

**From:** clerk@fulfordpc.org.uk  
**Sent:** 04 April 2018 10:36  
**To:** localplan@york.gov.uk  
**Cc:** Roberts, John  
**Subject:** City of York Local Plan Publication Draft 2018 Consultation Response & Representations - Fulford Parish Council 3rd April 2018  
**Attachments:** City of York Local Plan Publication Draft 2018 Consultation Response Form - Fulford Parish Council 3rd April 2018.pdf; City of York Local Plan Publication Draft 2018 Representations by Fulford Parish Council 3rd April 2018.pdf  
**Importance:** High

Dear Sirs

Please find attached Consultation Response Form and Representations from Fulford Parish Council in the format as agreed with John Roberts.

Kind regards

Rachel Robinson  
**Clerk and RFO to Fulford Parish Council**

*The regular working hours for the Clerk to Fulford Parish Council are:-*

*Tuesdays 10 am - 2 pm;  
Wednesdays 10 am - 2 pm;  
Thursdays 10 am - 2 pm.*

*Outside of these hours this email account will be checked periodically but replies may not be immediate.*

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**City of York Local Plan  
Publication Draft 2018  
Consultation response form  
21 February – 4 April 2018**

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	The Parish Clerk	
First Name		
Last Name		
Organisation (where relevant)	Fulford Parish Council	
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

# Guidance note



## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and use **one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents:

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)



### 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

### What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

### 4. (1) Do you consider the document is Legally compliant?

Yes

No

### 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

### 4.(3) Please justify your answer to question 4.(1) and 4.(2)

### What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

### What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

5.(1) Do you consider the document is Sound?

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

SEE ATTACHED

Positively prepared  Justified

Effective  Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph  
no.

SEE  
ATTACHED

Policy  
Ref.

SEE  
ATTACHED

Site Ref.

SEE  
ATTACHED

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

See attached

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

See attached

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

See attached

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

### Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

### Retention of Information

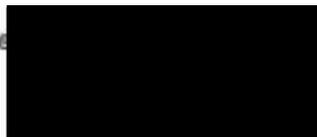
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

### Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on 01904 554145.

Signature



Date

3/4/2018

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

**CITY OF YORK LOCAL PLAN**  
**PUBLICATION DRAFT**  
**REPRESENTATIONS BY FULFORD PARISH COUNCIL**  
**MARCH 2018**

**SUPPORTING REPRESENTATIONS**

Fulford Parish Council (FPC) welcomes and supports much of the content of the City of York Publication Draft Local Plan (PD) which it considers is a major improvement over the proposals set out in the 2014 Submission Draft Local Plan.

FPC welcomes and supports particularly the following:

- The reductions **in the housing and employment requirements** for the City from the unrealistically high figures set out in the 2014 Submission Draft. However, for the reasons set out below, it considers that these requirements are still set too high and further reductions should be made.
- Not to identify specific areas of **safeguarded land** for longer-term development requirements.
- Not to have a policy allowing major leisure proposals at **York Designer Outlet** (former Proposal ST21). In accordance with the NPPF, leisure proposals of this type and scale should be located in and around the City Centre and not in peripheral locations such as the Designer Outlet.
- Not to provide for a development allocation at **South of Designer Outlet** (former Proposal ST25) which would have had an unacceptable impact upon the functions of the Green Belt on the southern side of the City.
- Not to allocate land for traveller development at **Acres Farm Naburn** (former Proposal GT2).
- Not to allocate land **North of Grimston Bar** (former Proposal ST6) for employment development.
- **Policy R1** which says that main town centre uses will be directed to the city, district and local centres and not to out-of-centre locations such as the Designer Outlet.
- To show sites at School Lane, Fordlands Road and north and south of Broadway as open spaces under **Policy GI5**. These open space areas provide vital recreational opportunities for Fulford residents as well as being important amenity areas. Their protection is in accordance with NPPF paragraph 74.
- To show a significant new area of open space at **OS5 Germany Beck**. This open space has to be provided as part of the Germany Beck housing development and is an important

measure to help mitigate the harm which that development will cause to the local environment. It is essential that it is delivered in full accordance with the scheme set out in the revised Development Principles Report as approved by the Secretary of State in his decision to grant outline planning permission.

## **OBJECTING REPRESENTATIONS**

### **Paragraph 3.3: Objectively Assessed Housing Needs**

PD Paragraph 3.3 sets out the objectively assessed housing need (OAHN) of the City as 867 dwellings per annum for the plan period to 2032/33, including the shortfall in housing provision against this need from the period 2012 to 2017, and for the post plan period to 2037/38.

FPC considers that the PD's estimate of OAHN is too high as it is mainly derived from the 2014-based sub-national population and household projections. These projections are based on a relatively short time-scale when international migration was abnormally high, both into York and England generally. Since then international migration has begun to decline. This is already reflected in the 2016-based ONS national population projections (which have yet to be translated into sub-national population and household projections). In addition neither the 2014-based nor the 2016-based projections reflect the economic and political changes which are likely to flow from the decision to exit the EU, in particular the reduction in the comparative advantage for migrants to enter the UK.

The 2014-based sub-national population and household projections for York are also distorted by the very large growth in the student population which took place in the City between 2008 and 2014 as a result of a new campus opening. Paragraph 1.12 of the SHMA Addendum (June 2016) points out that the University of York expanded from 13,500 to 16,700 (+3500) over the period feeding into the 2014-based projections, and that the University has suggested that its prospects for future growth are "weaker". Paragraph 1.13 says that this throws "some doubt" on the realism of the 2014-based projections and that these concerns were shared with ONS. Paragraph 1.14 concludes:

"It should therefore be considered while the 2014-based projections (and indeed the 2012-based projections) reflect national trends some locally specific issues (to York) may not be fully considered. As such, these projections should, as advised (by ONS), be 'treated carefully'."

The Strategic Housing Market Assessment (SHMA) and its June 2016 Addendum contain a '10-year Migration Projection' which shows the number of dwellings which would be required if a longer-term average of migration is used. FPC considers that such a longer-term migration trend is likely to reflect better the circumstances of post-Brexit York and Britain. This '10-year Migration Projection' shows a need of 706 dwellings per annum over the plan period.

FPC is aware of national guidance that the most recent sub-national population and household projections should be used as “the starting point” for deriving the OAHN. However the key word is starting-point. It is not the end-point. The SHMA and its Update both acknowledge that “the 10-year migration trend calculations are sound from a technical perspective.” It is also not unduly distorted by the one-off major increase in the student population which took place between 2008 and 2014. FPC considers that it should be preferred as the basis for deriving the OAHN.

FPC agrees with CoYC that there is no basis to provide any uplift to the OAHN to take into account market signals and affordable housing need.

For these reasons, FPC considers that the Local Plan should be based on an OAHN of 706 dwellings per annum for the plan period.

Even if the figure of 867 dwellings per annum is accepted as the OAHN for the plan period, it should not be used as a proxy for housing need in the post plan period. The 2012-based household projections for York show a decreasing rate of household formation over the plan period, and an even lower rate in the post-plan period. On this basis, housing needs after 2032 are likely to be significantly less than the average for the plan period of 2012 to 2032.

**Q5.2 Soundness Tests:** FPC considers that the PD’s OAHN fails the soundness tests of being justified and consistent with national policy.

**Q6.1 Required Changes:** As above

**Q7.1 Appearance at Examination:** Yes

**Q7.2 Reasons for Appearance:** The complexity of the issues.

### **Policies DP1, DP2, and SS1: The Proposed Housing and Employment Requirements**

The PD states in the above policies that the intention of the Plan is to meet the development requirements of the City in full within the York local authority area. It is this policy position which has driven many of the more contentious proposals of the Plan including the major releases of open land around the City, including the new settlements.

CoYC appears to have taken this policy position without any detailed consideration of the impacts of meeting development needs in full upon the setting and special character of the City. FPC considers that such an approach is contrary to national policy. The NPPF sets out a two-stage approach. The first stage is to assess what are the development needs of the City. CoYC has done this in its SHMA and ELR. The second stage is to assess the impacts of meeting these needs and deciding whether the impacts are acceptable or not. There is no documentary evidence that CoYC has carried out this second stage exercise. If it had done so properly, the Council may have taken a different decision about fully meeting needs.

NPPF paragraph 14 states:

“Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change **unless**:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole; **or**
- specific policies in this Framework indicate that development should be restricted.”

Similar guidance for housing is provided at paragraph 47 of the Framework.

Taking the first limb of paragraph 14, FPC considers that the cumulative impact of the developments proposed by the PD would greatly harm the open land setting of the City which makes such an important contribution to the setting and special character of York as a historic town of national and international importance. Also the additional traffic congestion these developments would create (together with the associated noise, air pollution and community severance) would make York a much less attractive place to live, work and visit, and further undermine its special character. Overall, FPC considers that the adverse impacts of meeting the full development needs of the City are such as “to significantly and demonstrably outweigh the benefits when assessed against the policies in (the) Framework taken as a whole”.

Taking the second limb, Green Belt is one of the specific policies of the Framework which is referred to by NPPF paragraph 14 (Footnote 9). Paragraph 79 makes clear the “great importance” which the Government attaches to Green Belts. If the level of land release required to meet development needs in full would be such as to undermine one or more of the five purposes of Green Belt as set in NPPF paragraph 80 (which, for emphasis, includes preserving the setting and special character of historic towns such as York), it would conflict with national Green Belt policy and so trigger the second exception set out in NPPF paragraph 14. We deal with Green Belt in more detail under the next heading. There are also other policies of the NPPF which indicate that the level of development in York should be restricted, including those dealing with air quality, heritage assets, traffic and environment.

The Council itself agrees in its evidence-base documents that housing needs to be mitigated in order to protect the special historic environment of the City. One of the reasons given why the Authority has not accepted GL Hearn’s recommendation for a 10% uplift to reflect market signals is that it attaches “little weight to the special character and setting of York and other environmental considerations.” The major problem with this reasoning is that, in line with NPPF paragraph 14, the Authority should have assessed needs first (in a policy-off position) and then considered whether these needs can be fully met in light of the potential environmental and policy consequences (the

policy-on position). However the principle is the same that the special character and setting of York justifies some reduction in housing provision.

In summary, FPC considers that the Local Plan development requirements should be reduced to levels that would not cause significant harm to the setting and special character of the City or its environment more generally. Such a reduction would be fully in line with NPPF paragraph 14.

**Q5.2 Soundness Tests:** FPC considers that Policies DP1, DP2 and SS1 fail the soundness tests of being justified and consistent with national policy.

**Q6.1 Required Changes:** As above

**Q7.1 Appearance at Examination:** Yes

**Q7.2 Reasons for Appearance:** The complexity of the issues.

### **Policies SS1 and SS2 and Figure 3.1: Green Belt and Historic Character**

The Green Belt proposed by the PD is the residual of the open land not required to accommodate development needs in the plan period 2012-2033 and beyond to 2038. FPC considers this is not the correct approach for preparing detailed Green Belt boundaries for a historic city like York of international and national importance where its open land setting is a very important part of its special character. Instead, Green Belt boundaries should be based upon an assessment of what land is important for the five purposes of the Green Belt as set in paragraph 80 of the Framework and in particular whether land needs to be kept open to preserve the setting and special character of the City. Only land which is not important for these purposes should be excluded from the Green Belt and considered further for potential development.

The NPPF (paragraph 79) makes clear that the essential characteristics of Green Belts are their openness and their permanence. In the case of the York Green Belt, the Secretary of State has made clear on many occasions that its primary purpose is to safeguard the setting and special character of the historic city. This purpose must mean that there are long-term physical limits to the growth of the City and that the urban area cannot be expanded indefinitely to meet identified needs.

FPC considers that in the case of the York Green Belt the main test to establish whether land does or does not fulfil the primary Green Belt purpose should be a visual one. It is necessary to ask whether a site is open and if so whether it is essential for that or any other Green Belt purpose that it should remain so. York's special character is not just related to the walled city or its conservation areas (such as Fulford) or even the green wedges extending into the City. It relates as much to the general size, scale and character of York, especially as a compact historic city set in the open countryside. Views from the Outer Ring Road are of especial significance, particularly when they

include views of the Minster which defines the location of the city centre and indicates the general scale and character of York. Serious harm would be caused to the special character of the City if development is allowed to intrude significantly into this green buffer around the City, and especially if it should come close to the Ring Road or even leap-frog it. This has already happened in the Clifton area where the harm to the special character is self-evident. We must emphasise that our view on this matter is very similar to that expressed by the Inspector who held the Inquiry into the York Green Belt Local Plan. Although this Inquiry took place in 1994, the primary purpose of the York Green Belt has not changed since then nor has the thrust of national Green Belt policy.

FPC considers that the PPD development proposals would cause serious harm to the setting and special character of the City as:

- Development would be brought much closer to the Outer Ring Road, intruding significantly into the sensitive buffer of open land between the main urban area and the road. At some points, the buffer would be reduced to a very narrow gap, sometimes little more than a landscaped strip. Such development would significantly damage the current perception of York as a compact historic town set into the open countryside. Instead it would appear as a sprawling large urban area expanding out and beyond the Ring Road. The mistake of Clifton Moor would have been repeated.
- The two large new settlements proposed would have major urbanising effects on the wider countryside setting of York beyond the Ring Road. These urbanising effects would not be confined to the sites themselves but would extend over much larger areas because of the need for major new transport and other infrastructure to service them. This infrastructure would include major new junctions onto the Outer Ring Road with very substantial land-takes in vulnerable parts of the Green Belt. The combined result would be a substantial deterioration in the landscape and other rural qualities of the open countryside which forms a belt around York and which the Green Belt is meant to preserve.

The faults in CoYC's appraisal of Green Belt are exemplified by **Fig 3.1 of the PD** which seeks to identify the areas of open land which contribute to the "historic character and setting of York."

Figure 3.1 does not show most of the open land beyond the Outer Ring Road as contributing to this special character or setting. This is incomprehensible as the Green Belt around York has always been described by the Secretary of State and CoYC as "a belt" of open countryside encircling the City "whose outer edge is about 6 miles from York City Centre". This belt of open countryside establishes the important rural character of York's setting and defines its size and scale as a compact historic city serving a large rural hinterland. The functions of a belt are not fulfilled by the narrow corridors of open land which Figure 3.1 identifies as "extensions to green wedges". In reality these narrow corridors have a character not dissimilar to the rest of the belt of open

countryside around York. A more appropriate way of considering the relationship between the green wedges and the surrounding open countryside is that the wedges provide a continuation of the encircling belt of open countryside into the urban area. If this so, all the open countryside around York beyond the Outer Ring Road is of similar value to the setting and special character of the City.

A further major deficiency of Fig 3.1 is that it does not identify the value of the entirety of the green buffer of open land which encircles the City between the Outer Ring Road and the existing urban edge (except in the vicinity of Clifton). As we have said, this buffer of open land plays a major role in establishing the setting and special character of York. Significant areas of open land have been excluded from designation only because the Council wishes to promote development on them. Most of these undesignated areas have similar characteristics and fulfil the same open land functions as areas which are designated.

On a matter of detail, FPC agrees with the designation of open land to the west of the A19 as fulfilling green wedge and river corridor functions. It also agrees that the open land between the A64 and Fulford and Heslington makes a particular contribution to special character, not least because it fulfils the role of an attractive rural buffer to the Ring Road in this part of the City. After saying this, FPC considers that this designation should be extended to include all the open land to the south and east of Low Lane, currently without planning permission for development, as it too fulfils an important buffer function.

**Q5.2 Soundness Tests:** FPC considers that Policies SS1 and SS2 and Figure 3.1 fail the soundness tests of being justified and consistent with national policy.

**Q6.1 Required Changes:** As above

**Q7.1 Appearance at Examination:** Yes

**Q7.2 Reasons for Appearance:** The complexity of the issues.

### **The Proposals Map: The Impact upon the South East Quadrant of the City**

FPC considers that there is an undue concentration of major development proposals in the south-east quadrant of the City which will harm Fulford and Heslington. The area has already been significantly impacted by the development of the University East Campus and the start of the Germany Beck development (655 dwellings) along with the continuing incremental expansion of the retail and leisure offer at the York Designer Outlet. The PD is now proposing further major developments in this part of the City at ST4: Hull Road (211 dwellings), ST15: West of Elvington Lane (3339 dwellings), ST36 Imphal Barracks (769 dwellings) and ST27 University of York Expansion (21,500 sq.m. of B1 employment floorspace). The cumulative impact of these proposals (and their associated transport and other infrastructure) would cause major adverse harm to the character of

the south-eastern quadrant of the City, including the living conditions of its residents. There would not only be a significant loss of open land and visual outlook but also greatly increased traffic congestion, traffic noise, air pollution and community severance.

The cumulative impacts of the PD proposals on the A19 through Fulford are shown by PD Table 15.1. The road is already operating at capacity, including its junctions with Heslington Lane and Broadway. It is also an Air Quality Management Area. Despite this, and the lack of any opportunity for further significant road improvements, the PD contains proposals which Table 15.1 shows would result in the A19 experiencing a much greater increase in congestion during the plan period than any other major radial route into York. Moreover, FPC understands that Table 15.1 takes no account of the redevelopment of Imphal Barracks as it is not due to start until the end of the plan period. Once the Barracks site is redeveloped, and the post-plan period development intended for Proposal ST15 takes place, traffic conditions on the A19 will become much worse than that set out in the table.

The increased traffic through Fulford Village would seriously damage the special character of the Fulford Conservation Area. The PD proposals would result in much higher levels of traffic congestion, noise, air pollution and community severance in the Conservation Area. Such adverse impacts would conflict with NPPF paragraph 126 which requires that LPAs should set out in their Local Plan "a positive strategy" for the conservation and enjoyment of the historic environment", including designated heritage assets such as conservation areas. In doing so, the NPPF adds that LPAs should recognise that heritage assets are "an irreplaceable resource" and they should "conserve them in a manner appropriate to their significance." The PD certainly does not do this for the Fulford Conservation Area.

**Q5.2 Soundness Tests:** FPC considers that the major proposals for the south-eastern quadrant of the City as shown by the Proposals Map fail the soundness tests of being justified and consistent with national policy.

**Q6.1 Required Changes:** As above

**Q7.1 Appearance at Examination:** Yes

**Q7.2 Reasons for Appearance:** The complexity of the issues.

### **Policies SS2 and R4, and paragraphs 4.37 and 4.39: The York Designer Outlet and Retail Policy**

FPC objects to the proposal to exclude the York Designer Outlet from the Green Belt. Instead, the site should be shown as overwashed and treated as a previously developed site in the Green Belt. It would be subject thereby to the restrictions on development set out in the last bullet-point of NPPF

paragraph 89 which allows development that is compatible with the site's status as previously developed land within the Green Belt.

FPC's suggestion is consistent with the history of the site. The existing retail development was only allowed in 1989 as an exception to normal restrictions on development in the Green Belt because it was located on the site of the former Naburn Hospital. In line with then government policy (PPG2) the amount of built development, its extent, and the retention of the landscape setting of the hospital were all carefully controlled to ensure that the retail centre did not have any greater impact on the purposes of the Green Belt than the former hospital. For the same reasons the York Green Belt Local Plan Inspector recommended that that the site should remain in the Green Belt rather than being inset, noting (D87.15) that "the site serves important Green Belt purposes, and is indeed an important part of the Green Belt."

The effect of excluding the site from the Green Belt as now proposed by the PD would be to allow unrestricted development within the boundaries of the inset (subject to the other policies of the Plan). The potential consequence would be a loss of much of the landscape setting of the Designer Outlet which currently helps to mitigate the impacts of the existing built development upon the wider Green belt. This would have a major adverse impact upon the functions and purposes of the Green Belt south of York. It should be noted that the wider area of land around the Designer Outlet is identified by PD Figure 3.1 as having special significance to the historic character and setting of York.

FPC supports the principles of **Policy R4 on Out-of-Centre retailing**. However it considers that the reference in **paragraph 4.37** to bulky goods retailing being potentially appropriate in out-of-centre locations should be deleted, especially as **paragraph 4.38** extends the definition of bulky goods to items widely sold in and around the City Centre, including household appliances, audio-visual equipment and bicycles. The NPPF makes no such exception for bulky goods retailing.

FPC considers that the last sentence of **paragraph 4.39** should be deleted. Although ambiguous in its meaning, it could be used to justify further significant development in out-of-centre locations contrary to the intentions of Policy R4 (and national policy). In the alternative, the York Designer Outlet should be excluded from its provisions as the Designer Outlet is not a specialist location for the "sale of bulky comparison goods or other restricted comparison goods." Its main retail offer is in fashion goods and for which it directly competes with the City Centre. Any significant increase in its retail offer (or as a leisure destination) would inevitably be to the detriment of the City Centre.

The WYG Retail Study Update (2014) highlights the existing and potential impact of the Designer Outlet upon York City Centre. Paragraph 9.13 says that the market share of the Designer Outlet doubled between 2007 and 2014 in the clothing, footwear and small household goods sectors and

that the city centre's market share in these sectors had declined "markedly". Paragraph 9.4 concludes:

"WYG recognise that YDO (York Designer Outlet) brings economic benefits to the city and contributes to the overall city's economic success (but) this is not justification on its own to expand the facility further."

Since 2014, the Designer Outlet has continued to increase its attractiveness as a visitor destination by expanding its leisure offer on former landscaped and car-parking areas. This is at the same time that the City Centre is experiencing increasing vacancies in principal shopping frontages such as Coney Street. Competition from the highly successful Designer Outlet is bound to be an important factor in these closures.

**Q5.2 Soundness Tests:** FPC considers that the above policies and paragraphs fail the soundness tests of being justified and consistent with national policy.

**Q6.1 Required Changes:** As above

**Q7.1 Appearance at Examination:** Yes

**Q7.2 Reasons for Appearance:** The complexity of the issues.

### **Policies SS22, ED1, ED2 and ED3: The University of York**

FPC recognises that the University of York is a major asset of the City. However the costs of its rapid expansion in recent years have fallen disproportionately on local communities nearby, including Fulford, Heslington and Badger Hill. These costs are mainly in the form of:

- Pressures on their local housing stock as previously family houses have been converted into HMOs to provide student accommodation. Often these houses have been insensitively extended to provide additional student bedrooms; whilst their exteriors are poorly maintained, with unkempt gardens and bins left prominently near the street. The result has been a general deterioration in the environmental quality of those areas where there is a concentration of such housing, including Heslington Lane in Fulford.
- High levels of parking by staff, students and visitors on local roads to the annoyance and distress of local residents.
- Traffic congestion and noise on the main roads linking the university with the A64, including Heslington Lane and the A19.

The PPD contains four policies dealing with the University: **SS22, ED1, ED2 and ED3**. These policies duplicate each other in part, and set out similar requirements in slightly different ways. The policies should be rationalised.

FPC objects in principle to **Proposal ST27**. The site of this proposed allocation is an important part of the green buffer along the A64 and as such contributes significantly to the setting and special character of York. It would bring large-scale development almost completely up to the A64, replicating the type of harm already seen at Clifton Moor. Its development would conflict with at least three of the purposes of the Green Belt as set out in NPPF paragraph 80. It should be retained in the Green Belt.

Even the Council's own Heritage Impact Assessment (September 2017) highlights the potential impact of the proposal upon the setting and special character of the historic city. The summary for the site says:

"The assessment of this site has identified that development in this location may result in serious harm to principal characteristic 6 (Landscape and Setting). Impacts include the potential loss of open countryside, the rural setting of the city, the impact on views and the close proximity of the development to Grimston (Bar)."

The site of Proposal ST27 was not intended to be developed by the University when it sought planning permission for Heslington East from the Secretary of State. Instead the site was shown as part of the green buffer around the site. It is unclear why the University has changed its mind over such a short period of time about the need to keep this land undeveloped, especially as there has been no change in its environmental value.

FPC does note that the proposed allocation is actually for "B1b knowledge businesses" rather than to meet any need identified for further university uses which cannot be accommodated on the existing two campuses. To FPC's knowledge, no substantial case has been made which demonstrates a need for further land for knowledge-based businesses linked to the university beyond that allowed by the 2006 Secretary of State permission. Even if there is such a need, FPC considers that sites would not have to be immediately adjacent to the University. With appropriate communications, such sites could be some distance away, for example at York Central. The linkage is organisational and not necessarily physical.

Policies SS22, ED1, ED2 and ED3 do not achieve the objectives or the clarity required by the NPPF. Framework paragraph 154 states:

“Local Plans should set out the opportunities for development and clear policies on what will or will not be permitted and where. Only policies that provide a clear indication of how a decision-maker should react to a development proposal should be included in the plan.”

If Proposal ST27 is retained, **Policy SS22** should be amended as follows:

- Criterion iv) should be altered to omit “which is clearly evidence in terms of demand” as its is ambiguous in meaning.
- Criterion v) should be strengthened so that the transport objectives of the NPPF are achieved. High quality sustainable transport is vital to reduce congestion on the local road network and impacts on nearby communities, including Fulford. To ensure this, FPC considers the criterion should be reworded as follows:

Deliver high quality frequent and accessible public transport to York City Centre and elsewhere including Campus West. Any proposal must demonstrate that such measures will enable upwards of 15% of trips to be undertaken using public transport. Monitoring and delivery arrangements will be required in a Section 106 Undertaking to ensure that this policy objective is secured in practice.

- Criterion vii) should be revised so that it applies the stronger NPPF paragraph 32 test as follows:

Demonstrate that all transport issues have been resolved, in consultation with the Council and Highways England as necessary, so that the residual cumulative impacts on the surrounding highway network are not severe. The cumulative impact of the proposal with other proposals to the south-east of York, including ST4 and ST15, should be addressed.

- Criterion viii) should be either deleted or strengthened. FPC is opposed in principle to a new junction onto the A64 because its harmful impacts on the Green Belt and the wider environment (see below). However if the junction is to be provided, it is important that Proposal ST27 (and the rest of University Campus East) makes use of it to benefit local roads and residents.
- A new criterion should be added so that only businesses linked to the university should be allowed on the site. Otherwise there is a danger that the site is rapidly developed for

businesses not genuinely requiring a location adjacent to the university, thereby prompting a demand for the release of even more land from the Green Belt. FPC suggests the following:

Demonstrate that only knowledge-based businesses genuinely requiring a location on or immediately adjacent to the University campus are allowed to occupy premises on the site.

FPC considers that **Policies ED1, ED2 and ED3** should be consolidated into one policy and its requirements reworded to reflect the requirements of the NPPF. It should include the following:

1. Policy ED1 currently facilitates the development of conference facilities unrelated to the University on the campus site. No case has been made why such facilities are needed or justified. Such facilities could significantly intensify usage of the University site to the detriment of surrounding communities. In line with paragraph 23 of the NPPF, conference facilities unrelated to the University should be directed towards the City Centre
2. The statement on student housing in Policy ED1 should be clarified and significantly strengthened in line with the NPPF. Instead of simply "addressing" the need (which in plain English only means looking at and understanding the issue) the University should 'meet' the need arising from any future expansion of student numbers. Also there should be no 'let-out clause' about "economic prudence" in the provision of student housing. The University should mitigate the impacts of its development in the same way as other forms of development do, such as housing. The cost should not fall on nearby local communities in terms of worse living conditions. FPC recommends the following rewording:

The University of York must demonstrate how the need will be met for any additional student housing which arises because of any future significant expansion of student numbers. Provision will be expected to be made on campus in the first instance but account can be taken of firm proposals by independent providers of bespoke student housing elsewhere in the City.

In line with NPPF paragraph 154, this change would ensure that the policy provides a clear indication of "what will or will not be permitted". The current wording does not.

3. There should be no maximum limit on the provision of car-parking at the University, at least until the problem of parking on nearby residential roads has been resolved. FPC considers that the main way of doing this is an enforceable Travel Plan which actively promotes the use of more sustainable modes of transport. FPC suggests the following addition to the ED1:

As part of any new significant proposals, the University shall enter into a Travel Plan with enforceable monitoring and delivery arrangements which discourages the use of the private car by staff, students and visitors and achieves a significant modal shift towards more sustainable means of transport.

4. The reference to Proposal ST27 should be deleted as this is the subject of a separate policy.

**Q5.2 Soundness Tests:** FPC considers that the above policies and proposals fail the soundness tests of being justified and consistent with national policy.

**Q6.1 Required Changes:** As above

**Q7.1 Appearance at Examination:** Yes

**Q7.2 Reasons for Appearance:** The complexity of the issues.

### **Policy SS13 and Proposal ST15: Land West of Elvington Lane**

FPC considers that Proposal ST15 should be deleted. This proposed new settlement of some 3339 dwellings occupies an area of attractive open land which fulfils important Green Belt functions, including the separation of Elvington from the main urban area. The gap has already been substantially reduced by the development of the Heslington East university campus. Its further reduction would be highly damaging.

Due to its very large size and its associated infrastructure, the development of the new settlement would have a major urbanising impact on the rural landscape to the south of York. This area of open countryside forms an essential part of the belt of open land which encircles the City and gives it so much of its special character. In particular the proposed link road to the A64 and its grade separated junction would significantly damage the existing bucolic landscape to the south of Fulford and Heslington. As well as its adverse impacts, there would be greatly increased noise and disturbance in an area which is greatly valued by local residents, walkers, and the wider public for its peaceful rural character. The area is criss-crossed by important footpaths and cycle routes which are well-used, including the Minster Way. The proposal would make the area much less attractive for informal countryside recreation.

The Council's Heritage Impact Assessment (page 37) acknowledges, at least in part, the harm which the proposal would have on the Green Belt and the setting and special character of the City, saying:

"This large incursion into the open countryside would clearly affect the openness of the green belt in this location and, as a consequence, result in harm to certain elements which contribute to the special character and setting of the historic city."

The ecological impacts of the proposed new settlement would be severe upon Heslington Tillmire SSSI and the Lower Derwent SPA/Ramsar site, especially through increased recreational pressure, changes in the water-table, and pet predation. It is highly unlikely that any works could mitigate the damage to these highly sensitive sites of national and international importance.

Due to its location remote from the main urban area, the bulk of movements from the new settlement would be by private car. Most of these journeys would be to York where the great bulk of higher order facilities are located, and would use the A64 and the A19 or Hull Road to access the main urban area. The size of the development is such that there would be a severe impact upon the already high levels of traffic congestion and poor environmental quality on these radial routes, including the Air Quality Management Area in Fulford.

There is no evidence base showing why this location has been chosen for a new settlement and why other potential locations have not been chosen, including sites beyond the Green Belt.

NPPF paragraph 52 makes clear that local planning authorities should only promote new settlements "with the support of their communities". There is no such community support in the case of this new settlement which is opposed by all the communities it affects, including Heslington and Fulford.

There is considerable doubt over the deliverability of the proposal, including the essential link road to the A64. The private sector promoter has made clear that the proposal would only be viable if it is greatly expanded in size. However, such expansion would further exacerbate its environmental harm, including to the Green Belt and the setting and special character of the historic city.

The proposal has not been adequately assessed. There has been no assessment of the environmental or other impacts of the required grade-separated junction onto the A64 (or even details of the design). Historic England has made clear that such an assessment is vital to the acceptability of the proposal because of the potentially highly damaging impacts upon the setting and special character of the internationally important historic city. Similarly there has been no comprehensive assessment of the traffic and related impacts of the proposal, including on the Air Quality Management Area in Fulford. The Air Quality Planning Practice Guidance says:

"Local plans can affect air quality in a number of ways, including through what development is proposed and where, and the encouragement given to sustainable transport. Therefore, in plan-making, it is important to take into account air quality management areas where there could be specific requirements or limitations on new development because of air quality."

FPC considers that the proposal should be abandoned.

If a different decision is taken, the policy should be clarified and strengthened so that it achieves the requirements of the NPPF, including to provide safeguards for the local communities which would be worst affected, including Fulford. In particular:

1. That all transport issues have been resolved and not just "addressed". The NPPF paragraph 32 test should be used so that the residual cumulative impacts on the surrounding highway network are not severe.
2. In line with paragraphs 29, 30 and 32 of the NPPF, there should be a stronger policy commitment to public transport and more sustainable transport modes. In particular, the policy should require the developer to prepare a Travel Plan which discourages the use of the private car. FPC suggests criterion xvi) should be rewritten as follows:

The developer will need to include a series of measures designed to discourage the use of the private car by residents and encourage the use of more sustainable modes of travel, including cycling and walking. The objective should be to ensure that upwards of 50% of trips to and from the settlement are by public transport and other sustainable modes of transport. Monitoring and contingency arrangements will be required in a Section 106 Undertaking to ensure that this policy objective is secured in practice.

3. The reference in paragraph 3.62 to improvements to cycle facilities on the A19 should be deleted. Previous studies have shown that there is no scope to provide such facilities without removing the green verges which are very important to the special character of the Fulford Village Conservation Area. This would lead to significant damage to a designated heritage asset contrary to the intentions of the NPPF.

**Q5.2 Soundness Tests:** FPC considers that the policy and proposal fail the soundness tests of being justified and consistent with national policy.

**Q6.1 Required Changes:** As above

**Q7.1 Appearance at Examination:** Yes

**Q7.2 Reasons for Appearance:** The complexity of the issues.

#### **Proposal ST4: Land Adjacent to Hull Road**

FPC considers this proposal should be deleted. It would result in further incremental urbanisation of the south-eastern quadrant of the City which is damaging its character.

This site was once part of a much larger area of open land and Green Belt which extended from Hull Road to the A64 and beyond. The University East Campus was allowed to be developed in this area as an exception to Green Belt policy because of its national and regional importance. Despite this, the presence of the University is now being used to justify further development of open land in this area including ST4 and ST27, ignoring that these locations were shown as protected buffer areas by the Heslington East Masterplan when it was approved by the Secretary of State in 2006. Such an approach does not enhance the reputation of planning.

FPC considers the site of ST4 should be kept permanently open. It forms part of a wider buffer of open land between the Heslington East Campus and Hull Road, including large areas of woodland planting. Its loss as open land would significantly damage the performance of this wider buffer. In particular, the site forms part of Kimberlow Hill (York Moraine) which is a very important landscape feature and is of significance in the history of York. There are important views over the City from the hill, including of the Minster, which would be lost or severely restricted by its development for housing.

The Heritage Impact Assessment (September 2017) provides at least some support for the harm which would be caused by the proposal:

“The assessment of this site has identified that development in this location may potentially result in serious harm to principal characteristic 5 regarding the archaeological complexity of the site. A desk based assessment has confirmed that the site may contain features relating to the prehistoric and romano-British period. Minor harm may occur to principal characteristics 3, 4 and 6 (and partial minor harm to 2) particularly due to the unknown nature of the proposed housing design and its visibility occupying an elevated position, the potential harm on views from the hillside and the loss of a buffer between the university campus and residential areas. Kimberlow Hill currently provides 360 degree views towards the historic core and the Minister and outwards across the rural landscape of the Wolds and the Vale.”

FPC agrees that these are potentially the main causes of harm but disagrees with the assessment of harm which it considers would be significantly greater.

**Q5.2 Soundness Tests:** FPC considers that the policy and proposal fail the soundness tests of being justified and consistent with national policy.

**Q6.1 Required Changes:** As above

**Q7.1 Appearance at Examination:** Yes

**Q7.2 Reasons for Appearance:** The complexity of the issues.

### **Proposal ST36 and Policy SS20 Imphal Barracks**

FPC does not disagree with the principle that this site should be redeveloped for housing if and when the barracks are eventually closed. However FPC notes that development is unlikely to start before the end of the plan period. In these circumstances and in line with paragraph 47 of the NPPF, the site should not be allocated in this Plan, but should be considered at the next review in potentially about five years time. This would still allow adequate opportunity for appropriate policies to be put in place to ensure its timely redevelopment.

If CoYC disagrees and Proposal ST36 is kept in the Plan, Policy SS20 needs to reflect better the requirements of the NPPF, including greater safeguards for the nearby local communities, including Fulford. The policy should be amended as follows:

- Criterion i) should be reworded so that the developer must demonstrate that all transport issues have been resolved and not just “addressed” so that (applying the NPPF test) the residual cumulative impacts on the local highway network are not severe.
- Criteria iii), iv), and v) should be strengthened so that the significant features of the site’s historic environment are retained and enhanced. The barracks are an important feature in the townscape of this part of Fulford, including many of its buildings, features, open spaces and trees.
- Criterion xiii) should be strengthened to ensure that existing recreational facilities and areas of open space are retained and made available for community use including the playing fields adjacent to Walmgate Stray. NPPF paragraphs 70 and 74 apply.
- A new criterion should be added which would ensure that the environmental impacts associated with the traffic generation of the proposal are fully addressed and mitigated, including traffic noise and air quality. This could be worded as follows:

Mitigate fully the environmental impacts of the increases of traffic upon the local highway network, including traffic noise and air pollution.

Contrary to NPPF and NPPG guidance, there is no reference within the policy to mitigating these potentially highly significant impacts, especially on the vulnerable Fulford Air Quality Management Area.

**Q5.2 Soundness Tests:** FPC considers that the policy and proposal fail the soundness tests of being justified and consistent with national policy.

**Q6.1 Required Changes:** As above

**Q7.1 Appearance at Examination:** Yes

**Q7.2 Reasons for Appearance:** The complexity of the issues.

## **Policy H5: Gypsies and Travellers**

FPC supports appropriate provision for gypsies and travellers. However it is concerned that PD Policy H5 does not reflect national policy and also does not include sufficient safeguards to protect existing communities in York from potentially harmful development.

Part b) of the policy should be deleted. There is no provision in national policy that links general housing proposals for the settled community with pitches for gypsy and traveller caravans nor is there any local factor that could justify such a link. National policy makes clear that these are completely separate forms of development.

If Part b) is retained (for whatever reason), FPC specifically objects to its second bullet point which allows landowners/developers to accommodate the required number of pitches on other land in their control (potentially in the Green Belt). This bullet point would enable landowners/developers to offload the associated visual, environmental and other disbenefits of such provision onto existing communities potentially far distant from the development.

Part c) should be amended. In particular:

- In line with national policy (2015), criterion i) should be altered to make clear that traveller/gypsy developments are inappropriate anywhere within the Green Belt and will only be allowed in very special circumstances. The present wording is ambiguous on this point and is thereby contrary to national policy.
- Criterion iv) should be clarified and strengthened in line with NPPF paragraph 154 so that it states:

Ensure that the development does not harm the amenity of nearby existing residents and businesses, including by loss of outlook or the creation of unacceptable traffic patterns, noise, disturbance, pollution or air quality.

A further criterion should be added requiring reasonable levels of amenity for future occupants.

- Criteria ix) and x) should be moved from the second paragraph of Part c) and placed in the first paragraph as these are matters primarily concerned with the principle of development rather than layout.

**Q5.2 Soundness Tests:** FPC considers that the policy fails the soundness tests of being justified and consistent with national policy.

**Q6.1 Required Changes:** As above

**Q7.1 Appearance at Examination:** Yes

**Q7.2 Reasons for Appearance:** The complexity of the issues.

## **Policy H6: Travelling Showpeople**

FPC supports appropriate provision for travelling showpeople. However it is concerned that PD Policy H6 does not reflect national policy and also does not include sufficient safeguards to protect existing communities in York from potentially harmful development.

In line with our representations on Policy H5, Part c) should be amended as follows:

- In line with national policy (2015), criterion i) should be altered to make clear that development for showman sites are inappropriate anywhere within the Green Belt and will only be allowed in very special circumstances. The present wording is ambiguous on this point and is thereby contrary to national policy.
- Criterion iv) should be clarified and strengthened in line with NPPF paragraph 154 so that it states:

Ensure that the development does not harm the amenity of nearby existing residents and businesses, including by loss of outlook or the creation of unacceptable traffic patterns, noise, disturbance, pollution or air quality.

A further criterion should be added requiring reasonable levels of amenity for future occupants.

- Criteria ix) and x) should be moved from the second paragraph of Part c) and placed in the first paragraph as these are matters primarily concerned with the principle of development rather than layout.

**Q5.2 Soundness Tests:** FPC considers that the policy fails the soundness tests of being justified and consistent with national policy.

**Q6.1 Required Changes:** As above

**Q7.1 Appearance at Examination:** Yes

**Q7.2 Reasons for Appearance:** The complexity of the issues.

### **Policy H7: Student Housing**

Detailed comments about student housing and its impacts upon local communities have already been made in relation to Policies ED1, ED2 and ED3. In line with those comments, FPC suggests either that the first part of Policy H7 is deleted as it simply duplicates other policies (ED1, ED2, ED3 and ED4) or it is replaced with the following:

The University of York and York St John University must meet the need for any additional student housing which arises because of their future expansion of student numbers. In assessing need, account can be taken of firm proposals by independent providers for bespoke student housing in the City. To meet any projected shortfall, provision by the University of York can be made on either campus. Provision by York St John University....

**Q5.2 Soundness Tests:** FPC considers that the policy fails the soundness tests of being justified and consistent with national policy.

**Q6.1 Required Changes:** As above

**Q7.1 Appearance at Examination:** Yes

**Q7.2 Reasons for Appearance:** The complexity of the issues.

### **Policy H8: Houses in Multiple Occupation (HMOs)**

FPC considers that the policy needs significant strengthening.

FPC considers that the thresholds for restrictions on new HMOs should be reduced from 20% to 10% for neighbourhood areas and from 10% to 5% for lengths of street.

FPC considers the policy should contain a restriction on extensions to existing and proposed HMOs. Such extensions are often unsightly and out-of-scale with the original house, giving an institutional character to the property. To minimise the harm caused to existing residential communities such as Fulford, the following is suggested:

Extensions to existing and proposed HMOs will only be permitted where it will improve living conditions for residents (such as larger bathrooms and kitchens) and not to provide additional living units.

Such an alteration is required to be consistent with NPPF paragraph 17 which states that plans should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

**Q5.2 Soundness Tests:** FPC considers that the policy fails the soundness tests of being justified and consistent with national policy.

**Q6.1 Required Changes:** As above

**Q7.1 Appearance at Examination:** Yes

**Q7.2 Reasons for Appearance:** The complexity of the issues.

### **Policy GB1: Development In the Green Belt**

This policy deviates significantly from that set out in the NPPF for Green Belt. As Green Belt is intended to be a national policy, such deviation should be avoided. In line with other local plans, FPC considers that the policy should simply cross-refer to the NPPF for details of the types of development that can be permitted. If not, the policy should follow more closely the format of paragraph 89 of the NPPF. In particular, it should not make reference to renewable energy schemes being potentially appropriate forms of development. The NPPF is clear (paragraph 91) that most such projects would comprise inappropriate developments. There are no special circumstances in York to justify a different view. Indeed large renewable energy projects in the Green Belt have the potential to cause major damage to the setting and special character of the historic city.

**Q5.2 Soundness Tests:** FPC considers that the policy fails the soundness tests of being justified and consistent with national policy.

**Q6.1 Required Changes:** As above

**Q7.1 Appearance at Examination:** Yes

**Q7.2 Reasons for Appearance:** The complexity of the issues.

### **Policy ENV1: Air Quality**

FPC supports the principle of this policy but feels it should be strengthened. Air quality is a major issue for large parts of Fulford which are designated as an Air Quality Management Area. FPC considers that the first part of the policy should be reworded as follows:

Development will only be permitted if the impact on air quality is acceptable and mechanisms are put in place to mitigate fully any adverse impacts and prevent further exposure to poor air quality. Proposals which would worsen air quality in and around Air Quality Management Areas after mitigation, either individually or cumulatively, will not be allowed. This is in order to protect human health.

This proposed change would reflect the priority given to AQMAs by the NPPG on Air Quality. It says:

“Local plans can affect air quality in a number of ways, including through what development is proposed and where, and the encouragement given to sustainable transport. Therefore in plan-making it is important to take into account air quality management areas and other areas where there are specific requirements or limitations on new development because of air quality.”

At present the policy makes no reference to AQMAs.

**Q5.2 Soundness Tests:** FPC considers that the policy fails the soundness tests of being justified and consistent with national policy.

**Q6.1 Required Changes:** As above

**Q7.1 Appearance at Examination:** Yes

**Q7.2 Reasons for Appearance:** The complexity of the issues.

## **Policy T2: Strategic Public Transport Improvements**

FPC objects to the proposal for “a dedicated public transport/cycle route linking the new settlement (ST15) to a suitable access on York’s highway network in the urban centre of York.” As there are no details of where or how this public transport/cycle route would be created FPC considers that it is premature for such a proposal to be included in the Plan, not least because its potential impacts on heritage assets and areas of environmental sensitivity have not been assessed.

**Q5.2 Soundness Tests:** FPC considers that the policy fails the soundness tests of being justified and consistent with national policy.

**Q6.1 Required Changes:** As above

**Q7.1 Appearance at Examination:** Yes

**Q7.2 Reasons for Appearance:** The complexity of the issues.

## **Policy T7: Minimising and Accommodating Generated Trips**

FPC considers that the policy needs clarifying and strengthening. Criterion iii) should be reworded so that it incorporates the stricter test for new development set out in the NPPF:

That any residual cumulative impacts of development are not severe and would not create safety hazards on the local and strategic highway network.

**Q5.2 Soundness Tests:** FPC considers that the policy fails the soundness tests of being justified and consistent with national policy.

**Q6.1 Required Changes:** As above

**Q7.1 Appearance at Examination:** Yes

**Q7.2 Reasons for Appearance:** The complexity of the issues.

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 03 April 2018 22:18  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105096

Date submitted: 03/04/2018

Time submitted: 22:17:44

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Thank you for submitting your Local Plan Publication Draft response form (ref: 105096, on 03/04/2018 at 22:17:44) to City of York Council.

The following is a copy of the details you included.

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## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

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## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:**

**Forename:** Stephen

**Surname:** Lornie

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: N/AN/A

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## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

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## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

N/A

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not positively prepared,not justified,not effective,not consistent with national policy

**Please give reasons for your answer(s):**

The proposals in the draft Local Plan provide Green Belt permanence of only five years after the plan period. In the case of York specifically this is totally insufficient both in practical terms and with regards to the spirit of the NPPF. On this basis the plan should be found not sound.

First, we need to consider how long it has taken (and is still taking!) to deliver a Local Plan for York. Six years (2005-2011) work on the Local Development Framework which was ultimately aborted after submission to the planning inspector, followed by another six years (2012-2018) so far on the Local Plan, including multiple re-writes. Recognising the protracted performance to reach this stage of the Local Plan it is crucial that the approved plan includes more substantial built-in Green Belt permanence to ensure that a shortage of available developable land (five-year supply) after the plan period, but before an updated plan is approved, does not undermine the important purposes and sanctity of the Green Belt.

Second, we need to reflect on the nature of York and how it aligns with the Green Belt principles in the NPPF. As drafted the Local Plan takes a broad brush approach to specifying Green Belt, essentially washing over the entirety of the authority area outside of existing urban areas and proposed site allocations with protection from development. This stems from the saved York Green Belt policy in the Yorkshire Regional Spatial Strategy which established the outer edge of the green belt in legislation, leaving the inner boundary(s) to be fixed at a local level. However such a widely drawn Green Belt is inconsistent with NPPF guidance which states that LAs should "not include land which it is unnecessary to keep permanently open", and that Green Belt boundaries "should be capable of enduring beyond the plan period".

Relevant NPPF policies:

83. Local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.

85. When defining boundaries, local planning authorities should:

- \* ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
- \* not include land which it is unnecessary to keep permanently open;

- \* where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
- \* make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;
- \* satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and
- \* define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** Policy SS2/Green Belt

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## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

### **I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

If all of un-developed York is included within the Green Belt it stands to reason that the Green Belt cannot survive beyond the plan period as there is no non-Green Belt land open to meet future needs. The Green Belt needs to be redrawn to a more appropriate scope which meets the Green Belt purposes, protects the long-term sustainability and permanence of the established Green Belt boundaries, while still allowing for the future needs of the city (i.e. "longer-term development needs stretching well beyond the plan period"). If the city decides that it still wants to maintain a greater measure of control over where and when development may occur it should take advantage of the NPPF policy and guidance around Safeguarded Land (held outside the Green Belt but not allocated for development during the current plan).

### **If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

### **If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 03 April 2018 22:21  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105097

Date submitted: 03/04/2018

Time submitted: 22:20:30

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Thank you for submitting your Local Plan Publication Draft response form (ref: 105097, on 03/04/2018 at 22:20:30) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:**

**Forename:** Stephen

**Surname:** Lornie

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: N/AN/A

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

N/A

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not positively prepared,not effective,not consistent with national policy

**Please give reasons for your answer(s):**

There appears to be a vast disconnect between the amount of land allocated in the plan for B1a employment use (64k sqm) and the projected demand for B1a employment use across the plan period (107k sqm). This significant undersupply is concerning as the economic strategy, and future earnings of York residents, rely heavily on the provision of new high paying employment opportunities. In addition the fact that the bulk of the allocated land is made available on a single site with enormous risk and viability concerns (ST5, York Central) completely undermines the policy: how does this enable flexibility, choice and churn on the part of businesses looking to locate or expand in York?

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** Policy EC1/Employment Land

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## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 03 April 2018 22:24  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105098

Date submitted: 03/04/2018

Time submitted: 22:23:56

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Thank you for submitting your Local Plan Publication Draft response form (ref: 105098, on 03/04/2018 at 22:23:56) to City of York Council.

The following is a copy of the details you included.

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## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:**

**Forename:** Stephen

**Surname:** Lornie

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: N/AN/A

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

N/A

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## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not positively prepared,not justified,not consistent with national policy

**Please give reasons for your answer(s):**

The quantum of housing development proposed in the latest draft Local Plan (867/annum) is insufficient and on that basis the plan should be judged unsound. Historic under-delivery against targets has resulted in a markedly constrained supply and caused significant increases in housing costs (in both purchase and rental markets) which the adopted proposals will do nothing to correct.

The Executive decision to discount the market signals uplift (10%) recommended by independent, expert consultants on the grounds that it "rel[ies] too heavily on recent short-term unrepresentative trends" fails to acknowledge the significant under-delivery of new housing over many years, as far back as the previous Regional Spatial Strategy of 2008, suppressed household formation for the younger demographic since the 2008 financial crisis, and runs counter to clear national priorities set out by the Government through their recent consultation and proposed standard formula for calculating need. Furthermore the "special character and setting" of York cited by Executive in documenting their decision is not based on or supported by any policy in the NPPF and should be disregarded as inadmissible (i.e. there is no flexibility afforded to authorities to reduce from the assessed housing need).

Relevant NPPF policies:

47. To boost significantly the supply of housing, local planning authorities should:

\* use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area

159. The Strategic Housing Market Assessment should identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:

– meets household and population projections, taking account of migration and demographic change;

– addresses the need for all types of housing, including affordable housing and the needs of different groups in the community; and

– caters for housing demand and the scale of housing supply necessary to meet this demand;

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** Policy SS1 and the Strategic Housing Market Assessment Update

---

## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 03 April 2018 22:27  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105099

Date submitted: 03/04/2018

Time submitted: 22:27:05

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Thank you for submitting your Local Plan Publication Draft response form (ref: 105099, on 03/04/2018 at 22:27:05) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:**

**Forename:** Stephen

**Surname:** Lornie

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: N/AN/A

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

N/A

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not consistent with national policy

**Please give reasons for your answer(s):**

The explanation for Policy T2 states that "More detail pertaining to how strategic public transport infrastructure is to be funded and delivered is contained in the Infrastructure Delivery Plan", however that delivery plan appears not to be available for reading alongside the draft Local Plan. Without that supporting document how can government, residents and businesses be confident that the infrastructure proposals are sufficiently detailed, are deliverable and affordable within the plan period, and actually accommodate the increase in demands from new developments?

Relevant NPPF policies:

177. It is equally important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion. To facilitate this, it is important that local planning authorities understand district-wide development costs at the time Local Plans are drawn up. For this reason, infrastructure and development policies should be planned at the same time, in the Local Plan. Any affordable housing or local standards requirements that may be applied to development should be assessed at the plan-making stage, where possible, and kept under review.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** Policy T2/Strategic Public Transport Improvements

---

## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 03 April 2018 22:29  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105100

Date submitted: 03/04/2018

Time submitted: 22:29:25

---

Thank you for submitting your Local Plan Publication Draft response form (ref: 105100, on 03/04/2018 at 22:29:25) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:**

**Forename:** Stephen

**Surname:** Lornie

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: N/AN/A

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

N/A

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not consistent with national policy

**Please give reasons for your answer(s):**

Policy T6 Fails to identify specific transport corridors, interchanges or facilities (active or disused) which are protected under the policy. Without such specific details the policy is meaningless as it cannot be applied either in judging the impact of future development proposals on such infrastructure, or to encourage developments which may support or otherwise improve the sustainability of the protected infrastructure.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** Policy T6/Development Near Transport Corridors

---

## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

One obvious example of a transport corridor which ought to be specifically mentioned and protected is the route of (or new variation thereof) the York>Beverley railway line which although disused has potential for future reinstatement to provide additional regional transport links.

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 03 April 2018 22:32  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105101

Date submitted: 03/04/2018

Time submitted: 22:31:43

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Thank you for submitting your Local Plan Publication Draft response form (ref: 105101, on 03/04/2018 at 22:31:43) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:**

**Forename:** Stephen

**Surname:** Lornie

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: N/AN/A

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

N/A

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## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not positively prepared,not effective,not consistent with national policy

**Please give reasons for your answer(s):**

Several key issues and policies within the draft Local Plan depend to varying extent upon a number of Supplementary Planning Documents which appear as yet to be undrafted and thus far have not been subject to consultation. In the absence of these detailed supplementary documents how can government, residents and businesses be confident that the policies within the plan are or will be deliverable?

From a brief perusal of the publication draft I have identified the following SPDs which are "forthcoming" or "emerging":

Health and Wellbeing SPD

Cultural Wellbeing SPD

Green Infrastructure Strategy SPD

Low Emission SPD

(Unnamed) 'Environmental Quality' SPD

Sustainable Design and Construction SPD

Sustainable Transport for Development SPD (multiple mentions)

Local Heritage List for York SPD

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** Supplementary Planning Documents (SPD)

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## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

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[REDACTED]

---

**From:** Andy D'Agorne [REDACTED]  
**Sent:** 03 April 2018 22:33  
**To:** localplan@york.gov.uk  
**Cc:** Dave Taylor  
**Subject:** Local Plan submission Policy SS20 Imphal Barracks  
**Attachments:** Comments\_form\_Imphal Barracks SS20.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please find attached my submission. Others to follow in separate emails.

Cllr Andy D'Agorne York Green Party

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Cllr	
First Name	Andy	
Last Name	D'Agorne	
Organisation (where relevant)	York Green Party	
Representing (if applicable)	York Green Party	
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

- City of York Local Plan Publication Draft
- Policies Map
- Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes  No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

## 5.(1) Do you consider the document is Sound?

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Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared	<input checked="" type="checkbox"/>	Justified	<input checked="" type="checkbox"/>
Effective	<input type="checkbox"/>	Consistent with national policy	<input type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**  
(Complete any that apply)

Paragraph SS20 i	Policy SS20, T2	Site Ref.	ST36
no. 3.89, 3.94	Ref.		

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

**Justified:** Prior to allocating this site to housing, no assessment was made of the need to retain some or all of it as employment land, contrary to policy EC2 and para 4.9 of this draft Local Plan! The indication that the MoD would seek to dispose of the land for housing development was simply seized on by the council as an opportunity to reduce the amount of Green Belt land taken for housing, without assessing the viability of the site for re-use as employment land or the impact this loss of the total quantum of employment land in a highly accessible location within York might have. Evidence to justify this site being allocated totally for housing is completely lacking.

**Positively prepared:** The Transport Topic Paper Sept 2017 Table 4 identifies Route 5, A19 inbound (which is the arterial road serving the site) is forecast to have the highest percentage increase in morning peak traffic delay and the second highest afternoon peak delay for inbound traffic (23.8% and 31.6% respectively). There is already a 650 dwelling development under construction in Fulford (Germany Beck) with the only vehicle access onto the A19. This will not be fully occupied until 2028 at the earliest. At present there are no plans for additional bus priority measures beyond this access point, meaning that the park and ride service (which also provides the most frequent service for Imphal Barracks) will get increasingly delayed by these projected additional delays, even before occupation of housing on this site ST36. It should be noted that the 2014 public transport review (for the previous version of the local plan) proposed: BB13 New dedicated bus route (Common Lane upgrade) and service linking the site to with traffic management intervention on approach to Inner Ring Road (ST15) AND Public transport only route through the eastern end of Germany Beck development into the highway network at Heslington Lane (ST22). A dedicated bus-only route through Walmgate Stray to link into the interventions identified for ST15 (only possible if BB13 goes ahead) ref: <http://democracy.york.gov.uk/documents/s91800/Annex%20E%20Transport%20Infrastructure%20Investment%20Requirements%20Study.pdf>

Paragraph 3.94 refers to 'good existing ..cycle networks linking to the city centre' The most direct route has a narrow highway section with no on road cycle lanes, and the safer off road riverside route is prone to flooding in the winter months. The most direct off-road 'route' is unmade, uphill and unlit across the open land (Walmgate Stray) alongside the site. This example serves to demonstrate a common failing throughout the plan of generic reference to 'sustainable transport' without detailed strategy to achieve this in contrast with detailed traffic modelling and vehicle highway capacity assessments.

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.*

SS20 Must be reviewed in the light of para iii)-xi) to consider whether it is viable for conversion to housing and whether the allocated number of dwellings is appropriate for the site. Provision for 'home working' and small business start up should be incorporated within the design to enhance the contribution the site can make to economic growth within the city and continuing local employment opportunities.

Para 3.94 In order for the new development to be 'sustainable' the developer should be required to demonstrate that there will be no net increase in private car movements into and out of the site when compared to 2018, (with the Barracks fully operational). We support the wording that the developer must demonstrate that they have addressed transport issues individually and cumulatively with other sites. However this is not reflected in the Infrastructure Plan, in particular we believe the council should be putting forward a modern sustainable public transport solution which provides for the transport needs for future residents of SS13, University of York, Germany Beck and SS20. The Transport topic paper indicates that existing highway infrastructure will not be sufficient, and car-based solutions are not sustainable in terms of congestion, pollution, carbon reduction and impact on other parts of the network. Evidence from the urban extension Vauban in Freiburg, Germany should be evaluated for more effective strategies to reduce car use: Vauban, Frieburg: [https://www.itdp.org/wp-content/uploads/2014/07/26.-092211\\_ITDP\\_NED\\_Vauban.pdf](https://www.itdp.org/wp-content/uploads/2014/07/26.-092211_ITDP_NED_Vauban.pdf) and Ralph Buehler & John Pucher (2012) Sustainable Transport in Freiburg: Lessons from Germany's Environmental Capital, International Journal of Sustainable Transportation, 5:1, 43-70, DOI: [10.1080/15568311003650531](https://doi.org/10.1080/15568311003650531)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the Examination X

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

The Transport Topic Paper Sept 2017 needs to be revised in the light of changes made since the Pre- publication draft to which it relates, notably this site. The comments in this submission will then need to be interrogated by the inspector in the light of the new information presented. There may be additional observations that would assist the inspector in determining the soundness of the policies based on the light shed by this information.

If the Transport Topic Paper Sept 2017 is not updated it will be useful to be able to make further comment in the light of submissions from other parties as they relate to this issue.

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

# Part C - How we will use your Personal Information



We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

## Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

## Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

## Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please

contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on [01904 554145](tel:01904554145)

Signature

Date 30/3/18

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

**From:** Andy D'Agorne [REDACTED]  
**Sent:** 03 April 2018 23:09  
**To:** localplan@york.gov.uk  
**Cc:** Denise Craghill  
**Subject:** Local plan comment CC3 SS4  
**Attachments:** Comments\_form\_York Central District Heating .docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

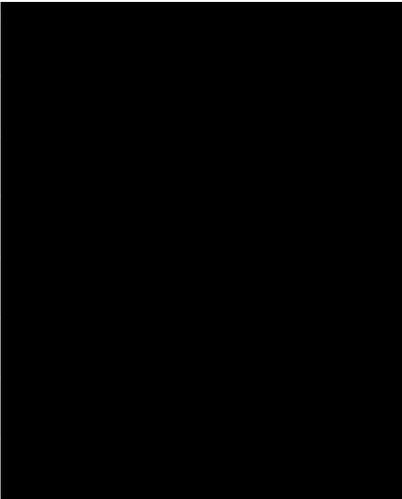
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Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Cllr	
First Name	Andy	
Last Name	D'Agorne	
Organisation (where relevant)	York Green Party	
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

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## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

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## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

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- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

- City of York Local Plan Publication Draft
- Policies Map
- Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes  No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

## 5.(1) Do you consider the document is Sound?

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:**

(tick all that apply)

<b>Positively prepared</b>	<input checked="" type="checkbox"/>	<b>Justified</b>	<b>x</b>
<b>Effective</b>	<input type="checkbox"/>	<b>Consistent with national policy</b>	<b>X</b>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no.	SS4i and 11.29	Policy CC3 Ref.	Site Ref. SS4/ ST5
---------------	----------------	-----------------	--------------------

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

York Central site SS4 /ST5 meets the criteria for policy CC3 as a strategic site within a heat priority area, with specific reference in par 11.29 to a feasibility study for a heat network scheme serving SS4/ ST5. This should be specifically referenced in Policy SS4 as a large brownfield site where the technology can be implemented as an exemplar for future developments across the city. Para 11.26 references the Climate Change Action Plan and Climate Change Act 2008 targets for CO2 reduction which cannot be met without all new developments adopting a low energy approach. Installation of a district heating network is most likely to be financially viable if installed alongside other essential utility infrastructure such as water, sewage, electricity, gas etc at an early stage of development on major new sites.

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.



**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

'Low-carbon' and 'compliant with policy CC3' need to be added to the principles of development at York Central within Policy SS4

The explanation should cross reference to paras 11.28 and 11.29 and add wording "Developers must demonstrate a strategy for early installation of a district heating network for the whole site at the most cost effective stage of development and safeguarding access routes for any parts of the site which will not initially be connected to it."

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the Examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

This is a fundamental design element to the whole scheme. As someone who has been directly involved as an interested member of the public in the my York Central consultation process I feel that I may be able to answer questions on the development of the masterplan for the site.

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

## Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

## Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

## Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on [01904 554145](tel:01904554145)



Date 30/3/18

Signature

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

**From:** Andy D'Agorne [REDACTED]  
**Sent:** 03 April 2018 23:27  
**To:** localplan@york.gov.uk  
**Subject:** Local plan - T2 public transport provision  
**Attachments:** Comments form Public Transport provision.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

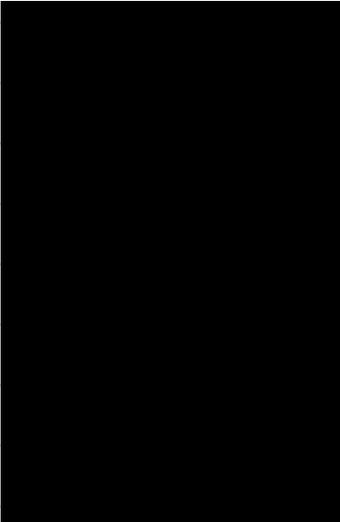
To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Cllr	
First Name	Andy	
Last Name	D'Agorne	
Organisation (where relevant)	York Green Party	
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

- City of York Local Plan Publication Draft
- Policies Map
- Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes  No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

### What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

## 5.(1) Do you consider the document is Sound?

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Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

Yes

No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared

Justified

Effective

Consistent with national policy

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph

14.3, 14.18,14.36

Policy T2,4,5

Site Ref. ST1,2,5, 27,26,36

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Positively prepared/ Justified/Effective

Policy T2 is inconsistent with para 14.17 and 14.18 in that no evidence is presented to qualify the extent to which the strategic public transport improvements will be sufficient to adequately mitigate the predicted 30% increased travel time and 55% predicted increased delay caused by increased private car trips. More specifically the scale of development envisaged at sites ST1,2 and 5 within the short – medium term and the short and medium term public transport priorities in T2 will only succeed if policy v ‘Traffic restraint measures in the city centre to improve public transport reliability’ is moved to being a short term priority. This would be in accordance with the West Yorkshire Combined Authority funding allocation of some £40m for ‘city centre measures’ to complement the £36m seven year programme already underway for capacity improvements at junctions on the outer ring road. Funding has been allocated on the basis that the benefits of capacity improvements on the A1237 will be ‘locked in’ by complementary sustainable transport measures in the city centre (as referred to in para 14.36) As long ago as 2008, the Access York Phase 2 funding bid from City of York Council stated “To lock in the benefits from the redistribution of the traffic enabled by the improvements to the ring road it is proposed to reallocate roadspace to more sustainable modes ... principally on the main radial routes and in the city centre.” Para 9.2 stated that there would be a dedicated public transport spine through the city centre with pedestrianized areas extended to Goodramgate and Fossgate. These measures have so far failed to be implemented, despite being identified as key elements of the LTP3 implementation plan 2011-16.

The Transport Topic paper 2017 fails to match up with detail of alternatives to the car contained within the 2014 version, which makes clear that the strategy of dualling the ring road is not cost effective. <http://democracy.york.gov.uk/documents/s91800/Annex%20E%20Transport%20Infrastructure%20Investment%20Requirements%20Study.pdf> and [https://www.york.gov.uk/downloads/file/1914/transport\\_implicationspdf](https://www.york.gov.uk/downloads/file/1914/transport_implicationspdf) These are key issues to be addressed within LTP4 (proposed for 2019) which needs to acknowledge the failure to implement LTP3 following decisions to abandon the Lendal Bridge trial as well as the impact of new out of town retail developments such as Monks Cross. Additional traffic pressure will come from completion of the Community Stadium in 2019 to replace the current Bootham Park ground.

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.



**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Policy T2 Needs to be amended to refer to the forthcoming LTP4 and subsequent transport strategies. Para v Traffic restraint measures in relation to ST5 and ST1 as they affect the city centre need to be identified as a *short term measure*. Additionally, the council needs to commit to a short term action to commission a feasibility study for modern light mass transit provision for possible inclusion within the infrastructure delivery plan. In particular this would be related to the sustainable transport needs to connect ST26, ST27, ST36, plus ST1, ST2 and ST5 to the city centre and potentially (if tram- train) to the Hospital, Haxby and Strensall. This must be assessed against likely air quality, congestion, climate change, and additional highway costs of the current car based proposed access to new development sites. There should be detailed comparison with examples of more effective strategies to reduce car use in new developments: for example Vauban, Freiburg: [https://www.itdp.org/wp-content/uploads/2014/07/26.-092211\\_ITDP\\_NED\\_Vauban.pdf](https://www.itdp.org/wp-content/uploads/2014/07/26.-092211_ITDP_NED_Vauban.pdf) and Ralph Buehler & John Pucher (2012) Sustainable Transport in Freiburg: Lessons from Germany's Environmental Capital, International Journal of Sustainable Transportation, 5:1, 43-70, DOI: [10.1080/15568311003650531](https://doi.org/10.1080/15568311003650531)

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the Examination X

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

I expect that the Transport Topic Paper Sept 2017 will need to be revised in the light of changes made since the Pre-publication draft to which it relates. The comments in this submission could then need to be interrogated by the inspector in the light of the new information presented. There may be additional observations that would assist the inspector in determining the soundness of the policies based on the light shed by this information.

If the Transport Topic Paper Sept 2017 is not updated, I would still like to be able to make further comment in the light of submissions from other parties as they relate to the comments that I have made and present justification to demonstrate how this failure makes the plan unsound.

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

## Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

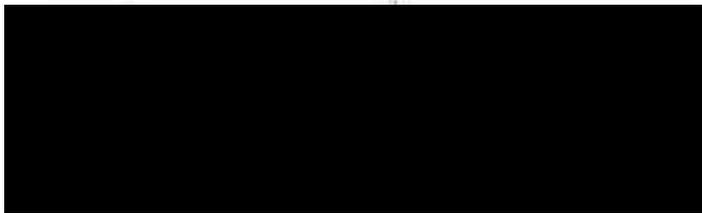
## Retention of Information

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Date 30/3/18

Signature

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

**From:** Andy D'Agorne [REDACTED]  
**Sent:** 03 April 2018 23:36  
**To:** localplan@york.gov.uk  
**Cc:** Denise Craghill  
**Subject:** Local plan - ENV1 Air Quality  
**Attachments:** Comments\_form\_air quality.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Cllr	
First Name	Andy	
Last Name	D'Agorne	
Organisation (where relevant)	York Green Party	
Representing (if applicable)		
Address – line 1	[REDACTED]	
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

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You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

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## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

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- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

- City of York Local Plan Publication Draft
- Policies Map
- Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

xx

Yes  No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

EU Air Quality Directive required that no areas should be in breach of the threshold limits by 2010. York currently has a number of arterial roads and city centre streets that still record traffic pollution levels for Nitrogen Dioxide that are above safe levels for residents living on those streets. Policy ENV1 provides mitigation measures but does not indicate that these measures will be sufficient to eliminate the harmful levels of pollution within the city. The Local Plan is not sufficiently robust to ensure that no residents within the City of York are routinely exposed to harmful emissions above internationally recognized limits.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

<b>Positively prepared</b>	<input checked="" type="checkbox"/>	<b>Justified</b>	<input checked="" type="checkbox"/>
<b>Effective</b>	<input type="checkbox"/>	<b>Consistent with national policy</b>	<input type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph 12.2, 12.3, 12.7 SA Para 7.2 Appendix L Air Quality	Policy ENV1 Ref.	Site Ref.
--	---------------------	-----------

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Para 12.2 and 12.3 make reference to the Low Emissions Strategy 2012 and Air Quality Action Plan 2015 which include measures that have not been implemented within the timescales identified – eg freight trans-shipment, anti idling policies, city centre clean air zone for buses. While the policy rightly requires an impact assessment for local air quality, traffic from new developments will result in more diffuse but wider impact on air quality which is not addressed. ENV1 should be more explicitly cross referenced to policy T2 and T5 with a full assessment of potentially viable public transport links and walking and cycling links as the first preference to eliminating additional vehicle pollution. This could be achieved by supplementing Fig 12.2 with a ‘mitigation hierarchy for transport’, as reflected in policy T2 and T5 and the implementation plan. These policies loosely covered in para 12.7 are currently inadequate to achieve the objective in para 12.2 of reducing NO2 to safe levels across the whole city.

SA appraisal Appendix L Air Quality indicators should include % electric vehicles and % of travel to work journeys made by sustainable transport (compared with private car use)

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Add Fig 12.3 Transport mitigation hierarchy:

Layout to provide attractive segregated direct routes for walking and cycling to local services and facilities

Public transport routes more direct and convenient than access for private cars

Limit provision for private car ensuring only electric cars and cycles incentivized in new developments

For major commercial and leisure developments covered parking for cycles to be located closer than car parking provision. Bus shelters with real time display must also be provided on nearest bus route, within 400m of the site

Junction improvements to include better crossing facilities for pedestrians and cyclists

Car sharing, taxi services or free shuttle bus promoted from commencement of occupation

Amend Para 12.7 to replace first sentence: 'Applicants must minimize total emissions from their sites including transport generated by them anywhere within the City of York area, and in particular, any locations close to or above the maximum legal level for Nitrogen Dioxide or particulates (PM10 /PM2.5). A full assessment of potentially viable public transport links and walking and cycling links will be made as the first preference to reducing or eliminating vehicle pollution generated by the site before considering any additions to the all-purpose highway network.

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the Examination X

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

The Low Emission SPD is not available yet but is pertinent to this policy and might be made available before the examination. The comments in this submission could then need to be interrogated by the inspector in the light of the new information presented. There may be additional observations that would assist the inspector in determining the soundness of the policies based on the light shed by this information. If the Low Emission SPD is not available I would still like to be able to make further comment in the light of submissions from other parties as they relate to the comments that I have made in support of the view that this failure makes the plan unsound.

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

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## Storing your information and contacting you in the future:

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Date 30/3/18

Signature

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

**From:** Andy D'Agorne [REDACTED]  
**Sent:** 04 April 2018 09:30  
**To:** localplan@york.gov.uk  
**Cc:** 'Peter Sheaf'; 'Sheridan Piggott'  
**Subject:** Local plan - Cycle routes T5 - ST15  
**Attachments:** Comments\_form\_strategic cycle routes.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

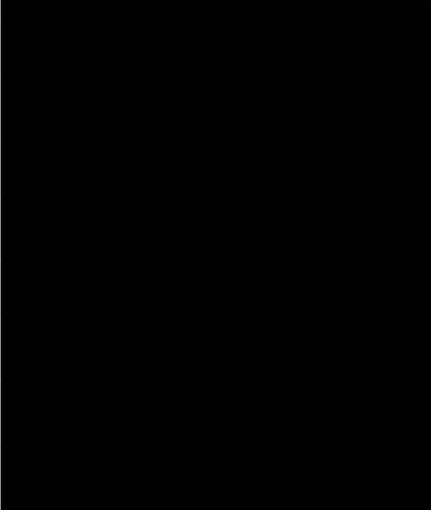
To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Cllr	
First Name	Andy	
Last Name	D'Agorne	
Organisation (where relevant)	York Green Party	
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

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## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

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- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

- City of York Local Plan Publication Draft
- Policies Map
- Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes  No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

<b>Positively prepared</b>	<input checked="" type="checkbox"/>	<b>Justified</b>	<input checked="" type="checkbox"/>
<b>Effective</b>	<input type="checkbox"/>	<b>Consistent with national policy</b>	<input type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph 14.42  
no.

Policy T5  
Ref.

Site Ref.ST15

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

There are several schemes identified with a \* indicating that they 'also extend into the medium and long term' While this may be appropriate where S106 contributions will finance a scheme it is important to identify phasing within each timescale. Experience has shown that cycle infrastructure needs to be continuous to have maximum impact on encouraging shift from car travel to bike, which is particularly important at the early stages of a new development. York has a history of cycle schemes that have been delayed or even reversed. For example the University York East Campus to West campus cycle route identified as short term from 2017/18 was due to be implemented over 5 years ago with S106 money, around the time of the first opening of the new East Campus. This will potentially link to new sustainable travel links to ST15 (see below)

Xiii North South and east west cycle routes through the city centre need to be moved to short and medium term (currently long term) as it needs to be part of the changes made following improvement to Scarborough Bridge (2018-19), access to York Central (by 2020) and Castle Gateway (medium term)

Para 14.42 should include specific reference to a high quality segregated cycle route to link SS13 (ST15) to the University campuses and on through to the city centre.

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there

*will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*



**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Schemes identified as extending to medium and long term (\*) broken down into phases or allocated to one appropriate time frame.

Xiii North South and east west cycle routes through the city centre moved into short and medium term and reference made to how these link to York Central and Castle Gateway.

Para 14.42 includes specific reference to ' high quality segregated cycle route to link SS13 (ST15) to the University campuses and on through to the city centre'

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the Examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

I would like to be able to make further comment in the light of submissions from other parties as they relate to the comments that I have made and present justification as to why this failure makes the plan unsound.

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

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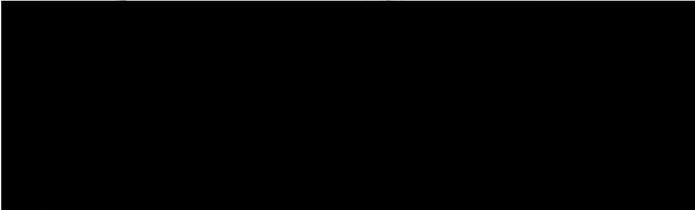
## Retention of Information

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Date 30/3/18

Signature

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

**From:** Andy D'Agorne [REDACTED]  
**Sent:** 04 April 2018 09:37  
**To:** localplan@york.gov.uk  
**Subject:** Local plan - Travel indicators SA obj 6 LP Section 15: indicators Transport  
**Attachments:** Comments\_form\_travel indicators.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

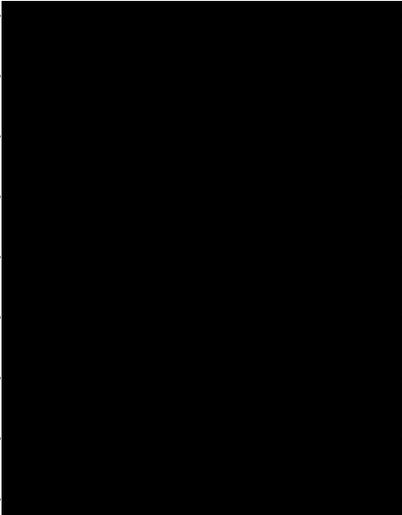
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Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Cllr	
First Name	Andy	
Last Name	D'Agorne	
Organisation (where relevant)	York Green Party	
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

# Guidance note

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You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

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# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

- City of York Local Plan Publication Draft
- Policies Map
- Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes  No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

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**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

<b>Positively prepared</b>	<input checked="" type="checkbox"/>	<b>Justified</b>	<input checked="" type="checkbox"/>
<b>Effective</b>	<input type="checkbox"/>	<b>Consistent with national policy</b>	<input type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph SA 7.2 and Appx L obj 6	Policy T2, T5 Ref.	Site Ref.
-----------------------------------	-----------------------	-----------

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

The sustainability indicators proposed are too generic when compared with indicators set out in LTP3 Table 6.2,6.3 Reference should be made in SA Appx L obj 6 to infrastructure within the Local Plan not LTP3 which is out of date. Indicators should be performance led not delivery led ie modal split of journeys to work within annual travel survey rather than simply provision of public transport. Well established local indicators within LTP3 should be carried forward for comparison over time eg Access to Health, Education etc by public transport, pedestrians/ cyclists crossing inner cordon of city centre, percentage of school journeys by car/bus/cycling/walking etc

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

SA Indicators Obj 6 amended to include key local indicators that monitor sustainable travel behaviour and access to public transport services year on year.

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the Examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

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# Part C - How we will use your Personal Information

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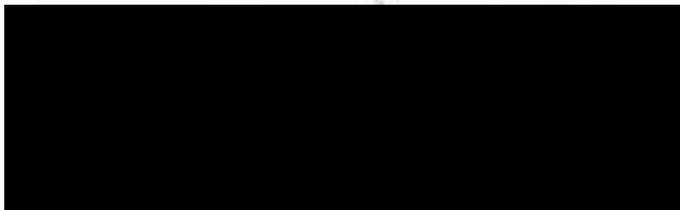
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Date 30/3/18

Signature

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<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

**From:** Andy D'Agorne [REDACTED]  
**Sent:** 04 April 2018 17:47  
**To:** localplan@york.gov.uk  
**Cc:** Denise Craghill; Cllr. A. D'Agorne  
**Subject:** Local plan - ENV 5 Sustainable Drainage  
**Attachments:** Comments\_form\_Flood risk and Sustainable Drainage.docx

Please find attached the seventh submission from me! Andy

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

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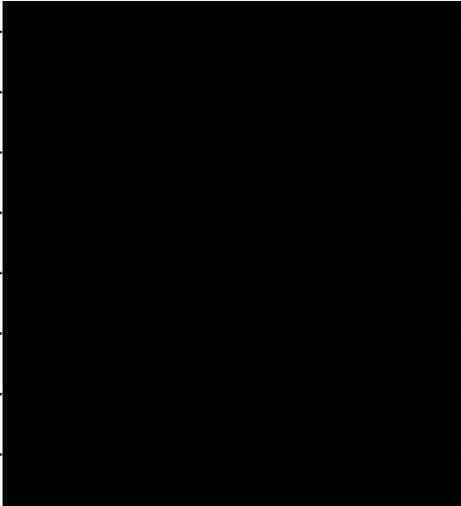
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Organisation (where relevant)	York Green Party	
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

- City of York Local Plan Publication Draft
- Policies Map
- Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes  No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

<b>Positively prepared</b>	<input checked="" type="checkbox"/>	<b>Justified</b>	<input checked="" type="checkbox"/>
<b>Effective</b>	<input type="checkbox"/>	<b>Consistent with national policy</b>	<input type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no.	Policy ENV5 Ref.	Site Ref.
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**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Brownfield sites: The opening paragraph has a qualifying element that renders the policy meaningless. All brownfield sites will include additional costs and in the context of York which regularly experiences flooding, attenuation of surface water flow from these sites is essential. Restricting to 70% of existing runoff rate is possible by a variety of attenuation processes including storm water storage, rainwater harvesting, green roofs, SUDS etc

The second paragraph should be clearly applied to both brownfield and greenfield sites

Greenfield sites: Again the policy is undermined by the qualifying statement that renders it meaningless. For a greenfield site in the York area, ground conditions are likely to be broadly comparable and exceptional costs limited. There should be a level playing field requirement to reduce peak runoff where possible through green infrastructure and attenuation and an absolute restriction preventing any increase for the specified 1 in 30 year storm and 1 in 100 year event.

No reference is made to an assessment of the capacity of existing sewer and stormwater drainage systems in the broad area of the development. Given that sewage contamination of stormwater regularly experienced with combined storm sewers this should be addressed through the principles within this policy.

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

***Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Policy ENV5

delete second part of opening paragraph ‘..unless it can be demonstrated that it is not reasonably practicable to achieve this reduction in runoff’

Second and third paragraphs should be moved to come after fourth paragraph reference to greenfield sites so that it clearly applies to both.

Delete ‘unless it can be demonstrated that it is not reasonably practicable to achieve this’ from fourth paragraph.

Add a statement outlining developer responsibility to comply with all reasonable requirements to secure separate disposal of storm and foul water from the site where such facilities exist and to minimize water usage (eg low flush, sprinkler taps etc)

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the Examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

It is crucial that the inspector appreciates the passion which is felt in York concerning flooding and its impact and the consequences that residents in flood risk areas fear from new development Every new development must be taken as an opportunity to reduce runoff and mitigate the effects of climate change on existing residents and their properties.

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

## Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

## Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

## Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on [01904 554145](tel:01904554145).



Date 30/3/18

Signature

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 03 April 2018 23:08  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105103

Date submitted: 03/04/2018

Time submitted: 23:07:46

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Thank you for submitting your Local Plan Publication Draft response form (ref: 105103, on 03/04/2018 at 23:07:46) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** Mrs

**Forename:** Mary

**Surname:** Crawford

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Policies Map

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

I consider that this plan has been prepared in line with statutory requirements.

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not effective

**Please give reasons for your answer(s):**

The plan as seen on this map outlines proposed development at ST14, ST9, ST35 and ST8 all of which will feed onto the A1237. In addition, there is a development nearing completion at the granary site in Clifton and ongoing building in Huntington as well as the construction of the new stadium. This development is already adding to congestion on the A1237 and pre-dates the plan under consideration. Building to the north of the A1237 is particularly concerning because the new residents will all undertake journeys to work which will impact on the A1237.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** Policies Map North

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## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

Focus building to the south of York where there are direct connections with the A64, A59 and A1079.

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 03 April 2018 23:15  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105104

Date submitted: 03/04/2018

Time submitted: 23:15:20

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Thank you for submitting your Local Plan Publication Draft response form (ref: 105104, on 03/04/2018 at 23:15:20) to City of York Council.

The following is a copy of the details you included.

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## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

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## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** Mrs

**Forename:** Mary

**Surname:** Crawford

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

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## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

I consider the plan has been prepared in accordance with statutory requirements.

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## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not effective

**Please give reasons for your answer(s):**

Settlement developed to the north of Haxby cannot be effective because of the lack of sustainable connectivity. Roads into and out of the site are poor and residents will not be able to avoid travelling along already congested roads to access employment, leisure facilities, retail centres and possibly school and healthcare if provision in those areas is not accounted for.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** ST9 SS11 Paragraph ix

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## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

Build roads either to the west or east of the new settlement: ensure alternative access as suggested in Policy SS11 Paragraph ix.

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.



**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 03 April 2018 23:21  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105105

Date submitted: 03/04/2018

Time submitted: 23:21:06

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Thank you for submitting your Local Plan Publication Draft response form (ref: 105105, on 03/04/2018 at 23:21:06) to City of York Council.

The following is a copy of the details you included.

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## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

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## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** Mrs

**Forename:** Mary

**Surname:** Crawford

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

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## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

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## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

I consider that this plan has been prepared in accordance with statutory requirements.

