	Nil
10/00899/ MOUT or 11/01182/ MREM	Malton CP	£ 119,680.00	£ 357,680.00	Nil	Nil	£ 119,680.00	Nil
14/00427/ MOUTE	Malton CP	£ 241,512.00	£ 241,512.00	Nil	Nil	Nill	Nil
14/00427/ MOUTE	Malton CP	£ 591,426.00	£ 591,426.00	Nil	Nil	£ 591,426.00	Nil
2015/0105/OUT	Hambleton CE (Selby District)	£ 46,906.20	£ 156,354.00	£109,447.80	Nil	£ 156,354.00	Nil
2015/0105/OUT	Selby High School	£ 83,891.26	£ 279,637.54	£195,746.28	Nil	£ 279,637.54	Nil
2020/0776/FULM	Selby Abbey CE	£92,339.25	£92,339.25	Nill	Nill	£92,339.25	Nill
13/00535/ EIAMAJ	Manse Farm	£5000	£5000	Nil	Nil	£5,000	Nil
13/02358/ OUTMAJ	Panal	£25,000	£25,000	Nil	Nil	£25,000	Nil
13/02358/ OUTMAJ	Panal	£189,500	£189,500	Nil	Nil	£189,500.00	Nil
14/03849/ OUTMAJ	Penny Pot Lane	£35,000.00	£35,000.00	Nil	Nil	£35,000.00	Nil
14-03849/OUTMAJ	Orchard Close	£78,000.00	£78,000.00	Nil	Nil	£78,000.00	Nil

Planning Ref	School/area /Road named in S.106 agreement	Value of payment	Amount as per S.106/CIL agreement	Already received previously	The amount spent	The amount committed but not spent	The amount not committed or spent
14/04315/ FULMAJ	Riverside Sawmill	£5,000	£5,000	Nil	Nil	£5,000	Nil
18/04687/ FUL	Bellman Walk	£2,250.00	£2,250.00	Nil	Nil	£2,250.00	Nil
18/04687/ FUL	Bellman Walk	£8,000.00	£8,000.00	Nil	£8,000.00	Nil	Nil
17/01350/ OUTMAJ	Boroughbridge Road	£5,000	£5,000	Nil	Nil	£5,000	Nil
17/01350/ OUTMAJ	Boroughbridge Road	£8,000.00	£8,000.00	Nil	£8,000.00	Nil	Nil
17/01446/ OUTMAJ	Green Hammerton	£25,000	£25,000	Nil	Nil	£25,000	Nil
17/01446/ OUTMAJ	Green Hammerton	£5,000	£5,000	Nil	Nil	£5,000	Nil
17/02937/ FULMAJ	Boroughbridge	£5,000	£5,000	Nil	£5,000	Nil	Nil
17/04102/ OUTMAJ	Massey Fold	£8,000.00	£8,000.00	Nil	£8,000.00	Nil	Nil
19/02262/ OUTMAJ	Kingsley Manor	£5,000	£5,000	Nil	£5,000	Nil	Nil
19/02262/ OUTMAJ	Kingsley Manor	£3,000	£3,000	Nil	Nil	£3,000	Nil
17/04319/ OUTMAJ	Chapel Hill	£5,000	£5,000	Nil	£5,000	Nil	Nil
20/01556/ FULMAJ	Granby Meadows	£10,000	£10,000	Nil	Nil	£10,000	Nil
2019/0325/FULM	Church Fenton	£80,000	£80,000	Nil	£80,000	Nil	Nil

North Yorkshire Council

Executive

6 February 2024

North Yorkshire Council Local Development Scheme

Report of the Corporate Director of Community Development

1.0 PURPOSE OF REPORT

1.1 To recommend to Executive the approval and publication of the council's Local Development Scheme (Appendix 1), which includes key milestones for the preparation of the new Local Plan for North Yorkshire, completion of the Maltkiln New Settlement DPD and Selby Local Plan, and the review of the Minerals and Waste Joint Plan.

2.0 SUMMARY

2.1 The preparation of a Local Development Scheme is a requirement of national planning legislation and sets out the timescales for preparing development plan documents including Local Plans. A Local Development Scheme has been prepared which seeks to meet the requirements to provide a new Local Plan for North Yorkshire within five years in addition to the completion of the Maltkiln New Settlement DPD, the Selby Local Plan and the review of the North Yorkshire, City of York Council and North York Moors National Park Authority Minerals and Waste Joint Plan. This report sets out the key milestones of the Local Development Scheme and seeks approval for it to be brought into effect.

3.0 BACKGROUND

3.1 Section 15 of the Planning & Compulsory Purchase Act 2004 (as amended) requires North Yorkshire Council to prepare and publish a Local Development Scheme. This will set out the process and time scales for the preparation of those documents that will collectively form the development plan for North Yorkshire. It will also include project management arrangements, information on the evidence required to support plan preparation and an evaluation of the risks to its preparation. It should be noted that the Levelling Up and Regeneration Act 2023 has received royal assent, and this contains a number of changes to the process for making local plans, however at this point in time the changes have not yet come into force nor is there a timetable for this.

3.2 The Local Development Scheme also reflects the outcomes of the decision by Council on 23 February 2023 which agreed to progress work on the Selby Local Plan and the Maltkin New Settlement Development Plan Document and further discussions on the revised timescales which are also to be discussed at this meeting.

4.0 Preparation of a North Yorkshire Local Plan

4.1 Central to delivering North Yorkshire Council's place making and sustainable growth agenda is the Council's new Local Plan. Our plan making will shape the future of North Yorkshire and help to deliver the council's wider vision and objectives, support our external partners to develop their programmes and use it as a basis for levering in external funding opportunities.

4.2 The Local Government (Structural Changes) (Transitional Arrangements) (No.2) Regulations 2008 (as amended) requires that a single tier council adopts a local development document under section 23 of the 2004 Planning & Compulsory Purchase Act to apply to the whole of its area within a period of five years starting with the date of re-organisation. This report sets out the key timescales which must be achieved to provide us with the best opportunity to meet this requirement.

4.3 The Levelling Up and Regeneration Act 2023 (the Act) contains a number of measures which may impact on the preparation of a new Local Plan if they are brought into force such as the introduction of National Development Management Policies, an Infrastructure Levy and the requirement to produce Design codes. The Act also has implications in terms of how plans are prepared and assessed which we will need to comply with depending on when the provisions take effect and any transitional arrangements which are put in place.

4.4 The review of the Minerals and Waste Joint Plan will be dependent on the outcomes for updates to the Yorkshire and Humber Technical Assessment, Waste needs and capacity assessments and minerals resource assessment. However, given its recent adoption this is not considered to be an immediate priority. This work, which was previously undertaken jointly with City of York Council and the North York Moors National Park Authority, will not be required until approximately 2025 onwards.

4.5 Key to delivering a new Local Plan within five years is ensuring a sufficient level of staffing resource with the relevant expertise to prepare and deliver an ambitious local plan across the new geography. Staffing resource is being considered as part of the new structure for the Planning Service, which is currently underway.

4.6 It will also be crucial to be able to draw upon, and work collaboratively with, a range of expertise from across the Council. For example, officers in legal, climate change, public health, flood risk, transport, localities, education, housing, economic development, and leisure.

4.7 The budget for preparation of the local plan, including cost for evidence base, software, consultations, and Examination will be factored into the council's budgeting process.

5. Draft Local Development Scheme

5.1 The Local Development Scheme sets out the key planning policy documents we will be producing over the next five years. This document is the first Local Development Scheme to be prepared in relation to the new Local Plan for North Yorkshire Council. The Local Development Scheme also includes milestones for the completion of the Selby District Local Plan and the Maltkin New Settlement Development Plan Document.

5.2 In terms of content, there are particular requirements set out in the Planning and Compulsory Purchase Act 2004, Section 15(2) as amended. This specifies that the Local Development Scheme should include:

- the local development documents which are to be development plan documents
- the subject matter and geographical area to which each development plan document is to relate
- which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities
- any matter or area in respect of which the authority has agreed (or propose to agree) to the constitution of a joint committee under section 29
- the timetable for the preparation and revision of the development plan documents
- such other matters as are prescribed.

5.3 The preparation of a new Local Plan within 5 years is very challenging given the scale and diversity of the geography for the new plan, the complexities of the plan making process and interrelationships with neighbouring authorities. The Local Development Scheme sets out a plan that will give us the best opportunity of adopting a new plan in five years, whilst also recognising that there are a number of risks that may arise that could impact on this timescale. Examples of the key risks to the timescale are set out in the LDS risk matrix and summarised at paragraph 14.1 below.

5.4 The first step in preparing a new Local Plan has been the development of a Statement of Community Involvement. The legal requirements for preparing a Statement of Community Involvement are set out by the Government in legislation. The Planning and Compulsory Purchase Act 2004 (section 18) (as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017) requires Local Authorities to prepare a statement setting out how it will involve those with an interest in development in the area, including how they will consult on their Local Plan. Consultation on the Statement of Community Involvement has already taken place and, subject to approval by Executive, will be adopted early in 2024.

5.5 The key timescales in the draft LDS are set out in the table below.

Key Milestones for Producing North Yorkshire Council Local Plan		
	Stage of Plan Making	Timescale
Regulation 18	Public consultation on Issues and Options for the Local Plan	Q4 2024
Regulation 18	Public Consultation on Draft Local Plan (Preferred Options)	Q4 2025
Regulation 19	Consultation on Pre-Submission Local Plan	Q1 2027
Regulation 22	Submission of the Local Plan to the Secretary of State	Q2 2027
Regulation 24	Examination of Local Plan	2027/28
Regulation 26	Adoption of Local Plan	Q4 2028

Key Milestones for Producing New Settlement (Maltkiln) DPD		
	Stage of Plan Making	Timescale
Regulation 18	Public consultation on Issues and Options for the Local Plan	Completed
Regulation 19	Consultation on Pre-Submission Local Plan	Completed
Regulation 22	Submission of the Local Plan to the Secretary of State	Q1 2024
Regulation 24	Examination of Local Plan	2024/25
Regulation 26	Adoption of Local Plan	Q1 2025

Key Milestones for Producing Selby Local Plan		
	Stage of Plan Making	Timescale
Regulation 18	Public consultation on Issues and Options for the Local Plan	Completed
Regulation 19	Consultation on Pre-Submission Local Plan	Completed
Revised Regulation 19	Consultation on Revised Pre-Submission Local Plan	Q1 2024
Regulation 22	Submission of the Local Plan to the Secretary of State	Q3 2024
Regulation 24	Examination of Local Plan	2024/25
Regulation 26	Adoption of Local Plan	Q4 2025

6.0 CONTRIBUTION TO COUNCIL PRIORITIES

6.1 The preparation of a new Local Plan will help the Council to deliver its Corporate Plan Vision to build on North Yorkshire's natural capital, strong local economy, and resilient communities, to improve the way local services are delivered and support a good quality of life. The Local

Plan will help to deliver the spatial elements of the Council's ambitions in relation to Place and Environment, Economy, Health and Wellbeing and People

7.0 ALTERNATIVE OPTIONS CONSIDERED

7.1 The Council has a statutory requirement to prepare a new Local Plan for North Yorkshire as set out in The Local Government (Structural Changes) (Transitional Arrangements) (No.2) Regulations 2008 (as amended). The preparation of a new Local Plan must be prepared in accordance with the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Section 15 of the Regulations requires North Yorkshire Council to prepare and publish a Local Development Scheme.

7.2 It is not proposed that the North Yorkshire Local Plan will be prepared jointly with any other authority however as noted in Para 4.4, the Minerals and Waste Local Plan was jointly prepared with City of York and the North York Moors National Park Authority so it is expected that a joint review will occur.

