

	Examiners Query	Neighbourhood Plan team response and clarification
A	<p>A revision to the National Planning Policy Framework (NPPF) was published by the Ministry of Housing, Communities and Local Government on 20 July 2021, alongside a revised Planning Practice Guidance and final version of the National Model Design Code.</p> <p>Section 3 of the Basic Conditions Statement refers to the <u>2019 version of the NPPF</u> – please confirm this is an error. It would appear the references to the respective NPPF paragraphs in the Basic Conditions Table 1 are (correctly) to the July 2021 version</p>	<p>Yes, mention of the 2019 version of NPPF is an error. The paragraphs in Table 1 have been referenced against the July 2021 version of the NPPF. We are content to amend this error.</p>

<p>B</p>	<p>Section 4 of the Basic Conditions Statement and paragraph 1.1.4 identify the Development Plan as comprising the Selby Core Strategy 2013. It appears that the Development Plan also comprises saved policies of the Selby District Local Plan 2005.</p> <p>Can assurance be given that these saved policies have been taken into account, where appropriate, to ensure the ENDP is in general conformity with the strategic Development Plan policies?</p>	<p>Yes, saved policies of the Selby District Local Plan 2005 have been considered. The most relevant saved policies are:</p> <ul style="list-style-type: none"> • ENV1, ENV9, ENV11, ENV12, ENV15, ENV16, ENV24, ENV25, ENV29 • H2, H13, H14 • EMP2, EMP6, EMP8, EMP9, EMP11, EMP13 • T1, T2, T8 • VP1 • RT1, RT2, RT3, RT5 • S3 • SEL/14 <p>Whilst these have not been referenced in the Basic Conditions Statement EPC are happy to revise the document or NDP to include reference to these policies.</p>
<p>C</p>	<p>Selby District Council has raised a number of issues at Regulation 16 stage (statement dated 28 March 2022). Is EPC able to offer written responses to these issues, with particular reference to the SDC comments on Objective 2 and Policy H1, and Policy NE1?</p> <p>Additionally, I would also particularly welcome any comments EPC may wish to make in response to issues raised in Representation no. 13.</p>	<p>We are content to change the wording of Objective 2 to from 'small' to 'appropriate' as suggested by SDC. However, the use of 'small' was included as a qualitative phrase for non-technical members of the public, to convey a broad notion of size.</p> <p>Reg. 16 comment from SDC on NDP policy H1 recognises change made since Reg. 14 and gives support to revised policy. We agree that changing objective 2 as described above will give better alignment with H1.</p> <p>We agree with SDC comments on NDP policy NE1 and are content to make suggested amendments to ensure the policy is in line with emerging local plan policies NE5 and NE6 with respect to biodiversity net gain and replacement tree planting and does not go above and beyond local or national policies.</p>

		<p>We agree that only larger residential development applications would likely to be able to accommodate community space for food growing and are happy for that to be clarified in policy NE1. The Design Codes will provide smaller developments with the necessary guidance for garden spaces.</p> <p>With respect to Representation no.13. Previous attempts at setting maximum numbers of residential development within Escrick Parish have proved difficult to achieve without undertaking extensive site assessments and analysis.</p> <p>Growth of between 1-10% in terms of new dwellings compared to the existing number of dwellings would be proportionate and the maximum the Parish could sustainably accommodate. This would be a target to be achieved within the 15-year lifetime of the Plan.</p> <p>The NDP and Design Code supports and encourages alterations to homes to make them more efficient including the use of renewables but seeks to balance this with any potential impact on the street scene, residential amenity or the historic local environment. Other alterations or amendments are supported but again this is balanced against other impacts on neighbouring properties.</p> <p>We recognise the importance of local renewable energy generation e.g. solar farms so long as these are of an appropriate scale, We do not intend to provide suggested locations for this type of activity at this time.</p> <p>The scale of any such developments should not impact the wider agricultural context, or any economic and environmental policies within the NDP.</p>
D	Policy CF1 opposes the removal of community facilities “except in exceptional circumstances”.	Yes, the exceptional circumstances referred to in CF1 would be when an alternative facility is provided to an equivalent or superior standard, or if the facility can be demonstrated to be no longer economically viable. Where viability is cited, the regulatory period to allow for registration and potential purchase of the community facility as an Asset of Community Value should be adhered to.