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## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not effective

**Please give reasons for your answer(s):**

The development of this site and the aspiration of maintaining the historic characteristics of the landscape are mutually exclusive. The document cannot therefore be seen as effective in this regard.

The Appraisal Stage Document identifies the importance of the preservation of medieval strips/ridge and furrow and medieval hedges, as well as the presence of older archaeological remains. However, there is no mention of Crooklands Lane, a Green Lane unique in this area and an amenity valued by residents, which runs through the centre of the development. Medieval field systems and hedges cannot be preserved in the face of housing development or even the provision of recreation areas. As a consequence, the biodiversity and unique historic characteristics of the area will be lost forever.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** Paragraph xi. P51 SS11 ST9

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## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

Consider building elsewhere where the environment is not so sensitive and of such a historic nature.

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

[REDACTED]

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**From:** Charlesworth [REDACTED]  
**Sent:** 03 April 2018 23:16  
**To:** localplan@york.gov.uk  
**Subject:** Local Plan: Publication Draft 2018

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

3 April 2018

Dear Local Plan Team

### **York Local Plan: Publication Draft 2018: Public Consultation**

I refer to your invitation to make comments about Publication Draft 2018 of York's Local Plan that will be forwarded to the government planning inspector. In responding to this round of public consultation I have modelled my comments so far as is possible around the framework set out in the booklet that was circulated to residents, addressing the lawfulness and soundness of the plan.

#### **The lawfulness of the plan**

The planning process adopted has followed legislative requirements, Government directives and the National Planning Policy Framework. The outcome is a development plan that meets local needs while taking account of external influences. Of paramount importance the plan focuses on developments that improve the prosperity of the city while satisfying housing needs and support facilities for all groups.

Opportunities have been taken to commission relevant evidence-based consultant research, planning expertise, and legal advice in exploring options for development. Account has also been taken of feedback from those with a vested interest, including landowners and developers. The outcome has been a balanced and realistic assessment of need and provision against a background of changing economic circumstances.

Public consultation at various stages throughout the preparation of the plan has suitably informed the content. There has been a focus on gathering evidence about the sustainability of sites (taking account of the impacts on infrastructure, service provision and flooding risks) and public feedback has been distilled into actionable areas in re-drafts of the document. The result is that the site-specific data which has been captured has fed through to a holistic strategy for assessing sustainable high quality communities.

#### **The soundness of the plan**

**1. Positive preparation:** Of major consideration in preparing the plan has been sustainability of development; with a concentration on meeting realistic needs in relation to housing numbers/sites, commercial developments, and infrastructure requirements: Site selection through a process of distillation of preferred sites has produced outcomes that are both deliverable and publicly acceptable; environmental impacts have been taken into account and minimised; and both infrastructure needs and service requirements have been assessed and mitigated.

As to housing numbers, a realistic housing figure of an average of 867 new dwellings per annum [that takes account of population figures for 2016] has been used in the plan to forecast need. The revised figure

supersedes the Government's higher estimate based upon 2014 population predictions prior to the EU referendum and is therefore a more reliable indicator of housing need.

**2. Justification:** There is ample justification within the plan for the decisions that have been made. Challenges made at Council meetings, at the Local Plan Working Group and other consultation forums, as well as through the process of public consultation, have informed the process and led to acceptable explanations. A raft of research-based evidence has been obtained and deployed in support of fully reasoned propositions. Options have been properly explored throughout using feedback forums to arrive at supported conclusions. Political debate has at times caused tensions, but it has also caused the authors to re-examine and fully justify decisions.

**3. Effectiveness:** With its emphasis on sustainability, the plan is achievable. Strenuous efforts and good judgement have been made to ensure the various elements are deliverable. Proper consideration has been given to making up for previous shortfalls and account has been taken of potential windfalls. Housing numbers have been properly assessed. Policies have been set out in the plan that support its implementation and review procedures have been built-in.

**4. Consistency with National Policy:** The plan is in line with the National Planning Policy Framework. Of special consideration in relation to the City of York is its heritage setting. Special care has been taken to preserve the setting and special character of the city and its enduring Green Belt carried over from previous legislation. Pressure on village expansion has been avoided where possible, and in addition proper consideration has been given to the avoidance of urban creep and countryside encroachment.

Emphasis on accurate projected growth, the adoption of a “brownfield sites first” approach to site selection, and proper consideration of the availability of future windfall sites have together reduced the need to allocate large tranches of the Green Belt for development. Relieving pressure in this way has meant that the need to allocate “safeguarded” land for future development has been avoided beyond the life of the plan.

## **Conclusion**

Overall the plan is forward looking, concentrates on sustainable development, gives due consideration to the unique setting of our heritage city, and puts policies in place to deal with the competing priorities of infrastructure needs and environmental protection. I support the plan wholeheartedly as a lawful and sound assessment of need between now and 2037.

I should be pleased if you would acknowledge this consultation response.

Yours sincerely

Alan Charlesworth

**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 03 April 2018 23:17  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105102

Date submitted: 03/04/2018

Time submitted: 23:16:37

---

Thank you for submitting your Local Plan Publication Draft response form (ref: 105102, on 03/04/2018 at 23:16:37) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** Miss

**Forename:** Beverley

**Surname:** Jarman

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town):

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Sustainability Appraisal/Strategic Environmental Assessment

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

As far as I know it is legal but I am not a lawyer so why ask these question?

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not positively prepared,not justified,not effective

**Please give reasons for your answer(s):**

In formulation of the local plan ST9 It fails the above in a combination of ways. The proposed development will overwhelm local infrastructure in terms of :-

1. Local services schools and NHS facilities are already over capacity and the plan offers no additional resources in these areas.
2. Amenities are similarly neglected - see 1.
3. Road networks are already congested particularly access routes to the ring road, which in itself is almost at a standstill. There are already no alternative exits towards York from Haxby. Regardless of whether the ring road is developed into a dual carriageway or not routes out of Haxby will be blocked by traffic congestion.
4. Increased road traffic poses an unacceptable risk to safety - particularly of children and presents a pollution hazard.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** All of it

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## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

Reduce the scale of the development

Provide additional essential services and amenities

Re open Haxby railway station.

Increase the bus services to and from York

However no changes can really address the issue insufficient exit points by road from Haxby

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? Yes hearing sessions**

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

Because its about me and my family and the quality of life in Haxby

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 03 April 2018 23:49  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105107

Date submitted: 03/04/2018

Time submitted: 23:49:24

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Thank you for submitting your Local Plan Publication Draft response form (ref: 105107, on 03/04/2018 at 23:49:24) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** mrs

**Forename:** janet

**Surname:** white

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED] 3

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## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

have assumed this as I do not have the expertise to comment

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not consistent with national policy

**Please give reasons for your answer(s):**

HERITAGE

The 2016 CYC consultation draft information for Haxby stated that 'potential negative effects are identified in relation to heritage given the potential for archaeological deposits and existing medieval strip fields which provide an important setting for the historic village of Haxby'. However, mention of some of these issues is omitted in the CYC draft consultation information of 2017 and 2018.

It has been documented elsewhere that there are remains of a Roman Temple and settlements in the area of ST9 and of Roman artifacts found in Lund Field, which is within ST9. Medieval ridge and furrow can be clearly seen in fields at the end of Larch Way.

The NPPF document 12. 'Conserving and enhancing the historic environment'( para 141) states that local planning authorities should require developers to record and advance understanding of the significance of any heritage assets' This does not appear to be the stated plan for ST9/Haxby in the draft.

Also the 'National Planning Policy Framework' 'promoting healthy communities' para. 8.75 states: 'Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails'.

Crooklands Lane, an unspoilt bridleway, is unique in Haxby and is a valued amenity for residents. It passes into the centre of the development at Land North of Haxby (ST9). When responding during the local plan consultations, residents have expressed their wish that this bridleway be conserved. Despite this and the government policy above, there is no mention of preserving Crooklands Lane in the key principles for ST9 in the 'Local Plan – Publication Draft (February 2018)' - page 50.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** policy SS11 site ST9 page 50

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## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

Heritage

According to government policy, as stated previously, there should be recognition of historical assets by local authorities and developers. Given that there is clear evidence of these in ST9/Haxby this should be acknowledged and acted upon in the key principles for this site. There should be investigation of Mediaeval and Roman archaeology and retention of Crooklands Lane bridleway.

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 04 April 2018 01:08  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105109

Date submitted: 04/04/2018

Time submitted: 01:08:10

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Thank you for submitting your Local Plan Publication Draft response form (ref: 105109, on 04/04/2018 at 01:08:10) to City of York Council.

The following is a copy of the details you included.

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## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** mrs

**Forename:** janet

**Surname:** white

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

Have assumed this as do not have the knowledge in this area.

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not positively prepared

**Please give reasons for your answer(s):**

Road Access and danger to children

There are concerns expressed in previous consultations, with regard to road access too and from the proposed site at Haxby, ST9. Both Moor Lane and Usher Lane are narrow country roads. They lead in the North to the village of Strensall (more directly in the case of Usher lane). On accessing Strensall the road narrows further over a hump back bridge and is restricted to single file traffic. This road is being used more and more by Haxby residents. This in order to avoid the congestion in Haxby caused by difficulty in getting out onto the ring road (A1237) and in order to avoid the ring road when attempting to access or leave the A64 Scarborough road. Thus these narrow country roads have become a rat run. After leaving the narrow hump back bridge into Strensall the road passes down the side and front of Robert Wilkinson primary school, through narrow built up congested junctions, which proves a danger to children both in terms of road safety and vehicular pollution. With a large increase in Haxby houses vehicles in this rat run will increase.

On leaving the proposed site, to go south towards Haxby village, Usher Lane meets Station Rd at a narrow built up junction. This junction is very near to Ralph Butterfield primary school. It is already a very busy junction at peak times, congestion worsened due to parking for the school and the proximity of a small roundabout. Parking for the school both in Usher Lane and Station Road also causes visibility problems, increasing the dangers. An increase in traffic due to the proposed development would increase the danger at this junction as well as increased vehicular pollution effecting children's health.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** policy SS 11 site ST 9 page 50

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## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further

representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

Road Access and danger to children.

A much closer assessment is needed of road access to ST9 taking into account the narrow roads, congestion, rat runs, the access to Strensall, the access to Station Road, the close proximity to schools and the safety of children. A considerable increase in traffic as a result of the proposed development will increase road safety dangers. Also exposure to increased traffic emissions from slow moving traffic will effect the respiratory health of our children

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions**

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

[REDACTED]

---

**From:** Gill Shaw [REDACTED]  
**Sent:** 04 April 2018 00:06  
**To:** localplan@york.gov.uk  
**Subject:** Local plan  
**Attachments:** Comments\_form\_FINAL (2).docx

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

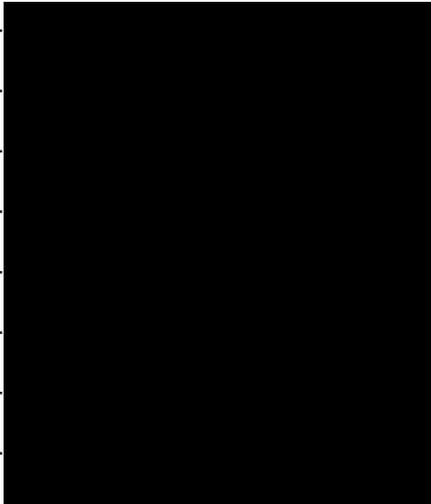
To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Miss	
First Name	Gillian	
Last Name	Shaw	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)Justified **5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.

7

Policy  
Ref.

5

Site Ref.

H31

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Site H31 is in designated Greenbelt. Planning applications in relation to part of this site have been turned down due to the location being Greenbelt. The Site has narrow access and would mean that further Greenbelt land would have to be purchased to make the Site accessible.

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Site H31 should be withdrawn from the plan.

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

## Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

## Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

## Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on [01904 554145](tel:01904554145)

Signature

Date

3/4/2018

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 04 April 2018 01:38  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105110

Date submitted: 04/04/2018

Time submitted: 01:37:51

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Thank you for submitting your Local Plan Publication Draft response form (ref: 105110, on 04/04/2018 at 01:37:51) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** Dr

**Forename:** Terence John (Terry)

**Surname:** Crawford

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Policies Map

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

I have studied various documents, especially Pre-Publication Draft Local Plan Regulation 18 consultation statement (2018). I am not a professional in these matters, but to the best of my ability I feel that I can answer "Yes" to both questions above.

I have ticked "Policies Map" above and assume that this refers to 2018\_Proposal\_Map\_North and 2018\_Proposal\_Map\_South.

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to

explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not positively prepared,not justified

**Please give reasons for your answer(s):**

There is an imbalance between the excessive quantity of proposed development along the A1237 corridor, particularly to the north of York, versus relatively few proposals to the south along the A64 corridor. Policies SS6, SS7, SS9, SS10, SS11, SS12, SS19, SS23, EC1 and H59 will all impact on the A1237. There are also proposals, not part of the Local Plan, for a Stadium and a multiscreen cinema complex at Monk's Cross which will bring further traffic onto the A1237. This road is already heavily congested, and minor country lanes in the area are increasingly being used as "rat-runs" to avoid the A1237. Current proposals to increase the size of roundabouts are unlikely to solve the problem, as is indicated by the already enlarged A19 roundabout. The A1237 needs to be made into a dual carriageway with grade-separated junctions before this level of development can occur along its route. By contrast, the region to the south of York is well served by the dual carriageway A64, which also provides transport links to areas of employment in West Yorkshire. It is, therefore, surprising that there are not more proposed development sites to the south-west, south and south-east of York.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** Maps. Also policies SS6, SS7, SS9, SS10, SS11, SS12, SS19, SS23, EC1 and H59.

---

## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

To make sound, prioritise development to the south-west, south and south-east of York. It is strange that there are so few proposals in areas such as Askham Bryan, Copmanthorpe, Bishopthorpe, Naburn (or even Poppleton or Dunnington). Increase capacity of A1237 by making it a dual carriageway with grade-separated junctions.

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 04 April 2018 11:30  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105138

Date submitted: 04/04/2018

Time submitted: 11:29:39

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Thank you for submitting your Local Plan Publication Draft response form (ref: 105138, on 04/04/2018 at 11:29:39) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** Dr

**Forename:** Terence John (Terry)

**Surname:** Crawford

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

I have studied various documents, especially Pre-Publication Draft Local Plan Regulation 18 consultation statement (2018). I am not a professional in these matters, but to the best of my ability I feel that I can answer "Yes" to both questions above.

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not justified,not effective

**Please give reasons for your answer(s):**

“The drainage strategy should ensure existing agricultural run-off rates are maintained. This may include retention and widening of existing drainage ditches, attenuation ponds, ...” (3.58). Surface water drainage on the site itself, and in the surrounding area, is so poor that widespread flooding occurs after even moderate amounts of rain. This partly results from blockage of existing drains during previous housing development near ST9. I doubt that “ensure existing agricultural run-off rates are maintained” will be sufficient, and that a more comprehensive strategy over a wider area will be required.

I do not understand the comments on sewerage. The public sewer network in the north of Haxby is already overloaded, as also is, I believe, the sewage treatment plant at Walbutts, Strensall. See, for example, Pre-Publication Draft Local Plan Regulation 18 consultation statement (2018) pages 64, 101 and 104 (“Walbutts treatment works at Strensall is already at full capacity and having issues with discharging pollutants into the River Foss”). The current situation has been a disgrace for some time, with surface flooding of sewage at some properties, and lavatories that cannot be flushed after even moderate falls of rain, and yet no remedies have been undertaken. To state (page 51 points vi and vii, and section 3.58) that a connection from the site to the public sewer network will be required suggests to me that the situation would be made even worse than is now the case. The public sewer network is already overloaded and would become more overloaded because of that connection. Is it not the case that an entirely new sewer system would need to be routed to a sewage treatment plant, and if that plant were the current one at Walbutts, Strensall then it would need work to increase its processing capacity? Indeed, given the proposed scale of development here and at other sites to the north of York it seems likely that a completely new sewage treatment plant would be required.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** Pages 50-52, paragraph 3.58. Policy SS11. Site ST9.

## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

All required modifications to current surface water drainage and sewerage, and any enhanced or new sewage treatment facilities, should be completed before ANY development starts at ST9. There should be a binding responsibility imposed on developers and Yorkshire Water to rectify any deficiencies that emerge at the site, or elsewhere as a result of work at the site, during development of the site or after its completion.

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 04 April 2018 12:27  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105143

Date submitted: 04/04/2018

Time submitted: 12:26:55

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Thank you for submitting your Local Plan Publication Draft response form (ref: 105143, on 04/04/2018 at 12:26:55) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** Dr

**Forename:** Terence John (Terry)

**Surname:** Crawford

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

I have studied various documents, especially Pre-Publication Draft Local Plan Regulation 18 consultation statement (2018). I am not a professional in these matters, but to the best of my ability I feel that I can answer "Yes" to both questions above.

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not justified,not effective

**Please give reasons for your answer(s):**

The site has “valuable landscape features including field patterns, mature hedgerows and trees” and “the historic field patterns should be protected and the layout of the development and the open space should be designed to integrate these narrow medieval strip fields”. It should be noted that the historic field patterns include extensive “ridge-and-furrow” and it seems inconceivable that these would be retained and incorporated into the development; nor could they survive creation of open public amenity spaces, e.g. games pitches, allotments, etc.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** Pages 50-52, points iii and xi, and paragraph 3.55 Policy SS11 Site ST9

## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

Do not proceed with development of ST9 and develop other sites that do not have such important and valuable historical and archaeological features.

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

[REDACTED]

---

**From:** David Boddy [REDACTED]  
**Sent:** 04 April 2018 06:36  
**To:** localplan@york.gov.uk  
**Subject:** Local Plan E9

Dear Sir

E9 – Elvington Industrial Estate pg 78

I object to the above proposal on the following grounds.

1. Increased HGV's on Elvington Lane and through the village.
2. Increased risk of accident for residents of the village.
3. There should be a weight / size restriction placed on HGV's through the centre of the village and using the bridge.
4. Increased pollution from traffic.

Yours sincerely

David Boddy  
[REDACTED]  
[REDACTED]

Sent from [Mail](#) for Windows 10

[REDACTED]

---

**From:** David Boddy [REDACTED]  
**Sent:** 04 April 2018 06:41  
**To:** localplan@york.gov.uk  
**Subject:** Local Plan H - 39

Dear Sir

H-39 – Church Lane Elvington pg59

I object to the proposal on the local plan under the following grounds.

1. Increase in traffic through a small housing estate that barely copes with the amount of existing cars.
2. Becksides will become a "Rat Run"
3. Increased risk of accident to children / elderly residents on the Becksides estate.
4. Loss of green belt land in village.
5. More cars clogging the village.

Yours sincerely

David Boddy  
[REDACTED]  
[REDACTED]

Sent from [Mail](#) for Windows 10

**From:** David Boddy [REDACTED]  
**Sent:** 04 April 2018 06:39  
**To:** localplan@york.gov.uk  
**Subject:** Local Plan St15

Dear Sir

ST15 – 3339 New houses at Elvington page 33-43

I object to the above proposal on the following grounds.

1. Increased traffic through the village and limiting access to the A64. The existing wait time to get out on to the 1079 through the traffic lights can be between 10-20 minutes during peak times 8am to 9am.
2. Elvington Lane cannot cope with the traffic alone and an exit on to the A64 must be installed before any housing is considered.
3. Loss of green belt.
4. Impact and Loss of wildlife.
5. This “new town” would swamp the village.
6. Increased pollution from traffic.
7. Loss of Elvington Airfield – longest runway and area that is used for Land speed records.
8. Damage to the Air Museum and tourism.
9. Increase in traffic causes potential increased risk of major accident in the village and surrounding roads and risk to residents / children.

Yours sincerely

David Boddy  
[REDACTED]  
[REDACTED]

Sent from [Mail](#) for Windows 10

[REDACTED]

---

**From:** David Boddy [REDACTED]  
**Sent:** 04 April 2018 06:35  
**To:** localplan@york.gov.uk  
**Subject:** Local Plan ST26

Dear Sir

ST26 Extension to Airfield Business Park pg 48-49

I object to the above proposal on the following grounds.

1. Increased HGV's on Elvington Lane and through the village.
2. Increased risk of accident for residents of the village.
3. There should be a weight / size restriction placed on HGV's through the centre of the village and using the bridge.
4. Increased pollution from traffic.

Yours sincerely  
D Boddy

[REDACTED]  
[REDACTED]

Sent from [Mail](#) for Windows 10

[REDACTED]

---

**From:** David Boddy [REDACTED]  
**Sent:** 04 April 2018 06:42  
**To:** localplan@york.gov.uk  
**Subject:** Local Plan

Dear Sir

SP1 – The Stables

I am writing to advise that I object to the above planning application on the following grounds.

1. Loss of greenbelt paddock within the village.
2. Cars / Vans and trailers from this site are a traffic risk as the entrance to the paddock is on a bend in the road.
3. Additional plots will lead to further increased traffic and risk.
4. The caravans, chalet, fairground rides and stalls are clearly visible from the road, the site is untidy, and is not in keeping with the rural aspect of a village.
5. The changes to allow plots on this site was temporary and should have reverted back to green belt. CYC should abide by the Planning Inspector's analysis and decision on this land.

Yours sincerely

David Boddy  
[REDACTED]  
[REDACTED]

Sent from [Mail](#) for Windows 10

**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 04 April 2018 07:52  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105112

Date submitted: 04/04/2018

Time submitted: 07:51:41

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Thank you for submitting your Local Plan Publication Draft response form (ref: 105112, on 04/04/2018 at 07:51:41) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** MR

**Forename:** PETER

**Surname:** ASPIN

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

ALL APPEARS TO BE IN ORDER

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not justified

**Please give reasons for your answer(s):**

TRAFFIC FLOW CALCULATIONS SHOWING ONLY MINOR INCREASES IN DELAYS FOLLOWING THE NEW HOUSE BUILDING DO NOT APPEAR TO BE REALISTIC.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** TRAFFIC FLOW ESTIMATES

---

## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

THE PLAN PROPOSES THE BUILDING OF LARGE SCALE DEVELOPMENTS ON THE NORTHERN SIDE OF YORK. ANYONE TRYING TO DRIVE AROUND THE NORTHERN SINGLE CARRIAGEWAY RING-ROAD KNOWS THAT THIS INFRASTRUCTURE IS CURRENTLY IN-ADEQUATE.

PERMISSION TO PROCEED WITH ANY OF THESE HOUSING DEVELOPMENTS, IN PARTICULAR 960 HOUSES NEAR MONK'S CROSS, SHOULD ONLY BE GRANTED IF THE DUALLING OF THE RING ROAD IS APPROVED.

IF THE RING ROAD IMPROVEMENT IS NOT APPROVED THEN HOUSING DEVELOPMENT SHOULD BE RE-POSITIONED INTO THE SOUTHERN HALF OF THE CITY AND AROUND THE A64 DUAL CARRIAGEWAY CORRIDOR.

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** Jon Palmer [REDACTED]  
**Sent:** 04 April 2018 08:00  
**To:** localplan@york.gov.uk  
**Subject:** Fw: City of York Local Plan ? Publication Draft (February 2018) Consultation  
**Attachments:** 20180404 - Final East Riding consultation response.pdf

Just had a mail delivery failure - email attempt #2

**Jon Palmer MRTPI**  
**Planning Policy Manager**  
**Tel:** [REDACTED]  
**Web:** [www.eastriding.gov.uk](http://www.eastriding.gov.uk)  
**Twitter:** [www.twitter.com/East\\_Riding](https://www.twitter.com/East_Riding)  
**Facebook:** [www.facebook.com/eastridingcouncil](https://www.facebook.com/eastridingcouncil)



----- Forwarded by Jon Palmer/CPS/ERC on 04/04/2018 07:58 -----

**From:** Jon Palmer/CPS/ERC  
**To:** localplan<localplan@york.gov.uk> <localplan@york.gov.uk,>  
**Cc:** John Craig/CPS/ERC@EAST\_RIDING, "Stokes, Ian" <Ian.Stokes@york.gov.uk>  
**Date:** 04/04/2018 07:58  
**Subject:** Re: Fw: City of York Local Plan – Publication Draft (February 2018) Consultation

Further to the email below, please find attached East Riding of Yorkshire Council's comments on the Publication Draft York Local Plan.

Please do not hesitate to contact me if you require any additional information regarding the response.

Kind regards

Jon

**Jon Palmer MRTPI**  
**Planning Policy Manager**  
**Tel:** [REDACTED]  
**Web:** [www.eastriding.gov.uk](http://www.eastriding.gov.uk)  
**Twitter:** [www.twitter.com/East\\_Riding](https://www.twitter.com/East_Riding)  
**Facebook:** [www.facebook.com/eastridingcouncil](https://www.facebook.com/eastridingcouncil)



----- Forwarded by Katie Bowman/CSC/ERC on 21/02/2018 12:04 -----

**From:** "localplan@york.gov.uk" <localplan@york.gov.uk>  
**To:**  
**Cc:** "localplan@york.gov.uk" <localplan@york.gov.uk>  
**Date:** 21/02/2018 11:44  
**Subject:** City of York Local Plan – Publication Draft (February 2018) Consultation

---

**City of York Local Plan – Publication Draft (February 2018) Consultation  
in compliance with Regulation 19 of the Town and Country Planning (Local Planning) (England)  
Regulations 2012**

I am writing to inform you about the opportunity to comment on the Local Plan Publication draft (February 2018) document.

The emerging Local Plan aims to support the city's economic growth, provide much needed housing and help shape future development over the next 15-years and beyond. It balances the need for housing and employment growth with protecting York's unique natural and built environment.

You may be aware that the Local Plan has been prepared over a number of stages. Previous consultation has taken place on Preferred Options (2013), Further Sites Consultation (2014), Preferred Sites Consultation (2016) and Pre-Publication Draft consultation (2017), which you may have been involved with. We have considered the responses received at all stages, together with other available evidence, as part of preparation of the plan.

We are now publishing the City of York Local Plan Publication draft to provide an opportunity for representations to be made regarding legal compliance and the 'soundness' of the Local Plan, before it is submitted for Examination in Public by an independent Planning Inspector.

The consultation period for the Local Plan Publication draft (2018) document starts on **Wednesday 21<sup>st</sup> February 2018**. All consultation material will be live on the Council's [website](#) and available in libraries from this date. Please see the [Statement of Representation](#) Procedure document, for more information.

Representations must be received by **midnight on Wednesday 4<sup>th</sup> April 2018** and should be made on a response form. Response forms are available on the Council's [website](#) or you can complete an online response form via [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations). Alternatively, hard copies are available from the Council's West Offices reception or from your local library.

Any representations received will be considered alongside the Local Plan Publication draft when it is submitted for Examination in Public. The purpose of the Examination is to consider whether the Local Plan complies with relevant legal requirements for producing Local Plans, including the Duty to Cooperate, and meets the national tests of 'soundness' for Local Plans (see overleaf). Therefore, representations submitted at this stage must only be made on these grounds and, where relevant, be supported with evidence to demonstrate why these tests have not been met.

### **Legal Compliance**

To be legally compliant the Joint Plan has to be prepared in accordance with the Duty to Cooperate and legal and procedural requirements, including the 2011 Localism Act and Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

### **Soundness**

Soundness is explained in paragraph 182 of the National Planning Policy Framework (NPPF). The Inspector conducting the Examination in Public has to be satisfied that the Local Plan is 'sound' –namely that it is:

- **Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework (NPPF).

To help you respond, we have included Guidance Notes as part of the response form. We recommend that you read this note fully before responding.

At this stage, unless you indicate you wish to appear at the Examination to make a representation you will not have the right to do. Any written representations made will be considered by the independent Planning Inspector.

All of the consultation and further evidence base documents published at previous rounds of consultation will also be available on the Council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) from 21st February 2018.

If you require any further information on the consultation please contact Strategic Planning at [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or on (01904) 552255.

We look forward to receiving your comments.

Yours faithfully



Mike Slater  
Assistant Director – Planning and Public Protection

\*\*\*\*\*  
Help protect the environment! - please don't print this email unless you really need to.  
\*\*\*\*\*

This communication is from City of York Council.

The information contained within, and in any attachment(s), is confidential and legally privileged. It is for the exclusive use of the intended recipient(s). If you are not the intended recipient(s), please note that any form of distribution, copying or use of this communication, or the information within, is strictly prohibited and may be unlawful. Equally, you must not disclose all, or part, of its contents to any other person.

If you have received this communication in error, please return it immediately to the sender, then delete and destroy any copies of it.

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The information in this email, and any attachments, are confidential and intended for the person they are addressed to. If this email was not intended for you, you may not copy, use or share the information in any way. Please email [postmaster@eastriding.gov.uk](mailto:postmaster@eastriding.gov.uk) to advise us that you have received this email in error. East Riding of Yorkshire Council is able to, and reserves the right to, monitor email communications passing through its network. The council does not accept service of legal documents by email. We have made every effort to virus check this email and its attachments. We cannot accept any responsibility or liability for loss or damage which may happen from opening this email or any attachment(s). We recommend that you run an antivirus program on any material you download.



# EAST RIDING

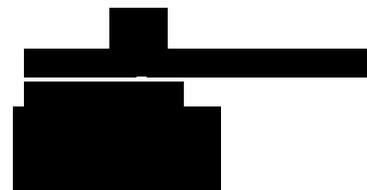
OF YORKSHIRE COUNCIL

County Hall Cross Street Beverley East Riding of Yorkshire HU17 9BA Telephone: 01482 393939

[www.eastriding.gov.uk](http://www.eastriding.gov.uk)

Ian Burnett Head of Asset Strategy

Your ref:  
Our ref:  
Enquiries to:  
E-mail:  
Telephone:  
Date:



Dear Mr Slater

## City of York Local Plan - Regulation 19 Publication Draft

Thank you for consulting East Riding of Yorkshire Council on the City of York Local Plan Publication draft. This represents a significant milestone in the plan making process and has reflected ongoing cooperation between the two authorities.

There is a close functional relationship between the City of York and the Vale of York Sub-Area within the East Riding, which is a predominantly rural area centred on the towns of Pocklington and Market Weighton. This is recognised within the East Riding Local Plan Strategy Document, which identifies there are relatively high levels of out-commuting from this part of the East Riding to the City. In particular, the Council supports the reference in Policy T4 of the York Publication Draft Local Plan to the need for improvements to the A64/A1079/A166 Grimston Bar junction. This is a congested junction that affects journeys to and from the East Riding and the need to implement mitigation measures has been included within the East Riding Infrastructure Delivery Plan (IDP).

It is recognised that, in determining the objectively assessed need for housing, the York Housing Market Area (HMA) does not include East Riding of Yorkshire which forms part of the Hull HMA. The Council supports this approach and the aim of the York Local Plan to meet its full objectively assessed need for housing, as set out in Policies DP1, DP2 and SS1. This will help to create a more sustainable pattern of development and enable new residents to access services, employment and retail development within the city by a range of sustainable modes of transport.

However, it is still unclear whether the scale of development proposed for strategic allocation ST15 (Land West of Elvington Lane) would be sufficient to deliver the necessary supporting infrastructure outlined in Policy SS13. Whilst the Council does not necessarily consider this policy to be unsound, it would be helpful to provide further clarification within the plan to outline how this strategic allocation will be delivered.



Alan Menzies  
Director of Planning and Economic Regeneration

Land West of Elvington Lane - Policy SS13

Policy SS13 identifies a range of policy requirements that will need to be addressed through the development of strategic allocation ST15. This includes the provision of a range of shops, services and facilities; on-site education to meet primary, nursery and potentially secondary demand; demonstrate all transport issues have been addressed; ensure provision of necessary transport infrastructure; and deliver high quality, frequent and accessible public transport services. These requirements have also been supplemented by other relevant plan policies:

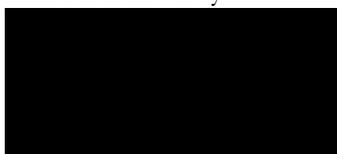
- Policy HW6 - need for additional spoke facilities (6 x 3m serviced building with parking facilities for two ambulances) for the allocation;
- Policy G16 - new area for nature conservation required on land south of A64 in association with ST15;
- Policy T2 - need for a dedicated public transport / cycle route linking the allocation to York; and
- Policy T4 - need for a new grade separated junction to serve the allocation.

Whilst this strategic infrastructure is identified in the published draft York IDP (2014), it does not clarify the scale of costs associated to the development of the allocation. For example, the estimated cost for the new A64 grade separated junction is stated as "unknown" and the new dedicated bus route is "not costed". These both identify the "developer" as being the only funding source. In addition, the draft IDP does not identify any specific schemes or costs associated to increased GP or education provision. It is unclear whether these costs have been established and considered through the Local Plan and CIL Viability Assessment in determining whether the scale of development proposed would generate sufficient developer contributions to deliver the required infrastructure.

The explanatory text for Policy SS13 identifies that the viability of delivering this infrastructure "must be considered and evidence provided to demonstrate its robustness" (paragraph 3.67). The Council, in response to the pre-publication (regulation 18) York Local Plan, suggested that it would be helpful to consider the viability of delivering essential infrastructure for this allocation through the plan making process. For example, the draft masterplan and related viability evidence could be published to establish these costs and clarify the mechanisms for securing sufficient funding to enable new infrastructure to be delivered in a timely manner. In particular, the cost of the new grade separated junction onto the A64 is likely to be very substantial. It will be necessary to ensure this can be delivered alongside the development of the allocation to minimise the potential impact on adjacent junctions with the A64, including the A64/A1079/A166 Grimston Bar junction and approach roads.

Please do not hesitate to contact me if you require any further information regarding this response.

Yours sincerely



Jon Palmer  
Planning Policy Manager

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 04 April 2018 08:06  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105113

Date submitted: 04/04/2018

Time submitted: 08:06:25

---

Thank you for submitting your Local Plan Publication Draft response form (ref: 105113, on 04/04/2018 at 08:06:25) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Group comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** Mr

**Forename:** Mark

**Surname:** Scott

**Name of the organisation/individual/group you're representing:** Haxby Town Council

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

The Council understands that this plan has been prepared in line with the statutory requirements listed above.

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not effective

**Please give reasons for your answer(s):**

In relation to the proposed housing development on Site ST9 (Policy SS11) and the other proposed developments along the A1237 ring road corridor (particularly Site ST14 (Policy SS12)) the plan is not effective and is unsound because it is predicated on the delivery of a sustainable transport infrastructure.

A sustainable transport infrastructure to support these developments would, at a minimum, involve grade separated junctions on the overloaded A1237, and without significant government or regional funding this will never be economically viable.

In addition, most of the traffic associated with Site ST9 will travel into and out of Haxby and Wigginton along already overloaded and unsuitable roads, i.e. Usher Lane, Moor Lane, York Road and Mill Lane.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** Policy SS11, Site ST9. Policy SS12, Site ST14. Policy Reference T4.

---

## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

To make the plan sound, these housing developments should be deferred until the improvements to the A1237 have been completed. Alternatively, the additional housing should be located on sites with access to the dual carriageway A64 bypass, which has the capacity to cope with increased traffic volumes.

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 04 April 2018 08:21  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105116

Date submitted: 04/04/2018

Time submitted: 08:21:24

---

Thank you for submitting your Local Plan Publication Draft response form (ref: 105116, on 04/04/2018 at 08:21:24) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Group comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** Mr

**Forename:** Mark

**Surname:** Scott

**Name of the organisation/individual/group you're representing:** [REDACTED]

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

The Council understands that this plan has been prepared in line with the statutory requirements listed above,

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not effective

**Please give reasons for your answer(s):**

Air Quality

In relation to the proposed housing development on Site ST9 the plan not effective and is unsound because it does not take into account the deterioration in air quality that will be caused by the additional traffic generated by the development. During the morning rush hour stationary queuing traffic tails back from the York Road / A1237 roundabout for several hundred metres along York Road. Haxby Town Council is concerned about the impact that the additional queuing traffic on York Road and Eastfield Avenue will have on air quality, and particularly on the health of the hundreds of school children who cycle or walk along these roads every day.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** Policy ENV1, Policy SS11, Site ST9.

---

## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

To make the plan sound, the development of Site ST9 should be deferred until the improvements to the A1237 have been completed.

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 04 April 2018 08:33  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105117

Date submitted: 04/04/2018

Time submitted: 08:32:46

---

Thank you for submitting your Local Plan Publication Draft response form (ref: 105117, on 04/04/2018 at 08:32:46) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Group comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** Mr

**Forename:** Mark

**Surname:** Scott

**Name of the organisation/individual/group you're representing:** [REDACTED]

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

The Council understands that this plan has been prepared in line with the statutory requirements listed above.

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not positively prepared

**Please give reasons for your answer(s):**

Housing Allocations

The housing allocations within the Local Plan Publication Draft are unsound because they have not been positively prepared. The 2016 Strategic Housing Market Assessment identifies an appropriate level of affordable housing as 522 houses p.a. from total of 841 houses being built p.a.

The Local Plan (table 5.4) sets out targets only that do not exceed 30% in any areas. This falls significantly short of the identified need.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** Publication Draft Section 5, Table 5.4, Site ST9,

---

## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

Firm commitment to require developers to include in excess of 30% affordable housing in all areas.

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 04 April 2018 10:18  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105126

Date submitted: 04/04/2018

Time submitted: 10:18:07

---

Thank you for submitting your Local Plan Publication Draft response form (ref: 105126, on 04/04/2018 at 10:18:07) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Group comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** Clerk to the Council

**Forename:** Mark

**Surname:** Scott

**Name of the organisation/individual/group you're representing:** [REDACTED]

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

We understand that this plan has been prepared in line with the statutory requirements listed above.

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not effective

**Please give reasons for your answer(s):**

The Publication Draft submission regarding the sewerage system is not effective.

'Discharges from the new development should not exceed the capacity of existing and proposed receiving sewers'. GP15a Flood Risk, Page19 Local Plan Policies

Current residents' experience shows that the sewerage arrangements are not fit for purpose.

Newly built houses built to the highest council specification still have sewage lapping at their door following heavy rain. (The Firs, Crooklands Lane, December 2016) Furthermore, incessant rain on 2 April 2018 highlighted the inadequate state of the drains when property on Windmill Way was flooded.

It has been acknowledged the system is overloaded: Yorkshire Water is aware of this problem and referred to the problems in the Haxby system at a meeting of Haxby Town Council in November 2013. While aware of their responsibility, they have shown no commitment to resolving this issue in the existing development.

The Publication Draft itself is unclear:

The second sentence says that new sewers may be required but this is contradicted in the following sentence: '... connection to the public sewer network will be required'. Elsewhere we are told that because the Haxby system is overloaded, foul water can be sent to Strensall: we have already been told that the treatment centre at Wallbutts is at breaking point.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** 3.58 SS11 ST9

---

## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

To make the plan sound, development should not take place before the current problems with sewerage and drainage have been resolved by Yorkshire Water.

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 04 April 2018 10:25  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105127

Date submitted: 04/04/2018

Time submitted: 10:24:57

---

Thank you for submitting your Local Plan Publication Draft response form (ref: 105127, on 04/04/2018 at 10:24:57) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Group comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** Clerk to the Council

**Forename:** Mark

**Surname:** Scott

**Name of the organisation/individual/group you're representing:** [REDACTED]

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

We understand that this plan has been prepared in line with the statutory requirements listed above.

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not effective

**Please give reasons for your answer(s):**

The allocation of development to this site running alongside the aspiration of maintaining the historic characteristics of the landscape cannot be effective.

The recognition of the importance of the preservation of medieval strips/ridge and furrow and ancient hedges, as well as the presence of older archaeological remains is identified in the Appraisal Stage Document. However, a serious omission is Crooklands Lane, a Green Lane unique in this area, which runs through the centre of the development.

How can medieval field systems be preserved in the face of development/use of open space for recreation? How can the character, identity and biodiversity of Crooklands Lane and the established medieval hedgerows be preserved once the developers' heavy plant moves in?

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** xi. P51 SS11 ST9

---

## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

Consider building elsewhere where the environment is not so sensitive and of such a historic nature.

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 04 April 2018 10:30  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105128

Date submitted: 04/04/2018

Time submitted: 10:30:08

---

Thank you for submitting your Local Plan Publication Draft response form (ref: 105128, on 04/04/2018 at 10:30:08) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Group comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** Clerk to the Council

**Forename:** Mark

**Surname:** Scott

**Name of the organisation/individual/group you're representing:** [REDACTED]

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

We understand that this plan has been prepared in line with the statutory requirements listed above.

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not effective

**Please give reasons for your answer(s):**

Provision for education in the light of Government policy on academisation cannot be seen as effective as school provision is beyond the scope of City of York Council.

735 houses will generate a substantial number of children. Assurances are given that school places will be provided. As all schools locally are full and with the current pressure for school places as the bulge in the population moves on to secondary school, should school provision not be provided on site when the houses are first built, this will necessitate unsustainable travel for the new residents.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** 3.57 SS11 ST9

---

## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

Government backed support for school provision when this is beyond the powers of York City Council must be guaranteed at the time development commences.

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 04 April 2018 10:35  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105130

Date submitted: 04/04/2018

Time submitted: 10:35:13

---

Thank you for submitting your Local Plan Publication Draft response form (ref: 105130, on 04/04/2018 at 10:35:13) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Group comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** Clerk to the Council

**Forename:** Mark

**Surname:** Scott

**Name of the organisation/individual/group you're representing:** [REDACTED]

**Address (building name/number and street):** The Memorial Hall

**Address (area):** [REDACTED]

**Address (town):** [REDACTED]

**Postcode:** [REDACTED]

**Email address:** [REDACTED]

**Telephone number:** [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

We understand that this plan has been prepared in line with the statutory requirements listed above.

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not effective

**Please give reasons for your answer(s):**

Provision for health cannot be seen as effective as provision is beyond the scope of City of York Council. The plan does not demonstrate consultation with Humber, Vale & Coast Clinical Commissioning Group. Current primary care medical provision in Haxby and Wigginton is at breaking point because of the increasing demands from an ageing population. There is no overt mention of this in the Publication Draft, though it is implied in Paragraph iv. It is highlighted here as a major concern of residents.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** iv. P51 SS1 ST9

---

## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

Government backed support for premises/staffing when this is beyond the power of York City Council must be guaranteed at the time development commences.

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 04 April 2018 08:19  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105115

Date submitted: 04/04/2018

Time submitted: 08:18:47

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Thank you for submitting your Local Plan Publication Draft response form (ref: 105115, on 04/04/2018 at 08:18:47) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:**

**Forename:** Jason

**Surname:** Rose

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area):

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

Nothing to the contrary

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not justified

**Please give reasons for your answer(s):**

York needs far more than 867 houses per year to sustain growth without excess inflation of housing costs in the city (and York already has some of the most expensive housing in the north). Most objective assessments came to a higher figure and the council selectively and subjectively chose the objective assessment that suited their needs. I'm sure that we could cope with only 867, and it will benefit those who own houses in the city, but it is a figure justified only by selectively choosing evidence.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** Section 3, Policy SS1

---

## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

Take all objective housing assessments over the last 10 years, eliminate any that are unsound, and average the remaining assessment figures. Don't take one of the lowest numbers. Artificial justification isn't the same as genuine justification for policy.

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** Kate Lowe [Kate.Lowe@pegasusgroup.co.uk]  
**Sent:** 04 April 2018 08:21  
**To:** localplan@york.gov.uk  
**Subject:** Representations to York Local Plan  
**Attachments:** L002v2 - Reps to York Local Plan.pdf

Dear Sir/Madam,

Please find attached our representations on behalf of ASDA Stores Ltd in response to the Local Plan Consultation.

Could you please confirm receipt of the email and letter attached?

Kind Regards and Many Thanks

**Kate Lowe**  
Planner

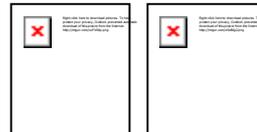
**Pegasus Group**  
PLANNING | DESIGN | ENVIRONMENT | ECONOMICS  
Suite 4b | 113 Portland Street | Manchester | M1 6DW  
**T** 0161 393 3399 | **E** [Kate.Lowe@pegasusgroup.co.uk](mailto:Kate.Lowe@pegasusgroup.co.uk)  
**M** 07970 752945 | **DD** 0161 393 4538 | **EXT** 8008

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[www.pegasusgroup.co.uk](http://www.pegasusgroup.co.uk)

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 Please consider the environment before printing this email message.

4<sup>th</sup> April 2018

Local Plan  
City of York Council  
West Offices  
Station Rise  
York  
Y01 6GA

*Via email only*  
[localplan@york.gov.uk](mailto:localplan@york.gov.uk)

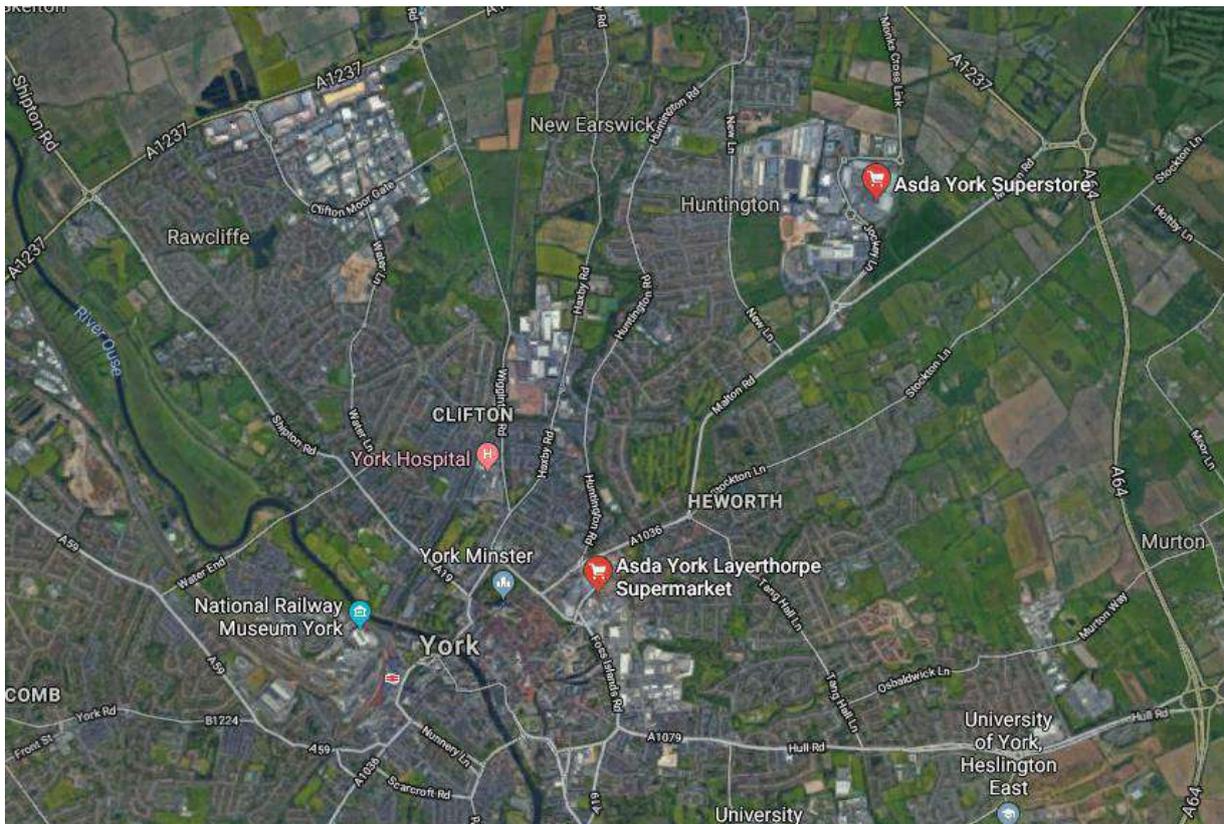
Dear Sir/Madam,

**CITY OF YORK COUNCIL LOCAL PLAN PUBLICATION DRAFT (2017-2033)  
ASDA STORES LTD**

**Introduction**

On behalf of our client, ASDA Stores Limited, we hereby formally submit our representations to the City of York Local Plan Publication Draft (2017-2033). ASDA would like to provide general comments regarding the retail component of your plan having a particular interest in York with two stores already within the borough (Figure 1) at:

- ASDA York Layerthorpe (77 Layerthorpe, York, Y031 7UZ)
- ASDA York (Jockey Lane, Monks Cross, Huntington, York, Y032 9LF)



**Figure 1: Asda Stores within the Borough**

PLANNING | DESIGN | ENVIRONMENT | ECONOMICS

Suite 4b, 113 Portland Street, Manchester, M1 6DW  
T 0161 393 3399 [www.pegasusgroup.co.uk](http://www.pegasusgroup.co.uk)

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | East Midlands | Leeds | Liverpool | London | Manchester

Pegasus Group is a trading name of Pegasus Planning Group Limited (07277000) registered in England and Wales  
Registered Office: Pegasus house, Querns Business Centre, Whitworth Road, Cirencester, Gloucestershire, GL7 1RT

From the outset, we wish to state our support for an up-to-date Local Plan and replacement of the time expired plan which was first published in 1998 and has been subject to 4 revisions.

## Summary

The consultation invites responses to this publication draft and in summary, these representations highlight that:

- The ASDA York Layerthorpe store should be retained in the City Centre boundary; and
- Monks Cross should continue to be recognised as an out of centre retailing destination, included within the retail hierarchy and formally designated, including the ASDA York store.

## Relevant Documents

### National Planning Policy Framework

Local Plans should be consistent with policies in the NPPF. The NPPF was originally published in March 2012, with a revised draft issued for consultation in March 2018, with the government confirming that this takes immediate effect.

With regards to retail, the City of York Local Plan must be consistent with those policies under the heading *Ensuring the vitality of town centres* (Section 7).

At the very outset, paragraph 86 of the NPPF states:

*'Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.'*

Within the subsequent bullet points at paragraph 86, local planning authorities are tasked with a number of requirements when drawing up Local Plans. Those requirements we consider of particular relevance to the City of York Local Plan are the requirement to:

*'define a network and hierarchy of town centres and promote their long-term viability and viability'*

And;

*'define the extent of town centres and primary shopping areas, identify primary and secondary shopping frontages, and make clear which uses will be permitted in such locations.'*

The glossary of the NPPF defines town centres, primary shopping areas, primary and secondary shopping frontages, and main town centre uses as:

**'Town centre:** Area defined on the local authority's policies map, including the primary shopping area and areas predominately occupied by main town uses within or adjacent to the primary shopping area. Reference to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance. Unless they are identified as centres in Local Plans, existing out-of-centre developments, comprising or including main town centre uses, do not constitute town centres.'

**'Main town centre uses:** Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment facilities the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).'

**Retail Hierarchy**

In terms of the retail hierarchy, the Publication Draft (Regulation 19) of the Local Plan sets out the retail hierarchy for the City of York. Policy R1: Retail Hierarchy and Sequential Approach of the emerging Local Plan defines the retail hierarchy as follows:

- York City Centre;
- District Centres;
- Local Centres; and
- Neighbourhood Parades.

The District Centres are not identified within the policy but detailed in the explanatory text. The District Centres are Acomb and Haxby. The Local Centres and Neighbourhood Parades are not specifically identified within the explanatory text in the emerging Local Plan but are shown on the Proposals Map and can be found in the City of York Retail Study Update Addendum (2014) at Appendix 2 and shown in Figure 2 below.

ASDA recommends that the Local Centres and Neighbourhood Parades are specifically identified within the policy and/or explanatory text for clarity. The out-of-centre retailing destinations are included on the Proposals Map and therefore ASDA recommends that these are fully recognised and included within the retail hierarchy. ASDA recommends that these are recognised within the retail hierarchy.



**Figure 2: Hierarchy of Centres defined in the City of York Retail Study Update Addendum (2014)**

ASDA fully support the need and importance of establishing and maintaining a hierarchy of centres within the City of York Borough in order to adequately service the day to day retail and community needs of the local population.

With regards to ASDA's interest, we make the following observations with regards to York City Centre and out-of-centre retailing provision in the borough.

#### *York City Centre*

The ASDA York Layerthorpe store is located in York City Centre. York City Centre is the largest of the retail centres in the borough. It is defined as a city centre and sits at the top of the hierarchy. This centre provides a wide range of goods and services to serve the needs of the whole city. The City Centre includes a range of main town centre uses including a wide range of shops, banks, restaurants, bars and pubs. ASDA recommends that York City Centre should continue to be the focus for main town centre uses and be fully retained at the top of the retail hierarchy.

**York City Centre should be retained as a City Centre and sit at the top of the retail hierarchy. Its role and function strengthened within the City of York Local Plan.**

#### *Monks Cross Shopping Centre*

The ASDA Monks Cross store is located within the out of centre retail shopping park of Monks Cross. This shopping park is located to the north of the city on the outer ring road and consists of a number of high street retailers, supermarkets, retail warehouses, restaurants, cafes, a leisure centre and stadium.

Policy R4 specifically relates to Out of Centre retailing like this shopping centre. This policy will only allow out of centre retailing where; it cannot be accommodated in sequentially preferable locations, it will not result in a significant adverse impact on existing, committed and planned public and private investment in York and will not result in individual or cumulative impact on the vitality and viability of any defined centre.

**ASDA supports the protection of city/district/local centres through Policy R4 however believe that out of centre shopping centres should be recognised in the retail hierarchy.**

#### **Centre Boundaries**

As part of the emerging Local Plan, the Council are preparing an up-to-date Proposals Map, which ASDA fully support and endorse.

ASDA York Layerthorpe

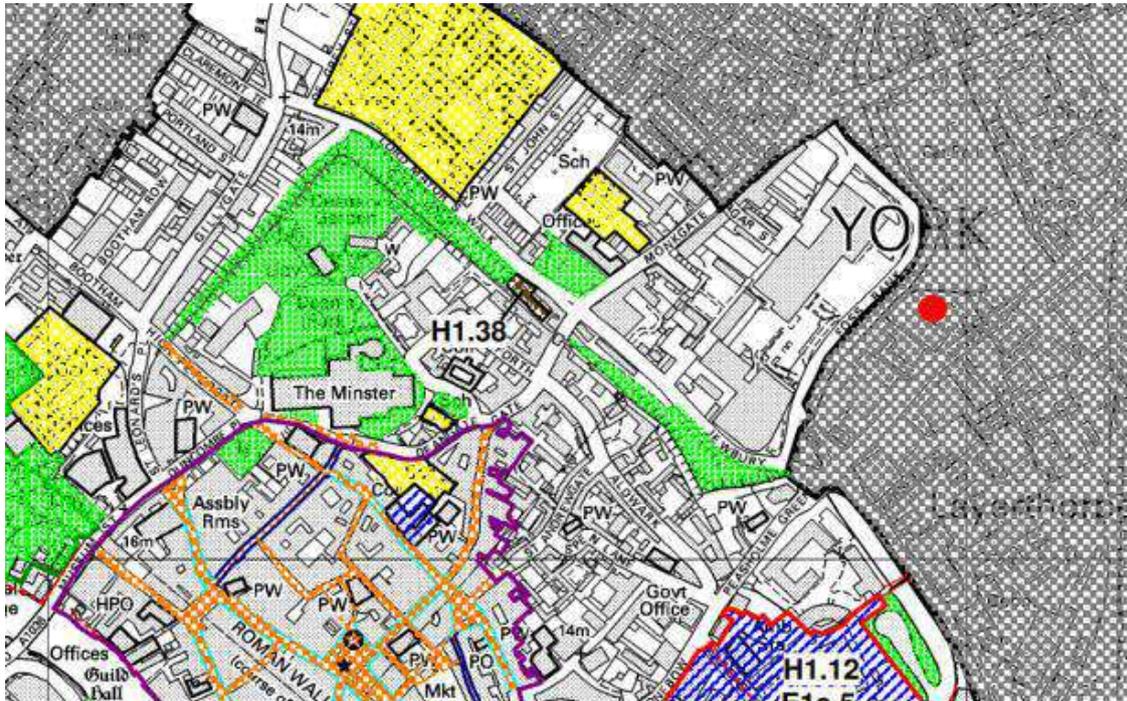


Figure 3: Local Plan 2005 City Centre Proposals Map

As shown in Figure 4 below, the emerging proposals map includes the ASDA store within the city centre boundary.

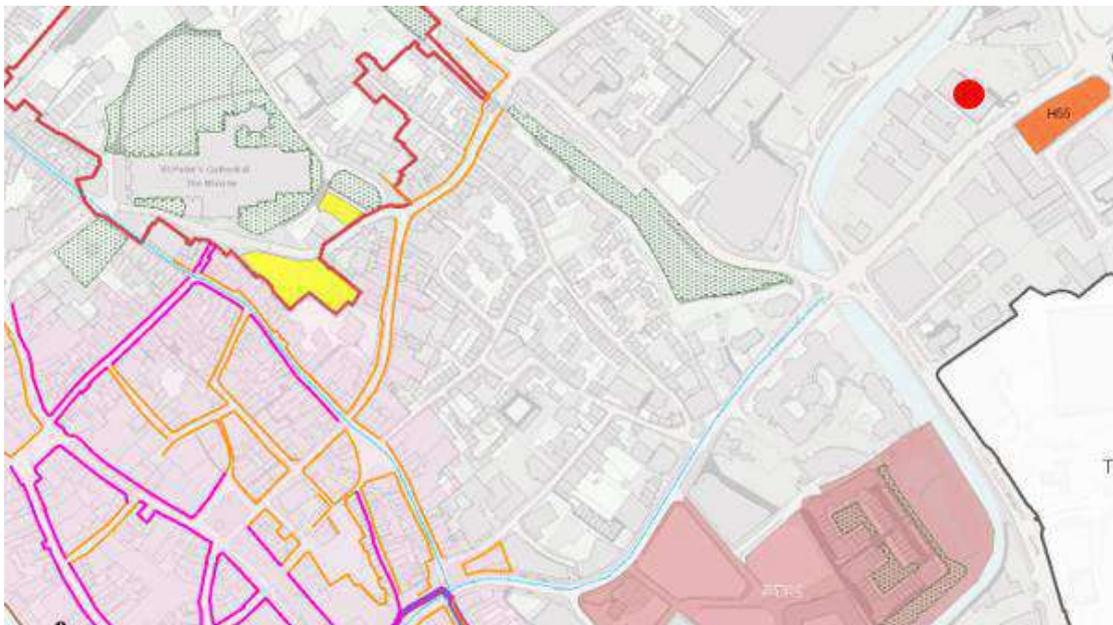


Figure 4: Emerging Proposals Map indicating the location of ASDA Layerthorpe

ASDA recommends that the City Centre boundary should remain as it has been amended in the emerging plan.

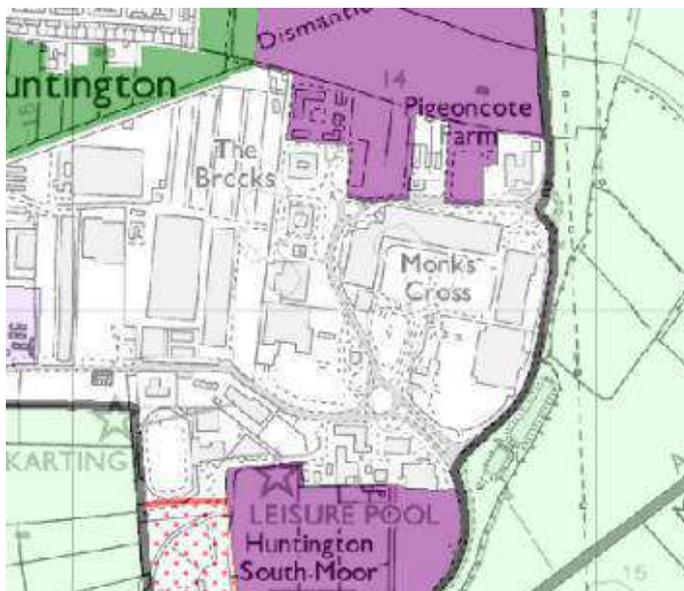
**The ASDA store should be retained within the proposed city centre boundary.**

*ASDA York, Monks Cross Shopping Centre*

The ASDA store on Jockey Lane is located within the Monks Cross shopping centre. The shopping centre includes a range of uses including; high street retailers, supermarkets, retail warehouses, restaurants, cafes, a leisure centre and stadium.

On the 2005 Local Plan City Centre Proposals Map (Figure 5), the shopping park is located within the settlement boundary but is not located within a defined centre.

In the emerging Local Plan Proposals Map (Figure 6), the ASDA store similarly is included within the settlement boundary but it is not located within a defined centre or in the retail hierarchy.



**Figure 5: 2005 Proposals Map**

**Figure 6: Emerging Proposals Map**

This is identified in the emerging plan as an out of centre shopping park. ASDA supports the ongoing recognition of the retail park in Policy R4 out-of-centre retailing. This policy recognises significant and importance of the out of centre retail destinations however we suggest that this should be fully recognised as a shopping destination and therefore included in retail hierarchy.

The ASDA store should be formally designated as it serves a town centre function. It serves a wide range of people and purposes and offers a varied and vast selection of shops, restaurants and services. As such, this centre should be formally protected.

**The ASDA Store, within the Monks Shopping Centre, should be recognised and designated as a retail destination.**

We trust the above representations are clear but should you have any questions, please do not hesitate to contact me. Otherwise, please keep us informed of any further consultations on emerging City of York Local Plan and associated documents, using the contact details below.

Yours sincerely



Kate Lowe

**Planner**

[kate.lowe@pegasusgroup.co.uk](mailto:kate.lowe@pegasusgroup.co.uk)

dd. 0161 393 4538

**From:** Carolyn Saunders [Carolyn.Saunders@lhlgroupp.co.uk]  
**Sent:** 04 April 2018 08:29  
**To:** localplan@york.gov.uk  
**Cc:** Richard Hampshire; killian@gallagherplanning.co.uk  
**Subject:** Consultation Response - LAND REAR OF ELVINGTON IND EST  
**Attachments:** HU- 605 PLCO 16 - 102 PROPOSED SITE AT A3.pdf; Elvington Reps.pdf; HU- 605 PLCO 16 - 101 - OS PLAN AT A3.pdf

Please see attached documents.

Regards

  
Carolyn Saunders  
Secretary

E   
W <http://www.lhlgroupp.co.uk>

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# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

**OFFICE USE ONLY:**

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	Mr
First Name	John	Richard
Last Name	Nicholson	Hampshire
Organisation (where relevant)		LHL Group Ltd
Representing (if applicable)		Mr Nicholson
Address – line 1	c/o agent	LHL Group Limited
Address – line 2		Suite 2
Address – line 3		The Riverside Building
Address – line 4		Livingstone Rd
Address – line 5		Hessle
Postcode		HU13 0DZ
E-mail Address		Richard.hampshire@lhlgroup.co.uk
Telephone Number		01482 215999

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

The plan appears to be broadly legally compliant. We do not have a view as to whether the council has met its requirements in relation to the duty to cooperate

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

<b>Positively prepared</b>	<input checked="" type="checkbox"/>	<b>Justified</b>	<input type="checkbox"/>
<b>Effective</b>	<input checked="" type="checkbox"/>	<b>Consistent with national policy</b>	<input type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

On behalf of the landowner, we have promoted an area of land to the north of Elvington Industrial Estate for inclusion in the Local Plan as employment land/an extension to the industrial estate. We are of the view that the land (5.4 ha.) represents a logical extension to the existing Elvington Industrial Estate and is accessible from the north of the estate. The site is accessible, benefits from a willing landowner, is not located in an area of flood risk and is not agricultural land of the highest quality (i.e. is not grades 1 or 2)

The site's boundaries are clearly defined by mature hedgerow and the site's location would mean that its development would not be readily visible from many public vantage points. It would also read very much in landscape terms as an extension to the existing industrial estate. The council allocated a site reference number: 864.

The Council appeared to agree with our assessment stating in the report on consultation to the Pre Publication draft Local Plan:

*The site was originally submitted through the Preferred Sites Consultation (2016). The resubmission of the site through the Pre Publication Consultation (2017) confirms that it has a willing landowner, is accessible and is likely to meet current unmet demand and that there is not considered any showstoppers to development.*

*The site passes the site selection methodology and technical officers consider that there are no showstoppers to the potential development of this site.*

*The site could provide additional employment land to help to increase flexibility over the Local Plan period in an attractive location for employment uses. The site boundaries are clearly defined by mature hedgerows and the site is well screened. The site is considered suitable for B1c/B2/B8 development.*

We can only assume that Members disagreed with officers and the land has not been allocated in the latest draft of the Plan.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

We feel that the land (site ref. 864) should be allocated for employment uses. This would have the effect of making the Local Plan sound.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

We do not wish to participate at the oral part of the EIP

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

## Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

## Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

## Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

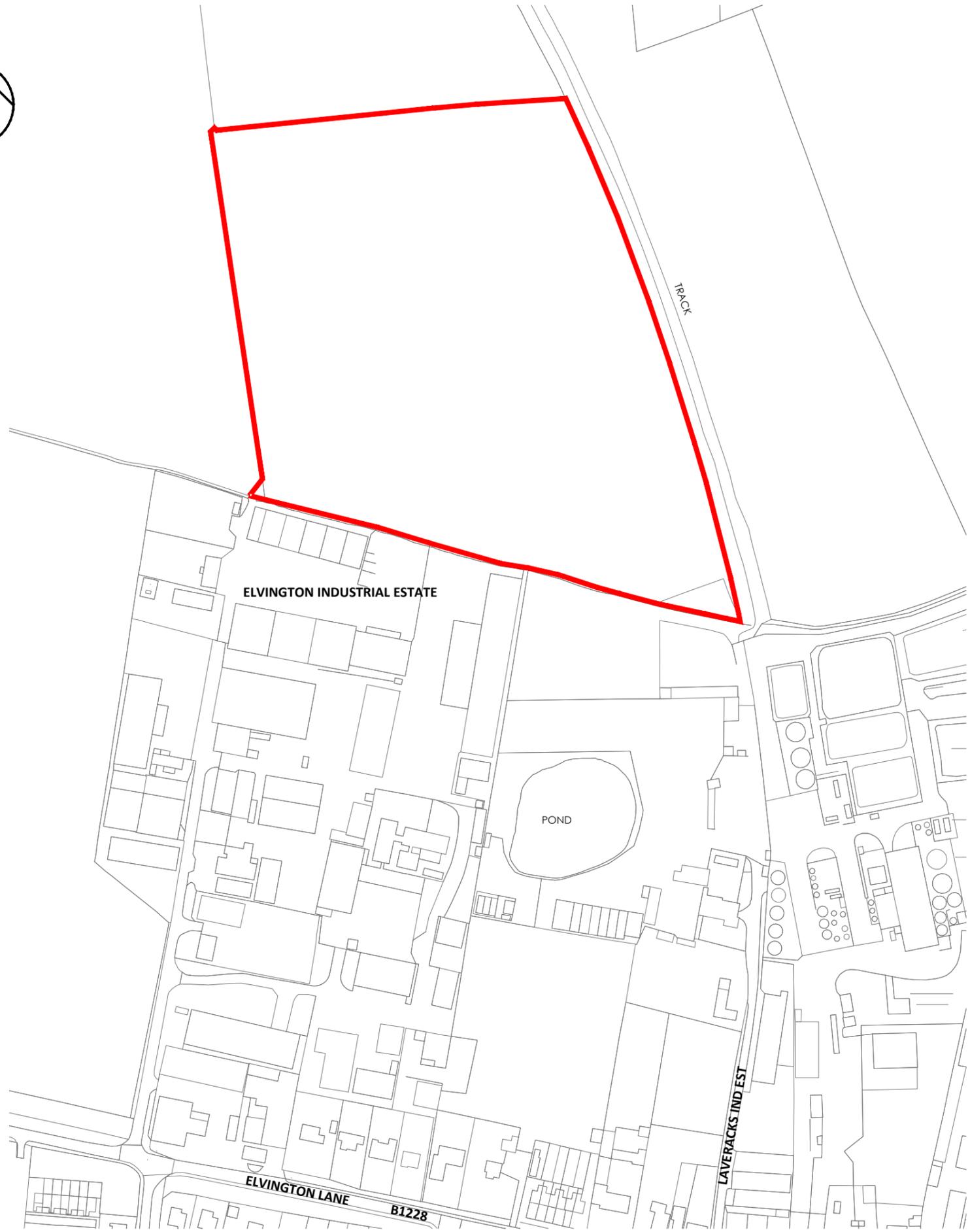
If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on [01904 554145](tel:01904554145)

Signature  Date

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012



**HAZARD / ACTIVITY LEADING TO UNUSUAL, SIGNIFICANT OR UNACCEPTABLE RISKS DURING CONSTRUCTION ARE IDENTIFIED ON THIS DRAWING AS:**

The list below identifies certain risks but does not cover all possible unusual etc situations which may be encountered during the construction process, it is also therefore the main contractor's responsibility to identify any further risks / hazards and take appropriate action.

Risks / Hazards particular to this drawing are listed below in numerical references, please refer to architectural risk register for further details:

#####



Rev	Date	Drawn	Description	Checked

Client MR JOHN NICHOLSON Issued From HULL  
 Project LAND REAR OF ELVINGTON IND EST Date 09/2016  
 Title OS PLAN Scale 1:2500 @ A3  
 Drawn SY Auth RH

**HU- 605 PLCO 16 - 101**

LHL Group Property and Construction Consultants

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 Harrogate  
 Newcastle Upon Tyne  
 Doncaster



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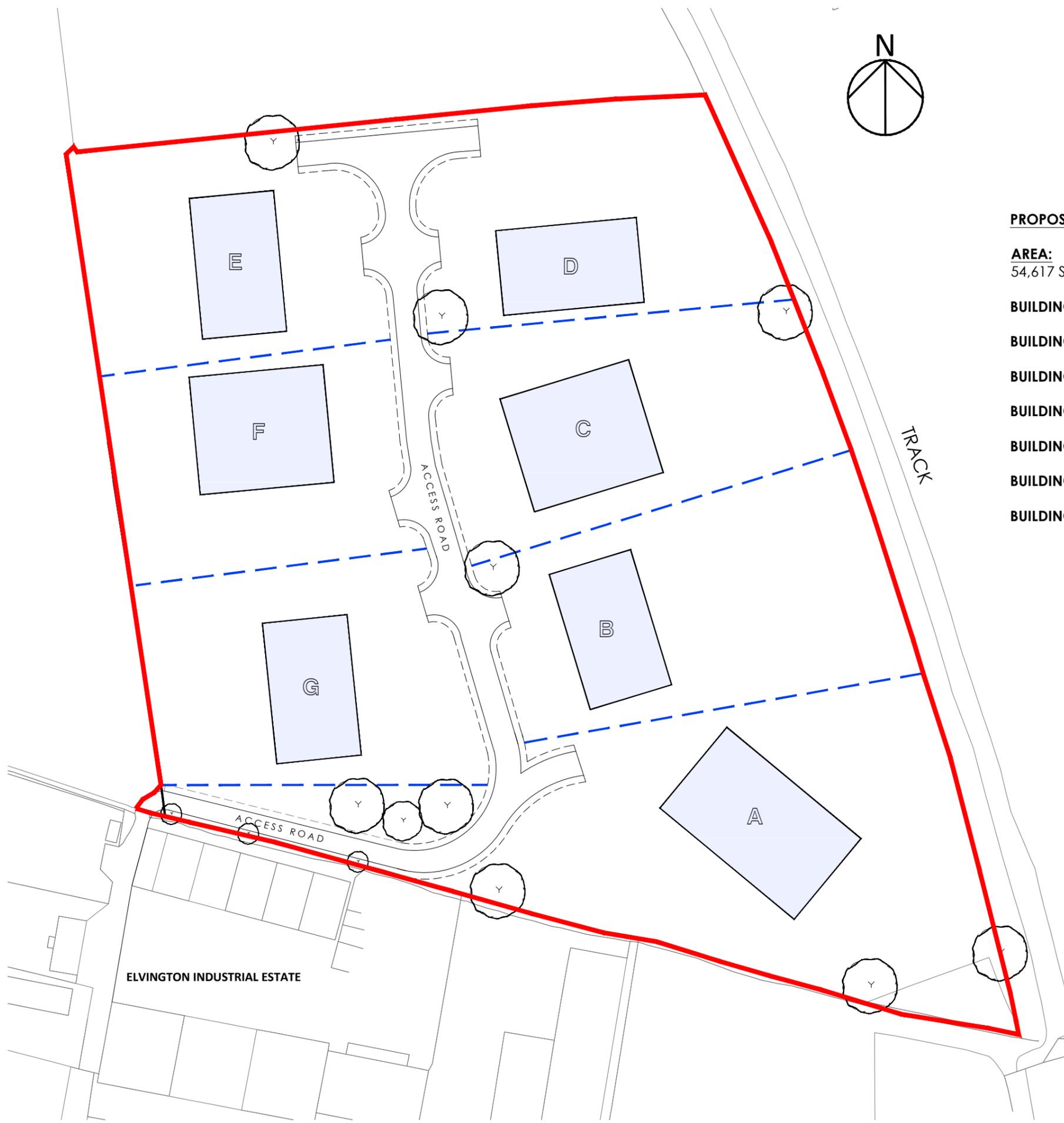
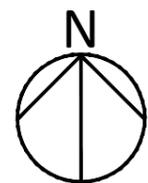


1:1250

**HAZARD / ACTIVITY LEADING TO UNUSUAL, SIGNIFICANT OR UNACCEPTABLE RISKS DURING CONSTRUCTION ARE IDENTIFIED ON THIS DRAWING AS:**

The list below identifies certain risks but does not cover all possible unusual etc situations which may be encountered during the construction process, it is also therefore the main contractor's responsibility to identify any further risks / hazards and take appropriate action.

Risks / Hazards particular to this drawing are listed below in numerical references, please refer to architectural risk register for further details:  
#####



**PROPOSED SITE**

**AREA:**  
54,617 SQ.M / 13.5 ACRE

- BUILDING A:** 1,657 SQ.M
- BUILDING B:** 1,086 SQ.M
- BUILDING C:** 1,438 SQ.M
- BUILDING D:** 1,086 SQ.M
- BUILDING E:** 1,086 SQ.M
- BUILDING F:** 1,438 SQ.M
- BUILDING G:** 1,086 SQ.M

ELVINGTON INDUSTRIAL ESTATE

TRACK

ACCESS ROAD

ACCESS ROAD

Rev	Date	Drawn	Description	Checked

Client MR JOHN NICHOLSON Issued From HULL  
 Project LAND REAR OF ELVINGTON IND EST Date 09/2016  
 Title PROPOSED I.D SITE PLAN Scale 1:1250 @ A3  
 Drawn SY Auth RH

**HU- 605 PLCO 16 - 102**

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**From:** David Rolinson [David.Rolinson@spawforths.co.uk]  
**Sent:** 04 April 2018 08:37  
**To:** localplan@york.gov.uk  
**Cc:** Andrew Rose  
**Subject:** York Local Plan representations  
**Attachments:** P0-TP-SPA-RP-P3989-0003-C.pdf

**Importance:** High

Dear Sir / Madam

Please find attached representations to the York Publication Draft Local Plan. These are made on behalf of The Trustees of W Bridge.

I trust these representations will be acknowledged as duly made.

The Trustees would welcome the opportunity for further engagement.

Please do not hesitate to contact us to discuss any issues raised further.

Kind regards

DAVID ROLINSON

Chairman: Chartered Town Planner  
 BA (Hons), DIP PEL, MRTPI



## SPAWFORTHS' RAISES AMBITIONS WITH CASTLEFORD MASTERPLAN

Spawforths are excited that the Aire River Growth Corridor Masterplan is currently being consulted on by WMDC. The masterplan aims to transform former industrial brownfield land into new communities with up to 4,500 new homes. The former industrial sites will be transformed and the town centre revitalised. Green, open spaces, free of vehicles will be created to provide better links between neighbourhoods and opportunities for walking and cycling in the area.

[CLICK HERE FOR FURTHER INFORMATION](#)

Junction 41 Business Court, East Ardsley, Leeds, WF3 2AB

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**Development Plan Representation -**

# **York Local Plan – Publication Draft**

On behalf of Trustees of W Bridge

29 March 2018



## I. Introduction

Spawforths have been instructed to submit representations to the York Publication Draft Local Plan consultation document by the Trustees of W Bridge (referred to herein as the Trustees).

The Trustees welcome the opportunity to contribute to the emerging Local Plan for York and are keen to further the role of York within North and West Yorkshire and Yorkshire and Humber as a whole.

The Trustees own significant land interests which have the potential to be a new settlement to the north of the District.

The Trustees would like to make comments on the following topics and sections in the Preferred Options:

- General Approach
- Duty to Cooperate
- Housing Requirement
- Windfalls
- Spatial Approach
- Green Belt
- Way Forward: Sub-Regional Approach

In each case, observations are set out with reference to the provisions of the Framework and where necessary, amendments are suggested to ensure that the Local Plan is made sound.

The Trustees welcome the opportunity for further engagement and the opportunity to appear at the Examination in Public.

We trust that you will confirm that these representations are duly made and will give due consideration to these comments.

Please do not hesitate to contact us to discuss any issues raised in this Representation further.

## 2. National Planning Policy Context and Tests of Soundness

The Government's core objectives as established through the National Planning Policy Framework (the Framework) are sustainable development and growth. Paragraph 14 of the Framework stresses the need for Local Plans to meet the objectively assessed needs of an area. The core planning principles are set out at paragraph 17. These include that planning should make every effort to proactively drive and support sustainable economic development to deliver the homes and businesses that the country needs. Plans should take account of market signals and allocate sufficient land to accommodate development within their area. The key focus throughout the Framework is to build a strong, competitive economy and to deliver a wide choice of high quality homes.

In relation to Local Plan formulation, paragraph 150 of the Framework states that Local Plans are the key to delivering sustainable development which reflects the vision and aspirations of local community. The Framework indicates that Local Plans must be consistent with the Framework and should set out the opportunities for development and provide clear policies on what will and will not be permitted and where.

In relation to the examination of Local Plans, paragraph 182 of the Framework sets out the tests of soundness and establishes that:

The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is “sound” – namely that it is:

Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

This document therefore considers the content of the York Publication Consultation document on behalf of the Trustees in light of this planning policy context.

## 3. Publication Draft Local Plan

### 3.1. General Approach

The Trustees are concerned that the City of York Local Plan Publication Draft is not sufficiently positive to reflect the economic growth aspirations for the York, North Yorkshire and East Riding Region and hence are concerned that it does not fully reflect the principles of national policy enshrined in the Framework.

The Framework states as a key principle in that planning should “proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities” (para 17).

The Trustees consider that the proposed approach does not reflect the principles of the Framework.

### 3.2. Duty to Cooperate

The Trustees would like to highlight that the Duty to Co-operate requires more than consultation and meetings. It is the process of engagement throughout the plan making process and the outcomes which flow from such engagement which determine whether the Duty has been met.

The Framework states in paragraph 181 that Council’s should take “a continuous process of engagement from initial thinking to implementation”. Furthermore, the importance of identified actions resulting from fulfilment of the Duty is enshrined within the PPG, which states:

*Local planning authorities should bear in mind that effective cooperation is likely to require sustained joint working with concrete actions and outcomes. It is unlikely to be met by an exchange of correspondence, conversations or consultations between authorities alone. (9-011-20140306)*

It is therefore essential that engagement over cross-boundary issues such as housing are addressed early and considered rigorously and robustly throughout the plan making process, particularly in an area where the economic growth aspirations of the Strategic Economic Plan are seeking to double housing delivery.

The GL Hearn Strategic Housing Market Assessment 2016 for York states that York “is strongly linked with Selby” and that “in travel to work terms York has a strong influence in the immediate surrounding districts particularly Selby, the southern part of Hambleton and the eastern parts of Ryedale and East Riding”. Therefore, GL Hearn evidence supports the view that “York and in particular Selby and the east of Ryedale and south of Hambleton has quite a strong relationship. Similarly, Leeds influence is likely to extend into the western periphery of York and Hambleton area”. In the context of Duty to Co-operate the authorities should continue to engage on strategic housing issues.

At a sub-regional level it is reported that York are exploring the opportunity to accommodate some of its housing needs outside the City in the longer term. It is understood that North Yorkshire and York are seeking an agreement in principle for future plans to be more sub-regional in approach. Although such decision making has been deferred for the current round of local plans to be completed the Trustees consider that such an approach is logical based on the evidence of the housing market area for York and the intrinsic relationship with the surrounding authorities. This has been reflected in previous Local Plan Working Group reports, such as 27 June 2016 which states at paragraph 85:

*Officers have explored in more detail with neighbouring authorities the potential to accommodate part of York’s housing need outside the City of York Council area given the wider housing market area. This has taken the form of reports to the North Yorkshire and York Spatial Planning and Transport Board. However, given the position of neighbouring authorities with their own development plans it has been indicated that it is not possible to fully explore this option at this stage. Nevertheless given the potential of sustainable brownfield sites in the wider York housing market area officers will continue this dialogue, along with discussing current proposals, to ensure if appropriate any opportunities can be properly assessed and included within the future land supply.*

This approach is further amplified at a sub-regional level where the York, North Yorkshire and East Riding Local Growth Deal specifically identifies the need to build more homes, double the rate of housebuilding and to support the identification and delivery of Garden Villages to address housing and economic need aspirations.

#### Proposed Change

- Further evidence on the Duty to Cooperate and the exploration of a sub-regional approach to planning and the identification of new settlements around York to support the housing need.

### **3.3. Housing Requirement**

The Trustees maintain their earlier objections on the scale of the housing requirement within the Publication Plan.

The Trustees are concerned that the emerging Local Plan identifies a net housing requirement of 867 dwellings per annum. This figure is significantly below that within earlier consultations, which were seeking to deliver 1,090 dwellings per annum and below the CLG Standard Housing Methodology of 1,070 dwellings per annum. The Trustees question whether the evidence base exists for such a low figure, whether it meets the identified Objectively Assessed Need, whether it meets the economic aspirations for York and the Region as a whole and whether it truly reflects the aims and objectives of the Framework.

The Government through the Framework sets out “to boost significantly the supply of housing” and that local planning authorities should “use their evidence base to ensure that their Local Plans meets the full, objectively assessed needs for market and affordable housing in the housing market area”.

The number of new homes needs to meet the aspirations of the York, North Yorkshire and East Riding Strategic Economic Plan growth target. The Strategic Economic Plan identifies up to 2021 that the area will provide 20,000 new jobs. The SEP is seeking to double the rate of house building, tackle housing demand and affordability and increase the range of available housing. York is critically important to the economic growth prospects for the area and it is important that the SEP and the next evolution of the Plan continues the economic growth aspirations up to and beyond 2035. The York economy is a central part of the SEP and the Plan should recognise the interaction. Within that context the SEP recognises that a lack of housing growth will constrain economic growth.

The Trustees do not consider that the Local Plan draft housing requirement adequately reflects the SEP's ambitions for growth and an economic signals uplift does not appear to have been factored into the housing requirement, which is confirmed in the 2017 SHMA update.

The Trustees would like to highlight that there is an intrinsic link between the local housing market and the success of the local economy. Furthermore, the housing industry is an important factor in the economy providing significant direct and indirect job opportunities, particularly through the supply chain and employment of local tradesman. The HBF has published a number of reports recently on the “economic footprint of UK house building” and a local report on the Yorkshire and Humber which identify that regionally:

- Nearly 60,000 jobs were supported;
- Over 500 graduate and apprentice positions were created;
- Over £17 million in extra council tax revenue was generated;
- Over £135 million in other tax contributions;
- Over 3,000 new affordable homes were built;

This illustrates the importance of home building to the York and Regional economy. Housing construction not only creates new homes for an expanding population, but also creates significant economic benefits through direct construction jobs and various indirect benefits, such as the increase in expenditure in the local economy. Various studies have been undertaken into the benefits of housing construction on the local economy, including the HBF “Building a Recovery” December 2010 which states that on average for each property built 1.5 jobs are likely to be directly created and maintained. Furthermore, based on the National Housing Federation “Home Truth 2013/2014: The Housing Market in England” information an average of 2.3 jobs are created in the wider economy for each house constructed.

Within this context the Council should recognise and reflect the economic growth aspirations of the Region and seek to deliver a competitive economy and vibrant business market.