8.0 IMPACT ON OTHER SERVICES/ORGANISATIONS

8.1 The preparation of a Local Plan for North Yorkshire will require input from staff across the organisation as it will be the vehicle to deliver the spatial elements of the Council's vision and objectives.

9.0 FINANCIAL IMPLICATIONS

9.1 The budget implications for delivering the LDS will be considered through the Council's budget setting process.

10.0 LEGAL IMPLICATIONS

10.1 The requirement to produce a new Local Plan for North Yorkshire within five years is set out in the Local Government (Structural Changes) (Transitional Arrangements) (No.2) Regulations 2008 (as amended). The preparation of a Local Plan and Local Development Scheme are statutory requirements of the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

10. 2 There may be further changes to the Local Plan preparation if the provisions of the Act come into force.

11.0 EQUALITIES IMPLICATIONS

11.1 An impact screening assessment has been undertaken and this concludes that proposals are in place to ensure that as many people as possible are made aware of and are engaged with the consultation. The Local Plan will have its own Equalities Impact Assessment.

12.0 CLIMATE CHANGE IMPLICATIONS

12.1 There are no implications arising from the Local Development Scheme itself as it only seeks to set out the timescales for the preparation of Development Plan Documents. Sustainability Appraisals are required by legislation to support the development of all Development Plan Documents.

12.2 The National Planning Policy Framework (NPPF) requires that all plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-

term implications for flood risk, coastal change, water supply, biodiversity and landscapes and the risk of overheating from rising temperatures. All Development Plan Documents will be prepared in-line with the NPPF, and Sustainability Appraisals will be undertaken as part of the preparation of the DPDs to ensure that the climate change implications have been adequately assessed.

13.0 PERFORMANCE IMPLICATIONS

13.1 The preparation of a Local Development Scheme is one of the first statutory requirements for the preparation of a Local Plan and delay in bringing it into effect could impact the overall timescales for plan preparation.

14.0 RISK MANAGEMENT IMPLICATIONS

14.1 A number of risks to the timescales for preparing the Local Plan have been identified in the Local Development Scheme which are outlined below:

- Sufficient resources to enable the procurement of technical supporting evidence where required
- Staff resources to deliver the programme including the completion of Development Plan documents already underway, due to vacancies or being asked to carry out unprogrammed work. This includes wider specialist support including highways, education, and health.
- Reliance on third parties such as internal and external consultees for timely responses (e.g., site assessments)
- Political uncertainly/changes nationally and/or locally
- Introduction of new national policy, guidance, and legislation including review of NPPF and calculation of housing need
- Higher than expected consultation responses
- Further technical evidence required in order to respond to consultation responses
- Timescales for the examination stage
- Potential for legal challenge

15.0 HUMAN RESOURCES IMPLICATIONS

15.1 Sufficient staffing resources will be required to complete the preparation of the Local Plan.

16.0 ICT IMPLICATIONS

16.1 The preparation of the Local Plan is reliant on software to support public consultation, in drafting documents, GIS for mapping and a range of service specific monitoring systems.

17.0 CONCLUSIONS

17.1 The preparation of a new Local Plan for North Yorkshire is an important opportunity to set out the council's place making and sustainable growth ambitions and to seek to meet the needs of our communities. The Local Development Scheme sets out key milestones for adoption of the new Local Plan in 2028 (within five years) and for the completion of other Development Plan Documents currently at an advanced stage. It will be important to closely monitor progress and risks to local plan preparation as we move through the process.

18.0 REASONS FOR RECOMMENDATIONS

18.1 The preparation of a Local Development Scheme is a statutory requirement as set out in the Planning and Compulsory Purchase Act 2004.

19.0 RECOMMENDATION

i. That the Executive approve that the Local Development Scheme (attached at Appendix 1) shall take effect on 7 February 2024 and be published on the Council's website.

ii. That the Corporate Director Community Development in consultation with the Executive Member for Open to Business, be authorised to make minor amendments and graphical improvements to the Local Development Scheme prior to publication on the council's website

APPENDICES:

Appendix 1 Draft Local Development Scheme
Appendix 2 Initial Equality Impact Assessment Screening Form
Appendix 3 Initial Climate Change Impact Assessment Form

BACKGROUND DOCUMENTS: None

Nic Harne
Corporate Director of Community Development
County Hall
Northallerton
September 2023

Report Author – Linda Marfitt, Head of Planning Policy and Place
Presenter of Report – Caroline Skelly, Planning Policy Manager

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

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Appendix 1

North Yorkshire Council

Draft Local Development Scheme 2024 to 2028

OFFICIAL

Introduction

1.1 The Local Development Scheme (LDS) sets out the key planning policy documents we will be producing over the next five years. This document is the first Local Development Scheme to be prepared in relation to the new Local Plan for North Yorkshire Council.

1.2 In terms of content there are particular requirements set out in the Planning and Compulsory Purchase Act 2004, Section 15(2) as amended. This specifies that the Local Development Scheme should include:

- the local development documents which are to be development plan documents;
- the subject matter and geographical area to which each development plan document is to relate;
- which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
- any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee under section 29;
- the timetable for the preparation and revision of the development plan documents;
- such other matters as are prescribed.

1.3 This Local Development Scheme was brought into effect from 7th February 2024 by resolution of the Council.

1.4 Copies of the Local Development Scheme are available for inspection on the North Yorkshire Council website.

1.5 The document will be revised as appropriate to reflect changes to plan preparation schedules and any revisions published on the Council's website.

The proposed North Yorkshire Council Local Plan

2.1 The Local Government (Structural Changes) (Transitional Arrangements) (No.2) Regulations 2008 (as amended) requires that a single tier council adopts a local development document under section 23 of the 2004 Planning & Compulsory Purchase Act to apply to the whole of its area within a period of five years starting with the date of re-organisation. This Local Development Scheme sets out the timescales for the preparation of the new Local Plan for North Yorkshire Council which formed on 1st April 2023.

2.2 Existing local plans for the former district and county areas will remain in place until the new local plan for North Yorkshire is adopted. Work is also continuing on two other Development Plan Documents that have reached and advanced stage; namely the Maltkiln New Settlement Development Plan Document and the Selby Local Plan. This Local Development Scheme also sets out the timescales for the completion of these documents.

2.3 The adopted Local Plan, together with any Neighbourhood Plans that are 'made' will be the Development Plan for North Yorkshire and its policies will form the basis for planning decisions in the borough. The Local Plan will exclude the areas of North Yorkshire which fall within the boundaries of the North York Moors and Yorkshire Dales National Parks, who will remain the Local Planning Authorities for these geographies.

2.4 The Local Plan will be supported by a policies map which shows how policies will apply across the area.

Existing Development Plans

3.1 The adopted Development Plans for North Yorkshire currently comprise the following documents:

Craven Local Plan Nov 2019	12th November 2019 Craven DC	Craven District outside the Yorkshire Dales National Park
Hambleton Local Plan Hambleton Local Plan Policies Map	22nd February 2022 Hambleton DC	Hambleton district outside of North York Moors National Park
Harrogate District Local Plan 2014-2035 New settlement policies:	4th March 2020 9th December 2020 Harrogate BC	Harrogate District

Minerals & Waste Joint Plan 2016-2030	16th February 2022 NYCC	North Yorkshire, City of York & the North York Moors National Park
Richmondshire Local Plan 2012-28: Core Strategy	December 2014 Richmondshire DC	Richmondshire District outside the Yorkshire Dales National Park
Saved Policy 23 Development Limits modified by Core Policy CP4 of the above Core Strategy	Richmondshire DC	Richmondshire District outside the Yorkshire Dales National Park
The Ryedale Plan- Local Plan Strategy	5th September 2013 Ryedale DC	Ryedale District Outside of the NYMNP
Amendments to operation of Policies SP3 and SP11 1.9.2016	1st September 2016 Ryedale DC	Ryedale District Outside of the NYMNP
Ryedale Plan- Local Plan Sites Document	27th June 2019 Ryedale DC	Ryedale District Outside of the NYMNP
Yorkshire and Humber RSS Revocation Order pertaining to policy YH9 concerning York Green Belt	22nd February 2013	Ryedale District and other authorities with York Green Belt excluding Hambleton
Yorkshire and Humber Regional Spatial Strategy	May 2008	Ryedale District and other authorities with York Green Belt excluding Hambleton
Helmsley Plan	1st July 2015 Ryedale DC	Ryedale District and NYMNP jointly
Scarborough Borough Local Plan 2017-2032	3rd July 2017 Scarborough BC	Scarborough Borough excluding North York Moors National Park (NYMNPA)
Whitby Business Park Area Action Plan	3rd November 2014 Scarborough BC & NYMNPA	Whitby Business Park which covers areas within the planning remit of both Scarborough BC and NYMNPA
Selby District Core Strategy Local Plan	22nd October 2013 Selby DC	Selby District
Selby District Local Plan 2005 saved policies	8th February 2005 Selby DC	Selby District
East Inshore and Offshore Marine Plans	April 2014 DFRA	East Inshore Marine Plan Area

North East Inshore and North East Offshore Marine Plan	June 2021 DEFRA	North East Inshore and North East Offshore Marine Plan Area
Policy E8 of the North Yorkshire Structure Plan (York Green Belt)	October 1995 NYCC	Selby District

Neighbourhood Plans

3.2 Neighbourhood Plans set out planning policies and form part of the development plan used in determining applications for planning permission. A Neighbourhood Plan is made following a formal consultation process, examination and approval at referendum. The following Neighbourhood Plans have been made within North Yorkshire:

Gargrave Neighbourhood Plan	8th July 2019 Craven DC	Gargrave Parish
Ingleby Arncliffe Neighbourhood Plan	14/12/2021 Hambleton DC	Ingleby Arncliffe Parish
Otley Neighbourhood Plan	16th November 2021 Harrogate BC	Otley parish which is within West Yorks (Leeds CC). Within North Yorks: small parts of both Weston parish and Farnley parish
Ripon Neighbourhood Plan	10th April 2019 Harrogate BC	Ripon Parish
Roecliffe and Westwick Neighbourhood Plan Part 1; Part 2; Part 3	23rd May 2022 Harrogate BC	Parishes of Roecliffe and Westwick
Appleton Roebuck and Acaster Selby Neighbourhood Development Plan 2017-2027	7th December 2017 Selby DC	Parishes of Appleton Roebuck and Acaster Selby
Church Fenton Neighbourhood Development Plan 2020-2027	29th September 2021 Selby DC	Church Fenton Parish
Escrick Neighbourhood Development Plan | Selby District Council	13th December 2022 Selby DC	Escrick Parish

3.3 A number of Neighbourhood Plan Areas have been designated within North Yorkshire and these are listed in the Consolidated Framework document https://www.northyorks.gov.uk/planning-and-conservation/planning-policy/consolidated-planning-policy-framework-and-schedule-evidence

Community Infrastructure Levy

3.4 Community Infrastructure Levy is in place for the following former Council areas

- Harrogate Community Infrastructure Levy – Harrogate Borough Council
- Hambleton Community Infrastructure Levy (CIL) and Affordable Housing – Community Infrastructure Levy (hambleton.gov.uk)
- Selby Community Infrastructure Levy | Selby District Council
- Ryedale Community Infrastructure Levy (CIL) - Ryedale District Council

3.5 The Community Infrastructure Levy will be reviewed in line with the latest national guidance alongside the preparation of the Local Plan for North Yorkshire Council.