	<p>Can EPC elaborate on what form those exceptional circumstances might take? For example, would EPC expect a proposal to be supported by evidence that the facility is no longer economically viable for its current use?</p>	<p>Decisions on any proposals would be governed by the appropriate NPPF guidelines and depending on the case, refer to the broader points listed in response K below.</p>
E	<p>Policy CF2 identifies a number of sites as Local Green Spaces (LGS). All of the sites appear to be entirely within the Green Belt. Many are also afforded protection through a variety of designations such as Sites of Importance for Nature Conservation (SINCs) and as Local Amenity or Recreational Open Spaces.</p> <p>Since the NPPF requires that policies for managing development within a LGS should be consistent with those for the Green Belt¹, is EPC confident that Policy CF2 will provide additional local benefits to the level of protection already afforded by the Green Belt and other designation?²</p>	<p>Yes, whilst there are other designations on these sites, including Green Belt, it was felt that these sites provide recreational and/or amenity value to residents that is not recognised by the Green Belt designation.</p> <p>The local site identification/allocation/agreement was a joint activity undertaken with Selby DC Planning Policy team and Escrick Parish Council. This was a 'green space' survey conducted across Parishes in the District in 2019/20.</p>

	<p>Can EPC also confirm that all landowners of the proposed LGS have been notified of the intention to designate?</p>	<p>We can confirm that landowners have been consulted regularly from the outset of the project and were specifically notified at Regulation 14 and 16 consultation stage.</p>
<p>F</p>	<p>Can the location of the “unimplemented planning permission” referred to in the justification for Policy H1 be identified and, since it is referred to as an “allocation”, does EPC accept that (if this is the intent) it should be identified in the ENDP?</p> <p>Can EPC give an indication of what it considers an “appropriate scale” of development might be?</p>	<p>The unimplemented ‘allocation’ is the creation of 1 x small 3 bed dwelling on the site of an existing house - reference 2019/0575/FUL at 2 Carr Lane. Now completed.</p> <p>We consider an appropriate scale of development over the period of the Plan to be 1-10% growth in the number of houses compared to the existing number of houses in the Parish. This correlates with the current Selby Plan guidelines for Escrick Parish that we utilise for local planning purposes.</p> <p>The Escrick NDP Parish Survey feedback directs us that local people do not want large numbers of houses to be built in Escrick Parish. Representations 3 and 6 at R16 consultation reflect and reinforce this.</p> <p>As part of their Local Plan, Selby DC is evaluating 3 large housing development proposals. One of these, is for a 4000+ dwelling development (Heronby) mainly within Escrick Parish.</p> <p>Residents, Businesses, Escrick and Stillingfleet Parish Councils consider this to be inappropriate and have objected. This would be a 10 x or 1000% increase in housing – essentially the construction of new town within the Parish.</p>

G	<p>Is it the intention that Policy H3 should be directed at larger scale developments? If this is the case, does EPC have a working definition of what would constitute a larger scale?</p>	<p>Yes, this policy should be clearer that it is only aimed at larger schemes where an appropriate mix is feasible. Schemes of 10+ units would constitute larger scale in this context to be consistent with current NPPF and planning application guidelines for 'major' developments.</p>
H	<p>Should Policies H5 and H7 make specific reference to the settlement development limits defined in the Local Plan?</p>	<p>Yes EPC is content for policies H5 and H7 to include reference to the settlement development limits defined in the Local Plan.</p>
I	<p>A number of policies refer to a requirement that proposals should be in accordance with the guidance set out in the Escrick Design Code. Since the development plan should be read as a whole, is it necessary for policies H2, H4, H6, H7 and BEH2 to include similar references to the Design Code?</p> <p>I assume from '1.2 Process' that the Design Code is appended to the NPPF as per the advice in the Planning Practice Guidance (PPG)³ i.e. it has not been subject to any prior formal adoption process</p>	<p>It was felt that reference to the Design Code in key policies would strengthen its role in decision making to ensure applicants are signposted to the relevant guidance. It will be used by officers in determining planning applications</p> <p>While the Design Code is appended to the NDP, they are packaged in separate documents. They are large documents and it was felt some users may not read both or understand their equal status. To highlight this importance and linkage, the Policy document and Design Codes are always presented together and have been consulted upon jointly at Reg.14 and Reg.16 stages.</p>