#### Proposed Change

- Further evidence on the housing requirement

- Increase the housing requirement

### 3.4. Windfalls

The Trustees maintain their earlier objection to the approach towards windfalls as the evidence base appears to remain unchanged.

The Trustees accept that windfall sites form part of the housing land supply. The Framework states a windfall allowance can be included within the Local Plan (para 48), however this must be based upon robust and compelling evidence that such sites have come forward in the past and will continue to come forward. That evidence must therefore be published to justify such an approach.

The Council has published a Windfall Allowance Technical Paper (July 2016). The Trustees are concerned that this Paper provides insufficient evidence on the derivation and analysis of windfalls to justify a level of windfalls equivalent to 19% of the annual requirement from Year 4 onwards. This is a significant level of housing provision to come from unknown sources.

It is noted that windfall delivery has been strong over the last decade providing just over 50% of the net housing completions. This is unsurprising considering that the Council does not presently have an adopted Local Plan. However, with an adopted Plan the delivery from windfalls will vastly reduce in future years compared to past trends due to the effect of having an up to date plan with allocations and a more rigorous and up to date Strategic Housing Land Availability Assessment (SHLAA). In particular, the Trustees consider that large sites will be included in the SHLAA and/or allocated for development. The proportion of large site windfalls will therefore diminish.

Furthermore, the Trustees consider that the Council appear to not be allocating sufficient housing sites to meet its objectively assessed housing need. To deliver the ambitions of the Plan, to achieve economic growth, and to provide certainty on delivery, sites accommodating the full housing requirement should be identified in the Plan period. The Trustees accept within such an approach that there will be a certain level of windfall development, but not as high as being currently suggested in the Plan. Without a full and encompassing approach there is danger that the economic growth and regeneration ambitions of the Council and City Region Authorities will be missed.

#### Proposed Change

- Review the approach to windfalls

### **3.5. Spatial Approach**

The Framework aims to achieve a more balanced approach to addressing the needs of the housing market in all localities within the context of the over-arching spatial strategy and settlement hierarchy; increasing the supply of housing; ensuring that land is not just available but also deliverable; and that Councils have a 15 year housing land trajectory.

The Government's objectives are principally to improve affordability through increasing the supply of housing and to create sustainable, inclusive, mixed communities. To achieve this, the planning system needs to facilitate housing developments in suitable locations and provide a flexible, responsive supply of land.

At the heart of the Framework is delivering sustainable development, which means planning for prosperity, people and places. Housing developments need to be located in the most appropriate and sustainable locations, which are accessible to jobs, key services and infrastructure.

The Framework states that Plans must be prepared with the objective of contributing to the achievement of sustainable development and that Plans should be consistent with the principles and policies set out in the Framework and the presumption in favour of sustainable development. The Framework indicates that the aim of sustainable development is to achieve economic, social and environmental gains and these should be sought jointly through the planning system. One aspect of sustainable development in the Framework is to widen the choice of high quality homes.

In relation to locating development, the Framework is specific in stating that planning should “actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable” (para 17). The Framework states that “the supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of Garden City” (para 52).

Furthermore, the Local Plan should reflect the Framework which focuses on deliverability and footnote 11 on page 12 of the Framework states that to be deliverable, sites should be “available now, offer a suitable location and be achievable with a realistic prospect that housing will be delivered within five years and in particular that development of the site is viable”. Therefore, available, suitable and achievable greenfield sites should be able to come forward alongside or prior to previously developed sites in order to maintain the housing supply and achieve the increased housing requirement. The housing trajectory for the District should be based on robust evidence of deliverability. Therefore, Greenfield sites need to be included in all stages of the Plan as they would reinforce the housing supply, and in some locations provide regeneration and infrastructure benefits.

If a robust approach to the identification and delivery of sites is not adopted, this could lead to uncertainty and potentially an underachievement of the housing requirement, which would undermine the spatial strategy. This is a crucial time for York, as it needs to review its overall strategic approach to delivering housing, regeneration and economic development. As such, the totality of housing needs to be directed towards sustainable and appropriately deliverable locations.

The new Plan provides the opportunity to attract new investment in house-building and as a result not only deliver the homes that York needs but also create thousands of construction jobs and provide apprenticeships and training programmes. To achieve the level of growth aspired to there needs to be a significant number of outlets open and available.

This approach is being reinforced through the Government’s consultation on changes to the Framework which sets out in paragraphs 27-33 the Housing Delivery Test, which recognises that where there is a significant shortfall between the number of homes that we need to build to keep up with housing requirements and the net additions to the housing stock, that there is a need to drive up delivery rates and a need to understand and identify under-delivery on accurate and timely information prepared and made publically available. The consultation document suggests that where an authority is not demonstrably delivering the housing required that it should set out an approach to address and identify additional sustainable sites.

The Trustees are concerned that the spatial approach in the Publication Draft Local Plan appears to show a preference towards a few larger sites. A number of these sites are isolated and disconnected from the urban area of York and as such could be considered new settlements. However, worryingly these new settlements are of insufficient scale to be

sustainable ranging in size from 735 through to 3,339 dwellings in total. A sustainable new settlement which can support a range of facilities and services needs to be in the order of 5,000 dwellings. Such settlements would be in accordance with Garden City and Village principles and accord with the Framework and be able to support community facilities, public transport provision, schools and employment opportunities.

The Town and Country Planning Association (TCPA) describe a Garden City as “a holistically planned new settlement which enhances the natural environment and offers high-quality affordable housing and locally accessible work in beautiful, healthy and sociable communities. The Garden City principles are an indivisible and interlocking framework for their delivery”. The Government’s recent Garden Village, Towns and Cities concept reflects these principles encouraging schemes that are genuinely able to be sustainable places that can create a high quality, well designed, innovative, vibrant and attractive community.

#### Proposed Change

- Review spatial approach to plan and the identification of small isolated new settlements

### **3.6. Approach to Green Belt**

The Trustees are concerned that no evidence is being presented in relation to a Green Belt Review and the limited approach to establishing a definitive Green Belt boundary along with the apparent lack of long term planning and no safeguarded land to meet the needs beyond the Plan period.

The Trustees are concerned that the approach is to identify within the Green Belt a small number of freestanding and isolated settlements which are of a relatively modest and limited size and as such unsustainable. A sustainable mixed community, in accordance with the Framework and Government aspirations for Garden City and Village principles is in the order of 5,000 dwellings and would be able to support and accommodate community facilities, schools, employment and public transport provision.

The Trustees consider that if the Council consider that no further Green Belt release within York can be accommodated to meet the housing requirements then they should provide the evidence for this conclusion and the alternative approach of identifying a new settlement

outside of York's Green Belt should be referenced within the York Local Plan. This approach would be entirely in line with Government Guidance and best practice elsewhere in the Country - if the evidence is available as part of the York Local Plan to prove this to be the case.

Such an approach is being undertaken in areas such as Oxford and Cambridge and also within the adjacent Authority of Hambleton who have drawn a similar conclusion in their emerging Local Plan.

#### Proposed Change

- Undertake a thorough Green Belt Review, which includes provision of safeguarded land
- Review approach of small isolated new settlements within the Green Belt
- Consider identifying a policy to seek to meet longer term housing requirements within a new settlement beyond the York Green Belt

### **3.7. A Way Forward: Sub-Regional Approach**

The Trustees consider that a more sub-regional and strategic approach to housing delivery in York needs to be considered. Such an approach would combine with the delivery of housing to meet the needs of York residents together with meeting the needs of the sub-region and deliver on the housing requirement and the economic growth aspirations for YNYER and Yorkshire and the Humber as a whole. Such an approach would also address the overlapping nature of the York Housing Market Area as it transcends into the neighbouring authorities of Selby, Hambleton and Ryedale. It is noteworthy that the SHMA shows the City of York housing market is 70% within the City itself and 30% in surrounding authorities. A sub-regional approach therefore fully reflects this inter-relationship.

The areas to the north of York (in Hambleton) do not lie within the Green Belt and they could provide the opportunity for a new settlement to meet part of both York's and the Sub – Region's housing needs. Such a new settlement could be delivered over a significant time starting with a scale of 5,000 to 6,000 new homes in its initial form (as well as the necessary services and facilities to create a sustainable location for new homes, including new schools,

employment opportunities and community heart) but with the ability to grow substantially beyond that scale to be a real long term solution to the Sub – Regional housing requirements.

A sub-regional approach reflects those discussions that are already on-going at a sub-regional level and we highlighted in relation to the Duty to Cooperate. A sub-regional approach to planning York's future is logical based on the evidence, need and economic growth aspirations for the region.

**From:** webadmin@york.gov.uk  
**Sent:** 04 April 2018 08:54  
**To:** Cooke, Alison(City Development)  
**Cc:** localplan@york.gov.uk  
**Subject:** FW: J Harris has sent comments

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi there,

We've received the following message (see below) via the City of York Council website 'comment on this page' button - the message relates to comments on the Local Plan, so I'm forwarding it for your attention.

Please be aware that so far, the customer has only received an automated response from WebAdmin (details below).

In order to maintain good customer service, we must provide an appropriate reply on behalf of the council... **I'd be grateful if you could respond to our customer and copy WebAdmin into the email trail).**

If you're unable to respond to the customer within 5 working days (as mentioned by the website auto-response), or your team's SLA is different, please reply to WebAdmin, so we are aware of the situation and can work to find a solution to meet Customer Services SLAs.

Many thanks  
**Web Admin**

**City of York Council** | Customer and Business Support Services  
West Offices, Station Rise, York, YO1 6GA  
[www.york.gov.uk](http://www.york.gov.uk) | [facebook.com/cityofyork](https://www.facebook.com/cityofyork) | [@CityofYork](https://twitter.com/CityofYork)

-----Original Message-----

**From:** [jharrisnet@gmail.com](mailto:jharrisnet@gmail.com)  
**Sent:** 03 April 2018 18:03  
**To:** [webadmin@york.gov.uk](mailto:webadmin@york.gov.uk)  
**Subject:** J Harris has sent comments

J Harris has sent you comments on the following content from City of York Council Online:

[http://www.york.gov.uk/downloads/file/15305/yorks\\_local\\_plan\\_making\\_your\\_comments\\_to\\_government?utm\\_source=sendinblue&utm\\_campaign=Update387onCliffordsTowerVisitorCentreJudicialReviewApril032018&utm\\_medium=email](http://www.york.gov.uk/downloads/file/15305/yorks_local_plan_making_your_comments_to_government?utm_source=sendinblue&utm_campaign=Update387onCliffordsTowerVisitorCentreJudicialReviewApril032018&utm_medium=email)

Comments: The Cliffords Tower legal challenge has not yet been decided. It seems premature, therefore, for the Local Plan to show the proposed visitor centre as built, with the implication that the land can be freely used for this purpose, when that is still sub judice.

**From:** A. R. Yarwood [dglgplanning@hotmail.co.uk]  
**Sent:** 04 April 2018 09:12  
**To:** localplan@york.gov.uk  
**Subject:** Consultation response  
**Attachments:** comment 2018.doc

See attached  
Sent from [Outlook](#)



A. R. Yarwood, DipTP, MRTPI,  
Planning Officer  
National Federation of Gypsy Liaison Groups  
Ladygrove Mill  
Two Dales  
Matlock  
DE4 FG  
01629732744

Local Plans  
City of York  
Station Rise  
York  
YO1 6GA

04 April 2018

Dear sirs  
Local Plan Publication Draft

The Federation welcomes the opportunity to comment on the above consultation and refer particularly to policy H5.

Whilst, we do not accept the outcome of the research which concludes that only 3 pitches are needed for those meeting the definition, we welcome the fact that the Plan recognises that the needs of those Gypsies who do not meet the revised definition must be met. We generally support the Plan and consider it to be sound in its approach to the provision of sites to meet the needs of Travellers.

For those not meeting the definition there remains the issue of how to ensure that sites allocated for their use remain available to them as the usual condition restricting occupation by those meeting the national definition will not be appropriate.

Finally, we consider that the policy should specifically recognise that the requirement for pitches will be kept under regular review.

Yours sincerely,

A. R Yarwood



The National Federation is a Company Limited by Guarantee registered in England and Wales.  
Company No: 6983027. Registered Charity No: 1136730  
Also funded by The Esmée Fairbairn Foundation



**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 04 April 2018 09:28  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105121

Date submitted: 04/04/2018

Time submitted: 09:28:13

---

Thank you for submitting your Local Plan Publication Draft response form (ref: 105121, on 04/04/2018 at 09:28:13) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** Mr

**Forename:** Michael

**Surname:** Harrison

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** Yes, I consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** YesCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

I do not have the expertise to know that the document is compliant but I believe City of York Council will have ensured that it is.

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not effective

**Please give reasons for your answer(s):**

Transport

In relation to the proposed housing development on Site ST9 and the other proposed developments along the A1237 ring road corridor, the plan is unsound because it is based on the delivery of a sustainable transport infrastructure. A sustainable transport infrastructure to support these developments would, at a minimum, involve grade separated junctions on the overloaded A1237, and without significant government or regional funding this will never be economically viable.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** Policy SS11, Site ST9, Policy Reference T4.

---

## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

To make the plan sound, these housing developments should be deferred until the improvements to the A1237 have been completed. Alternatively, the additional housing should be located on sites with access to the dual carriageway A64 bypass, which has the capacity to cope with increased traffic volumes.

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 04 April 2018 09:39  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105123

Date submitted: 04/04/2018

Time submitted: 09:39:11

---

Thank you for submitting your Local Plan Publication Draft response form (ref: 105123, on 04/04/2018 at 09:39:11) to City of York Council.

The following is a copy of the details you included.

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## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** Mr

**Forename:** Samuel

**Surname:** Greatorex

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** No, I do not consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** NoCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

The inclusion of site ST33 is outside of the range of reasonable decisions by the authority. The plan is therefore not legally compliant and the authority has not complied with its duty to cooperate.

The village of Wheldrake cannot support the additional proposed houses - this is recognised by the plan which requires that the issues on the roads, public sewerage, loss of amenities and school would need to be addressed. There is also substantial local objection to the proposal.

The cost of resolving issues at the site would substantially increase the cost of development making almost certainly uneconomic.

As a result, the inclusion of this site at this size is, at best, speculative.

The plan is intended to deliver the housing requirement for the york area and including

developments that will never be delivered is not compliant.

Further, the proposed garden village (less than 5 miles away) can easily be increased by the number of houses without affecting the economic reality of the development as new road connections, schools and amenities are already proposed. It would, in fact increase the economic benefit of that site as the cost of facilities could be shared through the additional housing.

It is therefore not a reasonable decision for the authority to include the size of development at ST33 proposed. This should be reduced to 25-30 which would be deliverable.

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not positively prepared,not justified,not effective,not consistent with national policy

**Please give reasons for your answer(s):**

Please see above responses to compliance issues.

In summary, the proposal at ST33 will never be delivered to the size proposed. The cost of resolving issues identified and the additional costs of dealing with local objections will make a development of this size uneconomic.

As a result it is not justified or effective to include a site which is already acknowledged as having significant issues which will inevitably result in it never being built to this size.

A lower, more realistic number of dwellings should be included and any reduction in houses added to the new garden village.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: ST33**

---

## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

### **I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

Reduce scale of site ST33 to 25-30 dwellings and move remaining to the garden village.

25-30 could be built at marginal increase in facilities, beyond this the cost of resolving amenities issues will cause the development economics to be undermined.

### **If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions**

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

### **If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** Clare Walters [ClareW@arcusconsulting.co.uk]  
**Sent:** 04 April 2018 09:46  
**To:** localplan@york.gov.uk  
**Cc:** Ric Blenkharn; Jamie Gilliland; Elena Sarieva  
**Subject:** City of York Local Plan Representation  
**Attachments:** COY-LP-DraftForm-JG\_v2 (002).pdf

Dear Sir/Madam

Please find enclosed Representation on behalf of Cobalt Housing York Limited in respect of the City of York Local Plan.

Regards

Clare

**Clare Walters MA CEnv MRICS**

Technical Director

---

Tel: 01904 715470 (0141 225 8444)

Mobile 07825 752849

Email: [ClareW@arcusconsulting.co.uk](mailto:ClareW@arcusconsulting.co.uk)

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# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title		
First Name		
Last Name		
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

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- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

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**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

**Positively prepared**  **Justified**   
**Effective**  **Consistent with national policy**

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.

Policy  
Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

## Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

## Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

## Your rights

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If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on [01904 554145](tel:01904554145)

Signature

Date

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

**From:** Emma Brown [emma.brown@lichfields.uk]  
**Sent:** 04 April 2018 09:57  
**To:** localplan@york.gov.uk  
**Cc:** Phil Jones  
**Subject:** City of York Local Plan [NLP-DMS.FID486012]  
**Attachments:** 50730-03 PDLP Response Form.pdf; 50730-03 York Publication Draft Earswick Apr18.pdf; 50642\_03 Housing Issues Technical Report 29.03.18.PDF

Dear Sir/Madam

Please find attached documents, they are sent on behalf of our client Bellway Homes in relation to their land interests at Earswick.

Regards

**Emma Brown**  
**Team Secretary**

Lichfields, The St Nicholas Building, St Nicholas Street, Newcastle upon Tyne NE1 1RF  
T 0191 261 5685 / E [emma.brown@lichfields.uk](mailto:emma.brown@lichfields.uk)

lichfields.uk  



**Draft revised NPPF:  
workable solutions  
for meeting housing  
need?**

**VIEW INSIGHT**

**Insight focus**  
Draft revised National Planning Policy Framework

The draft revised National Planning Policy Framework (NPPF) sets out the government's approach to housing and development. It includes a new chapter on housing, which sets out the government's commitment to meeting the need for housing, and provides a framework for local planning authorities to develop their own policies. The draft NPPF also includes a new chapter on infrastructure, which sets out the government's commitment to providing the infrastructure needed to support economic growth and improve the quality of life for people in England.

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 **Think of the environment. Please avoid printing this email unnecessarily.**

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

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Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	c/o Agent	Mr
First Name		Phil
Last Name		Jones
Organisation (where relevant)	Bellway Homes	Lichfields
Representing (if applicable)		Bellway Homes
Address – line 1	c/o Agent	St Nicholas Building
Address – line 2		St Nicholas Street
Address – line 3		Newcastle
Address – line 4		
Address – line 5		
Postcode		NE1 1RF
E-mail Address		phil.jones@lichfields.uk

Telephone Number		0191 261 5685
------------------	--	---------------

# Guidance note

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# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

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## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

See representation

## What does 'Sound' mean?

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**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**Yes  No 

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)Positively prepared  Justified Effective  Consistent with national policy **5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.

See rep

Policy  
Ref.

See rep

Site Ref.

See rep

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

See accompanying representation

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See written representation

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**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To outline further the content of the written representation in the context of the anticipated housing requirement discussion

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

---

Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

# Part C - How we will use your Personal Information

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Signature **Phil Jones**

Date **4 April 2018**

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

# **City of York Local Plan Publication Draft**

## **Technical Report on Housing Issues**

Linden Homes, Taylor Wimpey UK Ltd, Persimmon Homes, Strata Homes Ltd and Bellway Homes

March 2018

**LICHFIELDS**



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## 1.0 Introduction

- 1.1 Lichfields has been commissioned by Linden Homes, Taylor Wimpey UK Ltd, Persimmon Homes, Strata Homes Ltd & Bellway Homes [the Companies] to undertake a review of City of York Council's housing requirement and housing supply that has formed a key part of the evidence base to inform the City of York Local Plan Publication [LPP] Draft Consultation (March 2018).
- 1.2 Specifically, this report updates our September 2017 Technical Report on Housing Issues and provides a critique of the Objective Assessment of Housing Needs [OAHN] set out in the City of York Strategic Housing Market Assessment [SHMA] Assessment Update (September 2017, prepared by GL Hearn) following previous representations on behalf of the Companies on the 2016 SHMA and 2016 SHMA Addendum.
- 1.3 It also provides high level comments on the Council's housing land supply based on the evidence set out in the following documents:
- 1 The City of York Strategic Housing Land Availability Assessment [SHLAA] (September 2017);
  - 2 The City of York Local Plan Publication Draft (March 2018);
  - 3 Half Year Housing Monitoring Update for Monitoring Year 2017/18 (1st April 2017 to 30<sup>th</sup> September 2017); and,
  - 4 The City of York Windfall Allowance Technical Paper 2017 (SHLAA Annex 5).
- 1.4 Lichfields considers that on the basis of the contents of this report, the City of York Council is not providing sufficient land to meet the housing needs of the City and further sites should be allocated for housing development as part of the emerging Local Plan.
- 1.5 The remainder of this report is set out as follows:
- 1 **Section 2.0** - This section considers the approach which needs to be taken to calculating Objectively Assessed Housing Need [OAHN] and sets out the requirements of the Framework, the Practice Guidance and relevant High Court judgments in this context;
  - 2 **Section 3.0** – This section provides an overview of the findings of the 2016 SHMA and 2016 SHMA addendum, a summary of Lichfields response to these documents, and an overview of the findings of the September 2017 SHMA Assessment Update;
  - 3 **Section 4.0** - Provides a critique of the September 2017 SHMA Assessment Update. This Section sets out the extent to which the document fulfils the necessary requirements previously discussed and whether it represents the full, objectively assessed housing need for the City of York. **Appendix 1** sets out Lichfields' assessment of Market Signals in the City of York;
  - 4 **Section 5.0** - Considers the approach which needs to be taken to assessing housing land supply and sets out the requirements of the Framework, the Practice Guidance and relevant High Court judgments in this context;
  - 5 **Section 6.0** – Provides an overview of the Council's housing supply evidence;
  - 6 **Section 7.0** – Identifies the relevant housing requirement figures to be used for both the 5-year assessment and the plan period assessment;
  - 7 **Section 8.0** - Assesses the adequacy of the deliverable and developable supply of housing sites to meet the requirement for the plan period and 5-year period. It draws on the information supplied by the Council in the LPP and associated evidence base;
  - 8 **Section 9.0** - Assesses the housing supply against the OAHNs for York identified by the Council and by Lichfields; and,

- 9 **Section 10.0** Summarises the key issues within the Councils evidence base and sets out why it is not compliant with the requirements for an OAHN calculation and housing land supply.

## 2.0 Approach to Identifying OAHN

### Introduction

- 2.1 This section sets out the requirements of the Framework and the Practice Guidance in objectively assessing housing needs. This will provide the benchmark against which the SHMA Assessment Update will be reviewed, to ensure the necessary requirements are met. In addition, relevant High Court judgments have been referenced to set out the requirements of an OAHN calculation in a legal context.

### Policy Context

#### National Planning Policy Framework

- 2.2 The Framework outlines a two-step approach to setting housing requirements in Local Plans. Firstly, to define the full objectively assessed need for development and then secondly, to set this against any adverse impacts or constraints which would mean that need might not be met. This is enshrined in the approach defined in the Framework which sets out the presumption in favour of sustainable development:

*“For plan-making this means that:*

- *LPAs should positively seek opportunities to meet the development needs of their area;*
- *Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*
  - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
  - *specific policies in this Framework indicate development should be restricted.”<sup>1</sup>*

- 2.3 The Framework goes on to set out that in order to 'boost significantly' the supply of housing, LPAs should:

*“use their evidence base to ensure that their Local Plan meets the full objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the framework...”<sup>2</sup>*

- 2.4 The Framework sets out the approach to defining such evidence which is required to underpin a local housing requirement. It sets out that in evidencing housing needs:

*“LPAs should have a clear understanding of housing needs in their area. They should:*

- *prepare a SHMA to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. The SHMA should identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:*
  - *meets household and population projections, taking account of migration and demographic change;*

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<sup>1</sup> Framework - §14

<sup>2</sup> Framework - §47

- *addresses the need for all types of housing, including affordable housing and the needs of different groups in the community...; and*
- *caters for housing demand and the scale of housing supply necessary to meet this demand... ”<sup>3</sup>*

2.5 Furthermore, the core planning principles set out in the Framework<sup>4</sup> indicate that a planned level of housing to meet objectively assessed needs must respond positively to wider opportunities for growth and should take account of market signals, including housing affordability.

## **Draft National Planning Policy Framework**

2.6 The Framework draft text for consultation was published in March 2018. It has an unequivocal emphasis on housing, with the introduction to the consultation proposals clarifying that the country needs radical, lasting reform that will allow more homes to be built, with the intention of reaching 300,000 net additional homes a year. The draft states that to support the Government’s objective of ‘significantly boosting the supply of homes’, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay [§60].

2.7 In particular:

*“In determining the minimum number of homes needed, strategic plans should be based upon a local housing need assessment, conducted using the standard method in national planning guidance – unless there are exceptional circumstances that justify an alternative approach which also reflects current and future demographic trends and market signals. In establishing this figure, any needs that cannot be met within neighbouring areas should also be taken into account”. [§61]*

2.8 The draft also makes it clear that when identifying the housing need, policies should also break the need down by size, type and tenure of homes required for different groups in the community (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes) [§62].

2.9 Paragraphs 68 - 78 also set out how Councils should identify and maintain a five years’ worth of housing against their housing requirement.

2.10 In terms of the weight that can be attached to this draft document, it is accepted that only limited weight can be attached to the document at present as it is still out for consultation. In this regard, paragraph 209 to Annex 1 of the draft Framework states that the policies in the previous Framework will apply for the purposes of examining plans, where those plans are submitted on or before the date which is 6 months after the final Framework’s publication. *“in these cases the examination will take no account of the new Framework”*.

2.11 However the draft Framework remains a useful indicator of the direction of travel, not least with the approach to be taken to defining housing need, which has already been the subject of an earlier consultation (*‘Planning for the right homes in the right places’*, September 2017), to which MHCLG published a summary of consultation responses and its view on the way forward in March 2018.

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<sup>3</sup> Framework - §159

<sup>4</sup> Framework - §17

## National Planning Practice Guidance

- 2.12 The Framework is supplemented by the Practice Guidance which provides an overarching framework for considering housing needs, but also acknowledges that:

*“There is no one methodological approach or use of a particular dataset(s) that will provide a definitive assessment of development need”<sup>5</sup>.*

- 2.13 The Guidance states that household projections published by CLG should provide the starting point estimate of overall housing need<sup>6</sup>.

- 2.14 Although the Practice Guidance notes that demographic trends should be applied as a starting point when assessing the OAHN, it goes on to state that consideration should also be given to the likely change in job numbers. This supports the importance that the Framework<sup>7</sup> places on the economy and the requirement to *“ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals”*. A failure to take account of economic considerations in the determination of the OAHN would be inconsistent with this policy emphasis.

- 2.15 The Inspector at the Fairford Inquiry<sup>8</sup> recognised the role of economic factors in the assessment of the OAHN for Cotswold District:

*“The Council has not provided a figure for OAN which takes account of employment trends. The Council argues that the advice in the PPG does not require local planning authorities to increase their figure for OAN to reflect employment considerations, but only to consider how the location of new housing or infrastructure development could help address the problems arising from such considerations. I disagree. In my view, the PPG requires employment trends to be reflected in the OAN, as they are likely to affect the need for housing. They are not “policy on” considerations but part of the elements that go towards reaching a “policy off” OAN, before the application of policy considerations. There is no evidence that the Council’s figures reflect employment considerations” [IR. §19].*

- 2.16 This view reflects the position expressed by the Inspector (and confirmed by the Secretary of State) in the Pulley Lane Inquiries in Droitwich Spa<sup>9</sup>. The Inspector’s report (which was accepted by the SoS) states that:

*“The Council’s case that “unvarnished” means arriving at a figure which doesn’t take into account migration or economic considerations is neither consistent with the (Gallagher) judgment, nor is it consistent with planning practice for deriving a figure for objectively assessed need to which constraint policies are then applied. Plainly the Council’s approach is incorrect. Clearly, where the judgement refers to ‘unvarnished’ figures (paragraph 29) it means environmental or other policy constraints. There is nothing in the judgement which suggests that it is not perfectly proper to take into account migration, economic considerations, second homes and vacancies”. [IR. §8.45]*

- 2.17 Housing need, as suggested by household projections, should be adjusted to reflect appropriate market signals, as well as other market indicators of the balance between the demand for and supply of dwellings. Relevant signals may include land prices, house prices, rents, affordability (the ratio between lower quartile house prices and the lower quartile income or earnings can be

<sup>5</sup> Practice Guidance – ID:2a-005-20140306

<sup>6</sup> Practice Guidance – ID:2a-015-20140306

<sup>7</sup> Framework - §158

<sup>8</sup> Land South of Cirencester Road, Fairford (PINS Ref No: APP/F1610/A/14/2213318) (22 September 2014).

<sup>9</sup> Land at Pulley Lane, Newland Road and Primsland Way, Droitwich Spa (APP/H1840/A/13/2199085) and Land north of Pulley Lane, Newland Road and Primsland Way, Droitwich Spa (PINS Ref No: APP/H1840/A/13/2199426) (2 July 2014).

used to assess the relative affordability of housing), rate of development and, overcrowding<sup>10</sup>:

*“Appropriate comparisons of indicators should be made. This includes comparison with longer term trends (both in absolute levels and rates of change) in the: housing market area; similar demographic and economic areas; and nationally. A worsening trend in any of these indicators will require upward adjustment to planned housing numbers compared to ones based solely on household projections.”<sup>11</sup>*

- 2.18 In areas where an upward adjustment is required, plan makers should set this adjustment at a level that is reasonable. The more significant the affordability constraints (as reflected in rising prices and rents, and worsening affordability ratio) and the stronger other indicators of high demand (e.g. the differential between land prices), the larger the improvement in affordability needed and, therefore, the larger the additional supply response should be<sup>12</sup>.
- 2.19 The Guidance recognises that market signals are affected by a number of economic factors, and plan makers should not attempt to estimate the precise impact of an increase in housing supply. Rather they should increase planned supply by an amount that, on reasonable assumptions and consistent with principles of sustainable development, could be expected to improve affordability, and monitor the response of the market over the plan period<sup>13</sup>.
- 2.20 The Practice Guidance concludes by suggesting that the total need for affordable housing should be identified and converted into annual flows by calculating the total net need (subtracting total available stock from total gross need) and converting total net need into an annual flow.
- 2.21 The total affordable housing need should then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments:

*“An increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes.”<sup>14</sup>*

## **Draft Planning Practice Guidance**

- 2.22 Following on from the draft Framework, on 9<sup>th</sup> March 2018 MHCLG published its draft Planning Practice Guidance for consultation. This provides further detail on 6 main topic areas: viability; housing delivery; local housing need assessments; Neighbourhood Plans; Plan-making and Build-to-rent.
- 2.23 Regarding housing delivery, the draft Practice Guidance sets out how local authorities should identify and maintain a 5-year supply of specific deliverable sites, bringing the Guidance into line with recent Ministerial statements and High Court Judgements. In particular, it clarifies that along with older peoples’ housing, all student accommodation can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market.
- 2.24 Furthermore, LPAs should deal with deficits or shortfalls against planned requirements within the first 5 years of the plan period (i.e. the ‘Sedgefield’ approach to backlog).
- 2.25 In terms of the Local Housing Need Assessment, this takes forward the approach set out in CLG’s September 2017 consultation on *“Planning for the right homes in the Right Places”*. The proposed approach to a standard method for calculating local housing need, including transitional arrangements, is set out and as before, consists of three components. The starting point would continue to be a demographic baseline using the latest CLG household projections

<sup>10</sup> Practice Guidance – ID:2a-019-20140306

<sup>11</sup> Practice Guidance – ID:2a-020-20140306

<sup>12</sup> Practice Guidance – ID:2a-020-20140306

<sup>13</sup> *ibid*

<sup>14</sup> Practice Guidance – ID: 2a-029-20140306

(over a 10-year time horizon), which is then modified to account for market signals (the median price of homes set against median workplace earnings). The modelling proposes that each 1% increase in the ratio of house prices to earnings above 4 results in a ¼% increase in need above projected household growth.

2.26 The uplift is then capped to limit any increase an authority may face when they review their plan:

- a *“for those authorities that have reviewed their plan (including a review of local housing need) or adopted their plan in the last five years, a cap may be applied to their new annual local housing need figure at 40 per cent above the average annual requirement figure currently set out in their plan; or*
- b *for those authorities that have not reviewed their plan (including a review of local housing need) or adopted their plan in the last five years, a cap may be applied to their new annual local housing need figure at 40% above whichever is higher of the projected household growth for their area over the 10 years (using Office for National Statistics’ household projections), or the annual housing requirement figure set out in their most recent plan if one exists.” [page 25]*

2.27 The various stages are set out in Figure 2.1.

Figure 2.1 Proposed methodology for determination of OAHN



Source: Lichfields

2.28 In terms of the ability of LPAs to deviate from this proposed new methodology, this is discouraged unless there are compelling circumstances not to adopt the approach. For example:

*“There may be circumstances where it is justifiable to identify need above the need figure identified by the standard method. The need figure generated by the standard method should be considered as the minimum starting point in establishing a need figure for the purposes of plan production. The method relies on past growth trends and therefore does not include specific uplift to account for factors that could affect those trends in the future. Where it is likely that additional growth (above historic trends identified by household*

*projections) will occur over the plan period, an appropriate uplift may be applied to produce a higher need figure that reflects that anticipated growth. Circumstances where an uplift will be appropriate include, but are not limited to; where growth strategies are in place, strategic level infrastructure improvements are planned, funding is in place to promote and facilitate growth (i.e. Housing Deals, Housing Infrastructure Fund). In these circumstances, the local housing need figure can be reflected as a range, with the lower end of the range being as a minimum the figure calculated using the standard method. Where an alternative approach identifies a need above the local housing need assessment method, the approach will be considered sound, unless there are compelling reasons to indicate otherwise.” [page 26]*

2.29 As to whether LPAs can identify a lower level of need, as York City Council is suggesting:

*“Plan-making authorities should use the standard method for assessing local housing need unless there are exceptional circumstances to justify an alternative approach. Any deviation which results in a lower housing need figure than the standard approach will be subject to the tests of soundness and will be tested thoroughly by the Planning Inspectorate at examination. The plan-making authority will need to make sure that the evidence base is robust and based on realistic assumptions, and that they have clearly set out how they have demonstrated joint working with other plan-making authorities. In such circumstances, the Planning Inspector will take the number from the standard method as a reference point in considering the alternative method.” page 26]*

2.30 Lichfields notes the following with regard to the weight to be can be attached to MHCLG’s proposed new method:

- 1 **Status of the document:** MHCLG’s document is currently out for consultation, has yet to be finalised and may be subject to significant numbers of objections from interested parties;
- 2 **Proposed Transitional Arrangements:** As noted in the draft Framework above, the policies in the previous Framework will apply for the purposes of examining plans, where those plans are submitted on or before the date which is 6 months after the final Framework’s publication.

## Recent Legal Judgements

2.31 There have been several key recent legal judgments of relevance to the identification of OAHN, and which provide clarity on interpreting the Framework:

- 1 ‘St Albans City and District Council v (1) Hunston Properties Limited and (2) Secretary of State for Communities and Local Government [2013] EWCA Civ 1610’ referred to as “Hunston”;
- 2 ‘(1) Gallagher Homes Limited and (2) Lioncourt Homes Limited v Solihull Metropolitan Borough Council [2014] EWHC 1283’ referred to as “Solihull”;
- 3 ‘Satnam Millennium Limited and Warrington Borough Council [2015] EWHC 370’ referred to as “Satnam”; and,
- 4 ‘Kings Lynn and West Norfolk Borough Council v (i) Secretary of State for Communities and Local Government and (ii) Elm Park Holdings [2015] EWHC 1958’ referred to as “Kings Lynn”.

## Hunston

- 2.32 “Hunston” [EWCA Civ 1610] goes to the heart of the interpretation of the Framework<sup>15</sup>. It relates to an appeal decision in respect of a scheme predominantly comprising housing on a Green Belt site. Its relevance is that it deals with the question of what forms the relevant benchmark for the housing requirement, when policies on the housing requirement are absent, silent or out of date as referred to in the Framework<sup>16</sup>.
- 2.33 Hunston establishes that §47 applies to decision-taking as well as plan-making and that where policies for the supply of housing are out of date, objectively assessed needs become the relevant benchmark.
- 2.34 Sir David Keene in his judgment at §25 stated:
- “... I am not persuaded that the inspector was entitled to use a housing requirement figure derived from a revoked plan, even as a proxy for what the local plan process may produce eventually. The words in paragraph 47(1), “as far as is consistent with the policies set out in this Framework” remind one that the Framework is to be read as a whole, but their specific role in that sub-paragraph seems to me to be related to the approach to be adopted in producing the Local Plan. If one looks at what is said in that sub-paragraph, it is advising local planning authorities:*
- “...to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework.”*
- “That qualification contained in the last clause quoted is not qualifying housing needs. It is qualifying the extent to which the Local Plan should go to meet those needs. The needs assessment, objectively arrived at, is not affected in advance of the production of the Local Plan, which will then set the requirement figure.”*
- 2.35 Crucially Hunston determined that it is clear that constraints should not be applied in arriving at an objective assessment of need. Sir David Keene in Hunston goes on to set out that [§§26-27]:
- “... it is not for an inspector on a Section 78 appeal to seek to carry out some sort of local plan process as part of determining the appeal, so as to arrive at a constrained housing requirement figure. An inspector in that situation is not in a position to carry out such an exercise in a proper fashion, since it is impossible for any rounded assessment similar to the local plan process to be done... It seems to me to have been mistaken to use a figure for housing requirements below the full objectively assessed needs figure until such time as the Local Plan process came up with a constrained figure.”*
- “It follows from this that I agree with the judge below that the inspector erred by adopting such a constrained figure for housing need. It led her to find that there was no shortfall in housing land supply in the district. She should have concluded, using the correct policy approach, that there was such a shortfall. The supply fell below the objectively assessed five year requirement.”*

## Solihull

- 2.36 “Solihull” [EWHC 1283] is concerned with the adoption of the Solihull Local Plan and the extent to which it was supported by a figure for objectively assessed housing need. Although related to

<sup>15</sup> Framework - §47

<sup>16</sup> Framework - §14

plan-making, it again deals with the Framework<sup>17</sup> and draws upon, and reiterates, the earlier Hunston judgment.

2.37 The judgment of Hickinbottom J in Solihull sets out a very useful summary of the staged approach to arriving at a housing requirement, providing some useful definitions of the concepts applied in respect of housing needs and requirements [§37]:

*“i) **Household projections:** These are demographic, trend-based projections indicating the likely number and type of future households if the underlying trends and demographic assumptions are realised. They provide useful long-term trajectories, in terms of growth averages throughout the projection period. However, they are not reliable as household growth estimates for particular years: they are subject to the uncertainties inherent in demographic behaviour, and sensitive to factors (such as changing economic and social circumstances) that may affect that behaviour...”*

*“ii) **Full Objective Assessment of Need for Housing:** This is the objectively assessed need for housing in an area, leaving aside policy considerations. It is therefore closely linked to the relevant household projection; but is not necessarily the same. An objective assessment of housing need may result in a different figure from that based on purely demographics if, e.g., the assessor considers that the household projection fails properly to take into account the effects of a major downturn (or upturn) in the economy that will affect future housing needs in an area. Nevertheless, where there are no such factors, objective assessment of need may be – and sometimes is – taken as being the same as the relevant household projection.”*

*“iii) **Housing Requirement:** This is the figure which reflects, not only the assessed need for housing, but also any policy considerations that might require that figure to be manipulated to determine the actual housing target for an area. For example, built development in an area might be constrained by the extent of land which is the subject of policy protection, such as Green Belt or Areas of Outstanding Natural Beauty. Or it might be decided, as a matter of policy, to encourage or discourage particular migration reflected in demographic trends. Once these policy considerations have been applied to the figure for full objectively assessed need for housing in an area, the result is a “policy on” figure for housing requirement. Subject to it being determined by a proper process, the housing requirement figure will be the target against which housing supply will normally be measured.”*

2.38 Whilst this is clear that a housing requirement is a “policy on” figure and that it may be different from the full objectively assessed need, Solihull does reiterate the principles set out in Hunston, namely that where a Local Plan is out of date in respect of a housing requirement (in that there is no Framework-compliant policy for housing provision within the Development Plan) then the housing requirement for decision taking will be an objective assessment of need [§88]:

*“I respectfully agree with Sir David Keene (at [4] of Hunston): the drafting of paragraph 47 is less than clear to me, and the interpretative task is therefore far from easy. However, a number of points are now, following Hunston, clear. Two relate to development control decision-taking.*

*i) “Although the first bullet point of paragraph 47 directly concerns plan-making, it is implicit that a local planning authority must ensure that it meets the full, objectively assessed needs for market and affordable housing in the housing market, as far as consistent with the policies set out in the NPPF, even when considering development*

<sup>17</sup> Framework - §14 & §47

*control decisions.”*

- ii) *“Where there is no Local Plan, then the housing requirement for a local authority for the purposes of paragraph 47 is the full, objectively assessed need.”*

2.39 Solihull also reaffirms the judgment in Hunston that full objectively assessed needs should be arrived at, and utilised, without the application of any constraining factors. At §91 of the judgment the judge sets out:

*“... in the context of the first bullet point in paragraph 47, policy matters and other constraining factors qualify, not the full objectively assessed housing needs, but rather the extent to which the authority should meet those needs on the basis of other NPPF policies that may, significantly and demonstrably outweigh the benefits of such housing provision.”*

## **Satnam**

2.40 “Satnam” [EWHC 370] highlights the importance of considering affordable housing needs in concluding on full OAHN. The decision found that the adopted OAHN figure within Warrington’s Local Plan was not in compliance with policy in respect of affordable housing because (as set out in §43) the assessed need for affordable housing need was never expressed or included as part of OAHN.

2.41 The decision found that the “*proper exercise*” had not been undertaken, namely:

- “(a) having identified the OAN for affordable housing, that should then be considered in the context of its likely delivery as a proportion of mixed market/affordable housing development; an increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes;”*
- “(b) the Local Plan should then meet the OAN for affordable housing, subject only to the constraints referred to in NPPF, paragraphs 14 and 47.”*

2.42 In summary, this judgment establishes that full OAHN has to include an assessment of full affordable housing needs.

## **Kings Lynn**

2.43 Whilst “Satnam” establishes the fact that full OAHN must include affordable housing needs, “Kings Lynn” [EWHC 1958] establishes how full affordable housing needs should be addressed as part of a full OAHN calculation. The judgment identifies that it is the function of a SHMA to address the needs for all types of housing including affordable, but not necessarily to meet these needs in full. The justification of this statement is set out below in §35 to §36 of the judgment.

*“At the second stage described by the second sub-bullet point in paragraph 159, the needs for types and tenures of housing should be addressed. That includes the assessment of the need for affordable housing as well as different forms of housing required to meet the needs of all parts of the community. Again, the PPG provides guidance as to how this stage of the assessment should be conducted, including in some detail how the gross unmet need for affordable housing should be calculated. The Framework makes clear these needs should be addressed in determining the FOAN, but neither the Framework nor the PPG suggest that they have to be met in full when determining that FOAN. This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being*

*developed. It is no doubt for this reason that the PPG observes at paragraph ID 2a-208-20140306 as follows:*

*"i The total affordable housing need should then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments. An increase in total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes."*

*"This consideration of an increase to help deliver the required number of affordable homes, rather than an instruction that the requirement be met in total, is consistent with the policy in paragraph 159 of the Framework requiring that the SHMA "addresses" these needs in determining the FOAN. They should have an important influence increasing the derived FOAN since they are significant factors in providing for housing needs within an area."*

- 2.44 The judgment is clear that the correct method for considering the amount of housing required to meet full affordable housing needs is to consider the quantum of market housing needed to deliver full affordable housing needs (at a given percentage). However, as the judgment sets out, this can lead to a full OAHN figure which is so large that a LPA would have *"little or no prospect of delivering [it] in practice"*. Therefore, it is clear from this judgment that although it may not be reasonable and therefore should not be expected that the OAHN will include affordable housing needs in full, an uplift or similar consideration of how affordable needs can be 'addressed' is necessary as part of the full OAHN calculation. This reflects the Framework<sup>18</sup>.

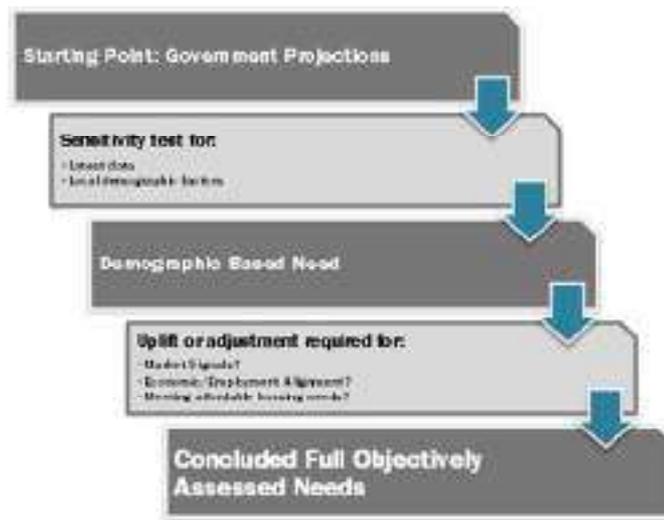
## **Conclusion**

- 2.45 It is against this policy context that the housing need for the City of York must be considered. In practice, applying the Framework and Practice Guidance to arrive at a robust and evidenced OAHN is a staged and logical process. An OAHN must be a level of housing delivery which meets the needs associated with population, employment and household growth, addresses the need for all types of housing including affordable and caters for housing demand.
- 2.46 Furthermore, a planned level of housing to meet OAHN must respond positively to wider opportunities for growth and should take account of market signals, including affordability. This approach has been supported by the recent Legal Judgements summarised above. This approach is summarised in Figure 2.2.

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<sup>18</sup> Framework - §158

Figure 2.2 The Framework and Practice Guidance Approach to Objectively Assessing Housing Needs



Source: Lichfields based upon the Framework / Practice Guidance

## 3.0 City of York Council's OAHN Evidence

### Introduction

- 3.1 Before setting out a critique of CYC's housing OAHN evidence base, it is important to recognise that the Council has never had an adopted Local Plan for the City (under the 1971 Act, the 1990 Act or the 2004 Act) and progress on the current draft Local Plan has been, it is not unfair to say, glacial.
- 3.2 The development plan for York comprises two policies<sup>19</sup> and the Key Diagram of the partially revoked Yorkshire and Humber Regional Strategy (2008) [YHRS]. There is no adopted Local Plan for York that forms part of the development plan. Instead, there is a long history of failed attempts to produce an adopted Local Plan.
- 3.3 The Council published the '*York Local Plan - Preferred Options*' document for consultation in summer 2013, followed by a 'Further Sites' consultation for six weeks in summer 2014 which included potential new sites and changes to the boundaries of some of the sites originally identified. Following these consultations, a '*Publication Draft Local Plan and Proposals Map*' was considered by the Local Plan Working Group [LPWG] and by Cabinet in September 2014<sup>20</sup>. With the intention of progressing a Framework compliant Local Plan, the Cabinet resolved to carry through the LPWG's recommendations and approve the Local Plan Publication Draft for public consultation, subject to amendments circulated at the Cabinet meeting and to instruct officers to report back following the consultation with a recommendation on whether it would be appropriate to submit the Publication Draft for public examination.
- 3.4 However, at the Full Council on 9 October 2014<sup>21</sup> a resolution was made to halt the public consultation on the Local Plan Publication Draft in order to reassess and accurately reflect objectively assessed housing requirements. The resolution also instructed officers to produce a report on the housing trajectory to be brought back to the next meeting of the LPWG in November 2014 along with the relevant background reports. The intention was for the report to allow the LPWG to agree an accurate analysis of the housing trajectory that is objective, evidence based and deliverable. The analysis was to be used to "*inform housing allocations and a new proposed Local Plan to be brought back to the next LPWG for discussion and recommendation to Cabinet in November.*"
- 3.5 The Council published the following 'further work' on the Local Plan relating to housing needs since the Full Council resolution to halt the Publication Draft Local Plan in 2014:
- 1 In December 2014, the LPWG considered a report on '*Housing Requirements in York*' which was based on two background documents produced by Arup<sup>22</sup>. The report set out four different housing requirement figures that were considered sound against the evidence base and three options for progressing the work on housing requirements. The LPWG members agreed a housing requirement figure of 926dpa<sup>23</sup>;
  - 2 In September 2015 the LPWG considered an update on the '*Objective Assessment of Housing Need*' [OAHN] report produced by Arup<sup>24</sup> and a report on '*Economic Growth*'<sup>25</sup>. The Arup report concluded that the housing 'requirement' should be in the range of 817

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<sup>19</sup> Both relating to Green Belt, requiring its inner boundaries to be defined in a plan and confirming that the general extent is about 6 miles out from the City centre

<sup>20</sup> Cabinet Meeting Thursday 25 September, 2014 - Minutes

<sup>21</sup> Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 9th October, 2014

<sup>22</sup> Assessment of the Evidence on Housing Requirements in York (Arup, May 2013) & Housing Requirements in York: Evidence on Housing Requirements in York: 2014 Update (Arup, September 2014)

<sup>23</sup> Local Plan Working Group 17 December 2014 - Minutes

<sup>24</sup> Evidence on Housing Requirements in York: 2015 Update – Arup (August 2015)

<sup>25</sup> York Economic Forecasts – Oxford Economics (May 2015)

dwellings per annum [dpa] to 854dpa between 2012 and 2031. The LPWG's recommendations were that the Executive Committee note the Arup OAHN report and endorse further work, including an evaluation of any spatial and delivery implications, on two scenarios for economic growth that would be reported back to the LPWG in due course;

- 3 In Autumn 2015 the Council commissioned GL Hearn jointly with Ryedale, Hambleton and the North York Moors National Park Authority to undertake a Strategic Housing Market assessment [SHMA]<sup>26</sup>. This study aimed to provide a clear understanding of housing needs in the City of York area. The SHMA was published as part of a suite of documents for the LPWG meeting on 27<sup>th</sup> June 2016. It concluded that the OAHN for the City of York was in the order of 841dpa.
- 4 On the 25<sup>th</sup> May 2016 ONS published a new set of (2014-based) sub national population projections [SNPP]. These projections were published too late in the SHMA process to be incorporated into the main document. However in June 2016 GL Hearn produced an Addendum<sup>27</sup> to the main SHMA report which briefly reviewed key aspects of the projections and concluded that the latest (higher) SNPP suggested a need for some 898dpa between 2012 and 2032. However due to concerns over the historic growth within the student population, the Addendum settled on a wider OAHN range of 706dpa - 898dpa, and therefore the Council considered that it did not need to move away from the previous 841dpa figure.
- 5 DCLG published updated 2014-based sub-national household projections [SNHP] in July 2016. GL Hearn was asked by City of York Council to update the SHMA to take account of these new figures and to assess the representations received through the Preferred Sites Consultation [PSC] relating to OAN. The GL Hearn SHMA Addendum Update (May 2017) subsequently updated the demographic starting point for York based on these latest household projections. The 2014-based SNHP increases the demographic starting point from 783dpa (in the 2016 SHMA) to 867dpa. In their Update, GL Hearn then applied a 10% uplift to the 867dpa starting point to account for market signals and affordable housing need and identifies a resultant housing need of 953dpa. However, a cover sheet to GL Hearn's Update, entitled 'Introduction and Context to objective Assessment of Housing Need' was inserted at the front of this document by the Council. This states that 867dpa is the relevant baseline demographic figure for the 15 year period of the plan (2032/33). The Council rejected the 953dpa figure on the basis that GL Hearn's conclusions stating:

*"...Hearn's conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations."*

- 3.6 As a result of this approach, the February 2018 City of York Publication Draft now states in Policy SS1: Delivering Sustainable Growth for York, the intention to:

*"Deliver a minimum annual provision of 867 new dwellings over the plan period to 2032/33 and post plan period to 2037/38."*

- 3.7 The supporting text to this policy makes no mention of the 953 dpa OAHN figure, but instead claims that 867 dpa is "*an objectively assessed housing need*" [§3.3].
- 3.8 The remainder of this section provides an overview of the findings of the 2016 SHMA and 2016 SHMA addendum, a summary of Lichfields response to these documents, and an overview of the findings of the September 2017 SHMA Assessment Update.

<sup>26</sup>GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment

<sup>27</sup>GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment - Addendum

## Overview of the City of York SHMA

- 3.9 The emerging City of York Local Plan is currently underpinned by three key housing need documents:
- 1 City of York Strategic Housing Market Assessment [SHMA], prepared on behalf of CYC by GL Hearn in June 2016;
  - 2 City of York SHMA Addendum, prepared on behalf of CYC by GL Hearn in June 2016; and,
  - 3 City of York September 2017 SHMA Assessment Update prepared on behalf of CYC by GL Hearn.
- 3.10 These documents follow on from previous reports prepared to inform the emerging Local Plan including the *'City of York Council Housing Requirements in York Evidence on Housing Requirements in York: 2015 Update'* (August 2015) prepared by Arup and the *'North Yorkshire Strategic Housing Market Assessment'* (November 2011) prepared by GVA.
- 3.11 A review of these documents and Lichfields' previous submissions on the City of York SHMA (June 2016) and the SHMA Addendum (June 2016) has been provided below in order to provide the context to the issues raised in this Technical Report.

### City of York SHMA (June 2016)

- 3.12 GL Hearn states that the SHMA was prepared *'essentially to sensitivity check'* the Arup August 2015 Housing Requirements in York report. However, it departs significantly from the Arup approach and undertakes an entirely new set of modelling using the 2012-based SNPP and 2012-based SNHP for the period 2012-2032. The subsequent Addendum was prepared to understand the implications on the earlier SHMA analysis of the publication of the 2014-based Sub-National Population Projections [SNPP] on 25<sup>th</sup> May 2016.
- 3.13 The SHMA concludes (Section 2.0) that the HMA which covers the City of York also extends to include Selby. However:
- "While we propose a HMA which links to Selby and York we are not considering housing need across the HMA. Selby has recently produced its own SHMA and this assessment does not seek to replicate it"* [§2.106]
- 3.14 GL Hearn undertook a number of demographic modelling scenarios including the 2012-based SNPP; long term migration trends and 2012-based SNPP adjusted to take into account the (higher) 2014 MYE. GL Hearn concluded that the SNPP *"is a sound demographic projection from a technical perspective"* [page 83], although they attached greater weight to a higher figure of 833 dpa based on a projection which takes into account the 2013 and 2014 Mid-Year Population Estimates [MYE] and rolls forward the SNPP.
- 3.15 The SHMA concluded that one of the most noteworthy findings from the analysis was the relatively small increase in the population aged 15-29 (which includes the vast majority of students):
- "Whilst over the 2001-2014 period this age group increased by 12,600, there is only projected to be a 2,500 increase over the 20-years to 2032. Such a finding is consistent with this age group not being expected to see any notable changes at a national level in the future...At the time of writing York University was not expecting significant increases in the student population, whilst St Johns was only expecting a modest increase. With this knowledge, and the age specific outputs from the SNPP we can have reasonable confidence that the SNPP is a realistic projection."* [§§4.31-4.32]
- 3.16 The projections are set out in Table 3.1.

Table 3.1 Summary of the City of York SHMA (June 2016) Range of Scenarios (2012-2032)

	Change in Households	Dwellings per annum (2012-2032)	Job growth per annum (2012-2032)
2012-based SNPP	15,093	783 dpa	(not provided)
2014-based	18,458	958 dpa	
UPC adjusted	12,676	658 dpa	
10-year migration	13,660	709 dpa	
<b>2012-based SNPP (as updated)</b>	<b>16,056</b>	<b>833 dpa</b>	
OE Baseline	15,019	780 dpa	609
OE Re-profiling			635
OE – higher migration	15,685	814 dpa	868
YHREM	15,356	797 dpa	789

Source: City of York SHMA (June 2016)

- 3.17 The analysis also considered future economic growth performance by accessing forecasts from Oxford Economics [OE] and Experian (via the Yorkshire and the Humber Regional Economic Modelling [YHREM]). The forecasts range from 609 jobs per annum (OE baseline) to 868 (OE higher migration).
- 3.18 The GL Hearn modelling concluded that this would support a level of population growth broadly in line with the 2012-based SNPP generating between 780-814dpa, which it considered to be below the level of need identified from the most recent MYE data:
- “On balance there is no justification for an uplift to housing numbers in the City to support expected growth in employment” [page 87].*
- 3.19 The SHMA proceeds to identify a relatively high level of affordable housing need, of 573dpa, above the 486dpa need identified by GVA in the 2011 SHMA. It states:
- “The analysis undertaken arguably provides some evidence to justify considering an adjustment to the assessed housing need to address the needs of concealed households, and support improvements [sic] household formation for younger households; although any adjustment will also need to take account of any future changes already within the household projections (e.g. in terms of improving household formation). The issue of a need for any uplift is considered alongside the analysis of market signals which follows.” [§6.112]*
- 3.20 However, the SHMA concludes that whilst the affordable housing need represents 69% of the need identified in the demographic-led projections, it is not appropriate to directly compare the need as they are calculated in different ways:
- “The analysis does not suggest that there is any strong evidence of a need to consider housing delivery higher than that suggested by demographic projections to help deliver more affordable homes to meet the affordable housing need.”*
- “However, in combination with the market signals evidence some additional housing might be considered appropriate to help improve access to housing for younger people. A modest uplift would not be expected to generate any significant population growth (over and above that shown by demographic projections) but would contribute to reducing*

*concealed households and increasing new household formation. The additional uplift would also provide some additional affordable housing.” [page 115]*

- 3.21 GL Hearn’s market signals analysis in the SHMA indicates that there are affordability pressures in the City of York:
- 1 Lower quartile to median income ratio is around 7.89 (compared to 6.45 nationally);
  - 2 House prices are also very high and tripled in the pre-recession decade. Private rental levels in York, at £675pcm, which are higher than comparator areas and nationally (£600pcm in England);
  - 3 Over-occupied dwellings increased by 52% between 2001 and 2011: “which is high relative to that seen at a regional or national level” [§8.34].
  - 4 Housing delivery in York:  
*“...has missed the target each year since 2007” [§8.38].*
- 3.22 In this regard, GL Hearn concludes that:
- “It would therefore be appropriate to consider a modest upward adjustment to the demographic assessment of housing need to improve affordability over time.” [§8.99]*
- 3.23 To consider what level of uplift might be appropriate, GL Hearn sought to assess the degree to which household formation levels had been constrained for younger age groups, and what scale of adjustment to housing provision would be necessary for these to improve. This was derived on the assumption that household formation rates of the 25-34 age group would return to 2001 levels by 2025 (from 2015). This resulted in an increase in the annual housing provision of 8 homes per annum across the City for each of the aforementioned scenarios.
- 3.24 The SHMA confirms that this sensitivity analysis represents “*the market signals adjustment*” [§8.111], although in the light of GL Hearn’s conclusions concerning affordable housing needs (see above), this 8dpa uplift would also appear to be geared towards improving access to housing for younger people in the City.
- 3.25 The SHMA therefore concludes that applying an 8dpa uplift to the 833dpa preferred demographic scenario results in an overall housing OAHN of 841dpa over the 2012-2032 period.

### **SHMA Addendum (June 2016)**

- 3.26 The Addendum revisits parts of the earlier City of York SHMA analysis following the publication of the 2014-based SNPP by ONS on 25th May 2016. The report found that the latest projections suggest a higher level of population growth, at levels around 28% higher than in the 2012-based SNPP.
- 3.27 GL Hearn’s analysis states that the difference between the 2014-based SNPP and the 2012-based SNPP “*is around 4,000 people, with around the same number being an additional increase in the 15-29 age group (4,200 of the difference)*” [§1.10].
- 3.28 GL Hearn considers that the growth in the younger age group is likely to reflect the strong growth in the student population in the City between 2008 and 2014 as a result of a new campus opening (the University of York expanded by 3,500 students over the period). The Update quotes an ONS response to CYC during the consultation to the latest projections, which suggests that some locally specific issues (such as the recorded outflow of male students from the city of York) may be under-estimated and should be treated with care.
- 3.29 This is in contrast to GL Hearn’s previous conclusions on the 2012-based SNPP (as set out in the earlier 2016 SHMA), where they considered that the 2012-based SNPP was a realistic projection because it forecast limited growth in the 15-29 age group going forward.

- 3.30 GL Hearn revisited the modelling using a revised long term migration trend and the 2014-based SNPP (Table 3.2).

Table 3.2 Summary of the city of York SHMA Addendum (June 2016) Range of Scenarios (2012-2032)

	2012-based SNHP Headship Rates		+ uplift to the 25-34 age group headship rates
	Change in Households	Dwellings per Annum	
2012-based SNPP	15,093	783	<b>792</b>
2012-based SNPP (updated)	16,056	833	<b>841</b>
2014-based SNPP	17,134	889	<b>898</b>
10-year Migration Trend	13,457	698	<b>706</b>

Source: City of York SHMA Addendum (June 2016)

- 3.31 Using the latest available data and including a “*market signals adjustment*” [§1.32] of 8dpa as contained in the SHMA “*and recognising concerns around the impact of historic student growth, this addendum identifies an overall housing need of up to 898dpa*”. [§1.20].
- 3.32 An update to the affordable housing need model increases the ‘*bottom line estimate of affordable housing need*’ from 573dpa to 627dpa.
- 3.33 The Addendum draws the following conclusions on OAHN:

*“There are concerns relating to historic growth within the student population and how this translates into the SNPP projections. This looks to be a particular concern in relation to the 2014-based SNPP where there is a relatively strong growth in some student age groups when compared with the 2012-based version (which looks to be sound for those particular age groups). Some consideration could be given to longer term dynamics although this does need to recognise that the evidence suggests some shift in migration patterns over the more recent years – a 10 year migration trend using the latest available evidence calculates a need for 706dpa, although as noted this will not fully reflect some of the more recent trends. This projection is therefore not considered to be an appropriate starting point for which to assess housing need although it can be used to help identify the bottom end of a reasonable range.*

*“Given that the full SHMA document identifies an OAN for 841dpa which sits comfortably within this range set out in this addendum (706dpa – 898dpa) it is suggested that the Council do not need to move away from this number on the basis of the newly available evidence – particularly given the potential concerns about the impact of student growth in the 2014-based SNPP and also longer term trends not reflecting the most recent trends.”* [§§1.33-1.34].

### **Lichfields Previous SHMA Representations**

- 3.34 A review of the June 2016 Strategic Housing Market Assessment [SHMA], and the subsequent SHMA Addendum (June 2016) was submitted by Lichfields (then branded as Nathaniel Lichfield & Partners) on behalf of the Companies in September 2016 in response to the City of York Local Plan – Preferred Sites Consultation.
- 3.35 This review provided objective evidence on the local need and demand for housing in the City of York and its Housing Market Area [HMA]. It established the scale of need for housing in the

City of York based upon a range of housing, economic and demographic factors, trends and forecasts, based on the application of Lichfields' HEaDROOM framework.

3.36 More specifically it:

- 1 Considered the approach which needs to be taken to calculating OAHN and sets out the requirements of the Framework, the Practice Guidance and relevant High Court judgments in this context;
- 2 Provided a critique of the 841 dwellings per annum [dpa] identified as the City of York's OAHN in the June 2016 Strategic Housing Market Assessment [SHMA] for the City, and the subsequent SHMA Addendum which recommended a broader OAHN range of 706dpa to 898dpa and considered whether they represent the full, objectively assessed housing need for the City of York;
- 3 Set out the approach taken by Lichfields to define a new OAHN for the City of York, using the latest demographic evidence and economic forecasts and affordable housing needs;
- 4 Provided an analysis of market signals in the City;
- 5 Identified a revised OAHN for the City of York, based on Lichfields' PopGroup modelling; and,
- 6 Summarised the key issues within the SHMA and subsequent Addendum and sets out why it is not compliant with the requirements for an OAHN calculation.

3.37 The review concluded that the SHMA documents make a number of assumptions and judgements which Lichfields considered to be flawed, or which do not properly respond to the requirements of policy and guidance. As a result, the recommended OAHN was not robust and was inadequate to meet need and demand within the HMA.

3.38 The review noted that there were a number of significant deficiencies in the City of York SHMA and Addendum which means that the 841dpa OAHN figure currently being pursued by CYC is not soundly based. In particular:

- 1 The demographic modelling downplayed the robustness of the 2014-based SNPP which were not supported by the evidence in other aspects of the document;
- 2 As a result, the Council's 841dpa OAHN figure was actually below the demographic starting point in the latest 2014-based SNHP of 853hpa even before any adjustments were made;
- 3 Adjustments to headship rates had been conflated with the uplift for market signals. The SHMA did not apply a separate uplift for market signals, but instead made an adjustment to the demographic modelling based on changes to headship rates which should be part of a normal adjustment to the demographic starting point before market signals are considered. As a result, there was no adjustment for market signals at all despite the significant and severe market signal indicators apparent across the City of York;
- 4 A 'black-box' approach had been taken to the economic-led modelling, with key evidence relating to how the job projections had been factored into any PopGroup model being unpublished; and,
- 5 No explicit consideration or uplift applied in respect of delivering more homes to meet the needs of households in affordable housing need. This was despite the SHMA and Addendum indicating a level of affordable housing need (of 573dpa and 627dpa respectively) which would only be met well in excess of the concluded OAHN.

3.39 In combination, the judgements and assumptions applied within the SHMA sought to dampen the level of OAHN across the City of York. Fundamentally, it was considered that the OAHN(s) identified in the SHMA and Addendum failed to properly address market signals, economic or affordable housing needs, as envisaged by the Framework and Practice Guidance as clarified by High Court and Court of Appeal judgements.

- 3.40 Lichfields undertook its own analysis of housing need for the City of York. Based on the latest demographic data, and through the use of the industry standard PopGroup demographic modelling tool, it was Lichfields' view that the OAHN for York was at least 1,125dpa, although there was a very strong case to meet affordable housing needs in full, in which case the OAHN would equate to 1,255dpa (rounded).
- 3.41 If long term migration trends were to continue into the future, this would justify a higher OAHN of 1,420dpa, although due to uncertainties regarding the level of international net migration into York it was considered that less weight should be attached to this figure.
- 3.42 This allowed for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this range would ensure compliance with the Framework<sup>28</sup> by significantly boosting the supply of housing. It would also reflect the Framework<sup>29</sup>, which seeks to ensure the planning system does everything it can to support sustainable development.

### September 2017 SHMA Assessment Update

- 3.43 The stated purpose of GL Hearn's Assessment Update is to review the housing need in York taking into account of the latest demographic information. In particular, it reviews the impact of the 2014-based SNHP and the 2015 Mid-Year Estimates (both published June 2016).
- 3.44 The Assessment Update also reviews the latest evidence on market signals within the City. The report states that this is not a full trend-based analysis but rather a snapshot of the latest evidence to be read in conjunction with the full SHMA document. As such, the report does not revisit the affordable housing need for the City, nor does it update analysis on the mix of housing required or the needs for specific groups.
- 3.45 The report [§2.2] finds that over the 2012-32 period, the 2014-based SNPP projects an increase in population of around 31,400 people (15.7%) in York. This is somewhat higher than the 2012-based SNPP (12.2%) and also higher than the main 2016 SHMA projection (which factored in population growth of 13.7%).
- 3.46 The report [§2.11] states that the official population projections (once they are rebased to include the latest 2015 MYE) indicate a level of population growth which is higher than any recent historic period or any trend based forecast of growth. It should therefore be seen as a positive step to consider these as the preferred population growth starting point.
- 3.47 The analysis [§2.17] finds that by applying the headship rates within the 2014-based SNHP the level of housing need would be for 867dpa – this is c.4% higher than the figure (833dpa) derived in the 2016 SHMA for the main demographic based projection.

Table 3.3 Projected Household Growth 2012-32 - Range of demographic based scenarios

	Change in households	Dwellings (per annum)
2014-based SNPP	17,120	867
2014-based SNPP (+MYE)	17,096	866

Source: SHMA Assessment Update (September 2017)

- 3.48 The report [§2.19] notes that within the SHMA, analysis was also undertaken (as part of the

<sup>28</sup> Framework - §47

<sup>29</sup> Framework - §19

market signals analysis) to recognise a modest level of suppressed household formation – this essentially took the form of returning the household formation/headship rates of the 25-34 age group back to the levels seen in 2001 (which is when they started to drop). With an uplift to the household formation rates of the 25-34 age group, the housing need (when linked to 2014-based projections when updated) increases to 873dpa. When the mid-year estimates are factored in, the housing need decreases slightly to 871dpa.

Table 3.4 Projected Household Growth 2012-32 - Range of demographic based scenarios (with uplift to headship rates for 25-34 age group)

	Change in households	Dwellings (per annum)
2014-based SNPP	17,232	873
2014-based SNPP (+MYE)	17,209	871

Source: SHMA Assessment Update (September 2017)

3.49 The SHMA Assessment Update [§5.3-5.4] states:

*“Furthermore there is also the clear desire of the Government to boost housing delivery, and therefore setting an OAN that is below the most recent official projections while justifiable might be difficult to support.”*

*“There is however an apparent continued suppression of household formation rates within younger age groups within the official projections. In order to respond to this we have increased the household formation rates in this age group to the levels seen in 2001. The housing need (when linked to 2014-based projections) increases to 873 dwellings per annum. When the mid-year estimates are included the housing need decreases to 871dpa. This should be seen as the demographic conclusions of this report”.*

3.50 GL Hearn therefore clearly accepts that an increase in household formation rates is necessary to respond to continued suppression of household formation rates within younger age groups within the official projections. However this ‘demographic conclusion’ of 871dpa does not appear to have been carried forward by GL Hearn through to the next steps of calculating the resultant housing need, as summarised below.

3.51 With regard to market signals and affordable housing the Assessment Update [§3.19] notes that:

*“On balance, the market signals are quite strong and there is a notable affordable housing need. Combined these would merit some response within the derived OAN. This is a departure from the previous SHMA and the Addendum which did not make any market signals or affordable housing adjustment.”*

3.52 The report considers a single adjustment to address both of these issues on the basis that they are intrinsically linked. The Assessment Update [§3.28] states:

*“Given the balance of judgement it would appear that a 10% adjustment could be justified in York on the basis of the previously established affordable housing need the updated market signals evidence.”*

3.53 With regard to this matter the Assessment Update [§5.6-5.7] draws the following conclusions:

*“In response to both market signals and affordable housing need we have advocated a 10% uplift to the OAN. In line with the PPG this was set against the official starting point of 867dpa. The resultant housing need would therefore be 953dpa for the 2012-32*

*period.”*

*“The level of housing need identified is someway higher than the previous SHMA reflecting the increased starting point but also the inclusion of a market signals uplift. This OAN would meet the demographic growth in the City as well as meet the needs of the local economy”.*

- 3.54 Lichfields agrees with making an adjustment for demographic and household formation rates to get to 871dpa. However, it is illogical to then revert back to the unadjusted projections of 867dpa and then apply the adjustment for market signals and affordable housing to this lower, discredited figure.
- 3.55 Moving on, GL Hearn models a series of economic growth forecasts. In this regard, they conclude that the level of housing associated with the economic growth projections are lower than the 867/871dpa demographic need, the Assessment Update considers that there is no justification for an uplift to housing numbers in the City to support the expected growth in employment.
- 3.56 As such, the report concludes that by applying a 10% uplift to the demographic starting point of 867dpa results in an OAHN of 953dpa for York City for the 2012-2032 period. However, as noted above, the Council has inserted an ‘Introduction and Context to Objective Assessment of Housing Need’ to the front of the Assessment Update which contests the need for any adjustment to the 2014-based SNHP figure.
- 3.57 It notes that Members of the Council’s Executive at the meeting on 13th July 2017 resolved that on the basis of the housing analysis set out in paragraphs 82 - 92 of the Executive Report, the increased figure of 867dpa.

## 4.0 Critique of the SHMA Update

### Introduction

- 4.1 The Companies have serious concerns and wish to raise strong objections to the way in which the Council has chosen to identify an OAHN of 867dpa and the subsequent identification of this need as the housing requirement in Policy SS1 of the LPP. As noted above, the 'Introduction and Context to Objective Assessment of Housing Need' (inserted by the Council at the front of the SHMA Update Assessment) states [page 2]:

*"Members of the Council's Executive at the meeting on 13th July 2017 resolved that on the basis of the housing analysis set out in paragraphs 82 - 92 of the Executive Report, the increased figure of 867 dwellings per annum, based on the latest revised sub national population and household projections published by the Office for National Statistics and the Department of Communities and Local Government, be accepted."*

*"Executive also resolved that the recommendation prepared by GL Hearn in the draft Strategic Housing Market Assessment, to apply a further 10% to the above figure for market signals (to 953 dwellings per annum), is not accepted on the basis that Hearn's conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations."*

- 4.2 This is effectively a 'policy-on' intervention by the Council which should not be applied to the OAHN. It has been confirmed in the Courts that OAHN is 'policy off' and does not take into account supply pressures. The judgment of Hickinbottom J in Solihull sets out the definition of OAHN [§37]:

*"Full Objective Assessment of Need for Housing: This is the objectively assessed need for housing in an area, leaving aside policy considerations (Lichfields emphasis). It is therefore closely linked to the relevant household projection; but is not necessarily the same. An objective assessment of housing need may result in a different figure from that based on purely demographics if, e.g., the assessor considers that the household projection fails properly to take into account the effects of a major downturn (or upturn) in the economy that will affect future housing needs in an area. Nevertheless, where there are no such factors, objective assessment of need may be – and sometimes is – taken as being the same as the relevant household projection."*

- 4.3 With regard to this matter, the SHMA Assessment Update [§§5.8-5.9] clearly states:

*"The official projections should be seen a starting point only and housing delivery at this level (867dpa) would only meet the demographic growth of the City. It would not however address the City's affordability issues."*

*"Without the 10% uplift for market signals/affordable housing need the City's younger population would fail to form properly. This would result in greater numbers residing with parents or friends or in share accommodations such as HMOs."*

- 4.4 GL Hearn is therefore clear that the 867dpa figure is not an appropriate OAHN. On one level, it is the incorrect demographic starting point in any case, which according to GL Hearn's work is 871dpa following suitable adjustments to the 2014-based SNHP to incorporate the 2015 MYE and accelerated household formation rates. On the second level, there is an array of evidence, which we examine in further detail below, that York City is one of the least affordable local authority areas in Northern England. A market signals uplift of 10% is the very least that would

be appropriate, and indeed we provide evidence that suggests that an even higher uplift, of 20% should actually be applied.

- 4.5 It is therefore not acceptable for the Council to ignore its own housing expert's advice. The Council's approach to identifying an OAHN of 867dpa, as set out in the front section of the SHMA Assessment Update, is policy-on driven and is therefore contrary to the guidance provided by the Courts. The calculation of OAHN should be based on the normal 'policy-off' methodology.
- 4.6 Notwithstanding these points, the remainder of this section provides a detailed critique of GL Hearn's SHMA Assessment Update.

## Starting Point and Demographic-led Needs

### Population Change

- 4.7 The Practice Guidance<sup>30</sup> sets out that in assessing demographic-led housing needs, the CLG Household Projections form the overall starting point for the estimate of housing need, but these may require adjustments to reflect future changes and local demographic factors which are not captured within the projections, given projections are trend based. In addition, it states that account should also be taken of ONS' latest Mid-Year Estimates [MYEs]<sup>31</sup>.
- 4.8 The SHMA Assessment Update applies the 2014-based SNPP which projects an increase in population of around 31,400 people (15.7%) in York. This is higher than the 2012-based SNPP (12.2%) and also higher than the main SHMA projection (which had population growth of 13.7%). It also considers longer term migration trend using the latest available evidence from the 2014-SNPP and the 2015 Mid-Year Estimate.
- 4.9 The SHMA Assessment Update considers housing need based on the (then) latest CLG 2014-based household projections over the period 2012 to 2032.
- 4.10 The Companies agree with the overall principle of taking the 2014-based SNPP as the demographic starting point and rebasing population growth off the latest Mid-Year Population Estimates.
- 4.11 However, it is important to note that the household projections upon which York's OAHN is based relate to C3 uses only, and not C2. Specifically, and of particular relevance to the City of York, CLG's household projections do not include an allowance for students who might be expected to reside in Halls of Residence (termed, along with people living in nursing homes, military barracks and prisons, as the 'Institutional population').
- 4.12 As summarised by CLG in its 2014-based household projections Methodological Report (July 2016), the household projections are based on the projected household population rather than the total population. The difference between the two is the population in communal establishments, also termed the 'institutional' population. This population comprises all people not living in private households and specifically excludes students living in halls of residence:
- "The institutional population is subtracted from the total resident population projections by age, sex and marital status to leave the private household population, split by sex, age and marital status in the years required for household projections."* [page 12]
- 4.13 This is important for the City of York, because it means that if the household projections are used as the basis for calculating the OAHN (which GL Hearn's methodology does), it specifically excludes a substantial proportion of specialised student accommodation needs.

<sup>30</sup> Practice Guidance - ID 2a-015-20140306

<sup>31</sup> Practice Guidance - ID 2a-017-20140306

## Household Formation Rates

4.14 The Practice Guidance<sup>32</sup> indicates that in respect of household projections:

*“The household projections are trend based, i.e. they provide the household levels and structures that would result if the assumptions based on previous demographic trends in the population and rates of household formation were to be realised in practice...”*

*“...The household projection-based estimate of housing need may require adjustment to reflect factors affecting local demographic and household formation which are not captured in past trends...rates may have been suppressed historically by under-supply and worsening affordability of housing...”*

4.15 The SHMA Assessment Update notes that there is no material difference 2014-based SNHP headship rates and the household formation rates from the 2012-based version.

4.16 The SHMA [§2.19] accepts that there has been a level of suppressed household formation arising from the 25-34 age group and in relation to this matter states [§§5.3-5.4]:

*“Furthermore there is also the clear desire of the Government to boost housing delivery, and therefore setting an OAN that is below the most recent official projections while justifiable might be difficult to support.”*

*“There is however an apparent continued suppression of household formation rates within younger age groups within the official projections. In order to respond to this we have increased the household formation rates in this age group to the levels seen in 2001. The housing need (when linked to 2014-based projections) increases to 873 dwellings per annum. When the mid-year estimates are included the housing need decreases to 871 dpa. This should be seen as the demographic conclusions of this report.”*

4.17 GL Hearn clearly accepts that an increase in household formation rates is necessary to respond to continued suppression of household formation rates within younger age groups within the official projections. We agree with this. However this adjusted demographic figure of 871dpa does not appear to have been carried forward by GL Hearn in calculating the resultant housing need, as noted below.

4.18 Lichfields agrees with making an adjustment for demographic and household formation rates. However, it is illogical to revert back to unadjusted projections of 867 dpa and then take this to apply the adjustment for market signals and affordable housing, when an adjusted demographic need of 871dpa has been identified.

## Market Signals

4.19 The Framework sets out the central land-use planning principles that should underpin both plan-making and decision-taking. It outlines twelve core principles of planning that should be taken account of, including the role of market signals in effectively informing planning decisions:

*“Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.” [S17]*

4.20 The Practice Guidance<sup>33</sup> requires that the housing need figure as derived by the household

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<sup>32</sup> Practice Guidance - ID 2a-015-20140306

<sup>33</sup> Practice Guidance - ID 2a-019-20140306

projections be adjusted to take into account market signals. It indicates that comparisons should be made against the national average, the housing market area and other similar areas, in terms of both absolute levels and rates of change. Worsening trends in any market signal would justify an uplift on the demographic-led needs. In addition, the Practice Guidance<sup>34</sup> highlights the need to look at longer terms trends and the potentially volatility in some indicators.

4.21 The Practice Guidance also sets out that:

*“...plan-makers should not attempt to estimate the precise impact of an increase...rather they should increase planning supply by an amount that, on reasonable assumptions...could be expected to improve affordability...”<sup>35</sup>.*

4.22 This clearly distinguishes between the demographic-led need for housing (generated by population and household growth) and the market signals uplift which is primarily a supply response over and above the level of demographic need to help address negatively performing market signals, such as worsening affordability.

4.23 The SHMA Assessment Update (Section 3) examines a range of market signals as set out in the Practice Guidance, comparing the City of York to Ryedale, Hambleton, Yorkshire and the Humber region and England. It states that the update is a targeted update to the market signals section looking using recently published data, not a full update, as many of the datasets used have not been updated since publication of the SHMA. Attached at Appendix 1 is Lichfields’ own assessment of market signals in City of York which has been used for comparison purposes.

4.24 The findings of the SHMA Assessment Update can be summarised (with Lichfields’ commentary included) as follows:

- 1 **Land Prices** – No analysis has been presented, as was the position on the 2016 SHMA. As noted in our market signals assessment in Appendix 1, CLG land value estimates suggest a figure of £2,469,000 per hectare, well above the equivalent figure for England (excluding London) of £1,958,000.
- 2 **House Prices** – The 2016 SHMA outlined significant house price growth in the HMA between 2011 and 2007. By Q4 2014 house prices in York had reached £195,000 and by Q2 2016 this had increased to £225,000. The Assessment Update notes that, based on 2016 data, the average (median) house price in York was £215,000, compared to £148,000 across the Yorkshire and Humber region. Our market signals analysis in Appendix 1 suggests that the average (median) house price in York in 2016 was £220,000 compared to £199,995 for the North Yorkshire region. It is particularly important to note that over the previous 17 years (1999-2016), median house prices have increased by 244% (or £156,000) in York, compared to 204% nationally and 199% across North Yorkshire as a whole.

As set out in the Practice Guidance, higher house prices and long term, sustained increases can indicate an imbalance between the demand for housing and its supply. The fact that York’s median house prices have effectively tripled in 17 years, from £64,000 in 1999 to £220,000 in 2016, and have risen at a much faster rate than comparable national and sub-regional figures, suggests that the local market is experiencing considerable levels of stress.

- 3 **Rents** – The Assessment Update [§3.8] notes that the most recent data shows that England has grown to £650 (+8%), while York has seen median rental prices increase to £700 (+4%). In contrast rents in the region only grew by 1% to £500 per month. The Assessment Update [§3.9] finds that the most recent data shows a strong upward trend in the number of rental transactions in York although they have been falling over the last six months. In York rental transactions are currently 73% higher than in September 2011, showing a

<sup>34</sup> Practice Guidance - ID 2a-020-20140306

<sup>35</sup> *ibid*

continued return to the longer term trend than seen in the previous SHMA. By comparison, in Yorkshire and the Humber rental volumes are still slightly above (6%) past figures. Nationally, over this period there has been a slight downward trend.

Our market signals analysis in Appendix 1 shows that Median rents in York are £725 per month, with median rents ranging from £595 per month for a 1 bed flat, to £1,500 per month for a 4+ bed house. All of these figures are significantly higher than the national average, with overall average rents comprising £675 across England, and £585 for North Yorkshire. Rental levels are therefore 7.4% higher than comparable national figures. High and increasing private sector rents in an area can be a further signal of stress in the housing market.

- 4 **Affordability** – The Assessment Update [§3.10] acknowledges the affordability issues faced within the HMA with the Median Ratio being 8.3 times earnings in 2015 (compared to 7.6 nationally), whilst the Lower Quartile [LQ] ratio is 8.9 times earnings (compared to 7.0 nationally). However, it does not discuss this stark indicator of supply/demand imbalance, preferring to note instead that much of the growth in (un)affordability took place prior to 2005, with limited changes to affordability in the past decade[§3.11].

Lichfields' market signals analysis in Appendix 1 shows that although the ratio fell substantially from a peak of 8.14 in 2008 following the financial crash and subsequent economic downturn, it has steadily increased since 2009 at a much faster rate than North Yorkshire as a whole. This suggests that levels of affordability are declining in York at a pace which is not the case for the rest of the sub-region (and indeed, for the country as a whole). In 2016, the median house price in York City was approximately 9.0-times the LQ workplace-based income, compared to 7.8 for North Yorkshire and 7.2 nationally.

Our analysis shows the over the past 19 years, the ratio of lower quartile house prices to lower quartile earnings in York has been consistently above the national average, with the gap widening over time. Indeed, the rate of increase is worrying – between 2002 and 2016, the affordability ratio increased by 39%, significantly above the comparable growth rate for North Yorkshire (+27%) and England (+37%).