Supplementary Planning Documents

3.6 A number of Supplementary Planning Documents have been adopted by the District Authorities which provide further guidance to support the implementation of planning policies. Adopted Supplementary Planning Documents across the area are set out in the Consolidated Framework document https://www.northyorks.gov.uk/planning-and-conservation/planning-policy/consolidated-planning-policy-framework-and-schedule-evidence

Statement of Community Involvement

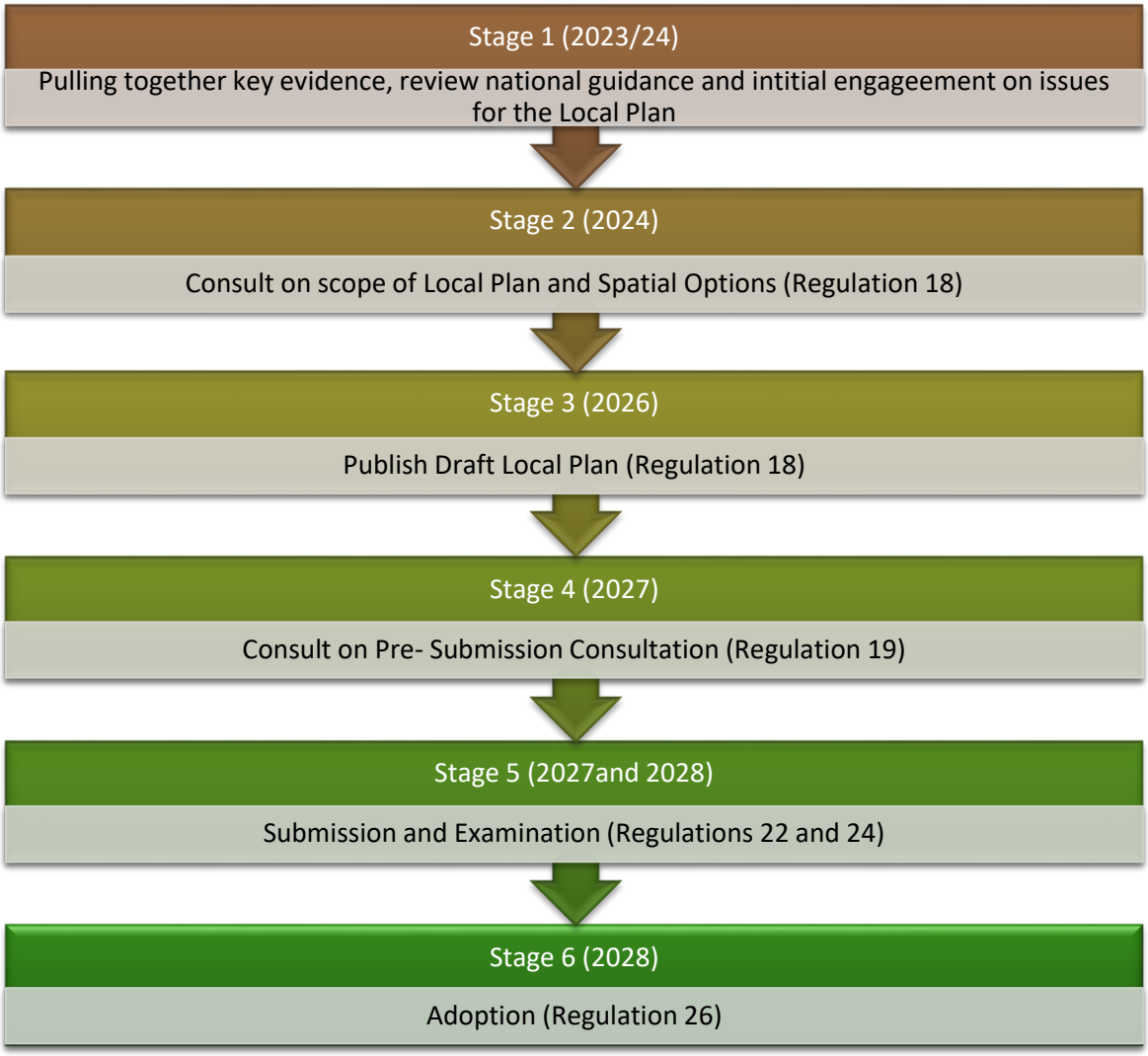
3.7 A new Statement of Community Involvement for North Yorkshire is being prepared which sets out how those people and organisations with an interest in development in the area can be involved in the consideration of planning applications, the preparation of planning policy documents and in planning enforcement matters in the North Yorkshire Local Planning Authority Area.

Monitoring

3.8 Until the new Local Plan for North Yorkshire is adopted, Authority Monitoring Reports will be produced on the geographical basis of the former District and County Councils on an annual basis. The Authority Monitoring Reports provide a review on the implementation of Development Plans and progress towards their completion in addition to assessing the effectiveness of policies.

Timetable for Preparation of New Local Plan for North Yorkshire Council

3.9 In order to complete the preparation of a new Local Plan by April 2028 the Council intends to work to the following timetable:



Key Milestones for Producing North Yorkshire Council Local Plan		
Stage of Plan Making		**Timescale**
Statement of Community Involvement		Q4 2023
Regulation 18	Public consultation on Issues and Options for the Local Plan	Q4 2024
Regulation 18	Public Consultation on Draft Local Plan (Preferred Options)	Q4 2025
Regulation 19	Consultation on Pre-Submission Local Plan	Q1 2027
Regulation 22	Submission of the Local Plan to the Secretary of State	Q2 2027
Regulation 24	Examination of Local Plan	2027/28
Regulation 26	Adoption of Local Plan	Q4 2028

Timetables for Completion of other Development Plan Documents

5.1 The Council intends to work to the following timetables in order to complete the Selby Local Plan and the Maltkiln New Settlement DPD.

Key Milestones for Producing Selby District Local Plan		
Stage of Plan Making		**Timescale**
Regulation 18	Public consultation on Issues and Options for the Local Plan	Completed
Regulation 19	Consultation on Pre-Submission Local Plan	Completed
Revised Regulation 19	Consultation on Revised Pre-Submission Local Plan	Q1 2024
Regulation 22	Submission of the Local Plan to the Secretary of State	Q3 2024
Regulation 24	Examination of Local Plan	2024/25
Regulation 26	Adoption of Local Plan	Q4 2025

Key Milestones for Producing the New Settlement (Maltkiln) Development Plan Document		
Stage of Plan Making		**Timescale**
Regulation 18	Public consultation on Issues and Options for the Local Plan	Completed
Regulation 19	Consultation on Pre-Submission Local Plan	Completed
Regulation 22	Submission of the Local Plan to the Secretary of State	Q1 2024
Regulation 24	Examination of Local Plan	2024/25
Regulation 26	Adoption of Local Plan	Q1 2025

Key Milestones for Reviewing Joint York, North Yorkshire and North York Moors Minerals and Waste Local Plan Review		
Stage of Plan Making		**Timescale**
Phase 1 Review and scoping of any potential updates required		Q1 2025

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Overview of Plans

North Yorkshire Council Local Plan	
Document Details	
Role and Subject	• Will set out the volume and spatial approach for new development across the North Yorkshire Planning Authority area. • Will identify site specific allocations for housing (including gypsy and traveller sites), retail/town centre uses, employment and other purposes and related policies and requirements. • Where necessary, will set out local standards and criteria against which planning applications for the development and use of land and buildings will be assessed and • Will provide more detailed policies to manage land and development. • Site specific allocations, designations and the areas to which policies apply will be identified on the Policies Map.
Coverage	North Yorkshire Council Local Planning Authority Geographical Area (excludes North York Moors and Yorkshire Dales National Parks)
Status	Local Development Plan
Chain of Conformity	Consistent with national guidance
Arrangements for Production	
Lead Section	Planning Policy and Place
Joint preparation	No
Resource Requirements	Planning Policy and Place Planning Staff, input from transport, Climate Change, Education, Economic Development, Housing, Leisure, Public Health and Specialists
Political Involvement	Guided by Development Plan Committee, Area Constituency Committees and Executive. Full Council resolution required as set out in Constitution.
Related and Supporting Work	Sustainability Appraisal, Habitats Regulations Assessment, Duty to Cooperate and Statement of Common Ground, Equality Impact Assessment
Evidence Base	Housing and Economic Development Needs Assessment, Strategic Housing Land Availability Assessment (updated annually), Retail and Leisure Study, Infrastructure Delivery Plan, Viability Appraisal, Strategic Flood Risk Assessment, Green Infrastructure Study, Landscape Assessment, Green Space Review, Indoor and Outdoor Sports and Leisure Study, Gypsy and Traveller Accommodation Assessment
Approach to involving Stakeholders and the Community	In accordance with the Regulations and the adopted Statement of Community Involvement (SCI).

Selby District Local Plan	
Document Details	
Role and Subject	• Will set out the volume and spatial approach for new development across the former Selby distrct area. • Will identify site specific allocations for housing (including gypsy and traveller sites), retail/town centre uses, employment and other purposes and related policies and requirements. • Where necessary, will set out local standards and criteria against which planning applications for the development and use of land and buildings will be assessed and • Will provide more detailed policies to manage land and development. • Site specific allocations, designations and the areas to which policies apply will be identified on the Policies Map.
Coverage	Former Selby district area
Status	Local Development Plan
Chain of Conformity	Consistent with national guidance
Arrangements for Production	
Lead Section	Planning Policy Team
Joint preparation	No
Resource Requirements	Planning Policy and Place Planning Staff, input from transport, Climate Change, Education, Economic Development, Housing, Leisure, Public Health and Specialists Evidence base studies undertaken by consultants.
Approach to involving Stakeholders and the Community	In accordance with the Regulations and the adopted Selby DC Statement of Community Involvement (SCI).

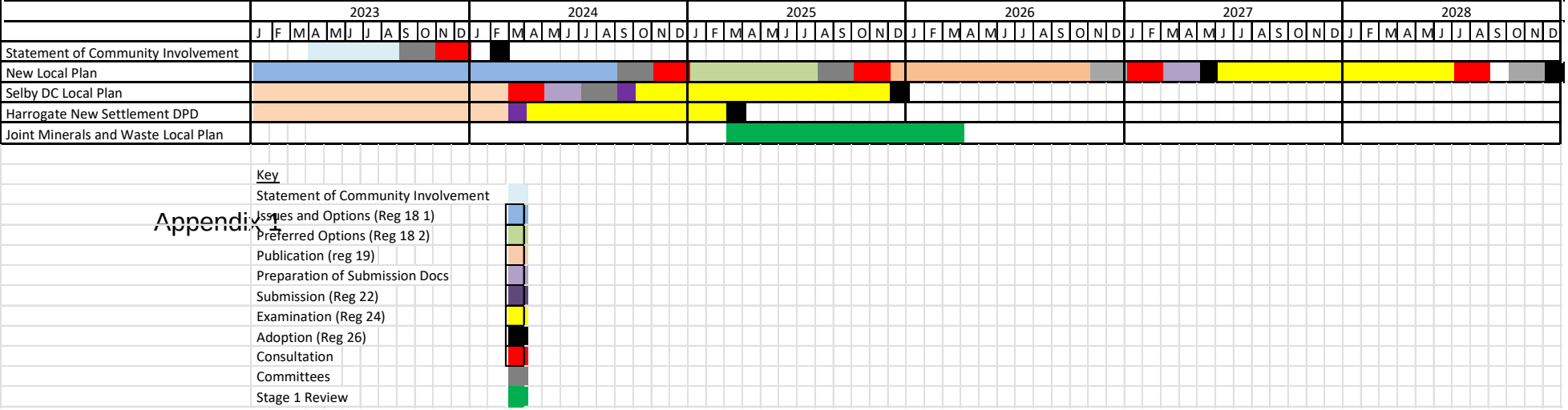
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Harrogate New Settlement Development Plan Document	
Document Details	
Role and Subject	The DPD provides the vision and detailed policy framework to ensure the effective delivery of the new settlement. Importantly it includes ambitious policies on climate change that go beyond those included in the adopted Local Plan.
Coverage	New Settlement (Maltkiln) Policy Boundary
Status	Development Plan Document
Chain of Conformity	Consistent with national guidance
Arrangements for Production	
Lead Section	Place Shaping and Economic Growth Service
Joint preparation	No
Resource Requirements	• Council Officers from Place Shaping and Economic Growth Service • Joint Working and consultation with officers across other council service areas • External consultants e.g to undertake specialist evidence base work and to support the Council at Examination • Joint working and consultation with Duty to Cooperate Partners • Additional resources to manage and facilitate consultation • A comprehensive database to manage data for plan making, public consultations and the monitoring of policies • Additional resources to fund and run the Examination.
Approach to involving Stakeholders and the Community	In accordance with the Regulations and the adopted Harrogate BC Statement of Community Involvement (SCI).

