

Written Ministerial Statement July 2024

1. The Written Ministerial Statement 30/07/2024 presented by MHCLG, announced an intention to reform the planning system which included, inter alia, reversing the wider changes made to the NPPF in December 2023 and restoring the standard method as the required approach for assessing housing need, ensuring local plans are ambitious to deliver the Government's commitment to building 1.5 million new homes over the next five years. Clear emphasis was placed on the importance of the plan making system to achieve universal coverage of 'ambitious' local plans. For plans at an advanced stage of preparation (Regulation 19) this means allowing them to progress to examination unless there is a significant gap between the plan and the new local housing need figure. There is an intention to introduce a Planning and Infrastructure Bill in the first session as well as longer-term housing strategy to address the identified housing crisis. Such Ministerial statements can be material to the determination of planning applications.
2. The Government published a consultation to seek views on the proposed reforms to the planning system and National Planning Policy Framework on 30 July 2024, which is live until September 24 2024. As such, whilst the Ministerial statement is acknowledged, it is noted that the December 2023 iteration of the NPPF remains until such time as revised legislation is passed and/or policy is published.

Principle of Development – existing and emerging Local Plan Policies

3. The current relevant adopted development plan for the area comprises the saved policies of the adopted 2005 Selby District Local Plan (SDLP) and the 2013 Selby District Core Strategy (CS).
4. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination of planning applications *'must be made in accordance with the plan unless material considerations indicate otherwise'*. This is further reiterated in Paragraph 12 of the NPPF which states that *'Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'*
5. Paragraph 48 of the NPPF states that when determining planning applications decision makers may give weight to relevant policies in emerging plans according to:
 - a. *the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
 - b. *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
 - c. *the degree of consistency of the relevant policies in the emerging plan to this Framework.*
6. In accordance with paragraph 48 a) and c), the emerging Selby Local Plan (eSLP) can be given weight as it has reached an advanced preparation stage (Revised Publication - Reg 19) and is consistent with the NPPF 2023.
7. Regarding the individual emerging allocated site policies and relevant wider local plan policies; these have been evaluated as to the significance of any unresolved objections in line with para 48(b). The policies of the Selby Local Plan Revised Publication Draft 2024 which are listed below as having weight attributed, the detailed site-specific policies, and the latest associated evidence base which support them, are material considerations in making

planning decisions on planning applications for residential development on emerging housing allocations.

8. The latest regulation 19 consultation, and the comments received to it, were on the application of the emerging plan as a whole. As such, where applicants wish to bring forward emerging allocated sites prior to consideration at EIP and adoption of the Plan, then the Council can only support those schemes in-principle in policy terms where the proposal meets all the emerging SLP policies which have been assessed as having weight. This includes infrastructure requirements as set out by policy IC1 and listed in the Infrastructure Delivery Plan associated with the eSLP, which is an iterative living document and will be updated as and when required.
9. The application of weight to emerging policy HG7 means that so long as an application is meeting the minimum affordable housing requirements of that policy, then no viability assessment is needed to justify that. However, if any application cannot deliver the wider requirements of the emerging Selby Local Plan Revised Publication Draft 2024, then a viability assessment can be considered as part of the justification for this as further material consideration at planning application stage.
10. The following eSLP policies which relate to emerging housing allocations can be given the following weight:

Weight	
No weight	

Policy
SG1 Achieving Sustainable Development
SG2 Spatial Approach
SG9 Design
SG11 Flood Risk
SG11 Part A
SG11 Part B
SG11 Part C
SG11 Part D
SG12 Valuing Historic Environment
SG13 Planning Applications and the Historic Environment
IC1 Infrastructure Delivery
IC3 Protection and Creation of Open Space/Sport/Rec (and Appendix D)
IC4 Water Supply, WWT and Drainage
IC5 Digital & Communications
IC5 Part A
IC5 Part B

Policy
IC5 Part C
IC6 Sustainable Transport, Highway Safety and Parking
IC7 Public Rights of Way
HG1 Meeting Local Housing Needs
HG2 Windfall Development
HG3 Rural Workers Dwellings
HG4 Replacement Dwellings
HG5 Reuse or Conversion of Rural Buildings in the Countryside
HG6 Creating the Right Type of Homes
HG6 part A
HG6 Part B
HG6 Part C
HG6 Part D
HG6 Part E
HG7 Affordable Housing
HG8 Rural Housing Exception Sites
HG9 Conversions to Resi Use and COU to Garden Land
HG10 Self-Build and Custom-build Housing
HG10 Part A
HG10 Part B
HG10 Part C
HG10 Part D
HG11 Older Persons and Specialist Housing
NE1 Protecting Designated Sites and Species
NE1 Part A
NE1 Part B
NE1 Part B1
NE 1 Part B2
NE1 Part B3
NE1 Part B4
NE1 part B5

Policy
NE1 Part C
NE1 Part D
NE1 Part E
NE2 Protecting and Enhancing Green and Blue Infrastructure
NE3 Biodiversity Net Gain
NE4 Protect and enhance Landscape Character
NE5 Protect and Enhance Rivers & Waterbodies
NE6 Trees Woodlands and Hedgerows
NE7 Air Quality
NE8 Pollution and contaminated land

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