The affordability ratio highlights a constraint on people being able to access housing in York, with house price increases and rental costs outstripping increases in earnings at a rate well above the national level.

- 5 **Rates of Development** – the Practice Guidance is clear that historic rates of development should be benchmarked against the planned level of supply over a meaningful period. The Assessment Update [§3.13] examines housing completions data for York dating back to 2004/05 and sets these against the annual housing target from 2004/05 to 2015/16. With the exception of the last year, housing delivery in York has missed the target each year since 2007. Overall delivery targets for these years was missed by 20% which equals 2,051 units below the target level. GL Hearn notes [§3.14] that under-delivery may have led to household formation (particularly of younger households) being constrained and states that this point is picked up in the report which uses a demographic projection based analysis to establish the level of housing need moving forward.

The Assessment Update [§3.15] considers that this past under-delivery is not a discrete part of the analysis but is one of the various market signals which indicate a need to increase provision from that determined in a baseline demographic projection. It notes that that this market signal will require upward adjustment through consideration of migration and household formation rates rather than just a blanket increase based on the level of 'shortfall'.

It is clear from the Council's own evidence that the City has consistently under-delivered housing, with a failure to deliver anything more than 525 dwellings in any single year between 2007 and 2015. The policy benchmarks suggest that the level of past under-

delivery is 1,793 dwellings over the past 12 years. Furthermore, the Council's already low housing delivery figures have been artificially boosted by the inclusion of student accommodation in the completions figures. For example, CYC's 2012/13 Annual Monitoring Report states that 482 (net) dwellings were completed in 2012/13, but this figure includes 124 student cluster flats. The 6 months completions data set out in CYC's Housing Monitoring Update (Table 3, October 2017) suggested that the Council was continuing to rely on student housing completions to boost its housing numbers, with 637 of the total 1,036 net completions during the first half of the 2017/18 monitoring year comprising privately managed off-campus student accommodation.

- 6 Overcrowding** - No analysis has been presented. Our market signals analysis in Appendix 1 shows overcrowding against the occupancy rating in York is not severe, with 7.10% of households living in a dwelling that is too small for their household size and composition. This compares to 8.7% nationally. However, it represents a significant increase of 2 percentage points on the 5.1% recorded in York in 2001, which is above the national trend (which had increased by 1.6 percentage points from 7.1% in 2011). From our analysis we also note that when compared against neighbouring Yorkshire districts, York is the worst performing district regarding the rate of change in overcrowded households.

4.25 In response to both market signals and affordable housing need, the Assessment Update advocates a 10% uplift to the OAN [§3.31].

4.26 Lichfields agrees that based on the market signals analysis there are clear housing market pressures, particularly regarding affordability within the HMA. The Practice Guidance<sup>36</sup> is clear that any market signals uplift should be added to the demographic-led *needs* as an additional *supply* response which could help improve affordability, and further goes on to clarify that:

*"...plan makers should not attempt to estimate the precise impact of an increase in housing supply. Rather they should increase planned supply by an amount that, on reasonable assumptions...could be expected to improve affordability..."* (Lichfields emphasis)

4.27 The Practice Guidance<sup>37</sup> is also clear that:

*"...the more significant the affordability constraints...and the stronger the other indicators of high demand... the larger the improvement in affordability needed and, therefore the larger the additional supply response should be."*

4.28 Whilst it is not clear cut from the Practice Guidance how an upwards adjustment should be calculated, some recent Local Plan Inspector's findings have provided an indication as to what might be an appropriate uplift. The Inspector's Report into the Eastleigh Borough Local Plan (11<sup>th</sup> February 2015)<sup>38</sup> provide interpretation of the Practice Guidance in terms of a reasonable uplift on demographic-led needs in light of market signals:

*"It is very difficult to judge the appropriate scale of such an uplift. I consider a cautious approach is reasonable bearing in mind that any practical benefit is likely to be very limited because Eastleigh is only a part of a much larger HMA. Exploration of an uplift of, say, 10% would be compatible with the "modest" pressure of market signals recognised in the SHMA itself."* [§§40-41].

4.29 The Eastleigh Inspector ultimately concluded that a modest uplift of 10% is a reasonable proxy for quantifying an increase from purely demographic based needs to take account of 'modest' negatively performing market signals. Furthermore, Inspectors have used figures of up to 20% for 'more than modest' market signal indicators, notably in the case of Canterbury, where the

<sup>36</sup> Practice Guidance - ID:2a-020-20140306

<sup>37</sup> Practice Guidance - ID:2a-020-20140306

<sup>38</sup> [http://www.eastleigh.gov.uk/pdf/ppi\\_Inspectorsreport12Feb15.pdf](http://www.eastleigh.gov.uk/pdf/ppi_Inspectorsreport12Feb15.pdf)

Inspector concluded that:

*“Taking these factors in the round it seems to me that 803dpa would achieve an uplift that took reasonable account of market signals, economic factors, a return to higher rates of household formation and affordable housing needs.”<sup>39</sup>*

4.30 From the indicators set out by Lichfields in Appendix 1, as shown in Table 4.1, and from the commentary and analysis undertaken by GL Hearn, we consider that the current levels of market stress should be considered more severe than the ‘modest’ uplift the SHMA suggests. An application of other approaches (discussed above) would suggest an uplift of 20% could be appropriate for the City of York.

4.31 Drawing together the individual market signals above begins to build a picture of the current housing market in and around York; the extent to which demand for housing is not being met; and, the adverse outcomes that are occurring because of this. The performance of York against County and national comparators for each market signal is summarised in Table 4.1. When quantified, York has performed worse in market signals relating to both absolute levels and rates of change against North Yorkshire and England in 13 out of 28 measures.

Table 4.1 Summary of York Market Signals against North Yorkshire and England

Market Signal	North Yorkshire		England	
	Absolute Figure	Rate of Change	Absolute Figure	Rate of Change
House Prices	Worse	Worse	Better	Worse
Affordability Ratios	Worse	Worse	Worse	Worse
Private Rents	Worse	Worse	Worse	Better
Past Development	~	~	~	~
Homelessness (Households in Temporary Accommodation)	Better	Better	Better	Better
Homelessness (Households in Priority Need)	Better	Better	Better	Better
Overcrowding (Overcrowded Households)	Worse	Worse	Better	Worse
Overcrowding (Concealed Families)	Same	Same	Better	Better

Source: Lichfields Analysis

Footnote: Worse = performing worse against the average  
 Better = performing the same or better against the average  
 ~ = data not available

4.32 It is clear that the City is currently facing very significant challenges in terms of house prices and private rental values and under delivery, causing affordability difficulties. The GL Hearn analysis is an improvement from the 2016 SHMA and clearly is an improvement from the Council’s approach to identifying an OAHN of 867dpa, but even so, is inadequate to address the current housing crisis. For the aforementioned reasons a 20% uplift is preferable.

4.33 Whilst it can only be applied limited weight at the current time, Lichfields also note that the CLG methodology, based on the median workplace based affordability ratio, would suggest an uplift of 27% for market signals.

4.34 GL Hearn also conflates market signals and affordable housing in the 10% uplift, which is a fundamental misreading of the Practice Guidance, and should be addressed separately (see below for affordable housing commentary).

<sup>39</sup>Canterbury District Council Local Plan Examination August 2015, Inspector’s Letter and Note on main outcomes of Stage 1 Hearings, paragraph 26.

## Economic Growth

- 4.35 With regards to considering the need to uplift a housing figure to take account of the economic potential of the local authority, the Framework sets out the following:
- “The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.” [S19]*
- 4.36 The SHMA Assessment Update presents no alternative to the work in the June 2016 SHMA. It states [S4.3] that the housing need required to meet the economic growth is lower than the demographic need. Furthermore evidence of more recent forecasts suggests that the economic growth will be even lower than anticipated. Therefore GL Hearn considers that on balance, there is unlikely to be any justification for an uplift to housing numbers in the City to support expected growth in employment. The Update states that the uplift for market signals would see the likelihood for an economic uplift reduce.
- 4.37 Lichfields considers that this approach fails to address the concerns raised in our previous submissions on behalf of the Companies to the Preferred Sites Consultation. Included in those submissions was ‘Technical Report 1’ which noted that June 2016 SHMA presents a suppressed picture of likely economic growth, drawing upon economic forecasts produced in 2014, which are outdated. The submission noted that we could only provide a limited analysis on the robustness of GL Hearn’s assessment of the implications of the job forecasts as they had not set out their assumptions in detail, and we reserved the right to review these assumptions if/when they were provided by GL Hearn.
- 4.38 Given that the SHMA Assessment Update provides no further information on this matter it has not been possible for Lichfields to make any further analysis at this stage. On this basis, the concerns raised on behalf of the Companies in Technical Report 1 still stand, particularly as the LPP Policy SS1 identifies a specific target to provide sufficient land to accommodate an annual provision of around 650 new jobs to support sustainable economic growth.

## Affordable Housing Needs

- 4.39 In line with the Framework<sup>40</sup>, LPAs should:
- “...use their evidence based to ensure their Local Plan meets the full, objectively assessed needs for market and affordable housing...”*
- “...prepare a SHMA which...addresses the need for all types of housing, including affordable.”*
- 4.40 The Practice Guidance<sup>41</sup> sets out a staged approach to identifying affordable housing needs, and states that affordable housing need should be:
- “...considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments...an increase in the total housing figures included in the plan should be considered where it could help deliver the required number of affordable homes.”*
- 4.41 As set out in Section 2.0, two High Court Judgements go to the heart of addressing affordable housing within the identification of OAHN. ‘Satnam’ establishes that affordable housing needs are a component part of OAHN, indicating that the ‘proper exercise’ is to identify the full

<sup>40</sup> Framework - Paragraphs 47 and 159

<sup>41</sup> Practice Guidance - ID: 2a-022-20140306 to 2a-029-20140306

affordable housing needs and then ensure that this is considered in the context of its likely delivery as a proportion of mixed market/affordable housing development. ‘Kings Lynn’ builds on ‘Satnam’, identifying that affordable housing needs “*should have an important influence increasing the derived OAHN since they are significant factors in providing for housing needs within an area.*” [§36] This is clear that affordable housing needs are a substantive and highly material driver of any conclusion on full OAHN.

4.42 The SHMA Assessment Update states that it does not review affordable housing need but the situation is unlikely to have changed significantly from the 2016 SHMA. The 2016 SHMA identified a net affordable housing need of 573 homes per annum or 12,033 dwellings over the 2012-2033 period. This suggests a worsening situation when compared with the previous figure of 486 affordable homes per annum needed in the previous 2011 SHMA, produced by GVA.

4.43 The SHMA Assessment Update [§3.3] suggests that large parts of this need are either existing households (who do not generate need for additional dwellings overall) or newly forming households (who are already included within the demographic modelling).

4.44 It further states [§§3.17-3.18] that:

*“The City of York Council currently have an affordable housing policy of up to 30%. The SHMA identified a net affordable housing need of 573 dwellings. Based on this level of need and the current policy the City would require to deliver 1,910 dwellings per annum. To put this in context the City has only delivered more than 1000 homes once since 2004-5. Using a lower policy target would result in an even higher need.”*

*“While there is clearly an affordable housing issue in the City many of the households in need are already in housing (just housing that is not suitable for some reason such as overcrowding) and therefore do not generate a need for additional dwellings”.*

4.45 The provision of the net affordable housing need identified is likely to be unrealistic given past dwelling completions in City of York. With regard to this matter the SHMA Assessment Update states [§3.28]:

*“Given the balance of judgement it would appear that a 10% adjustment could be justified in York on the basis of the previously established affordable housing need the updated market signals evidence.”*

4.46 In taking this approach, GL Hearn is effectively conflating the uplift resulting from affordable housing need with uplift resulting from market signals analysis. These are two separate steps in the Practice Guidance and should not be combined in this manner.

4.47 Lichfields has not analysed in detail the figures forming the assessment of affordable housing needs, due in part to limitations on access to the underlying data; instead, Lichfields has focused on how this need has informed the OAHN conclusion.

### **Addressing Affordable Housing Needs**

4.48 Having identified the affordable housing needs, the Practice Guidance requires an assessment of its likely delivery to consider whether there is a need to uplift or adjust the OAHN and planned housing supply in order to address affordable housing needs. This is what the ‘Satnam’ judgment calls the ‘proper exercise’ and is undertaken by the 2016 SHMA within Figure 30. This concludes that to meet affordable housing need in full the City of York would need to deliver 573dpa. At a delivery rate of 30% of overall housing, this means that the City would need to deliver 1,910dpa to address affordable housing needs in full.

4.49 Taking into account affordable need within the calculation of OAHN does not necessarily involve a mechanistic uplift, or an indication that such identified needs must be met in full. It

has to be a scenario which, on a reasonable basis, could be expected to occur. This is set out in the Kings Lynn judgment which concluded:

*"...This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being developed." [§35]*

This is also consistent with the Practice Guidance<sup>42</sup> which sets out the assessment of need "does not require local councils to consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur."

- 4.50 However, in line with the High Court Judgments, this still needs to be an uplift of consequence, insofar as it can reasonably be expected to occur. This will inevitably need to involve judgement, based on relevant evidence, as to the extent to which any scale of uplift could be reasonably expected to occur.
- 4.51 The SHMA ultimately does not use the identified acute affordable housing needs in a way in which it has "an important influence in increasing the derived F[ull] OAN" as per the Kings Lynn judgment.
- 4.52 The Local Plan Expert Group [LPEG], in its Report to the Secretary of State for Communities and Local Government in March 2016, recommended various changes to the Practice Guidance with the remit of considering how local plan-making could be made more efficient and effective. Although very limited weight can be given to the LPEG approach given that it is not policy or endorsed by Government, it is at least helpful in seeking to understand the general 'direction of travel' of defining OAHN and what an appropriate response might be to define the influence of market signals and affordable housing needs. LPEG recommended changes to the preparation of SHMAs and determination of OAHN.
- 4.53 With regard to affordable housing need in the preparation of SHMAs and determination of OAHN it proposed that where the total number of homes that would be necessary to meet affordable housing need is greater than the adjusted demographic-led OAHN, then this figure (953dpa) should be uplifted by a further 10%. The 10% uplift was intended to provide a streamline approach that removes judgement and debate from the process of setting OAHN (as opposed to what might be the most accurate under current Practice Guidance).
- 4.54 Given the significant affordable housing need identified in City of York Lichfields considers that this 10% uplift would be appropriate in this instance and should be applied to the OAHN.

## **MHCLG Standardised Approach to OAHN**

- 4.55 As noted in Section 2, MHCLG has recently published for consultation the draft Planning Practice Guidance, which sets out the standard method for calculating local housing need, including transitional arrangements first set out in "Planning for the right homes in the Right Places" ..
- 4.56 Whilst relatively limited weight can be attached to this document at present given its consultation status, for the City of York, if adopted as MHCLG proposes, the approach would mean that the OAHN over the period 2016-2026 is 1,070 dpa.
- 4.57 This is based on an annual average level of household growth of 844 dpa between 2016 and 2026, uplifted by a very substantial 27% to address the fact that the latest median workplace-based affordability ratio is 8.3.

<sup>42</sup> Practice Guidance - ID:2a-003-20140306

## Conclusions on the City of York's Housing Need

- 4.58 The Council's approach to identifying an assessed need of 867 dpa in the introductory section of the SHMA Assessment Update is fundamentally flawed. This is a 'policy-on' intervention by the Council which should not be applied to the OAHN. It has been confirmed in the Courts that FOAN is 'policy off' and does not take into account supply pressures. The Council's approach to identifying the FOAN, as set out in the SHMA Assessment Update, would therefore be susceptible to legal challenge. The calculation of OAHN should therefore be based on the normal 'policy-off' methodology.
- 4.59 There are a number of significant deficiencies in the SHMA Assessment Update which means that even the higher 953 dpa OAHN figure identified in the Assessment Update is not soundly based. In particular:
- 1 GL Hearn clearly accepts that an increase in household formation rates is necessary to respond to continued suppression of household formation rates within younger age groups within the official projections. However this demographic conclusion of 871 dpa does not appear to have been carried forward by GL Hearn in calculating the resultant housing need, as noted below. Lichfields agree with making an adjustment for demographic and household formation rates. However, it is illogical to revert back to unadjusted projections of 867 dpa and then take this to apply the adjustment for market signals and affordable housing, when a demographic need of 871 dpa has been identified.
  - 2 The Assessment Update fails to distinguish between the affordable housing needs of the City of York and the supply increase needed to address market signals to help address demand. Instead the SHMA blends the two elements within the same figure resulting in a conflated figure which is lower than the level of uplift deemed reasonable by the Eastleigh and Canterbury Inspectors, despite the fact that market signals pressures in York indicate signs of considerable stress and unaffordability. The Practice Guidance is clear that the worse affordability issues, the larger the additional supply response should be to help address these.
  - 3 Given the significant affordable housing need identified in City of York Lichfields consider that a 20% uplift would be appropriate in this instance and should be applied to the OAHN.
- 4.60 The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:
- 1 **Demographic Baseline:** The 2014-based household projections indicate a net household growth of 867dpa between 2014 and 2024 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly lower) 2015 MYE, and through the application of accelerated headship rates amongst younger age cohorts takes the demographic starting point to 871 dpa.
  - 2 **Market Signals Adjustment:** GL Hearn's uplift is 10%. However, for the reasons set out above, Lichfields considers that a greater uplift of 20% would be more appropriate in this instance. When applied to the 871 dpa re-based demographic starting point, this would indicate a need for 1,045 dpa.
- The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by Experian, past trends or the Blended job growth approach. As such, no upward adjustment is required to the demographic-based housing need figures to ensure that the needs of the local economy can be met;
- The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need over and above the 1,045 dpa set out above. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level

of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields consider that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a final figure of **1,150 dpa**.

This is **7.5% higher** than the MHCLG proposed standardised methodology figure of 1,070 dpa.

- 4.61 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this range would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.
- 4.62 It is emphasised again that CLG's household projections explicitly exclude the housing needs of students living in halls of residence. GL Hearn has used the latest CLG 2014-based household projections to underpin its housing OAN for York. The market signals adjustment it makes does not address the separate specialised housing needs of students, which would be additional to the target identified.

## 5.0 **Approach to Assessing Housing Land Supply**

### **Introduction**

- 5.1 This section sets out the requirements of the Framework and the Practice Guidance in establishing the supply of housing land to meet the housing needs of an area. This will provide the benchmark against which the SHLAA and emerging Local Plan will be assessed, to ensure the necessary requirements are met. In addition, relevant High Court judgments have been referenced to set out the requirements of a housing supply calculation in a legal context.

### **Policy Context**

#### **National Planning Policy Framework**

- 5.2 The Framework outlines a two-step approach to setting housing requirements in Local Plans. Firstly, to define the full objectively assessed need for development and then secondly, to set this against any adverse impacts or constraints which would mean that need might not be met. This is enshrined in the approach defined in the Framework<sup>43</sup> which sets out the presumption in favour of sustainable development.

- 5.3 The Framework<sup>44</sup> stresses the intention of the Government to significantly boost the supply of housing. As a consequence, the focus of national policy is to ensure the delivery of housing and, in that context, the Framework requires LPAs to:

*"identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;*

*identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15..."<sup>45</sup>*

- 5.4 There is therefore a need for the Council to identify both a 5-year supply and a longer-term supply as part of the preparation of the Local Plan.

- 5.5 For the purpose of the supply assessment, the Framework advises that only deliverable sites should be included within the first 5-years. To be considered deliverable:

*"...sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing*

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<sup>43</sup> Framework - §14

<sup>44</sup> Framework - §47

<sup>45</sup> Framework - §47

*plans.”<sup>46</sup>*

- 5.6 The Framework states that for the period 5-15 years developable sites may be included, which are sites that are:

*“...in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.”<sup>47</sup>*

- 5.7 The Framework sets out the approach to defining such evidence which is required to underpin a local housing supply. It sets out that in evidencing housing supply:

*“LPAs should have a clear understanding of housing needs in their area. They should:*

*...*

*“...prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.”<sup>48</sup>*

## **National Planning Practice Guidance**

- 5.8 The Practice Guidance<sup>49</sup> provides further guidance on how an assessment of the housing supply is to be undertaken. It urges LPAs to assess the suitability, availability and achievability of sites, including whether the site is economically viable, to determine whether a site can be considered deliverable over the plan period.

- 5.9 In this context the Practice Guidance makes it clear that a site will be considered available when:

*“...there is confidence that there are no legal or ownership problems, such as unresolved multiple ownerships, ransom strips tenancies or operational requirements of landowners. This will often mean that the land is controlled by a developer or landowner who has expressed an intention to develop, or the landowner has expressed an intention to sell. Because persons do not need to have an interest in the land to make planning applications, the existence of a planning permission does not necessarily mean that the site is available. Where potential problems have been identified, then an assessment will need to be made as to how and when they can realistically be overcome. Consideration should also be given to the delivery record of the developers or landowners putting forward sites, and whether the planning background of a site shows a history of unimplemented permissions.”<sup>50</sup>*

- 5.10 The Practice Guidance indicates that a site is considered achievable for development where:

*“...there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of a site, and the capacity of the developer to complete and let or sell the development over a certain period.”<sup>51</sup>*

- 5.11 The LPA, when preparing a Local Plan, is urged to use the information on suitability, availability, achievability and constraints to assess the timescale within which each site is capable of development. The Practice Guidance suggests that this may include indicative lead-in times and build-out rates for the development of different scales of sites. On the largest sites

<sup>46</sup> Framework – Footnote 11

<sup>47</sup> Framework – Footnote 12

<sup>48</sup> Framework - §159

<sup>49</sup> Practice Guidance – ID:3-018-20140306

<sup>50</sup> Practice Guidance – ID:3-020-20140306

<sup>51</sup> Practice Guidance – ID:3-021-20140306

allowance should be made for several developers to be involved. The Practice Guidance<sup>52</sup> makes it clear that the advice of developers and local agents will be important in assessing lead-in times and build-out rates by year.

- 5.12 The Practice Guidance<sup>53</sup> accepts that a windfall allowance may be justified if a local planning authority has compelling evidence as set out in the Framework. In addition, it states that:

*“Local planning authorities have the ability to identify broad locations in years 6-15, which could include a windfall allowance based on a geographical area (using the same criteria as set out in paragraph 48 of the National Planning Policy Framework).”*<sup>54</sup>

- 5.13 The Practice Guidance requires LPAs to collate this above information and present it in an indicative trajectory which:

*“...should set out how much housing and the amount of economic development that can be provided, and at what point in the future. An overall risk assessment should be made as to whether sites will come forward as anticipated.”*<sup>55</sup>

- 5.14 In relation to the assessment of whether sites are deliverable within the first 5-years the Practice Guidance<sup>56</sup> indicates that deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within 5-years. It goes on to state:

*“...planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. If there are no significant constraints (e.g. infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a five-year timeframe.”*<sup>57</sup>

## Recent Legal Judgments

- 5.15 The High Court decision in the case of Exeter City Council and Secretary of State<sup>58</sup> is relevant to York as it considers the appropriateness of including student accommodation in the calculation of the housing supply in accordance with the Framework. Exeter is a University City similar to York and included student accommodation within their housing land supply.

- 5.16 The Inspector who determined the appeal<sup>59</sup> considered the inclusion of student accommodation in the 5-year supply based on the Practice Guidance which states:

*“All student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market. Notwithstanding, local authorities should take steps to avoid double counting.”*<sup>60</sup>

<sup>52</sup> Practice Guidance – ID:3-023-20140306

<sup>53</sup> Framework - §48

<sup>54</sup> Practice Guidance – ID:3-024-20140306

<sup>55</sup> Practice Guidance – ID:3-025-20140306

<sup>56</sup> Practice Guidance – ID:3-031-20140306

<sup>57</sup> Practice Guidance – ID:3-031-20140306

<sup>58</sup> Exeter City Council v Secretary of State for Communities and Local Government [2015] EWHC 1663 (Admin)

<sup>59</sup> Land at Home Farm, Church Hill, Pinhoe – Insp. Decision 29.10.14 [Ref: APP/Y1110/A/14/2215771]

<sup>60</sup> Practice Guidance – ID:3-036-20140306

5.17 The Inspector, in her decision letter, stated:

*“The Council submit that the provision of student accommodation releases housing that would otherwise be occupied by students and thereby indirectly releases accommodation within the housing market. For this reason it believes that all student accommodation should be included within the housing delivery and housing land supply figures. This view is not consistent with the PPG because it is not based on any assessment of the extent to which the provision of student accommodation has released general market housing.”*

5.18 She went on:

*“Where student population is relatively stable, and the number of general market dwellings occupied by students declines as a consequence of the provision of student accommodation, I consider the inclusion of such accommodation as part of the housing supply would be consistent with the guidance within the PPG. However, within Exeter, due to the considerable increase in the number of students relative to the provision of purpose-built student accommodation, there has not been a reduction in the number of general market dwellings occupied by students. On the contrary, there has been a significant increase...”<sup>61</sup>*

5.19 The High Court agreed that the Council did not set out any specific evidence to justify that the development of student accommodation would release housing to the market elsewhere. It stated that:

*“...it simply relied upon paragraph 3.38 of the PPG in support of its proposition that, irrespective of the extent (if any) that student accommodation was included in the housing requirement figure adopted.”<sup>62</sup>*

5.20 As a consequence, the High Court stated that the Appeal Inspector:

*“... was correct not to accede to the Council’s submission that all student accommodation supplied should or could be set off against the housing requirement. She was correct not to be persuaded by the Developers’ contention that she could not under any circumstances take into account student accommodation. She was correct to look at the facts of this case and determine whether, on the evidence before her, there was any basis for taking any of the new student accommodation into account ... she properly accepted (in paragraph 47) that, although there was currently no evidence to show that the provision of student accommodation has released housing into the general market in Exeter, the situation may in the future change if (e.g.) the delivery of student accommodation significantly exceeded the increase in student population.”<sup>63</sup>*

## Conclusion

5.21 It is against this policy context that the proposed housing supply should be considered. In practice, applying the Framework and Practice Guidance to achieve a robust supply that will meet the needs of the community is an evidence based process which should use transparent and justifiable assumptions on lead-in times, delivery rates and density. In addition, it should be clear that the sites are available and achievable over the plan period.

5.22 In the case of York, there are inherent dangers in including student housing in the supply if there is no evidence that there has been a reduction in the number of general market dwellings

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<sup>61</sup> Land at Home Farm, Church Hill, Pinhoe – Insp. Decision 29.10.14 [Ref: APP/Y1110/A/14/2215771] - §44 & §47

<sup>62</sup> Exeter City Council v Secretary of State for Communities and Local Government [2015] EWHC 1663 (Admin) - §37

<sup>63</sup> Ibid - §44

**occupied by students as a direct result of the provision of purpose-built student accommodation.**

## 6.0 Council's Housing Supply Evidence

### Introduction

6.1 Detailed representations on the Council's housing land supply evidence were submitted on behalf of the Companies to the City of York Local Plan - Preferred Sites Consultation (in 'Technical Report 2: Housing Supply'). These representations concluded the following:

- 1 The Council had not produced a trajectory or a detailed assessment of the 5-year supply position as required by the Framework. No evidence had therefore been produced to demonstrate the Council's housing supply position.
- 2 The assessment of the balance between the housing requirement and supply demonstrated that there was a significant shortfall for both the plan period and 5-year period. In these circumstances, the emerging plan was not 'sound' as required by the Framework, as the Council has not demonstrated an adequate short and longer-term supply as required by national guidance.
- 3 The Council should allocate additional land to meet the housing needs of the community and these sites should be able to deliver early in the plan period. This is the only approach that would deliver a 'sound' plan and enable the much needed investment in new housing to meet the community's needs.

These concerns have not been addressed and reference is accordingly made below in Lichfields' assessment of the Council's latest evidence.

6.2 Before considering the adequacy of the Council's supply, it is important to consider the nature and extent of the Council's evidence base in relation to the supply. Evidence on the Council's supply is contained in a number of different places:

- 1 The City of York Strategic Housing Land Availability Assessment [SHLAA] (September 2017);
- 2 The City of York Local Plan Publication Draft (March 2018);
- 3 Half Year Housing Monitoring Update for Monitoring Year 2017/18 (1<sup>st</sup> April 2017 and 30<sup>th</sup> September 2017); and,
- 4 The City of York Windfall Allowance Technical Paper 2017 (SHLAA Annex 5).

### Housing Completions

6.3 The Council has provided detailed site by site delivery figures for the past five monitoring years (2012/13 to 2016/17). In addition, the Council's annual completion figures since 2007/08 are contained in the September 2017 Half Year Housing Monitoring Update.

6.4 The Council has included student specific accommodation within their completions figures and their forward supply figures. Based on recent High Court decisions it is clear that robust evidence must be provided to justify the inclusion of student accommodation in the housing supply, specifically that the accommodation will release housing into the general market.

6.5 York Council has not provided any evidence to demonstrate that the provision of additional student accommodation would result in the release of housing into the market as required by national policy. Furthermore, the Council's June 2016 SHMA outlines that the York St John University is, over the next five years, seeking to "*grow our student numbers from 6,400 to 7,300*"<sup>64</sup>. This reflects an aim to achieve growth in student numbers of 14.1% by 2020.

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<sup>64</sup> City of York, June 2016 Strategic Housing Market Assessment, §10.71

- 6.6 Based on national policy, the recent High Court decision coupled with the expected growth in student numbers in York, it is considered that it is inappropriate to include student accommodation within the Council's supply. This is because there is no justification regarding how it will result in the release of current housing into the general housing market.
- 6.7 In this context, the Council has included the delivery of 124 units in monitoring year 2012/13 from the site at 6-18 Hull Road. However, a total of 97 of the units are not self-contained and share communal/living areas. As such, these bedspaces cannot contribute towards the Council's housing completion figures as there is no evidence that they have released housing to the general market. That said, we have included the delivery of 27 units from this site as they are self-contained studio apartments which could be sold on the open market at some stage in the future.
- 6.8 The Council has also included the delivery of 91 units in the monitoring year 2016/17 for the site at Hallfield Road. The majority of the units on this scheme are not self-contained and share communal/living areas. As such, these bedspaces cannot also contribute towards the Council's housing completion figures as there is no evidence that they have released housing to the general market. However approximately 9% of these units are studio apartments which could be sold on the open market at some stage in the future, so we have included 8 units from this scheme on this basis.
- 6.9 Table 6.1 sets out the Council's past completion figure and provides a cumulative running total since 2012/13. It also sets out Lichfields' assumed completions figures and provides a running total.

Table 6.1 Housing Completions

Year	Council Position		Lichfields' Position	
	Comp.	Cum +/-	Comp.	Cum +/-
2012/13	482	482	385	385
2013/14	345	827	345	730
2014/15	507	1,334	507	1,237
2015/16	1,121	2,455	1,121	2,358
2016/17	977	<b>3,432</b>	894	<b>3,252</b>
<b>Totals</b>	<b>3,432</b>		<b>3,252</b>	

Source: City of York Council

## 2017 SHLAA

- 6.10 The Framework<sup>65</sup> sets out that local planning authorities should prepare a SHLAA to establish assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period. Furthermore, the Practice Guidance<sup>66</sup> outlines that the assessment of land availability is an important step in the preparation of Local Plans. The provision of an up to date SHLAA approach ensures that all land is assessed together as part of plan preparation to identify which sites or broad locations are the most suitable and deliverable for a particular use.
- 6.11 The Council has published its City of York Strategic Housing Land Availability Assessment

<sup>65</sup> Framework - §159<sup>66</sup> Practice Guidance - ID: 12-018-20140306

September 2017. This document supersedes previous versions of the SHLAA to present the sites assessed for their development potential to form part of the evidence base for York's Local Plan. The 2017 SHLAA accompanied the Local Plan Pre Publication [LPPP] Draft, setting out the methodology for site selection in the plan, and detail of which sites have been allocated.

## Site Selection

- 6.12 The 2017 SHLAA outlines the previous consultation undertaken by City of York Council in relation to site identification and consultation/engagement. It states [§2.3.1] that a two stage suitability process was undertaken in order to sieve out the potential sites most suitable for development:
- 1 Stage 1: Sustainable Location Assessment which uses the shapers set out in the emerging Spatial Strategy to assess potential site suitability. The SHLAA states that the methodology was also informed by work on the Sustainability Appraisal.
  - 2 Stage 2: Technical Officer Group which considers more site specific suitability of sites which successfully passed Stage 1 and determined whether they should progress as development sites. The SHLAA states that any sites which were wholly or partly removed from the site selection process following the Stage 1 analysis will be given the opportunity to respond to the assessment with supporting evidence.
- 6.13 Further details on the scoring process and methodology used are provided in Annex 3 of the SHLAA. As the site selection and criteria assessment process was developed in 2013, the SHLAA indicates that subsequent guidance on Impact Risk Zones for SSSIs, Flood Risk and Agricultural Land Value has been taken into consideration. It also explains the basis on which the availability and deliverability of sites has been determined.
- 6.14 The SHLAA [§§2.5.1-2.5.2] outlines how the availability of sites has been determined. It states:
- “The majority of sites assessed were received through the Call for Sites process or subsequent Local Plan consultations. Through this process we asked that landowner details were provided to us to ensure that we could confirm availability and that the site had a willing landowner. We also asked for details of whether the site had been promoted commercially or by an agent as well as when the site would be become available for development. Since 2012, the availability of sites has been reconfirmed through consultation.”*
- “For the allocated sites set out in the Section 3.3, availability of the site has been confirmed and the timescales reflect our understanding of when the site will be brought forward in the plan period”.*
- 6.15 The SHLAA [Section 2.6] sets out a series of archetypes which have been used to determine the scale of potential development on sites less than 5ha (non-strategic sites). It notes that for Strategic Sites (over 5 ha) a bespoke approach is taken to reflect the site characteristics and detailed work undertaken.

## Housing Supply

- 6.16 A summary of housing completions and permissions for the period April 2016 to March 2017 is provided.
- 6.17 The SHLAA identifies a windfall allowance of 169 dwellings per annum and states that windfalls will be included from year 4 of the trajectory. Included at Annex 5 of the SHLAA is City of York Local Plan Windfall Allowance Technical Paper (2017) which explains how the windfall figure has been derived.
- 6.18 The SHLAA does not provide any detailed calculation to demonstrate how a 5-year housing land

supply is achieved. This is wholly unacceptable and does not demonstrate the deliverable 5 year housing land supply as required by national guidance.

## **City of York Local Plan Publication Draft [LPP]**

- 6.19 The Council published its LPP in February 2018 for public consultation. Policy H1 identifies the sites which have been allocated to meet the housing requirement set out in Policy SS1 over the plan period 2017/18 to 2032/33 (867dpa).
- 6.20 Table 5.1 in the LPP identifies the sites which have been allocated in the LPP and provides the estimated dwelling yield and estimated phasing for these sites (i.e. Short Term: Years 1-5, Medium Term: Years 1 -10 etc.). For those sites where the phasing extends beyond years 1-5, the anticipated delivery of the sites in each 5 year phase is not confirmed.
- 6.21 The LPP (Figure 5.1 and Table 5.2) provides housing trajectories for the period April 2017 to March 2033 (16 years) against the identified housing target of 867dpa. The LPP [5.6] states that the trajectory shows there is an adequate supply to meet the objectively assessed need throughout the plan period. However, there is a lack of detailed evidence on the supply to demonstrate this position.
- 6.22 Lichfields notes that the period March 2017 to April 2018 has been identified as Year '0', rather than Year '1', which would be the usual approach. Years 0 to 4 (rather than Years 1 to 5) is therefore the period against which the Framework requirement of achieving a 5-year supply would be assessed.
- 6.23 The information provided in the trajectories is high level. They do not provide an annual housing delivery trajectory for each site over the plan period. The Council simply provides an assumed total completion figure for all sites each year without detailed reasoning on the methodology for deriving this figure. In addition, there is a lack of evidence in the SHLAA on lead-in times and delivery rate assumptions for the Council's unimplemented permissions and draft allocations.
- 6.24 With regard to providing a rolling 5 year supply of deliverable sites the LPP [5.9] states:

*"The Council accepts that there has been persistent under delivery of housing as defined in the NPPF and consequently has included enough land in the early years of the trajectory to ensure there is a 20% buffer in the 5 year supply. This land has been brought forward from later in the plan period. Progress on meeting delivery targets will be assessed through the authority monitoring report and the 20% buffer will be rolled forward within the 5 year supply until such time as the under delivery has been satisfactorily addressed. This does not mean that overall more land has been allocated in the plan, what it does mean is that the development trajectory (see Figure 5.1) ensures that in the early years of the plan additional land is available to address previous under delivery".*

However, as with the SHLAA, the LPP does not provide any detailed calculation to demonstrate how the 5-year housing land supply is achieved.

- 6.25 With regard to site yield and delivery, the LPP [5.12] notes that the yield for each of the strategic sites has been established through working with site promoters to produce an individual assessment of the yield for each site. For non-strategic sites the LPP refers to the yield archetypes identified in the SHLAA [2.6.2].
- 6.26 With regard to the delivery and phasing of allocated sites the LPP [5.13-5.14] states:

*"Each allocated site has been assessed for its likelihood of being delivered to ensure that we are satisfied that each site is likely to come forward for development during the plan period, although ultimately this can be dependent upon external factors such as finance*

*availability for house builders, mortgage availability for purchasers and the aspirations of landowners. In all cases there have been discussions with the land owner about their current plans. We have at this stage placed each allocated site within a timescale of short (1-5 years), medium (6-10 years), long term (11-15 years) or life time of the plan (1-21 years). The timescale of each site is an indication of when we think the site is likely to come forward and reflects the timescale put forward by the landowner or developer in the discussions referred to above, the requirement to develop the most sustainable sites within a settlement first and viability”.*

*“The phasing of sites is important for the successful delivery of the plan’s priorities and sites should only come forward in different phases if they would not prejudice the delivery of other allocated sites. For example where the construction of essential infrastructure is linked to the delivery of a package of sites, these sites will need to be brought forward in an orderly fashion to ensure the infrastructure is in place to mitigate the impacts of development”.*

- 6.27 As with the SHLAA, there is a lack of evidence in the LPP on lead-in times and delivery rate assumptions for the Council’s unimplemented permissions and draft allocations. This is a flawed approach which does not meet the requirements of national guidance.

## **Conclusion**

- 6.28 The Council has compiled and recently published housing completions figures for the past ten monitoring years as well as published detailed site by site completion figures for the past 5 years. However, the Council’s housing land supply figures do not provide an annual housing delivery trajectory for each site over the plan period. The Council simply provides an assumed total delivery figure for each site without detailed reasoning on the methodology for deriving this figure.
- 6.29 Insufficient information has also been provided on the assumptions used to derive the Council’s proposed delivery in the LPP and associated evidence base documents. There is a distinct lack of evidence on lead-in times and delivery rate assumptions for the Council’s unimplemented permissions and draft allocations.
- 6.30 Furthermore, the Council includes several student sites in its future supply, which is inappropriate, as there is no justification regarding how these developments will result in the release of housing into the general housing market as required by the Practice Guidance. In particular, no robust evidence has been provided to clearly demonstrate that there has been a reduction in the number of general market dwellings occupied by students as a direct result of the provision of purpose-built student accommodation. As a result, the Council’s land supply figures risk being severely distorted.

## 7.0 Housing Requirement

### Introduction

- 7.1 The Framework<sup>67</sup> and Practice Guidance require LPAs to demonstrate a developable 5-year supply and a deliverable supply for the period 5-15 years. This requires an understanding of the relevant housing requirements for each of these time periods.
- 7.2 This Technical Report sets out a critique of the Council's OAHN and the need to increase the target to meet the needs of the local community. This section briefly sets out the relevant figures to be used for both the 5-year assessment and the plan period assessment.

### Plan Period Housing Requirement

- 7.3 The Council's SHMA Assessment Update seeks to provide the evidence to justify the housing requirement for the City of York Local Plan. It sets the Plan period as 2012-2032.
- 7.4 This Technical Report sets out the flaws in the SHMA Assessment Update and the Council's approach in rejecting the 953 dpa figure recommended in the SHMA Assessment Update. It requests that the OAHN is recalculated using an appropriate methodology. Lichfields considers that the Council's SHMA makes a number of flawed assumptions and judgements and does not properly respond to the requirements of policy and guidance. As a result, the proposed OAHN set out in the SHMA is not robust and is inadequate in meeting the need and demand for housing.
- 7.5 Even so, the Council has resolved to reject the OAHN of 953 dpa set out in the SHMA update and adopt a figure of 867 dpa, based on the latest revised SNHP published by ONS and MHCLG with no adjustment for market signals or affordable housing. By way of contrast, MHCLG's standard methodology produces an OAHN figure of 1,070 dpa, significantly higher than adopted by the Council which again demonstrates the inappropriateness of the Council's approach.
- 7.6 As noted in Section 4, Lichfields considers that the OAHN for York is **at least 1,150 dpa**. To be robust however, for the purposes of this report, we have also used GL Hearn's 953 dpa OAHN figure to calculate the City's 5YHLS.

## 5-Year Housing Requirement

### Annual Requirement

- 7.7 When calculating the 5-Year Housing Requirement the annual average requirement should be used. As there is disagreement over the appropriate OAHN with the Council preferring a housing requirement of 867 dpa rather than their own housing evidence which suggests a need for 953 dpa figure in the SHMA Update, with Lichfields recommending a yet higher figure (1,150 dpa). All three are used in this assessment.
- 7.8 We would note that whichever figure is used, it does not include the specific needs of students living in halls of residence, which would be additional as these are explicitly excluded from the CLG's household projections.

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<sup>67</sup> Framework - §47

## Under Supply

- 7.9 The Practice Guidance<sup>68</sup> indicates that LPAs should aim to deal with any under supply within the first 5-years of the plan period where possible. Table 7.1 sets out the net completions recorded by the Council since 1<sup>st</sup> April 2007 compared to the now withdrawn RS for Yorkshire and the Humber requirement which the Council has been using in the absence of an adopted Local Plan. Table 7.1 shows the failure of York to deliver housing to meet the needs of the community.

Table 7.1 Housing Completions 2007/08 - 2016/17

Year	Target	Comp.	+/-	Cum +/-
2007/08	650	523	-127	-127
2008/09	850	451	-399	-526
2009/10	850	507	-343	-869
2010/11	850	514	-336	-1,205
2011/12	850	321	-529	-1,734
2012/13	850	482	-368	-2,102
2013/14	850	345	-505	-2,607
2014/15	850	507	-343	-2,950
2015/16	850	1,121	+271	-2,679
2016/17	850	977	+127	<b>-2,552</b>
<b>Totals</b>	<b>8,300</b>	<b>5,748</b>	<b>-2,552</b>	

Source: York Housing Monitor Update for Monitoring Year 2016/17

- 7.10 The Council has produced a Half-Year Monitoring Update for 2017/18 (1<sup>st</sup> April 2017 to 30<sup>th</sup> September 2017). This indicates that net completions over this period have totalled 1,036 dwellings.
- 7.11 However, as details of the full monitoring year 2017/18 are not yet available it is not possible to include this latest dataset in the analysis.
- 7.12 Table 7.2 sets out the net completions recorded by the Council since 1st April 2012 compared to the Council's requirement and the Lichfield's target. In this context it should be noted that the Lichfield completions exclude the student accommodation (180 units) previously included in the Council's delivery figures for the reasons set out in Section 6.0. The table shows the failure of York to deliver sufficient housing to meet the emerging OAHN.

<sup>68</sup> Practice Guidance - ID:3-035-20140306

Table 7.2 Housing Completions

Year	Council Position				SHMA OAHN				Lichfield Position			
	Target	Comp.	+/-	Cum +/-	Target	Comp.	+/-	Cum +/-	Target	Comp.	+/-	Cum +/-
2012/13	867	482	-385	<b>-385</b>	953	482	-471	<b>-471</b>	1,150	385	-765	<b>-765</b>
2013/14	867	345	-522	<b>-907</b>	953	345	-608	<b>-1,079</b>	1,150	345	-805	<b>-1,570</b>
2014/15	867	507	-360	<b>-1,267</b>	953	507	-446	<b>-1,525</b>	1,150	507	-643	<b>-2,213</b>
2015/16	867	1,121	+254	<b>-1,013</b>	953	1,121	168	<b>-1,357</b>	1,150	1,121	-29	<b>-2,242</b>
2016/17	867	977	+110	<b>-903</b>	953	977	24	<b>-1,333</b>	1,150	894	-256	<b>-2,498</b>
<b>Totals</b>	<b>4,335</b>	<b>3,432</b>	<b>-903</b>		<b>4,765</b>	<b>3,432</b>	<b>-1,333</b>		<b>5,750</b>	<b>3,252</b>	<b>-2,498</b>	

Source: York Housing Monitoring Update for the Year 2016/17 / Lichfields analysis

## Application of the Buffer

- 7.13 Judgements on the appropriate Framework buffer (i.e. 5% or 20%) to apply turns on whether there is a record of “*persistent under delivery*”.
- 7.14 In this case, the Council has under-delivered in 8 of the past ten years when compared to the previous housing target and the emerging Local Plan (see Tables 7.1 & 7.2). A ten year period is considered to represent an entire economic cycle and an appropriate period for considering past delivery. This results in a substantial shortfall which needs to be quickly rectified. It is therefore appropriate to apply a 20% buffer to help address the significant delivery failings. This approach aligns with the Framework<sup>69</sup> objective to “*boost significantly*” the supply of housing and ensure that objectively assessed housing needs are met.
- 7.15 In respect of applying the buffer, it should be applied to both the forward requirement and the under supply. This approach accords with the Framework, which suggests that the buffer should be added to the total requirement which would, inevitably, include any under delivery from earlier years. In this regard, the purpose of the buffer is to increase the supply of land; it does not change the number of houses required to be built within that period. Put simply, the buffer is not, and it does not become, part of the requirement; it is purely a given excess of land over the land supply necessary to permit the identified need for housing to be delivered.
- 7.16 There have been a number of appeal decisions supporting this approach. In particular, the appeal in Droitwich Spa<sup>70</sup> where the Inspector indicated that the buffer should be applied to the forward requirement and under supply. He stated:
- “It is also clear that the 20% buffer should be applied to the entire 5-year requirement (including the historic shortfall). The Council could not point to any provision in policy or previous decisions which supports the contention that the 20% should not apply to the historic shortfall...”* [§8.46]
- The Secretary of State supported this approach in his decision letter.<sup>71</sup>
- 7.17 Table 7.3 sets out respective positions in relation to the 5-year requirement.

<sup>69</sup> Framework - §47

<sup>70</sup> Land at Newland Road and Primsland Way, Droitwich Spa (SoS Decision 02.07.14 – Ref: APP/H1840/A/13/2199085)

<sup>71</sup> *ibid* – DL §14

Table 7.3 5-Year Housing Requirement

	Council		SHMA OAHN		Lichfields	
	Calc.	Total	Calc.	Total	Calc.	Total
Policy Requirement (2017-2022)	867 dpa x 5	4,335	953 dpa x 5	4,765	1,150 dpa x 5	5,750
Under Supply (2012-2017)	4,335 – 3,432	903	4,765 – 3,432	1,333	5,750 – 3,252	2,498
Buffer at 20%	$(4,335 + 903) \times 0.2$	1,048	$(4,765 + 1,333) \times 0.2$	1,220	$(5,750 + 2,498) \times 0.2$	1,650
<b>Total Requirement</b>		<b>6,286</b>		<b>7,318</b>		<b>9,898</b>
<b>Annual Requirement</b>	<b>6,286 / 5</b>	<b>1,257</b>	<b>7,318 / 5</b>	<b>1,464</b>	<b>9,898 / 5</b>	<b>1,980</b>

Source: Lichfields

7.18 On this basis, the 5-year requirement ranges from **6,286** to **9,898** dwellings.

## Conclusion

7.19 The SHMA Update sets out an OAHN for York of 953 dpa; however, the Council has ignored this figure and adopted 867dpa for the plan period. Lichfields considers that an OAHN of 1,150 dpa is more appropriate. Even this figure explicitly excludes the needs of students living in purpose-built halls of residence.

7.20 The appropriate plan period is for this assessment is 2012-2032. We have set out the Council's past completion data and consider that a 20% buffer is required due to the persistent under delivery of housing in the City over the past 10 years.

7.21 When using the Council's OAHN and factoring in backlog and an appropriate buffer it is concluded that the annual housing requirement over the next 5-years is 6,286 (1,257 dpa), rising to 7,318 (1,464 dpa) using the SHMA's OAHN. Using Lichfields' OAHN figure would result in an annual requirement of 9,898 (1,980 dpa) over the next 5-years.

## 8.0 Housing Land Supply

### Introduction

8.1 This section assesses the adequacy of the deliverable and developable supply of housing sites to meet the requirement for the plan period and 5-year period. It draws on the information supplied by the Council in the LPP and associated evidence base.

8.2 Before considering the individual components of the supply some initial points on the assumptions made by the Council on deliverability, particularly in relation to lead-in times and delivery rates. In this context it is important to be cautious in relation to the likelihood of sites delivering and the scale of that delivery. This is because the purpose of the assessment is to provide a realistic view of whether there is sufficient land available to meet the community's need for housing. If those needs are to be met a cautious approach must be taken.

### Delivery Assumptions

#### Lead in Times

8.3 From the information released to date by York City Council it is impossible to decipher the Council's assumed lead in times for the proposed housing allocations outlined in the LPP.

8.4 Whilst housebuilders aim to proceed with development on site as quickly as possible, lead-in times should not underestimate inherent delays in the planning process (e.g. the approval of reserved matter and discharge of planning conditions) as well as the time taken to implement development (e.g. complete land purchase, prepare detailed design for infrastructure, mobilise the statutory utilities and commence development).

8.5 Another fundamental element in calculating appropriate lead-in times is the size and scale of the site. As a generality, smaller sites can commence the delivery of units before larger sites. Larger sites often have more complex issues that need to be addressed and require significantly greater infrastructure development which must be delivered in advance of the completion of units.

8.6 Table 8.1 sets out our general methodology in terms of lead-in times. We have split the methodology by site size and stage in the planning process.

Table 8.1 Lead-in Times

Stage of Planning	0-250 units	250-500 units	500+ units
Full Planning Permission	1 Year	1.5 Years	2 Years
Outline Planning Permission	1.5 Years	2 Years	2.5 Years
Application Pending Determination	2.5 Years	3 Years	3.5 Years
No Planning Application	3 Years	3.5 Years	4 Years

Source: Lichfields

8.7 We provide a detailed breakdown in Table 8.2 to Table 8.5 of the lead-in times and the factors that have been taken into account. The tables, breakdown the lead in times for a typical site of up to 250 units. Obviously, the larger site categories would take long to come forward as given the additional complexities in relation to negotiate S.106 contributions, discharge conditions

and put in place the necessary on-site infrastructure.

- 8.8 We have incorporated a period between the grant of outline planning permission and the formulation of the scheme to allow for market assessments and board approvals. Finally, if the outline permission has been secured by a land promoter or a landowner the site would need to be marketed during this period. This period has not been included but would add between 6 months to 9 months to the delivery.
- 8.9 On the sites with no current planning application, the timetable assumes there is a willing developer/landowner who wishes to commence the preparation of an application immediately. However, this is not always the case and a draft allocation in a Local Plan does not necessarily mean the process of securing planning permission is commenced immediately.

Table 8.2 Full Planning Permission - Lead-in Times (Site up to 250 units)

Key Stages	Prep of App.	Consider App.	S.106	Site Prep.	First Comp.	Total
Full Permission						
Discharge of Pre-Commencement Conditions	3	2				5
Site Commencement				3	6	9
<b>Overall Time to 1st Completion</b>						<b>14*</b>

Source: Lichfields

Notes: \* rounded down to 12 months for the purposes of calculating a delivery trajectory.

Not included time within the timetable for market assessment and board approval as it is assumed this has been completed

Table 8.3 Outline Planning Permission - lead-in Times (Site up to 250 units)

Key Stages	Prep of App.	Consider App.	S.106	Site Prep.	First Comp.	Total
Outline Permission						
Reserved Matters and Discharge of Pre-Commencement Conditions	6	4				10
Site Commencement				3	6	9
<b>Overall Time to 1st Completion</b>						<b>19*</b>

Source: Lichfields

Notes: \* rounded down to 12 months for the purposes of calculating a delivery trajectory.

Not included time within the timetable for market assessment and board approval as it is assumed this has been completed

Table 8.4 Application Pending Outline Permission - Lead-in Times (Site up to 250 units)

Key Stages	Prep. of App.	Consider App.	S.106	Site Prep.	First Comp.	Total
Outline Application		4	3			7
Market Assessment						3
& Board Approval	6	4				10
Reserved Matters and/or Discharge of Pre-Commencement Conditions				3	6	9
<b>Overall Time to 1st Completion</b>						<b>29*</b>

Source: Lichfields

Notes: \* rounded to 30 months for the purposes of calculating a delivery trajectory.

Table 8.5 No Planning Application - Lead-in Times (site up to 250 units)

Key Stages	Prep of App.	Consider App.	S.106	Site Prep.	First Comp.	Total
Application	6	4	3			13
Market Assessment						
& Board Approval						3
Reserved Matters and/or Discharge of Pre-Commencement Conditions	6	4				10
Site Commencement				3	6	9
<b>Overall Time to 1st Completion</b>						<b>35*</b>

Source: Lichfields

Notes: \* rounded to 36 months for the purposes of calculating a delivery trajectory.

- 8.10 The lead-in times set out in these tables are likely to be an underestimate based on the recent report by Barratt Homes and Chamberlin Walker.<sup>72</sup> The report notes that:

*“New data for 2017 presented in this report, from Barbour ABI, indicates that ‘post-planning permission’ development timescales (C+D) have increased markedly: on sites of 20 homes or more it now takes at least 4.0 years on average from the grant of detailed planning permission to site completion, compared to the earlier LGA estimates of 1.7 to 3.2 years.”*

In these circumstances the Council must set out clearly the lead-in times that are assumed and demonstrate that they are sound and robust. This is clearly not the case with the current evidence base.

## Delivery Rates

- 8.11 Whilst housebuilders aim to deliver development on site as quickly as possible, in a similar fashion to the lead-in times outlined above, the annual delivery rate on sites will depend on a number of factors including overall site capacity. In our experience, sites with a capacity of less than 250 units are built out by one housebuilder using one outlet. As such, a reasonable average

<sup>72</sup> The Role of Land Pipelines in the UK Housebuilding Process (September 2017) Barratt Homes & Chamberlin Walker

annual delivery rate in York is 40 dpa for sites with a capacity of less than 250 units. However, on sites of less than 100 units we have assumed a lower delivery rate of 25 dpa as these sites will generally be delivered by smaller housebuilders.

8.12 Generally, in York on sites with a capacity of between 250 units and 500 units there is often a second developer (or national housebuilders use a second outlet) delivering units simultaneously. As such, annual delivery rates increase but not exponentially to the number of housebuilders or delivery outlets. In our experience in the current market, sites with 2 outlets deliver approximately 65 dpa.

8.13 Finally, on large-scale sites with a capacity of more than 500 units, there are often up to three housebuilders or outlets operating simultaneously. As before, this does not increase delivery exponentially but it can be expected that three outlets operating simultaneously on a large scale would deliver approximately 90 dpa.

Table 8.6 Annual Delivery Rates

	0-100 units	100-250 units	250-500 units	500+ units
Annual Delivery	25 dpa	40 dpa	65 dpa	90 dpa

Source: Lichfields

8.14 Lichfields considers that it would be appropriate to apply the delivery rates identified above. The quantum of delivery of units on a site can be affected by a significant number of factors including local market conditions, general economic conditions, proximity to competing site, housing market area, type and quality of unit and the size of the development. There will be a number of sites in York that will experience higher annual delivery rather than the averages outlined above but there will also be a number of who deliver below the average also. It is therefore important not to adopt an average delivery rate which may only be achieved by a small minority of the strategic sites.

### Density Assumptions

8.15 The 2017 SHLAA (page 20) sets out the density assumptions for each residential archetype.

8.16 It is considered that, the proposed densities are overly ambitious and will not be achieved on average on sites throughout York. For example, from our experience, it is not anticipated an average density of 50dph on sites of 1ha+ with a gross to net ratio of 95% can be achieved. Meeting open space requirements alone will preclude this ratio. There will be a very limited number of examples where this density has been achieved but a more appropriate and conservative figure should be pursued in the absence of firm details from a developer. The gross to net ratio at most should be 85%, although this can reduce to less than 60% for larger developments with significant infrastructure requirements.

8.17 Secondly, it is considered that a density of 40dph on suburban sites is highly aspirational and is unlikely to be achieved across a significant number of sites. This density is characterised by housing for the smaller households and thus not suitable for family accommodation. Our housebuilder clients and local intelligence has reaffirmed our concerns with the proposed average densities. Unless there is specific evidence to the contrary the default density on suburban sites should be 35 dph.

8.18 The Council has not provided sufficient information to back up their assumptions and we consider that these development densities should be revised downwards to ensure that the capacity of sites is not artificially inflated. Assumptions on development densities in the

absence of specific developer information should air on the side of caution and we consider that the details in the 2017 SHLAA are at variance with this principle.

## **Components of the Housing Supply**

- 8.19 The components of the Council's supply are set out in the LPP. The LPP does not set out a delivery trajectory for each site and only sets out the expected delivery from each site over the plan period.
- 8.20 The information provided in the trajectory in the LPP is high level. It does not provide an annual housing delivery trajectory for each site over the plan period. The Council simply provides an assumed total completion figure for all sites each year without detailed reasoning on the methodology for deriving this figure.
- 8.21 As set out above, the Council includes several student sites in its future supply which is inappropriate as no robust evidence has been provided to demonstrate that there has been a reduction in the number of general market dwellings occupied by students as a direct result of the provision of purpose-built student accommodation. As a result, including student accommodation in the supply is flawed and risks severely distorting the figures.

## **Sites with Planning Permission**

- 8.22 It is now a standard approach that sites with planning permission should be included in the supply (unless there is a good reason to exclude them) whereas sites without planning permission should be excluded (unless there is a good reason to include them). This interpretation is entirely logical as the absence of a planning permission is a clear impediment to development, which is contrary to the test that land should be available now.
- 8.23 The LPP [5.3] indicates that, as at 11<sup>th</sup> April 2017, there were extant planning permissions for 3,578 homes which will contribute towards meeting the overall housing requirement in the Plan. However, the Council has not identified these sites nor has it provided a delivery trajectory for each site to demonstrate how each of these sites contributes to delivery over the Plan period or to the 5-Year housing land supply. In the absence of this information it is not possible to ascertain whether these sites should be included in the supply. Lichfields therefore reserves the right to provide further comment on this matter as and when more detailed information is made available.

## **Allocations**

- 8.24 Table 5.1 of the LPP identifies the housing and strategic sites which are proposed for allocation. It provides an estimated dwelling yield and estimated phasing for these sites (i.e. Short Term: Years 1-5, Medium Term: Years 1-10 etc.). For those sites where the phasing extends beyond years 1-5, the anticipated delivery of the sites in each 5 year phase is not confirmed.
- 8.25 The Council has not provided a detailed delivery trajectory for each of the Potential Strategic Housing Allocations and Potential General Housing Allocations. The Council has simply provided a figure for the total dwellings to be provided for the plan period without any justification or clarification on the assumptions used to derive the delivery figure. Lichfields therefore reserves the right to provide further comment on this matter as and when more detailed information is made available.
- 8.26 The estimated phasing in LPP Table 5.1 indicates that a number of large strategic sites are to commence delivery in Year 1. With regard to this matter, Lichfields would like to express a degree of caution in relation to resourcing issues at the Council. The Council are assuming that a significant number of large planning applications will be submitted and determined concurrently in a relatively short space of time. It is not clear if the Council has fully considered

the resourcing issues associated with dealing with all these application at the same time. In our experience, the Council's Department may not have sufficient capacity to deal with a number of major applications at the same time.

8.27 Based on the information provided, Lichfields also consider there are a number of sites where the delivery of development has been substantially overestimated by the Council, including the examples below.

**Sites ST14 Land to West of Wigginton Road & ST15 Land to West of Elvington Lane**

8.28 The estimated phasing in LPP Table 5.1 indicates that sites ST14 (Land to West of Wigginton Road) and ST15 (Land to West of Elvington Lane) will begin to deliver in Year 1 (2018/19). Lichfields consider this anticipated early delivery to be unrealistic for a number of reasons:

- 1 The sites are located within the Green Belt and no application is likely to be permitted until the Local Plan is adopted.
- 2 A clear strategy is needed to deliver the sites during the plan period. Both are in multiple ownerships and the siting of each allocation without access to a public highway introduces an added level of complexity in negotiation and agreement between the parties involved.
- 3 In view of their size and complexity much work will be needed to develop masterplans and establish viability of the developments to be progressed through the planning system.
- 4 Detailed masterplans will be required to secure an appropriate form of development and ensure a phased delivery of the on-site services and facilities.
- 5 Given the scale and location of the developments the schemes will need to be subject to full environmental assessment, especially to consider the likely impact on landscape, ecology and transportation and historic character of the City.
- 6 The sites are isolated and there is no existing infrastructure capable of accommodating the proposed level of development. Both sites do not have frontage to a public highway with capacity that would allow even the smallest amount of development to commence. Their development will require major off-site highway improvements and new highway access roads and junctions. Other utilities will need to be procured and delivered in advance of any construction works on the site. This will inhibit the early delivery of the developments.
- 7 The proposed sites are not obviously sustainable in that they are not easily accessible to existing social and community facilities or located close to existing public transport routes. Considerable effort will need to be made to ensure the allocations do not become satellite, dormitory communities wholly reliant on private transport for every journey away from the home.

8.29 The proposed delivery of units in Year 1 (2018/19) is ambitious and unrealistic given the extensive infrastructure requirements which will need to be put in place in advance of any development taking place. In addition, in view of the application of restrictive Green Belt policy it is inevitable that once the Local Plan is adopted the City of York Council will receive many planning applications for both large and smaller developments. Processing these applications will inevitably cause added delay, especially to the major, complex, housing allocations.

8.30 We consider that the identification of a portfolio of small site allocations (e.g. up to 250 dwellings) would assist in meeting any shortfall created by the delay in large sites delivering dwellings early in the plan period.

**Windfalls**

8.31 The Council claims that 169dpa will be delivered on windfall sites from Year 3 of the trajectory (2020/21) and provides justification for their windfall allowance in its Windfall Allowance Technical Paper (2017).

- 8.32 The Framework<sup>73</sup> sets out the local planning authorities may make allowance for windfall sites in the 5-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Furthermore, any allowance should be realistic having regard to the SHLAA, historic windfall delivery rates and expected future trends.
- 8.33 Lichfields accept that windfalls should be included in the overall housing delivery trajectory but only consider that they are appropriate outwith the first 5-year period. The inclusion of a significant windfall figure in earlier years increases the likelihood of artificially inflating the housing delivery figures in year 3 and double counting sites with permission. It does not account for any potential delays to the build out sites with extant consent. As such, the windfall allowance should be amended to only make an allowance from Year 5 (2022/23) onwards.
- 8.34 The Council consider that an annual windfall of 169dpa is appropriate to take account of potential delivery on sites of <0.2ha and completions on change of use and conversion sites.
- 8.35 However, the figure of 169 dwellings has only been achieved four times over the past 10 years and only twice since the base date of the new plan period (2012). This is during a period when the application of a very tight inner Green Belt boundary has precluded urban edge development at a time of ever increasing housing demand. In such circumstances it would have been an ideal period for windfall development to increase; but it did not. There is therefore no justification for such a high allowance.
- 8.36 In relation to the delivery on sites of <0.2ha, Lichfields consider that the proposed windfall allowance is too high because tightly defined settlement boundaries in York and surrounding settlements means there is a finite supply of sites which can come forward. This supply has been curtailed by the change in definition of previously developed land (June 2010) to remove garden sites. In addition, the Council started to request small sites to make contributions towards affordable housing provision and required rural sites with a capacity of more than 15 units to provide on-site affordable housing. This has made the provision of units on small sites less attractive to the market. Since the policy change and the introduction of affordable housing contributions the quantum of completions on windfall sites in York has plummeted. As a consequence, the future supply from this source should only consider the average completion rate since 2009/10 of 33dpa.
- 8.37 In relation to the delivery from conversions, the average completion figure in the past three years is largely dependent on recent changes to permitted development rights. As a consequence, it is considered that after an initial surge the conversion rate will revert back to the long term average. It is likely that the optimum conversion sites will be completed in the short term and the less sustainable and attractive office developments in York will not be converted. As such the average conversion rate from 2007/08 to 2013/14 of 64dpa should be used.
- 8.38 Based on the above assessment it is considered that the proposed windfall allowance should be reduced from 169dpa to 100dpa (rounded up from 97) which represents a far more realistic windfall allowance over the plan period. The incorporation of this figure would ensure that the Council's trajectory is not artificially inflated, can be realistically achieved and would only be incorporated into the delivery trajectory at Year 5 (2022/23) to ensure no double counting.
- 8.39 It is considered that the Council's information does not adequately justify a windfall allowance of 169dpa and does not provide sufficient certainty that this figure will be achieved over the plan period. We reserve the right to revise our position on windfalls if the Council prepares and releases further justification.

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<sup>73</sup> The Framework, §48

## **Conclusion**

- 8.40 Lichfields has undertaken an analysis of the Council's evidence base documents and consider that the evidence provided by the Council is not sufficient to demonstrate that the dwelling requirement over the plan period and a 5-Year supply will be achieved. It is also considered that some of the proposed delivery rates on sites are unfounded and unrealistic.

## 9.0 **Balance of the Requirement and Supply**

### **Introduction**

9.1 The Council has not produced a trajectory or a detailed assessment of the 5-year supply position, as required by the Framework. In these circumstances, it can only be assumed that the Council considers that it can demonstrate an adequate housing supply in the initial 5-year period and over the plan period. However, no evidence has been produced to demonstrate this position.

9.2 As a consequence, this section sets out an assessment of the housing supply against the three OAHNs for York (set out in Section 4).

### **5-Year Supply**

#### **Adequacy of Supply**

9.3 The five year supply has been assessed against the Council's LPP housing target of 867 dpa; the SHMA Update's OAHN of 953 dpa; and Lichfields OAHN (1,150 dpa). The requirement is then compared to the Council's supply figures. The assessments in both cases make provision for the backlog and 20% buffer for persistent under delivery as calculated in Section 7. The calculation of Lichfields' position excludes any windfall allowance for the reasons we have set out in this Technical Report. As the Council has not provided adequate evidence to show how committed, allocated sites, student housing etc. factor into the housing supply, it has not been possible to fully assess the supply position and make further amendments. However, on the basis of our comments above, it is likely that this would reduce the housing supply considerably. Table 9.1 sets out the relative positions.

Table 9.1 5-Year Housing Land Supply Position using the Council's and Lichfields' OAHNs

Housing Requirement (2017-2022)		York Assumed Position		SHMA OAHN		Lichfields' Position	
Local Plan OAHN (dpa)			867		953		1,150
5 Year Requirement	2017-2022		4,335		4,765		5,750
Backlog	2012-2017	903		1,333		2,498	
Framework Buffer	20%	1,048		1,220		1,650	
Sub Total		1,951	1,951	2,553	2,553	4,148	4,148
<b>5-year Requirement</b>	<b>2017-2022</b>		<b>6,286</b>		<b>7,318</b>		<b>9,898</b>
<b>Annual 5-year requirement</b>			<b>1,257</b>		<b>1,464</b>		<b>1,980</b>
Housing Supply (2017-2022)							
Projected Housing Completions including Windfall Allowance from Year 3 (windfall allowance excluded from Lichfields' Position)			5,902		5,902		5,769
<b>Total Supply</b>	<b>2017-22</b>		<b>5,902</b>		<b>5,902</b>		<b>5,769</b>
<b>Difference</b> (Undersupply expressed as a minus)			<b>-384</b>		<b>-1,416</b>		<b>-4,129</b>
<b>5-Year Supply Expressed as Years of Residual Annual Requirement</b>			<b>4.70</b>		<b>4.03</b>		<b>2.91</b>

Source: Lichfields Analysis

- 9.4 The table demonstrates that even when comparing the likely delivery within the 5-year period to the Council's OAHN, there is not an adequate supply of housing land. Based on the Council's approach, there is only a supply of 4.70 years (with an undersupply of 384 dwellings), falling to 4.03 years if the higher SHMA OAHN is applied. If the Lichfields OAHN is used there is a supply of 2.91 years and a shortfall of 4,129 dwellings.
- 9.5 In addition, for the reasons we have raised in the previous section, the Council's 5-year supply figure of 5,902 dwellings is considered to be optimistic and all of this supply is unlikely to come forward over the 5-year period, which would further exacerbate the supply shortfall. Furthermore, including student accommodation in the supply without clearly evidencing how this would release housing onto the market elsewhere is not in accordance with the Practice Guidance or recent High Court judgements, and risks severely distorting the Council's land supply figures as a consequence.

## **Implications of the 5-Year Supply Position**

- 9.6 The Council has a significant shortage of housing land in the first 5-years. This is a significant issue for the Council which means the plan is not 'sound' in its current form. It is therefore imperative that additional sites are allocated for housing to tackle this issue. These should be sites without any immediate constraints that can be delivered quickly once the plan is adopted.

## **The Plan Period Supply**

- 9.7 There is also a significant shortfall of housing over the Plan period, when assessed against the Lichfields OAHN of 1,150 dpa and the 2,498 dwelling shortfall in delivery for the period 2012 to 2017 identified in Table 7.2 (a total figure of 20,898 dwellings over the Plan period 2012 to 2033). LPP Table 5.2 indicates a supply of 18,839 dwellings which is equivalent to a shortfall of 2,059 dwellings over this period.

## **Conclusion**

- 9.8 The Council has not produced a trajectory or a detailed assessment of the 5-year supply position as required by the Framework. No evidence has therefore been produced to demonstrate the Council's housing supply position.
- 9.9 The assessment of the balance between the housing requirement and supply demonstrates that there is a significant shortfall for 5-year period. For the plan period, there is also a significant shortfall when assessed against the Lichfields assessment of the OAHN.
- 9.10 In these circumstances, the emerging plan is not 'sound' as required by the Framework, as the Council has not demonstrated an adequate short and longer-term supply as required by national guidance.
- 9.11 The Council should allocate additional land to meet the housing needs of the community and these sites should be able to deliver early in the plan period. This is the only approach that will deliver a 'sound' plan and enable the much needed investment in new housing to meet the community's needs.
- 9.12 It should be noted that the above assessment is reliant upon the information provided in the LPP and associated evidence base documents. Lichfields therefore reserves the right to update the above evidence as and when further information becomes available, particularly regarding student housing needs.

## 10.0 Summary

### Context

- 10.1 The Framework sets out that LPAs should use their evidence base to ensure they meet the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the Framework.
- 10.2 The SHMA Assessment Update makes a number of assumptions and judgements which Lichfields considers to be flawed, or which do not properly respond to the requirements of policy and guidance. As a result, the concluded OAHN is not robust and is inadequate to meet need and demand within the HMA.

### Conclusions on the City of York's Housing Need

- 10.3 The Council's approach to identifying an assessed need of 867 dpa in the introductory section of the SHMA Assessment Update is considered to be fundamentally flawed. This is effectively a 'policy-on' intervention by the Council which should not be applied to the OAHN. It has been confirmed in the Courts that FOAN is 'policy off' and does not take into account supply pressures. The Council's approach to identifying the OAHN, as set out in the SHMA Assessment Update, would therefore be susceptible to legal challenge. The calculation of OAHN should therefore be based on the normal 'policy-off' methodology.
- 10.4 There are a number of significant deficiencies in the SHMA Assessment Update which means that the 953 dpa OAHN figure identified in the Assessment Update is not soundly based. In particular:
- 1 GL Hearn clearly accepts that an increase in household formation rates is necessary to respond to continued suppression of household formation rates within younger age groups within the official projections. However this demographic-led figure of 871 dpa does not appear to have been carried forward by GL Hearn in calculating the resultant housing need, as noted below. Lichfields agree with making an adjustment for demographic and household formation rates. However, it would be illogical to revert back to unadjusted projections of 867 dpa and then take this to apply the adjustment for market signals and affordable housing, when a demographic need of 871 dpa has been identified.
  - 2 Overall, the Assessment Update fails to distinguish between the affordable housing needs of the City of York and the supply increase needed to address market signals to help address demand. Instead the SHMA blends the two elements within the same figure resulting in a conflated figure which is lower than the level of uplift deemed reasonable by the Eastleigh and Canterbury Inspectors, despite the fact that market signals pressures in York indicate signs of considerable stress and unaffordability. The Practice Guidance is clear that the worse affordability issues, the larger the additional supply response should be to help address these.
  - 3 Given the significantly worsening market signals identified in City of York, Lichfields consider that a 20% uplift would be appropriate in this instance and should be applied to the OAHN, plus a further 10% uplift to help address affordable housing needs.
- 10.5 The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:
- 1 **Demographic Baseline:** The 2014-based household projections indicate a net household growth of 867dpa between 2014 and 2024 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly lower) 2015 MYE, and through the application of accelerated headship rates

amongst younger age cohorts takes the demographic starting point to 871dpa.

- 2 **Market Signals Adjustment:** GL Hearn's uplift is 10%. However, for the reasons set out above, Lichfields considers that a greater uplift of 20% would be more appropriate in this instance. When applied to the 871dpa re-based demographic starting point, this would indicate a need for 1,045dpa.

The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by Experian, past trends or the Blended job growth approach. As such, no upward adjustment is required to the demographic-based housing need figures to ensure that the needs of the local economy can be met;

- 3 The scale of **affordable housing needs**, when considered as a proportion of market housing delivery, implies higher levels of need over and above the 1,045dpa set out above. It is considered that to meet affordable housing needs in full (573dpa), the OAHN range should be adjusted to 1,910dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields consider that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a final figure of **1,150 dpa**.

This is 7.5% higher than the MHCLG proposed standardised methodology figure of 1,070 dpa.

- 10.6 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this range would ensure compliance with the Framework [§47] by significantly boosting the supply of housing. It would also reflect the Framework [§19], which seeks to ensure the planning system does everything it can to support sustainable development. We would note that these figures do not include the need for specialised student accommodation, which would be additional.

## Conclusions on Housing Land Supply

- 10.7 The Council has not produced a trajectory or a detailed assessment of the 5-year supply position as required by the Framework. No evidence has therefore been produced to demonstrate the Council's housing supply position.
- 10.8 Furthermore, including student accommodation in the supply without clearly evidencing how this would release housing onto the market elsewhere does not accord with the Practice Guidance or recent High Court judgements, and risks severely distorting the Council's land supply figures as a consequence
- 10.9 The assessment of the balance between the housing requirement and supply demonstrates that there is a significant shortfall for the 5-year period. For the plan period, there is also a significant shortfall when assessed against the Lichfields assessment of the OAHN. Based on the Council's approach, there is only a supply of 4.70 years (with an undersupply of 384 dwellings), falling to 4.03 years if the higher SHMA OAHN is applied. If the Lichfields OAHN is used there is a supply of 2.91 years and a shortfall of 4,129 dwellings.
- 10.10 In these circumstances, the emerging plan is not 'sound' as required by the Framework, as the Council has not demonstrated an adequate short and longer-term supply as required by national guidance.
- 10.11 The Council should allocate additional land to meet the housing needs of the community and these sites should be able to deliver early in the plan period. This is the only approach that will deliver a 'sound' plan and enable the much needed investment in new housing to meet the community's needs.

- 10.12        **It should be noted that the above assessment is reliant upon the information provided in the LPP and associated evidence base documents. Lichfields therefore reserves that right to update the above evidence as and when further information becomes available.**

# **Appendix 1: Lichfields Market Signals Assessment**

# Appendix 1

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**Our ref** 50642/03/MW/CR

**Date** 19<sup>th</sup> March 2018

**Subject** Lichfields Market Signals Assessment

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## 1.0 Market Signals

### Introduction

- 1.1 The Framework sets out the central land-use planning principles that should underpin both plan-making and decision-taking. It outlines twelve core principles of planning that should be taken account of, including the role of market signals in effectively informing planning decisions:

*“Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.” [§17]*

- 1.2 The Practice Guidance requires market signals to be assessed against comparator locations . The analysis in the following sections focuses on comparing the City of York and other Local Authorities and England to benchmark their performance against trends both across the wider region and nationally.

- 1.3 The Guidance sets out six key market signals<sup>1</sup>:

- 1 land prices;
- 2 house prices;
- 3 rents;
- 4 affordability;
- 5 rate of development; and,
- 6 overcrowding.

- 1.4 It goes on to indicate that appropriate comparison of these should be made with upward adjustment made where such market signals indicate an imbalance in supply and demand, and the need to increase housing supply to meet demand and tackle affordability issues:

*“This includes comparison with longer term trends (both in absolute levels and rates of change) in the housing market area; similar demographic and economic areas; and nationally. Divergence under any of these circumstances will require upwards adjustment to planned housing numbers compared to ones based solely on household projections”.*

*“In areas where an upward adjustment is required, plan makers should set this adjustment at a level that is reasonable. The more significant the affordability constraints (as reflected in rising prices and rents, and worsening affordability ratio) and the stronger other indicators of high demand (e.g. the differential between land prices), the larger the improvement in*

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<sup>1</sup> 2a-019-20140306

*affordability needed and, therefore, the larger the additional supply response should be.”<sup>2</sup>*

- 1.5 The Practice Guidance sets out a clear and logical ‘test’ for the circumstances in which objectively assessed needs (including meeting housing demand) will be in excess of demographic-led projections. In the context of the Framework and the Practice Guidance, the housing market signals have been reviewed to assess the extent to which they indicate a supply and demand imbalance in the City of York and other comparable local authorities and therefore indicate that an upwards adjustment should be made over the demographic-led baseline already identified.

## Housing Market Indicators

- 1.6 In the context of The Framework and the Practice Guidance, each of the housing market signals have been reviewed to assess the extent to which they indicate an imbalance between supply and demand in the City of York.

## Land Prices

- 1.7 CLG has published a document entitled ‘*Land value estimates for policy appraisal*’ (February 2015) which contains post permission residential land value estimates, per hectare for each Local Authority. For York this figure is £2,469,000 per hectare, well above the equivalent figure for England (excluding London) of £1,958,000.

## House Prices

- 1.8 The Practice Guidance<sup>3</sup> identifies that longer term changes in house prices may indicate an imbalance between the demand for and supply of housing. Although it suggests using mix-adjusted prices and/or House Price Indices, these are not available at local authority level on a consistent basis, and therefore for considering market signals in York, price paid data is the most reasonable indicator.
- 1.9 Land Registry price paid data displays the median prices in York, alongside North Yorkshire and England as of 2016 (Table 1.1). These median prices illustrate lower prices in York compared to national rates, but higher prices than in the surrounding sub-region.

Table 1.1 Median Dwelling price, York (2016)

	Median Dwelling Price 2016
York	£220,000
North Yorkshire	£199,995
England	£224,995

Source: ONS Price Paid Data

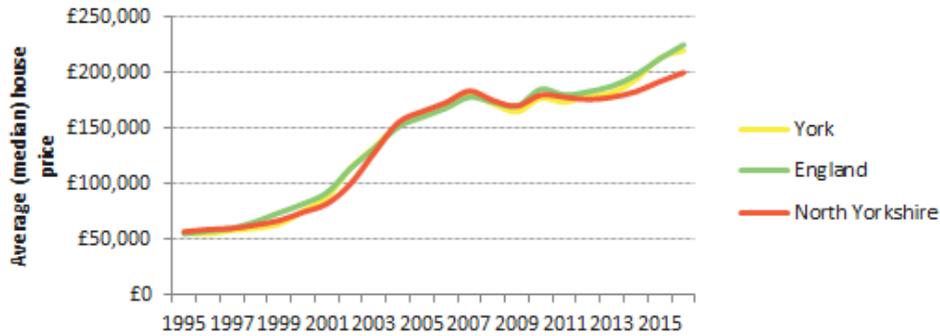
- 1.10 CLG publishes series data on median house prices based on the same Land Registry price paid data series. This currently runs from 1996 to 2016. This longitudinal analysis is illustrated in Figure 1.1, which indicates that the City of York has seen virtually identical levels of house price growth to the national average since 1999. The figure remains slightly below the England

<sup>2</sup> 2a-020-20140306

<sup>3</sup> 2a-019-20140306

average at present, but is above the North Yorkshire median.

Figure 1.1 Median House Prices



Source: ONS Price Paid Data

- 1.11 In 2016 median house prices in York were just 2% lower than the national average, whilst the City ranked as being the 166<sup>th</sup> most expensive place to live in England (out of 326 districts).
- 1.12 It is particularly important to note that over the previous 17 years (1999-2016), median house prices have increased by 244% (or £156,000) in York, compared to 204% nationally and 199% across North Yorkshire as a whole.
- 1.13 As set out in the Practice Guidance, higher house prices and long term, sustained increases can indicate an imbalance between the demand for housing and its supply. The fact that York's median house prices have effectively tripled in 17 years, from £64,000 in 1999 to £220,000 in 2016, and have risen at a much faster rate than comparable national and sub-regional figures, suggests that the local market is experiencing considerable levels of stress.

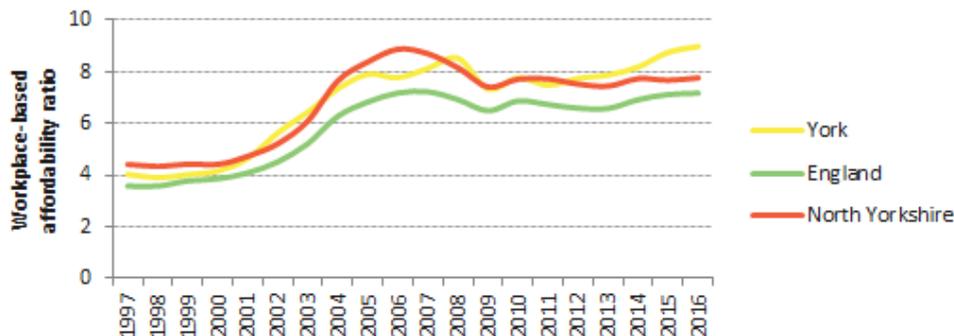
### Affordability

- 1.14 The CLG's former SHMA Practice Guidance defines affordability as a '*measure of whether housing may be afforded by certain groups of households*'<sup>4</sup>. A household can be considered able to afford to buy a home if it costs 3.5 times the gross household income for a single earner household or 2.9 times the gross household income for dual-income households. Where possible, allowance should be made for access to capital that could be used towards the cost of home ownership [page 42].
- 1.15 The Practice Guidance concludes that assessing affordability involves comparing costs against a household's ability to pay, with the relevant indicator being the ratio between lower quartile house prices and lower quartile [LQ] earnings.
- 1.16 Using CLG affordability ratios, Figure 1.2 illustrates that although the ratio fell substantially from a peak of 8.14 in 2008 following the financial crash and subsequent economic downturn, it has steadily increased since 2009 at a much faster rate than North Yorkshire as a whole. This suggests that levels of affordability are declining in York at a pace which is not the case for the rest of the sub-region (and indeed, for the country as a whole). In 2016, the median house price

<sup>4</sup> Annex G

in York City was approximately 9.0-times the LQ (workplace-based) income, compared to 7.8 for North Yorkshire and 7.2 nationally.

Figure 1.2 Ratio of house price to lower quartile earnings



Source: ONS Affordability Data

- 1.17 It can be seen in Figure 1.2 that over the past 19 years, the ratio of lower quartile house prices to lower quartile earnings in York has been consistently above the national average, with the gap widening over time. Indeed, the rate of increase is worrying – between 2002 and 2016, the affordability ratio increased by 39%, significantly above the comparable growth rate for North Yorkshire (+27%) and England (+37%). Indeed, across the whole of northern England, only Manchester City has experienced a higher rate of increase in its affordability ratio than York.
- 1.18 The affordability ratio highlights a constraint on people being able to access housing in York, with house price increases and rental costs outstripping increases in earnings at a rate well above the national level.