Joint Minerals and Waste Local Plan Review	
Document Details	
Role and Subject	Phase 1 review of effectiveness of plan and scope of any updates which may be required as a result of changes to resource availability and national planning policy.
Coverage	City of York, North Yorkshire Council and North York Moors National Park Authority
Status	Local Development Plan
Chain of Conformity	Consistent with national guidance
Arrangements for Production	
Lead Section	Planning Policy Team
Joint preparation	Yes with City of York Council and North York Moors National Park
Resource Requirements	Head of Planning, Policy Officers, Development Management, Legal. Evidence base studies undertaken by consultants.
Approach to involving Stakeholders and the Community	In accordance with the Regulations and the adopted North Yorkshire Statement of Community Involvement (SCI).

Risks to the Preparation of the Local Plan

Risk Assessment		
Risk	**Impact**	**Mitigating Actions**
Sufficient resources to enable the procurement of technical supporting evidence where required	Could cause slippage in the programme or undermine the soundness of the plan	Anticipate technical requirements and ensure funds and contingency budgets are available. Ensure close relationship with procurement team
Staff resources to deliver the programme including the completion of Development Plan documents already underway, due to vacancies or being asked to carry out unprogrammed work. This includes wider specialist support including highways, education and health.	Could cause slippage in the programme	Ensure staffing resources are maintained in line with structure, preparation of Local Plan work prioritised. Need to ensure staff resources to begin work on new Local Plan and complete Maltkiln DPD, Selby Local Plan and Joint Minerals and Waste Plan.
Reliance on third parties such as internal and external consultees for timely responses (eg site assessments)		
Political uncertainly/changes nationally and/or locally		
Introduction of new national policy, guidance, legislation and guidance including review of NPPF and calculation of housing need.	Further work is required to address changes, which cause slippage in the programme	Planning policies to be kept under review in line with emerging changes.
Higher than expected consultation responses	Possible slippage to timescales involved in process and responding to issues raised	Ensure sufficient flexibility in resources to support consultation exercises
Further technical evidence required in order to respond to consultation responses	Possible slippage to timescales as further work required	Close working with consultancy and procurement teams so that matters are flagged early
Timescales for the examination stage	Additional evidence work or consultation required	Ensure that all comments are robustly addressed
Potential for legal challenge	Potential for the Local Plan or parts of it to be quashed.	Ensure plan meets legal requirements.



Appendix 1

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Appendix 2: Initial equality impact assessment screening form
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.

Directorate	Community Development
Service area	Planning
Proposal being screened	North Yorkshire Local Development Scheme
Officer(s) carrying out screening	Rachael Hutton
What are you proposing to do?	To recommend to Executive the publication of the council's Local Development Scheme, which includes key milestone for the preparation of the new Local Plan for North Yorkshir completion of the Maltkiln New Settlement DPD and Selby Local Plan, and the review of the Minerals and Waste Joint Plan.
Why are you proposing this? What are the desired outcomes?	The preparation of a Local Development Scheme is a statutory requirement as set out in the Planning and Compulsory Purchase Act 2004.
Does the proposal involve a significant commitment or removal of resources? Please give details.	The budget implications for delivering the LDS will be considered through the Council's budget setting process.

Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics

As part of this assessment, please consider the following questions:

- To what extent is this service used by particular groups of people with protected characteristics?
- Does the proposal relate to functions that previous consultation has identified as important?
- Do different groups have different needs or experiences in the area the proposal relates to?

If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your directorate representative for advice if you are in any doubt.

Protected characteristic	**Potential for adverse impact**		**Don't know/No info available**
	Yes	**No**	
Age		✓	
Disability		✓	
Sex		✓	
Race		✓	
Sexual orientation		✓	
Gender reassignment		✓	
Religion or belief		✓	
Pregnancy or maternity		✓	
Marriage or civil partnership		✓	
People in rural areas		✓	
People on a low income		✓	
Carer (unpaid family or friend)		✓	
Are from the Armed Forces Community		✓	
Does the proposal relate to an area where there are known inequalities/probable impacts (for example, disabled people's	No		

access to public transport)? Please give details.				
Will the proposal have a significant effect on how other organisations operate? (for example, partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	No			
Decision (Please tick one option)	EIA not relevant or proportionate:	✓	Continue to full EIA:	
Reason for decision	An impact screening assessment has been undertaken and this concludes that proposals are in place to ensure that as many people as possible are made aware of and are engaged with the consultation. The Local Plan will have its own Equalities Impact Assessment.			
Signed (Assistant Director or equivalent)	Trevor Watson			
Date	22/01/2024			

Appendix 3: Initial Climate Change Impact Assessment (Form created August 2021)

The intention of this document is to help the council to gain an initial understanding of the impact of a project or decision on the environment. This document should be completed in consultation with the supporting guidance. Dependent on this initial assessment you may need to go on to complete a full Climate Change Impact Assessment. The final document will be published as part of the decision-making process.

If you have any additional queries, which are not covered by the guidance please email climatechange@northyorks.gov.uk

Title of proposal	North Yorkshire Local Development Scheme
Brief description of proposal	To recommend to Executive the publication of the council's Local Development Scheme which includes key milestones for the preparation of the new Local Plan for North Yorkshire, completion of the Maltkiln New Settlement DPD and Selby Local Plan, and the review of the Minerals and Waste Joint Plan.
Directorate	Community Development
Service area	Planning
Lead officer	Linda Marfitt, Head of Planning Policy and Place
Names and roles of other people involved in carrying out the impact assessment	Rachael Hutton, Principal Policy and Delivery Officer

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The chart below contains the main environmental factors to consider in your initial assessment – choose the appropriate option from the drop-down list for each one.

Remember to think about the following;

- Travel
- Construction
- Data storage
- Use of buildings
- Change of land use
- Opportunities for recycling and reuse

Environmental factor to consider	For the council	For the county	Overall
Greenhouse gas emissions	No effect on emissions	No Effect on emissions	No effect on emissions
Waste	No effect on waste	No effect on waste	No effect on waste
Water use	No effect on water usage	No effect on water usage	No effect on water usage
Pollution (air, land, water, noise, light)	No effect on pollution	No effect on pollution	No effect on pollution
Resilience to adverse weather/climate events (flooding, drought etc)	No effect on resilience	No effect on resilience	No effect on resilience
Ecological effects (biodiversity, loss of habitat etc)	No effect on ecology	No effect on ecology	No effect on ecology
Heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape

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If any of these factors are likely to result in a negative or positive environmental impact then a full climate change impact assessment will be required. It is important that we capture information about both positive and negative impacts to aid the council in calculating its carbon footprint and environmental impact.

Decision (Please tick one option)	Full CCIA not relevant or proportionate:	✓	Continue to full CCIA:	
Reason for decision	There are no implications arising from the Local Development Scheme itself as it only seeks to set out the timescales for the preparation of Development Plan Documents. Sustainability Appraisals are required by legislation to support the development of all Development Plan Documents.			
Signed (Assistant Director or equivalent)	Trevor Watson			
Date	22/1/24			

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NORTH YORKSHIRE COUNCIL

EXECUTIVE

06 February 2024

NYC Pay Policy for Senior Managers

Report of the Assistant Chief Executive HR & Business Support

1.0 PURPOSE OF REPORT

1.1 This report provides North Yorkshire Council pay policy for senior managers, setting the parameters in which any pay decisions are made throughout the year.

1.2 The report also provides the current pay details of Senior Staff in line with transparency requirements of the Localism Act.

2.0 BACKGROUND

2.1 The Localism Act 2011 requires that each authority must publish an annual pay policy statement setting out its approach to a range of matters on pay and reward. There are a number of requirements of the pay policy and the extract below is taken from the Localism Act 2011, section 8. It is the responsibility of local elected members to put in place local arrangements on senior pay and reward that are fair, accountable and deliver best value for taxpayers.

(1) A relevant authority must prepare a pay policy statement for the financial year 2012-2013 and each subsequent financial year.
(2) A pay policy statement for a financial year must set out the authority's policies for the financial year relating to—
(a) the remuneration of its chief officers,
(b) the remuneration of its lowest-paid employees, and
(c) the relationship between—
(i) the remuneration of its chief officers, and
(ii) the remuneration of its employees who are not chief officers.
(3) The statement must state—
(a) the definition of "lowest-paid employees" adopted by the authority for the purposes of the statement, and
(b) the authority's reasons for adopting that definition.
(4) The statement must include the authority's policies relating to—
(a) the level and elements of remuneration for each chief officer,
(b) remuneration of chief officers on recruitment,
(c) increases and additions to remuneration for each chief officer,
(d) the use of performance-related pay for chief officers,
(e) the use of bonuses for chief officers,
(f) the approach to the payment of chief officers on their ceasing to hold office under or to be employed by the authority, and
(g) the publication of and access to information relating to remuneration of chief officers.
(5) A pay policy statement for a financial year may also set out the authority's policies for the financial year relating to the other terms and conditions applying to the authority's chief officers.

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2.2 As a result of local government reorganisation, staff from former North Yorkshire District and Borough Councils were subject to TUPE protection and therefore transferred over to NYC on their existing terms and conditions, including pay and grading structure. They are protected under TUPE legislation and therefore their pay and terms and conditions will remain those protected at the point of transfer rather than those set out in this policy unless they subsequently move to a new NYC role.

2.3 Where staff choose to move onto NYC terms and conditions or are appointed to a new post through a restructure then they will fall within this pay policy, and the equal pay risk which arises from different pay structures, terms and conditions is reduced.

2.4 There are a small number of senior officers from Districts who have TUPE'd over, currently without a permanent designated post within the NYC senior management structure. These TUPE protected roles are listed in Appendix 3, and postholders are allocated senior duties and responsibilities appropriate to their grade and skills.

3.0 OUTLINE OF THE ISSUE THAT A DECISION IS BEING SOUGHT ON

3.1 The pay policy incorporates the decisions of the relevant committees and reflects the national and local agreements with the trade unions recognised for collective bargaining. The Executive are asked to consider the 2024-2025 Pay Policy and recommend to Full Council, at their meeting on 21 February 2024, the approval of the Pay Policy for publication.

4.0 CONCLUSION

4.1 The Pay Policy is a legal requirement to publish for the council and provides the parameters within which pay decisions are made by Officers and members throughout the year.

5.0 FINANCIAL IMPLICATIONS

5.1 The financial implications of the pay policy have been modelled when changes have been proposed and agreed with the Section 151 officer.