J	<p>Policies ED1, ED2, ED3, ED4, ED6 and MT3 include a requirement for proposals to comply with other relevant development plan policies. Bearing in mind the advice that the development plan should be read as a whole, are these requirements necessary?</p>	<p>Other relevant development plan policies refer to SDC planning policy rather than other policies in the NDP. We agree with your point and perhaps these are not necessary</p>
K	<p>Policy ED2 refers to “suitable required retail and service outlets”. Can EPC provide clarity of intent for the policy and indicate what test would be used to demonstrate that an amenity is no longer viable?</p>	<p>The intent for this policy is to support and encourage proposals for new village amenities that would support the day-to-day lives of residents. Any new village amenities in the future would comply with relevant NPPF guidelines and Selby Local Plan elements.</p> <p>Examples of this are currently:</p> <ul style="list-style-type: none"> - commissioning a new “pop-up” Post Office service - commissioning a new village shop - the potential resurrection of our local pub and the possibility of community asset transfer. <p>The tests used to demonstrate that a public amenity is no longer viable would be based upon a number of elements including:</p> <ul style="list-style-type: none"> - current costs to provide the amenity - profile of future investment costs - longer term alternative funding options e.g. Lottery, grants - health and safety standards required - measuring usage/utilisation/occupancy

		<ul style="list-style-type: none"> - options available to retain e.g. repurposing - consultation of community views on contribution/value of amenity <p>The tests for a privately owned community asset like a pub or hotel would be entirely in the hands of the owners and their business aims and objectives.</p> <p>We use reference points like the link below, to inform our thinking here...</p> <p>https://locality.org.uk/wp-content/uploads/2018/03/Companion-Guide-for-Local-Authorities-Empowering-Communities.pdf</p>
L	<p>Should Policy MT4 be distinguished as a wider non-land use community aspiration rather than a statutory planning policy aimed at the control of land-use proposals?</p>	<p>The general improvements relating to local bus stops are now implemented. The only component not yet installed is digital displays of travel information. We are content for MT4 to be distinguished as a community aspiration rather than policy.</p>
M	<p>How does EPC propose to measure the “net gain of at least 10%” in biodiversity?</p> <p>Is the requirement for a tree replacement ratio of 3:1 evidence based? Can the evidence for the ratio be provided?</p>	<p>Applicants should demonstrate biodiversity net gain by referring to an official biodiversity metric.</p> <p>https://www.gov.uk/guidance/biodiversity-metric-calculate-the-biodiversity-net-gain-of-a-project-or-development</p> <p>There is no robust local evidence to support this tree planting ratio. However a ratio of at least 1:1 will be required as mature or larger trees being replaced by saplings will take many years to reach the same level of carbon capture or canopy cover.</p>

N	Is the Policy NE3 encouragement for the use of permissive rights of way and the provision of new ones a wider non-land use community aspiration rather than a statutory planning policy aimed at the control of land-use proposals?	Yes, EPC is content for NE3 to be included as a community aspiration rather than policy
O	Can EPC advise how Policy BEH1 is clearly distinct from, and not a duplication of drainage and flood prevention requirements built into the Core Strategy, particularly Policy SP15?	<p>It is not clearly distinct from SP15, but given the importance of flooding and water management locally, it was felt worth including something on this.</p> <p>We felt the benefits of the policy are:</p> <ul style="list-style-type: none"> - the community can see their concerns were being addressed - we reinforce the importance of flooding and water management for any future development.
P	Is the second bullet point of Policy BEH4 simply an unnecessary duplication of the similar requirement built into Policy MT2?	Yes, this is a duplication and EPC are content for one to be removed
Q	<p>Is it the intention of EPC to produce a Policies Map for the post examination version of the ENDP, should it proceed to Referendum?</p> <p>Can EPC confirm that this will show the allocation referred to at question f. above (as well as existing features and designations such as boundaries to the Green Belt, Conservation Area, Flood Zones, defined development limits, SINC, etc).</p>	Yes, it has always been the intention that a policies map will be produced containing the features and allocations stated. The omission of this at this stage is an error which has not been picked up by EPC or SDC.