### Rents

- 1.19 On a similar basis, high and increasing private sector rents in an area can be a further signal of stress in the housing market. Median rents in York are £725 per month, with median rents ranging from £595 per month for a 1 bed flat, to £1,500 per month for a 4+ bed house. All of these figures are significantly higher than the national average, with overall average rents comprising £675 across England, and £585 for North Yorkshire. Rental levels are therefore 7.4% higher than comparable national figures (Figure 1.3).

Figure 1.3 Median Monthly Rents



Source: VOA Private Rental Market Statistics

## Rate of Development / Under delivery

1.20 The rate of development is intended to be a supply-side indicator of previous delivery. The Practice Guidance states that:

*“...if the historic rate of development shows that actual supply falls below planned supply, future supply should be increased to reflect the likelihood of under-delivery of a plan”<sup>5</sup>*

1.21 York has never had an adopted Local Plan, hence the only relevant previous ‘planned supply’ figure is the target within the former Yorkshire and the Humber RS up to 2012. Thereafter, we have compared delivery against the household projections and its preferred OAHN range, as set out in Table 1.2.

Table 1.2 Rate of net housing delivery in York against possible policy benchmarks, 2004/05-2015/16

Year	Net Housing Completions	Council's OAHN (867 dpa)	
		'Need'*	+/-
2004/05	1,160	640	+520
2005/06	906	640	+266
2006/07	798	640	+158
2007/08	523	640	-117
2008/09	451	850	-399
2009/10	507	850	-343
2010/11	514	850	-336
2011/12	321	850	-529
2012/13	482	867	-385
2013/14	345	867	-522
2014/15	507	867	-360
2015/16	1,121	867	+254
2016/17	977	867	110
<b>Total</b>	<b>8,612</b>	<b>10,295</b>	<b>-1,683</b>

Source: ARUP (August 2015): Evidence on housing Requirements in York: 2015 Update, Table 4 and City of York Half Year Housing Monitoring Update for Monitoring Year 2017/181

\*RSS assumed average 640 dpa 2005/05-2007/08; 850 dpa 2008/09 -2011/12

<sup>5</sup>Section 2a-019-20140306

- 1.22 It is clear from the Council's own evidence that the City has consistently under-delivered housing, with a failure to deliver anything more than 525 dwellings in any single year between 2007 and 2015. The policy benchmarks suggest that the level of past under-delivery is 1,683 dwellings over the past 13 years.
- 1.23 Furthermore, the Council's already low housing delivery figures have been artificially boosted by the inclusion of student accommodation in the completions figures. For example, CYC's 2012/13 Annual Monitoring Report states that 482 (net) dwellings were completed in 2012/13, but this figure includes 124 student cluster flats. The 6 months completions data set out in CYC's Housing Monitoring Update (Table 3, October 2017) suggested that the Council was continuing to rely on student housing completions to boost its housing numbers, with 637 of the total 1,036 net completions during the first half of the 2017/18 monitoring year comprising privately managed off-campus student accommodation.

### **Overcrowding and Homelessness**

- 1.24 Indicators on overcrowding, sharing households and homelessness demonstrate un-met need for housing within an area. The Practice Guidance suggests that long-term increases in the number of such households may be a signal that planned housing requirements need to be increased.
- 1.25 The Guidance states that indicators on:
- "...overcrowding, concealed and sharing households, homelessness and the number in temporary accommodation demonstrate unmet need for housing. Longer term increases in the number of such households may be a signal to consider increasing planned housing numbers..."*<sup>6</sup>
- 1.26 The Census measures overcrowding based on a standard formula, which measures the relationships between members of a households (as well as the number of people in that household) to determine the number of rooms they require. A rating of -1 or less indicates a household has one fewer room than required, +1 or more indicates a household has one or more rooms than needed. At the national level, affordability issues in recent years, as well as a shortfall in housing supply, have meant that people are either willing to accept sub-optimal living conditions (e.g. living in a smaller home to manage costs) or are forced into accepting such housing outcomes (e.g. are priced out of the market and have to share with friends/family).
- 1.27 Table 1.3 illustrates that overcrowding against the occupancy rating in York is not severe, with 7.10% of households living in a dwelling that is too small for their household size and composition. This compares to 8.7% nationally. However, it represents a significant increase of 2 percentage points on the 5.1% recorded in York in 2001, which is above the national trend (which had increased by 1.6 percentage points from 7.1% in 2011).

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<sup>6</sup> Section 2a-019-20140306

Table 1.3 Overcrowding: Household Room Occupancy Rating

	2001			2011		
	Total Households	-1 room occupancy or less	-1 room occupancy or less (%)	Total Households	-1 room occupancy or less	-1 room occupancy or less (%)
York	76,926	3,887	5.1%	83,552	5,930	7.1%
England	20,451,427	1,457,512	7.1%	22,063,368	1,928,596	8.7%

Source: Census 2001 / Census 2011

Note: The definition of the Census 'bedroom standard' is slightly different from the 'occupancy rating' that informs the Government's Under-Occupancy Charges, i.e. the Census states that 'two persons of the same sex aged between 10 and 20' can occupy one bedroom, whilst the Under Occupancy Charge changes this to 'any two children of the same sex aged under 16'. It is possible that if the Government's policy continues into the long term, then changes will be made to the categorisation of the Census's Occupancy Rating to bring the two datasets into line.

1.28 The Census also recorded the number of concealed families (i.e. where there is more than one family present in a household). Nationally, this rose significantly between 2001 and 2011, at least in part due to the impact of the recession on younger households' ability to afford their own home. This meant that many younger people, including families, remained in the family home for longer than might have been expected in the past, either through choice (to save money) or through necessity.

1.29 At the time of the 2011 Census, 1.9% of all families in England were concealed; this represented 275,954 families. This is a rise compared to 2001 when 1.2% of families were concealed. In York, a lower percentage of families were concealed (1.1%) than nationally (1.9%). However, this represents a higher proportional rise, of almost two thirds, from the 2001 figure. This is presented in Table 1.4.

Table 1.4 Concealed Families in York, Yorkshire and Humber and England 2001-2011

	Concealed Families		Change (percentage points)	Change in %
	2001	2011		
York	330 (0.7%)	586 (1.1%)	+0.43	+65.7%
Yorkshire and the Humber	15,890 (1.1%)	25,410 (1.7%)	+0.57	+51.1%
England	161,254 (1.2%)	275,954 (1.9%)	+0.69	+59.2%

Source: Census 2011/2011

1.30 The levels of overcrowding and concealed households in York are moderate when compared with the national and regional averages but have increased at a higher rate (albeit from a lower base). While the level of overcrowding and number of concealed households is not so significant as to conclude that there is severe market pressure, it nevertheless highlights inadequacy reducing flexibility in the housing market.

1.31 The levels of overcrowding are likely to be a symptom associated with restricted incomes in York, with people either willing to accept sub-optimal living conditions (e.g. living in smaller houses to manage costs) or forced into accepting such housing outcomes (e.g. are priced out and have to share with friends/family). In such circumstances, overcrowding and concealed households may be indicative of insufficient supply to meet demand.

- 1.32 Table 1.5 indicates that York has a comparatively low number of homeless people in priority need, of just 97 (or 1.1 per 1,000 households), which is less than half the national rate. The fall in homelessness levels in the City has also been much more pronounced than elsewhere in England over the past ten years, although broadly comparable to Yorkshire and the Humber as a whole.

Table 1.5 Number accepted as being homeless and in priority need 2006/07-2016/17

	Homeless and in Priority Need		% Change	Absolute Change
	2006/07	2016/17		
York	213 (2.70 / 1,000 H'holds)	97 (1.1 / 1,000 H'holds)	-54%	-1.60 / 1,000 H'holds
Yorkshire and the Humber	8,220 (3.87 / 1,000 H'holds)	3,670 (1.60 / 1,000 H'holds)	-55%	-2.27 / 1,000 H'holds
England	73,360 (3.48 / 1,000 H'holds)	59,110 (2.54 / 1,000 H'holds)	-19%	-0.94 / 1,000 H'holds

Source: CLG Live Table 784: Local authorities' action under the homelessness provisions of the Housing Acts (P1e returns)

## Synthesis of Market Signals

- 1.33 Drawing together the individual market signals above begins to build a picture of the current housing market in and around York; the extent to which demand for housing is not being met; and the adverse outcomes that are occurring because of this.
- 1.34 The performance of York against County and national comparators for each market signal is summarised in Table 1.6. When quantified, York has performed worse in market signals relating to both absolute levels and rates of change against North Yorkshire and England in 13 out of 28 measures.
- 1.35 It is clear that the City is currently facing very significant challenges in terms of house prices and private rental values causing affordability difficulties.

Table 1.6 Summary of York Market Signals against North Yorkshire and England

Market Signal	North Yorkshire		England	
	Absolute Figure	Rate of Change	Absolute Figure	Rate of Change
House Prices	Worse	Worse	Better	Worse
Affordability Ratios	Worse	Worse	Worse	Worse
Private Rents	Worse	Worse	Worse	Better
Past Development	~	~	~	~
Homelessness (Households in Temporary Accommodation)	Better	Better	Better	Better
Homelessness (Households in Priority Need)	Better	Better	Better	Better
Overcrowding (Overcrowded Households)	Worse	Worse	Better	Worse
Overcrowding (Concealed Families)	Same	Same	Better	Better

Source: Lichfields Analysis

Footnote: Worse = performing worse against the average  
 Better = performing the same or better against the average  
 ~ = data not available

- 1.36 To draw meaningful conclusions on the extent to which these market indicators show housing market stress within the City of York and a level of supply that is not meeting demand, the Practice Guidance suggests that comparisons of absolute levels and rates of change in such indicators should be made with comparator areas and nationally. For this reason, York has been compared and ranked against other local authority areas, and England as a whole.
- 1.37 These comparator areas have been chosen on the following basis:
- 1 Other nearby areas within the wider Yorkshire and the Humber Region:
    - a East Riding
    - b Hambleton
    - c Harrogate
    - d Hull
    - e Leeds
    - f Ryedale
    - g Selby
    - h Wakefield
  - 2 The Practice Guidance also states that market signals must be compared with authorities which are not necessarily close geographically, but which share characteristics in terms of economic and demographic factors. These authorities have been chosen by examining the ‘OAC Supergroup Area Classification Map’, produced by the ONS in 2015, which groups each local authority into various socio-economic classifications. York, as a ‘Coast and Heritage’ authority, has been compared with other communities similarly classified within this ranking and which share similar socio-economic characteristics:
    - a Bath and North East Somerset
    - b Canterbury
    - c Cheltenham
    - d Colchester
    - e Lancaster
    - f Scarborough
    - g Taunton Deane
    - h Worcester
- 1.38 England has been used as the final comparator for both sets of tables. A comparison across the range of housing market signals within the authorities identified above is presented in Table 1.7 and Table 1.8. A higher ranking in these tables suggests a worse, or comparatively poorer-performing, housing market for that indicator.

Table 1.7 York Market Signals Comparator Table [Neighbouring Authorities]

		House Prices (to year ending December)			Resident-based Affordability			Workplace-based Affordability			Rents			
Rank		2016	Change (£) 1999-2016	Change (%) 1999-2016	2016	Change (absolute) 2002-2016	Change (%) 2002-2016	2016	Change (absolute) 2002-2016	Change (%)	Sep 2017	Change (absolute) June 2011-Sep 2017	Change (%) June 2011-Sep 2017	
Worsening housing market outcomes	1	Harrogate	Harrogate	York	Ryedale	Ryedale	gston upon Hull, Cit	Ryedale	Ryedale	gston upon Hull, Cit	York	England	England	
	2	England	York	Harrogate	Harrogate	Harrogate	ast Riding of Yorkshi	Harrogate	York	Ryedale	Harrogate	Leeds	Leeds	
	3	Hambleton	England	Ryedale	York	York	Wakefield	York	gston upon Hull, Cit	York	England	Harrogate	gston upon Hull, City of	
	4	York	Hambleton	Selby	Hambleton	ast Riding of Yorkshi	England	Hambleton	England	ast Riding of Yorkshi	Leeds	gston upon Hull, Cit	Harrogate	
	5	Ryedale	Ryedale	England	England	England	Ryedale	Selby	ast Riding of Yorkshi	England	Hambleton	York	Ryedale	
	6	Selby	Selby	Hambleton	Selby	Selby	gston upon Hull, Cit	York	England	Harrogate	Wakefield	Ryedale	Selby	
	7	Leeds	ast Riding of Yorkshi	gston upon Hull, Cit	ast Riding of Yorkshi	Selby	ast Riding of Yorkshi	Harrogate	Selby	Selby	Selby	Selby	York	
	8	ast Riding of Yorkshi	Leeds	ast Riding of Yorkshi	Leeds	Wakefield	Leeds	Leeds	ast Riding of Yorkshi	Hambleton	Leeds	Wakefield	ast Riding of Yorkshi	ast Riding of Yorkshire
	9	Wakefield	Wakefield	Leeds	Wakefield	Leeds	Selby	Selby	Wakefield	Wakefield	Harrogate	ast Riding of Yorkshi	Hambleton	Hambleton
	10	gston upon Hull, Cit	gston upon Hull, Cit	Wakefield	gston upon Hull, Cit	Hambleton	Hambleton	Hambleton	gston upon Hull, Cit	Leeds	Hambleton	ast Riding of Yorkshi	Wakefield	Wakefield
		ONS Price Paid Data			ONS Affordability Data			ONS Affordability Data			VOA Private Rental Market Statistics			
Rank		Overcrowded households			Concealed families			~			~			
Rank		2011	Change (% points)	Change (number)	2011	Change (% points)	Change (number)							
Worsening housing market outcomes	1	Leeds	York	England	England	gston upon Hull, Cit	England							
	2	England	England	Leeds	Leeds	England	Leeds							
	3	gston upon Hull, Cit	gston upon Hull, Cit	gston upon Hull, Cit	gston upon Hull, Cit	Selby	gston upon Hull, City of							
	4	York	Leeds	York	Wakefield	Leeds	Wakefield							
	5	Wakefield	Harrogate	ast Riding of Yorkshi	Selby	Wakefield	ast Riding of Yorkshire							
	6	Harrogate	Selby	Wakefield	York	York	York							
	7	Selby	ast Riding of Yorkshi	Harrogate	Hambleton	Hambleton	Selby							
	8	ast Riding of Yorkshi	Wakefield	Selby	ast Riding of Yorkshi	ast Riding of Yorkshi	Harrogate							
	9	Ryedale	Hambleton	Hambleton	Harrogate	Harrogate	Hambleton							
	10	Hambleton	Ryedale	Ryedale	Ryedale	Ryedale	Ryedale							
		Census			Census									
Rank		~			~									
Rank		~			~									
Better housing	11													
	12													
	13													
	14													

Table 1.8 York Market Signals Comparator Table ['Coast and Heritage' Authority Comparisons]

Rank	House Prices (to year ending December)			Resident-based Affordability			Workplace-based Affordability			Rents		
	2016	Change (£) 1999-2016	Change (%) 1999-2016	2016	Change (absolute) 2002-2016	Change (%) 2002-2016	2016	Change (absolute) 2002-2016	Change (%)	Sep 2017	Change (absolute) June 2011-Sep 2017	Change (%) June 2011-Sep 2017
1	and North East Som	and North East Som	Canterbury	and North East Som	and North East Som	Lancaster	Canterbury	Canterbury	York	and North East Som	Lancaster	Lancaster
2	Canterbury	Canterbury	York	Canterbury	Canterbury	and North East Som	and North East Som	York	England	Canterbury	and North East Som	and North East Somerset
3	Cheltenham	Colchester	Colchester	York	York	England	York	and North East Som	Lancaster	York	England	England
4	Colchester	Cheltenham	and North East Som	Colchester	Colchester	Canterbury	Cheltenham	England	Canterbury	Colchester	Colchester	Colchester
5	England	York	England	Taunton Deane	England	York	Cheltenham	Cheltenham	Cheltenham	Cheltenham	Worcester	Worcester
6	York	England	Lancaster	Worcester	Lancaster	Colchester	Taunton Deane	Lancaster	and North East Som	England	Cheltenham	Scarborough
7	Taunton Deane	Taunton Deane	Cheltenham	Cheltenham	Scarborough	Scarborough	Worcester	Worcester	Worcester	Taunton Deane	Scarborough	Cheltenham
8	Worcester	Worcester	Taunton Deane	England	Worcester	Worcester	England	Colchester	Scarborough	Worcester	Canterbury	Taunton Deane
9	Lancaster	Lancaster	Scarborough	Scarborough	Taunton Deane	Taunton Deane	Scarborough	Scarborough	Colchester	Lancaster	York	Canterbury
10	Scarborough	Scarborough	Worcester	Lancaster	Cheltenham	Cheltenham	Lancaster	Taunton Deane	Taunton Deane	Scarborough	Taunton Deane	York
11												
12												
13												
14												
	ONS Price Paid Data			ONS Affordability Data			ONS Affordability Data			VOA Private Rental Market Statistics		

Rank	Overcrowded households			Concealed families			~			~		
	2011	Change (% points)	Change (number)	2011	Change (% points)	Change (number)						
1	England	York	England	England	England	England						
2	Cheltenham	Colchester	York	Worcester	Canterbury	York						
3	Canterbury	Cheltenham	Colchester	Canterbury	York	Canterbury						
4	Colchester	England	and North East Som	Scarborough	Taunton Deane	Colchester						
5	York	Worcester	Canterbury	Lancaster	Scarborough	and North East Somerset						
6	and North East Som	and North East Som	Cheltenham	Taunton Deane	Worcester	Taunton Deane						
7	Worcester	Taunton Deane	Worcester	York	Colchester	Scarborough						
8	Scarborough	Canterbury	Taunton Deane	and North East Som	Lancaster	Lancaster						
9	Taunton Deane	Scarborough	Scarborough	Cheltenham	and North East Som	Worcester						
10	Lancaster	Lancaster	Lancaster	Colchester	Cheltenham	Cheltenham						
11												
12												
13												
14												
	Census			Census								

- 1.39 It is clear from this analysis that the housing market in the City of York is increasingly dysfunctional, with a very steep level of house price growth in recent years leading to significant affordability challenges generating adverse outcomes for residents who need to access the housing market. The comparative analysis suggests that when compared against neighbouring Yorkshire districts, York has experienced the highest rate of house price growth over the period 1999 to 2016, at levels significantly above the national average at a rate higher than the national level of growth. Only Harrogate and Hambleton have higher house prices, whilst only Harrogate and Ryedale have higher affordability ratios.
- 1.40 Median rental levels are also the highest of all the comparator Yorkshire authorities and the City has the highest rate of change of overcrowded households.
- 1.41 The performance of York's housing market relative to comparable authorities further afield (Table 1.8) which share similar socio-economic characteristics also suggests that the local housing market is under stress, with York amongst the very worst performing districts regarding rates of change in house prices, absolute and relative changes in affordability, median rents, and the rate of change in overcrowded households and concealed families.
- 1.42 The Practice Guidance, as well as providing general economic principles, points towards such factors as indicating that additional supply, over and above that solely needed by demographic change, may need to be delivered in order to address affordability and to reverse adverse housing market trends within the HMA.



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**Date:** 2 April 2018

**Our ref:** 50730/03/MHE/JA/15676940v1

**Your ref:**

Dear Sir,

## **City of York Local Plan: Examination Representation**

We are writing to you on behalf of our client Bellway Homes PLC as part of the consultation by York City Council (“the Council”) in respect of the City of York Local Plan: Publication Draft (February 2018).

Our client is the promoter of land to the ‘East of Strensall Road, Earswick’ (“the Site”) for residential development of approximately 350 houses.

The York Local Plan: Publication Draft is to be submitted for assessment to the Planning Inspectorate in May 2018, the Inspectorate will assess the Plan based on the following two key questions:

- Do you consider the document is Legally compliant?
- Do you consider the document is Sound?

The following provides a response to those questions, and confirms that the Plan as currently drafted is not legally compliant and is not a sound document to plan from.

### **Context**

The City of York Local Plan Publication Draft sets out the vision and spatial strategy that will guide development in York over the plan period which runs from 2017 to 2032/33.

This representation confirms that the housing requirement set out in the Publication Draft is insufficient to accommodate the economic and population growth of the City and should be increased. These representations seek the allocation of land to the ‘East of Strensall Road, Earswick’ for housing or alternatively at least be identified as Safeguarded Land. The allocation of this land would ensure that the Plan can be considered sound.

The land was previously designated as Safeguarded Land in earlier iterations of the draft Plan. It is our Client’s view that the land to the East of Strensall Road, Earswick represents one of the most appropriate site options on the northern periphery of York which will ensure the Plan allocates sufficient sites to deliver its housing requirement. Additional housing sites are required to ensure the Plan delivers the full objectively assessed housing needs to ensure that the Local Plan is positively prepared, justified, effective and consistent

with national planning policy. Identifying safeguarded land to ensure that the Green Belt boundary has permanence beyond the plan period is essential as part of the plan-making process.

Land East of Strensall Road should be allocated for housing or at the very least identified as safeguarded land as the Site is deliverable within the definition of paragraph 47 of the National Planning Policy Framework (NPPF); and represents one of the most appropriate site options to meet the full objectively assessed housing needs of the City.

## National Planning Policy

It is a statutory requirement that every development plan document must be submitted for independent examination to assess when it is “sound”, as well as whether other statutory requirements have been satisfied (s.20(5) of the 2004 Act). By s.19 of the 2004 Act, in preparing a development plan document a local planning authority must have regard to a number of matters including national policies and advice contained in guidance issued by the Secretary of State. Such guidance currently exists in the form of the National Planning Policy Framework [the Framework] and the National Planning Practice Guidance [Practice Guidance].

There is no statutory definition of “soundness”. However the Framework<sup>1</sup> states that to be sound a Local Plan should be:

- 1 **Positively Prepared:** The plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- 2 **Justified:** The plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.
- 3 **Effective:** The Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.
- 4 **Consistent with National Policy:** The Plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

In addition the Framework<sup>2</sup> states that:

*“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.*

For **plan-making** this means that:

- Local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

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<sup>1</sup> National Planning Policy Framework §182

<sup>2</sup> National Planning Policy Framework §14

- specific policies in this Framework indicate development should be restricted.....”

The Core Planning Principles are set out in the Framework<sup>3</sup>.

The requirements of the Framework in respect Local Plans are reinforced in the Practice Guidance<sup>4</sup> which states that the Framework “*sets clear expectations as to how a Local Plan must be developed in order to be justified, effective, consistent with national policy and positively prepared to deliver sustainable development that meets local needs and national priorities*”.

### **Draft National Planning Policy Framework**

The revised draft Framework was published for consultation in March 2018. It has an unequivocal emphasis on housing, with the introduction to the consultation proposals clarifying that the country needs radical, lasting reform that will allow more homes to be built, with the intention of reaching 300,000 net additional homes a year. The draft states that to support the Government’s objective of ‘significantly boosting the supply of homes’, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay<sup>5</sup>.

It is accepted that only limited weight can be attached to the document at present as it is still out for consultation. In this regard, the Annex 1 [§209] to the draft Framework states that the policies in the previous Framework will apply for the purposes of examining plans, where those plans are submitted on or before the date which is 6 months after the final Framework’s publication “*in these cases the examination will take no account of the new Framework*”.

However the draft Framework remains a useful indicator of the direction of travel, not least with the approach to be taken to defining housing need, which has already been the subject of an earlier consultation (*‘Planning for the right homes in the right places’*, September 2017), to which MHCLG published a summary of consultation responses and its view on the way forward in March 2018.

### **Green Belt**

In respect of Green Belt, the NPPF states that:

*“When defining boundaries, local planning authorities should...**define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.**”* (Lichfields emphasis)

A sound assessment of the socio economic and environmental characteristics of areas and towns should be the fundamental building block and evidence base upon which a strategy, which identifies growth in the most appropriate location, is built. The principle of this is not disputed and in fact is specifically endorsed. Whilst the desire to prioritise land within the urban area is admirable, it is clear that a reliance on this location will not achieve the net housing delivery that is required within York throughout the Plan period.

Releasing land from the Green Belt and bringing forward sustainable development will be equally important as development in the existing built up area. Taking this approach will provide a platform for the Council to significantly boost the housing supply to meet future requirements. Sustainable sites outside the existing built up area should not be restricted in terms of delivery and should come forward as soon as possible.

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<sup>3</sup> National Planning Policy Framework §17

<sup>4</sup> Practice Guidance - ID: 12-001-20170728

<sup>5</sup> Draft National Planning Policy Framework §60

The site will provide an essential extension to provide for needed future residential growth in the City of York. There is an urgent need to identify additional and significant sources of housing land which can meet the City's quantitative and qualitative housing needs. Given the tightly drawn Green Belt boundary around the urban area, it is considered that there are exceptional circumstances necessary to justify the release of Green Belt land, and Green Belt release should be planned in order that the Council can commence and successfully implement housing delivery immediately upon the adoption of the Local Plan.

A consideration of the site against the NPPF demonstrates that it does not serve any specific role when compared against the five purposes of the Green Belt.

**Purpose 1 - To Check the Unrestricted Sprawl of Large Built-Up Areas**

The village of Earswick is not a large built-up area and the site does not therefore have a role in restricting the urban sprawl of a large built-up area. The terminology of 'sprawl' suggests disorganised or unplanned expansion, whereas the development of land at east of Strensall Road has been envisaged and considered in previous iterations of the Council's plan-making process and clearly demonstrate that the Council considered that the site should be developed for housing at a future date.

In the context of Green Belt purposes, the site is well contained and has strong robust and defensible boundaries. It does not therefore represent part of a potentially continuous urban sprawl. This is therefore not on its own a reason to discount the site.

**Purpose 2 - To Prevent Neighbouring Towns Merging Into One Another**

Land east of Strensall Road plays no role in this purpose.

**Purpose 3 - To Assist in Safeguarding the Countryside from Encroachment**

The site is largely contained by development with a strong landscape boundary to the east, which would be further enhanced as part of any development proposals. It does not therefore form part of the open countryside.

**Purpose 4 - To Preserve the Setting and Special Character of Historic Towns**

The surrounding area is not of heritage value, the site makes no contribution to this Green Belt purpose. The development of the site itself will not impact upon wider views of the urban area of Earswick, and therefore, this is not on its own a reason to discount this site.

**Purpose 5 - To Assist In Urban Regeneration, By Encouraging the Recycling Of Derelict and Other Urban Land**

There is a fundamental issue of the overall OAN housing requirement within the Publication Draft being too low and insufficient sites identified to meet the correct OAN. Despite this issue, it is right that brownfield sites are identified within the Publication Draft Local Plan. However, these sites by their nature tend to take longer to be successfully implemented and delivered due to the often substantial preliminary works and associated financial costs required to get the brownfield site 'ready' for development.

The identification of the most appropriate land to be used for development through the process of preparing the York Local Plan should be evidenced and be based upon detailed analysis of the supply of such sites. The Council admits that it does not have a 5-year supply of deliverable housing land and consequently, there is significant pressure to bring forward development sites not just in the short term to meet this shortfall, but throughout the Plan period.

Delivery is a key test of soundness for the Local Plan. It is imperative that the Plan contains an appropriate Policy mechanism to ensure a deliverable supply of housing land, if there is an insufficient level of supply.

This would ensure that the Plan aligns with the NPPF requirement at paragraph 21 which is that “*Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances.*”

If sites have not been delivered and supply is falling short of the requirement, it is not clear what the Council intend to do with developers and landowners to identify new sites or bring forward suitable sites faster. Additional sites should be allocated to ensure that the Plan seeks to meet its identified housing need in the first instance, as currently drafted it does not do this. Further, to address any shortcomings, an early review mechanism should be included in the Plan. Reserve sites, via the identification of Safeguarded Land should be incorporated as a mechanism to ensure that housing needs are met, should identified sites not come forward as envisaged.

### **Benefits and information for land East of Strensall Road, Earswick**

The land to the ‘East of Strensall Road’ contains no designated heritage assets, nor are there any in near proximity. There is no suggestion that the site has any archaeological significance and provides no role in the historical influence of the city, so any proposed development would not cause any heritage-based issues.

In regards to questions concerning the ecological and environmental impacts of any proposed development, the development would be in close proximity to the existing development to the West of Strensall Road, so would be in keeping with its surroundings. The surrounding borders to the site are lined with strong ecological barriers such as vegetation, and screening from Strensall Road by further vegetation would shield the development from all sides, reducing its impact upon the landscape of the area. Vegetation surrounding the site will also be maintained and enhanced so as to ensure ecological sustainability and no loss of visual amenity from any proposed development.

There are a number of amenities in close proximity to the proposed site, including six primary schools (currently functioning under capacity so would easily accommodate growth). There are also two secondary schools around half an hours walking distance from the site. Access to public transport options for such schools to reduce car dependency will be discussed in the upcoming paragraphs.

In terms of commercial amenities close to the site, the nearest retail centre is at the Huntington Parade, approximately 1.3km from the Site. Further retail centres can be found within 4km of the site, and York City Centre is only 6km from the site itself. Leisure amenities, such as pubs and social clubs, along with a doctors surgery, can be found within 2km of the proposed site.

In terms of public transport connections to and from the site, bus stops are located approximately 160m from the potential site accesses. Nearby stops provide services linking the proposed development to the closest secondary schools and also provide wider connections to retail centres and to York city centre. These are within the 400m which is considered the maximum walking distance to a bus stop for a site to be considered ‘sustainable’. York rail station is around 6.3km away, and is accessible by bus, providing direct services to Leeds, London and Edinburgh.

The site itself is envisaged to be pedestrian friendly, with connections and walkways connecting all areas of the site to improve walkability and reduce car dependency, whilst also promote the use of bikes and other forms of sustainable transport through designated cycle lanes and links to public transport opportunities.

## Deliverability

The Framework<sup>6</sup> states that for sites to be considered deliverable, they must be suitable, available and achievable. The land East of Strensall Road, Earswick meets all of these requirements:

- 1 **Suitable:** the sites can be accessed from existing access points; and is located within an established residential area, very close to the village centre, and provides the opportunity to increase housing provision within Earswick without impacting upon the wider landscape.

Access does not pose a constraint to the delivery of the site. The site can deliver a substantial improvement in the existing conditions and significant new infrastructure to benefit existing and new residents.

It is proposed that one point of access is provided initially, supported by an emergency secondary access. The main access is proposed to be taken from the Strensall Road/Earswick Chase roundabout, where an additional arm to the existing three-arm roundabout to the south-west of the site would be incorporated.

Should two formal accesses be required, a second access would likely be in the form of a ghost island junction. This is considered appropriate for the secondary access to the development, with the roundabout to the south of the site likely to attract the majority of the traffic heading to and from York and the A1237 ring road.

### *Access to schools*

There are a number of primary schools in proximity to the site which are currently under capacity;

- Burton Green Primary School;
- Headlands Primary School;
- Huntington Primary Academy;
- Ralph Butterfield Primary School;
- Skelton Primary School; and
- Wiggington Primary School

There are also two secondary schools, the Huntington Secondary School and Joseph Rowntree School, within a 30 and 35 minute walk respectively of the site.

- 2 **Available:** The site is in the ownership of a willing landowner who is looking to release the site for development.
- 3 **Achievable:** The site is capable of coming forward for development in the short term. As a national housebuilder, Bellway Homes encompasses long experience in landowning, development and housebuilding. They have expressed their intention to commence the development of the site immediately upon the adoption of the Local Plan, if not before subject to the grant of planning permission. They confirm that there are no legal or ownership constraints which would preclude the early delivery of development.

The Technical Report on Housing Issues prepared by Lichfields sets out our concerns in relation to the Council's housing requirement and housing supply. It concludes that the Council is not providing sufficient land to meet the housing needs of the City and further sites should be allocated for housing development as part of the YLP. The LPP is therefore not soundly based and it is requested that the calculation of York's

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<sup>6</sup> Framework footnote 11, page 12



Objective Assessment of Housing Needs [OAHN] is revisited, and that Southfields Road and Princess Road are allocated for residential development in order to help make up for the shortfall in housing land.

**Do you consider the document to legally compliant; and consistent with the tests of soundness?**

Set out below are responses to the relevant sections of the

Publication Draft Local Plan in respect of Bellway Homes' land interests at land east of Strensall Road, Earswick.

National planning policy sets clear expectations as to how a Local Plan must be prepared in order to be justified, effective, consistent with national policy and positively prepared to deliver sustainable development that meets local needs and national priorities. Bellway Homes consider that the Publication Draft Local Plan as currently drafted fails to meet the tests of soundness.

The major concerns with the document as currently drafted are summarised as follows:

- The Publication Draft does not set out a clear spatial strategy and framework for the future development of the City of York;
- The Objective Assessment of Housing Need (OAN) does not accord with guidance set out in the NPPF and Planning Practice Guidance; and
- The housing supply set out in the draft Plan is not justified, nor is it consistent with national policy. The Council has not produced a detailed housing trajectory or a detailed assessment of the deliverable 5-year supply position and developable sites for years 6-10 as required by the NPPF.

In the context of the above, it is not possible to consider the suitability of the revised portfolio of sites set out in the Draft Plan, as there is no evidence that they are deliverable or developable when considered against the definitions set out the NPPF, which is a key requirement of the national policy in relation to planned housing land supply. The failure to carry out an assessment of the suitability, availability and achievability (including economic viability) of the portfolio of sites means that the Draft Plan as currently drafted is neither justified, sound nor effective and has not been positively prepared.

Overall, the failure to address the City of York's unmet housing need means that the Plan is not consistent with national policy which requires that Local Planning Authorities ensure that Local Plans meet the full, objectively assessed needs in the housing market area; and is therefore unsound.

**Policy SS1: Delivering Sustainable Growth for York**

*Housing need*

Policy SS1 states that a minimum annual provision of 867 new dwellings will be delivered over the Plan period to 2032/33 and post plan period to 2037/38. This figure has been informed by the findings of the September 2017 SHMA Assessment Update. The Assessment Update makes a number of assumptions and judgements which are considered to be flawed, or which do not properly respond to the requirements of policy and guidance. The OAN is therefore not robust and is inadequate to meet need and demand within the Housing Market Area (HMA).

The Council's approach to identifying an assessed need of 867 dpa in the introductory section of the SHMA Assessment Update is considered to be fundamentally flawed. This is effectively a 'policy-on' intervention by the Council which should not be applied to the OAN. It has been confirmed in the Courts that OAN is 'policy off' and does not take into account supply pressures. The Council's approach to identifying the OAN, as set

out in the SHMA Assessment Update, would therefore be susceptible to legal challenge. The calculation of OAN should therefore be based on the normal 'policy-off' methodology.

There are a number of significant deficiencies in the SHMA Assessment Update which means that the 953 dpa OAN figure identified by GL Hearn in the Assessment Update is not soundly based. In particular:

- GL Hearn clearly accept that an increase in household formation rates is necessary to respond to continued suppression of household formation rates within younger age groups within the official projections. However, the demographic conclusion of 871 dpa does not appear to have been carried forward by GL Hearn in calculating the resultant housing need. Lichfields agree with making an adjustment for demographic and household formation rates. However, it would be illogical to revert back to unadjusted projections of 867 dpa and then take this to apply the adjustment for market signals and affordable housing, when a demographic need of 871 dpa has been identified.
- Overall, the Assessment Update fails to distinguish between the affordable housing needs of the City of York, and the supply increase needed to address market signals to help address demand. Instead the SHMA blends the two elements within the same figure resulting in a conflated figure, which is lower than the level of uplift deemed reasonable, despite the fact that market signals pressures in York indicate signs of considerable stress and unaffordability. The Planning Practice Guidance is clear that the worse affordability issues are, the larger the additional supply response should be to help address these.
- Given the significant affordable housing need identified in City of York Lichfields consider that a 20% uplift would be appropriate in this instance and should be applied to the OAN.

It has been demonstrated that the assumptions and judgements used in the SHMA Assessment Update are flawed and the proposed OAN for the City is not robust. It is therefore concluded that the housing requirement set out in the Publication Draft is unsound, as it does not accord with guidance set out in the NPPF and Planning Practice Guidance. Bellway Homes therefore strongly object to the Publication Draft Local Plan as currently drafted and request that the OAN is recalculated using an appropriate methodology.

### *Spatial Principles*

Policy SS1 identifies five spatial principles through which the location of development will be guided. However, the Council has failed to meet a fundamental requirement of the NPPF as the Draft Plan does not demonstrate how the policy is based upon the presumption in favour of sustainable development.

It appears that the Council's strategy is a combination of urban expansion, the provision of new settlements and restricted growth in existing settlements. The document contains no narrative as to how or why, the Council has arrived at this approach, how and why the housing requirement has been distributed between these areas nor does it set out the implications of this pattern of spatial distribution or discuss the alternative options considered.

Bellway Homes are concerned that the proposed new settlements at Land West of Wigginton Road [Policy SS12] and Land West of Elvington lane [Policy SS13] have not been assessed against reasonable alternatives in the SA, nor are they deliverable or developable when considered in the context of the NPPF.

In sustainability terms, Bellway Homes consider it more appropriate to focus growth on extensions to the York urban area and the expansion of existing settlements. This approach would make best use of existing infrastructure and resources, as well as ensuring that the needs of the local community are met. In particular, the failure to allocate land in existing settlements will increase affordability pressures in the City.

The Council should therefore allocate additional land to meet the housing needs of the community and these sites should be able to deliver early in the plan period. This is the only approach that will deliver a 'sound'

plan and enable the much needed investment in new housing to meet the local community's needs. For the reasons set out in this representation, it is considered that land east of Strensall Road, Earswick should be removed from the Green Belt and allocated for residential development.

### **Policy H1: Housing Allocations**

Policy H1 identifies a number of allocations in order to meet the housing requirement set out in Policy SS1. The explanatory text to the policy provides commentary on how sites with existing permission and windfall allowance will feed into this supply.

#### *Housing Supply*

The Council has not produced a trajectory or a detailed assessment of the 5-year supply position as required by the NPPF. No evidence has therefore been produced to demonstrate the Council's housing supply position. The absence of a delivery trajectory for each housing site is a result of the lack of evidence base prepared by the Council. The housing supply position set out in the Publication Draft Local Plan is therefore not justified or consistent with national policy.

The Publication Draft Local Plan sets out the Council's proposed allocations and the expected delivery over the plan period. However, the Council is unable to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period (i.e. the tests set out in the NPPF). As a result, there is insufficient information on the assumptions used to derive the Council's proposed delivery. In particular:

- No evidence is provided on lead-in times.
- A total delivery figure for each allocated site is assumed without detailed reasoning on annual delivery rates.
- Density assumptions are not validated and should be revised downwards to ensure that the capacity of sites is not artificially inflated.

An analysis of the components of the Council's supply based on the information available suggest that:

- The Council has not identified sites with planning permission nor has it provided a delivery trajectory for each site to demonstrate how each of these sites contributes to delivery over the Plan period or to the 5-Year housing land supply. In the absence of this information it is not possible to ascertain whether these sites should be included in the supply.
- The delivery of development on large strategic sites has been substantially overestimated by the Council in some cases.
- The Council's information does not adequately justify a windfall allowance of 169 dpa and does not provide sufficient certainty that this figure will be achieved over the plan period.

In these circumstances, the emerging Plan is not sound as required by the NPPF, as the Council has not demonstrated an adequate short and longer-term supply as required by national guidance.

### **Sites ST14 Land to West of Wigginton Road & ST15 Land to West of Elvington Lane**

Whilst it is clearly accepted that the development of Green Belt sites will be necessary to accommodate York's housing growth, Bellway Homes are concerned that the proposed allocation of Land to the West of Wigginton Road [Allocation ref. ST14] and Land to the West of Elvington Lane [Allocation ref. ST15] have not been assessed against reasonable alternatives in the Sustainability Appraisal, nor are they deliverable or developable when considered in the context of the NPPF. This is because:

- The sites are located within the Green Belt and no application is likely to be permitted until the Local Plan is adopted.
- A clear strategy is needed to deliver the sites during the plan period. Both are in multiple ownerships and the siting of each allocation without access to a public highway introduces an added level of complexity in negotiation and agreement between the parties involved.
- In view of their size and complexity much work will be needed to develop masterplans and establish viability of the developments to be progressed through the planning system.
- Detailed masterplans will be required to secure an appropriate form of development and ensure a phased delivery of the on-site services and facilities.
- Given the scale and location of the developments the schemes will need to be subject to full environmental assessment, especially to consider the likely impact on landscape, ecology and transportation and historic character of the City.
- The sites are isolated and there is no existing infrastructure capable of accommodating the proposed level of development. Both sites do not have frontage to a public highway with capacity that would allow even the smallest amount of development to commence. Their development will require major off-site highway improvements and new highway access roads and junctions. Other utilities will need to be procured and delivered in advance of any construction works on the site. This will inhibit the early delivery of the developments.
- The proposed sites are not obviously sustainable in that they are not easily accessible to existing social and community facilities or located close to existing public transport routes. Considerable effort will need to be made to ensure the allocations do not become satellite, dormitory communities wholly reliant on private transport for every journey away from the home.

The proposed delivery of units in Year 1 (2018/19) is ambitious and unrealistic given the extensive infrastructure requirements which will need to be put in place in advance of any development being commenced. In addition, in view of the application of restrictive Green Belt policy it is inevitable that once the Local Plan is adopted the City of York Council will receive many planning applications for both large and smaller developments. Processing these applications will inevitably cause added delay, especially to the major, complex, housing allocations.

The Council should therefore allocate additional land to meet the housing needs of the community and these sites should be able to deliver early in the plan period. This is the only approach that will deliver a sound Plan and enable the much needed investment in new housing to meet the community's needs.

For the reasons set out in this representation, it is considered that land east of Strensall Road, Earswick should be removed from the Green Belt and allocated for residential development.

## **Policy H2: Density of Residential Development**

Policy H2 identifies the following net densities which housing developments will be expected to achieve:

- 100 units/ha within the city centre
- 50 units/ha within the York urban area
- 40 units/ha within the suburban area and Haxby/ Wigginton
- 35 units/ha in the rural area and villages

It states that on strategic sites, the specific master planning agreements that provide density targets for that site may override the approach in this policy, which should be used as a general guide.

It is considered that the proposed densities are overly ambitious and will not be achieved on average on sites throughout York. For example, from our experience, it is not anticipated an average density of 50dph on sites of 1ha+ with a gross to net ratio of 95% can be achieved. Meeting open space requirements alone will preclude this ratio. There will be a very limited number of examples where this density has been achieved but a more appropriate and conservative figure should be pursued in the absence of firm details from a developer. The gross to net ratio at most should be 85% and this can reduce to less than 60% for the larger development with significant infrastructure requirements.

Secondly, it is considered that a density of 40dph on suburban sites is highly aspirational and is unlikely to be achieved across a significant number of sites. This density is characterised by housing for the smaller households and thus not suitable for family accommodation.

The Council has not provided sufficient information to back up their assumptions and we consider that these development densities should be revised downwards. Assumptions on development densities in the absence of specific developer information should air on the side of caution and we consider that the above densities are at variance with this principle.

### **Policy H3: Balancing the Housing Market**

Policy H3 requires proposals for housing development to balance the housing market by including a mix of types of housing which reflects the diverse mix of need across the City. This includes flats and smaller houses for those accessing the housing market for the first time, family housing of 2 to 3 beds and homes with features attractive to older people. The explanatory text to the policy suggests that the focus of new housing provision should be on two and three bed properties.

The Council's aim of seeking to balance the housing market across the Plan period and work towards a mix of housing identified in the Strategic Housing Market Housing Assessment [SHMA] is generally supported. However, the 2016 SHMA [§11.43] notes that there is a geographical dimension and the specific mix of housing needed at a local level will be influenced in part by gaps in the existing housing offer locally (such as differences between the urban and rural areas). Bellway Homes consider that sites within and around surrounding settlements, such as Earswick, are likely to be more suited to family housing of at least 3 bedrooms and larger 4+ bed dwellings to reflect the character of the local surrounding area. Flat and smaller housing (2-bed) would generally be better located on sites within and around the main urban area of the City where a higher density of development is likely to be more appropriate.

### **Policy H10: Affordable Housing**

Policy H10 sets affordable housing contributions required for various site size thresholds. The policy allows for open book appraisal to demonstrate that development would not be viable in instances where a developer believe the policy criteria cannot be fully met. Bellway Homes welcomes the inclusion of this mechanism.

### **Policy HW2: New Community Facilities**

Policy HW2 states that applications for residential developments of 10 or more dwellings must be accompanied by an audit of existing community facilities and their current capacity. Developments that place additional demands on existing services will be required to provide proportionate new or expanded community facilities, to meet the needs of existing and future occupiers. Developer contributions will be sought to provide these additional facilities.

It is not clarified in Policy HW2 or the explanatory text whether this audit would be undertaken by the Council or by the applicant. However, the wording of the Policy intimates that the onus would be on the applicant to provide this information. If this is the case, Bellway Homes strongly object to Policy HW2. It is

the Council's responsibility to provide the appropriate evidence base to justify any requirement for contributions sought and to ensure that the evidence is in accordance with the requirements of the Community Infrastructure Levy (CIL) regulations. Any such contribution must meet Regulation 122 of the CIL Regulations and the NPPF [§204] which require a planning obligation should only be required if it is:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and,
- Fairly and reasonably related in scale and kind to the development.

All three requirements must be met for a contribution to be lawful. The Council would therefore need to demonstrate that these tests are met when providing any audit as a basis for seeking contributions.

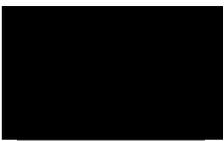
In addition, the Policy and explanatory text provides no indication of the types of community facility to which this Policy would apply. In order to provide certainty to applicants such facilities should be identified within the Policy. This would also help ensure that this Policy requirement does not cover the same facilities for which contributions are sought through other policies in the Plan, such as Policy HW3: Built Sports Facilities.

## **Conclusion**

This representation has demonstrated that the City of York Local Plan: Publication Draft (February 2018) cannot be considered to be sound and is not legally compliant due to the miscalculation of the OAHN and the lack of evidence demonstrating a 5-year housing land supply.

Also highlighted has been the clear suitability and sustainability of the site to the East of Strensall Road, Earswick as a site for residential development, to help provide required development to work towards the housing need across the Local Plan area. The site itself is demonstrably sustainable, through a focus on sustainable personal and public transport connection, both within the site and connected to the site, and also a commitment to environmental and ecological sustainability by maintaining and enhancing the existing ecological buffers and agglomerations around the edges of the site.

Yours sincerely

  
**Phil Jones**  
Planning Director

Copy

Sarah Carr – Strategic Land Director (Yorkshire), Bellway Homes

**From:** Chris Atkinson [Chris.Atkinson@bartonwillmore.co.uk]  
**Sent:** 04 April 2018 10:05  
**To:** localplan@york.gov.uk  
**Cc:** Nick Squire; Stuart Natkus  
**Subject:** 26008.A3 - Representations to the York City Council Local Plan Publication Draft  
**Attachments:** Representations Form April 2018.pdf; 26008.A3.CA.LPReps.180404.FINAL.pdf

Dear Sir/Madam,

We have been instructed by our Client, Nick Squire (Equibase Ltd), to prepare representations to the Publication Version of the York City Council Local Plan. Our Client has land interests at Milestone Avenue, Rufforth (site ref: 956) and is therefore a key stakeholder within the District.

I would be grateful if you could acknowledge receipt of our submissions. Please note our Client wishes to be present at relevant EiP sessions in due course.

Regards,

**Chris Atkinson**  
Senior Planner



**DDI:** 0113 2044 773  
**W:** [www.bartonwillmore.co.uk](http://www.bartonwillmore.co.uk)  
1st Floor, 14 King Street, Leeds, LS1 2HL

**BARTON  
WILLMORE**

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Information contained in this e-mail (and any attachments) is confidential and may be privileged. It may be read, copied and used only by the addressee, Barton Willmore accepts no liability for any subsequent alterations or additions incorporated by the addressee or a third party to the body text of this e-mail or any attachments. Barton Willmore accepts no responsibility for staff non-compliance with the Barton Willmore IT Acceptable Use Policy.

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	Mr
First Name	Nick	Chris
Last Name	Squire	Atkinson
Organisation (where relevant)	Equibase	Barton Willmore
Representing (if applicable)		
Address – line 1	c/o Agent	14 King Street
Address – line 2		Leeds
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		LS1 2HL
E-mail Address		Chris.atkinson@bartonwillmore.co.uk
Telephone Number		0113 2044777

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

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# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

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## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

Please refer to attached representations.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**Yes  No 

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)Positively prepared  Justified Effective  Consistent with national policy **5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.

Numerous

Policy  
Ref.

H1

Site Ref.

956

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Please refer to attached representations.

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Please refer to attached representations.

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

Our Client raises objections to the Local Plan as currently drafted as it fails to meet the tests set out at paragraph 182 of the National Planning Policy Framework and as such is unsound. It is necessary to discuss the merits of our clients site together with the significant support it has received from the parish council through the Rufforth and Knapton Neighbourhood Plan.

Further details are outlined within our attached representations.

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.



# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

## Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

## Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

## Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on [01904 554145](tel:01904554145)

Signature



Date 04/04/2018

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

Local Plan  
FREEPOST RTEG-TYYU-KLTZ  
City of York Council  
West Offices  
Station Rise  
York  
YO1 6GA

26008/A3/CA

4<sup>th</sup> April 2018

Dear Sir/Madam,

**REPRESENTATIONS TO THE CITY OF YORK LOCAL PLAN PRE-PUBLICATION DRAFT CONSULTATION**

On behalf of our Client, Equibase Ltd, we would like to make representations to the City of York Local Plan Publication draft (CYCLP). Our Client has land interests within the village of Rufforth.

**1. Background**

Our Clients land in Rufforth is located off Milestone Avenue and a site location plan is appended to these representations so the land can be easily identified. The site measures 0.37 hectares.

Discussions have been ongoing with Rufforth and Knapton Parish Council for some time, which has culminated in our Clients land being identified in the Rufforth with Knapton Neighbourhood Plan 2017 as a proposed housing allocation (site reference: RK H2), with a capacity of 9 dwellings.

The Neighbourhood Planning Group have recently published the final version of the Neighbourhood Plan, which is out for consultation until 2<sup>nd</sup> May 2018, and this continues to propose our Clients land at Rufforth as a proposed housing allocation. Despite the clear support from the Parish Council and the Neighbourhood Planning Group, York City Council have failed to allocate the site within the Publication draft.

Representations were made to the Pre-Publication version of the Plan and the site was put forward for consideration and the support with the Neighbourhood Plan was outlined within our submissions.

The Local Plan Working Group met on 23<sup>rd</sup> January 2018 to seek Members approval with regards to the next steps for the CYCLP. It was outlined within the report to Members that the Council proposed to continue utilising the existing methodology for calculating housing need, rather than utilising the proposed DCLG standardised methodology. The DCLG methodology earmarked a higher housing target than the Council's methodology, however, given the uncertainties around timescales for the introduction of the revised National Planning Policy Framework, the Council advised Members that their methodology should be utilised.

However, the Council did acknowledge that the DCLG methodology would lead to a higher figure and that it did plan for an affordability uplift, which the Council had originally planned to do before deciding to proceed with a lower figure at Pre-Publication stage.



In order to be in a better position to defend the Plan at Examination, officers advised Members to increase the housing requirement and the Local Plan Working Group report outlined the potential options and associated risk.

Despite this recommendation, the Council have proceeded with the same figure of 867 dwellings per annum.

One of the options considered, was to allocate new sites which were put forward during the consultation of the Pre-Publication version of the Plan, which included our Clients land at Rufforth (CYCLP ref: 956). Members were advised as follows with regards to this option:

*"Table 4 includes new sites that have emerged during the Autumn 2017 Consultation. Although they do meet the requirements of the site selection methodology and therefore potentially represent reasonable alternative, they have not been included in any previous consultation. If any of these sites were to be included in the next stage of the Local Plan the lack of consultation before the Examination could proceed. Carrying out further consultation now about proposing to include these new sites would mean that the May 2018 date for submission could not be met".*

Our Client strongly **objects** to the Council's reasoning for not allocating site reference 956, with full reasoning outlined in the remainder of these representations.

## **2. Detailed Objections**

### Policy H1 – Housing Allocations

This policy sets out which sites are proposed for residential allocations to meet the Council's housing requirement for the Plan period. It is noted that only a single site (ref: H38) is allocated within the village of Rufforth, and this is not our Clients site. As such, they strongly **object** to the contents of policy H1.

The Council clearly acknowledge that our Clients site represents a suitable and logical housing allocation, which meets the requirements of the site selection methodology, and as such our previous representations were successful in demonstrating that the site is suitable, available and achievable and constitutes a developable site. It is simply because the site has not been included in any previous consultation documents that the site is not allocated.

The Council should have placed significant weight on the fact that the site has substantial local support which has been demonstrated through the proposed allocation of the land in the proposed Rufforth with Knapton Neighbourhood Plan.

Indeed, it is considered that the Council's failure to allocate our Clients land is in direct conflict with the requirements of the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG), which place great weight in enabling local communities to plan positively for growth in their areas through Neighbourhood Planning.

Paragraph 003 (reference ID: 41-003-20140306) of the PPG states *"neighbourhood planning provides the opportunity for communities to set out a positive vision for how they want their community to develop over the next 10, 15, 20 years in ways that meet identified local need and make sense for local people. They can put in place planning policies that will help deliver that vision or grant planning permission for development they want to see".*

In this particular instance, our Client has liaised closely with the Parish Council to agree the proposed housing mix for the allocation, to ensure that the identified local need in the village can be met. Indeed, the Parish Council undertook a housing survey to ascertain what the local need was, and subsequently based the proposed housing mix for our Clients site on the findings of the survey. The Council's decision to not allocate the site, which is located within the Green Belt, will

therefore prevent any such development coming forward, which in turn prevents the Parish meeting their identified local need. This is totally unacceptable, and our Client strongly **objects** to this approach.

The Council's approach appears to be at odds with paragraph 009 (reference ID: 41-009-20160211), which states *"the local planning authority should work with the qualifying body to produce complementary neighbourhood and Local Plans. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging Local Plan, including housing supply policies"*.

The guidance within national planning policy has been carried forward into the CYCLP, at paragraphs 1.10 - 1.11. It states that *"neighbourhood plans are a key element of neighbourhood planning and the Council is committed to supporting communities in preparing Neighbourhood Plans"*. By failing to allocate our Client's land, against the wishes of the Rufforth and Knapton Neighbourhood Planning Group, the Council have failed to adhere to their own commitment.

The Council's assertion that the site should not be allocated on the basis that it had not previously been consulted on in previous versions of the Plan, thereby creating a risk to the process as the Examiner could require further consultation before Examination could proceed, is not justified. Our Client **objects** to this approach on a number of grounds.

Firstly, the Council have progressed the Publication Version of the CYCLP on the basis that the increase in housing provision will be delivered at the York Central strategic allocation. Whilst we do not intend to comment in detail about this, there are considered to be potential deliverability issues, as well as adverse impacts upon housing mix and distribution, which in our opinion is a material change. Despite these material changes, the Council have published the Publication Version of the Plan having not consulted on these matters. As such, there is no justifiable reason as to why the Council have not allocated site reference 956, as the concerns regarding the lack of consultation has not prevented the Council making other material changes to the Plan.

To state that the site has not previously been consulted on is disingenuous in the sense that it has been included in previous version of the Rufforth and Knapton Neighbourhood Plan, which has been available for members of the public to comment on. The consultation on the Neighbourhood Plan is not limited to residents of the villages; stakeholders, developers and landowners were able to comment on the contents of the document. Whilst this consultation was not directly part of the Local Plan process, the Neighbourhood Plan once adopted will form part of the Development Plan for York, and it is considered that the Council could have liaised with the Neighbourhood Planning Group to discuss what, if any comments were received regarding the proposed allocation of our Client's land.

Furthermore, the land is very small in scale and the allocation of 9 additional units would not have had a demonstrable impact upon the Council's housing provision, when measured against its overall target. It is clear at Policy SS1 of the CYCLP that the annual housing target of 867 dwellings per annum is a minimum figure, and as such, it would not be of detriment to the strategic aims of the Plan if this site was allocated.

### **3. Summary and Conclusion**

Our Client strongly **objects** to the Local Plan as currently drafted as they have failed to allocate their land for residential purposes, despite acknowledging that it meets the Council's site selection methodology and therefore represents a suitable and deliverable site.

As such, the Plan is unsound in its current form as it fails to meet the tests outlined in paragraph 182 of the NPPF. The Council's approach is not effective, positively planned or in accordance with national planning policy.

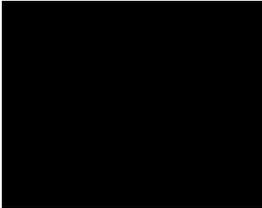
The Council's justification for excluding the site is unsound and will have wider implications in the sense that Rufforth and Knapton Parish Council will not be able to implement their proposed Neighbourhood Plan, as the site remains as Green Belt in the CYCLP.

The Council appear to contradict their own reasoning for excluding our Clients site, by increasing the capacity of the York Central strategic site by circa 200 units, which is considered to be a material change.

Notwithstanding the above, we have demonstrated through our representations to the Pre-Publication Plan and the Rufforth and Knapton Neighbourhood Plan that this site is suitable, available and achievable and the allocation of this site, for just 9 units, would have no adverse impacts upon the strategic aims of the Plan. Indeed, it would assist a local parish meet its identified local housing needs.

We would request that these comments are accepted as our duly made objections, and that we are provided further opportunity to provide verbal evidence at the EiP hearing sessions.

Yours faithfully



**CHRIS ATKINSON**  
Senior Planner



**From:** Joanne Harding [joanne.harding@hbf.co.uk]  
**Sent:** 04 April 2018 10:14  
**To:** localplan@york.gov.uk  
**Subject:** HBF response to the York Local Plan  
**Attachments:** 18-04-04 York Local Plan.docx; HBF Comments\_form\_FINAL-signed.pdf

Dear Sir / Madam,

Please find attached the response of the Home Builder Federation (HBF) to the York Local Plan Publication Draft.

It would be greatly appreciated if you could confirm receipt of this response.

If you require any further information or if you have any questions or queries please do get in touch at the details below.

Thank you.

Kind regards



**Joanne Harding** MRTPI  
*Local Plans Manager – North*  
Home Builders Federation  
T: 07972 774 229  
E: [joanne.harding@hbf.co.uk](mailto:joanne.harding@hbf.co.uk)



# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

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## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mrs	
First Name	Joanne	
Last Name	Harding	
Organisation (where relevant)	Home Builders Federation (HBF)	
Representing (if applicable)		
Address – line 1	HBF House	
Address – line 2	27 Broadwall	
Address – line 3	London	
Address – line 4		
Address – line 5		
Postcode	SE1 9PL	
E-mail Address	joanne.harding@hbf.co.uk	
Telephone Number	07972 774 229	

# Guidance note

## Where do I send my completed form?

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- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

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## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

Please see separately attached letter.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

**Positively prepared**

**Justified**

**Effective**

**Consistent with national policy**

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.

Policy  
Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Please see separately attached letter.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Please see separately attached letter.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To debate the comments made within our representations further and in greater detail. To ensure that the industry can respond to any additional evidence provided by the Council or others following submission of the plan.

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

## Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

## Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

## Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on [01904 554145](tel:01904554145)

Signature

Date

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012



Planning Policy  
City of York Council  
West Offices  
Station Rise  
York  
YO1 6GA

SENT BY EMAIL  
[localplan@york.gov.uk](mailto:localplan@york.gov.uk)

04/04/2018

Dear Sir / Madam,

### **YORK LOCAL PLAN: PUBLICATION DRAFT (Regulation 19 Consultation)**

Thank you for consulting with the Home Builders Federation on the York Local Plan: Publication Draft Consultation.

The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.

The HBF is keen to work with the City of York to ensure that a sound Local Plan can be provided in a timely manner. This would be to the benefit of all concerned with the development and future economic success of the city. The HBF would be happy to engage with the Council upon matters of mutual interest to ensure that swift progress upon the Local Plan can be made as a clear, robust and up to date local plan is essential to enable the housebuilding industry to deliver both the market and affordable homes that the communities of York and its environs so obviously need.

### **Duty to Co-operate**

A Duty to Cooperate Interim Statement has been produced as part of the evidence to support the York Local Plan. It is clear that work has been undertaken with duty to cooperate bodies. However, as ever, it is the efficacy of this work and its translation into the plan that is key. It is considered that the current evidence base does not provide sufficient guidance in this regard particularly in relation to the production of the current Local Plan document. It is recommended that further emphasis is placed on the current Local Plan document within any further iterations of the Statement.

### **Plan Period**

The Local Plan document states that the plan covers the period from 2017 to 2032/33 with the exception of the Green Belt boundaries which will endure up to 2037/38. However, it is evident that other policies within the plan also include information to the period to 2037/38. This appears to provide opportunity for confusion and it is considered that it may be more appropriate to move to a consistent plan period to 2037/38.

It is also noted that the 2032/33 plan period will not ensure a 15 year time horizon post adoption as preferred by the NPPF, paragraph 157<sup>1</sup>. Whilst it is recognised this may have implications for the evidence base, site allocations and plan policies, the HBF recommends that the Council considers extending the end date of the Plan.

### **Policy SS1: Delivering Sustainable Growth for York**

*Policy SS1 is not considered to be sound as it is not positively prepared, effective or consistent with national policy for the following reasons:*

#### Housing Requirement

Policy SS1 sets a need to deliver a minimum annual provision of 867 new dwellings over the plan period to 2032/33 and post plan period to 2037/38. This is based in part on the evidence provided within the 2016 SHMA and the GL Hearn SHMA Addendum 2017. The Addendum was produced to take into consideration the 2014 revised sub-national population and household projections from ONS and CLG.

Advice from GL Hearn within the SHMA Addendum is that the York Local Plan should include a 10% market signals adjustment to the 867 baseline figure. This would increase the figure to 953 dwellings per annum. GL Hearn state that the market signals adjustment is based on an assessment of both market signals and affordable housing need. Without this adjustment neither of these elements have been taken into consideration within the housing requirement. It is therefore considered that the Local Plan is not compliant with the NPPF as it has not taken into account market signals and housing affordability.

Paragraph 17 of the NPPF states that *'every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities'*.

In assessing their own housing needs the Council must also take into account any shortfall in housing delivery between the time period covered by their housing need evidence and the plan period.

The Council should, therefore, reconsider its position with regard to the overall level of housing provision, which does not reflect market signals and affordability, and is not considered to be in the spirit of positive planning and the NPPF objective to significantly boost the supply of housing. If the Plan is found subsequently not to be

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<sup>1</sup> And retained within Paragraph 22 of the 2018 draft NPPF.

NPPF compliant it may, again, be rejected by the Secretary of State, leading to further delay in York having a plan in place.

DCLG's consultation paper 'Planning for the right homes in the right places' sets out a proposed standard methodology for calculating the housing need for each Borough. This consultation paper states that the starting point for calculating housing need in an area should continue to be a demographic baseline, which is then modified to account for market signals (the affordability of homes). CLG has used this methodology to calculate a baseline housing need figure for York of 1,070. The consultation paper states that there should be very limited grounds for adopting an alternative method which results in a lower need than the proposed standard approach. The reasons for doing so will be tested rigorously by the Planning Inspector through examination of the plan. Rejection of the plan on these grounds will, again, leave the Council without an adopted local plan.

The draft NPPF also states that *'in determining the minimum number of homes needed, strategic plans should be based upon a local housing need assessment, conducted using the standard method in national planning guidance – unless there are exceptional circumstances that justify an alternative approach which also reflects current and future demographic trends and market signals'*.

#### Economic Growth

The York Local Plan states that York is a key economic driver and looks to provide sufficient land to accommodate an annual provision of around 650 new jobs. It is important to ensure there is an appropriate balance between employment and homes.

As noted in our previous comments to the Plan, neither the 2016 SHMA, nor its addendum have considered the implications of the LEP ambitions for growth. This should be factored into the housing need assessment (whether using the Council's methodology or the DCLG standard methodology) to ensure that there is an appropriate balance between employment growth aspirations and homes.

#### Sustainable Sites

Policy SS1 states that where viable and deliverable, the re-use of previously developed land will be phased first. It is not clear how this will work in practice. The NPPF (paragraph 111) refers to encouraging rather than prioritising the effective use of previously developed land. The PPG (ID: 10-009) specifically refers to encouragement through incentives such as lower planning obligations or different funding mechanisms and the Government are providing encouragement through the introduction of brownfield registers.

It is therefore recommended that the policy text be amended to refer to sustainable sites, or if reference to previously developed land is to be retained that 'will be phased first' is replaced with 'be encouraged'.

HBF propose that the policy is modified as follows:

- *'Deliver a minimum annual provision of **1,070** ~~867~~ new dwellings over the plan period to ~~2032/33 and post plan period to~~ 2037/38. This will enable the*

*building of strong, sustainable communities through addressing the housing and community needs of York's current and future population'.*

- *'Where viable and deliverable, the **use of sustainable sites** ~~re-use of previously developed land~~ will be phased first'.*

### **Policy H1: Housing Allocations**

*Policy H1 is not considered to be sound as it is not positively prepared, effective or consistent with national policy for the following reasons:*

We are keen that the Council produces a plan which can deliver against its housing requirement. To do this it is important that a strategy is put in place which provides a sufficient range of sites to provide enough sales outlets to enable delivery to be maintained at the required levels throughout the plan period. The HBF and our members can provide valuable advice on issues of housing delivery and would be keen to work proactively with the Council on this issue.

The HBF also strongly recommends that the plan allocates more sites than required to meet the housing requirement as a buffer. This buffer should be sufficient to deal with any under-delivery which is likely to occur from some sites. Such an approach would be consistent with the NPPF requirements for the plan to be positively prepared and flexible. The HBF recommends as large a contingency as possible (circa at least 20%) to the overall housing land supply to provide sufficient flexibility for unforeseen circumstances and in acknowledgement that the housing requirement is a minimum not a maximum figure.

The HBF does not comment on the merits or otherwise of individual sites therefore our representations are submitted without prejudice to any comments made by other parties on the deliverability of specific sites included in the overall HLS, 5 YHLS and housing trajectories.

In principle, the use of gross to net ratios for sites is considered appropriate. However the use of 70% for large strategic sites may be an over-estimate given the significant infrastructure contributions that are likely to be required. It is considered that it is more appropriate for the Council to continue to work with site promoters, owners or the relevant developer to ensure appropriate numbers are used.

The housing supply makes an allowance for windfall sites of 169 dwellings per annum from year 4. This is evidenced by the Windfall Technical Paper. However, it is noted that the use of historic windfall in an area where there has been no adopted Plan may not provide the most appropriate basis for windfall development going forward.

HBF propose that the policy is modified as follows:

- That sites are allocated to provide for at least the CLG methodology housing requirement, with an additional buffer of at least 20%, to support delivery and provide choice and flexibility.
- That the Council engages with the relevant landowner, promoter or developer to ensure that the potential capacities identified are appropriate and to ensure that the proposed allocations are delivery within the plan period.

- That further sites are allocated to meet the needs identified, rather than relying on windfall development.

### **Policy H2: Density of Residential Development**

*Policy H2 is not considered to be sound as it is not effective, justified or consistent with national policy for the following reasons:*

As has been set out in our previous comments, the HBF considers that development densities of 100 dwellings per hectare within the city centre combined with 50 dwellings per hectares within the York urban area is optimistically high. Whilst the NPPF, paragraph 47, does indicate local authorities can set out their own approach to housing density this should be based upon local circumstances and not harm the overall objective of boosting significantly housing supply. The HBF recommends the Council ensure that the appropriate evidence is available to support this policy. The high-density development proposed in this policy may be difficult to market as it would be likely to result in small garden areas, no garages and little parking. It is considered that lower density developments would be more marketable, and the policy should be amended to allow for this flexibility, this flexibility could include allowing developers to take account of local site characteristics, market aspirations and viability.

HBF propose that the policy is modified as follows:

- That the expected net densities are reduced.
- That further flexibility is included within the policy in relation to the mix of housing and the density of development.

### **Policy H3: Balancing the Housing Market**

*Policy H3 is not considered to be sound as it is not effective, justified or consistent with national policy for the following reasons:*

It is acknowledged that this policy is based on the evidence set out in the SHMA. However, it should be noted that the SHMA will only ever identify current deficits and reflects a snap-shot in time. The HBF would like to ensure greater flexibility within this policy to acknowledge that the mix will vary both geographically and over the plan period.

The HBF would also like to ensure that flexibility is built into this policy to reflect market demand and aspirations, not just housing need.

HBF propose that the policy is modified as follows:

- *'Proposals for residential development **should seek to** ~~will be required to~~ balance the housing market by including a mix of types of housing which reflects the **local market demand and the** diverse mix of need across the city'.*
- *'The housing mix proposed should have reference to the SHMA and be informed by:*
  - *Up to date evidence of need including at a local level;*
  - ***Market demand and local aspirations;*** and
  - *The nature of the development site and the character of the local surrounding area'.*

#### **Policy H4: Promoting Self and Custom House Building**

*Policy H4 is not considered to be sound as it is not effective and justified for the following reasons:*

In principle the HBF is supportive of self-build & custom build for its potential contribution to overall housing supply. However the Council's approach is restrictive rather than permissive by requiring the inclusion of such housing on strategic sites of 5ha and above. This policy approach only changes the house building delivery mechanism from one form of house building company to another without any consequential additional contribution to boosting housing supply.

The HBF would be interested to see the evidence to support the idea that those wanting to self-build would actually consider building within a larger housing development.

HBF propose that the policy is modified as follows:

- ~~'On strategic sites (sites 5ha and above) developers will be required to supply at least 5% of dwelling plots for sale to self-builders or to small/custom house builders subject to appropriate demand being identified. Developers will be able to provide dwelling plots for sale to self-builders or to small/custom house builders if demand is identified. Plots should be made available at competitive rates, to be agreed through Section 106 agreements, which are fairly related to the associated site/plot costs. In determining considering the nature and scale of provision the Council will have regard to viability considerations and site-specific circumstances.'~~ Developers will be able to provide dwelling plots for sale to self-builders or to small/custom house builders if demand is identified. Plots should be made available at competitive rates, to be agreed through Section 106 agreements, which are fairly related to the associated site/plot costs. In ~~determining~~ **considering** the nature and scale of provision the Council will have regard to viability ~~considerations~~ and site-specific circumstances'.

#### **Policy H5: Gypsies and Travellers**

*Policy H5 is not considered to be sound as it is not effective, justified or consistent with national policy for the following reasons:*

The HBF has concerns in relation to this policy, particularly in relation to the need for Strategic Allocations to meet the needs of those Gypsies and Travellers households that do not meet the planning definition set out in Planning Policy for Traveller Sites. Further clarity is needed in relation to why provision is needed for those household no longer meeting the definition; whether a pitch on a strategic allocation is an appropriate location for these households particularly at the numbers proposed; what will happen to these pitches if no gypsy or traveller wishes to utilise them; and the management of these pitches.

HBF propose that the policy is modified as follows:

- ~~'b) Within Strategic Allocations  
In order to meet the need of those 44 Gypsies and Traveller households that do not meet the planning definition:  
  
Applications for larger development sites of 5 ha or more will be required to:  
• provide a number of pitches within the site; or  
• provide alternative land that meets the criteria set out in part (c) of this policy to accommodate the required number of pitches; or~~

~~• provide commuted sum payments to contribute towards to development of pitches elsewhere.~~

~~The calculations for this policy will be based on the hierarchy below:~~

- ~~• 100 – 499 dwellings – 2 pitches should be provided~~
- ~~• 500 – 999 dwellings – 3 pitches should be provided~~
- ~~• 1000 – 1499 dwellings – 4 pitches should be provided~~
- ~~• 1500 – 1999 dwellings – 5 pitches should be provided~~
- ~~• 2000 or more dwellings – 6 pitches should be provided~~

### **Policy H9: Older Persons Specialist Housing**

*Policy H9 is not considered to be sound as it is not effective and justified for the following reasons:*

It is not clear from the wording of Policy H9 whether the proposal for strategic sites (over 5ha) to incorporate appropriate provision of accommodation types for older persons refers to C2 or C3 provision. If a particular type of older persons housing is expected to be provided further clarity should be provided. It is also considered that the need for older persons accommodation should be demonstrated and that consideration should be given to the viability of development and the suitability of the site and location.

HBF propose that the policy is modified as follows:

- *‘Strategic sites (over 5ha) should incorporate the appropriate provision of accommodation types for older persons within their site masterplanning, **where the need is demonstrated. The Council will give consideration to the viability of the development and to the suitability of the site to provide appropriate older persons housing.** For sheltered/extra care accommodations a mix of tenures will be supported.’*
- If a particular type of older persons housing is expected to be provided further clarity should be provided.

### **Policy H10: Affordable Housing**

*Policy H10 is not considered to be sound as it is not effective and justified for the following reasons:*

The first line of policy H10 acknowledges the need to improve affordability across the housing market. It is noted however, that this aspiration is not included within the overall housing requirement.

The HBF supports the delivery of affordable housing. The delivery of affordable housing must, however, be balanced against economic viability considerations.

The Council may also want to take into consideration the potential amendments to the definition of affordable homes and their provision, as set out in the current consultation on the draft NPPF.

### **Policy SS2: The Role of York’s Green Belt**

*Policy SS2 is not considered to be sound as it is not effective and justified for the following reasons:*

Policy SS2 states that the sufficient land will be allocated for development to meet the needs identified in the plan and for a further minimum period of 5 years to 2038. As highlighted above the HBF recommends that the Plan period is extended until 2038, and that an additional 20% buffer is provided in relation to allocations to allow for flexibility. Therefore there is likely to be a need for further land to be identified.

It is also considered appropriate to identify Safeguarded Land to meet longer-term development needs stretching well beyond the plan period, and to ensure the Council is satisfied that the Green Belt boundaries will not need to be altered at the end of the development plan period.

HBF propose that the policy is modified as follows:

- *'To ensure that there is a degree of permanence beyond the plan period sufficient land is allocated for development to meet the needs identified in the plan ~~and for a further minimum period of five years~~ to 2038, **with additional land safeguarded for development beyond the plan period.**'*

### **Housing Standards**

There are a number of proposed policies that seek to set standards for new dwellings e.g. Policy CC1: Renewable and Low Carbon Energy Generation and Storage, Policy CC2: Sustainable Design and Construction of New Development, Policy CC3: District Heating Networks. If the York Local Plan is to be compliant with the NPPF then development should not be subject to such a scale of obligations and policy burdens that viability is threatened (para 173 & 174). The Council needs to ensure that each of these policies are taken into account and their cumulative impacts on viability is considered. The need for such policies must also be clearly justified by evidence.

The Council will also be aware of the Written Ministerial Statement dated 25th March 2015 which introduced the Government's Housing Standards. It sought to ensure that the amended Building Regulations were the applicable standards and local planning authorities should not be seeking to require additional standards over and above this requirement. Again, the Council should ensure that these policies are in line with this Ministerial Statement.

### **Policy CC1: Renewable and Low Carbon Energy Generation and Storage**

*Policy CC1 is not considered to be sound as it is not effective, justified or consistent with national policy for the following reasons:*

This policy looks for new buildings to reduce carbon emissions by 28% through the provision of renewable and low carbon technologies or through energy efficiency measures.

The HBF is generally supportive of the use of low carbon and renewable energy, however, it is queried whether this policy is in line with the Governments intentions as set out in Fixing the Foundations and the Housing Standards Review, which specifically identified energy requirements for new housing development to be a matter solely for Building Regulations with no optional standards.

The Deregulation Act 2015 was the legislative tool used to put in place the changes of the Housing Standards Review. This included an amendment to the Planning and Energy Act 2008 to remove the ability of local authorities to require higher than Building Regulations energy efficiency standards for new homes. Transitional arrangements were set out in a Written Ministerial Statement in March 2015.

It is considered that the requirements of this policy could have the potential to add costs to the delivery of housing development, and could have implications for the viability of sites. There are concerns that requirements such as these could lead to the non-delivery of homes.

HBF propose that the policy is modified as follows:

- ~~*'New buildings must achieve a reasonable reduction in carbon emissions of at least 28% unless it can be demonstrated that this is not viable. This should be achieved through the provision of renewable and low carbon technologies in the locality of the development or through energy efficiency measures. Proposals for how this will be achieved and any viability issues should be set out in an energy statement.'*~~

### **Policy CC2: Sustainable Design and Construction of New Development**

*Policy CC2 is not considered to be sound as it is not effective, justified or consistent with national policy for the following reasons:*

This policy requires new dwellings to meet the optional higher national housing standard for water consumption and to achieve a 19% reduction in the dwelling emission rate.

All new homes already have to meet the mandatory national standard set out in the Building Regulations (of 125 litres/person/day). PPG (ID: 56-010) states that where there is a clear local need, local planning authorities can set out policies requiring new dwellings to meet the tighter Building Regulations optional requirement of 110 litres/person/day. In order to introduce the policy the local planning authority must establish a clear need based on: existing sources of evidence; consultations with the local water and sewerage company, the Environment Agency and catchment partnerships; and consideration of the impact on viability and housing supply of such a requirement. The PPG goes on to suggest the types of evidence which might support a tighter water efficiency standard including the identification of areas of serious water stress, or a river basin management plan which highlights the pressure that the water environment faces. The HBF is unaware of any evidence to support the introduction of the optional standards.

As set out above Government have intended the amended Building Regulations to be the applicable standards, for example in relation to the Emission Rate, and local planning authorities should not be seeking to require additional standards over and above this requirement.

HBF propose that the policy is modified as follows:

- ~~*'Proposals will be supported where they meet the following:  
All new residential buildings should achieve:*~~

- ~~i. at least a 19% reduction in Dwelling Emission Rate compared to the Target Emission Rate (calculated using Standard Assessment Procedure methodology as per Part L1A of the Building Regulations 2013); and~~
- ~~ii. a water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations)?~~

### **Monitoring**

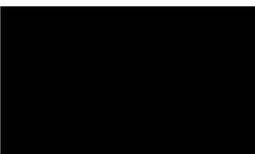
The Council's monitoring as set out in paragraphs 15.22 to 15.30 and Table 15.2 highlights risks including the non-delivery of sites, and sets targets in relation to the delivery of sites. The HBF recommends that specific monitoring triggers are introduced. It is not clear from the table how quickly action will be taken if targets are not met, and if the proposed solutions do not lead to targets being met how long it will be before the final resort of reviewing the plan is considered. Taking into consideration the timeframe for preparing the current plan it is considered that the production of a revised plan may not be a quick solution to the non-delivery of sites and may therefore not be an appropriate resolution. A more appropriate approach would be to introduce further flexibility to the housing supply at this stage through the allocation of additional sites and through the identification of safeguarded land.

### **Future Engagement**

I trust that the Council will find the foregoing comments useful as it continues to progress its Local Plan. I would be happy to discuss these issues in greater detail or assist in facilitating discussions with the wider house building industry.

The HBF would like to be kept informed of all forthcoming consultations upon the Local Plan and associated documents. Please use the contact details provided below for future correspondence.

Yours sincerely,



**Joanne Harding**

**Local Plans Manager – North**

Email: [joanne.harding@hbf.co.uk](mailto:joanne.harding@hbf.co.uk)

Phone: 07972 774 229

**From:** Tate, Liam [liam.tate@barratthomes.co.uk]  
**Sent:** 04 April 2018 10:28  
**To:** localplan@york.gov.uk  
**Subject:** City of York Local Plan: Publication Draft - Allocation ST7  
**Attachments:** Completed Form.pdf; Land East of Metcalfe Lane, Osbaldwick ST7.pdf

Dear Sirs,

Please find attached a completed response form and our site specific comments in respect of allocation ST7.

I would be grateful if you could acknowledge safe receipt.

Liam Tate  
Planning Manager

Barratt Homes Yorkshire East Division  
& David Wilson Homes Yorkshire East Division  
(trading names of BDW Trading Ltd)

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DAVID WILSON HOMES  
WHERE QUALITY LIVES

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# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; In order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	N/a
First Name	Liam	
Last Name	Tate	
Organisation (where relevant)	Barratt and David Wilson Homes	
Representing (if applicable)		
Address – line 1	6 Alpha Court	
Address – line 2	Monks Cross Drive	
Address – line 3	York	
Address – line 4		
Address – line 5		
Postcode	YO32 9WN	
E-mail Address	Liam.tate@barratthomes.co.uk	
Telephone Number	01904 617660	

Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

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## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and use **one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

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## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

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- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

Please see separate covering letter.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

---

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Representations received after this time will not be considered duly made.

5.(1) Do you consider the document is Sound?

Yes

No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared

Justified

Effective

Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph  
no.

Policy  
Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question

Please see separate covering letter.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Please see separate covering letter.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination, I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected No, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please see separate covering letter.

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Representations must be received by Wednesday 4 April 2018, up until midnight.  
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# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

## Storing your information and contacting you in the future:

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## Retention of Information

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If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on [01904 554145](tel:01904554145).

Signature

*L. Tate*

Date

29/03/2018

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17, 22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

Local Plan  
City of York Council  
West Offices  
Station Rise  
York  
YO1 6GA

By Email Only: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

27<sup>th</sup> March 2018

Dear Sir/Madam

**CITY OF YORK COUNCIL: PUBLICATION DRAFT LOCAL PLAN – REF: ST7**  
**SITE REF: ST7 – LAND TO THE EAST OF METCALFE LANE, OSBALDWICK**

We write in response to the ongoing consultation on the Publication Draft of the emerging City of York Local Plan.

We have been actively involved in each stage of the forward plan making process to-date and therefore welcome this opportunity to provide further representations on the Publication Draft ahead of its submission to the Secretary of State for examination.

While we have interests across the district, these site specific representations are made wholly in respect of the Land to the East of Metcalfe Lane, Osbaldwick which is identified as a proposed allocation under the reference ST7. This letter should however be read in conjunction with the overarching representations prepared separately by Barton Willmore.

## **BACKGROUND**

Consultation on the Pre-Publication Draft Local Plan took place in October 2017 before being presented to the Local Plan Working Group and Council Executive in January 2018. In the intervening period, the Secretary of State wrote to a number of local authorities, including the City of York, demanding an urgent update due to concerns that such councils were taking too long to produce a policy compliant Local Plan. We understand the Council made a commitment to submit a Local Plan for examination by May 2018.

The current round of consultation, currently being carried out throughout March and April, seeks comments on the soundness of the plan ahead of its submission to the Secretary of State in May 2018.

As noted above, these are site specific representations and relate solely to the soundness of allocation ST7. Separate overarching representations have been prepared on our behalf by Barton Willmore. These representations make comments on the overall soundness of the Local Plan, including the exact quantum of homes proposed, the use of windfall sites and the continued reliance on certain strategic allocations.

## **TESTS OF SOUNDNESS**

For the avoidance of doubt, these representations have been made in the context of the National Policy position for the examination of Local Plans which is set out within Paragraph 182 of the National Planning Policy Framework. It makes it clear that a plan submitted for examination will only be found 'sound' where it meets the following requirements:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;



Again, we have no objections to the general principle of an allocation specific policy. It should provide the necessary certainty and ultimately be used to guide the development on an application.

