

IMPLEMENTATION

INTRODUCTION

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

IMPLEMENTING AGENCIES

Selby District Council

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

a) Development Control Policies

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

b) Community Benefit and Planning Agreements

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

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

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

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

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

d) District Council Initiatives

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

Other Public Sector Agencies

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

a) Liaison and Consultation

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

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

b) Funding

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

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

c) Investment Decisions

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

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

The Private Sector

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

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

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

The Voluntary Sector

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

Specific Proposals

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

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

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

Part Two

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