6.0 LEGAL IMPLICATIONS

6.1 The legal implications arising from the 2024-2025 Pay Policy are covered in the main body of the report.

7.0 CLIMATE CHANGE IMPLICATIONS

7.1 Staff travel arrangements have been considered to encourage greener options to limit climate impact, for example encouraging car sharing through a passenger supplement, a cycle allowance, and by offering an electric or hybrid business lease car scheme for those undertaking high business mileage.

8.0 EQUALITIES IMPLICATIONS

8.1 An equality impact assessment has demonstrated no adverse equality impact. The pay policy applies to all staff across the council equally.

9.0 REASONS FOR RECOMMENDATIONS

9.1 A legal requirement to publish the pay policy as set out in the Localism Act 2011.

11.0 RECOMMENDATIONS

11.1 That the Executive consider the 2024-2025 Pay Policy and recommend to Full Council, at their meeting on 21 February 2024, the approval of the Pay Policy for publication.

Trudy Forster
Assistant Chief Executive HR & Business Support

24 January 2024

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NORTH YORKSHIRE COUNCIL

EXECUTIVE

06 February 2024

North Yorkshire Council Pay Policy Statement on Pay Structure, Grading and Conditions for Senior Managers Covering The Period 1 April 2024 to 31 March 2025

1.0 Purpose of report

1.1 This policy statement covers the following management board posts:

- **Head of Paid Service**, which is the post of Chief Executive.
- **Statutory Chief Officers:**
  Corporate Director of Children and Young People's Services
  Corporate Director of Health and Adult Services
  Corporate Director of Environment
  Corporate Director of Resources
  Corporate Director of Community Development
- **Senior Managers on the Management Board** who report directly to the Head of Paid Service:
  Assistant Chief Executive (HR and Business Support)
  Assistant Chief Executive (Legal and Democratic Services) (Statutory Monitoring Officer)
  Assistant Chief Executive (Localities)
- **Assistant Directors (All Directorates)**

2.0 Management Board Pay and Grading

2.1 The pay and grading structure for all posts across North Yorkshire Council (NYC) is at Appendix 1. Pay for management board posts is detailed below and Assistant Director detailed at Appendix 2, all reflect pay on 1 April 2024. The spinal point pay values are at 2023-24 rates as the national pay awards for 1 April 2024 to 31 March 2025 have not yet been agreed.

SCP	Pay 23/24	Grade
87	205,897	CE1
86	200,029	
85	194,160	
84	188,292	
81	155,296	DIR2
80	149,538	
79	143,994	
78	138,656	
77	133,515	
74	124,656	DIR1

Grade		SCP	Salary
CE1	Richard Flinton	87	205,897

DIR2	Stuart Carlton	81	155,296
DIR2	Richard Webb	81	155,296
DIR2	Gary Fielding	81	155,296
DIR2	Karl Battersby	81	155,296
DIR2	Nic Harne	81	155,296
DIR1	Trudy Forster	72	118,423

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73	121,540			DIR1	Barry Khan	74	124,656
72	118,423			DIR1	Rachel Joyce	72	118,423
71	115,826						

2.1 In providing details on the pay and conditions for these senior managers this policy covers the pay structure and terms and conditions for the whole council workforce.

3.0 Senior Management Structure

3.1 The North Yorkshire Council senior management structure comprises posts listed in section 1.0 above and Assistant Director posts set out in Appendix 2.

3.2 In establishing the grades for the new management structure, external benchmarking was carried out and reports submitted to the Chief Executive and Chief Officer's Appointment and Disciplinary Committees to consider the grade and salary of the Chief Executive Officer and Chief Officers. Full Council agreed recommendations from the Committee in July 2022 for the salary range of the Chief Executive Officer with 4 incremental progression points The Committee considered Chief Officer salaries in November 2022 and Full Council agreed a 5 point pay scale for Directors (DIR2) to attract and retain senior talent, which is consistent with increments in grades across the wider pay structure. These grades are detailed are at Appendix 1

4.0 Pay Principles

4.1 The following set of pay principles have been agreed for the new Council:

- Clear and transparent pay structure
- Single Status "one employer" approach, with a single set of terms and conditions and a pay structure, based on job evaluation outcomes, applied consistently to all (non-teaching) Council staff, including Chief Officers and senior managers, and which does not permit varying benefit arrangements for different staff groups
- Affordable
- All pay related decisions are taken in accordance with relevant legislation, and with the aim of securing agreement and support of recognised trade unions
- Pay system based on objective criteria underpinned by job evaluation
- Part of the national pay framework, applying nationally mandated terms and conditions and minimum entitlements, with annual pay awards determined by the various national bodies (NJC, JNC for Chief Officers, and Soulbury) and applied to all NJC staff including those on the locally determined extended pay spine points SCP 44 and above (where not covered by the JNCs for Chief Executives and Chief Officers)
- Fair and equitable for all staff
- Attractive to existing employees across all previous North Yorkshire councils and the workforce of the future
- With the ability to seek to address staffing difficulties where and when they occur
- Recognises that employees' reward needs vary, and change during employment
- Recognises the link between pay and individual performance
- Relevant for all employees, whether providing services in the community or based in an office
- Underpins and reinforces the Council's behaviours and values, such as a learning culture, performance focused, professional excellence, confidence with new technology and public service values
- Promotes employee health and wellbeing
- Supports inclusion and diversity

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- Contributes to the green agenda, supporting measures to address climate change
- Administratively light touch using self-service and fixed payments where possible
- Corporate consistency but retain and build the benefits of local recognition
- Incorporates national and local collective agreements and any authority decisions on pay with locally determined pay and conditions set out in a local collective agreement, applied to all staff and incorporated into employment contracts

4.2 Job evaluation determines the relative worth of posts in comparison with all posts. The Job evaluation score is then set within a pay structure which determines what posts are paid. Local pay and terms and conditions arrangements are reviewed as necessary based on the pay framework of job evaluation and a standard grading structure and terms and conditions.

4.3 NYC is part of the national pay framework with annual pay awards determined by the various national bodies (NJC, JNC for Chief Officers, and Soulbury). This pay policy includes the applied 2023-2024 year pay settlement for NJC staff, which increased pay for all grades by a flat rate of £1,925 or 3.88% for pay points above the national pay spine, and the national settlement for Chief Executives and Chief Officers of an additional 3.5%. No agreement has yet been reached for any staff group for 2024-2025.

NYC in common with many other authorities has a locally determined extended pay spine that extends beyond SCP 43 where the current national pay spine ends. The Green Book national NJC terms and conditions confirms that any national pay award applies to NJC staff on points SCP 44 and above where they are not covered by separate JNCs for Chief Executives and Chief Officers. The national pay frameworks determine certain terms and conditions, notably sick pay, maternity pay and provides minimum entitlements for others including, annual leave and paternity leave. Apart from the JNC for Chief Officers and Soulbury, the bodies also set out the pay spine and points to be used by local authorities in determining their pay arrangements. It is for local authorities to decide how their pay bands fit onto the national pay spine and what jobs and roles are paid based on job evaluation results.

2.4 The national agreements allow for some local determination and these elements are contained in a “Collective Agreement” between the Council and recognised unions (non-teaching). This sets out the local pay framework and all local terms and conditions, applies to all staff equally including Chief Officers and senior managers and is incorporated into all employment contracts. It is reviewed annually as part of the local consultation arrangements with trade unions and is available to all staff via the intranet.

3.0 Pay Structure

3.1 Staff are paid at monthly intervals on the last working day of the month. Pay is one twelfth of the annual gross salary less NI, tax and pension.

3.2 **Pay Bands** - The pay and grading structures in place set out the number of increments (based on national pay spine) for each pay band as shown in Appendix 1. Pay and Conditions for senior managers (who are not Chief Officers) is determined by the Head of Paid Service. Pay bandings can be reviewed at the request of management or staff in post, as and when required due to role changes and restructuring.

3.3 In 2022 the Chief Officers Appointment Committee retained the previously agreed rationale and approach for NYC Chief Officers pay, of setting pay bands between the

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median and upper quartile of externally benchmarked pay rates. This is considered a reasonable level based on the Council's size and complexity, the need for salaries to be competitive, and the fact that the Council is a well performing authority which needs to recognise managers' efforts in achieving this. Management Board and the Chief Executive (CEX) as Head of Paid Service agreed the same rationale and approach for senior managers.

3.3 **Pay Review 2022** - A pay review, applying the principles set out above, took place in 2022 in preparation for the unitary Council, taking account of the 8 councils' pay and terms and conditions, and the significant national labour and local market pressures which caused severe recruitment difficulties and increased staff turnover across most roles. Market data revealed significant pay inflation in some sectors, difficult recruitment and retention and higher turnover in all areas and extremely difficult attraction for some roles. Benchmarking of frontline and national and local hard to fill posts was carried out and used to inform the changes to the grading structure.
This review maintained pay differentials across grades, so pay continues to reflect the job evaluated value of the different size, scope, and responsibility of roles.

3.4 **Pay Progression -** Staff are usually appointed at the bottom of the pay band and progress through the grade annually from 1 April (for employees on NJC terms and conditions) or 1 September (for employees on Soulbury and/or teachers' terms and conditions) following the annual appraisal. Progression is conditional on demonstrating the requisite knowledge and skills/competencies for the role and meeting the required level of performance and contribution during the review period. This is assessed through the appraisal process and in summary is as follows:

1. Satisfactory performance appraisal by 31st March (for employees on NJC terms and conditions) or 31st August (for employees on Soulbury and teachers' terms and conditions).
2. Completion of all mandatory training by 31st March (for employees on NJC terms and conditions) or 31st August (for employees on Soulbury and teachers' terms and conditions).
3. Satisfactory conduct – no live disciplinary warning in place at the pay progression review.
4. Satisfactory performance – no live capability process at the pay progression review.
5. Satisfactory contribution – demonstrating personal effort and commitment, performing in accordance with the Council's values and behaviours.
6. For line managers, completion of employee appraisals by 31st March (for employees on NJC terms and conditions) or 31st August (for employees on Soulbury and teachers' terms and conditions).

3.5 The Chief Executive's appraisal and assessment against the above criteria in order to receive an increment or retain the last increment if at the top of the grade, is undertaken by the Leader in consultation with members of the Executive and other group leaders.

3.6 Pay progression is paused (or stepped back for those at the top of the grade if on NJC or Soulbury terms and conditions) when performance or contribution falls below an acceptable standard, to encourage improved performance and contribution. It can also progress more quickly than annually if an employee is consistently working at an exceptionally high level of performance during the year of the review period.

3.7 Employees can be appointed to a higher pay point, for example to match current salary.

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3.8 **Additional Payments** There is provision for additional payments to be made to staff as detailed below. These provisions apply in the same way to all staff with no separate or additional pay supplements or arrangements for senior managers or chief officers.

- **Recruitment and retention payments** – these additional payments can be made to staff in hard to fill posts. A business case is required and must be approved by the Corporate Director. These payments are not permanent, are subject to regular review and are used on a limited basis as needed.
- **Market supplements** – these can be made when the job grade, as determined by the job evaluation outcome, is less than the median market rate. This is payable as a monthly allowance, rounded to the nearest £100. It is not subject to any uplift resulting from the national pay award and is usually reviewed at least every two years. The need for these payments must be clearly evidenced by market data and approved by Management Board. Use is limited.
- **Incentive payments** – made to staff at the discretion of their manager if merited by excellent performance. Payments are in the form of an accelerated increment or an honorarium payment (limited to equivalent of one or two increments) or a thank you payment to a maximum £300.
- **Acting up payments** – made where staff take on additional duties or responsibilities beyond the remit of their substantive role. Such payments are used regularly to cover staff gaps due to vacancies, maternity leave etc and the payment will reflect the job evaluated grade of the duties being covered.