The general principles of within Policy SS9 are listed as follows

- i. Create a new 'garden' village that reflects the existing urban form of York of the main York urban area as a compact city surrounded by villages.
- ii. Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment and affordable housing policy.
- iii. Create a new local centre providing an appropriate range of shops, services and facilities to meet the needs of future occupiers of the development.
- iv. Deliver education and community provision early in the scheme's phasing, in order to allow the establishment of a new sustainable community. A new primary facility and secondary provision (potentially in combination with Site ST8 – North of Manks Cross) may be required to serve the development as there is limited capacity available in existing schools. Further detailed assessments and associated viability work will be required.
- v. Demonstrate that all transport issues have been addressed, in consultation with the Council and Highways England, as necessary, to ensure sustainable transport provision at the site is achievable. The impacts of the site individually and cumulatively with sites ST8, ST9, ST14 and ST15 should be addressed.
- vi. Provide vehicular access from Stockton Lane to the north of the site and/or Mursion Way to the south of the site (as shown on the proposals map) with a small proportion of public transport traffic potentially served off Bad Bargain Lane. Access between Stockton Lane and Mursion Way will be limited to public transport and walking/ cycling links only.
- vii. Deliver high quality, frequent and accessible public transport services through the whole site, to provide attractive links to York City Centre. It is envisaged such measures will enable upwards of 15% of trips to be undertaken using public transport. Public transport links through the adjacent urban area will be sought, as well as public transport upgrades to enter the Duwren Valley Light Rail/Sustrans route, or bus priority measures on Hull Rd and/or Stockton Lane, subject to feasibility and viability.
- viii. Optimise pedestrian and cycle migration, connection and accessibility in and out of the site and connectivity to the city and surrounding area creating well connected internal streets and walkable neighbourhoods, to encourage the maximum take-up of these more 'active' forms of transport (walking and cycling).
- ix. Create new open space (as shown on the proposals map) to protect the setting of the Millennium Way that runs through the site. Millennium Way is a historic footpath which follows Bad Bargain Lane and is a footpath linking York's streets and should be kept open. A 50m green buffer has been included along the route of the Millennium Way that runs through the site in private protection to this Public Right of Way and a suitable setting for the new development.
- x. Minimise impacts of access from Mursion Way to the south on 'Osbalduwck Meadows' Site of Importance for Nature Conservation and provide compensatory provision for any loss.
- xi. Preserve existing views to, and the setting of, York Minster, Millennium Way and Osbalduwck Conservation Area

We have no specific comments regarding the wording of the policy itself but clearly the Council have aspirations for the allocation to deliver a new 'garden' village which will be supported by a whole host of services and facilities, including shops, schools and public open space. These will all effect the total developable area and by simply ignoring our earlier comments regarding the need to increase the allocation boundary to reflect earlier iterations of the plan, the Council are significantly compromising the ability for one of its key strategic allocations to deliver the levels of housing required.

As it currently stands, we would strongly question whether policy SS9 meets the test of soundness on the basis that it has not been positively prepared and is not fully justified. For these reasons, we maintain our objections to policy SS9 and consider it to be **unsound**.

## CONCLUSIONS

We have a keen interest in the City and are grateful for this opportunity to engage in the forward planning process. We are committed to ensuring the latest emerging Local Plan is prepared on a sound and robust basis which meets the tests of paragraph 182 of the Framework.

As highlighted above, we continue to fully support the principle of allocation ST7. The site is located within a sustainable part of the City, has been fully assessed by the Council and has consistently remained an allocation with the various iterations of the Local Plan.

We do however have fundamental concerns with the overall housing requirement which is clearly flawed. The arching representations prepared by Barton Willmore elaborate on this point further. We also consider that the boundaries of allocation ST7 are unsound and continue to request that the site boundaries are increased as per our previous representations and to reflect the Councils own earlier assessments and previous iterations of the Plan.

We trust these comments will be of assistance to City of York Council in the forward planning process and we look forward to providing further evidence at the EIP hearing sessions in due course.

Yours sincerely



**Liam Tate**  
**Planning Manager**

**From:** Ian Lyle [Ian@elgplanning.co.uk]  
**Sent:** 04 April 2018 10:29  
**To:** localplan@york.gov.uk  
**Subject:** Publication Draft Local Plan Reps  
**Attachments:** H1 Reps South of Car Park H Boot.pdf; H1 Reps ST16 H Boot.pdf; SS1 Reps H Boot.pdf; SS2 Reps H Boot.pdf; SS14 Reps Car Park H Boot.pdf; SS14 Reps Land Rear of Terrys H Boot.pdf

Please find attached various representations submitted on behalf of Henry Boot Developments Ltd.

I would be grateful if you could acknowledge receipt.

Kind Regards

Ian Lyle  
Director



01325 469 236  
07540 726 172  
Gateway House, 55 Coniscliffe Road, Darlington Co. Durham, DL3 7EH  
@ELGPlanning  
www.elgplanning.co.uk

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

**OFFICE USE ONLY:**

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	Mr
First Name	H	Ian
Last Name	Boot	Lyle
Organisation (where relevant)	Henry Boot Developments Ltd	ELG Planning
Representing (if applicable)		Henry Boot Developments Ltd
Address – line 1	██████████	Gateway House
Address – line 2	██████████	55 Coniscliffe Rd
Address – line 3	██████████	Darlington
Address – line 4		
Address – line 5		
Postcode	██████████	DL3 7EH
E-mail Address		ian@elgplanning.co.uk

Telephone Number		01325 469236
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# Guidance note

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## Do I need to attend the Public Examination?

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# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

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**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**Yes  No 

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)Positively prepared 

Justified

Effective Consistent with  
national policy**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.Policy  
Ref.

Site Ref

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

See attached representation re suggested additional housing site

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

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**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

See attached representation

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Representation raises issues that can best be addressed and tested by oral submissions

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

# Part C - How we will use your Personal Information

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Signature

Ian Lyle

Date

04/04/2018

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

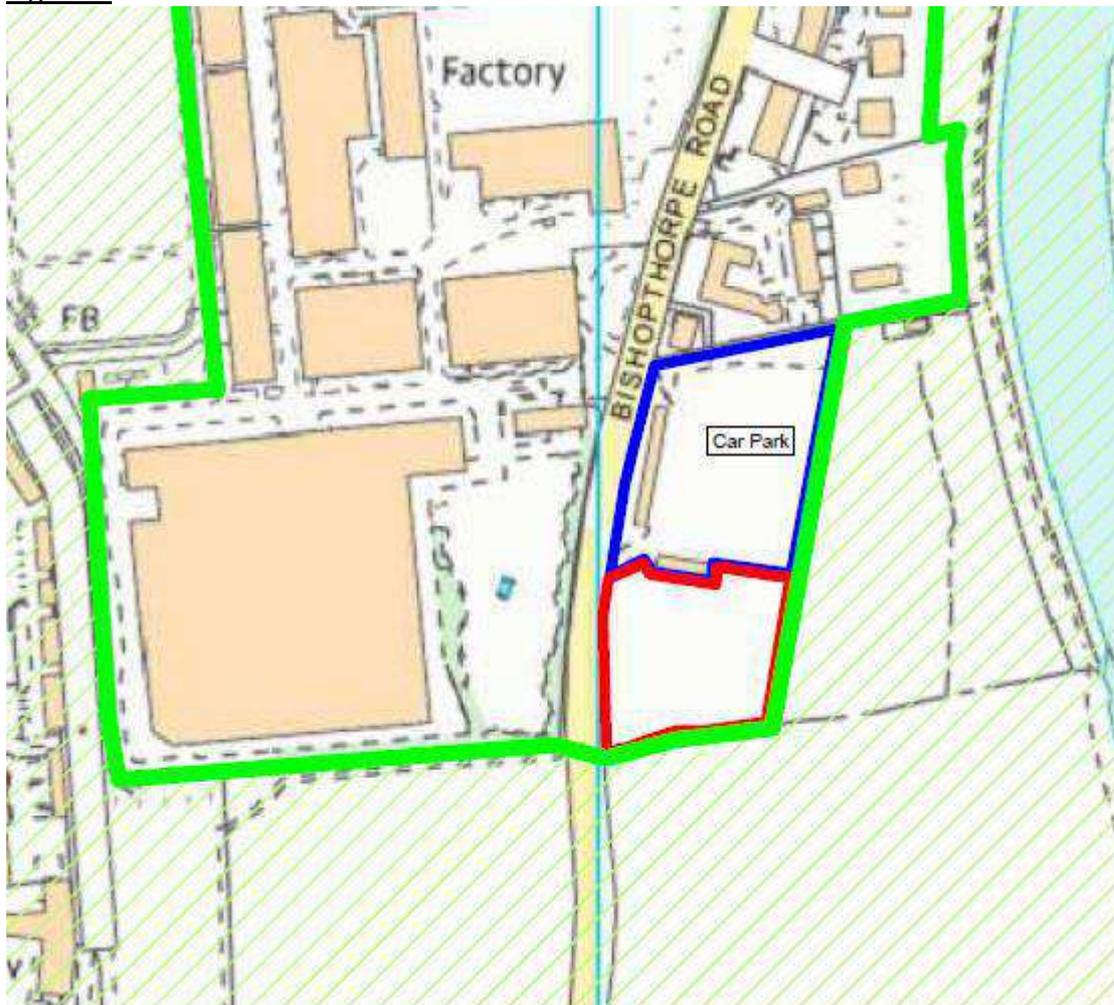
**City of York**  
**Publication Local Plan Consultation 2018**

**Representations on behalf of Henry Boot Developments Ltd**

**Policy H1 Proposed Allocation - Land South of Terrys Car Park**

1. Henry Boot Developments Ltd (HBD) would fully support the proposed allocation of the former Terry's Car Park site (SS14/ST 16 – Site2) for housing as part of the emerging York Local Plan.
2. However HBD would also request that the Inspector also gives consideration to extending this allocation (shown edged blue on Figure 1 below) to include the additional land to the south and east - as shown edged red. Figure 1 also shows the proposed realignment of the Green Belt boundary in this area to accommodate this additional site

Figure 1



3. HBD consider that the land edged red would make a logical extension to the car park site and would be capable of accommodating additional housing development in a sustainable and accessible location without harm to other key interests.
4. The attached Site Analysis by Bowman Rile Architects shows how this additional land might be developed in conjunction with the Terry's Car park site to the west. It shows the site developed primarily for housing.
5. They show that development on this site would not extend the built up area of York City any further to the south towards Bishopthorpe than the existing southern boundary of the main Terry's factory complex on the opposite side of Bishopthorpe Road. As such a Green Belt designation is not required on this land to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; nor to assist in safeguarding the countryside from encroachment. As this land is likely to be developed in conjunction with the car park to the north and west its exclusion from any Green Belt will encourage the recycling of derelict urban land and can also be adequately controlled through conventional development management policies.
6. In relation to whether this land needs to be allocated as Green Belt "*to preserve the setting and special character of historic*" York it is considered that appropriate peripheral landscaping development on this site will ensure built development would not impact adversely on the setting of Terrys nor views into the City and of the Clock Tower from the riverside and the Ings. Indeed development together with associated planting along the southern, western and eastern boundaries will complement the conservation area and setting of the listed buildings. It is not therefore necessary to keep this land permanently open in order to achieve this objective, and not therefore necessary to allocate this land as Green Belt. A more detailed assessment of heritage issues will be provided in a separate statement prior to Examination.
7. Enlarging the available development area to include this additional land also provides the opportunity to deliver wider landscape and access enhancements to the surrounding land - especially adjacent to the riverside on land under HBD's control. As such this form of development would help enhance the green infrastructure network and the role of the regional green corridor along the R Ouse in line with Policies GI1 and GI6.
8. It is suggested that the revised site boundary, and therefore also the line of the inner Green Belt boundary, follows the line of the proposed development site and as such would comply with the NPPF requirement to: "define boundaries clearly, using physical features that are readily recognisable and likely to be permanent" ( NPPF Para 85). - see Figure 1 above. All of this site lies outside Flood Zones 2 & 3. Land between the development site and the river is also controlled by HBD and will be retained as open space with the opportunity for increased public access.



**Description**

The images below highlight that due to the existing trees, hedges and the topographical nature of the surrounding land the site is hidden from view.

Even with three storey residential units these will be masked behind the existing tree line.

There are glimpses of the existing four storey residential developments located off Bishopthorpe Road however these do not impact the views of the existing factory and Clock Tower.

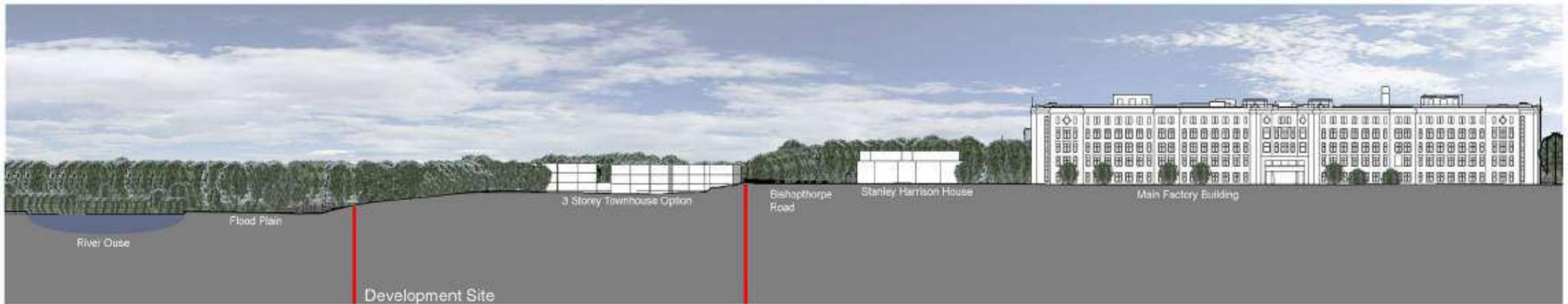
3D Aerial View Looking North - Option 3



Panoramic View Looking North - Option 3



3D Aerial View Highlighting the Site Section Looking South



Site Section Looking South

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

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# Guidance note

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# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**Yes  No 

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)Positively prepared 

Justified

Effective Consistent with  
national policy**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.Policy  
Ref.

Site Ref

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

See attached representation

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

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See attached representation

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

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# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

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## Retention of Information

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Signature

Ian Lyle

Date

04/04/2018

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

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**City of York**  
**Publication Draft Consultation 2018**

**Representations on behalf of Henry Boot Developments Ltd**

**Policy H1 Housing Allocations**

1. Henry Boot Developments would support the allocation of the three ST 16 Terry's Extension Sites (Phases 1, 2 & 3) as housing allocation under Policy H1 – and as listed in Table 5.1.
2. As detailed in separate representations in relation to SS14 HBD would however seek a variation to the Estimated Yield (Dwellings) figures for both Phases 2 and 3 which they consider too low at 33 and 56 respectively.

**ST14 Terry's Car Park Site (Phase 2)**

3. In relation to the Phase 2 Terry's Car Park Site the figure of 33 dwellings is predicated on the Council's expressed desire to secure a low profile development on this site. Whilst this is one approach we consider it fails to take account of the positive visual, landscape and urban design benefits that would accrue from a denser and taller form of development on this site creating a strong gateway feature for the town on Bishopthorpe Rd and providing an enhanced sense of enclosure in views south, out of the town along Bishopthorpe Rd, thereby complimenting the scale of development within the main Terry's site and recent development east of Bishopthorpe Rd.
4. It is considered that, subject to detailed design proposals, development of a greater scale can be achieved on the car park site without compromising views of the Multi Storey Factory and Clock Tower from nearby public rights of way, nor resulting in a form of development that is prominent from the countryside to the south or the river to the east. A further report addressing the impact of higher development on the setting and significance of the Conservation Area and the nearby Listed Building will be submitted prior to Examination.

**ST14 Land to rear of Terry's Factory (Phase 3)**

5. In relation to the Phase 3 Land to the Rear of Terry's Factory the suggested yield of 56 dwellings, based on an assumed net density of 50dph, is considered too low and fails to take full advantage of the opportunity offered by this site to deliver a denser and taller development without compromising longer distance views of the Multi Storey Factory building to the north. HBD consider that a net density of +100dph would better reflect the particular circumstances of this site which, in terms of character, is not suburban, but is more akin to a town centre site where such densities are considered the norm. This would accord with guidance in Policy H2. The Design Code for this site, approved as part of the previous outline consent for mixed use development, envisages the development 3 or 4 office storey pavilions in this area which, if re-imagined as apartment blocks would deliver significantly more than the 56 dwellings anticipated. We also consider there may be scope to go slightly

higher, at key points, given the fact that there will not now be a large 3 / 4 storey office block extension across the full width of the southern elevation of the MSF. As a result of the conversion of the MSF to apartments without such an extension much more of the southern elevation of the MSF remains exposed to view and will be visible in longer distance views from the south, thereby reinforcing its dominance within the group. Pre-application discussions between HBD and YCC are already taking place in connection with this site.

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# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



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Sustainability Appraisal/Strategic Environmental Assessment

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**5.(1) Do you consider the document is Sound?**Yes  No 

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

**Positively prepared**       **Justified**   
**Effective**       **Consistent with national policy**

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(Complete any that apply)

Paragraph  
no.Policy  
Ref.

Site Ref.

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Policy SS1 fails to adopt the minimum OAN figure of 1,070 dpa for York City provided in 'Planning for the Right Homes in the Right Places' instead adopting a much lower figure of 867dpa covering both the plan period to 2032/33 and for the subsequent five years to 2037/38. The lower figure proposed by the City Council is inadequate and will not meet the needs of the City over the plan period.

In addition we would regard the 1,070 dpa figure as representing a minimum level of supply and consider the Plan should adopt a higher figure incorporating a 10% uplift for Market Signals, to start to address the issue of lack of affordability in the City and ongoing economic growth. A minimum housing requirement figure of 1,180dpa is therefore required to make the plan 'sound'.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



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A minimum housing requirement figure of 1,180dpa is required to make the plan 'sound'.

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Ian Lyle

Date

04/04/2018

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- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

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# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared  Justified   
 Effective  Consistent with national policy

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Given the need to increase the housing requirement for the City identified in representation in relation to Policy SS1 ( increase from 867dpa to 1180dpa) we take the view that there will be a need to release further land from the Green Belt to accommodate the additional housing identified as being required over the plan period and the additional five years beyond – 21 Years . Any such release should primarily be in the most sustainable locations adjacent the main urban area of the City and where the level of impact on Green Belt objectives will be limited.

In this context we support the proposed ‘removal’ of the former Terry’s Car Park site ( Policies ST16 & SS14 Site Phase 2) from the Green Belt and its allocation for housing development.

We would however also seek the removal of additional land immediately to the south of the car park as shown edged red on attached plan. It is considered that housing development on this site would be sustainable and would not compromise Green Belt objectives as it would not result in any narrowing of the gap between the built up area and outlying settlements, and new housing development could be readily accommodated without material impact on the setting of the adjacent Conservation Area and listed buildings or wider the setting and special character of York.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

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Amend proposed Green Belt boundaries to accommodate further housing development around the main urban area to meet projected housing requirements over the Plan period and five years beyond.

Specifically remove land south of former Terry's Car Park (SS16/ST16 Phase 2) site from proposed Green Belt – see edged red on attached Plan; and Allocate for housing development - see separate representation in relation to Policy H1

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Representation raises issues that can best be addressed and tested by oral submissions

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# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

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Signature

Ian Lyle

Date

04/04/2018

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

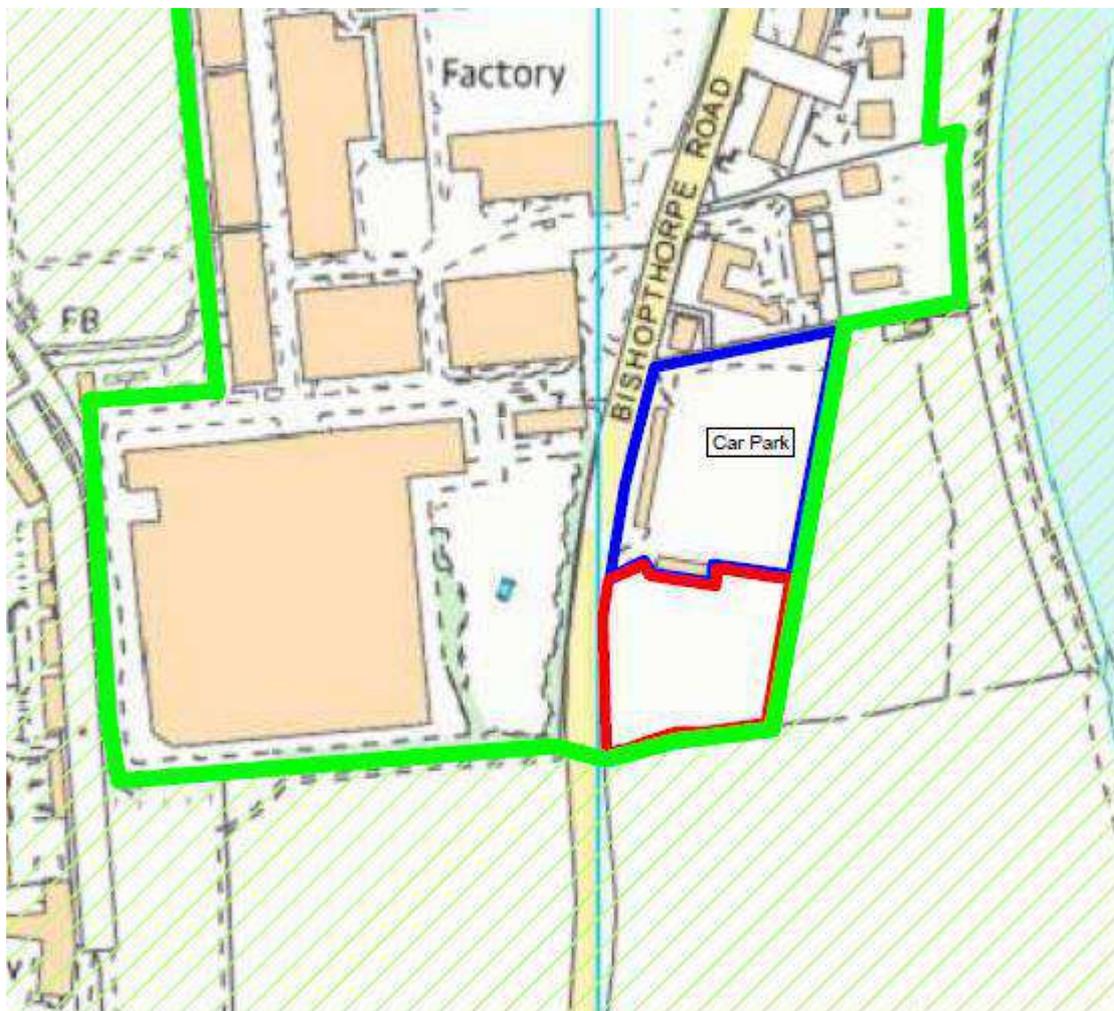
<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

**City of York**  
**Publication Local Plan Consultation 2018**

**Representations on behalf of Henry Boot Developments Ltd**

**Policy SS2 Proposed Alteration to Green Belt - Land South of Terrys Car Park**



# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	Mr
First Name	H	Ian
Last Name	Boot	Lyle
Organisation (where relevant)	Henry Boot Developments Ltd	ELG Planning
Representing (if applicable)		Henry Boot Developments Ltd
Address – line 1	██████████	Gateway House
Address – line 2	██████████	55 Coniscliffe Rd
Address – line 3	██████████	Darlington
Address – line 4		
Address – line 5		
Postcode	██████████	DL3 7EH
E-mail Address		ian@elgplanning.co.uk

Telephone Number		01325 469236
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# Guidance note

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# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

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Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

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## 4. (1) Do you consider the document is Legally compliant?

Yes

No

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Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

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**5.(1) Do you consider the document is Sound?**Yes  No 

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)Positively prepared 

Justified

Effective Consistent with  
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(Complete any that apply)

Paragraph  
no.Policy  
Ref.

Site Ref.

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See attached representations

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Signature

Ian Lyle

Date

04/04/2018

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**City of York**  
**Publication Draft Consultation 2018**

**Representations on behalf of Henry Boot Developments Ltd**

**Site ST14 Terry's Extension Sites - Phase 2 Terrys Car Park**

1. Henry Boot Developments Ltd (HBD) would fully support the proposed allocation of the former Terry's Car Park site (ST 14 – Phase 2) for housing as part of the emerging York Local Plan.
2. The site is previously developed and occupies a sustainable location on the edge of the urban area. It is located on a public transport route, is within walking and cycling distance of local amenities whilst at the same time having good access to open space. The site lies at a lower level to the surrounding roads and countryside and is physically well defined. It is contained by roads, a public footpath and peripheral landscaping.
3. HBD agree with the Council's assessment that given its topography and level of enclosure the site does not serve a green belt function. It must not therefore be allocated as Green Belt. HBD would also agree that development on this site, subject to certain limitations on scale, height and massing, would not have any significant adverse impacts on the character of the surrounding landscape or on the openness and setting of the City, and that any development on this site should have strong architectural merit given its gateway location and its physical and visual relationship to the main Terry's site across the road.
4. Given this relationship HBD would take the view that the scale, massing, appearance and layout of future development on this site should be design led in the light of a rigorous assessment of the key opportunities and constraints presented by the site and its surroundings. In this regard HBD consider that the suggestion that height of any future development would need to be 'restricted to the height of the permitted single deck car park' would be a wasted opportunity and that such a limited scale of development would not deliver on the wider design objectives identified by the Council for this site.
5. It is appreciated that the 'Site Capacity' of '33 dwellings' specified in the Site Assessment is a purely indicative figure and based on a standard methodology/density. Notwithstanding the indicative nature of this figure HBD take the view that the development of single or two storey houses at any density in this location, would look diminutive and out of place in the context of both the more 'massive' and imposing buildings on the main Terry's site and the more recently consented residential developments to the north of the site which comprise a mix of three and four storey blocks, all of which are also located on substantially higher ground levels.
6. To provide a scheme of the architectural merit sought and one that provides an appropriate and complimentary setting for the listed buildings HBD consider that development of three or

perhaps even higher development would be appropriate and even necessary on the former car park site. It is considered that development of this scale can be achieved on the carpark site without compromising views of the Multi Storey Factory and Clock Tower from nearby public rights of way nor resulting in a form of development that is prominent from the countryside to the south. Further information assessing the impact of any development on the significance of the adjacent Conservation Area and Listed buildings will be submitted prior to Examination.

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

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ID reference:

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## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	Mr
First Name	H	Ian
Last Name	Boot	Lyle
Organisation (where relevant)	Henry Boot Developments Ltd	ELG Planning
Representing (if applicable)		Henry Boot Developments Ltd
Address – line 1	██████████	Gateway House
Address – line 2	██████████	55 Coniscliffe Rd
Address – line 3	██████████	Darlington
Address – line 4		
Address – line 5		
Postcode	██████████	DL3 7EH
E-mail Address		ian@elgplanning.co.uk

Telephone Number		01325 469236
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## 3. To which document does your response relate? (Please tick one)

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## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**Yes  No 

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)Positively prepared 

Justified

Effective Consistent with  
national policy**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.Policy  
Ref.

Site Ref

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

See attached representation

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

## Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

## Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

## Your rights

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If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on [01904 554145](tel:01904554145)

Signature

Ian Lyle

Date

04/04/2018

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

## **City of York** **Publication Draft Consultation 2018**

### **Representations on behalf of Henry Boot Developments Ltd**

#### **Site SS14 Terry's Extension Sites - Phase 3 Land Rear of Terry's Factory Building**

1. Henry Boot Developments Ltd (HBD) would fully support the proposed allocation of the former Terry's Car Park site (ST 14 - Phase 3) for housing as part of the emerging York Local Plan
2. The site is previously developed and occupies a sustainable location on the edge of the urban area. It is located on a public transport route, is within walking and cycling distance of local amenities whilst at the same time having good access to open space. The site is physically well defined. It is bounded by the former multi storey factory building to the north (now being converted to apartments) clearly defined site boundaries to the west and south and the Peace Garden to the east. Access to the site will be via the existing access to the Terry's site on Bishopthorpe Road.
3. The commentary in the Site Assessment indicates that development should adhere to the design principles set by the wider Terry's development and should be of strong architectural merit given its location at the entry point to the City. HBD support this broad approach but with any necessary amendments to reflect differences in land use and circumstance since the design principles were approved.
4. HBD consider these broad principles to still be appropriate notwithstanding the now proposed use of the site for residential development rather than employment / office uses. They do however consider there is scope for some re-consideration especially in terms of the proposed heights of any new buildings on this site with buildings of four storeys, rising to five storeys at key corners, considered acceptable given current circumstances and in particular the decision not to press ahead with the large-scale extension on the southern elevation of the MSF.
5. In the light of this assessment HBD consider that the the Indicative Site Capacity of 56 dwellings, identified in the Site Assessment is likely to underestimate the number of dwellings that could potentially be delivered on this site. HBD appreciate that this 'Indicative Capacity' figure is included in the plan primarily to demonstrate that the Local Plan as a whole can deliver sufficient housing to meet the Council's Objectively Assessed Need for housing development over the Plan period to 2033.
6. HBD consider however that future residential development proposals for this site should be design and heritage led and should be in no way restricted by this 'Indicative Capacity' figure. In this context any additional dwellings delivered on this site, over and above the 'indicative'

56 dwelling figure, will provide increased flexibility to the overall supply of housing land in the City.

**From:** webadmin@york.gov.uk  
**Sent:** 04 April 2018 10:48  
**To:** localplan@york.gov.uk  
**Subject:** FW: Annie Medcalf has sent comments

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi there,

We've received the following message (see below) via the City of York Council website 'comment on this page' button - the message relates to the Local Plan, so I'm forwarding it for your attention.

In order to maintain good customer service, we must provide an appropriate reply on behalf of the council... **I'd be grateful if you could respond to our customer, and copy WebAdmin into the email trail.**

If you're unable to respond to the customer within 5 working days (as mentioned by the website auto-response), or your team's SLA is different, please reply to WebAdmin, so we are aware of the situation and can work to find a solution to meet Customer Services SLAs.

Many thanks  
**Web Admin**

**City of York Council** | Customer and Business Support Services  
West Offices, Station Rise, York, YO1 6GA  
[www.york.gov.uk](http://www.york.gov.uk) | [facebook.com/cityofyork](https://www.facebook.com/cityofyork) | [@CityofYork](https://twitter.com/CityofYork)

-----Original Message-----

**From:** [REDACTED]  
**Sent:** 04 April 2018 10:35  
**To:** [webadmin@york.gov.uk](mailto:webadmin@york.gov.uk)  
**Subject:** Annie Medcalf has sent comments

Annie Medcalf has sent you comments on the following content from City of York Council Online:

[http://www.york.gov.uk/downloads/file/15305/yorks\\_local\\_plan\\_making\\_your\\_comments\\_to\\_government?utm\\_source=sendinblue&utm\\_campaign=Update387onCliffordsTowerVisitorCentreJudicialReviewApril032018&utm\\_medium=email](http://www.york.gov.uk/downloads/file/15305/yorks_local_plan_making_your_comments_to_government?utm_source=sendinblue&utm_campaign=Update387onCliffordsTowerVisitorCentreJudicialReviewApril032018&utm_medium=email)

Comments: I strongly object to this plan. One reason is the fact the Local Plan has already appropriated the piece of land where the Visitor Centre is due to be built. It was designated as Open Space and the Council by law are not allowed to

appropriate such land without following due process and advertising that they are disposing of this land. "Local Government Act 1972 Section 123 (2A)." This should not be done until after the appeal and after the period of advertising to allow people to object.

**From:** Paul Butler [paul.butler@pbplanning.co.uk]  
**Sent:** 04 April 2018 16:42  
**To:** localplan@york.gov.uk  
**Cc:** Tate, Liam  
**Subject:** CITY OF YORK LOCAL PLAN – EASTFIELD LANE, DUNNINGTON – DAVID WILSON HOMES – SUPPORT FOR SITE REFERENCE H31  
**Attachments:** City of York Local Plan - Site H31 - Dunnington - DWH - April 2018.pdf; City of York Local Plan - Consultation Form - Eastfield Lane, Dunnington - DWH - April 2018.pdf; Eastfield Lanne, Dunnington - Pre-App Validation Letter.pdf; YE-11-02 C Feasibility Sketch.pdf; YE-11-03 Site Location Plan.pdf; 20498a - Eastfield Lane, Dunnington - BW - Report - Final.pdf; H31 - Eastfield Lane, Dunnington - Deliverability & Sustainability Statement.pdf

Dear Sir or Madam,

We write on behalf of our client David Wilson Homes (DWH) to provide City of York Council (CYC) with their representations to CYC's Publication Draft Local Plan (February 2018).

Our client supports the retention of the site as a proposed housing allocation within the Publication Draft Local Plan. However, they **object** to the current proposed red line site allocation boundary of the site.

We wrote to CYC by email on the 15<sup>th</sup> January 2018 to request that the red line site allocation boundary be re-instated to that consulted on as part of the Preferred Sites Consultation (June 2016) to include the landowner's existing property. Which is identified as "The Oaks" on the enclosed Site Location Plan. We also submitted an updated Indicative Masterplan for the proposed development of the site, which is again enclosed with these representations. The amended site area will provide for a more comprehensive and appropriate development of the site. We therefore request that CYC amend the red line site allocation boundary prior to the submission of the Local Plan to the Secretary of State. Within the submitted representations we identify that there is a legal process which CYC can undertake in order to amend the red line site allocation boundary ahead of the submission of the Local Plan to the Secretary of State.

The enclosed representations re-iterate the evidence we have previously submitted to CYC to demonstrate the deliverability of our client's land interest at Eastfield Lane, Dunnington.

Since the submission of our previous representations to CYC on the 27<sup>th</sup> October 2017, DWH have submitted a pre-application request to CYC in order to commence detailed discussions in association with the site's potential development. The pre-application request was validated on the 19<sup>th</sup> December 2017 with a reference 17/02992/PREAPP. It is our client's intention to submit a full planning application to CYC in relation to the development of the site within the next 6 months.

Our client looks forward to progressing pre-application discussions with CYC ahead of the submission of the Local Plan to the Secretary of State. Should you require any further details or clarification on the content of this letter please do not hesitate to contact me.

Kind regards,

Paul

**Paul Butler**  
**Director**



[www.pbplanning.co.uk](http://www.pbplanning.co.uk)

[paul.butler@pbplanning.co.uk](mailto:paul.butler@pbplanning.co.uk)

07970 506702  
01904 731365

PO Box 827, York, YO31 6EE

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title		Mr
First Name		Paul
Last Name		Butler
Organisation (where relevant)	David Wilson Homes	PB Planning Ltd
Representing (if applicable)		David Wilson Homes
Address – line 1	c/o Agent	PO Box 827
Address – line 2		York
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		YO31 6EE
E-mail Address		paul.butler@pbplanning.co.uk
Telephone Number		07970 506702

Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

Please see enclosed submitted representations.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

---

Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

**Positively prepared**       **Justified**   
**Effective**       **Consistent with national policy**

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.

Policy  
Ref.

Site Ref.

**Site Ref. H31**

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

**Please see enclosed submitted representations**

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

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Please see enclosed submitted representations

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please see enclosed submitted representations

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

# Part C - How we will use your Personal Information

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Signature

Date

04.04.18

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

Local Plan,  
City of York Council,  
West Offices,  
Station Rise,  
York,  
YO1 6GA

4<sup>th</sup> April 2018

Dear Sir or Madam,

**CITY OF YORK LOCAL PLAN – EASTFIELD LANE, DUNNINGTON – DAVID WILSON HOMES – SUPPORT FOR SITE REFERENCE H31**

We write on behalf of our client David Wilson Homes (DWH) to provide City of York Council (CYC) with their representations to CYC’s Publication Draft Local Plan (February 2018).

Our client supports the retention of the site as a proposed housing allocation within the Publication Draft Local Plan. However, they **object** to the current proposed red line site allocation boundary of the site.

We wrote to CYC by email on the 15<sup>th</sup> January 2018 to request that the red line site allocation boundary be re-instated to that consulted on as part of the Preferred Sites Consultation (June 2016) to include the landowner’s existing property. Which is identified as “The Oaks” on the enclosed Site Location Plan. We also submitted an updated Indicative Masterplan for the proposed development of the site, which is again enclosed with this letter. The amended site area will provide for a more comprehensive and appropriate development of the site. We therefore request that CYC amend the red line site allocation boundary prior to the submission of the Local Plan to the Secretary of State.

This letter re-iterates the evidence we have previously submitted to CYC to demonstrate the deliverability of our client’s land interest at Eastfield Lane, Dunnington.

**Site H31 – Representations Summary**

- We fully support the proposed allocation of the site by CYC but request that the red line site allocation boundary is amended.
- Our proposals have the potential to provide for a high quality residential development of 84 homes, alongside the delivery of public open space and associated infrastructure.
- The site will provide the opportunity to help meet York’s current and future housing needs.
- **The site can deliver 84 new homes within the first 5 years of the Local Plan.**
- The proposals will deliver a development which respects the character of the surrounding area whilst seeking to incorporate 21<sup>st</sup> century designs to provide a high quality residential development where people will want to live.
- Land at Eastfield Lane, Dunnington represents a deliverable residential development site.
- The development proposals are situated in a **suitable** and highly sustainable location.
- The site is **available** now as it is under the control of a national house builder who are actively seeking to secure the site’s allocation for residential development.
- The site can also be considered **achievable** as new homes can be delivered on the site within the next 5 years and indeed within the first five years of the Local Plan.
- There are no technical or environmental (built and natural) constraints that would preclude the development of the site.

Since the submission of our previous representations to CYC on the 27<sup>th</sup> October 2017, DWH have submitted a pre-application request to CYC in order to commence detailed discussions in association with the site’s potential development. The pre-application request was validated on the 19<sup>th</sup> December

2017 with a reference 17/02992/PREAPP. It is our client's intention to submit a full planning application to CYC in relation to the development of the site within the next 6 months.

These site-specific representations should be read in conjunction with DWH's overarching representations prepared by Barton Willmore, which make comments upon the overall soundness of the emerging CYC Local Plan.

This letter sets out our client's development proposals for the site and demonstrates the site's deliverability for residential development in accordance with national planning guidance. In doing so the letter refers to the following documents which are enclosed: -

- Promotional Report – Barton Willmore – July 2013
- Deliverability & Sustainability Statement – PB Planning Ltd – April 2016

The document referenced above provides a synopsis of the comprehensive technical reports which were previously submitted to CYC in the promotion of the site. The parameters established within the comprehensive technical reports were utilised in the preparation of the indicative masterplan for the site. The technical reports previously submitted to CYC can again be provided on request.

The Council's Strategic Housing Land Availability Assessment (September 2017) and Officer's report to the CYC Local Plan Working Group (July 2017) recommend the retention of the site as a housing allocation in the emerging CYC Local Plan. The documents specifically identify the following in respect of the site: -

***“Site boundary map submitted with the representation shows minor changes to the PSC site boundary to reflect the removal of an existing dwelling to the north east of the site. This would reduce the site size from 2.5ha to 2.3ha and the estimated yield to 76 dwellings (based on 95% net area at 35dph). Officers suggest that this minor amendment to the site boundary and numbers are made to reflect land ownership”***

DWH fully support the retention of the site as a proposed housing allocation within the Publication Draft Local Plan. However, as identified above, we wish for the area of the site where the existing dwelling is located to be re-instated into the proposed allocation, to mirror the boundary that was consulted on as part of the Preferred Sites Consultation (June 2016).

## **PROPOSED DEVELOPMENT**

The proposed development has been formulated following the undertaking of ecology, landscape, Green Belt, flood risk, archaeology and highways assessments. The proposals seek to deliver a residential development of 84 new homes, public open space and associated infrastructure. The vision of the proposals is to deliver a development which respects the character of the surrounding area whilst seeking to incorporate 21<sup>st</sup> century designs to provide a high quality residential development where people will want to live.

The new homes on the site will be designed and delivered within a sensitively master-planned scheme. The development proposals will seek to provide a green new frontage along Eastfield Lane, with greenspace located within central areas of the site to ensure a high quality residential environment. The enclosed masterplan also identifies the concept of fronting onto the site's eastern edge in order to provide a long term defensible boundary which, along with sympathetic landscaping, will create a suitable transition between the open countryside and new development.

The development will deliver much needed affordable homes together with a full range of housing, from starter homes through to larger family homes. The site will seek to create a balanced community in terms of age and other demographic factors.

DWH's development proposal represents a deliverable and viable development opportunity to provide an important proportion of the City's housing needs. We believe it is important that CYC places great weight towards the economic and social benefits that the delivery of 84 homes and the associated community infrastructure can provide to the City of York: -

- Creating sustainable communities through meeting market and affordable housing needs, offering existing and potential residents of the City the opportunity to live in the type of house and location they desire.
- Delivering financial contributions towards the improvement of the City's infrastructure through the provision of S106/CIL payments.
- New capital expenditure in the region of £10.1m creating direct and indirect employment opportunities of approximately 52 new jobs of which 70% are usually retained in the local area.
- Sustaining and improving the District's labour market through delivering the right homes in the right locations.
- Increasing retail and leisure expenditure in the local area by between £2m per annum, creating a potential 12 jobs in these sectors.
- Provision of funding towards public services from an estimated figure of £771k from the Government's new homes bonus and annual council tax payments of £128k per annum.

The development of 84 homes at the site can deliver substantial economic, social and environmental benefits to the local area and wider City.

The National Planning Policy Framework seeks to encourage sustainable growth and identifies in Paragraph 8 that economic growth, such as that which this site can deliver, can secure higher social and environmental standards. The remaining sections of this letter consider the economic, social and environmental impact and benefits of the proposed development option in further detail.

## **SUSTAINABLE LOCATION**

The site lies within 800m of the village centre of Dunnington where a variety of local services are available. Local facilities include a local convenience store, a doctor's surgery (Elvington Medical Centre), chemist, dentists, Post Office, pubs, newsagents, vets and Village Hall. Dunnington Primary School lies within approximately 1km walking distance from the site. Existing local bus stops lie within 700m of the site.

There are a number of long distance and local bus services which are routed through Dunnington providing access to Stamford Bridge, York, York University, Market Weighton, Driffield, Bridlington and other local areas. The site lies within a 5km cycle distance of York centre and the Monk Cross Retail Park and is very well placed to take advantage of the Osbaldwick/Tang Hall cycle route.

The development proposals can deliver contributions to support local schools, including Dunnington Primary School and local secondary schools, as well as potential new pupils to ensure future viability.

The masterplan proposals identify the delivery of an area of public open space. The proposals can also contribute to the improvement of existing open space and recreational facilities located in Dunnington through the delivery of financial contributions.

## **LANDSCAPE & HISTORIC CHARACTER AND SETTING OF THE CITY**

The residential development of this site would not have any long term impact on the wider visual amenity or landscape character of the area. The site is well contained and not visible from surrounding areas, a residential development on this site could be relatively easily assimilated and would not compromise the openness of the wider landscape.

The site has been identified as a proposed housing allocation by CYC because it is not located in an area of "Primary Constraint" and does not compromise York's future Greenbelt proposals. The site is

rectangular in shape and is split into two distinct areas. The western parcel is largely devoid of natural landscape features and mature trees as a consequence of cultivation, though there are hedgerows located on the western and northern boundary. The eastern parcel of the site is currently in use as a residential dwelling, nursery and landscape contracting company. Accordingly, the site has strong defensible boundaries on three sides in the form of existing residential development located to the west and south and Eastfield Lane to the north. There are no heritage assets located within proximity of the site and there are no direct views to York Minster.

The development of this site would extend the settlement edge of Dunnington eastwards. However, from the limited views available from the east this will be viewed as an extension to that edge rather than be seen as introducing anything new into the landscape. Furthermore, the retention of native boundary vegetation and the provision of supplemental native landscape buffers to the boundaries will provide a softer transition at the edge of the built form which will help to blend the site into the surrounding countryside. In addition, the incorporation of tree planting within the site associated with the road network and garden areas will break up any available views of the roof-scape and house elevations.

There is no significant ecological value to any of the existing vegetation on the site. Proposals which seek to retain the existing boundary vegetation and supplement it with new landscaped buffers of native species will have a beneficial impact in increasing the biodiversity of the area and strengthening the wildlife corridor links.

DWH agree with CYC's conclusion that the site does not fulfil any of the five Green Belt purposes for the following reasons: -

- ***The development of the site would not result in unrestricted urban sprawl*** due to the site's strong defensible boundaries of Eastfield Lane to the north and the existing settlement area of Dunnington to the west and south. The site's development will create a new defensible boundary to the east of Dunnington though the delivery of new homes and associated landscaping.
- ***The development of the site would not result in the merging of adjacent settlements*** as the nearest detached settlements to the site are Holtby to the north (1km away) and Gate Helmsley and Stamford Bridge to the north east (4km away). The site's development will also create a new defensible boundary to the east of Dunnington though the delivery of new homes and associated landscaping.
- ***The site does not assist in safeguarding the countryside from encroachment*** on account of the significant areas of open countryside that exist to the north and east of the site.
- ***The proposed development of the site will have no detrimental effect on the setting and special character of historic features*** as an assessment has been undertaken of the historic setting of the area and the development of the site has been identified as having no adverse impact in this regard.
- The fifth purpose of Green Belt ***to assist in urban regeneration, by encouraging the recycling of derelict and other urban land*** is a general purpose which will not be adversely affected by the site.

The Council's latest Heritage Impact Assessment (September 2017) identifies that the site's development could potentially have a minor harm in relation to architectural character and archaeological complexity. However, the assessment also identifies that CYC's latest proposed policy framework would provide suitable mitigation. Whilst we do not agree that the site's development would harm any of the City's heritage assets, we do agree that the proposed sensitive design of the scheme would ensure that any identified impact would be mitigated.

## **ECOLOGY & ARBORICULTURE**

The development site is of low ecological value, with the eastern parcel categorised as previously developed land in biodiversity terms and the western parcel being of species poor grassland. There are no high value semi-natural habitats on site or features that would be likely to act as important faunal habitat. Accordingly, a scheme can be developed that encourages wildlife across the site through effective landscaping of both public open space and private residential gardens. In addition, the trees bounding the site will be retained and wildlife could continue to utilise them.

Trees are located around the site boundary, predominantly within the existing field hedgerows or adjacent gardens. There are a small number of trees which have good even form and of good condition which will be preserved within the development proposals. The hedgerows are generally in good condition, are well managed and make a landscape and wildlife contribution. Consideration could be given to the removal of non-native *leylandii* species that have been fairly recently planted within or adjacent to hedgerows as these could be problematic in terms of management in the future if they were to form garden boundaries.

There are no ecological or arboricultural constraints associated with the development of the site.

## **HIGHWAYS & ACCESSIBILITY**

Our analysis of transport matters associated with the development of the site has identified that there are expected to be no significant barriers that would be expected to preclude the deliverability of 84 new homes in transport terms.

The site will be accessed by a single connection from Eastfield Lane which will be improved to an appropriate standard with a continuous footway on its nearside flank. Future development along Eastfield Lane is currently in frontage form, however in order to discourage on street car parking individual access points will be limited to groups of houses served by shared private drives.

The site is located within walking and cycling distance to existing facilities, including public transport services. The existing public footpath located to the south of the site will be improved as part of the proposals to enhance pedestrian and cycle links to the Village from the site. The delivery of the site would allow City of York Council to achieve its aim of delivering new housing in a sustainable location.

## **DRAINAGE & UTILITIES**

A Flood Risk assessment has confirmed that the whole of the site lies within Flood Zone 1 and is therefore suitable in principle for residential development. There is potential for the site to contribute to reductions in flood risk on and off site. In particular surface water will be stored in new attenuation features within the site area before being discharged at agricultural run-off rates. New sewers will be constructed to enable foul water to connect into the existing system and existing facilities will be upgraded where required.

All of the necessary utilities are available for the site without compromising any of the provision to existing homes and businesses.

## **TECHNICAL WORK CONCLUSIONS**

As stated above, extensive technical work has already been carried out on the development site. The conclusions of this work are as follows: -

- A full landscape appraisal and analysis of key views. Including a Green Belt impact assessment. Identifying the potential to deliver enhanced landscape features along the site's frontage with Eastfield Lane and on the site's eastern boundary.
- Archaeological investigations have identified no visible evidence of earthworks or structures of an archaeological origin.

- A heritage assessment has identified that there are no heritage assets located within proximity of the site and there are no direct views to York Minster.
- Ecological surveys and analysis of the site have identified where safeguarding and mitigation are required.
- Arboricultural surveys have identified the hedgerows of value to be retained.
- Geological and geophysical assessments of the site have identified no issues which would preclude the development of the site.
- Analysis of drainage and flood risk matters on-site and potential impacts off-site have been identified and proactive positive drainage solutions have been designed.
- The analysis and assessment of the transport impact of the development has informed sustainable transport proposals in respect of vehicular, pedestrian and cycling accessibility.
- Liaison with utility companies have identified that all necessary infrastructure is available.

### DELIVERY TIMESCALES

As identified above, pre-application discussions with CYC have already commenced and it is our client’s intention to submit a full planning application to CYC in relation to the development of the site within the next 6 months.

Taking into account the proposed submission date, it is currently envisaged that first dwelling completions on the site will take place in 2019/20 following the adoption of the Local Plan, the subsequent determination of the planning application and initial site infrastructure works.

It is anticipated that the development will deliver a yield of at least 35 homes per annum. The table below provides the site’s cumulative dwelling delivery projection per annum that CYC can use within their forthcoming housing trajectory work.

Year	DWH Development Option
2018/2019	0
2019/2020	20
2020/2021	55
2021/2022	84

The proposed areas of on-site public open space and financial contributions towards improvements to local community infrastructure will be delivered commensurate with the progression of the development and made available for use as required.

The development proposals can deliver significant benefits to the City of York, alongside making an important contribution to CYC’s housing requirements over the course of the plan period.

### DELIVERABILITY ASSESSMENT

In accordance with Footnote 11 of Paragraph 47 of the National Planning Policy Framework, we believe that the site can be considered as a ***Deliverable*** residential development site on account of: -

#### Suitability

The site is located in a suitable location for residential development now. As identified above, the development proposals are situated in a suitable and highly sustainable location in respect of connectivity to existing jobs and services and there are no technical or environmental (built and natural) constraints that would preclude the development of the site.

#### Availability

The site is available for development now. The site is available for residential development as there are no legal or ownership constraints as all landowners have made the land available for development.

DWH have an interest in the site and by virtue of this and previous submissions are expressing an intention to develop the site for residential use.

### Achievability

A viable housing development can be delivered on the site within the next five years and indeed within the first 5 years of the adoption of the Local Plan. DWH are seeking to develop the site for residential use. Prior to the progression of development sites, they undertake a thorough marketing and economic viability assessment for each site, including an assessment of any site specific abnormal costs. The site is considered to be achievable for residential development now as there is a realistic prospect that the site can deliver new homes within the next 5 years and indeed within the first 5 years of the adoption of the Local Plan.

### Deliverability Conclusion

The site can be considered a deliverable residential development site and its release would provide a number of significant economic, social and environmental benefits as identified above.

## **MECHANISM TO AMEND THE SITE ALLOCATION BOUNDARY**

There is a legal process which CYC can undertake in order to amend the red line site allocation boundary ahead of the submission of the Local Plan to the Secretary of State.

The process includes the following steps: -

- Amend the Local Plan's Proposal Maps;
- Update the Local Plan's Sustainability Appraisal;
- Reference the amendments to the Proposal Maps within a Modifications Document to be submitted to the Secretary of State along with the Local Plan.

In order for the Local Plan to meet its legal obligations, it is necessary for the Sustainability Appraisal to be up to date in respect of the final, submitted, red line site allocation boundary for the site and the quantum of development proposed.

Consequently, should CYC update the current Sustainability Appraisal in accordance with the red line site allocation boundary proposed for this site within our representations, as there are no other changes required to the current written text of the Local Plan, CYC would be legally allowed to amend the red line site allocation boundary prior to the submission of the Local Plan to the Secretary of State.

As adequate consultation has already taken place on the proposed red line site allocation boundary for the site previously (as recently as part of the Preferred Sites Consultation in June 2016), the Local Plan would be considered sound with regards to the obligations of national planning policy and guidance.

## **CONCLUSIONS**

Whilst our client supports the retention of the site as a proposed housing allocation within the Publication Draft Local Plan, they **object** to the current proposed red line site allocation boundary of the site. We request that the red line site allocation boundary be re-instated to that consulted on as part of the Preferred Sites Consultation (June 2016) to include the landowner's existing property which would provide a more comprehensive and appropriate development of the site.

Our proposals have the potential to provide a residential development of 84 new homes, public open space and associated infrastructure. The proposals will deliver a development which respects the character of the surrounding area whilst providing a high quality residential development where people will want to live.

The development proposals are situated in a **suitable** and highly sustainable location and there are no technical or environmental (built and natural) constraints that would preclude the development of the

site. The site is **available** now as it is under the control of a national house builder who are actively seeking to secure the site's allocation for residential development. The site can also be considered **achievable** as new homes can be delivered on the site within the next 5 years.

In light of the guidance provided in Paragraph 182 of the NPPF, should CYC amend the red line site allocation boundary in the manner we proposed, we would consider the following: -

- The Local Plan is **positively prepared** in respect of the delivery of 84 homes at the Eastfield Lane, Dunnington site as the delivery of homes from the site will contribute to meeting the evidenced objectively assessed development and infrastructure requirements of the City.
- The Local Plan is **justified** in respect of the Eastfield Lane, Dunnington site as compelling evidence has been provided in this and previously submitted representations to demonstrate that the site's allocation an appropriate strategy for delivering new homes in this location of the City, when considered against the reasonable alternatives, based on proportionate evidence;
- The Local Plan is **effective** as the proposed housing numbers at the Eastfield Lane, Dunnington site are entirely deliverable within the plan period; &
- The Local Plan is **consistent with national policy** in respect of the Eastfield Lane, Dunnington site as compelling evidence has been provided to demonstrate that the proposed development will deliver sustainable development within the plan period.

Our client looks forward to progressing pre-application discussions with CYC ahead of the submission of the Local Plan to the Secretary of State. Should you require any further details or clarification on the content of this letter please do not hesitate to contact me.

Yours sincerely,



**PAUL BUTLER**  
Director

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CITY OF  
**YORK**  
COUNCIL

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Directorate

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Tel: 01904 551553

Ext:  
Email: R.Smith@york.gov.uk  
Our Ref: 17/02992/PREAPP  
Your Ref:  
Date: 19 December 2017

Dear Sir/Madam

**Application at:** Os Field 2800 Eastfield Lane Dunnington York  
**For:** Residential development, open space, landscaping  
and associated infrastructure (Scheme of 76  
dwellings)  
**By:** Liam Tate  
**Type** of Pre-Application  
**Application:**

Thank you for your letter which was received on 12 December 2017.

I will be dealing with your enquiry and would be grateful if you would quote the reference number 17/02992/PREAPP in any correspondence.

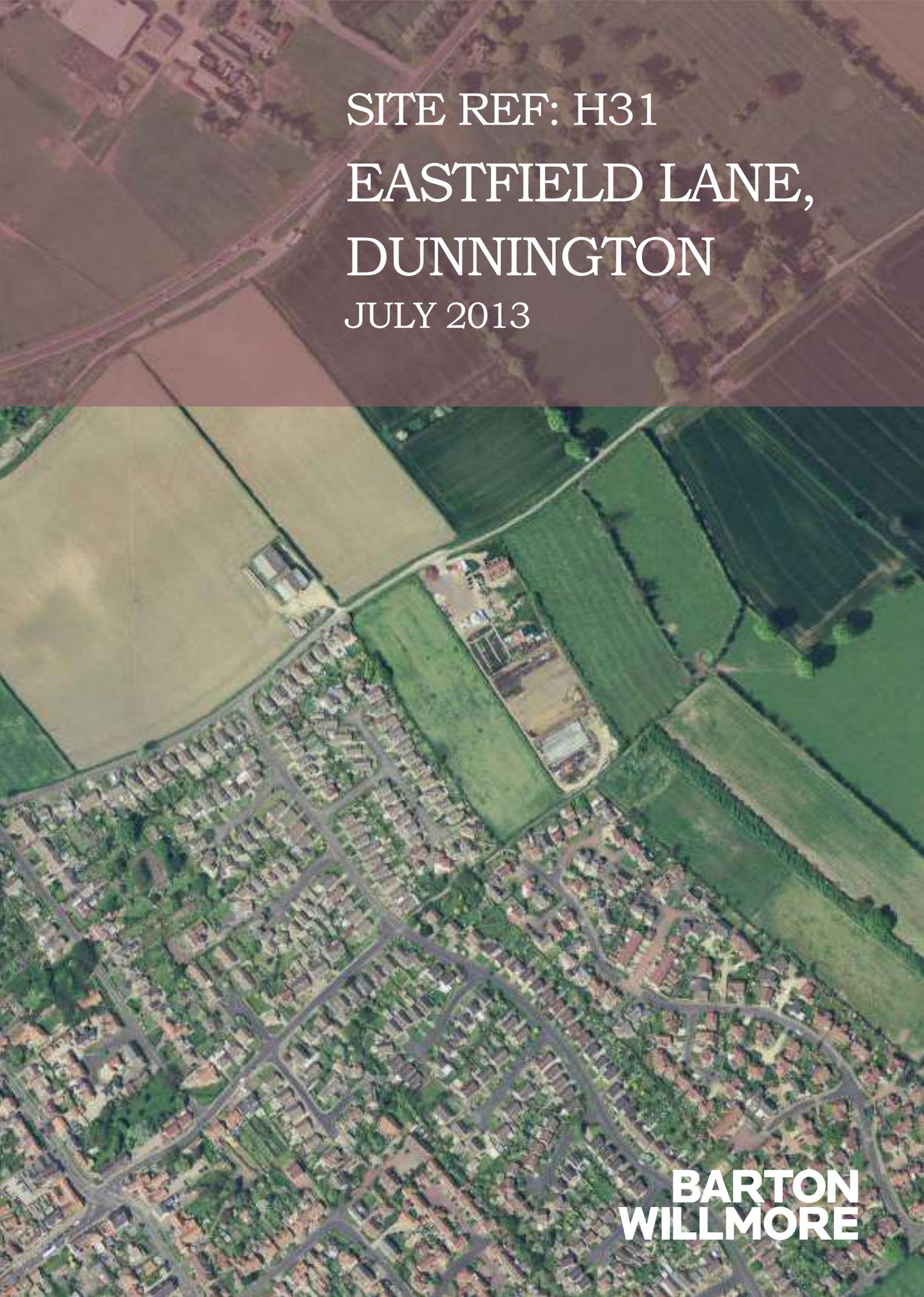
Payment received : £4195.2  
Receipt number : 38716  
VAT Registration Number: 647365022  
Please accept this as receipt of your payment.

Yours faithfully

**Rachel Smith**  
**Development Management Officer**

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6 Alpha Court  
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SITE REF: H31

EASTFIELD LANE,  
DUNNINGTON

JULY 2013

**BARTON  
WILLMORE**

Project Ref:	20498
Status:	Final
Issue/Rev:	
Date:	31 July 2013
Prepared by:	IB
Checked by:	MW

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Transport input by Sanderson Associates

Ecology input by Brooks Ecological

Arborocultural input by Smeeden Foreman

Landscape input by FDA



SITE REF: H31

EASTFIELD LANE,  
DUNNINGTON

JULY 2013

**BARTON  
WILLMORE**



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Figure 1 : Satellite Image

# 1. Introduction

**This promotional document has been prepared by Barton Willmore on behalf of Barratt and David Wilson Homes to assist City of York Council with the preparation of their emerging Local Plan. It demonstrates the land at Eastfield Lane, Dunnington represents a sustainable solution which can help meet the future housing growth required in York.**

## 1.1 Purpose of the Report:

1.1.1 The emerging Local Plan acknowledges that a sufficient amount of land is required to meet the number of homes required over the plan period. In order to fulfil this commitment, it accepts that there is a need to provide a range and choice of sites capable of meeting future requirements and in line with the Spatial Strategy for the City of York. In particular, new housing development needs to be focussed in the most sustainable locations across York.

1.1.2 A desk based assessment has been adopted to establish the constraints and opportunities for the site. This has influenced the production of an indicative master plan to show how the site could be laid out and to demonstrate that a high quality housing development can be comfortably integrated within the surrounding area.

1.1.3 It is considered that the site detailed in this report would make an ideal location for residential development and would accord with the Framework on Housing in the following regard:

- **Available** – Barratt and David Wilson Homes have an option to develop the site and are actively seeking to provide the site for residential development.;
- **Suitable** – The site is in a sustainable location, is well related to the existing built form and is accessible from the main transport network. Furthermore, the site does not warrant Green Belt status in the emerging Local Plan.
- **Achievable** – the landowner is committed to bringing the site forward as soon as possible so delivery of housing can be achieved within the plan period.

1.1.4 Overall this report demonstrates that the site can be considered to be both deliverable and a viable location for future housing development.

# 2. Site And Surroundings

## 2.1 Site Location

2.1.1 The site is located approximately 400m (5 minutes walk) to the north east of the centre of Dunnington. This settlement lies around 4 miles east of York city centre. Dunnington has a population of 3000 people and features a good range of facilities and services appropriate to a village of its size.

2.1.2 The site is well connected to the existing road network, with the A1066 and A1079 being located within a mile of the site.

## 2.2 Site Description

2.2.1 The application site is broadly rectangular in shape and extends to 2.35 Ha. The westernmost half is a single undeveloped field bounded by hedges while the eastern side is a landscape contractors business and nursery site which is now used to store machinery and maintain livestock. The site boundary excludes a residential property sitting within the north west corner of the site.

## 2.3 Site Context

2.3.1 The site sits alongside the built edge of Dunnington, to its eastern and southern boundary, which in turn is set in a rolling, principally arable landscape.

2.3.2 A Public Right of Way (PRoW) runs adjacent to the southern boundary of the site. This pathway provides access from Holly Tree Lane through to Eastfield Lane between existing fields.

2.3.3 Site H35 - Land at Intake Lane, sits to the south of the site, across the Public Right of Way



Figure 2 : Site Boundary Plan



Figure 3 : Site Location Plan

# 3. Planning Policy

## 3.1 National Planning Policy

**National Planning Policy Framework (the Framework) was published in March 2012 and sets out the Government's planning policies for England. It is a key part of the Governments reforms to make the planning system less complex and more accessible to protect the environment and promote sustainable growth.**

### Achieving Sustainable Development

3.1.1 The Framework stipulates that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles as follows:

- An economic role
- A social role
- An environmental role

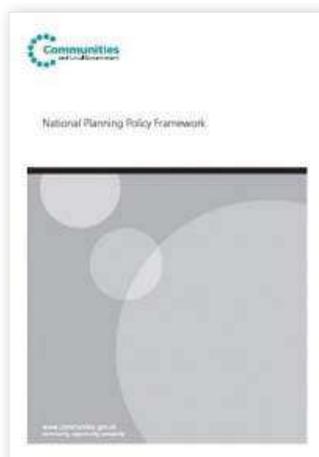
3.1.2 The Framework specifically states that the above roles should not be undertaken in isolation, because they are mutually dependant.

3.1.3 Paragraph 14 sets out that a presumption in favour of sustainable development is at the heart of the Framework and should be seen as a golden thread running through both plan-making and decision taking.

3.1.4 In paragraph 47 it places great emphasis on local planning authorities to significantly boost their housing supply to ensure that a wide choice of high quality homes are delivered.

3.1.5 One of the fundamental requirements of the Framework is to ensure that local planning authorities deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities by planning for a mix of housing based on current and future demographic trends, market trends and the needs of different people.

- Paragraph 85 of the Framework provides guidance for local planning authorities when seeking to set out Green Belt boundaries. They are advised to:
- Ensure consistency with Local Plan strategy for meeting identified requirements for sustainable development;
- Not include land which it is unnecessary to be kept permanently open;
- Where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
- Make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;
- Satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and
- Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.



## 3.2 Local Planning Policy

### York Unitary Development Plan Review (2006)

3.2.1 The current York Development Control Local Plan was approved for Development Control purposes only in April 2005 and therefore was never statutorily adopted. The Regional Spatial Strategy for Yorkshire and the Humber was revoked on the 22nd February 2013 apart from the policies relating to the Green Belt around York.

### York Emerging Local Plan

3.2.2 The Emerging York Local Plan covers both strategic policies and allocations (previously the Core Strategy and Allocations Development Plan Document) alongside development management policies. It acknowledges that York need to take a more ambitious approach to housing growth than the previous more cautious approach set out in the previous draft Core Strategy. Thus, it is currently making provision for at least circa 22,000 new dwellings up until March 2030.

3.2.3 Policy H1 (The Scale of Housing Growth) identifies the site as a 'Housing Site' (Reference H31 - Eastfield Lane) with a capacity to deliver 60 dwellings.

### City of York Council's Draft Proposals Map

3.2.4 It is noted that all sites put forward for consideration as housing allocations have been evaluated and scored by City of York Council according to how sustainable they are in terms of a number of social, environmental and economic factors. Given that the majority of land outside the built up area of York has been designated as draft Green Belt since the 1950s, it is apparent that this has not been in accordance with the most recent national planning guidance and a significant amount of land outside of the built up areas will be required for future housing allocations over the plan period. Barratt and David Wilson Homes support City of York Council putting this site forward as a housing allocation and do not consider that it warrants Green Belt status as it does not fulfil the purposes of including land within the Green Belt as set out in paragraph 80 of the NPPF.



Figure 4 : City of York Council's Draft Proposals Map

### 3.3 Green Belt Assessment

3.3.1 This site has been assessed in terms of its suitability as a part of the greenbelt against criteria set out in Para 80 of the NPPF.

3.3.2 The table below sets out the reasons why it is not considered to contribute toward the greenbelt and is therefore a candidate for removal.

Green Belt Assessment	
Purpose	Assessment
<b>To check the unrestricted sprawl of large built-up areas</b>	The site does not contribute to urban sprawl  Site is built up on two of its four sides and is contained on three of its four sides.  It has a clear eastern boundary formed by the current developed site on the eastern half of the site.
<b>To prevent neighbouring towns merging into one another</b>	Development of this site would not result in the merging of settlements.
<b>To assist in safeguarding the countryside from encroachment</b>	The site surrounded by built development on two and is contained on two of its four edges.  The site is urban fringe in nature.  There is high degree of containment.  The site does not perform an important role as open countryside.
<b>To preserve the setting and special character of historic towns</b>	The setting of nearby historic towns will not be affected.
<b>To assist in urban regeneration, by encouraging the recycling of derelict and other urban land</b>	There is insufficient capacity from urban regeneration to meet future development growth in York. The emerging York Local Plan acknowledges this and that a significant amount of land currently designated as Green Belt in the current plan will be required for future housing.

Figure 5 : Green Belt Assessment Table



# 4. Sustainability Appraisal

## 3.4 Local Facilities

3.4.1 The centre of the site lies within 800m of the Dunnington village centre where a variety of local services are available. This constitutes a “walking neighbourhood” where access by sustainable modes of travel can be gained.

3.4.2 Local facilities include a local convenience store, a doctor’s surgery (Elvington Medical Centre), chemist, dentists, Post Office, pubs, newsagents, vets and Village Hall.

## 3.5 Education

3.5.1 Dunnington Primary School lies within approximately 1km walking distance from the site on Church Lane/Pear Tree Lane.

## 3.6 Bus Services

3.6.1 Existing local bus stops lie within 700m of the site on Church Street and York Street. There are a number of long distance and local bus services which are routed through Dunnington. As part of the development improvement to passenger waiting facilities, shelters and bus boarding kerbs will improve facilities for both current and future users. Bus Services 10 and 45 provide access to Stamford Bridge, York, York University, Holgate, North Dalton, Market Weighton, Driffild Bridlington and other local areas. Service 10 provides a 30 minute service Monday to Sunday daytime and a 60 minute service on evenings and Sundays. Service 45 provides a 120 minute service Monday to Sunday daytime and 3 services a day on Sundays.

## 3.7 Cycling

3.7.1 The site lies within a 5km cycle distance of York centre and the Monk Cross Retail Park and is very well placed to take advantage of the Osbaldwick/Tang Hall cycle route.

## 3.8 Travel Plan

3.8.1 To encourage access by sustainable modes of travel, the development will be the subject of a Travel Plan whose content will be subject to discussion and agreement with the City Council. This plan will set out measures by which residents of the development will be encouraged to use sustainable forms of travel to reduce peak hour vehicle movements, to improve general health and potentially to reduce travel costs. The Travel Plan will include targets for modal change and on an annual basis monitoring of the levels of traffic generated and of the types of travel used. This information is supplied to the City Council and if needed an Action Plan prepared to ensure agreed targets are reached.



Figure 6 : Local Facilities and Services



Figure 7 : Local Library



Figure 8 : Bus Stop on Church Street

# 5. Material Planning Considerations

## 5.1 Flood risk

5.1.1 The site is approximately 2.35ha in area and is located wholly within Flood Zone 1 (Based upon the Environment Agency On-line flood maps). National Planning Policy Framework (NPPF) Technical Guidance document Table 1 confirms Flood Zone 1 is designated as Low Probability, having less than 1 in 1000 annual probability of river or sea flooding.

5.1.2 The City of York Strategic Flood Risk Assessment April 2011 (SFRA), confirms in the FP Policy Recommendations for Flood Zone 1, that the site should be considered for other potential risks including sewer flooding, groundwater, overland flow and flooding to adjacent sites.

5.1.3 With the site area being greater than 1 ha, a Flood Risk Assessment is required in line with the Environment Agency Flood Risk Assessment Guidance Note 1 (April 2012).

5.1.4 The FRA will be focused on the management of surface water run-off from the proposed development which is the most important aspect to consider.

5.1.5 For the purpose of analysis in terms of flood risk the site is assumed to be 100% Greenfield for calculation of the existing surface water discharge rate. Whilst there is some development there at the moment there is no evidence of a formal drainage outfall into the adopted drainage system. The City of York SFRA page 59 paragraph 4.1.8 bullet point 2 confirms that run off rates for Greenfield sites, unless otherwise calculated, will be calculated as 1.4 l/s/ha (litres per second per hectare). The most appropriate calculation for Greenfield Run of rate is the IH124 method.

5.1.6 City of York Council's Planning Policy GP15a 'Development and Flood Risk' confirms that any proposed development should not exceed the capacity of existing and proposed receiving sewers and watercourses and long term run off should always be less than the level of pre-development rainfall run off.



Figure 9 : Environment Agency Flood Map

5.1.7 In summary, the preliminary flood risk analysis and drainage analysis show that the site should be able to be adequately drained in terms of surface water and foul discharges without detrimental effect to adjacent land. The land does have some constraints in terms of connectivity of both the surface water and foul discharge from the site, which could involve some off site works to connect into the existing adopted systems subject to Yorkshire Water approval or into existing watercourses. However the constraints identified are fully solvable in terms of drainage engineering without affecting the viability of the site for development.

## 5.2 Drainage

5.2.1 The closest foul sewer which is considered viable to outfall into is in Holly Tree Lane. There are also surface water sewers to the west of the site in Holly Tree Lane. These sewers are heads of runs and will be small in diameter with limited capacity for any additional flows in to the adopted system. Further consultation with Yorkshire water is required to establish if and if so how much capacity is within the surface water sewers to establish a connection.

5.2.2 In terms of surface water drainage from the site, it is not within a groundwater source protection zone so the principle of soakaways and infiltration drainage in principle is acceptable subject to site specific testing of the soil strata. This form of drainage on this site is the most appropriate if viable considering the remote location of this site from the adopted surface water sewer network and also field drains. Interrogation of the British Geological Survey Borehole Data, the records in this area confirm Sand layers which may mean soakaway or other infiltration SUDS are viable, however there is also evidence of shallow groundwater which may affect the efficiency of any infiltration SUDS, on site testing will confirm.

5.2.3 Even if infiltration SUDS or connection into Yorkshire Water adopted sewers are not viable, in order to drain the surface water run-off from the site, the constraints on this site are either a 330m (approximate length) sewer requisition to the field drain to the south of the site restricted to agreed Greenfield run rates, or a 190m approximate length of surface water sewer (which may be required to be pumped) dependent upon site levels and invert levels of the sewer (which is recorded to be 1.5m depth to invert).

5.2.4 In order to connect the site to the public foul sewer network there may be a requirement to lay an off site foul sewer connection (which may be required to be pumped) of approximately 260m length connecting into the adopted foul network in Holly Tree Lane at the junction with Gorse Hill. This connection would be subject to Yorkshire Water approval in terms of location and rate of discharge if pumped.

5.2.5 The City of York Infrastructure Delivery Plan June 2013 confirms that it will be likely that there will be a need for new sewers and upsizing of sewers to support individual sites. The document also confirms that an increase in WWTW capacity may be required for sites where capacity does not exist (Para 4.79) and the greatest need identified will usually be on large Greenfield sites (Para 4.81). Sites which are phased for the longer term can be taken into account in Yorkshire Waters future investment periods (Para 4.81).

5.2.6 In summary, the preliminary flood risk analysis and drainage analysis demonstrate that the site should be able to be adequately drained in terms of surface water and foul discharges without detrimental effect to adjacent land. The land does have some constraints in terms of connectivity of both the surface water and foul discharge from the site, which could involve some off site works to connect into the existing adopted systems subject to Yorkshire Water approval or into existing watercourses. However the constraints identified are fully solvable in terms of drainage engineering without affecting the viability of the site for development.

## 5.3 Ecology

5.3.1 The application site is of low ecological value, being dominated by previously developed land and species poor grassland. There are no high value semi-natural habitats on site or features that would be likely to act as important faunal habitat.

5.3.2 A scheme can be developed that encourages wildlife across the site through effective landscaping of both public open space and private residential gardens. In addition, the trees bounding the site will be retained and wildlife could continue to utilise them.

## 5.4 Trees

5.4.1 Trees are located around the site boundary, predominantly within the existing field hedgerows or adjacent gardens. T3 to T7 are the most notable trees on the site having a good even form and of good condition. T8 in the central portion of the site is an elder growing within a tall hedgerow and should not be regarded as a constraint to development. T1 may be compromising an existing garage structure and should be removed.

5.4.2 The hedgerows are generally in good condition and make a significant landscape and wildlife contribution. Consideration could be given to the removal of non native *leylandii* species that have been fairly recently planted within or adjacent to hedgerows as these could be problematic in terms of management in the future if they were to form garden boundaries.

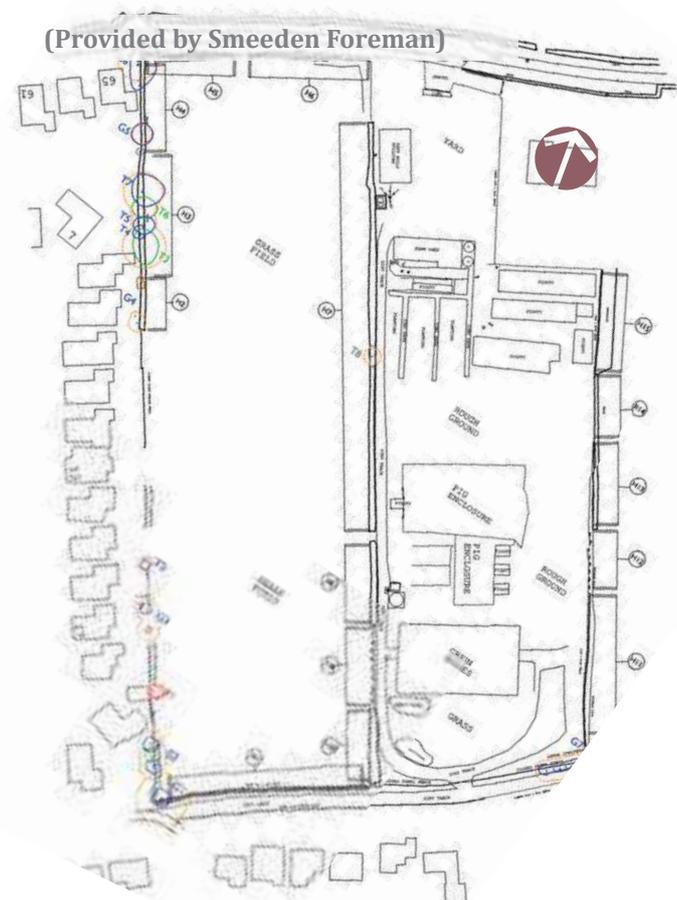


Figure 10 : Tree Survey

## 5.5 Highways

5.5.1 In order to assess the impact of the development in traffic and transportation terms a detailed Transport Assessment will be provided. This will examine the impact in relation to access by all forms of transport; walking, cycling, public transport and by the private car.

5.5.2 The site is well placed for access to the strategic road system with access via a high grade access to A166, Stamford Bridge Road, approximately 1km to the northwest via Church Walk. Approximately 2km to the south, again via a high grade junction at "Four Lane Ends", Common Road joins the A1079, Hull Road.

5.5.3 Via the A166 and after the A64 Trunk Road interchange, the A1079, York city centre is accessed. To the east via the A166, Stamford Bridge and Driffield can be accessed. The A1079 Hull Road to the south provides access to York (by the A1079) and Market Weighton and Beverley.

5.5.4 The site will be accessed by a single connection from Eastfield Lane which will be improved to an appropriate standard with a continuous footway on its nearside flank. Whilst Eastfield Lane is currently development in frontage form to discourage on street car parking and limit the number of individual access points, development onto Eastfield Lane will be limited or in the form of groups of house served by shared private drives.

5.5.5 The internal layout of the proposed development will be in accordance with the highway adoption standards of the City Council and will be in line with the latest national standards set out in Manual for Streets.



Vehicular Access off Eastfield Lane



View from Eastfield Lane Looking East



View from Eastfield Lane Looking South Across Site



View from Kerver Lane Looking Toward Footpath Link to Site

## 5.6 Landscape

5.6.1 It is considered that a residential development of this site would not have any long term impact on the wider visual amenity or landscape character of the area. The site is well contained and not visible from surrounding areas, a residential development on this site could be relatively easily assimilated and would not compromise the openness of the wider landscape.

5.6.2 The development of this site would extend the settlement edge of Dunnington eastwards. However, from the limited views available from the east this will be viewed as an extension to that edge rather than be seen as introducing anything new into the landscape. Furthermore, the retention of native boundary vegetation and the provision of supplemental native landscape buffers to the boundaries will provide a softer transition at the edge of the built form which will help to blend the site into the surrounding countryside. In addition, the incorporation of tree planting within the site associated with the road network and garden areas will break up any available views of the roofscape and house elevations.

5.6.3 In terms of nearby receptors, the replacement of the inappropriate conifer hedges and unsightly fencing around the southern boundary of the Graves site with native hedging will be consistent with the wider rural scene and will improve the visual amenity of the area for the benefit of passing walkers. The streetscene on Eastfield Lane will change, but again, assuming the layout, orientation and frontage treatment of a new development reflects the existing housing west of the site, this will be seen as a continuation of the residential road which would not unduly detract from the visual amenity of the area.

5.6.4 The removal of the unsightly boundary wall and fencing and infrastructure on the plot formerly in use as a landscape gardening business will have a positive impact on views since this currently detracts from the overall amenity of the area. Visual impacts on nearby residents can be mitigated by ensuring the existing vegetation / boundary treatments on the western boundary are retained, thereby minimising eye level views into the site and that the new housing is set back from the boundary by rear gardens and orientated to avoid overlooking. Tree planting within the rear gardens of the new plots will reinforce the existing vegetation and help to filter available views into the site from the first floor rear aspects. There is no significant ecological value to any of the existing vegetation on the site. Proposals which seek to retain the existing boundary vegetation and supplement it with new landscaped buffers of native species will have a beneficial impact in increasing the biodiversity of the area and strengthening the wildlife corridor links.



Looking east along Eastfield Lane



Footpath Junction with Kerver Lane



Looking north-east over the site



Looking north from the Footpath



Contractors Yard



Rear of contractors yard

# 6. Development Appraisal

## 6.1 Site appraisal

### Existing uses

6.1.1 A landscape contractors business occupies the eastern part of the site. An unsightly boundary wall and fencing and infrastructure surround this parcel of land. The western side of the site is in use as an agricultural field.

### Trees and Hedgerows

6.1.2 Both parcels of land are bounded on virtually all sides by mixed, predominantly native hedgerows. There are occasional standard trees within the hedgerows.

6.1.3 It is likely that sections of the internal hedgerow dividing the two parcels of land will be removed to accommodate movement through the site.

6.1.4 The loss of conifers will not be an issue from a visual perspective, since these are ornamental species which presently look out of place in the wider rural landscape.

### Access

6.1.5 There are currently two accesses into the site off Eastfield Lane - one through a wide opening into the eastern parcel and the second through a field gate access into the western parcel.

6.1.6 Only one access will be required for the purposes of residential development, this is best provided at the centrepoint of the northern boundary running along Eastfield Lane.

6.1.7 A public footpath runs along the southern boundary. This connects from Holly Tree Lane and Kerver lane and is partially tarmaced at its western end but is reduced to a rough track in proximity of the site. The footpath continues east of the site following the field boundaries of the two adjacent fields before heading north toward Eastfield Lane. Further to the north a second public footpath runs east of Dunnington Hall connecting northwards toward Stamford Bridge Road.

6.1.8 Another preferred options site, H35 - Land at Intake Lane, is located adjacent to the south east boundary of the subject site, immediately across the public footpath. Access to H35 is possible via the subject site's southern boundary: a crossing will be provided to facilitate this.

### Topography

6.1.9 The ground falls gently from Eastfield Lane to the northeast before rising up to a tree lined ridge (part Hagg Wood). The ground also rises up gently to the north-west towards the A166.

### Views

6.1.10 The site is generally well contained by housing and hedges and is not highly visible in the landscape other than from nearby receptors. Views into the site are limited to nearby locations such as Eastfield Lane, the footpath to the south and from the existing housing bordering the west and southwest of the site.

6.1.11 The wider topography and intervening vegetation restricts wider views and the tree lined ridge to the south-east contains views.

Figure 11 : Site Constraints and Opportunities



Figure 12 : Streets and Connections



- Legend**
- Site Boundary
  - - - Walking Distance from Centre
  - - - Access/Connector Street
  - Residential Access Street
  - Shared Surface Street
  - Shared Space - Neighbourhood
  - Home Zone

## 6.2 Design Concept

### Streets and Connections

6.2.1 The principle access is taken from Eastfield Lane on the sites northern boundary. An upgraded roadway featuring a pavement along its southern side will be extended beyond this point, to the sites eastern edge / along Eastfield Lane.

6.2.2 The most appropriate form of access takes the form a spine road through the centre of the new neighbourhood. This connects through to the southern boundary, allowing an additional access to be taken across the existing footpath for Site H35.

6.2.3 From the spine road a series of shared surface streets and home zones form a network of traffic calmed pedestrian-priority spaces.

Legend

-  Site Boundary
-  Area of Landscaped Open Space
-  Pedestrian/Cycle Connection
-  SUDS



## Green Network

6.2.4 The green network is comprised of three principal spaces, connected via a linear area of open space which follows the line of a hedgerow presently dividing the site in two.

- The site entrance is at the northern boundary. Here, the built form is set back from the vehicular access to form a gateway space.
- At the centre of the site a rectangular space provides the best location for an area of childrens play which is most accessible to the whole development.
- The site gradually falls toward the southern boundary making this logical location for SUDS. An area of open space here provides a dual purpose as it also forms a welcoming space for pedestrians and cyclists moving along the Public Right of Way.

Figure 14 : Concept Plan



Legend



Redline Boundary



Development Block



Development Frontage



Open Space



Children's Play



SUDS

### 6.3 Indicative Development Capacity

Calculations	Sq M	Ha
Open Space Area		
Informal Amenity Space	3100	0.31
<b>Total Open Space</b>	<b>3100</b>	<b>0.31</b>
Development Area		
Residential Development Area	19050	1.91
SUDS	300	0.03
Children's Play	1000	0.10
<b>Net Developable Area</b>	<b>20400</b>	<b>2.04</b>
<b>Total Site Area</b>	<b>23500</b>	<b>2.35</b>
Deliverable Housing Numbers		
Appropriate Housing Density	30 Units	
<b>Indicative Housing Numbers</b>	<b>60 Units</b>	

Figure 15 : Indicative Development Capacity Table

# 7. Conclusions

7.3.1 This report identifies that land at Eastfield Lane, Dunnington represents a 'deliverable site' for future residential development that would provide around 60 new high quality homes to form a logical extension to the east of the settlement taking into account both existing and proposed housing to the south and west of the site.

7.3.2 It can utilise and enhance existing infrastructure in the surrounding area thereby making the site very deliverable.

7.3.3 The site occupies a sustainable location that would be further enhanced by residential development assisting York in delivering a flexible and responsive supply of housing land in consideration of its future housing land requirements.

