

HOUSING

INTRODUCTION

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

STRATEGIC FRAMEWORK

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

OBJECTIVES

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

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

POLICIES AND PROPOSALS

Housing Land Requirements

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

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

Housing Land Requirement January 2005 – December 2006

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

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

Managing the Release of Housing Land

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

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

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

Renewal of Outstanding Planning Permissions

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

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

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

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

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

The Location of New Housing Development

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

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

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

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

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

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

Phasing

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

a) **Relative Sustainability**

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

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

b) **Delivery Pre-2006**

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

c) **Post-2006 Commitments**

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

d) **Distribution of New Dwellings**

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

smaller settlements, bears an undue concentration of new development.

e) **Brownfield/Greenfield**

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

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

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

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

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

Phase 1 (To be released prior to December 2006)

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

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

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

** 'Strategic Site' allocation continuing beyond 2006

Phase 2 (Post-December 2006)

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

*Remainder from Strategic Allocation released in Phase 1

Density

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

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

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

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

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

POLICY H3 is deleted

Affordable Housing

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Notes

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

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

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

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

Mixed Housing Schemes

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

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

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

Retention of the Existing Housing Stock

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

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

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

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

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

Housing Within Development Limits

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

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

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

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

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

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

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

- H6** **Within the defined Development Limits of the market towns and villages listed below, residential development will be permitted where the proposal meets the requirements of POLICY H2A or involves the conversion or change of use of a building and provided the proposal:**
- 1) Is of a scale and design appropriate to the form and character of the settlement or immediate locality;**
 - 2) Would provide a satisfactory standard of residential accommodation and amenity;**
 - 3) Would not create conditions prejudicial to highway safety or which would have a significant adverse effect on local amenity;**
 - 4) Would not compromise the future comprehensive development of land;**
 - 5) Would not constitute an unacceptable form of backland or tandem development;**
 - 6) Would not harm acknowledged nature conservation interests or result in the loss of open space of recreation or amenity value or which is intrinsically important to the character of the area; and**
 - 7) Would not be subject to overriding considerations that would render the site unsuitable or the development inappropriate.**

Market towns

Selby	Sherburn in Elmet	Tadcaster
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Villages

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

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

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

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

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

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

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

Barkston Ash
Beal
Biggin

Cridling Stubbs
Escrick
Gateforth

Newland
Newton Kyme
Ryther

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

Re-use of Upper Floors for Residential Use

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

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

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

Housing in the Countryside

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

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

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

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

Agricultural Dwellings

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

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

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

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

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

Rural Affordable Housing

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

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

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

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

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

Notes:

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

Conversion to Residential Use in the Countryside

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

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

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

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

residential element is clearly subordinate to the business use.

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

Replacement Dwellings in the Countryside

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

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

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

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

Extensions to Dwellings in the Countryside

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

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

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

Extensions to Curtilages in the Countryside

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

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

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

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

Gypsy Site Provision

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

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

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

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

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

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