3.9 All other pay entitlements are the same as for all NYC staff as detailed in the national and local agreements. These include:

- Mileage and limited subsistence expenses
- Annual leave (minimum 28 days rising to 34 days after five years continuous local government service)
- Sick pay (up to six months full and half pay)
- Maternity, adoption, paternity and shared parental leave.
- Other paid and unpaid leave (compassionate, time off for dependants, extended and special leave)
- Pay protection for staff moved to a lower graded role on redeployment/restructuring for one year at a maximum of £8k.

There are no additional payments or discretions for Chief Officers or Senior Managers.

3.10 The Council continues to provide a range of voluntary benefits for all staff, including discounts on goods and services, health cash plans and financial wellbeing support. Salary sacrifice schemes provide staff with national insurance savings and depending on the scheme, tax and pension savings. The schemes available include green lease cars, cycle to work, childcare vouchers, home technology, professional subscriptions, qualifications, and pension AVCs.

3.11 **Termination payments** for Chief Officers and senior managers follow the same arrangements and policies for redundancy, redeployment, and pension payments as applicable for all other NYC staff. Staff pension contributions are in accordance with the LGPS and employer contributions as determined through each Triennial Valuation of the North Yorkshire Pension Fund. The Local Government Pension Scheme provides employers with discretion to make monetary awards including additional benefits, payments, and shared cost AVC arrangements that can add significant value to members' accrued pension benefits. However, the NYC Discretion Policies state that no such award will be made to any member of staff. NYC redundancy payments are calculated for all staff as per the Redundancy Modification Order based on one

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week pay for every year's service (1.5 weeks for years worked over the age of 40) up to a maximum of 30 weeks. In line with recent case law redundancy calculations now include employer's pension contributions up to the statutory maximum of a week's pay for redundancy purposes (£643 as of 2023).

3.12 New government requirements have been introduced for Special Severance Payments (SSP). These are sums paid additional to any statutory or contractual entitlements and may be paid in situations where an employee resigns, is dismissed, or agrees a termination of employment. Additional checks and processes have been implemented in accordance with new government regulations for the rare circumstances where a special severance payment is agreed to be the most effective mechanism for ending employment. Any SSP over £100k must go to full council for approval, payments between £20k – £100k are approved by Chief Executive and Leader and payments under £20k are approved by Assistant Chief Executive (Legal) and Assistant Chief Executive (HR & Business Support) in line with the scheme of delegation.

4.0 TUPE

4.1 As a result of local government reorganisation, staff from former North Yorkshire District and Borough Councils were subject to TUPE protection and therefore transfered over to NYC on their existing terms and conditions, including pay and grading structure. They are protected under TUPE legislation and therefore their pay and terms and conditions will remain those protected at the point of transfer rather than those set out in this policy, unless they subsequently move to a new NYC role.

4.2 Where staff choose to move onto NYC terms and conditions or are appointed to a new post through a restructure then they will fall within this pay policy, and the equal pay risk which arises from different pay structures, terms and conditions is reduced.

4.3 There are a small number of senior officers from Districts who have TUPE'd over, currently without a permanent designated post within the NYC senior management structure. These TUPE protected roles are listed in Appendix 3, and postholders are allocated senior duties and responsibilities appropriate to their grade and skills.

5.0 Remuneration Committee

5.1 The Chief Officers Appointments and Disciplinary Committee is responsible for determining and amending as necessary the terms and conditions of Chief Officers. Remuneration, terms, and conditions will comply with the Pay Policy Statement and any proposed amendments will be submitted to Full Council for approval.

6.0 Pay Multiples and Wider Pay Structure

6.1 The complete pay structure is detailed at Appendix 1. The lowest paid staff are at SCP2 on a salary of £22,366 as of 1 April 2024 (2023 pay rates). The highest paid salary is £205,897 paid to the Chief Executive. The median average (excluding schools) has increased slightly to SCP14, £27,334 per annum (equivalent to the second point of Grade G). The ratio between the median and the highest i.e., the 'pay multiple' has reduced again to 7.5:1, which compares well with the recommendation in the Hutton Report that the multiple should not exceed 20. NYC does not have a policy on maintaining or reaching a specific pay multiple but is conscious of the need to ensure that the salaries of the highest paid employees are not excessive and are consistent with the needs of the authority as expressed in this policy statement and its wider pay policy and approach.

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7.0 Senior Teaching Staff

7.1 The pay and grading of all teachers including Head teachers is determined nationally. There are currently eight Head teachers paid above £100k plus 20 Heads and Deputies in posts with salaries equivalent to Assistant Director pay bands. This does not include Academies that set their own pay for Head teachers and all other staff.

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Appendix 1

Grade structure 1st April 2024

scp	Apr-23	Grade
2	£22,366	AB
3	£22,737	CD
4	£23,114	
5	£23,500	
6	£23,893	E
7	£24,294	
8	£24,702	
9	£25,119	F
10	£25,545	
11	£25,979	
12	£26,421	
13	£26,873	G
14	£27,334	
15	£27,803	
16	£28,282	
17	£28,770	
18	£29,269	H
19	£29,777	
20	£30,296	
21	£30,825	
22	£31,364	
23	£32,076	I
24	£33,024	
25	£33,945	
26	£34,834	
27	£35,745	JK
28	£36,648	
29	£37,336	
30	£38,223	
31	£39,186	
32	£40,221	L
33	£41,418	
34	£42,403	
35	£43,421	
36	£44,428	M
37	£45,441	
38	£46,464	
39	£47,420	
40	£48,474	N
41	£49,498	
42	£50,512	
43	£51,515	
44	£52,504	
45	£55,056	

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46	£57,134	SM1	
47	£59,212		
48	£61,289		
49	£63,367		
50	£65,444	SM2	
51	£67,522		
52	£69,600		
53	£71,677		
54	£73,755		SM3
55	£75,832		
56	£77,910		
57	£79,988		
58	£82,065	AD1	
59	£84,662		
60	£87,259		
61	£89,856		
62	£92,453		
63	£95,050	AD2	
64	£97,647		
65	£100,244		
66	£102,841		
67	£105,438		AD3
68	£108,035		
69	£110,632		
70	£113,229		
71	£115,826	DIR1	
72	£118,423		
73	£121,540		
74	£124,656		
75	£127,772		
76	£130,889		
77	£133,515	DIR2	
78	£138,656		
79	£143,994		
80	£149,538		
81	£155,296		
82	£161,275		
83	£167,484		
84	£188,292	Chief Executive	
85	£194,160		
86	£200,029		
87	£205,897		

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Appendix 2

Assistant Director roles, grades and pay

Directorate	Grade	AD Job Title	FTE	24/25 scp	Salary	Notes
Health & Adult Service	AD3	Director of Public Health	1.0	69	£110,632	
Health & Adult Service	AD2	AD Prevention and Service Development	1.0	65	£100,244	
Health & Adult Service	AD2	AD Adult Social Care	1.0	67	£105,438	
Health & Adult Service	AD2	AD Adult Social Care	1.0	64	£97,647	
Health & Adult Service	AD1	Alliance Director	1.0	62	£92,453	NHS joint funded
Children & Young People	AD3	AD Children and Families	1.0	69	£110,632	
Children & Young People	AD2	AD Education and Skills	1.0	67	£105,438	
Children & Young People	AD2	AD Inclusion	1.0	65	£100,244	
Environment	AD3	AD Highways, Transportation, Parking, Parks & Grounds	1.0	70	£113,229	
Environment	AD2	AD Environmental Services Climate & Waste	1.0	67	£105,438	
Environment	AD2	AD Regulatory, Registration, Bereavement, Coroners	1.0	64	£97,647	
Environment	AD2	AD Transport	1.0	64	£97,647	
Community Development	AD3	AD Planning	1.0	70	£113,229	
Community Development	AD3	AD Housing	1.0	68	£108,035	
Community Development	AD2	AD Economic Development, Regeneration, Tourism & Skills	1.0	65	£100,244	
Community Development	AD2	AD Culture and Leisure	1.0	64	£97,647	
Community Development	TUPE	Director Harrogate Convention Centre	1.0	Spot	£116,111	
Resources	AD3	Director of Transformation	1.0	70	£113,229	
Resources	AD2	AD Resourcing	1.0	67	£105,438	
Resources	AD2	AD Resourcing	1.0	67	£105,438	
Resources	AD2	AD Resourcing	1.0	67	£105,438	
Resources	AD2	AD Resourcing	1.0	65	£100,244	
Resources	AD2	AD Resourcing	1.0	64	£97,647	
Resources	AD2	AD Customer, Revenue and Benefits	1.0	64	£97,647	
Resources	AD2	AD Property, Procurement and Commercial	1.0	64	£97,647	
Resources	AD2	AD Technology	1.0	65	£100,244	
Legal and Democratic	AD1	AD Legal Operations	1.0	59	£84,662	
Local Engagement	AD1	AD Communications	1.0	62	£92,453	

*Market supplements and other temporary payments such as merit and incentive payments eg thank you payments are excluded.

Changes since 1st April 2023

Reduction of 1.0 AD2 Assistant Director Economic Partnership TUPE'd out 1st February 2024
Reduction of 0.4 Director of Corporate Services and Commissioning (TUPE post)
Reduction of 1.0 Corporate Director – Operations (TUPE post)

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Appendix 3

TUPE protected Senior Manager roles from District and Borough Councils: legally protected on grades and pay arrangements that are separate from the NYC pay policy

Job Title	Fte	Salary
Director/Section 151 Officer	1.0	£86,965
Commercial Director	1.0	£86,965
Director of Services	1.0	£89,630

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FORWARD PLAN

The decisions likely to be taken by North Yorkshire Council in the following 12 months are set out below:

Publication Date:	22 January 2024	Last updated:	22 January 2024
Period covered by Plan:	31 January 2025		

PLEASE NOTE:-

In accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to information)(England) Regulations 2012, at least **28 clear days' notice**, excluding the day of notification and the day of decision taking, must be published on the Forward Plan of any intended key decision. It is also a requirement that **28 clear days' notice** is published of the intention to hold an Executive meeting or any part of it in private for the consideration of confidential or exempt information. For further information and advice please contact the Democratic Services and Scrutiny Manager on 01609 533531.