7.3.4 As with any site, there are a number of matters which

will need to be addressed. However, preliminary assessment work has identified these matters and confirmed that they can be satisfactorily addressed either through proposing additional measures, mitigation or enhancement. A summary of the assessment work has been provided within this document.

7.3.5 In respect of national and local planning guidance, this site is considered to be a 'deliverable site' for housing as it is available, achievable and suitable for residential development.

7.3.6 Overall the site can contribute to York's supply of deliverable housing land and is a sound, justified and sustainable solution to meeting future housing needs in York.



**BARTON  
WILLMORE**



DAVID WILSON HOMES

WHERE QUALITY LIVES



Barley Studio

# Eastfield Lane, Dunnington

## Housing Allocation H31

MyHealth - Dunnington Health Care Centre

The Cross Keys

Dunnington Fisheries

# Residential Land

## Housing Allocation H31 – Eastfield Lane, Dunnington



### Land at Eastfield Lane, Dunnington

The site is an allocation for housing in the Council's Publication Draft Local Plan. The proposal will provide for a new development of circa 70 new homes. The site is located on the north eastern boundary of Dunnington.

### Availability

The land needed for the whole of the site is available now and importantly the site is being promoted by David Wilson Homes. A national housebuilder with experience of delivering housing projects of this size to a high quality and within identified timescales.

### Achievability/Viability

The site has been fully planned to ensure that the first homes will be delivered within 18 months of the adoption of the Local Plan. The site is completely viable and will deliver all of the allocated new homes over the life of the Local Plan.

### Historic Character and Setting of the City

The site was identified by the Council because it is not located in an area of "Primary Constraint" and does not compromise York's future Green Belt proposals. The site is rectangular in shape and is split into two distinct areas. The western parcel is largely devoid of natural landscape features and mature trees as a consequence of cultivation, though there are hedgerows located on the western and northern boundary. The eastern parcel of the site is currently in use as a residential dwelling, nursery and landscape contracting company. The site has strong defensible boundaries on three sides in the form of existing residential development located to the west and south and Eastfield Lane to the north. There are no heritage assets located within proximity of the site and there are no direct views to York Minster.

### Green Belt

The site does not fulfil any of the five Green Belt purposes:-

- **The development of the site would not result in unrestricted urban sprawl** due to the site's strong defensible boundaries of Eastfield Lane to the north and the existing settlement area of Dunnington to the west and south. The site's development will create a new defensible boundary to the east of Dunnington though the delivery of new homes and associated landscaping.
- **The development of the site would not result in the merging of adjacent settlements** as the nearest detached settlements to the site are Holtby to the north (1km away) and Gate Helmsley and Stamford Bridge to the north east (4km away). The site's development will also create a new defensible boundary to the east of Dunnington though the delivery of new homes and associated landscaping.
- **The site does not assist in safeguarding the countryside from encroachment** on account of the significant areas of open countryside that exist to the north and east of the site.

- **The proposed development of the site will have no detrimental effect on the setting and special character of historic features** as an assessment has been undertaken of the historic setting of the area and the development of the site has been identified as having no adverse impact in this regard.
- The fifth purpose of Green Belt **to assist in urban regeneration, by encouraging the recycling of derelict and other urban land** is a general purpose which will not be adversely affected by the site.



Dunnington site location plan





The site lies within 800m of the Dunnington village centre where a variety of local services are available. Local facilities include a local convenience store, a doctor's surgery (Elvington Medical Centre), chemist, dentists, Post Office, pubs, newsagents, vets and Village Hall. Dunnington Primary School lies within approximately 1km walking distance from the site. Existing local bus stops lie within 700m of the site. There are a number of long distance and local bus services which are routed through Dunnington providing access to Stamford Bridge, York, York University, Market Weighton, Driffield, Bridlington and other local areas.



- Local Schools
- Retail Opportunities
- Medical Centres
- Bus Stops

#### Utilities

All of the necessary utilities are available for the site without compromising any of the provision to existing homes and businesses.

#### Education

The development proposals can deliver significant contributions to support local schools, including Dunnington Primary School and local secondary schools, as well as potential new pupils to ensure future viability.

#### Transport

Our analysis of transport matters associated with the development of the site has identified that there are expected to be no significant barriers that would preclude the deliverability of 70 new homes in transport terms. There is one proposed access point from Eastfield Lane which will be upgraded appropriately in respect of carriageway and footways. The site is located within

walking and cycling distance to existing facilities, including public transport services. The existing public footpath located to the south of the site will be improved as part of the proposals to enhance pedestrian and cycle links to the Village from the site. The delivery of the site would allow City of York Council to achieve its aim of delivering new housing in a sustainable location.

# Indicative Masterplan

## Design

Homes on the site will be designed and delivered within a sensitively masterplanned scheme which will ensure that they respect the character of the surrounding area whilst seeking to incorporate 21st century designs to provide a high quality residential development where people will want to live. The development proposals will seek to provide a green frontage to the proposals along with greenspace located within the site to ensure a high quality residential environment. The masterplan also identifies the concept of fronting onto the site's eastern edge in order to provide a long term defensible boundary which, along with sympathetic landscaping, will create a suitable transition between the open countryside and new development.

## Homes

The development will deliver much needed affordable homes together with a full range of housing, from starter homes through to larger family homes. The site will seek to create a balanced community in terms of age and other demographic factors.

## Leisure

The masterplan proposals identify the delivery of an area of public open space. The proposals can also contribute to the improvement of existing open space and recreational facilities located in Dunnington through the delivery of financial contributions.

## Drainage

A Flood Risk Assessment has confirmed that the whole of the site lies within Flood Zone 1 and is therefore suitable in principle for residential development. There is potential for the site to contribute to reductions in flood risk on and off site. In particular surface water will be stored in new attenuation features within the site area before being discharged at agricultural run-off rates. New sewers will be constructed to enable foul water to connect into the existing system and existing facilities will be upgraded where required.



## Socio-Economic Benefits to the City of York



Direct Impacts	Indirect Impacts	Wider Socio-Economic Effects
Capital Expenditure of £9.4m	24 Construction Jobs Per Annum of Build Programme	Meeting the housing needs of the City of York through delivering new homes for first time buyers, families and senior members of society.
17 Construction Jobs Per Annum of Build Programme	New Homes Bonus of £673k & £112k additional Council Tax receipts per annum	Supporting mixed communities by providing circa 21 new affordable homes.
£873k GVA of Direct Employment	New Retail and Leisure Expenditure of £1.4m each year and a first occupation retail expenditure of £385k creating 10 new jobs in these sectors.	Delivering substantial financial contributions through S106 Agreement and Community Infrastructure Levy payments to deliver improvements to local facilities and infrastructure, including schools

## Progress on Eastfield Lane, Dunnington

The above comments are all informed by the extensive work that has already been carried out on the proposals.

This includes:-

- A full landscape appraisal and analysis of key views. Including a Green Belt impact assessment. Identifying the potential to deliver enhanced landscape features along the site's frontage with Eastfield Lane and on the site's eastern boundary.
- Archaeological investigation which has identified no visible evidence of earthworks or structures of an archaeological origin.
- Heritage assessment and the identification that there are no heritage assets located within proximity of the site and there are no direct views to York Minster.
- Ecological surveys and analysis of the areas of the site where safeguarding and mitigation are required.
- Arboricultural surveys and the identification of hedgerows to be retained.
- Geological and geophysical assessments of the site.
- Analysis of drainage and flood risk matters on-site and potential impacts off-site with the subsequent identification of proactive positive drainage solutions.
- Analysis and assessment of the transport impact of the development with subsequent sustainable transport proposals in respect of vehicular, pedestrian and cycling accessibility.
- Liaison with utility companies.

Land at Eastfield Lane, Dunnington represents a deliverable residential development site. The site lies in a sustainable and suitable location, it is available for development now and the delivery of new homes can be viably achieved within 18 months of the adoption of the Local Plan. The site will provide a significant opportunity to help meet York's current and future housing needs through the delivery of a high quality residential development, adjacent to the north east of Dunnington.



North



- KEY:**
- Site Boundary
  - Site Access
  - Vistas / Views
  - Private Dwellings
  - Affordable Dwellings
  - Public Open Space
  - Primary Road
  - Focal Square
  - Shared Surface
  - Private Drive
  - Existing Landscaping Retained
  - Proposed Landscaping (shown indicatively)

Revision C. Layout amended to include ex. house SW 14/12/17  
 Revision B. Layout updated following comments from division SJW 15/01/15  
 Revision A. Changes made following comments from the division SW 09/12/14

Barratt Developments plc  
 Forest Business Park  
 Cartwright Way  
 Barton Hill  
 Leicestershire  
 LE67 1UB  
 telephone 01530 276276

Project  
**EASTFIELD LANE**  
 Dunnington

Drawing Title  
 Feasibility Sketch

Scale \*  
 1:500 @ A2

Date  
 27.11.2014

Drawn  
 SJW

Drawing Ref  
**YE-11-02 C**

\* When printing to scale, please ensure that your printer settings are set to Page Scaling = None. Do not allow any 'fit to page' settings as this will alter the scale of the drawing. You can use the scale bar or grid to check the printed drawing.



NORTH

Urban Design  
 Barratt House  
 Forest Business Park  
 Barton Hill  
 Leicestershire  
 LE67 1UB  
 01530 276276

KEY:

 Site Boundary



Rev	Description	Date	Drawn	Chk'd



Urban Design  
 Barratt House  
 Forest Business Park  
 Barton Hill  
 Leicestershire  
 LE67 1UB  
 01530 276276

Project  
**Eastfield Lane**  
 Dunnington

Drawing Title  
**Site Location Plan**

Scale  
 1:1250 @ A3

Date  
 27.11.2014

Drawn By  
 BMG



DAVID WILSON HOMES  
 BARRATT HOMES

YE-11-03

\*When printing to scale, please ensure that your printer settings are set to Page Scaling = None. Do not allow any 70% page settings as this will alter the scale of the drawing. You can set the scale bar or grid to check the printer settings.

**From:** Paul Butler [paul.butler@pbplanning.co.uk]  
**Sent:** 04 April 2018 10:41  
**To:** localplan@york.gov.uk  
**Cc:** Tate, Liam  
**Subject:** CITY OF YORK LOCAL PLAN – MANOR HEATH, COPMANTHORPE – DAVID WILSON HOMES – SUPPORT FOR SITE PREVIOUS REF. ST12  
**Attachments:** P16-0304.001-Illustrative Masterplan.pdf; Support ltr Manor Heath - Askham Bryan College - 06.09.16.pdf; City of York Local Plan - Consultation Form - Manor Heath, Copmanthorpe - DWH - April 2018.pdf; City of York Local Plan - Manor Heath, Copmanthorpe - Askham Bryan College Reps - April 2018.pdf; City of York Local Plan - Manor Heath, Copmanthorpe - DWH - April 2018.pdf; 20498 - BW - Manor Heath, Copmanthorpe - Report - Final.pdf; 6. 2284\_Manor Heath, Copmanthorpe - Development Brief.pdf

Dear Sir or Madam,

We write on behalf of our client David Wilson Homes (DWH) to provide City of York Council (CYC) with their representations to CYC's Publication Draft Local Plan (February 2018).

From a review of the latest version of the Local Plan, it is clear that CYC have not taken on board the evidence we previously presented in our representations to earlier versions of the Local Plan, by letters dated 12<sup>th</sup> September 2016 and 27<sup>th</sup> October 2017. As a result, we are concerned that the current Publication Draft Local Plan cannot be considered sound in the context of Paragraph 182 of the NPPF.

The enclosed representations do not seek to re-iterate the comments made to CYC in our previously submitted representations. These are enclosed, and we request that they are submitted alongside this letter to the Secretary of State as a holistic comprehensive representation for the Manor Heath, Copmanthorpe site.

The enclosed letter does however provide a summary of the comments previously made, before providing updates in our response to CYC's evidence base in association with the deliverability of this site and the objectively assessed housing needs of the City.

The site has the potential to provide a residential development of up to 250 new homes, substantial areas of public open space of 5.44ha in size, community space and associated infrastructure. The site will provide a significant opportunity to help meet York's current and future housing needs through an exemplary archaeology and landscape led development.

As Askham Bryan College are the landowners of the site, any subsequent funds from the development proposals will be used directly to enhance the important educational, economic and social role that the College plays for the City. No other development site in the City can deliver such an opportunity. The ability for the Manor Heath, Copmanthorpe development to contribute heavily towards facilitating the future growth of the College should therefore, in our view, be given substantial weight by CYC when re-assessing the potential allocation of this site.

Should you require any further details or clarification on the content of this letter please do not hesitate to contact me.

Kind regards,

Paul

**Paul Butler**  
**Director**



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**KEY**

-  Promoted site boundary (14.89 ha)
-  Proposed open green space (14.11 ha)
-  Proposed alignments (0.28 ha)
-  Proposed community space (0.182 ha)
-  Proposed road network
-  Proposed shared surface
-  Proposed private drives
-  Indicative dwellings
-  Feature plots
-  Proposed trees
-  Proposed buffer planting
-  Proposed SUDS
-  Site entrance
-  Potential cycling/pedestrian links



**MANOR HEATH, COPMANTHORPE - ILLUSTRATIVE MASTERPLAN**



| T 0113 287 8200 | [www.pegasuspg.co.uk](http://www.pegasuspg.co.uk) | Drawn By: KW | Team: CAH | Date: AUGUST 2016 | Scale: 1:2500 @ A3 | DWG: P16-0304-001 | Client: Barratt, David Wilson Homes (Yorkshire East) & Linden Homes |

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# ASKHAM BRYAN COLLEGE

September 6, 2016  
GD

Daniel Starkey MRTPI  
Planning Manager  
Barratt Homes Yorkshire East & David Wilson Homes Yorkshire East  
(trading names of BDW Trading Limited)  
6 Alpha Court  
Monks Cross Drive  
York YO32 9WN

Dear Daniel,  
Manor Heath, Copmanthorpe

Askham Bryan College is the country's largest land based Further and Higher Education College and is centred at its York campus. The College has over 3,500 full time students covering a range of land based subject areas and qualifications. It prides itself on being inclusive, educating all ages and abilities and preparing students for jobs in the local region and beyond. Whilst it has invested in its York estate, the demands for further developments in terms of information technology, front line capital and estate improvements are needed to support teaching and equip our students with relevant technological skills for the work market place.

Funds raised from the proposed sale of Manor Heath would be reinvested directly into the York campus and would unquestionably enhance the educational opportunities for young people in the York area and across the North of England. In addition this would also benefit the region's businesses and employers, particularly within agriculture and the food manufacturing sector, and thus the region's economic growth.

Yours sincerely



Gary Downey  
Chief Financial Officer

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title		Mr
First Name		Paul
Last Name		Butler
Organisation (where relevant)	David Wilson Homes	PB Planning Ltd
Representing (if applicable)		David Wilson Homes
Address – line 1	c/o Agent	PO Box 827
Address – line 2		York
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		YO31 6EE
E-mail Address		paul.butler@pbplanning.co.uk
Telephone Number		07970 506702

Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

Please see enclosed submitted representations.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

<b>Positively prepared</b>	<input checked="" type="checkbox"/>	<b>Justified</b>	<input checked="" type="checkbox"/>
<b>Effective</b>	<input checked="" type="checkbox"/>	<b>Consistent with national policy</b>	<input checked="" type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.

**See enclosed  
representations**

Policy  
Ref.

**See enclosed  
representations**

Site Ref.

**Site Ref. ST12**

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

**Please see enclosed submitted representations**

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

Please see enclosed submitted representations

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please see enclosed submitted representations

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

## Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

## Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

## Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on [01904 554145](tel:01904554145)

Signature

Date

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

Local Plan,  
City of York Council,  
West Offices,  
Station Rise,  
York,  
YO1 6GA

Our Ref: 18/075

3 April 2018

Dear Sirs,

**CITY OF YORK LOCAL PLAN – MANOR HEATH, COPMANTHORPE – ASKHAM BRYAN COLLEGE SUPPORT FOR SITE PREVIOUS REF ST12**

We act on behalf of Askham Bryan College and have been instructed to provide the City of York (CYC) with their representations to CYC's Publication Draft Local Plan (February 2018). These representations are to be read in conjunction with those submitted by PBP Planning on behalf of David Wilson Homes also in relation to site ST12.

The opportunity posed by the development of this site (ST12) is unique. Askham Bryan College is the landowner of the site and consequently the funds from the development proposals will be used directly to enhance investment in the provision of education within the City, a key objective of the Council's strategy for a future prosperous City. This is supported by Policy DP1 and ED7 within the Publication Draft (February 2018) whereby the contribution of the college towards the economic growth and provision of Education within the City and wider region is acknowledged and supported in terms of its future expansion. Therefore, the College plays a significant educational, social and economic role for the City and the wider region.

## Background

By way of context, Askham Bryan College has been established since 1948 and has subsequently expanded physically and in terms of its degree of importance and contribution towards York as a focus for educational excellence and, indeed, through activities across the wider region. The College has now evolved into the largest provider of land-based education in the UK (Landex, 2016). The College is a multi-sited organisation that has a catchment area of over 10,000 sq miles across the North of England. The College today is a unique provider offering the most diverse range of agricultural resources available in the country from intensive arable farming in the Vale of York to extensive upland hill farming in Cumbria. The College not only has outstanding agriculture resources but boasts one of the UK's premier Animal Science teaching facilities and Zoo, significant environmental science management projects and extensive outdoor pursuits and education resources. The College recruits from over a thousand schools and works with fourteen local authorities. This is alongside working with five different Local Enterprise Partnership (LEP) regions; Leeds City Region, York North Yorkshire and East Riding, Cumbria, Tees Valley and North East. The College's curriculum delivers training, skills and the development of higher level graduates, closely linked to the strategic priorities of the Local Enterprise Partnerships that it sits within.

Princes House, 8 Princes Street, Harrogate, HG1 1HN

The College is one of 14 specialist land-based providers within the UK. It's strategic priorities are closely linked to the developing rural economic needs of the region and fulfilling the national strategic priority of the UK Government to ensure a sustainable food production system. Additionally, the College has developed a learning provision encompassing the wider aspects of land-based education with significant provision in animal science, outdoor adventure sports, public services and provision for individuals with higher learning needs. Much of this provision is of specific significance to the rich and essential portfolio of provision that the City of York is able to provide.

For the academic year 2017/18 there were 5880 pupil enrolments at the York campus on educational programmes from Entry Level provision to Honours Degrees. The College has substantial residential accommodation with 350 students drawn from across the UK in residence during the academic year at York. The College has a significant and expansive transport network that enables over 1500 students to travel to College on a weekly basis to study.

The College has a proven track record in maintaining and developing a quality educational facility, it is graded 'Good' by Ofsted, and was one of the few colleges that received two commendations in its last RHE QAA Inspection. In addition, the College has achieved an 'Outstanding' judgement through Ofsted Residential Care Standards. Residential provision is a key feature of a specialist land-based college. Financially, the College is assessed as 'Satisfactory' by the Education and Skills Funding Agency (ESFA).

The significant contribution that the College makes to the local economy cannot be understated as well as to the clear enhancement in practical opportunities for study by a range of students from across the region and beyond.

The College's annual staffing costs for 2017/18 are £15.3M of which circa 70% are located at York giving an approximate annual staff salary spend of £11M. The majority of the staff working at York are located within a twenty mile radius of the Campus and are net contributors to the Regional and City of York economy.

Annually there are approximately 350 students in residential accommodation at York and, on average, stay for 35 weeks per year. It is estimated (conservatively) that weekly local spend per student is between £20 and £40, an estimated total economic contribution of between £250K and £500K per annum.

The College contracts a variety of local businesses providing them with continuity and a level of surety in work. These range from small businesses to large multinational organisations, all employing individuals local to the City of York. The range of businesses engaged with the College is considerable from catering and cleaning contractors, to waste disposal, electrical contractors, national milk distributors, veterinary practices, estates contractors, IT and media specialist companies etc.

## **Recent Challenges**

### ***Funding***

Over the last eight years the College has grown significantly in terms of its student numbers, volume, and breadth of education it provides. This growth has allowed access to learning and greatly enhanced career opportunities to significant numbers of students of all ages from both rural and urban communities. This growth has, however, placed considerable strain on the College's finances, infrastructure and core resources. Over this period the College has prioritised investment in 'front facing' day to day curriculum resources, for example, the investment in the

Animal Science Centre and Zoo, regarded as one of the premier educational resources in the country, and the Lance Gilling Building and Agri-tech Centre which is a purpose-built engineering centre to assist with the delivery of precision agriculture and associated technologies. However, the resources related to other capital expenditure and the broader and wider student experience, for example general teaching space, social space, student services, canteen facilities, IT infrastructure, Learning Resource Centre etc have suffered from much lower levels of appropriate improvement and development.

The Further Education sector has, over the last twenty years, seen a considerable reduction in its funding rates. ***The Institute of Fiscal Studies in 2017 reported that the real terms further education funding per student in 2017 is at the exact same level as it was in 1990.*** In contrast school pupil funding has risen by 70% over this period. Absolute levels of funding per student have dropped by 18% since 2010. Over recent years the College has managed such significant financial challenges in an entirely appropriate and accountable way. This challenge has impacted upon the College's ability to deliver an enhanced learning experience for its students, together with its ability to develop and deliver an innovative curriculum. The Association of Colleges assess that over 50% of colleges in the UK are facing significant financial challenge.

The College, for reasons that relate to previous management's decisions, did not receive any government capital grant funding during the period between 2000 and 2007/8 referred to as 'Building Colleges for the Future'. This funding was significant and also substantially subsidised (in some cases 90+% funding provided). As a consequence, the College estate did not benefit from badly needed capital investment. Subsequent to this the College has received some capital investment but this has been at a much lower intervention rate (>30%) and has required the College to provide significant capital from its own resources. This requirement has placed the College under considerable financial pressure in an already challenged financial environment.

### ***Community Use***

An additional consequence of the College's growth has been significant pressure on physical resources (the basic building and grounds complex) that have been previously used at appropriate times by the broader local and regional communities of York and North Yorkshire. This has been most apparent within the opportunity for local sports teams to use facilities and have 'pitch space' at the College outside the teaching day or during weekends. Moreover, the use of conference facilities has had to be limited which has an additional knock on effect in terms of reduced income. A proportion of this activity is related to working with local groups and organisations and assisting them deliver events and activities of value to local communities.

It should be noted that the College's broader educational offer plays a key role in the richness, quality and diversity of education provided by the City of York and surrounding area. The College is well established as a provider of agricultural, horticultural and environmental science teaching. However, some of its broader provision is of huge added value to the City and the wider region. Animal Science teaching is considerable, direct employment in Yorkshire and the Humber in this sector is in excess of 20,000 people. The additional value of this provision in re-engaging individuals in education cannot be underestimated. The College educates a significant number of individuals who have underachieved at GCSE level via its animal science provision. The 'medium' of working with animals re-vitalises a desire to learn, allowing the College to build and develop these individuals' broader societal skills. Positive outcomes and distance travelled is significant for these individuals who become valued members of, and net contributors to, the York communities they live and work in.

Another example of the College's broader curriculum's positive impact on the local community is the provision focused on public services. Over recent years the College has seen considerable growth in this provision. This has been driven through the recognised outstanding teaching and development offered by the staff of the College. The College curriculum is focused on developing young people to become respected members of the York and wider regional communities. The College now boast a significant Police Cadet Force and Armed Forces Combined Cadet Force. For many these opportunities are truly transformational with students becoming highly valued and trusted members of their communities. These individuals act as positive role models for other individuals within their peer groups and local York networks. The provision in public services is predicated on outstanding staffing. Further investment in appropriate physical resources (which currently are in need of improvement) would further embed the above teaching provision and its tangible positive impacts on the York community.

The ability of the College to contribute to meeting such local needs and the community role played has, and will, diminish over time to the detriment of the quality of life for York residents and put pressure on other agencies (and indeed the Council) to provide such – a situation which is unlikely to be realised. Investment in the College and appreciation of this wider social contribution dovetails with the strategic objectives of the local authority as expressed in Section 2 of the Vision and Development Principles of the Publication Draft (February 2018). Section 2 of the Publication Draft sets out the aspiration of the new Local Plan to "*deliver sustainable patterns and forms of development to support this ambition and the delivery of the city's economic, environmental and social objectives*".

### **Financial Impact**

Any significant capital investment arising from the realisation of development potential within the College estate will have the direct effect of enabling the refurbishment and updating of the College's built estate, with a consequential significant positive impact on the sustainability and development of the organisation. Such will enable further (private) funding to be accessed providing a multiplier effect to any receipts from a land sale on the Estate. The College currently has an income of approximately £30 million per annum of which over £22 million is generated from educational income. The £22 million is split with approximately £17 million which is directly to fund students who are on further education programmes either traditional long course provision or apprenticeships, £4 million is from student loans (higher education) and £1 million is from the Higher Education Council for England (government) and is a supplement for high cost Higher Education courses. Investment in the estate will lead to the potential to grow this income further.

However, the investment in the first instance will enable this income to be sustained and maintained. There is a danger that continued under-investment in the estate (which is the status quo under the current funding environment) will, over time, lead to an erosion of the educational 'offer' and future student numbers and consequently income generated.

A significant outline investment plan has been drafted by the College which will enable further development of student numbers and the desirability of the College to be enhanced/maintained. Such strategic projects consist of;

- A higher education centre (to accommodate up to 1000 students)
- The development of student accommodation to provide approximately 100 additional rooms (offered through new build and refurbishment)
- Development of a new student hub consisting of a student services centre, employer and career development hub, bespoke student social space and new canteen facilities

- Student social mobility centre aligned to meeting the needs of the College's students and developing the widening participation agenda.
- Development of an outdoor adventure sports village to service both the college curriculum and the needs of the local community.
- New community conferencing and engagement centre.
- Rural business school.
- Innovation and business start-up hub, established specifically to support local start-up businesses, especially those related to developing ethical food supply chains and sustainable environmental management delivery.

The College currently employs over 500 staff at its York campus with an estimated annual payroll of £11 million which is money direct into the local economy and a notable number reliant upon the long term success of the College. The majority of these individuals reside within the City of York or aligned areas of the County of North Yorkshire.

It is estimated that growth from student numbers would contribute approximately £6 million to the net student income of the College - approximately 800 students being enrolled. These individuals would also be net additional contributors to the local and regional economy. The College also has stakeholder ties with a variety of businesses. The College is atypical to other FE providers in that 97% of the businesses it deals with are micro/small. Many of these businesses are single or dual employee enterprises and often form a key and integral part in supporting and enhancing the wider social infrastructure in which they operate. The College currently has just under 900 apprentices working for local and regional businesses and is actively engaged with over 2000 employers. Notably the College works closely with Leeds City Council and North Yorkshire Moors National Park in providing skilled young apprentices.

### ***Social Mobility***

The College actively pursues all opportunities and necessary means to ensure social mobility amongst its students. A significant proportion of the higher education student body (600+) at the College are defined as disadvantaged by postcode, with over 50% of enrolments in 2016/17 from postcodes classed as POLAR1-3. Activity to increase access from disadvantaged areas is largely driven by the College's commitment to encourage students to progress from level 3 programmes to a higher education programme at the College.

In 2016/17, over 20% of enrolments at the College had self-declared an additional learning support need. Students are supported prior to enrolment with their application for any support allowances via the College's Learning Support team.

The College is currently a significant provider of placement for High Needs Students for the City of York. Currently there are 80 such student placements at the College. This provision is a significant asset to the City in its provision to these individuals. This growth in provision has not been matched by a similar capital investment; consequently, the provision is currently delivered via mobile classrooms which are located in a far from ideal position on the College campus. Capital monies would enable the College, in consultation with appropriate stakeholders within the City, to develop a bespoke and appropriate provision to meet identified educational needs within the City now and in the future.

The above circumstances need to be fully understood and are vital in maintaining the quality of place that is York and the specific educational offer that the City is renowned for – not solely Higher/University Education provision but also the whole spectrum of educational opportunity.

The Plan sees a key role for education in the City and the Strategic Plan, as well as other supporting documentation, recognises this.

As part of considering development options and allocation of land for development, recognition of the benefits from such are a key and valid consideration – especially if the plan is to be 'positively prepared' and duly consider all the reasonable alternatives. Such are material to the assessment process and should carry significant weight, especially where a possible allocation of land is not fundamentally/technically constrained, and any impact can be duly mitigated.

### **Publication Draft (February 2018)**

The Publication Draft sets out the aspirations of the new Local Plan until 2032/33. The Local Plan aims to *"deliver sustainable patterns and forms of development to support this ambition and the delivery of the city's economic, environmental and social objectives"*. The Local Plan is described as enabling the City to realise its economic growth ambitions as set out in the York Economic Strategy (2016), contributing towards a vibrant economy. This is described as *"York fulfilling its role as a key driver in the Leeds City Region, York, North Yorkshire and East Riding Local Enterprise Partnership (LEP) area and the functional York Sub Area"*.

The plan recognises that a number of educational bodies have contributed to making York a nationally and internationally renowned centre for further and higher education. Para 1.57 acknowledges that it is important that the Local Plan supports the continued success of the educational offer within the City which may mean supporting future plans for expansion.

Section 2 (Vision and Development Principles – para 2.4) confirms that the Council acknowledge that *"the higher and further education sector are of key importance to the economy"*. The plan describes how it will unlock the further potential of the various educational establishments (including Askham Bryan College) through development and redevelopment of their current sites and facilitating provision of new purpose-built student accommodation. The Plan is also said to have a *"key role in facilitation the development of business 'spin off' from Further Education institutions"*.

Policy DP1 (York Sub Area) seeks to ensure that the approach taken in the Local Plan is reflective of York's role and function within the Leeds City Region, the York and North Yorkshire Sub Region and the functional York Sub Area. Criteria iv. of this policy acknowledges that the aim will ensure that *"the further success of regionally and sub regionally important higher and further education institutions with the plan area is supported"*.

Policy ED7 (York College and Askham Bryan College) is supportive of Askham Bryan College in terms of future expansion as shown on the Proposals Map, albeit set within the overarching constraint/designation of Green Belt and therefore not having a greater impact on the openness of the Green Belt than existing development.

### **National Planning Policy Framework**

Paragraphs 150 to 157 sets out the details in relation to plan making which is clear in that the Local Planning Authority should be aspirational but realistic in their plan making. They should also seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development and net gains across all three.

### **Conclusion**

It is clear that the Publication Draft acknowledges the importance of the educational provision and its 'key' economic contribution to the economy of the City of York and the wider Leeds City and Sub Regions. Section 2 of the document acknowledges the higher and further education sector as being of key importance to the local economy as it is recognised as assisting York in fulfilling its role as a key driver within the region.

Further success of York's educational institutions is supported within criteria iv of Policy DP1. Reinforced by Policy ED7 whereby future expansion of Askham Bryan College is supported albeit set within the overarching constraint of the Green Belt.

We have outlined above the aspirations for the College's expansion plans which are both necessary to serve existing student numbers, ensure a sustainable future for the College and are crucial in the contribution that the institution makes to the economy through educational provision on a City and regional level. However, the current situation that the College find themselves in is the lack of being able to obtain funding through the LEPs (the only source of funding available to the College) as any amount applied for is required to be matched by the College which is unachievable at present and in the foreseeable future.

As previously mentioned Site ST12 provides a unique opportunity whereby any released funds from the residential development of the site would be ploughed back into the College. The required capital investment for Askham Bryan College will have a multiplier effect with the College being able to accommodate and attract higher student numbers. The increase in student & staffing numbers results in an uplift in local spending, expansion and increased business with local and regional businesses and a strengthening and widening of dealings with industry partners. The aspirations of the College will result in a further positive contribution that is made towards the economy at a City and wider region area (Leeds City and York Sub Area).

This letter has been submitted on behalf of our clients and should be read in conjunction with those representations made by PB Planning on behalf of David Wilson Homes a willing developer for our clients site (ST12). The representations submitted by PB Planning object to the current proposed housing allocation of site ST31 (Land South of Tadcaster Road) and the soundness of the plan.

If you require any further information in relation to the content of this letter please do not hesitate to contact me.



Yours sincerely



**Kim Eastwood MRTPI**

Principal Planner

01423 313353

07722 153747

[kim@elgplanning.co.uk](mailto:kim@elgplanning.co.uk)

Local Plan,  
City of York Council,  
West Offices,  
Station Rise,  
York,  
YO1 6GA

4<sup>th</sup> April 2018

Dear Sir or Madam,

**CITY OF YORK LOCAL PLAN – MANOR HEATH, COPMANTHORPE – DAVID WILSON HOMES –  
SUPPORT FOR SITE PREVIOUS REF. ST12**

We write on behalf of our client David Wilson Homes (DWH) to provide City of York Council (CYC) with their representations to CYC's Publication Draft Local Plan (February 2018).

From a review of the latest version of the Local Plan, it is clear that CYC have not taken on board the evidence we previously presented in our representations to earlier versions of the Local Plan, by letters dated 12<sup>th</sup> September 2016 and 27<sup>th</sup> October 2017. As a result, we are concerned that the current Publication Draft Local Plan cannot be considered sound in the context of Paragraph 182 of the NPPF.

This letter does not seek to re-iterate the comments made to CYC in our previously submitted representations. These are enclosed, and we request that they are submitted alongside this letter to the Secretary of State as a holistic comprehensive representation for the Manor Heath, Copmanthorpe site.

This letter will however provide a summary of the comments previously made, before providing updates in our response to CYC's evidence base in association with the deliverability of this site and the objectively assessed housing needs of the City.

These site-specific representations should be read in conjunction with DWH's overarching representations prepared by Barton Willmore, which make additional comments upon the overall soundness of the emerging CYC Local Plan.

**MANOR HEATH, COPMANTHORPE**

We wish to maintain our **objection** to the site being rejected as a potential housing option within CYC's Publication Draft Local Plan. It is our considered opinion that the development proposals are situated in a suitable and highly sustainable location in respect of existing settlement form and that there are no technical or environmental (built and natural) constraints that would preclude the development of the site.

The site also represents a more deliverable and sustainable residential development site than CYC's current proposed housing allocation Ref.ST31 Land South of Tadcaster Road, Copmanthorpe on account of matters associated with biodiversity and impact on the historic character and setting of York.

A summary of our previous representations is provided in the table below: -

<b>Manor Heath, Copmanthorpe – Representations Summary</b>
<ul style="list-style-type: none"> <li>• We object to CYC’s rejection of the site as a potential housing allocation.</li> <li>• Our proposals have the potential to provide for a high quality residential development of up to 250 homes (net density of 32dph), alongside the delivery of public open space, community space and associated infrastructure.</li> <li>• The site will provide the opportunity to help meet York’s current and future housing needs.</li> <li>• <b>The proposals will deliver 210 market and affordable homes within the first 5 years of the Local Plan.</b></li> <li>• The proposals will deliver a development which respects the character of the surrounding area and provide a high quality residential development where people will want to live.</li> <li>• Substantial areas of public open space of 5.44ha, including allotments, are proposed on the site’s western boundary. There is the potential to deliver increased amounts of open space on the site’s western boundary and this is something we would like to discuss with CYC.</li> <li>• Askham Bryan College are the landowners of the site, subsequently the funds from the development proposals will be used directly to enhance the important educational role that the College plays for the City.</li> <li>• The Manor Heath, Copmanthorpe site represents a more deliverable and sustainable residential development site than Site Ref. ST31 on account of biodiversity, landscape and heritage matters.</li> <li>• The site provides the potential to release additional public open space located to the east of the Village at Temple Lane, delivering long desired recreational space improvements for the Village.</li> <li>• Land at Manor Heath, Copmanthorpe represents a deliverable residential development site that can provide 250 new homes within the first 6 years of the Local Plan.</li> <li>• The development proposals are situated in a <b>suitable</b> and highly sustainable location.</li> <li>• The site is <b>available</b> now as it is under the control of two national house builders who are actively seeking to secure the site’s allocation for residential development.</li> <li>• The site can also be considered <b>achievable</b> as new homes can be delivered on the site within the next 5 years and indeed within the first five years of the Local Plan.</li> <li>• There are no technical or environmental (built and natural) constraints that would preclude the development of the site.</li> </ul>

Within our previous representations we referred to a number of technical documents that were previously submitted alongside our client’s promotion of the Site Ref.ST12. This included a Indicative Masterplan, a Development Brief prepared by Richard Partington Architects (July 2014) and a promotional report prepared by Barton Willmore (June 2013). These documents are again enclosed with this letter for ease of review.

CYC’s evidence base identifies that the site was rejected as a housing allocation on account of land use, heritage and landscape matters. However, it is obvious that the site’s use, landscape character and potential heritage impact has not changed in the intervening period between the withdrawal of the City of York Publication Draft Local Plan (October 2014) and the recent publication of CYC’s Publication Draft Local Plan.

The site was previously identified as a housing allocation by CYC because it is not located in an area of “Primary Constraint” and does not compromise York’s future Greenbelt proposals. Accordingly, CYC’s grounds for rejecting the site contradicts their previous assessment of the site, as set out in the table below: -

<b>CYC Previous Assessment Conclusions – Manor Heath, Copmanthorpe</b>
<p>There is an opportunity for this site to interconnect with existing green infrastructure corridors and integrate a scheme throughout the site to increase biodiversity and connectivity to the wider natural environment. Overall there is likely to be a positive effect on this objective.</p>

Existing field boundaries and ditches could be used to inform the pattern of development. Any development would need to incorporate a strong element of green infrastructure to fit with the existing urban pattern. This would help to reinforce existing landscape patterns around the rest of York and mitigate the visual loss of greenfield land in this area. However, there are no significant features in terms of the landscape setting for the city identified at this stage.

**Local Plan Preferred Options Sustainability Appraisal (June 2013)**

Development would extend the residential area to the north and west of Copmanthorpe village spilling over the neat current boundary of Manor Heath. The impact of this will not be significantly detrimental to the compactness of the Copmanthorpe area.

Development will have no direct impact upon the village of Copmanthorpe. The open nature of the village has already been impacted upon in this area by residential growth in the late 20<sup>th</sup> century.

**CYC Strategic Site Assessment Appraisal – Publication Draft Local Plan (October 2014)**

On balance, the proposed development of this site is assessed as likely to have limited impacts, due to its low biodiversity value (although further survey work is required of the hedgerows to confirm this provisional view) and therefore has been assessed as having a neutral effect.

The village of Copmanthorpe contains a conservation area and a number of listed buildings within the core of the village (200m). The Heritage Impact Assessment (HIA) has identified that development of this site is not likely to have a direct impact on these features given the residential growth that took place during the 20<sup>th</sup> century that now surrounds the historic core.

The HIA has identified that potential minor harm could be caused on the compact form of the village given that it is an extension beyond the current boundary of Manor Heath. In order to mitigate this, the boundary was reduced in size to ensure development remained close to the existing village.

No strategic views from the site are identified which means that views affecting the setting of the city on this location are limited. Preliminary masterplanning has responded the features identified through the emerging evidence by retaining the setting of Ebor Way through buffering as well as retaining the historic hedgerow.

**Publication Draft Local Plan Sustainability Appraisal (September 2014)**

In addition to the above, we consider it prudent to provide further evidence to demonstrate how the proposed development would not have an adverse impact on heritage or landscape matters.

The site is largely devoid of natural landscape features and mature trees as a consequence of former cultivation, and, save for the sparse hedgerows and Ebor Way, there are no distinguishing visual markers.

Beyond the site boundaries the A64 and the elevated junction with the A1237 are prominent both visually and acoustically. The buildings of Askham Bryan College are visible to the north of the A64 as are some small industrial structures and a water tower. In other directions the horizon is formed by the tree lines of agricultural field boundaries. Importantly, York and its Minster are not seen from any point within the site.

Archaeological investigation has identified no visible evidence of ridge and furrow (which appears on aerial photographs) or other earthworks or structures of an archaeological origin. The archaeological potential of the site is assessed as moderate. The historic route of Hagg Lane/Ebor Way has been identified as having archaeological importance, which is to be preserved and enhanced within the development proposals.

On account of the site's previous rejection by CYC, DWH are now seeking to promote a smaller site. The updated development proposals have been master planned so that it will have minimum impact on the landscape and historic character of the local area and wider City.

The proposed development masterplan seeks to improve the relationship with the open landscape to the west. The idea of a gradual transition from development to countryside is retained and all of the proposed development is sited further to the east of the natural ridge line in the topography. A natural ridge in the landscape that provides a "visual" boundary to the site's western edge which can be enhanced through the provision of landscaping to create a new 'feathered' edge of development on the western boundary. Though artificial, it would nevertheless provide an enhanced green belt boundary to the site and wider settlement area to that which currently exists.

The site is privately owned and there are no Public Rights of Way which cross the site. As such the site does not currently offer any public access to the countryside. As a consequence, the substantial areas of public open space, including allotments, proposed on the site's western boundary adjacent to the northern land parcel will not only deliver a new strong, permanent, defensible boundary, but they will also enhance public access to the countryside in this location of the Village.

Importantly, the masterplan also seeks to enhance the western entrance to the Village through the creation of a landscape stray along Hagg Lane/Ebor Way. Which can also act to augment the "**access to open countryside from the lane running through the site**", thus responding positively to one of CYC's reasons for rejecting the site.

The combination of landscape treatment; the repositioning of the development boundary; and the dense hedgerows along Hagg Lane/Ebor Way will ensure that the new development is not visible from the western approach on Hagg Lane/Ebor Way. When combined it is clear that the development proposals resolve CYC's current concerns associated with the development of the site. The form of development proposed in the amended masterplan provides an enhancement to that which was previously supported by CYC prior to site's withdrawal as a housing allocation by CYC.

We maintain that the Manor Heath, Copmanthorpe represents a deliverable residential development site and that CYC's reasons for its rejection as a potential housing allocation are not substantiated by justifiable evidence.

## **ASKHAM BRYAN COLLEGE**

It is important again to stress the unique opportunity that the development of this site can deliver. An opportunity that no other site in the City presents.

Askham Bryan College are the landowners of the site and subsequently the funds from the development proposals will be used directly to enhance the important educational, social and economic role that the College plays for the City. Providing improved facilities for staff and students, cementing the excellent reputation that the College in the region and nationally. This unique opportunity has continued to be overlooked by CYC.

Enclosed with our previous representations was a letter from Gary Downey, the Chief Financial Officer of Askham Bryan College, which identified that: -

***Askham Bryan College is the country's largest land based Further and Higher Education College and is centred at its York campus. The college has over 3,500 full time students covering a range of land based subject areas and qualifications. It prides itself on being inclusive, education all ages and abilities and preparing students for jobs in the local region and beyond. Whilst it has invested in its York estate, the demands for further developments in terms of information technology, front line capital and estate***

***improvements are needed to support teaching and equip our students with relevant technological skills for the work market place.***

***Funds raised from the proposed sale of Manor Heath would be reinvested directly into the York campus and would unquestionably enhance the educational opportunities for young people in the York area and across the North of England. In addition, this would also benefit the region's businesses and employers, particularly within the food manufacturing sector and the region's economic growth.***

Following the submission of our previous representations, further discussions have taken place with the College to identify the impact that the funding from the development of the site can have.

Accordingly, enclosed with these representations is a further letter of support for our development proposals prepared by England Lyle Good, on behalf of the College, dated 3<sup>rd</sup> April 2018/

The letter identifies that based on recent trends in applications for places, acceptances and actual student numbers at the York campus, the College anticipates growth in all sectors.

The letter identifies that the opportunity posed by the development of this site (ST12) is unique. Askham Bryan College is the landowner of the site and consequently the funds from the development proposals will be used directly to enhance investment in the provision of education within the City, a key objective of the Council's strategy for a future prosperous City.

Askham Bryan College has been established since 1948 and has subsequently expanded physically and in terms of its degree of importance and contribution towards York as a focus for educational excellence and, indeed, through activities across the wider region.

The College is one of 14 specialist land-based providers within the UK. It's strategic priorities are closely linked to the developing rural economic needs of the region and fulfilling the national strategic priority of the UK Government to ensure a sustainable food production system. Additionally, the College has developed a learning provision encompassing the wider aspects of land-based education with significant provision in animal science, outdoor adventure sports, public services and provision for individuals with higher learning needs.

For the academic year 2017/18 there were 5880 pupil enrolments at the York campus on educational programmes from Entry Level provision to Honours Degrees. The College has substantial residential accommodation with 350 students drawn from across the UK in residence during the academic year at York. The College has a significant and expansive transport network that enables over 1500 students to travel to College on a weekly basis to study.

The significant contribution that the College makes to the local economy cannot be understated as well as to the clear enhancement in practical opportunities for study by a range of students from across the region and beyond.

The College's annual staffing costs for 2017/18 are £15.3M of which circa 70% are located at York giving an approximate annual staff salary spend of £11M. The majority of the staff working at York are located within a twenty-mile radius of the Campus and are net contributors to the Regional and City of York economy.

Annually there are approximately 350 students in residential accommodation at York and, on average, stay for 35 weeks per year. It is estimated (conservatively) that weekly local spend per student is between £20 and £40, an estimated total economic contribution of between £250K and £500K per annum.

The College contracts a variety of local businesses providing them with continuity and a level of surety in work. These range from small businesses to large multinational organisations, all employing individuals local to the City of York.

Over the last eight years the College has grown significantly in terms of its student numbers, volume, and breadth of education it provides. This growth has allowed access to learning and greatly enhanced career opportunities to significant numbers of students of all ages from both rural and urban communities. This growth has, however, placed considerable strain on the College's finances, infrastructure and core resources.

The College, for reasons that relate to previous management's decisions, did not receive any government capital grant funding during the period between 2000 and 2007/8 referred to as 'Building Colleges for the Future'. This funding was significant and also substantially subsidised (in some cases 90+% funding provided). As a consequence, the College estate did not benefit from badly needed capital investment. Subsequent to this the College has received some capital investment but this has been at a much lower intervention rate (>30%) and has required the College to provide significant capital from its own resources. This requirement has placed the College under considerable financial pressure in an already challenged financial environment.

An additional consequence of the College's growth has been significant pressure on physical resources (the basic building and grounds complex) that have been previously used at appropriate times by the broader local and regional communities of York and North Yorkshire. This has been most apparent within the opportunity for local sports teams to use facilities and have 'pitch space' at the College outside the teaching day or during weekends. Moreover, the use of conference facilities has had to be limited which has an additional knock on effect in terms of reduced income. A proportion of this activity is related to working with local groups and organisations and assisting them deliver events and activities of value to local communities.

It should be noted that the College's broader educational offer plays a key role in the richness, quality and diversity of education provided by the City of York and surrounding area. The College is well established as a provider of agricultural, horticultural and environmental science teaching. However, some of its broader provision is of huge added value to the City and the wider region.

The ability of the College to contribute to meeting such local needs and the community role played has, and will, diminish over time to the detriment of the quality of life for York residents and put pressure on other agencies (and indeed the Council) to provide such – a situation which is unlikely to be realised. Investment in the College and appreciation of this wider social contribution dovetails with the strategic objectives of the local authority as expressed in Section 2 of the Vision and Development Principles of the Publication Draft (February 2018). Section 2 of the Publication Draft sets out the aspiration of the new Local Plan to “**deliver sustainable patterns and forms of development to support this ambition and the delivery of the city's economic, environmental and social objectives**”.

The financial impact of DWH's development proposals would be huge.

Any significant capital investment arising from the realisation of development potential within the College estate will have the direct effect of enabling the refurbishment and updating of the College's built estate, with a consequential significant positive impact on the sustainability and development of the organisation. Such will enable further (private) funding to be accessed providing a multiplier effect to any receipts from a land sale on the Estate.

The College currently has an income of approximately £30 million per annum of which over £22 million is generated from educational income. The £22 million is split with approximately £17 million which is directly to fund students who are on further education programmes either traditional long course provision or apprenticeships, £4 million is from student loans (higher education) and £1 million is from the Higher Education Council for England (government) and is a supplement for high cost Higher Education courses. Investment in the estate will lead to the potential to grow this income further.

However, the investment in the first instance will enable this income to be sustained and maintained. There is a danger that continued under-investment in the estate (which is the status quo under the

current funding environment) will, over time, lead to an erosion of the educational 'offer' and future student numbers and consequently income generated.

A significant outline investment plan has been drafted by the College which will enable further development of student numbers and the desirability of the College to be enhanced/maintained. Such strategic projects consist of: -

- A higher education centre (to accommodate up to 1000 students)
- The development of student accommodation to provide approximately 100 additional rooms (offered through new build and refurbishment)
- Development of a new student hub consisting of a student services centre, employer and career development hub, bespoke student social space and new canteen facilities Student social mobility centre aligned to meeting the needs of the College's students and developing the widening participation agenda.
- Development of an outdoor adventure sports village to service both the college curriculum and the needs of the local community.
- New community conferencing and engagement centre.
- Rural business school.
- Innovation and business start-up hub, established specifically to support local start-up businesses, especially those related to developing ethical food supply chains and sustainable environmental management delivery.

The College currently employs over 500 staff at its York campus with an estimated annual payroll of £11 million which is money direct into the local economy and a notable number reliant upon the long-term success of the College. The majority of these individuals reside within the City of York or aligned areas of the County of North Yorkshire.

It is estimated that growth from student numbers would contribute approximately £6 million to the net student income of the College - approximately 800 students being enrolled. These individuals would also be net additional contributors to the local and regional economy. The College also has stakeholder ties with a variety of businesses. The College is atypical to other FE providers in that 97% of the businesses it deals with are micro/small. Many of these businesses are single or dual employee enterprises and often form a key and integral part in supporting and enhancing the wider social infrastructure in which they operate. The College currently has just under 900 apprentices working for local and regional businesses and is actively engaged with over 2000 employers. Notably the College works closely with Leeds City Council and North Yorkshire Moors National Park in providing skilled young apprentices.

It is clear that the college is a significantly important asset to the City. The ability for the Manor Heath, Copmanthorpe development to contribute heavily towards facilitating the future growth of the College should therefore, in our view, be given substantial weight by CYC when re-assessing the potential allocation of this site.

No other site in the City can provide such an opportunity.

We urge CYC to re-think the potential allocation of the Manor Heath, Copmanthorpe site now. Whilst we will have the opportunity to make representations to an Inspector through the Examination in Public process directly, unless the growth of the College is truly supported by CYC this will undoubtedly reduce the potential to realise the significant benefits that the proposed development and the improvements to the College can deliver to the City.

The earlier the site is identified as a potential housing allocation, the earlier the College can use the site's potential sale to generate additional funding streams.

## MEETING THE CITY OF YORK'S FUTURE HOUSING NEEDS

We maintain our view that there is a case for the identification of additional housing allocations to those currently proposed by CYC in order to meet the City's housing needs over the proposed plan period.

DWH have previously instructed Barton Willmore to undertake a Technical Review of the Council's SHMA and the SHMA addendum, which was prepared by GL Hearn in June 2016, to assess the Council's methodology that has been utilised in formulating the objectively assessed need (OAN).

At present the Council have maintained their decision to progress with a housing target which is based solely on the baseline figure which is derived from the ONS 2014-based sub-national household projections and does not include the 10% uplift for market signals which is advised within the Council's latest SHMA.

By omitting the 10% uplift, and not progressing with a housing requirement of 954 dwellings per annum, the Council are failing to meet their full OAN, as required by the Framework and the Planning Practice Guidance (PPG). There are considered to be no overarching constraints within the District that justify the Council not delivering their full OAN. Such an approach therefore fails to meet any of the tests of soundness set out in paragraph 182 of the NPPF as the Local Plan is not positively prepared; justified; effective and consistent with national policy.

No new evidence has been provided by the Council to justify the removal of the SHMA's proposed 10% uplift for market signals and it is assumed that this has been viewed as a way of reducing the overall housing target. This is unacceptable and is not a sound and robust means of preparing a Local Plan.

The Government's consultation document "*Planning for the Right Homes in the Right Places*" (September 2017) identified a proposed standardised methodology for the calculation of the baseline OAN for each of the Country's Local Authority areas. The Government's proposed standardised methodology includes for an uplift for market signals over and above the baseline figure and in the specific case of York, would lead to a housing requirement of 1,070 dwellings per annum.

Since the commencement of CYC's consultation on the Publication Draft Local Plan, the Government have published further consultation documents associated with a Revised National Planning Policy Framework and Draft National Planning Practice Guidance in March 2018.

The Draft National Planning Practice Guidance (Draft NPPG) provides further guidance in respect of the calculation of an LPA's OAN. The document maintains the proposed standardised methodology for the calculation of OAN, using household projections as the baseline and an uplift for market signals. However, it also identifies the following other key considerations: -

- Plan-making authorities should not apply constraints to the overall assessment of need. Limitations including supply of land, capacity of housing markets, viability, infrastructure, Green Belt or environmental designations, are considerations when assessing how to meet need. These types of considerations are not relevant to assessing the scale of that need.
- There may be circumstances where it is justifiable to identify need above the need figure identified by the standard method. The need figure generated by the standard method should be considered as the minimum starting point in establishing a need figure for the purposes of plan production. The method relies on past growth trends and therefore does not include specific uplift to account for factors that could affect those trends in the future. Where it is likely that additional growth (above historic trends identified by household projections) will occur over the plan period, an appropriate uplift may be applied to produce a higher need figure that reflects that anticipated growth. Circumstances where an uplift will be appropriate include but are not limited to; where growth strategies are in place, strategic level infrastructure improvements are planned, funding is in place to promote and facilitate growth (i.e. Housing

Deals, Housing Infrastructure Fund). **We would consider the impact of anticipated growth through an Enterprise Zone (York Central – which is also an identified Housing Zone) to be included as an appropriate circumstance to increase housing growth as well. CYC have also submitted two Housing Infrastructure Fund bids to Government as well. One at York Central and one at the proposed strategic allocation known as Clifton Gate.**

- The total need for affordable housing will need to be converted into annual flows by calculating the total net need (subtract total available stock from total gross need) and converting total net need into an annual flow. The total affordable housing need can then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments. An increase in the total housing figures included in the strategic plan may need to be considered where it could help deliver the required number of affordable homes. **Given York's affordable housing needs, we consider that compelling evidence is available to justify an uplift in the OAN on in order to meet such housing needs.**

Although the Revised NPPF and Draft NPPG are still subject to consultation, they provide a further indication as to how the Government considers housing requirements should be calculated, and the consideration of market signals, strategic growth (employment & housing) and affordable housing as key issues to be considered. Which align closely with the current provisions of the NPPF. Put simply, the guidance provided in the bullet points above cannot be ignored.

Barton Willmore's own Technical Review of the Council's SHMA as part of their "Open House" OAN model work, concluded that when a Market Signals Uplift is included, the full objectively assessed need is considered to range between 920 dwellings per annum and 1,070 dwellings per annum. The higher end of Barton Willmore's threshold therefore directly aligns with the figure that is generated when utilising the Government's standardised OAN methodology (without the consideration of any uplift for strategic growth or affordable housing).

The Council are now in a position where their own evidence; Barton Willmore's Open House work; and the Government's proposed standardised methodology, all state that an uplift for market signals should be added to the baseline figure, and all of which indicate that the true full OAN is greater than the 867 dwellings per annum which is being proposed.

Therefore, in order to make the plan sound, the housing figure should be adjusted upwards to consider market signals, strategic growth and affordable housing needs. This in turn will require additional sites to be allocated for residential development.

Our clients have also previously identified concerns with the approach taken by CYC with regard to the delivery of windfall development throughout the plan period. Such a reliance on unplanned development is contrary to the legislative provision of a plan-led system and should not form the basis of the CYC Local Plan moving forwards. Such an approach will not direct homes to those areas that have seen limited growth over recent years and have a clear need for new homes in the future. It is also highly likely that no affordable housing will be provided on windfall sites located in the Urban Area on account of the 15-dwelling threshold proposed in draft Policy H10.

Finally, there are also concerns associated with the deliverability of the York Central and Barrack sites.

In respect of York Central this relates to uncertainties over the timescales associated with the site's initial infrastructure works and the final quantum of new homes that can be delivered at the site. We have raised a number of concerns over the ability of the York Central site to deliver the proposed number of homes within the plan period at every stage of consultation on the Local Plan. However, notwithstanding these comments, the number of homes anticipated to be delivered at the site has been increased to between 1,700 and 2,500, with a minimum of 1,500 homes within the plan period. The provision of a range of housing numbers is evidence to justify our case of the uncertainties associated

with the development of the site. Furthermore, there is no justifiable evidence to back up these figures. Further evidence in respect of our client's concerns associated with the delivery of the York Central site are provided in the overarching representations prepared by Barton Willmore.

With regard to the Barrack sites, the concerns relate to **when** and **if** both of the sites will become available for development within the plan period. At present no concrete evidence has been provided by the Ministry of Defence that these sites are indeed no longer needed.

Unless these current uncertainties are resolved, it is our view that the quantum of new homes to be delivered at these sites should be considered over and above the identification of housing allocations to meet the City's housing needs. If not, there is a real possibility that that the City could fail to demonstrate the delivery of a sufficient number of deliverable housing sites to meet the City's housing requirement.

Finally, the Publication Draft Local Plan is again relatively silent in respect of the provision of Safeguarded Land and the role this plays in ensuring long term permanence to the Green Belt. Paragraph 85 of the Framework identifies that where necessary LPA's need to plan for longer term development needs "*stretching well beyond the plan period*" through the designation of Safeguarded Land. There are varying examples within recently approved Development Plan documents of what a timescale of "*well beyond the plan period*" can equate to which differ between an additional 10% of land allocations; an additional 5 years' worth of land; or in some cases 10 years' worth of land. It could be argued the greater amount of safeguarded land identified, the greater permanence can be provided to the Green Belt.

When each of the above points are considered holistically there is a compelling case for the release of additional land as housing allocations within the CYC Local Plan in order to meet the City's full objectively assessed housing needs. Such as our client's development proposals at Manor Heath, Copmanthorpe which can make a significant contribution to meeting these needs.

## CONCLUSIONS

Whilst we want to work alongside CYC to ensure the delivery of a sound Local Plan for the City, we are concerned that unless substantial changes are made to the Publication Draft Local Plan prior to its submission to the Secretary of State, it will not be in a position where it can be found sound.

In light of the guidance provided in Paragraph 182 of the NPPF, we consider the following: -

- The Local Plan is **not positively prepared** as the plan will not meet the evidenced objectively assessed development and infrastructure requirements of the City.
- The Local Plan is **not justified** as there is compelling evidence available that it does not present the most appropriate strategy for the City, when considered against the reasonable alternatives, based on proportionate evidence;
- The Local Plan is **not effective** as the proposed housing allocations/numbers at York Central and the Barracks sites will not be deliverable over the plan period; &
- The Local Plan is **not consistent with national policy** on account of the combined impact of the above factors when considered together. It will not deliver the sustainable development of the City in the plan period.

When each of the above points are considered holistically there is a compelling case for the release of additional land as housing allocations within the CYC Local Plan in order to meet the City's full objectively assessed housing needs.

On account of the above we **object** to the Manor Heath, Copmanthorpe site being rejected as a potential housing option within CYC's Publication Draft Local Plan.

The site has the potential to provide a residential development of up to 250 new homes, substantial areas of public open space of 5.44ha in size, community space and associated infrastructure. The site will provide a significant opportunity to help meet York's current and future housing needs through an exemplary archaeology and landscape led development.

As Askham Bryan College are the landowners of the site, any subsequent funds from the development proposals will be used directly to enhance the important educational, economic and social role that the College plays for the City. No other development site in the City can deliver such an opportunity.

Should you require any further details or clarification on the content of this letter please do not hesitate to contact me.

Yours sincerely,



**PAUL BUTLER**  
Director

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An aerial photograph of a rural landscape. The top half shows a semi-transparent dark green overlay with white text. Below the overlay, the landscape features a mix of green fields, brownish-tan agricultural plots, and a small cluster of buildings. A road network is visible, including a prominent roundabout. The bottom right corner shows a more densely populated area with many small buildings.

SITE REF: ST12

LAND AT MANOR  
HEATH ROAD,  
COPMANTHORPE

JULY 2013

**BARTON  
WILLMORE**

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SITE REF: ST12  
LAND AT MANOR  
HEATH ROAD,  
COPMANTHORPE  
JULY 2013

**BARTON  
WILLMORE**



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# 1. Introduction

**1.1.1 This promotional document has been prepared by Barton Willmore on behalf of Barratt and David Wilson Homes to assist City of York Council with the preparation of their emerging Local Plan. It demonstrates the land at Manor Heath, Copmanthorpe represents a sustainable solution which can help meet the future housing growth required in York.**

## 1.1 Purpose of the Report:

1.1.1 The emerging Local Plan acknowledges that a sufficient amount of land is required to meet the number of homes required over the plan period. In order to fulfil this commitment, it accepts that there is a need to provide a range and choice of sites capable of meeting future requirements and in line with the Spatial Strategy for the City of York. In particular, new housing development needs to be focussed in the most sustainable locations across York.

1.1.2 A desk based assessment has been adopted to establish the constraints and opportunities for the site. This has influenced the production of an indicative master plan to show how the site could be laid out and to demonstrate that a high quality housing development can be comfortably integrated within the surrounding area.

1.1.3 It is considered that the site detailed in this report would make an ideal location for residential development and would accord with the Framework on Housing in the following regard:

- **Available** – Barratt and David Wilson Homes have an option to develop the site and are actively seeking to provide the site for residential development;
- **Suitable** – The site is in a sustainable location, is well related to the existing built form and is accessible from the main transport network. Furthermore, the site does not warrant Green Belt status in the emerging Local Plan.
- **Achievable** – the landowner is committed to bringing the site forward as soon as possible so delivery of housing can be achieved within the plan period.

1.1.4 Overall this report demonstrates that the site can be considered to be both deliverable and a viable location for future housing development.

# 2. Site and Surroundings

## 2.1 Site Location

2.1.1 The site is located adjacent to the western boundary of Copmanthorpe, a town consisting predominately of residential properties located approximately 6.5km to the south-west of York city centre.

2.1.2 Copmanthorpe has good access to the wider road network via the A64, which connects it to York, Leeds and Harrogate. It also has a railway station on the East Coast Main Line.

## 2.2 Site Description

2.2.1 The site, which extends to 21.47 Ha, is the eastern part of an agricultural field on the north-western edge of Copmanthorpe, bounded by roads to the north, east and south and open to the west. The field is under arable cultivation.

## 2.3 Site Context

2.3.1 The northern edge of the site is bounded by a slip road providing access to the A64, which runs in an east-west direction a short distance further to the north. Located east of the site is a residential neighbourhood comprised mostly of low density housing.

2.3.2 To the south of the site, beyond Hags Lane (also known as Ebor Way), lie agricultural fields enclosed by mature hedgerows orientated in a distinctive north-south pattern. The west of the site is also comprised of open fields presently used for arable cultivation.



Figure 2 : Site Boundary Plan



Figure 3 : Site Location

# 3. Planning Policy

## 3.1 National Planning Policy

**3.1.1 National Planning Policy Framework (the Framework) was published in March 2012 and sets out the Government's planning policies for England. It is a key part of the Governments reforms to make the planning system less complex and more accessible to protect the environment and promote sustainable growth.**

### Achieving Sustainable Development

3.1.2 The Framework stipulates that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles as follows:

- An economic role
- A social role
- An environmental role

3.1.3 The Framework specifically states that the above roles should not be undertaken in isolation, because they are mutually dependant.

3.1.4 Paragraph 14 sets out that a presumption in favour of sustainable development is at the heart of the Framework and should be seen as a golden thread running through both plan-making and decision-taking.

3.1.5 In paragraph 47 it places great emphasis on local planning authorities to significantly boost their housing supply to ensure that a wide choice of high quality homes are delivered.

3.1.6 One of the fundamental requirements of the Framework is to ensure that local planning authorities deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities by planning for a mix of housing based on current and future demographic trends, market trends and the needs of different people.

3.1.7 Paragraph 85 of the Framework provides guidance for local planning authorities when seeking to set out Green Belt boundaries. They are advised to:

- Ensure consistency with Local Plan strategy for meeting identified requirements for sustainable development;
- Not include land which it is unnecessary to be kept permanently open;
- Where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
- Make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;
- Satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and
- Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.



## 3.2 Local Planning Policy

### York Unitary Development Plan Review (2006)

3.2.1 The current York Development Control Local Plan was approved for Development Control purposes only in April 2005 and therefore was never statutorily adopted. The Regional Spatial Strategy for Yorkshire and the Humber was revoked on the 22nd February 2013 apart from the policies relating to the Green Belt around York.

### York Emerging Local Plan

3.2.2 The Emerging York Local Plan covers both strategic policies and allocations (previously the Core Strategy and Allocations Development Plan Document) alongside development management policies. It acknowledges that York need to take a more ambitious approach to housing growth than the previous more cautious approach set out in the previous draft Core Strategy. Thus, it is currently making provision for at least circa 22,000 new dwellings up until March 2030.

3.2.3 Policy H1 (The Scale of Housing Growth) identifies the site as a 'Strategic Site' (Reference ST12 – Land at Manor Heath Road) with a capacity to deliver 354 dwellings.

### York Councils Draft Proposals Map

3.2.4 It is noted that all sites put forward for consideration as housing allocations have been evaluated and scored by York City Council according to how sustainable they are in terms of their location against a number of social, environmental and economic factors. Given that the majority of land outside the built up area of York has been designated as draft Green Belt since the 1950s, it appears that this has not been in accordance with the most recent national planning guidance and a

significant amount of land outside of the built up areas will be required for future housing allocations over the plan period. Barratt and David Wilson Homes support York City Council putting this site forward as a housing allocation and do not consider that it warrants Green Belt status as it does not fulfil the purposes of including land within the Green Belt as set out in paragraph 80 of the NPPF.

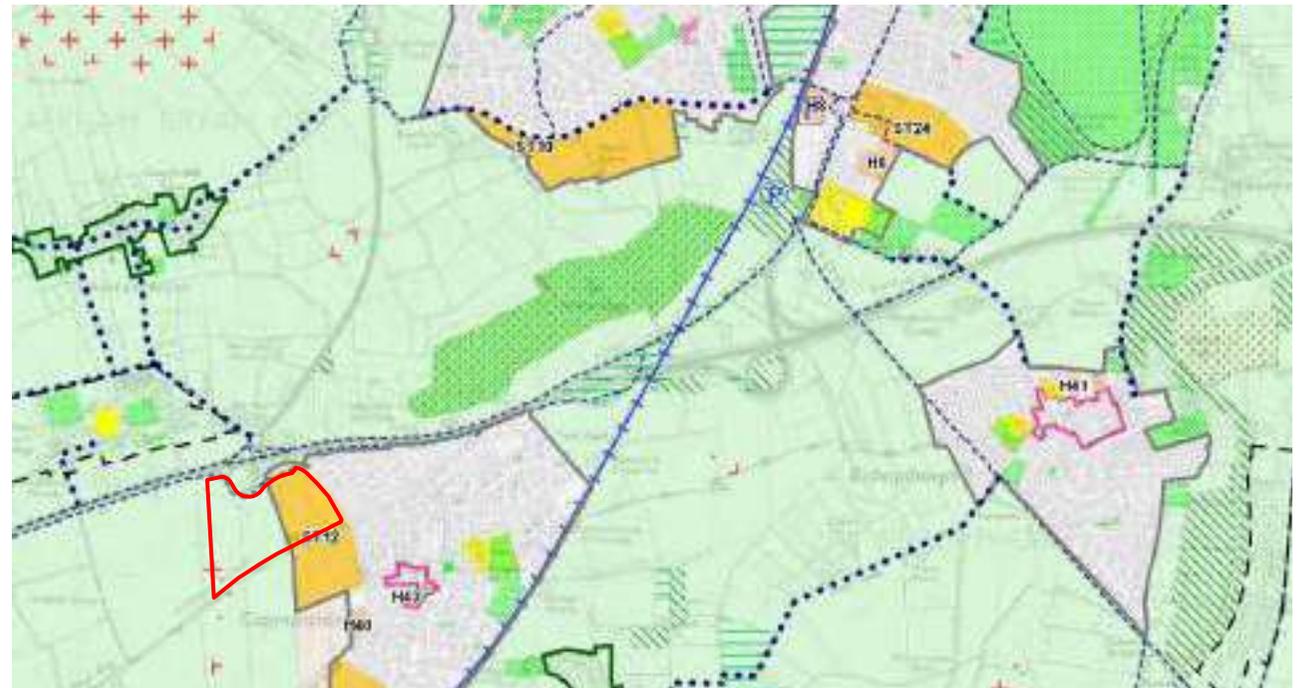


Figure 4 : Local Plan Designations

# 4. Sustainability Appraisal

## 4.1 Local Facilities

4.1.1 The centre of the site lies within 0.8km of the Copmanthorpe village centre where a variety of key local services are available. This constitutes a “walking neighbourhood” where access by sustainable modes of travel can be gained.

4.1.2 Local facilities include two convenience stores, a doctor’s surgery, chemist, Post Office, pubs and cafe and hotfood takeaways’, with other supporting services in the village centre which is sited on Main Street/Low Green.

## 4.2 Education

4.2.1 Copmanthorpe Primary School lies within approximately 1km walking distance from the site. Existing local bus stops lie within 0.6km on Manor Heath, Hallcroft Lane and Horseman Lane.

## 4.3 Bus Services

4.3.1 There are a number of long distance and local bus services which are routed through Copmanthorpe and which can be accessed either on the site frontage or with an easy walk from it. As part of the development, improvement to passenger waiting facilities, shelters and bus boarding kerb will be implemented and will improve facilities for both current and future users.

4.3.2 Services 13/13A, 840, 843, 844 and 845 provide access to Leeds, York, York College, York University, New Earswick, Haxby, Tadcaster, Scarborough, Filey, Bridlington and other local areas. Service 13/13A provides an hourly service Monday to Saturday daytime, evenings and Sunday. The 840, 843, 844 and 845 services combined to provide a 15-30 minute service Monday to Saturday daytime and a 30-60 minute service on Sundays and evenings.

## 4.4 Walking and Cycling

4.4.1 Hagg Lane is part of a national footpath route, known as the Ebor Way, which runs through Copmanthorpe and onwards towards York city centre. York city centre lies approximately 6.5km to the north east of the site and whilst the centre and areas to the north of the centre lie outside of the acknowledged 5km cycle distance, a significant part of west and south of the city lies within easy cycle distance.

## 4.5 Travel Plan

4.5.1 To encourage access by sustainable modes of travel the development will be the subject of a Travel Plan whose content will be subject to discussion and agreement with the City Council. This plan will set out measures by which residents of the development will be encouraged to use sustainable forms of travel to reduce peak hour vehicle movements, to improve general health and potentially to reduce travel costs. The Travel Plan will include targets for modal change and on an annual basis monitoring of the levels of traffic generated and of the types of travel used. This information is supplied to the City Council and if needed an Action Plan prepared to ensure agreed targets are reached.

(Provided by Sandersons Associates)



Figure 5 : Local Facilities and Services

Figure 6 : Bus Stop at Manor Heath

# 5. Material Planning Considerations

## 5.1 Flood risk

5.1.1 The site is approximately 21.47 ha in area and is located wholly within Flood Zone 1 (Based upon the Environment Agency On-line flood maps).

5.1.2 National Planning Policy Framework (NPPF) Technical Guidance document Table 1 confirms Flood Zone 1 is designated as Low Probability, having less than 1 in 1000 annual probability of river or sea flooding.

5.1.3 The City of York Strategic Flood Risk Assessment April 2011 (SFRA), confirms in the FP Policy Recommendations for Flood Zone 1, that the site should be considered for other potential risks including sewer flooding, groundwater, overland flow and flooding to adjacent sites.

5.1.4 With the site area being greater than 1 ha, a Flood Risk Assessment is required in line with the SFRA and Environment Agency Flood Risk Assessment Guidance Note 1 (April 2012).

5.1.5 The FRA will be focused on the management of surface water run-off from the proposed development which is the most important aspect to consider.

5.1.6 For the purpose of analysis in terms of flood risk the site is assumed to be 100% Greenfield for calculation of the existing surface water discharge rate. The City of York SFRA page 59 paragraph 4.1.8 bullet point 2

confirms that Greenfield sites unless otherwise calculated run off rates will be calculated as 1.4 l/s/ha (litres per second per hectare). The most appropriate calculation for Greenfield Run of rate is the IH124 method.

5.1.7 City of York Council's Planning Policy GP15a 'Development and Flood Risk' confirms that any proposed development should not exceed the capacity of existing and proposed receiving sewers and watercourses and long term run off should always be less than the level of pre-development rainfall run off.

5.1.8 The Greenfield run off rate for this site is between 21 l/s (1.4 l/s/ha in line with the SFRA requirements) and 23 l/s (Using the IH124 method) based upon a site area of 15 ha. This approach is in line with the requirements of the City of York SFRA April 2011 which included consultation with the Internal Drainage Board for this area (Ainsty IDB). The final discharge rate to be agreed with the Council and IDB through further consultation.

5.1.9 From the analysis undertaken it is concluded that there will be no specific requirements or constraints relating to finished floor levels of dwellings or material for construction in terms of flood risk mitigation and no access or egress issues relating to Flood Risk.

5.1.10 The site can be adequately developed without detrimental effects to the proposed development or adjacent land in terms of flood risk in line with the Requirements of the NPPF and the York SFRA.

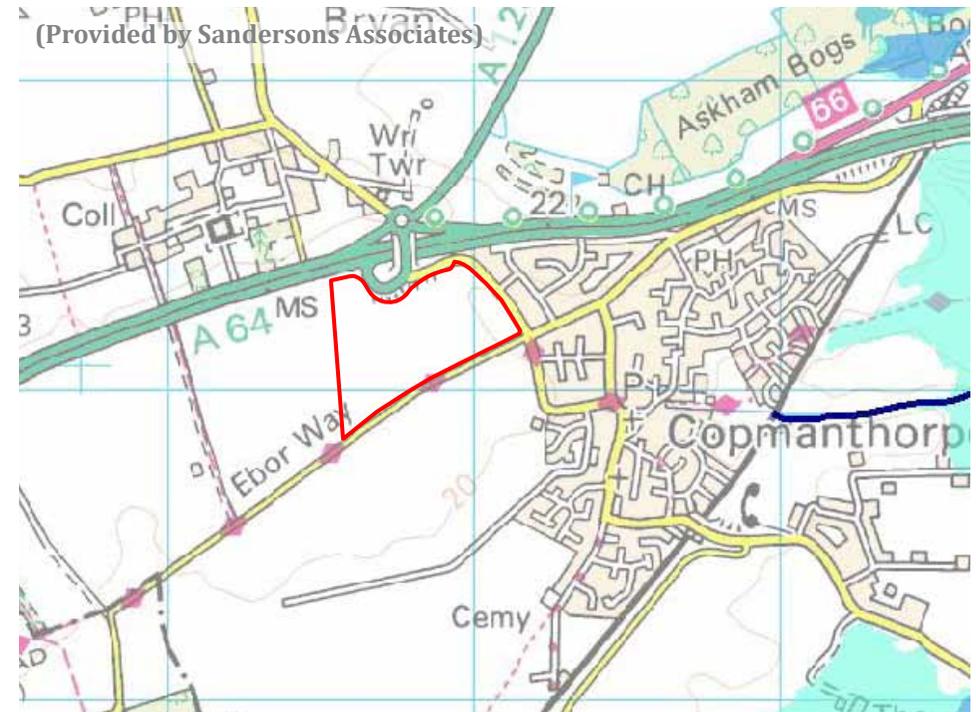


Figure 7 : Flood Map

### LEGEND

	Flood Zone 2
	Flood Zone 3

## 5.2 Drainage

5.2.1 There are adopted surface water sewers to the east of the site in Hallcroft Lane and The Link. These sewers are heads of runs and will be small in diameter with limited capacity for any additional flows in to the adopted system.

5.2.2 The most appropriate surface water outfall location for this site is the existing drain located on the Southern boundary restricted at a rate equivalent to the agreed Greenfield discharge rate (between 21l/s and 23l/s). After review of the topography of the land this drain could be used to drain approximately 50% of the land by Gravity with the other 50% potentially having to be drained via a surface water pumping station as the land to the Eastern boundary is at the same or potentially lower level than the Western Boundary where the drain is situated.

5.2.3 Regarding sustainable drainage, the site is not within a groundwater source protection zone so the principle of soakaways and infiltration drainage in principle is acceptable subject to site specific testing of the soil strata. Interrogation of the British Geological Survey Borehole Data, the records in this area confirm Clayey Sand and firm to stiff Sandy Clay which may mean soakaway or other infiltration SUDs are not viable.

5.2.4 However, even if infiltration SUDs are not found to be viable, the site can be successfully drained, out-falling into the existing field drain on the Southern boundary of the site at Greenfield run off rate with attenuation on site.

5.2.5 There are Yorkshire adopted foul sewers to the east of the site which would be obvious point of connection into the adopted system subject to Yorkshire Water confirmation of available capacity due to the size of the site. Dependent upon proposed site levels, layout and existing adopted drainage depths a foul pumping station may be required.

5.2.6 The City of York Infrastructure Delivery Plan June 2013 confirms that it will be likely that there will be a need for new sewers and upsizing of sewers to support individual sites. The document also confirms that an increase in WWTW capacity may be required for sites where capacity does not exist (Para4.79) and the greatest need identified will usually be on large Greenfield sites (Para 4.81). Sites which are phased for the longer term can be taken into account in Yorkshire Waters future investment periods (Para 4.81).

5.2.7 In summary, the preliminary flood risk analysis and drainage analysis should be able to be adequately drained in terms of surface water and foul discharges without detrimental effect to adjacent land. Constraints are on the drainage aspects with regard to Surface Water outfall and potential sewer and WWTW upgrades for Foul discharge from the site. However the constraints identified are fully solvable in terms of drainage engineering without affecting the viability of the development.

## 5.3 Highways

5.3.1 In order to assess the impact of the development in traffic and transportation terms a detailed Transport Assessment will be provided. This will examine the impact in relation to access by all forms of transport; walking, cycling, public transport and by the private car. The assessment will examine both the immediate connections to the local road network and the wider implications on the adjacent strategic network, the A64. Prior to its production the assessment will be the subject of scoping discussions with the City Council and the Highways Agency.

5.3.2 The site is very well placed for access to the strategic road system with easy access to the nearby junction of the A1237 with the A64 Trunk Road. Via the A64 mainline destinations of York, Leeds and Harrogate can be gained.

5.3.3 Projections of traffic generations from the site will be derived from the industry standard TRICS database or from surveys of local examples of similar development in Copmanthorpe. Distribution of the predicted traffic onto the local road network will be carried out from a combination of the attractiveness of likely destinations and surveys of traffic flow on existing local roads.

5.3.4 The site will be accessed by connections from both Manor Heath and Hagg Lane, which will be via a mini roundabout including the exiting side road of The Link, and a simple priority junction respectively.

5.3.5 In addition the following works will be included:

- The provision of a nearside footway to Manor Heath and Hagg Lane
- Improvement of an initial section of the Hagg Lane carriageway
- The revision of the cross roads junction of Manor Heath, Hallcroft Lane and Hagg Lane into a mini roundabout
- The relocation of the derestricted/30 mph speed limit position on Manor Heath westwards towards the A64 slip road junction and the introduction of a gateway feature as the start of the traffic calmed route produced by the introduction of the two mini roundabouts
- The relocation the derestricted/30 mph speed limit position on Hagg Lane westwards away from the village and the introduction of a gateway feature as the start of the traffic calmed approach to the proposed mini roundabout at the junction of Hagg Lane with Manor Heath and Hallcroft Lane
- The provision of a new bus stop on the Manor Heath frontage which will have raised border kerbs and a bus shelter.

5.3.6 Whilst parts of Manor Heath are currently development in frontage form in respect of its important function as a bus route and direct connection to the A64, direct access onto Manor Heath will be limited or in the form of groups of house served by shared private drives.

5.3.7 With respect to the internal layout of the proposed development this will be in accordance with the highway adoption standards of the City Council and will be in line with the latest national standards set out in Manual for Streets. Adequate off street car parking for residents and visitors will be provided within the development to the City Council's standards, with storage facilities for cycles to encourage their use.

5.3.8 There will be an internal connection between the two access points to ensure connectivity and provide emergency access to all parts of the development. From this main estate road short culs de sac's will be formed which will be shared surface estate roads where vehicles and pedestrians use the same carriageway. These areas will be developed as 20 mph "Home Zones" where the needs of pedestrians and cyclists will be placed above those of drivers.

## 5.4 Landscape

### Boundaries

5.4.1 The site is enclosed on the eastern and southern boundaries by existing native species hedges. The western boundary is open and the northern boundary butts up to existing buffer planting around the A64 / A1237 junction. There are also roads to the eastern and southern boundaries (a residential road, Manor Heath, to the east and a single track Roman road (Ebor Way) to Colton to the south). The site is relatively flat, at about the same level as Manor Heath to the east other than at the north / north-eastern end where the road rises up to join the A1237 and slip road onto the A64. On this eastern boundary, the site is set back from the road by a variable width, maintained grass verge, wider at the north-eastern end and narrowing down towards the end of the site / junction with the Roman road. The main field access is a double gate opening situated to the northern end off Manor Heath. To the southern boundary, there is no grass verge, the site boundary being right on the roadside.

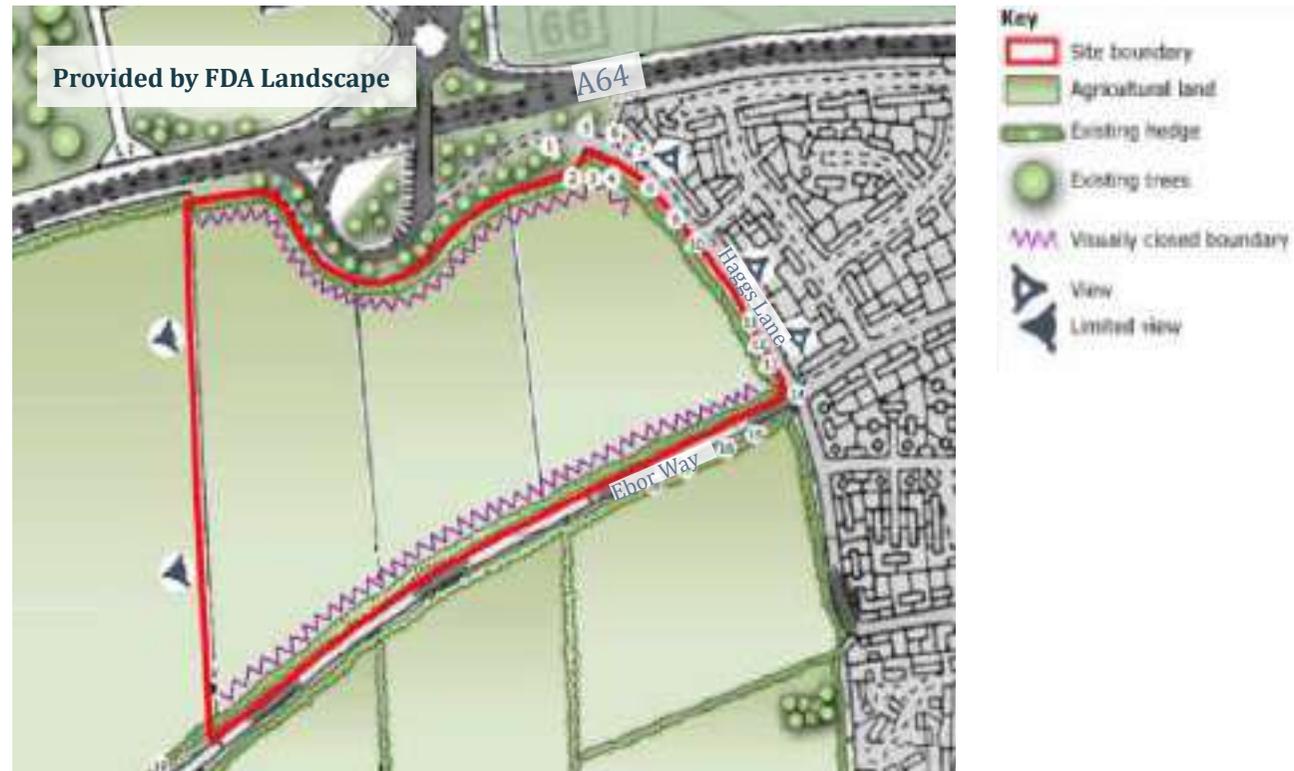


Figure 8 : Landscape Baseline

## Vegetation type, quality, ecology and landscape designations.

5.4.2 The hedge to the eastern boundary is in good general condition and is continuous with occasional gaps or low spots. It is relatively well maintained along the housing frontage, varying in height along from approximately 1.0-1.8m high, thereby screening views of much of the site from ground eye level. To the northern end the hedge becomes taller and less well maintained. The width also varies along its length, narrowing down towards the southern end. It is predominantly Hawthorn with some Ash, Sycamore, Blackthorn and Rose. There is a reasonable amount of bindweed present, particularly to the southern end up to the junction with the Roman road. There are occasional standard trees located at irregular intervals along the length of the hedge of varying size and age. These are mainly Horse Chestnut with an occasional Oak. The hedge to the southern boundary with the Roman road

is taller and essentially screens views of the site for all but high sided vehicles. Again it is in good condition and species here include Hawthorn, Field Maple, Blackthorn, Hazel and some oak. There are also trees within this hedgerow comprising a mix of Sycamore, Ash, Field Maple and the occasional Oak. There will be habitat associated with the native boundary hedgerows and field margins but limited ecological value on the rest of the site due to it being under intensive arable cultivation. Askham Bog. SSSI is situated approximately 800m away, beyond the A64, to the north-east. There are no landscape designations on the site but the site sits within a wider Nitrate Vulnerable Zone.