FUTURE DECISIONS									
Likely Date of Decision	****Decision Taker**	**In Consultation with** (Executive Member or Corporate Director)	**Description of Matter** – including if the report contains any exempt information and the reasons why	**Key Decision** **YES/NO**	**Decision Required**	**Consultees** (i.e. the principal groups to be consulted)	**Consultation Process** (i.e. the means by which any such consultation is to be undertaken)	**Contact details for making representations** (Tel: 01609 780780) unless specified otherwise)	**Relevant documents already submitted to Decision Taker**
6 Feb 2024	Executive		North Yorkshire Council Local Development Scheme 2024	Yes	To seek approval to bring into effect the North Yorkshire Council Local Development Scheme 2024 as required by Section 15 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended. The LDS sets out the key milestones for preparing development plan document.	Executive Member Open to Business Development Plans Committee Executive	Correspondence and meetings	Linda Marfitt, Acting Head of Place-shaping and Economic Growth linda.martfitt@northyorks.gov.uk	North Yorkshire Council Local Development Scheme 2024
6 Feb 2024	Executive		Selby District Local Plan - Revised Regulation 19 (Publication version) draft plan for public consultation	Yes	To seek approval to consult on a revised Publication Local Plan for the former Selby district area to fulfil the requirements of Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).	Executive Member Open to Business Management Board Selby and Ainsty Area Committee Development Plans Committee Executive Full Council	Correspondence and meetings	Caroline Skelly, Planning Policy Manager caroline.skelly@northyorks.gov.uk	Selby District Local Plan - Revised Regulation 19 (Publication version) draft plan for public consultation

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FUTURE DECISIONS									
Likely Date of Decision	****Decision Taker**	**In Consultation with** (Executive Member or Corporate Director)	**Description of Matter** – including if the report contains any exempt information and the reasons why	**Key Decision** **YES/NO**	**Decision Required**	**Consultees** (i.e. the principal groups to be consulted)	**Consultation Process** (i.e. the means by which any such consultation is to be undertaken)	**Contact details for making representations** (Tel: 01609 780780) unless specified otherwise)	**Relevant documents already submitted to Decision Taker**
6 Feb 2024	Executive		Community Infrastructure Levy Spending Protocol and Infrastructure Funding Statement	Yes	To approve the Community Infrastructure Levy (CIL) Spending Protocol which oversees the convergence of legacy council's CIL receipts and collection, auditing and spending of future CIL monies. This ensures that CIL serves its purpose of contributing to the delivery of the infrastructure necessary to support development in North Yorkshire. To approve the 2022/23 North Yorkshire Annual Infrastructure Funding Statement and publish on the North Yorkshire Council website.	Executive Member for Open to Business Management Board Executive	Correspondence and meetings	Tracey Rathmell, Head of Delivery and Infrastructure tracey.rathmell @northyorks.gov.uk	Community Infrastructure Levy Spending Protocol and Infrastructure Funding Statement
6 Feb 2024	Executive		Submission of the New Settlement (Maltkiln)	Yes	To reaffirm approval of the submission of the New Settlement (Maltkiln) Development	Executive Member Open to Business	Correspondence and meetings	Tracey Rathmell, Head of Delivery and Infrastructure	Submission of the New Settlement (Maltkiln)

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FUTURE DECISIONS									
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			Development Plan Document		Plan Document to the Secretary of State for independent examination in accordance with Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended).	Management Board Selby & Ainsty Area Committee Development Plans Committee Executive prior to submission to Full Council		tracey.rathmell@northyorks.gov.uk	Development Plan Document
6 Feb 2024	Executive		Council Pay Policy	Yes	Council pay policy to make recommendation to full council	Management Board and Group Leaders	Meetings and emails	Trudy Forster, Assistant Chief Executive - HR & Business Support trudy.forster@northyorks.gov.uk	Council Pay Policy
TBC	Executive		Scarborough Harbour West Pier	Yes	The report will seek approval: 1. Confirm the allocation From the Scarborough Local Investment Fund 2. To set the budget for the Works for the redevelopment of Scarborough Harbour West Pier 3. Approves entry into	Community Development Economic Development Regeneration Tourism and Skills, Resources Environment: Harbours, Resources Legal and	Email and briefing	Helen Jackson, Regeneration Projects Manager helen.jackson1@northyorks.gov.uk	Scarborough Harbour West Pier

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FUTURE DECISIONS									
Likely Date of Decision	****Decision Taker**	**In Consultation with** (Executive Member or Corporate Director)	**Description of Matter** – including if the report contains any exempt information and the reasons why	**Key Decision** **YES/NO**	**Decision Required**	**Consultees** (i.e. the principal groups to be consulted)	**Consultation Process** (i.e. the means by which any such consultation is to be undertaken)	**Contact details for making representations** (Tel: 01609 780780) unless specified otherwise)	**Relevant documents already submitted to Decision Taker**
					contract for selected developer the Scarborough Harbour West Pier	Democratic Services: Legal Resources: Property, Procurement and Commercial			
20 Feb 2024	Executive		Q3 Performance Monitoring and Budget Report	Yes	Q3 Performance Monitoring and Budget report including: Revenue Plan; Capital Plan; Treasury Management and Prudential Indicators	Management Board	Meetings	Gary Fielding, Corporate Director of Resources gary.fielding@northyorks.gov.uk	Q3 Performance Monitoring and Budget Report
20 Feb 2024	Executive		Network North: Phase 3 Bus Service Improvement Plan Funding Proposal	Yes	To approve the submission of the Funding Plan Proposal template required by Department of Transport for approval an indicative allocation of £3.5M funding for bus services. Not open to call-in under Urgency Procedure.	Department for Transport requires that proposals are agreed through the North Yorks Bus Enhanced Partnership including bus company and passenger group reps	Through North Yorkshire Bus Enhanced Partnership.	Andrew Clarke, Public & Community Transport Manager andrew.clarke@northyorks.gov.uk	Network North: Phase 3 Bus Service Improvement Plan Funding Proposal

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FUTURE DECISIONS									
Likely Date of Decision	****Decision Taker**	**In Consultation with** (Executive Member or Corporate Director)	**Description of Matter** – including if the report contains any exempt information and the reasons why	**Key Decision** **YES/NO**	**Decision Required**	**Consultees** (i.e. the principal groups to be consulted)	**Consultation Process** (i.e. the means by which any such consultation is to be undertaken)	**Contact details for making representations** (Tel: 01609 780780) unless specified otherwise)	**Relevant documents already submitted to Decision Taker**
12 Mar 2024	Executive		Housing Enforcement Policy	Yes	The report will set out the detail of the proposed NYC housing enforcement policy, which is required in order for us to deliver our statutory duties in relation to housing standards in the private sector.	As this is based on statutory legislation, consultation has been undertaken in house with environmental health and enforcement officers across the legacy council areas who deliver the service, in addition to other environmental health colleagues regionally and nationally.	Consultation was undertaken initially as part of the LGR work streams. The policy has been developed based on the good practice of other authorities, through information sharing at regional and national meetings. A housing enforcement workshop was utilised to discuss the key points of the policy amongst all staff delivering housing enforcement.	Lynn Williams, Head of Housing Renewal lynn.williams@northyorks.gov.uk	Housing Enforcement Policy
12 Mar 2024	Executive		Housing Assistance and Disabled Adaptations Policy	Yes	Due to the variations in approach towards the method of delivery of the disabled facilities grant, there were also some subtle variations between the legacy	Health	A draft policy was submitted to the LGR Housing board post vesting day. As part of the LGR work, consultation	Lynn Williams, Head of Housing Renewal lynn.williams@northyorks.gov.uk	Housing Assistance and Disabled Adaptations Policy

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FUTURE DECISIONS									
Likely Date of Decision	****Decision Taker**	**In Consultation with** (Executive Member or Corporate Director)	**Description of Matter** – including if the report contains any exempt information and the reasons why	**Key Decision** **YES/NO**	**Decision Required**	**Consultees** (i.e. the principal groups to be consulted)	**Consultation Process** (i.e. the means by which any such consultation is to be undertaken)	**Contact details for making representations** (Tel: 01609 780780) unless specified otherwise)	**Relevant documents already submitted to Decision Taker**
					areas in relation to their policy approach and their interpretation and implementation of legislation. Whilst all areas are using the powers and flexibilities given within the legislation, there has been some variation in terms of scope of works undertaken along with differences in financial thresholds and parameters adopted. The report will outline how the policy seeks to draw together an interpretation of the mandatory elements of Disabled Facilities Grant (DFG) legislation and the discretionary elements of the RRO into a single published document. The report will therefore sets out the key recommendations for the policy and seek agreement to adopt the North Yorkshire Housing Assistance		had taken place with representatives from the LGR Housing work stream. A further task		

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FUTURE DECISIONS									
Likely Date of Decision	****Decision Taker**	**In Consultation with** (Executive Member or Corporate Director)	**Description of Matter** – including if the report contains any exempt information and the reasons why	**Key Decision** **YES/NO**	**Decision Required**	**Consultees** (i.e. the principal groups to be consulted)	**Consultation Process** (i.e. the means by which any such consultation is to be undertaken)	**Contact details for making representations** (Tel: 01609 780780) unless specified otherwise)	**Relevant documents already submitted to Decision Taker**
					and Disabled Facilities Grant Policy for the new authority. The new policy is to be adopted for all tenures, to provide a consistent approach to delivering adaptations for owners and tenants in the private sector and our own housing tenants.				
12 Mar 2024	Executive		Harrogate Convention Centre Redevelopment	Yes	To consider options relating to HCC following RIBA4 information			Gary Fielding, Corporate Director of Resources gary.fielding@northyorks.gov.uk	Harrogate Convention Centre Redevelopment section 24 consents pro-forma.pdf
12 Mar 2024	Executive		Managing Adult Social Care Pressures	Yes	To update Members on actions being taken to address adult social care waiting times and workforce pressures and to set out the evaluation of the Ethical Decision-Making Framework that was put in place in January 2022			Richard Webb, Corporate Director of Health and Adult Services richard.webb@northyorks.gov.uk	

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FUTURE DECISIONS									
Likely Date of Decision	****Decision Taker**	**In Consultation with** (Executive Member or Corporate Director)	**Description of Matter** – including if the report contains any exempt information and the reasons why	**Key Decision** **YES/NO**	**Decision Required**	**Consultees** (i.e. the principal groups to be consulted)	**Consultation Process** (i.e. the means by which any such consultation is to be undertaken)	**Contact details for making representations** (Tel: 01609 780780) unless specified otherwise)	**Relevant documents already submitted to Decision Taker**
19 Mar 2024	Executive		Provision of Internal Audit, Counter Fraud and Related Governance Services	Yes	To approve a new long term service agreement (10 years with 5 year extension) for internal audit and related services	Audit Committee	A report is scheduled for presentation to Audit Committee on 10 December 2023	Karen Iveson, AD Finance incl. Pension Fund karen.iveson@northyorks.gov.uk	Provision of Internal Audit, Counter Fraud and Related Governance Services
19 Mar 2024	Executive		Future arrangements for the Harrogate and Rural Alliance	Yes	To seek approval for the continuation of the Harrogate and Rural Alliance. To approve the updated operating model. To agree the proposed legal agreement (S113) and the updated partnership agreement.	NHS Commissioners and Providers	Correspondence, meetings and Council website	Chris Watson chris.watson@northyorks.gov.uk	
19 Mar 2024	Executive		Housing Strategy 2024 to 2029	Yes	To seek approval from the Executive to adopt the Housing Strategy 2024 to 2029.	The Housing Strategy has been subject to a broad consultation from 2 October to 11 December 2023. A programme of consultation		Hannah Heinemann, Head of Housing Delivery and Partnerships hannah.heinemann@northyorks.gov.uk	Housing Strategy 2024 to 2029

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FUTURE DECISIONS									
Likely Date of Decision	****Decision Taker**	**In Consultation with** (Executive Member or Corporate Director)	**Description of Matter** – including if the report contains any exempt information and the reasons why	**Key Decision** **YES/NO**	**Decision Required**	**Consultees** (i.e. the principal groups to be consulted)	**Consultation Process** (i.e. the means by which any such consultation is to be undertaken)	**Contact details for making representations** (Tel: 01609 780780) unless specified otherwise)	**Relevant documents already submitted to Decision Taker**
						has been undertaken with key partners and stakeholders, Registered Providers, Government agencies (such as Homes England) the Council's tenants and residents, and other key Council services so that the Strategy can be honed to ensure that it is relevant, ambitious and deliverable.			
19 Mar 2024	Executive		Department for Education (DfE) Grant - Financial Support for Local Authorities Supporting Maintained	Yes	- Local Authority acceptance of the Department for Education (DfE) Grant funding of £972,188 in respect of Financial Support for Local	The local authority will consider the allocation of the grant funding on a case-by-case	No formal consultation process is required by the DfE on the utilisation of the grant however the	Howard Emmett howard.emmett @northyorks.gov.uk	Department for Education (DfE) Grant - Financial Support for Local

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FUTURE DECISIONS									
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			Schools in Financial Difficulty		Authorities Supporting Maintained Schools in Financial Difficulty. - To approve the allocation of the grant funding to a number of local authority-maintained schools that are deemed to meet the eligibility requirements, as determined by the local authority, for the award of the grant funding.	basis against eligibility requirements that are deemed to be appropriate and objective criteria for determining grant funding allocations to individual local authority-maintained schools.	local authority will proactively engage with relevant stakeholders in determining the allocation of the grant funding to individual local authority-maintained schools.		Authorities Supporting Maintained Schools in Financial Difficulty
19 Mar 2024	Executive	Corporate Director Children and Young People's Services	Delivering Better Value in SEND – Acceptance of Grant Allocation from the Department for Education	Yes	North Yorkshire Council has been participating in the Delivering Better Value in SEND programme, sponsored by the Department of Education through 2023. 52 other local authorities have participated in the programme, which is intended to identify opportunities to improve outcomes for children and young	The change programme contained in the grant application has been the subject of extensive discussion and consultation with key stakeholder groups, including Schools		Martin Surtees, Finance Project Officer martin.surtees@northyorks.gov.uk	Delivering Better Value in SEND – Acceptance of Grant Allocation from the Department for Education

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FUTURE DECISIONS									
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					people with SEND and support local authorities in improving the financial sustainability of their high needs budgets. All authorities within the programme are entitled to apply for an implementation grant of up to £1 million to support the delivery of a change programme. A grant application of £1 million has been submitted – this will be assessed by the DfE, and at this stage we cannot say if the grant application will be successful. However, because the time availability to deploy the grant is restricted, we are planning for all eventualities – and this report will outline the considerations in whether North Yorkshire should accept the grant	Forum and the High Needs Funding Sub Group, the five locality boards, parent and carer representatives, health sector partners and school headteacher networks. Critically the proposals were informed by case study workshops that involved parents and carers, school representatives, health sector colleagues and professionals from within			

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					allocation, if such an offer is forthcoming	Children and Young People's Services – facilitated by Newton Europe (who are the firm delivering the programme on behalf of the DfE. We will be further engaging with these partners to develop our thinking further about the delivery of the change programme – in anticipation of the grant application being successful			
19 Mar 2024	Executive		UK Shared Prosperity Fund	Yes	To outline delivery of the UK Shared	UKSPF Local Partnership	Through our regular meetings	Mark Kibblewhite,	UK Shared Prosperity

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FUTURE DECISIONS									
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			and Rural England Prosperity Fund – 2024/25 delivery plan		Prosperity Fund and Rural England Prosperity Fund to the end of the 2023/24 financial year and to gain approval for the delivery programme of the 2024/25 financial year.	Group Officers working across NYC	with the Partnership group	Senior Policy Officer, Economic Growth mark.kibblewhite@northyorks.gov.uk	Fund and Rural England Prosperity Fund – 2024/25 delivery plan
9 Mar 2024	Executive		Boroughbridge High School, Boroughbridge – Proposal to remove Sixth Form Provision	Yes	To seek approval to publish Statutory Proposals to change the age range at Boroughbridge High School, effective from 31 August 2024, by ceasing the Sixth Form Provision.	Parents, Staff, Governors, Primary Feeder Schools, Local Secondary Schools, Local Elected Members, Town and parish councils, MP and other local stakeholders.	Consultation ran from 19 January to 1 March 2024. Consultation document issued to consultees and available on NYC website. If approved statutory proposals would be published on NYC website, in a local newspaper and placed on the school gate. The representation period for the statutory proposals would be from 4 April to 2 May 2024.	John Lee, CYPS Strategic Planning Officer john.s.lee@northyorks.gov.uk	Boroughbridge High School, Boroughbridge – Proposal to remove Sixth Form Provision

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Page 917							How representations may be made: In writing to the Corporate Director- Children and Young People's Service, County Hall, Northallerton, DL7 8AE, or by email to schoolorganisation@northyorks.gov.uk by 2 May 2024		
19 Mar 2024	Executive		Redeployment of land to the north and south of Crosshills Lane, Selby	Yes	To approve the proposed redeployment of the property	Executive members and Management Board at the informal Executive meeting held on 8 June 2021		Philip Cowan, Non-Operational Property Manager, NYCC Property Services Philip.Cowan@northyorks.gov.uk	
16 Apr 2024	Executive		Annual Review of Member Champions	No	Annual Review of Member Champions	Leader	Emails	Daniel Harry, Democratic Services and Scrutiny Manager	Annual Review of Member Champions

FUTURE DECISIONS									
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								daniel.harry@northyorks.gov.uk	
16 Apr 2024	Executive		Proposed extra care housing scheme	Yes	To approve funding to support the development of an extra care housing scheme in Whitby. To review the proposed scheme and outcome of the procurement.			Michael Rudd, Head of Housing Marketing Development (Commissioning), Health and Adult Services michael.rudd@northyorks.gov.uk	
16 Apr 2024	Executive		Amendments to the Council's Constitution	Yes	Consideration of proposed amendments to the Council's Constitution for recommendation to full Council. Subject to any comments Members may have, to recommend the proposed amendments to the Constitution to full Council for approval.	Relevant NYC Officers and Members The Members' Working Group on the Constitution	Correspondence and meetings	Moira Beighton moira.beighton@northyorks.gov.uk	Amendments to the Council's Constitution
7 May 2024	Executive		Harrogate Transforming Cities Fund Traffic Regulation Orders	Yes	For Executive to approve the introduction of the Traffic Regulation	- Executive Member for Highways & Transport	Statutory consultation undertaken in line with Traffic	Tania Weston Email: tania.weston@northyorks.gov.uk	Harrogate Transforming Cities Fund Traffic

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FUTURE DECISIONS									
Likely Date of Decision	****Decision Taker**	**In Consultation with** (Executive Member or Corporate Director)	**Description of Matter** – including if the report contains any exempt information and the reasons why	**Key Decision** **YES/NO**	**Decision Required**	**Consultees** (i.e. the principal groups to be consulted)	**Consultation Process** (i.e. the means by which any such consultation is to be undertaken)	**Contact details for making representations** (Tel: 01609 780780) unless specified otherwise)	**Relevant documents already submitted to Decision Taker**
					Orders required for the Harrogate Transforming Cities Fund project.	- H & K Area Constituency Committee - Member for Valley Gardens & Central Harrogate - Statutory consultation undertaken in line with Traffic Regulation Order process. - Statutory stakeholders and affected residents and businesses within the vicinity of the proposed schemes consulted before final implementation.	Regulation Order process.	, Tel No: 01609 532905	Regulation Orders
7 May 2024	Executive		School term dates for the academic year 2025- 2026	Yes	The school term and holiday dates for the academic year 2025-	All head teachers of North	By email to schoolorganisation@northyorks.go	Lisa Herdman, Lead for Admissions,	

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Likely Date of Decision	****Decision Taker**	**In Consultation with** (Executive Member or Corporate Director)	**Description of Matter** – including if the report contains any exempt information and the reasons why	**Key Decision** **YES/NO**	**Decision Required**	**Consultees** (i.e. the principal groups to be consulted)	**Consultation Process** (i.e. the means by which any such consultation is to be undertaken)	**Contact details for making representations** (Tel: 01609 780780) unless specified otherwise)	**Relevant documents already submitted to Decision Taker**
					2026 have been consulted upon. Executive will be required to determine the calendar for 2025-2026 for North Yorkshire community and voluntary controlled schools. If there are no objections to the proposals this decision will be taken by the Executive Member for Education and Skills.	Yorkshire schools, trade unions, teacher associations and local authorities across Yorkshire and the North East.	v.uk by 11 April 2024.	Education and Skills lisa.herdman@northyorks.gov.uk	
28 May 2024	Executive		Q4 Performance Monitoring and Budget Report	Yes	Q4 Performance Monitoring and Budget report including: Revenue Plan; Capital Plan/ Treasury Management and Prudential Indicators	Management Board	Meetings	Gary Fielding, Corporate Director of Resources gary.fielding@northyorks.gov.uk	Q4 Performance Monitoring and Budget Report
18 Jun 2024	Executive		North Yorkshire Joint Health and Wellbeing Strategy	Yes	To consider the proposed North Yorkshire Joint Health and Wellbeing Strategy and recommend it for adoption to the Council. NOTE: The North	• The public and partners • North Yorkshire Health and Wellbeing Board (finalised	In terms of the public and partners, a period of public consultation is planned for autumn/winter 2023.	Louise Wallace, AD Health and Integration louise.wallace@northyorks.gov.uk	North Yorkshire Joint Health and Wellbeing Strategy

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FUTURE DECISIONS									
Likely Date of Decision	****Decision Taker**	**In Consultation with** (Executive Member or Corporate Director)	**Description of Matter** – including if the report contains any exempt information and the reasons why	**Key Decision** **YES/NO**	**Decision Required**	**Consultees** (i.e. the principal groups to be consulted)	**Consultation Process** (i.e. the means by which any such consultation is to be undertaken)	**Contact details for making representations** (Tel: 01609 780780) unless specified otherwise)	**Relevant documents already submitted to Decision Taker**
					Yorkshire Health and Wellbeing Board's Terms of Reference state that "The Joint Health and Wellbeing Strategy will be referred to the Council for approval as part of the Council's Policy Framework."	draft) in May 2024 • Executive on 18 June 2024 • Council on 24 July 2024 NOTE: There is on-going liaison with the North Yorkshire Health and Wellbeing Board.	In terms of the formal meetings referred to above, the process will be via presentation and discussion of the proposed Strategy at the relevant Committee meetings.		
18 Jun 2024	Executive		Consultation on changes to the Council's Home to School Travel Policy	Yes	To report the outcome of a consultation on a proposed new Home to School Travel Policy for North Yorkshire. To seek approval of the proposed policy to move forward for adoption by the Council in July 2024.	Parents / carers, schools, governors, NYC councillors, neighbouring councils, parish councils, academy trusts, transport contractors, Diocese, MP	Public consultation between 19 February and 10 April 2024. Consultation documents available on NYC website. Several engagement activities undertaken with a mixture of virtual and in-person events.	Amanda Newbold, AD Education Services Amanda.newbold@northyorks.gov.uk	Report to Executive Member for Education, 23 January 2024

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FUTURE DECISIONS									
Likely Date of Decision	****Decision Taker**	**In Consultation with** (Executive Member or Corporate Director)	**Description of Matter** – including if the report contains any exempt information and the reasons why	**Key Decision** **YES/NO**	**Decision Required**	**Consultees** (i.e. the principal groups to be consulted)	**Consultation Process** (i.e. the means by which any such consultation is to be undertaken)	**Contact details for making representations** (Tel: 01609 780780) unless specified otherwise)	**Relevant documents already submitted to Decision Taker**
						and other stakeholders.			
20 Aug 2024	Executive		Q1 Performance Monitoring and Budget Report	Yes	Q1 Performance Monitoring and Budget report including: Revenue Plan; Capital Plan; Treasury Management and Prudential Indicators	Management Board	Meetings	Gary Fielding, Corporate Director of Resources gary.fielding@northyorks.gov.uk	Q1 Performance Monitoring and Budget Report
19 Nov 2024	Executive		Q2 Performance Monitoring and Budget Report	Yes	Q2 Performance Monitoring and Budget report including: Revenue Plan; Capital Plan; Treasury Management and Prudential Indicators	Management Board	Meetings	Gary Fielding, Corporate Director of Resources gary.fielding@northyorks.gov.uk	Q2 Performance Monitoring and Budget Report

Should you wish to make representation as to the matter being discussed in public please contact Daniel Harry Email: (daniel.harry@northyorks.gov.uk) Tel: 01609 533531.

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