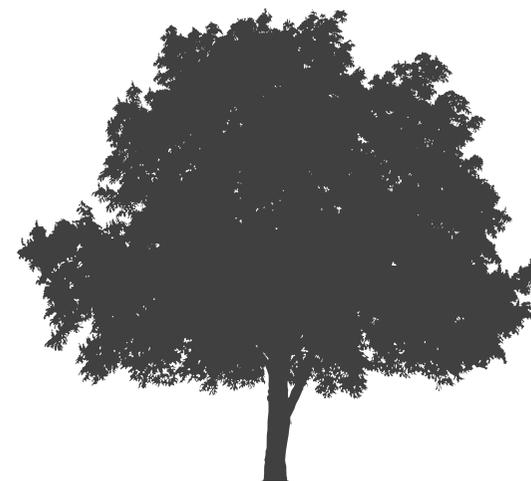
## Landscape character.

5.4.3 At a national level the site falls within the Natural England Landscape Character Area 28: the Vale of York. This is a broad, transitional vale landscape, defined by relatively flat, low lying land surrounded by higher land to the north, east and west where high quality soils mean that agriculture, predominantly arable cultivation, is the major land use. At a regional level, North Yorkshire County Council has undertaken a (North Yorkshire & York) Landscape Character Assessment which identifies nine primary landscape units which are then further divided into landscape character types.

5.4.4 The site falls within the 'farmed, lowland and valley landscapes' primary unit and within landscape character type 28, the 'Vale farmland with plantation woodland and heathland'. Key characteristics of the Vale of York landscape which are relevant here are its rural character, agricultural land use comprising a patchwork of low lying, predominantly arable fields, often delineated by a network of mature hedgerows, sparse and scattered settlement centred around the main city of York and the long, open views. Protection of these characteristics is important to maintain its distinctiveness.

5.4.5 The site itself is very much part of the rural, agricultural fringe on the western edge of Copmanthorpe. The landscape to the south and west is a large expanse of open farmland with an occasional scattered and isolated dwelling / farmstead dotted in and amongst the villages of Bilborough, Colton and Streethouses.

5.4.6 Woodland is scarce, being confined to two reasonably large blocks approximately 1.5km (Hagg Wood) and 3km (Copmanthorpe Wood) to the south and south-west respectively and shelter belt / screen planting associated with settlement off Lowfield Lane to the south-west. There are also numerous trees associated with the linear and regular edged field hedge boundaries, all of which leads to a fairly structured, geometric feel.



## Visual receptors.

5.4.7 There are few receptors to the north, west or south and the site is generally well contained and not readily visible from a distance as a result of the flat terrain in which the intervening field boundary hedges & trees, road network and housing all form variable barriers to views. There are no forward views of the site from the A64 approaching on the eastern carriageway from the west due to the existing buffer planting around the junction.

5.4.8 There is a public bridleway west of the site but views across to the site are screened by a high field boundary hedge. The main static visual receptor group is the housing fronting onto Manor Heath which directly overlooks the site though their current views will generally only be from 1st floor bedroom window since the existing hedge blocks a lot of ground eye level views. There will also be limited transient views into the site from pedestrians and slower moving traffic on Manor Heath through low spots/gaps in the hedge and through the existing field gate opening on the northern end.

## Constraints and Opportunities

5.4.9 The landscape character assessment undertaken by NYCC finds that, overall, the landscape in the character area into which this site falls has a moderate visual, landscape and cultural sensitivity to change. This initial assessment of the site has established that it however, has a low to moderate sensitivity to change due to its fringe position at the edge of existing settlement, contained by roads, not highly visible in the landscape and with a limited number of visual receptors. Furthermore, there are opportunities to reduce the impact of any development on the site by retaining existing boundary features and introducing new landscape elements which will help to mitigate the built form.

5.4.10 These are discussed below:

- Retention of the boundary hedge and trees on the Roman road protects this boundary and provides instant screening of the development at ground eye level.
- Incorporation of a native species hedge buffer planting to western boundary to tie into the existing planting on northern boundary against the A64. This will screen views into the site, soften the built edge / roofscape and assimilate the development into the agricultural landscape as well as provide some degree of noise attenuation.
- Native species planting will offset loss of hedge on Manor Heath. There is the potential to open up the streetscene on Manor Heath by setting the new housing back to reflect the existing frontage treatment where the houses are set back from the road by front gardens, footpath and grass verges. A complementary housing style on these aspect will unify the streetscene, making the new development more visually inclusive and providing a pleasant approach into this edge of Copmanthorpe.

## Conclusion

5.4.11 The site is naturally contained by roads and vegetation to the north, east and west and is not readily visible in the wider landscape. Ecologically, the site is not sensitive to change. The retention of the existing boundary hedges and trees, where feasible, together with the introduction of new native tree and shrub planting will add to local biodiversity.

5.4.12 Other than the loss of good quality agricultural land, there are no landscape issues which would unduly constrain a residential development of the site. By adopting a sensitive, landscape led design strategy for the site which responds to the agricultural landscape and incorporates a significant amount of native species will, it is considered, mean that a residential development could be assimilated into the wider landscape without having any significant impact on the landscape character of the area.

# 6. Development Appraisal

## 6.1 Site Analysis

6.1.1 The site is relatively free of constraints, there are however a small number of considerations that would have an impact on residential development proposals.

### Trees and Hedgerows

6.1.2 The eastern and southern boundaries of the site are defined by existing hedgerows. The hedge at the southern boundary contributes greatly to the character, narrow and enclosed along Hags Lane/Ebor Way.

6.1.3 A number of mature oak trees sit along the eastern boundary of the site.

### Topography

6.1.4 The land is relatively flat, although there is a slight fall of approximately 10-15m from the western the eastern boundary.

### Access

6.1.5 The site is very well placed for access to the strategic road network, with easy access to the nearby junction of the A1237 with the A64 Trunk Road. York, Leeds and Harrogate can be accessed via the A64 mainline. The site is best accessed from two points:

- Manor Heath, adjacent to the exiting side road of The Link, via a proposed mini-roundabout.
- Hagg Lane, at a point approximately 30-35m east of its intersection with Manor Heath. The existing junction between Hagg Lane and Manor Heath will also be upgraded to form a mini-roundabout in order to ensure it can safely accommodate the additional traffic-flow likely to affect this junction.



Figure 9 : Looking west over the site from The Link



Figure 10 : The A64



To Tadcaster/Leeds

To York

COPMANTHORPE

A64

Link Road

Manor Heath

Hallcroft Lane

Hagg Lane

**LEGEND**

- Redline Boundary
- ← - - - → Public Right of Way
- ➔ Vehicle Access Point
- ↔ Dual Carriageway
- Trees

**Figure 11 : Development Appraisal**

## 6.2 Design Concept

Figure 12 : Access & Circulation



### Access and Circulation

6.2.1 The site will be accessed by two connections; from Manor Heath via a mini roundabout at the exiting side road of The Link, and from Hagg Lane via simple priority junction (see Figure 12).

6.2.2 The site is most suitably serviced by a loop which would form the principal route through the development. By adopting this approach, a logical and direct route is provided which connects the two points of access. This Connector Street could take the form of an avenue, with a soft verge and planting separating the carriageway from footway/cycleways.

6.2.3 Local residential streets will lead from the loop to allow for ease of circulation through the development's neighbourhood areas. Access throughout the remainder of the development is made possible via a series of interconnected shared surface/space streets and home zones.

6.2.4 The emphasis throughout much of the development area will be on prioritising non-vehicular movements and on the social use of spaces. For this reason, streets will be designed more generally to restrain speeds using methods such as appropriate carriageway narrowing, reduced forward visibility and the materiality of street surfaces.

6.2.5 A bus stop will also be provided on the Manor Heath frontage which will be within 400m distance (5 mins walk) of all of the houses within the development.

Figure 13 : Green Network



### Green Network

6.2.6 In order to form a defensible and visually contained boundary for the western edge of the settlement, the development proposal envisages the planting of a 15 - 40 metre wide tree belt.

6.2.7 The tree belt will be orientated to follow the existing field pattern so that when approaching along Ibor Way from the west the new planting remains in keeping with the general structure of the surrounding landscape.

6.2.8 Development is staggered along its western edge. This, when taken together with the geometry of the new boundary planting has created space for a 'gateway' area of open space to the development's south western corner.

6.2.9 Although the tree belt sits further to the west than the boundary of ST12, the proposed arrangement allows for a more logical settlement edge to be formed to the west of Copmanthorpe, with greater potential for high quality open spaces to be formed within the site area.

6.2.10 Additional areas of open space are located at other gateway locations into the site, including adjacent to the mini-roundabouts providing access to the eastern boundaries.

6.2.11 The loop road acts as a green-street, connecting a number of areas of open space across the site.

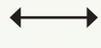
### 6.3 Indicative Development Capacity

Calculations	Sq M	Ha
Total Site Area	214683	21.47
Indicative Land Uses		
SUDS Required	1568	0.16
Sports Pitches	12240	1.22
Childrens Play	5040	0.5
Informal Amenity Open Space	5827	0.58
All Open Space including Buffer Planting	<b>24675</b>	<b>2.47</b>
<b>Net Developable Area</b>	<b>103173</b>	<b>10.32</b>
<b>Indicative Housing Numbers</b>	<b>300-350 Units</b>	

6.3.1 Indicative development capacity figures are shown in the table adjacent. The Net Developable Area includes residential development and its associated infrastructure, including roads, childrens play areas and SUDS. All other forms of open space are excluded from this calculation



**LEGEND**

-  Redline Boundary
-  Vehicle Access Point
-  Dual Carriageway
-  Residential Blocks
-  Trees
-  Play/Sports Pitches
-  Informal Open Space
-  SUDS

**Figure 14 : Concept Masterplan**

# 7. Conclusions

7.3.1 This report identifies that the site represents a 'deliverable site' for future residential development that would provide around 300 - 350 new high quality homes to form a logical extension to the west of Manor Heath Road, taking into account both existing and proposed housing to the north, south and west of the site.

7.3.2 It can utilise and enhance existing infrastructure in the surrounding area thereby making the site very deliverable.

7.3.3 The site occupies a sustainable location that would be further enhanced by residential development, assisting York to deliver a flexible and responsive supply of housing land in consideration of its future housing land requirements.

7.3.4 As with any site, there are a number of matters which will need to be addressed. However, preliminary assessment work has identified these matters and confirmed that these can be satisfactorily addressed either through proposing additional measures, mitigation or enhancement. A summary of the assessment work has been provided within this document.

7.3.5 The site area shown within this document varies from that shown in the latest version of the emerging Local Plan. The site boundary has been extended to the west to accommodate a significant amount of landscaping. This demonstrates that the site can be comfortably accommodated within the context of the surrounding area.

7.3.6 In respect of national and local planning guidance, this site is considered to be a 'deliverable housing' site as it is available, achievable and suitable for residential development.

7.3.7 Overall the site can contribute significantly to York's supply of deliverable housing land and is a sound justified sustainable solution to meeting future housing needs in York.



Prepared by Barton Willmore

Transport input by Sanderson Associates

Landscape input by FDA Landscape



**BARTON  
WILLMORE**

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## Copmanthorpe Masterplan

### Development Brief

Richards Partington Architects

for

Barratt Homes/David Wilson Homes and Linden Homes

### **July 2014 - DRAFT**

Revised in Response to Officers Comments and  
Issues Discussed During Workshops and Meetings  
Held in January 2014

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## Introduction

### page 03 Content of the Development Brief:

**This draft Development Brief has been produced after discussions and workshops with Council officers in early 2014. The brief describes the potential for a comprehensive development of land to the west of Copmanthorpe, the majority of which is currently identified by the Council as proposed housing allocation ST 12. The brief supports representations by David Wilson Homes and Linden Homes which seek an extension to the Council's allocated site. The area covered by the brief includes additional land extending to the west of the northern part of allocation ST 12, which we consider is necessary to achieve a sympathetic transition from open countryside to development and to ensure that the new housing will have a residential character and quality that is appropriate for a village extension and responds to the topography of the surrounding land.**

**The extended area facilitates a better balance of landscape, open space and development than could be achieved in the ST12 allocation area alone. The development brief masterplan will support housing typologies that reflect the existing village, whose core is characterised by houses with wide frontages and generous planting. The abrupt edge created by the current ST12 allocation (which replicates the existing hard and unsympathetic western edge of Copmanthorpe) will be improved by a softening of the boundary and sensitive landscape response to the main views towards the village from the countryside.**

**The brief thus refers to a significantly smaller extension than was proposed in January 2014, though much of the technical information supporting the January 2014 proposals is retained in this document as it is equally relevant to the revised proposals.**

### Purpose of the Development Brief

The revised Development Brief is not intended to be prescriptive in relation to the form and types of housing that should be developed, but seeks to establish the key constraints that will affect the development of the site and to identify opportunities that should be harnessed in the strategic approach towards the development of the site area as a whole.

The purpose of this document is to:

- Outline the characteristics of the site including topography, landscape and biodiversity;
- Outline the relevant development constraints that would affect future residential development on the site;
- Consider access to the site and the existing infrastructure and outline any improvements that would be required in order to accommodate new residential development;
- Finally, set out a strategic plan for the site to demonstrate how the site might be developed comprehensively, making effective use of the site area and in response to the conditions and constraints outlined in this Development Brief.



## 1.0 The site and its surroundings

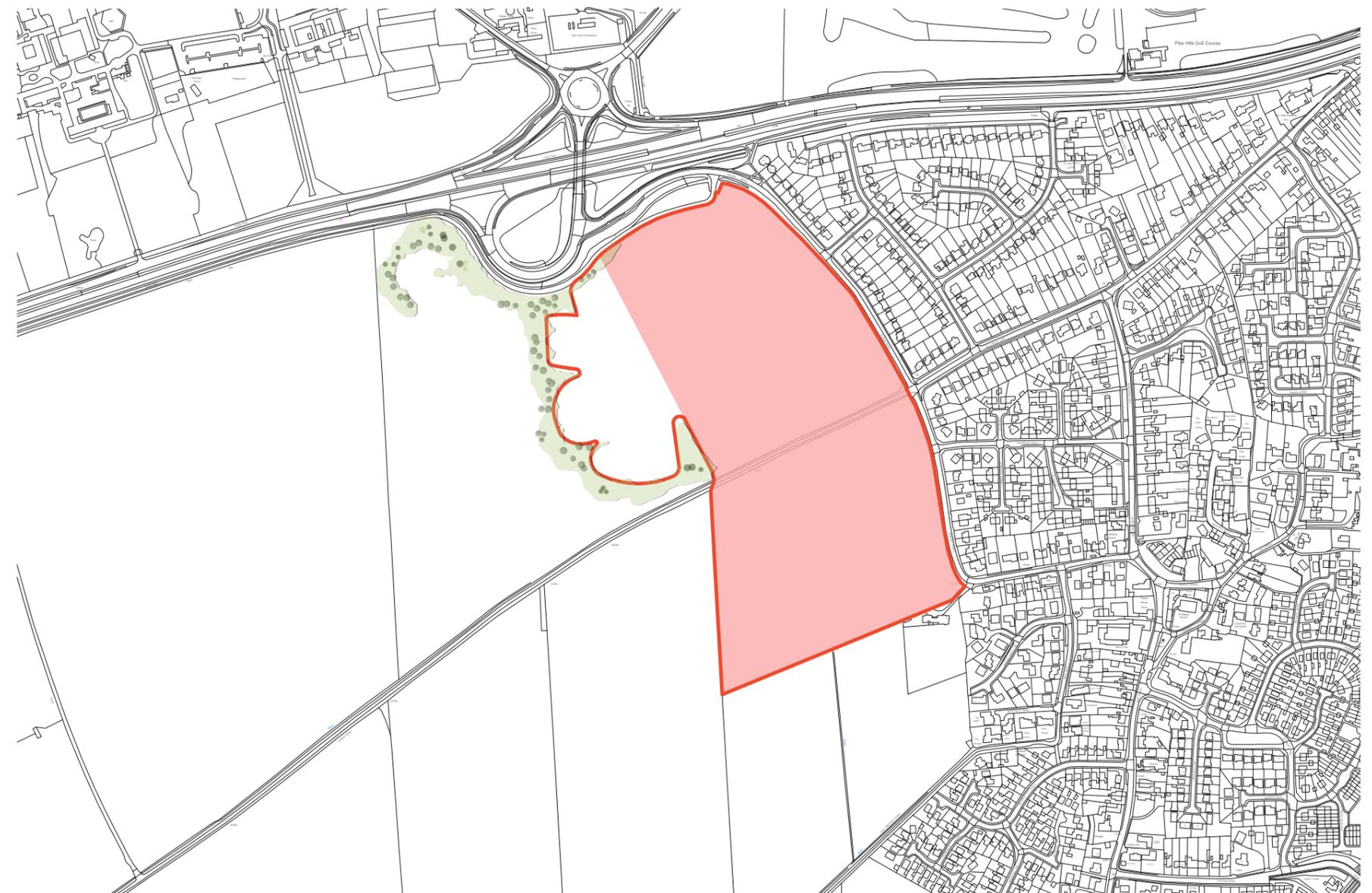
### General Context

The site (edged red in Figure 1) is a broadly flat and rectangular piece of land located to the west of the existing settlement of Copmanthorpe and to the south of the A64 dual carriageway, which connects York with Leeds and urban centres to the south-west of York. The site is bisected by Hagg Lane (Ebor Way), which runs in an east-west direction on the assumed line of a Roman road. To the west the existing agricultural land is characterised by large arable fields with fragmented hedgerows and occasional trees along the field boundaries. A landscape character assessment relating to the revised proposal has been undertaken and will be submitted separately by Jennifer Hubbard.

There is a large tranche of established housing to the east of Manor Heath which forms the eastern boundary to the site and village. This housing consists mainly of detached and semi-detached homes built in low density cul-de-sac type layouts. An analysis of the density of this housing is illustrated at page 18. At the south-east corner of the site there is a substantial house (Copmanthorpe Manor) built within an extended garden enclosure and surrounded by mature trees. Manor Heath itself connects directly to the main centre of Copmanthorpe via School Lane where there are established shops and services. Historically Copmanthorpe has developed mainly to the east and to the south of the centre and the proposed development site is therefore positioned more closely to the centre than some parts of the existing village. Further eastwards and southwards, extension is constrained by the main London to Edinburgh East Coast rail line.

Development to the west of the village on the proposed development site would provide a logical and practical balance to the arrangement of the settlement.

Figure 1: Site boundary & area



— Area covered by Development Brief

■ CYC ST12 Development allocation boundary

## 1.0 The site and its surroundings

### Local Amenities

The site is within walking distance of local amenities in the centre of Copmanthorpe, including a small supermarket, post office, GP surgery and primary school.

The nearest secondary schools are in York, approximately 4 miles from the site.

The nearest large supermarket is located approximately 2 miles from the site along the A64.

Figure 2: Local amenities



1. Copmanthorpe Primary School (0.6 miles from site)
2. Copmanthorpe Sports Ground (0.8 miles from site)
3. Amenities in Copmanthorpe (0.5 miles from site) including: Co-op supermarket, Post Office, Pub & restaurants, Library
4. St Giles Church
5. GP Surgery
6. Dental Surgery

## 1.0 The site and its surroundings

### Topography

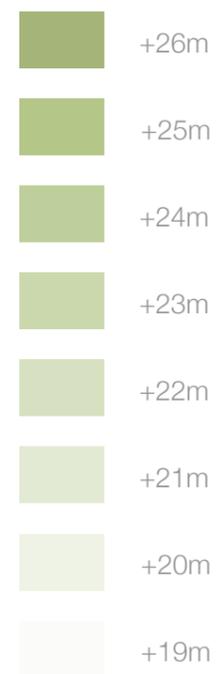
The contour map opposite shows the site and land to the west that is in control of Askham Bryan college, part of which forms the extension to ST6.

The ground is mainly level though there is a perceptible ridge running in a crescent shape to the west of the proposed allocation boundary. This elevated ground establishes a natural horizon level whose significance is noted in the landscape assessment. Aside from this ridge the topography of the site is relatively flat.

Long views across the site and back towards Copmanthorpe can be achieved due to the flat landscape.

The gentle fall in topography in an eastern direction along the road through the centre of the site could be exploited as part of a sustainable drainage strategy for the site. The natural position for surface water attenuation ('balancing ponds') is at the low point around the junction between Hagg Lane (Ebor Way) and Manor Heath.

Figure 3: Contour map of the site showing the rise in height from east to west



## 1.0 The site and its surroundings

### Architectural Character

The existing housing layout in Copmanthorpe is characterised by wide roads with predominantly detached houses of one or two storeys set back from the road behind grass verges or front gardens.

Properties in the centre of Copmanthorpe are in general arranged linearly along the main roads, while a number of post-war developments around the periphery of Copmanthorpe comprise of detached houses in a cul-de-sac layout.

The houses lining the roads leading from Copmanthorpe centre generally have long frontages parallel to the road rather than deep plans extending back from the roads. Within Copmanthorpe centre and the conservation area encompassing Main Street, Church Street and Low Green the houses are predominantly 2-storey detached properties rather than terraces.

Along Manor Heath, adjacent to the site, large detached houses are set back from the road behind a grass verge and gardens with mature tree growth.

The developments to the south of the centre are more densely occupied than those to the north and along the main roads. However, even in these more densely occupied areas wide buffer zones of verges and front gardens tend to separate houses from the road.

Along the main roads, Hallcroft Lane and Horseman Lane, the typical density is lower with only 11 dwellings per hectare and larger gardens and verges.



Figure 4: Main Street



Figure 5: Horseman Lane



Figure 6: Manor Heath



Figure 7: Hallcroft Lane / Top Lane

## 1.0 The site and its surroundings

### Landscape Character

The site is largely devoid of natural landscape features and mature trees as a consequence of former cultivation, and, save for the sparse hedgerows and Ebor Way, there are no distinguishing visual markers. Beyond the site boundaries the A64 and the elevated junction with the A1237 are prominent both visually and acoustically. The buildings of Askham Bryan College are visible to the north of the A64 as are some small industrial structures and a water tower. In other directions the horizon is formed by the tree lines of agricultural field boundaries.

### York and its Minster are not seen from any point within the site.

### Site constraints: Adjacent buildings

There is one existing road through the site connecting Copmanthorpe with Colton.

The dense groups of trees along the northern edge provide a barrier between the site and the A64 to the north. Mature hedges offsite to the west which are within the ownership of Askham Bryan college would be retained.

The housing developments to the east of the site are set back behind wide verges and gardens with mature hedges and trees providing some protection against the impact of a new residential development on the site.

### Site opportunities: Views

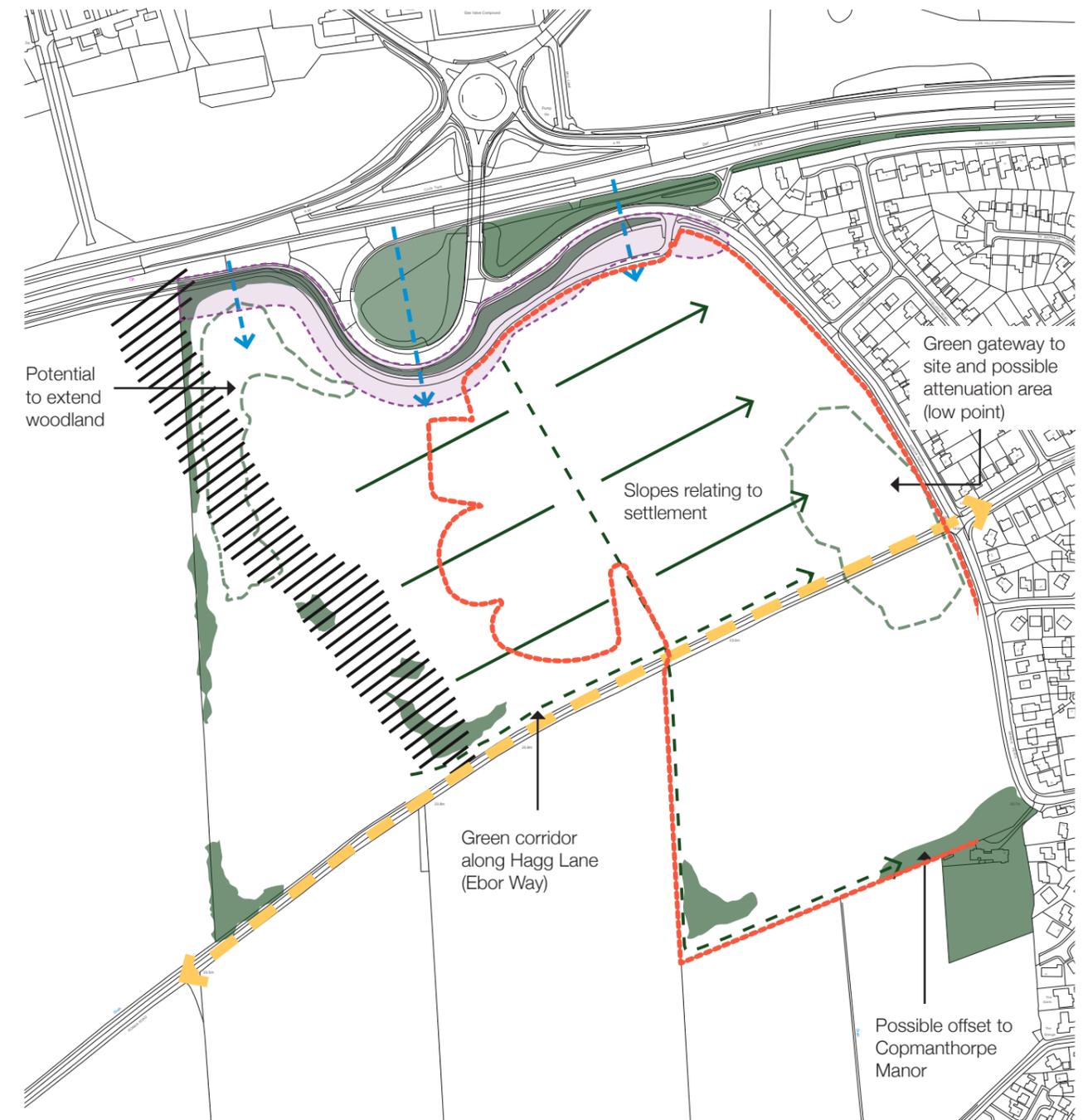
Views to and from the north of the site are limited by dense tree growth along the boundary, which protects the site from the A64.

Along the eastern edge of the site views across to Manor Heath are possible. There are no current obstructions to views along the southern and western boundaries which overlook neighbouring fields and the wider landscape.

The topography of the site does not create any particular views or focal points, but Ebor Way through the site is important for its connection to Copmanthorpe village centre and amenities.

Figure 8: Site constraints

- - - - Site boundary
  - Dense tree groups around perimeter
  - - - - Noise from A64 dual carriageway
  - - - - Existing road through site (connecting Copmanthorpe - Colton)
  - 30m stand off for air quality
  - Defining ridgeline acts as guide to greenbelt development boundary
- Opportunities
- - - -> Landscape opportunities



## 1.0 The site and its surroundings

### Trees and hedgerows

The arboricultural report (ref Iain Tavendale report 28 January 2014) records the position, type and quality of existing trees and hedgerows. There are no trees within the body of the site. Existing trees on the boundary, within the hedge lines and along Hagg Lane (Ebor Way) are generally in poor condition, probably as a result of their age but mainly due to their restricted rooting environment – highway on one side and deep/regular cultivation on the other. However, these trees form one of the distinctive visual qualities of the site and surroundings, and the development proposals will allow the replacement and enhancement of trees on these important edges to the north, south and west. Trees on the eastern boundary (also of rather indifferent quality) will need to be reassessed in the context of the access provisions and resulting sight lines along the carriageway.

The proposed new footpath on the western edge of Manor Heath may also require the removal of some hedgerow.

To the north the existing groups of trees will be extended as part of a strategy for dealing with noise from the A64/A1237 and a new woodland park will create a visual connection with the woodland surrounding Askham Bryan College.

Figure 9: Extract from tree survey showing no mature trees within the site



## 2.0 General principles of the outline masterplan

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The site is sufficiently large to require the creation of its own focal point (or points) to give a focus and clear reference for movement and orientation. However, the close proximity of existing amenities and shops, which are in short walking distance would suggest that these areas are focal and navigation spaces (mainly landscaped) rather than containing any sort of commercial uses. A landscaped park possibly with low maintenance sport and leisure facilities may also be appropriate, subject to discussions with interested parties. We have however identified a location within the proposed site suitable for any community facilities which might be required.

A new woodland park to the north-west would connect with existing wooded landscape around Askham Bryan and complement the existing leisure provision, providing a natural destination for a series of structured walks through the scheme and the outlying fields to the west. These are already popular areas for dog walkers and ramblers.

A good understanding of the site contours will be important for the layout of housing and a strong visual clue as to the appropriate appearance and form of housing on particular parts of the site. The illustrative masterplan drawing number 2284\_SK14 responds to the landscape characteristics identified by Golby and Luck Landscape Architects in their January 2014 report, and their response to our revised proposal is submitted separately. Our current proposals have also been informed by advice by CYC Officers that interventions or impacts on the character of Ebor Way should be avoided. The plan therefore proposes that a wide landscape space is established on either side of the road with houses fronting onto this landscape rather than the road itself. The houses should have their own access running along the frontages so that the crossing of turnings from Hagg Lane (Ebor Way) are limited to the single crossing point to the west.

There are a number of landscape elements which provide the main organising structure of the plan. These are:

- A landscaped edge to the north and south of Hagg Lane (Ebor Way), possibly combined with surface water attenuation measures (SUDS);
- New woodland to the north-west continuing the existing woodland landscape to the north of the A64, as part of an off site landscape proposal;
- A village green; and
- A landscape buffer to the elevated junction of the A64 and the A1237 to the north (which should form a visual and acoustic buffer).

The street structure of the main site creates good movement patterns and clear routes with obvious destinations and orientation spaces. This is a simple, permeable layout avoiding dead ends and culs-de-sac and making best use of the possible connections to the existing village. The road layout loosely follows the contours and landscape and, recognising that this is a semi-rural settlement, deliberately avoids urban or geometric devices such as squares and crescents. The structure of the development parcels are generally informally planned rather than being rigid blocks in order that the intervening streets have a gently curving and meandering quality.

This revised Development Brief shows a reduced development area compared with the proposals reviewed with CYC in January 2014. The new plan improves the relationship with the open landscape to the west. The idea of a gradual transition from development to countryside is retained and all of the proposed development is sited further to the east of the natural ridge line in the topography. As before a 'feathered' edge incorporates single dwellings, generously spaced apart and set within a varied landscape. The combination of landscape treatment; the repositioning of development boundary; and the dense hedgerows along Ebor Way will ensure that the new development is not visible from the western approach on Ebor Way.

## Copmanthorpe Masterplan: Development Brief

Richards Partington Architects for Barratt Homes/David Wilson Homes and Linden Homes



Figure 10: Initial design and landscape response



Figure 11: Developed design and landscape response



### 3.0 Access and movement

#### Existing transport connections

The site is located less than half a mile from the centre of Copmanthorpe. The A64 (running along the northern boundary of the site) connects the site to Leeds (21 miles) to the south-west and York (5.7 miles) and Malton (24 miles) to the north-east.

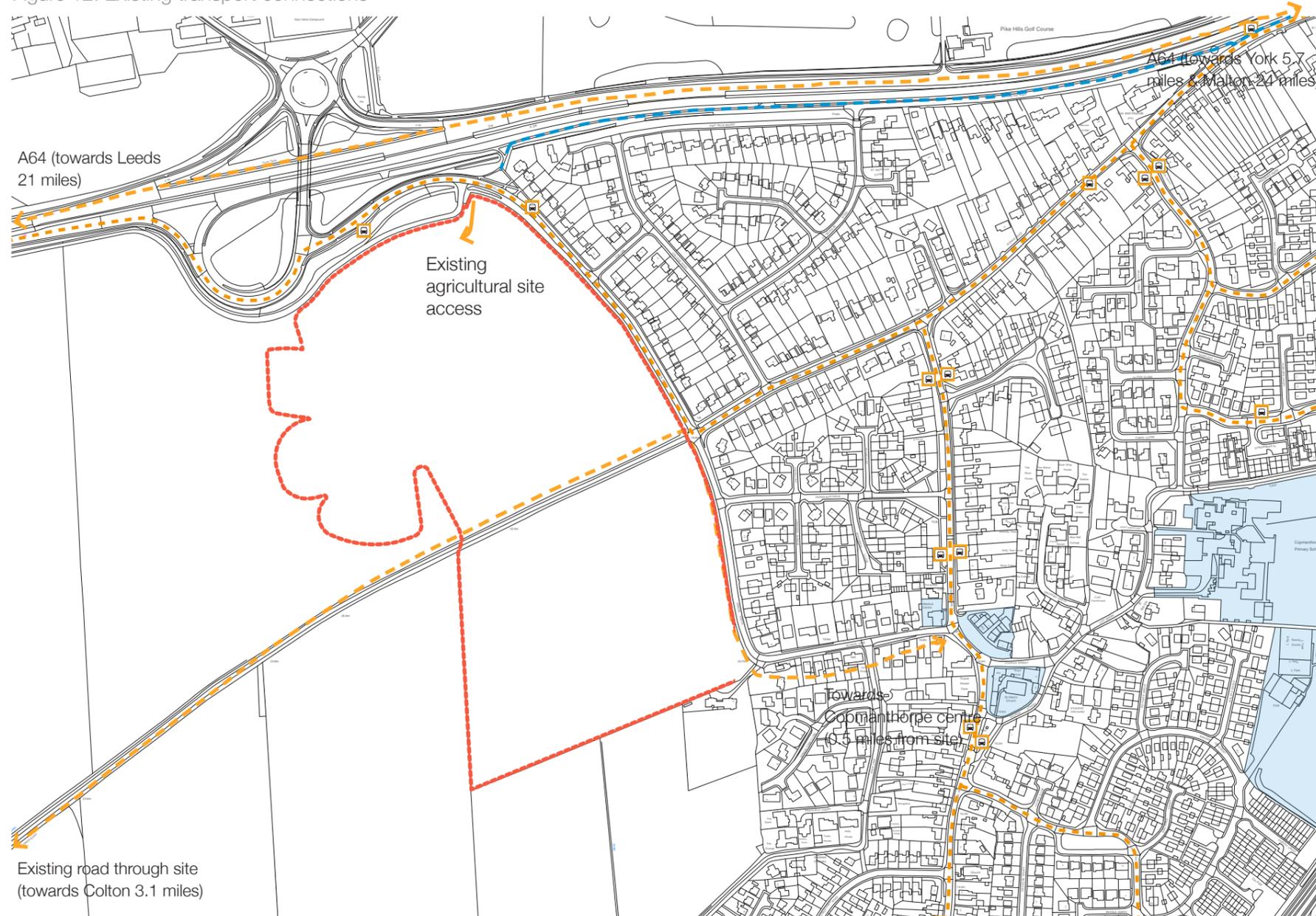
There are two existing bus routes serving Copmanthorpe. The 843 and 844 run seven days a week from Leeds to Malton or York respectively. The 13 and 13A also run seven days a week between Copmanthorpe or Acomb to Haxby.

Both services operate within a short walking distance of the site. The 843/844 stops at the northern boundary of the site on Manor Heath. The 13/13A runs through the centre of Copmanthorpe along Main Street and Hallcroft Lane.

Ebor Way running through the site connects Copmanthorpe with Colton, and provides easy pedestrian/cycle access to the amenities in Copmanthorpe.

An existing cycle route connects Copmanthorpe to York with a signalled cycle crossing under the A64. This route runs along Tadcaster Road and Pike Hills Mount so it would be feasible to extend the route to the northern boundary of the site in order to encourage cycling for journeys to York.

Figure 12: Existing transport connections



#### Bus Routes

- 843 Leeds - Malton, 7am-11pm (every 20 minutes)
- 844 Leeds - York, 7am-11pm (every 20 minutes)
- 13 Copmanthorpe - Haxby, 6.50am - 5.30pm (hourly)
- 13A Acomb - Haxby, 6.50am - 5.30pm (hourly)

--- Existing cycle route  
 towards York

### 3.0 Access and movement

#### General principles and public transport access

There are two proposed access points from Manor Heath to the parcel of land to the north of Hagg Lane (Ebor Way) and one access to the smaller portion to the south. The primary route through the northern portion is designed to allow good bus penetration within the housing layout via a simple loop from Manor Heath and back out again. This loop also engages with the central village green and the likely position of any future community uses (see annotations to the illustrative masterplan). The route seeks to ensure that all residents are within a five minute walking distance of the bus service.

In addition there is a clearly delineated route for pedestrian and cycle movement following the most direct connection from the north-west of the site to the south-east and this meets the existing paths followed by pedestrians seeking to access the central village facilities.

One pedestrian/cycle crossing of Hagg Lane (Ebor Way) is proposed. This is essential to connect the northern portion of the site (both of the allocated ST12 site and the extension site) to the most direct connection to the village. However, the aim is to minimise the number of access or crossing points and maintain the immediate character of the hedgerows and verge on either side of Hagg Lane (Ebor Way). As described above, housing is set well back from the edges of the road to further preserve its character. The masterplan shows a loosely formed grid of development parcels which can accommodate subdivision in either an east-west direction (roughly following the contours) or in a north-south direction, depending on the detailed development of the plan.

#### Ped Shed Analysis

The illustration opposite shows the actual walking times to the village centre for the existing settlement. The times and distances are calculated by the walking route, rather than as the 'crow flies'. The radial rings are at 400m and 800m radii.

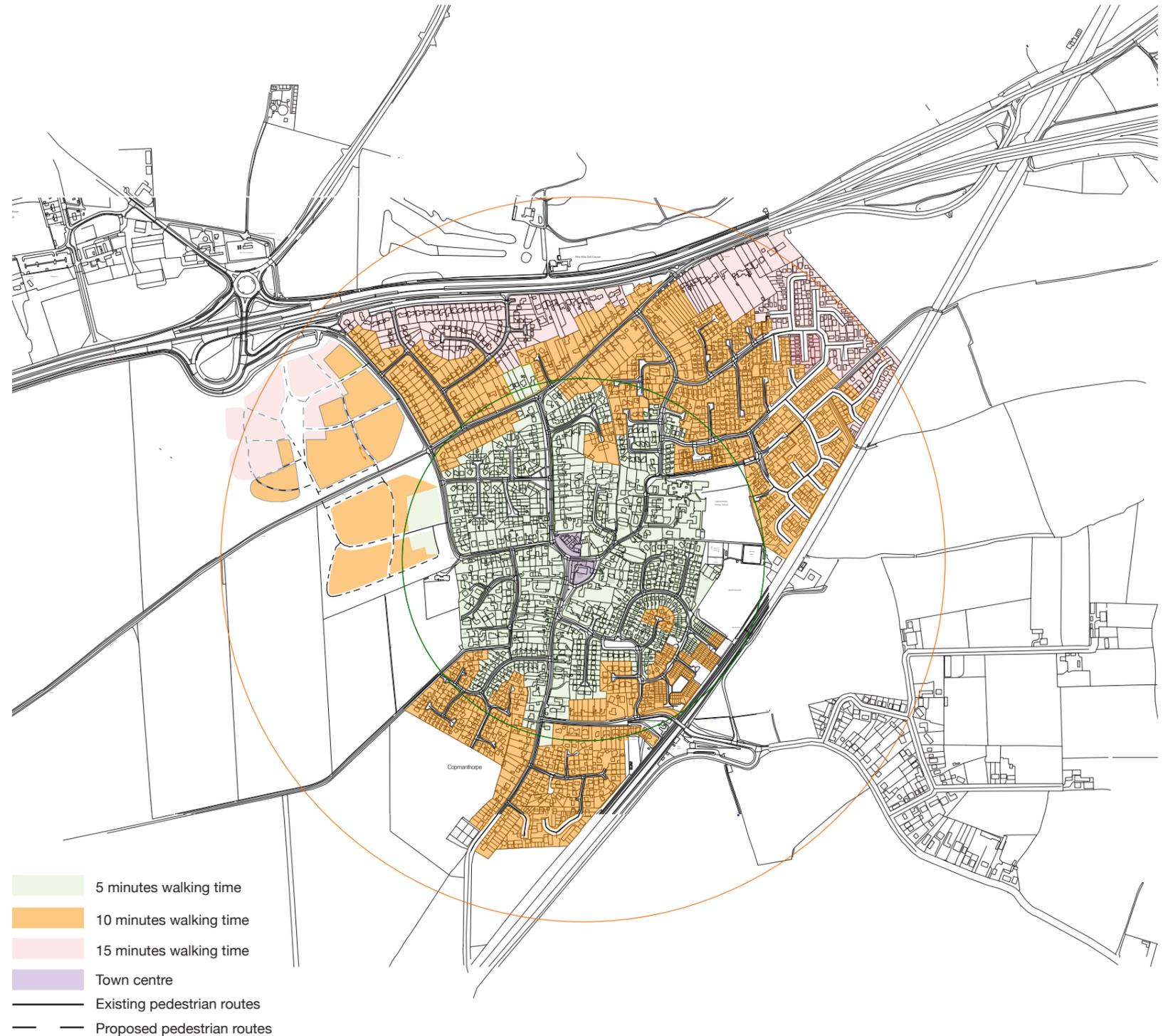


Figure 13: Ped shed analysis

### Pedestrian Movement

A key design aim of the proposals at the site is to create a site that is highly permeable for pedestrians and has a good level of pedestrian connectivity to Copmanthorpe's services and amenities. This will be achieved by providing the following improvements to existing infrastructure with new measures:

- Provision of a new footway along the western side of Manor Heath (along the full extents of the site frontage).
- Creation of a central pedestrian/cycle corridor through the heart of the site which connects the site to Manor Heath and the wider facilities and amenities provided within Copmanthorpe village centre.
- Provision of a key east-west pedestrian and cycle connection - the proposed pedestrian/cycle corridor will also allow for a high degree of north-south pedestrian/cycle permeability.
- Provision of appropriate pedestrian crossing facility/facilities on Manor Heath within the extents of the site frontage.

### Improved cyclist access

The pedestrian/cycle corridor described above through the heart of the site will connect to Manor Heath.

Within the housing areas, on-carriageway provision will connect with the three vehicular access points. This accords with the general principles of 'Manual for Streets' which outlines that 'Cyclists should generally be accommodated on the carriageway. In areas with low traffic volumes and speeds, there should not be any need for dedicated cycle lanes on the street' (DfT, 2007b).



## 4.0 Massing and scale

### Massing and scale

The housing will be a mixture of two, two and a half and three storey homes, mainly with in-curtilage parking or very limited shared parking areas between groups of two and three homes. The shared parking will be in secure mews spaces directly overlooked by living rooms and will allow the creation of continuous frontages where important public spaces need to have a clear defining line of enclosure. Visitor parking will largely be on-street.

Densities in the surrounding housing are relatively low following the traditional by-law separation distances.

### Density and capacity

The density of the development plots will be determined by their proximity to the existing dwellings in Copmanthorpe and changes in the landscape character. It is likely that the sites closest to Copmanthorpe will be most densely developed and those to the west of the site least densely developed in order to provide a soft western boundary.

The landscape stray through the centre of the site allows drainage to fall along the natural slope of the site and limits the visual impact of the development on the landscape beyond the western boundary.

The woodland park to the north of the landscaped area creates a continuity from the neighbouring Askham Bryan College on the north side of the A64.

A proposed indicative schedule of areas can be found on page 21.

Figure 15: Density of existing surrounding areas

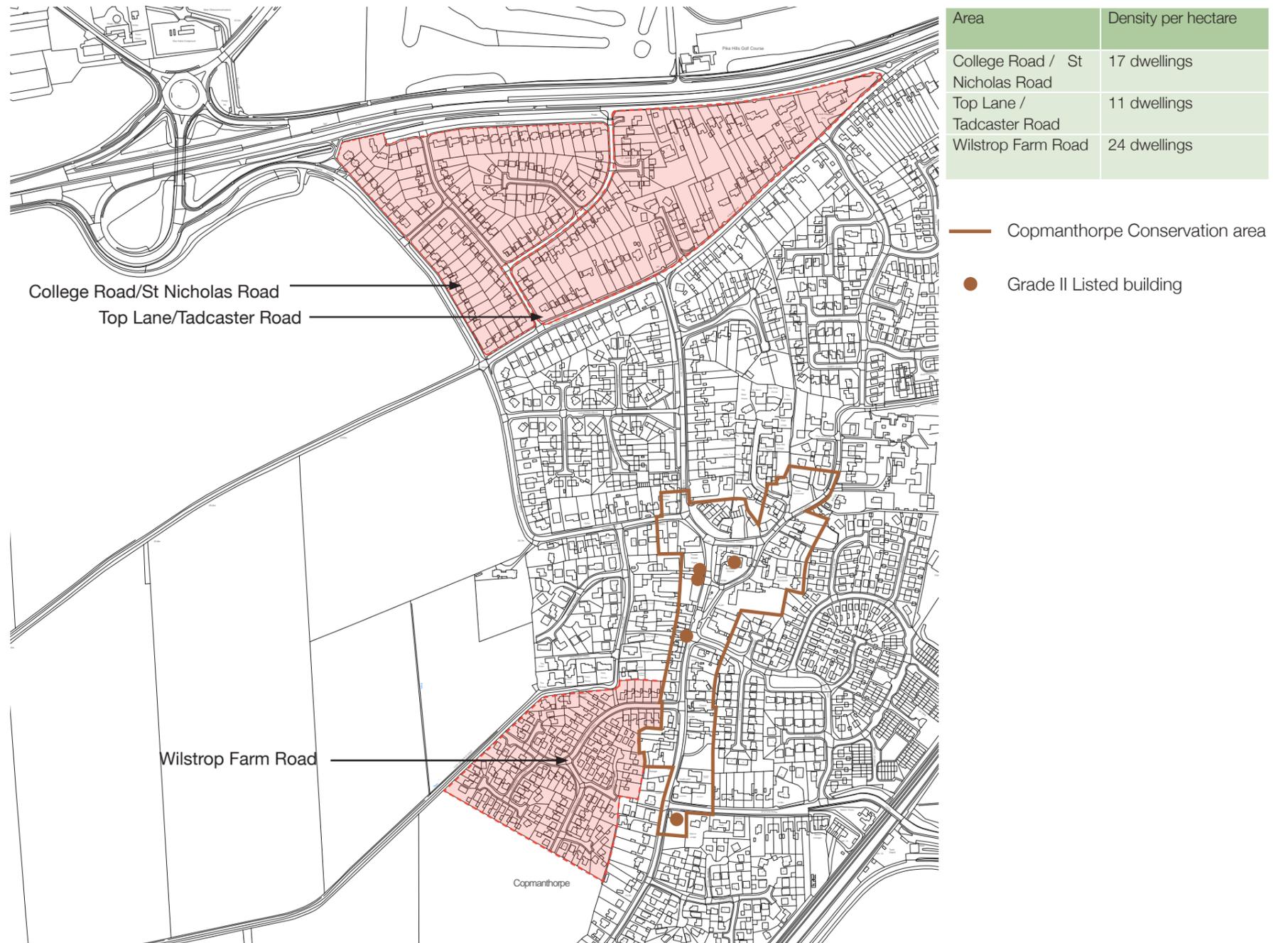




Figure 16: Illustrative masterplan with development areas

## 5.0 Planning history and context

Representations were lodged by Jennifer Hubbard on behalf of Askham Bryan College, Barton Wilmore on behalf of Barratt/David Wilson Homes and Andrew Bowes on behalf of Linden Homes during earlier stages of the Local Plan process seeking the allocation of land to the west of Manor Heath, Copmanthorpe for residential development. Part of the land promoted for development in the earlier submissions is now allocated in the draft Local Plan as Site ST12.

Site ST12 as currently identified in the Preferred Options draft Local Plan extends to 14.75 hectares and is anticipated to accommodate some 354 dwellings. However, many of the volume housebuilders and Agents involved in promoting development sites through the Local Plan process have suggested that the Local Plan assumed densities are too high, particularly in peripheral and village locations, and will lead to a loss of local character and distinctiveness. The extended site now proposed is approximately 29 hectares in area of which it is proposed to develop c.19 hectares. The balance will be landscaped and used for a range of informal recreational purposes including allotments (and potentially children's play).

A full justification for the promotion of the enlarged is set out within the submissions and attached technical reports lodged in January 2014. The illustrative masterplan for the enlarged site responds to the detailed Landscape Appraisal undertaken by Golby and Luck Landscape Architects which concludes that the extended allocation makes better use of the landform and established field boundaries further to the west 'to secure a robust and enduring settlement edge'. Further the summary conclusion of The January 2014 submission states that the 'extended area ...with the extensive areas of open space and new planting, will reintroduce a village feel to this part of Copmanthorpe without compromising the character or setting of York or any of the other purposes of green belt or any other wider heritage asset.' The extended site creates the opportunity to contribute more housing than had been anticipated for the allocation site alone, whilst maintaining a form of development and appropriate density that does not undermine the character and appearance of the existing settlement.

The current proposals reduce the January 2014 proposed extensions to CYC ST12 in response to concerns expressed by council officers. See separate July 2014 representations by Jennifer Hubbard for updated position.

## 6.0 Sustainable drainage

A full technical report was submitted for the preferred options version of the City of York Draft Local Plan in January 2014. A brief extract from Jennifer Hubbard's the summary report is reproduced here.

Surface water from the eastern parcel (the northern and eastern parts of the site to the north and south of Hagg Lane (Ebor Way)) will drain to a public sewer in Hallcroft Lane. The western parcel (land to the western end of the site north of Hagg Lane (Ebor Way)) will drain to a field drain or ditch along the north side of the road, and the southern parcel (south of Hagg Lane (Ebor Way)), will drain to a field drain or ditch running across the field to the south of the site. In all cases run-off rates will be attenuated and SUDS principles will be adopted, the objective being to provide the most sustainable surface water disposal system consistent with making the most efficient of the allocated development land, urban design, landscaping and other planning requirements. The need to retain parts of the site as open areas to accommodate exceedence events is reflected in the Illustrative Masterplan layout as informed by the Eastwood & Partners Drainage Appraisal Drawing Number 36690/001 Rev. B

These conclusions remain relevant

## 7.0 Ecology

A full technical report was submitted for the preferred options version of the City of York Draft Local Plan in January 2014. A brief extract from Jennifer Hubbard's the summary report is reproduced here.

An Ecological Appraisal by Brooks Ecological has informed the work-in-progress Illustrative Masterplan. The Assessment concludes that the arable fields, drainage ditch and neutral grassland are of low ecological value and should not constrain development but that the hedgerows and hedgerow trees should be retained as a wildlife resource with gaps through the hedgerows kept to a minimum. The species rich and possibly ancient hedgerow to the north of Hagg Lane (Ebor Way), in particular, should be retained where possible and additional hedgerows and replacement tree planting should form part of the development proposals. Biodiversity could be enhanced, consistent with NPPF advice, by incorporating a pond or ponds within the development and the provision of bird and bat boxes.

These conclusions remain relevant.

## 8.0 Archaeology

A full technical report was submitted for the preferred options version of the City of York Draft Local Plan in January 2014. A brief extract from Jennifer Hubbard's the summary report is reproduced here.

A Desk Based Assessment, carried out by York Archaeological Trust (YAT), notes the possibility of prehistoric deposits within the site; also that the remains of a Roman road may be encountered together with settlement features such as burials, occupation sites and evidence of agricultural activity. The report confirms that during a site walkover, there was no visible evidence of ridge and furrow, which appears on aerial photographs, or other earthworks or structures of an archaeological origin: also that no surface finds were seen during the visit. The archaeological potential of the site is assessed as moderate.

The current proposals reduce the January 2014 proposed extensions to CYC ST12 in response to concerns expressed by council officers. See separate July 2014 representations by Jennifer Hubbard for updated position.

## 9.0 Flood risk

A full technical report was submitted for the preferred options version of the City of York Draft Local Plan in January 2014. A brief extract from Jennifer Hubbard's the summary report is reproduced here.

The Flood Risk assessment, produced by Eastwood & Partners, confirms that the whole of the (extended) site lies within Flood Zone 1 and is therefore suitable in principle for residential development. The report further confirms that the site is not at risk of flooding from tidal or estuarine sources; that due to the elevation of the site relative to nearby field drains, the risk of flooding from watercourses is low and that local conditions preclude the site being at risk from groundwater flooding.

These conclusions remain relevant.

## 10.0 Other relevant documents

Indicative schedule of areas - to be read with Figure 15:

Site	Net area		Proposed density / Ha	Unit numbers
	sq m	hectares		
1	5640	0.564	40	23
2	5470	0.547	30	16
3	7350	0.735	30	22
4	6240	0.624	40	25
5	13690	1.369	40	55
6	8800	0.880	25	22
7	10990	1.099	30	33
8	13210	1.321	35	46
9	14210	1.421	37	53
10	9010	0.901	35	32
11	5490	0.549	26	14
12	5950	0.595	35	21
13	4290	0.429	35	15
14	6110	0.611	35	21
15	3250	0.325	25	8
16	2330	0.233	20	5
17	2770	0.277	20	6
18	2620	0.262	20	5
<b>TOTALS</b>	<b>127420</b>	<b>12.742</b>		<b>421</b>

Site Areas	Gross area	
	sq m	hectares
North Site	93616	9.361
South Site	72574	7.257
<b>TOTAL SITE AREA</b>	<b>166190</b>	<b>16.618</b>

**From:** Matthew Mortonson [Matthew.Mortonson@pegasusgroup.co.uk]  
**Sent:** 04 April 2018 10:55  
**To:** localplan@york.gov.uk  
**Subject:** Local Plan Consultation Response  
**Attachments:** 003.P17-0472 Local Plan Rep.pdf; Appendix 1.pdf

**Importance:** High

Dear Sir or Madam,

Please see attached our response to the Local Plan Publication Draft Consultation.

Kind regards.

**Matthew Mortonson**

Principal Planner

**Pegasus Group**

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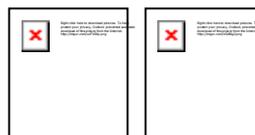
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**LAND TO THE SOUTH OF STRENSALL, YORK**

**LOCAL PLAN CONSULTATION RESPONSE**

**ON BEHALF OF LOVEL DEVELOPMENTS LTD**

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## **APPENDICES:**

APPENDIX 1:	BARTON WILLMORE 'LAND SOUTH OF STRENSALL VISION DOCUMENT SEPTEMBER 2016'
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## **1. INTRODUCTION**

- 1.1 This representation has been prepared by Pegasus Group on behalf of Level Developments Ltd in relation to land South of Strensall, York ("the Site").
- 1.2 The representation considers the Publication draft of the Local Plan and provides an update on the comments raised by Pegasus Group in response to the consultation of the pre-publication draft of the Local Plan in 2017.

## 2. STATUTORY CONTEXT: SOUNDNESS AND THE LEGAL TESTS

2.1 The City of York Council Publication Draft Local Plan has been issued for public comment prior to being submitted for examination. The intention of the Plan is to set the approach to its long term physical development including identifying sites to ensure that sufficient land is available in appropriate locations to meet the District's growth targets, which are set out in Section 3 of the draft Local Plan.

2.2 Section 19(2) of the Planning & Compulsory Purchase Act 2004 provides that:

*"(2) In preparing a development plan document or any other local development document the local planning authority must have regard to –*  
*(a) National policies and advice contained in guidance issued by the Secretary of State...."*

Section 20(5) then states:

*"The purpose of an independent examination is to determine in respect of the development plan document-*

*(a) Whether it satisfies the requirements of sections 19 and 24(1), regulations under section 17(7) and any regulations under section 36 relating to the preparation of development plan documents;*

*(b) Whether it is sound; and*

*(c) Whether the local planning authority complied with any duty imposed on the authority by section 33 A in relation to its preparation".*

2.3 The NPPF outlines the Government's policy in respect of plan making and paragraph 182 provides the considerations which should be taken into account in the process of examination of an emerging development plan. This states:

*A local planning authority should submit a plan for examination which it considers is "sound" – namely that it is:*

- **Positively prepared** – *the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;*

- **Justified** – *the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;*
- **Effective** – *the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and*
- **Consistent with national policy** – *the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.*

2.4 Regulation 8 (2) of the Town and Country Planning (Local Planning) Regulations 2012 require that “a *local Plan or Supplementary Planning Document must contain reasoned justification of the policies contained within it*”.

2.5 Regulation 8 (4) of the Town and Country Planning (Local Planning) Regulations 2012 continues that the policies contained within a local plan must be consistent with the adopted development plan.

### 3. SITE BACKGROUND

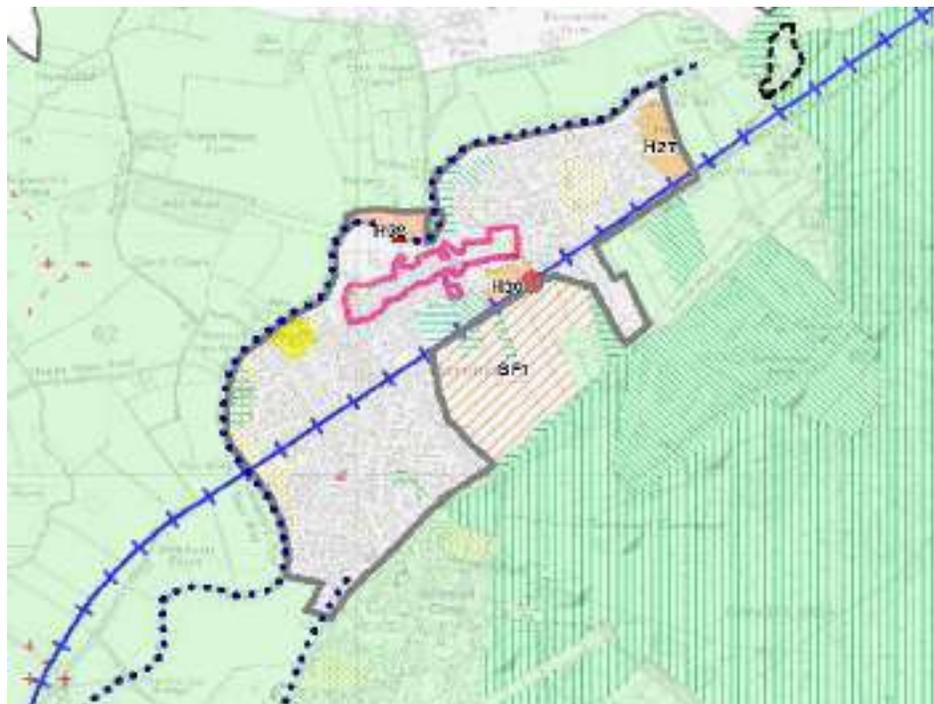
- 3.1 The Land to the South of Strensall is made up of a parcel of land which covers an area of approximately 29 hectares. The site is located outside the development limits of Strensall however is bounded by residential development to the west, the railway line to the north, residential properties to the east and adjoining Flaxton Road to the south.
- 3.2 The site is a greenfield site currently used for agricultural purposes. Mature planting exists on some of the site boundaries, particularly to the southern boundary along Flaxton Road.
- 3.3 The site whilst currently located in the open countryside and outside the development limits of the village, is relatively central in relation to Strensall village centre and has good access to village facilities and service. This makes it a sustainable site. The site is located within Flood Zone 1, and accommodates no other site specific constraints.
- 3.4 For clarity, a site location plan is shown below:



Figure 1: Site Location Plan

### **Planning Policy Background**

- 3.5 In planning policy terms, the City of York Development Control Local Plan (2005) Policies Map places the site outside of the settlement limits of the village, in the open countryside and the Green Belt.
- 3.6 As part of the 2014 Local Plan Preferred Options Document the site was identified as safeguarded land potentially suitable for development in the longer term. However, in 2014, works on the document were halted following a motion by Full Council to amend and address the housing requirements and allocations for the City.



*Figure 2: 2014 Policies Map*

- 3.7 As part of this current publication draft Local Plan the site is no longer safeguarded, indeed all previously proposed safeguarded land has been removed. The publication draft Local Plan retains the site in the Green Belt.
- 3.8 With regards to Strensall, the Publication Draft Local Plan seeks to extend the settlement to include the land to the south of Ox carr Lane / Strensall Road, in part occupied by the barracks. This land is proposed to be removed from the Green Belt and includes site allocation ST35.

3.9 The following image provides the relevant excerpt of the proposed policies map.

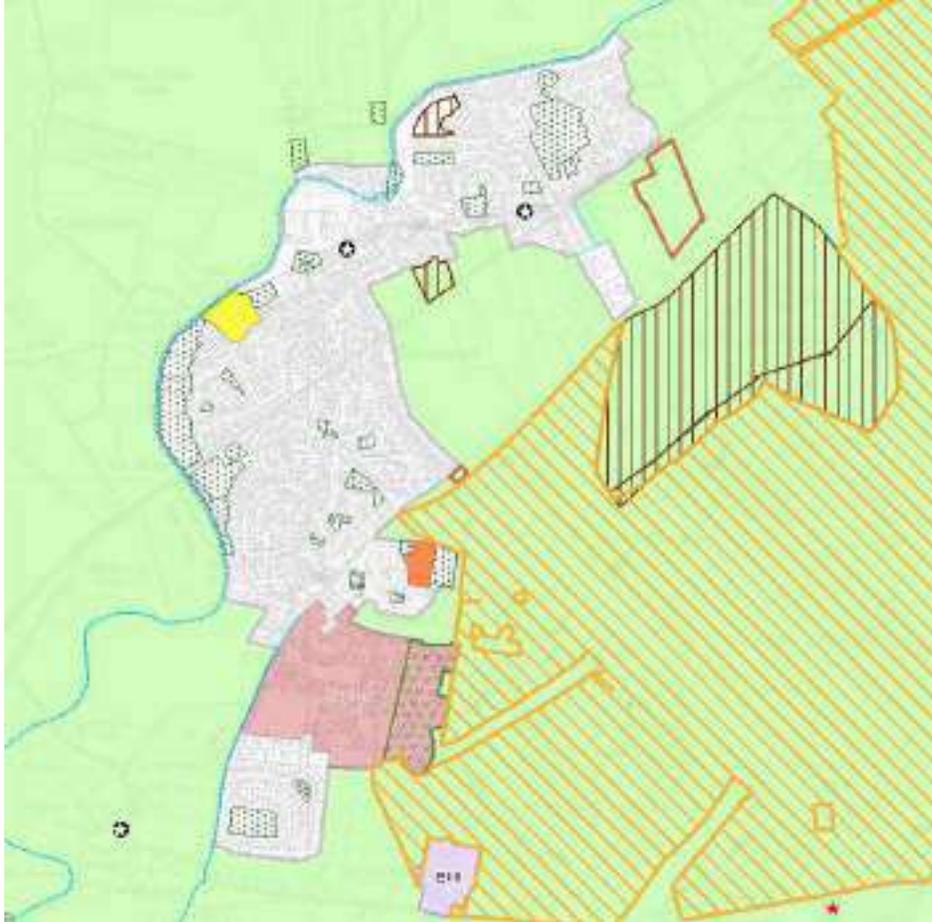


Figure 3: Proposed Policies Map

#### **4. DEVELOPMENT OPPORTUNITY**

- 4.1 The Site represents a distinct opportunity for a sustainable urban extension to the existing settlement of Strensall.
- 4.2 Strensall village is located approximately 7km north-east of the City of York. Strensall provides a range of local services including shops, a primary school, sports and community facilities and medical centre.

##### Current Use

- 4.3 The site is currently used for agricultural purposes and is agricultural land.

##### Concept Plan Proposals

- 4.4 The Barton Willmore 'Land South of Strensall Vision Document September 2016' provided at Appendix 1 (submitted as part of the Preferred Sites Consultation in July 2016), shows how the site can be utilised in a sustainable manner to provide a residential development.
- 4.5 The details within the document indicate how the layout of the development could be formed to maintain the appearance of the locality, to complement its character and respect the open countryside beyond. It also facilitates access throughout the site which includes access points from Flaxton Road and Moor Lane.
- 4.6 The particular benefit of this proposal brought forward by Lovel Developments Ltd is that it is of a scale that will secure substantial social and economic benefits for the City of York through the provision of new homes. The site area proposed to be developed is a logical addition of the village, which has been designed to have a positive visual impact on the character and form of the settlement on the surrounding countryside.
- 4.7 A key benefit is that this site has excellent connectivity to the services and facilities within the village. Indeed, the site is more accessible to the village centre than many other parts of the village, and the proposed residential allocation at Strensall Barracks.

## 5. PLANNING ASSESSMENT

- 5.1 This chapter of the representation considers the content and preferred policies set out within 'emerging' City of York Local Plan. To meet development and infrastructure requirements City of York Council is required by national planning policy to positively prepare a positively prepared Local Plan.
- 5.2 We welcome the intention in the Vision and Outcomes set out in the draft Local Plan for a vibrant City which enhance the vitality of local communities through meeting housing need and economic development, whilst enhancing the City's unique historic, cultural and natural environmental assets.
- 5.3 The first part of our assessment seeks to comment on the relevant draft policies of the draft Local Plan. The second part will consider the site at Strensall, in the context of the Green Belt and question why the Local Plan does not allow for any safeguarded land for future development.

### ***Section 3: Spatial Strategy***

#### *Draft Policy SS1 – Delivering Sustainable Growth for York*

- 5.4 Draft Policy SS1 sets out the provision of housing and employment land required for the City, identifying a minimum annual provision of 867 new homes over the plan period to 2032/33 and post plan period to 2037/38.
- 5.5 We disagree with the annual housing provisions identified within draft Policy SS1, although the wording '*a minimum annual provision*' is supported as this accords with the requirements of the NPPF to 'boost' the supply of new housing in the City.
- 5.6 In demonstrating our disagreement with the housing figures, the following documents are considered relevant:

#### *City of York – Strategic Housing Market Assessment GL Hearn (SHMA)*

- 5.7 In May 2017, GL Hearn prepared a Strategic Housing Market Assessment – Addendum Update for the City of York Council. The purpose of the report was to review the housing need in York taking into account the latest demographic information. In particular, the report reviews the impact of the 2014-based Sub-National Household Projections (published July 2016) and the 2015 Mid-Year Estimates (published June 2016).

5.8 The SHMA assessment identifies that overall, in the 2012-32 period, the 2014-based SNHP Projects an increase in population of around 31,400 people (15.7%) in York, which is higher than the 2012-based SNHP (12.2%) and also higher than the main SHMA projection (which had a population growth of 13.7%). Based on the July 2016 household projections, the GL Hearn Report provides a demographic starting point of 867 dwellings per annum.

5.9 It should be noted that the official projections should be seen as a starting point only and housing delivery at this level (867 dpa) would only meet the demographic growth of the City. It would not, however, address the City's affordability issues. At Paragraph 5.6, the SHMA states that:

*"In response to both market signals and affordable housing need we have advocated a 10% uplift to the OAN. In line with the PPG this was against the official starting point of 867dpa. The resultant housing need would therefore be 953 dpa for the 2012-32 period."*

5.10 The SHMA identifies that without the 10% uplift for market signals / affordable housing need the City's younger population would fail to form properly.

5.11 Notwithstanding the conclusions of the SHMA, the City of York Council Local Plan Working Group in the meeting held on 27th June 2017 came to the resolution that the GL Hearn conclusions were 'speculative and arbitrary' and did not attach weight to the special character and setting of York. The minutes of the meeting within the agenda dated 10 July 2017 state:

"...

*"That the recommendation prepared by GL Hearn in the draft Strategic Housing Market Assessment, to apply a further 10% to the above figure for market signals (to 953 dwellings per annum), be not accepted on the basis that Hearn's conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations."*

5.12 The Members of the Local Plan Working Group therefore dismissed the GL Hearn recommendation for the advocated 10% uplift on the household projections.

5.13 In January 2018, a further report was presented to the Local Plan Working Group regarding the City of York Local Plan. As part of this report, housing need for the City was once again considered. At Paragraph 27, the report advised Members the following on the matter:

27. ***In Officer's opinion, an increase in the supply of housing would place the Council in a better position for defending the Plan proposals through the Examination process. However, Members will be aware of the counter arguments in particular the community responses to consultation. In addition in potentially increasing supply Members will also be mindful of the time required for achieving this more robust position in line with legislative requirements. An important issue to consider is whether changes can be made to the plan without undertaking additional consultation. This is a critical issue if the Council is to meet the May 2018 deadline for submission.***

5.14 The report made a clear recommendation to the Local Plan Working Group that an increase in supply of housing would place the Council in a better position for defending the plan proposals through the examination process. Despite this, the OAN proposed within the publication draft remains unchanged from previous at 867dpa.

5.15 Therefore, on the basis of the evidence provided, it is highly likely that the Council needs to plan for a larger OAN. This has not only been identified by the SHMA Update 2017 produced by GL Hearn for City of York Council, but also by the Council Planning Officers.

*Department for Communities and Local Government: Planning for the right homes in the right places: consultation proposals (September 2017)*

5.16 Following the publication of the housing White Paper earlier in 2017, on 14th September 2017 the Government published consultation proposals to reform the planning system to increase the supply of new homes and increase local authority capacity to manage growth. The proposals, amongst others include a new standard method for calculating local authorities' housing need.

5.17 The proposed standardised methodology uses the latest household projections as the demographic baseline should be the annual average household growth over a

10 year period. It is then proposed that an adjustment is made to take account of market signals, where appropriate, based on affordability (the latest information on workplace-based median house price to median earnings ratios). A calculation is proposed, which determines a level of uplift, that seeks to ensure more homes are delivered in the locations where affordability is worst. The level of increase can be capped, however, according to the status of the Local Plan in the authority area, whereby the increase is limited to 40% above the Local Plan (for recently adopted plans) or 40% above whichever is the higher of the household projections or the figure in the Local Plan.

- 5.18 The consultation does iterate that local planning authorities are able to plan for a higher number, for example, to take account of anticipated employment growth. If a local authority proposes a figure lower than the standardised methodology the reasons for doing so will need to be tested through examination. For plans that are being produced jointly, the housing need for the defined area should be the sum of the local housing need for each local authority and it will be for the relevant local authorities to distribute the housing need across Plan areas.
- 5.19 In implementing the approach local planning authorities should be able to rely on the local housing need evidence used to justify their local housing need for a period of 2 years from the date on which they submit their plan. It is proposed that national planning policy be amended so that having a robust method for assessing local housing need is part of the tests that plans are assessed against. The Housing White Paper also proposed that after 31st March 2018, the new method for calculating the local housing need would apply as a baseline for assessing five year housing land supply, this is to incentivise getting up-to-date plans in place (note that policies in the Framework which restrict development would still apply). It is implied that the revised Framework would introduce this requirement, which may follow the date previously suggested, but would take immediate effect and there would be some discretion for local planning authorities with ambitious proposals for new homes.
- 5.20 As part of the consultation proposals the Government has issued a Housing Need Consultation Data Table, which sets out the housing need for each local planning authority using the proposed method over the period 2016 to 2026. The data in this tables uses the latest 2014-based subnational household projections.
- 5.21 For the City of York the Government's standardised methodology derives an indicative assessment of housing need (2016 to 2026) of 1,070 dwellings per

annum. This is based on an affordability uplift to the 2014-based household projections. This compares to 867 dwellings per annum which is the OAN in the draft Local Plan, identified as current local assessment of housing need by the Government.

- 5.22 Clearly, the new Government figures, as stated in paragraph 28 of the consultation paper, can result in an increase in the housing need of an area, which can be attributed to the method contained within in the SHMA. When considering those figures that have increased it is important to recognise that the Government's method does not take into account anticipated employment growth, which may result in a higher figure again. The consultation goes on to suggest that local planning authorities are able to plan for higher numbers than set out by the proposed method.

Housing Requirement Summary

- 5.23 Overall, we have very clear concerns that the Council have not allowed for additional housing requirement above the household projections which would provide affordable units for the City moving forward and that this would result in adverse impacts on certain elements of the population including younger generations.
- 5.24 We therefore do not consider that the Council have allocated sufficient land within the Local Plan to cater for the housing requirement for the City of York until the end of the plan period contrary to the soundness tests at NPPF para 1 & 2.
- 5.25 We reserve the right to provide additional information and evidence on the housing supply for York as may be necessary as the Local Plan progresses.

Draft Policy SS2 – The Role of York's Green Belt

- 5.26 In general terms, we agree that this policy is in line with the NPPF with respect to inappropriate development. We do however have concerns surrounding the overall spatial strategy of the Local Plan and the failure of the Plan to define its Green Belt boundary consistent with the policies of the NPPF.
- 5.27 In considering the spatial strategy in the context of the Green Belt, it is necessary to refer to the five purposes of the Green Belt, as described at paragraph 80 of the NPPF. This states:

80. *Green Belt serves five purpose:*

- *to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

5.28 It is our belief that a number of the proposed allocations within the Local Plan do not meet the purposes of the Green Belt and should not be allocated for this reason. The sites which are of greatest concern are those which result in the loss of Green Belt to create new settlements. These are:

- Policy SS14: Land to the West of Wigginton Road
- Policy SS15: Land West of Elvington Lane

5.29 The Council believe that the above allocations would result in the creation of 'sustainable garden villages' for York. Our view however is that each of these allocations would result in loss of Green Belt land which is serving a Green Belt function as defined by national policy more so than other parts of the Green Belt. It is clear that a sustainable settlement extension, such as the land at Strensall, would be more appropriate in Green Belt release terms taking into account of the need to promote sustainable patterns of development.

5.30 We believe that the focus of new housing should remain on the existing settlements, which can deliver more sustainable developments at a quicker rate. Such developments would also support the continued growth and vitality of these settlements.

**Proposed Allocation: Site Ref SF1 – Land at Strensall, York**

5.31 This section of the representation considers the allocation of that land at Strensall, York, (Site Ref SF1) in the context Paragraph 85 of the NPPF and defining the Green Belt boundaries.

5.32 We do not seek to add any further contextual analysis or sustainability appraisal of the site in addition to that which has already provided by virtue of the Barton Willmore Vision Document.

5.33 Whilst our client welcomes that the Council recognise the need for additional housing growth within the Strensall, our client is disappointed that this site remains as Green Belt land in the 'emerging' Local Plan, particularly as within the 2014 Local Plan Preferred Options Document the site was identified as safeguarded land in order to meet development in the longer term, beyond the plan period.

5.34 In considering the approach for defining boundaries within the Green Belt, Paragraph 85 of the NPPF states:

*85. When defining boundaries, local planning authorities should:*

- ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development*
- not include land which it is unnecessary to keep permanently open*
- where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period*
- make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development*
- satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period*
- define boundaries clearly, using physical features that are readily recognisable and likely to be permanent*

5.35 The NPPF clearly recognises that LPA's should identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt. It also states that '*Local Planning Authorities to satisfy themselves that Green Belt Boundaries will not need to be altered at the end of the plan period*'.

5.36 We consider the failure to identify safeguarded land for York is an unsound approach and an ineffective response to the exceptional circumstances requiring Green Belt review and the establishment of a permanent Green Belt that endure beyond the Plan period. It was the 2016 preferred options document which removed all safeguarded land from the Plan, including the land South of Strensall.

In justifying this approach against the criteria of Paragraph 85 of the Framework, that document states:

***"Local Plan Publication – emerging position***

*This document seeks to identify sufficient land to accommodate York's development needs across the plan period, 2012-2032. In addition, the Plan provides further development land to 2037 (including allowing for some flexibility in delivery) and establishes a green belt boundary enduring 20 years.*

*In addition, safeguarded land is no longer designated. Figure 2 shows the safeguarded land previously identified in the aborted Publication Draft Local Plan) rather several of the Strategic Sites identified in the document have anticipated build out time beyond the fifteen-year plan period. This ensures that we can meet long term development needs stretching well beyond the plan period and that green belt boundaries will not need to be altered at the end of the plan period."*

- 5.37 Firstly, the City of York Council's approach to the identification of safeguarded land is based on a level of development need (that is objectively assessed need and unmet requirements) that is disputed by our client as set out in paras 5.4 to 5.23 of this representation.
- 5.38 Secondly, the City of York Council's approach to the removal of safeguarded land from the draft Local Plan relies on the fact that of these sites that are allocated for housing growth there are several Strategic Sites in the document that have a build-out time beyond the fifteen-year period.
- 5.39 In total, there are four residential allocations proposed in the Local Plan that would extend beyond the lifetime of the plan, only two of these require the release of Green Belt Land (ST14 – Land to the West of Wiggington Road / ST15 – Land to the West of Elvington Lane). The other two (ST5 – York Central / ST36 – Imphal Barracks) are located within the City of York itself.
- 5.40 We have already demonstrated our concerns with respect to the proposed 'sustainable garden villages' however, notwithstanding these concerns we do not endorse the approach of the City of York Council to not safeguard further land for development.

- 5.41 In our view, in order to be satisfied that no further alteration of the Green Belt boundaries would be required at the end of the Plan Period, additional land should be safeguarded for future development. It does not represent a sustainable approach for the future strategy of the City to rely on only these four sites beyond the plan period, particularly as the deliverability and delivery rate of them at this stage is highly questionable.
- 5.42 Our client's site is enclosed on three sides meaning that the Green Belt could be easily re-defined by using the physical features that are readily recognisable and likely to be permanent. It is our strong position that the Council have erred in their failure to identify this site as safeguarded land between the urban area and redefined Green Belt boundary in the circumstance where they are required to review their Green Belt boundaries and plan for longer term development needs.
- 5.43 Notwithstanding the position with respect to safeguarded land, we believe that there is a case to demonstrate that our client's site would be a preferable allocation for residential development. This is explored in more detail below.
- 5.44 As previously stated, our client welcomes the additional housing proposed at Strensall. The publication draft Local Plan however seeks to allocate land at Queen Elizabeth Barracks, Strensall for residential development through Policy SS19 to accommodate this need. Our client considers that there are a number of shortcomings to this allocation which means that our site is preferable for allocation.
- 5.45 The allocated site (ST35) is expected to deliver 500 dwellings, with development anticipated to commence in 2023. Whilst this site is proposed for allocation, it is clear through the wording of draft Policy SS19 that the site has a number of shortcomings which must be addressed before the site can be delivered. This includes matters such as ecology, heritage, trees and transport. These matters require further investigation and surveys and the input of external consultants or organisations.
- 5.46 A key concern that we have with this allocation is the distance it is located from existing services and facilities in Strensall. This is recognised in Para. 3.87 of Publication Draft Local Plan which reads:

*3.87 The nearest existing facilities are in Strensall, it is anticipated that a new primary school and community facilities including retail and community uses will be required within the site given the distance to*

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*existing services. This will need to be subject to further detailed viability assessment as part of the site masterplan.*

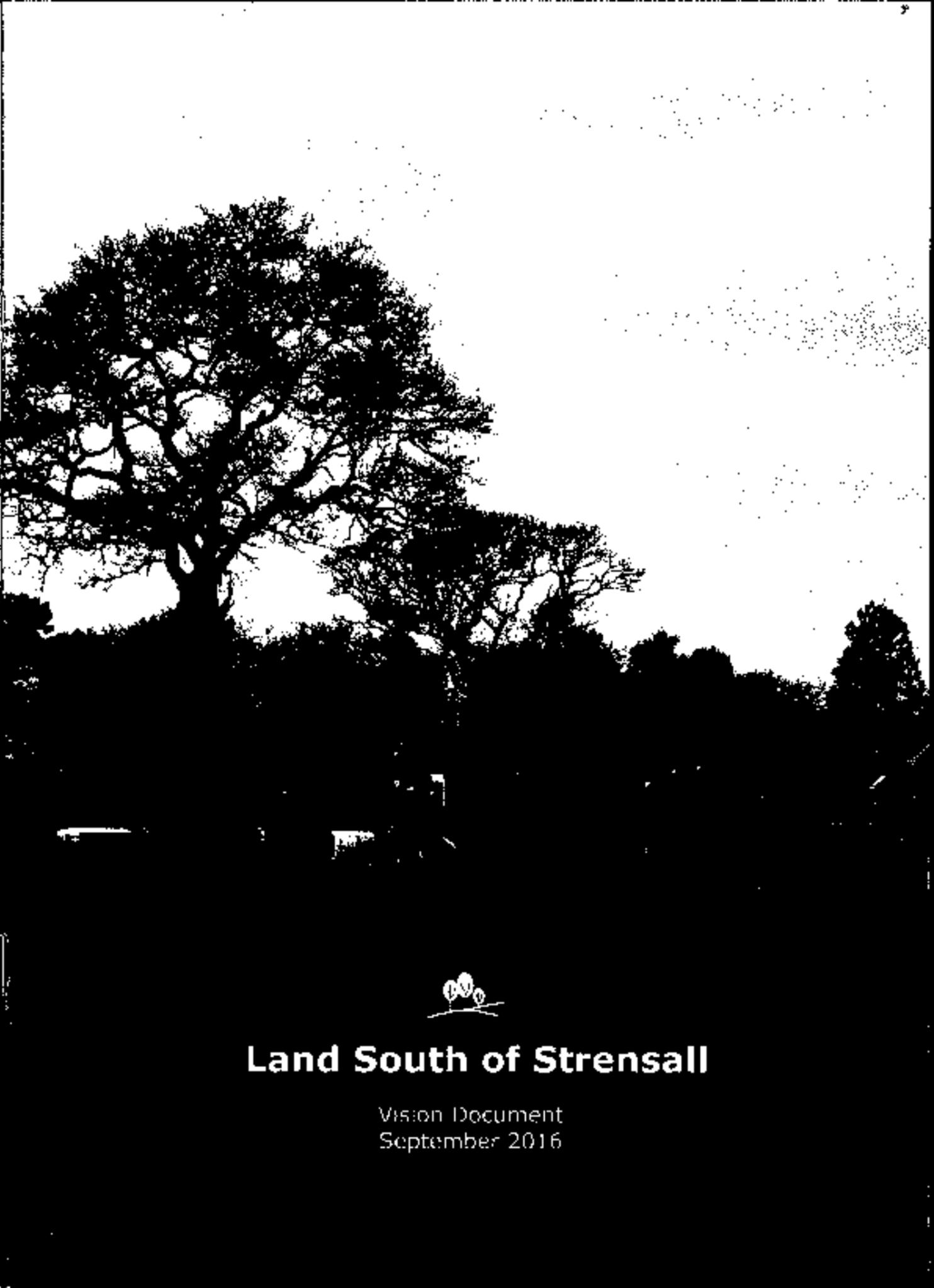
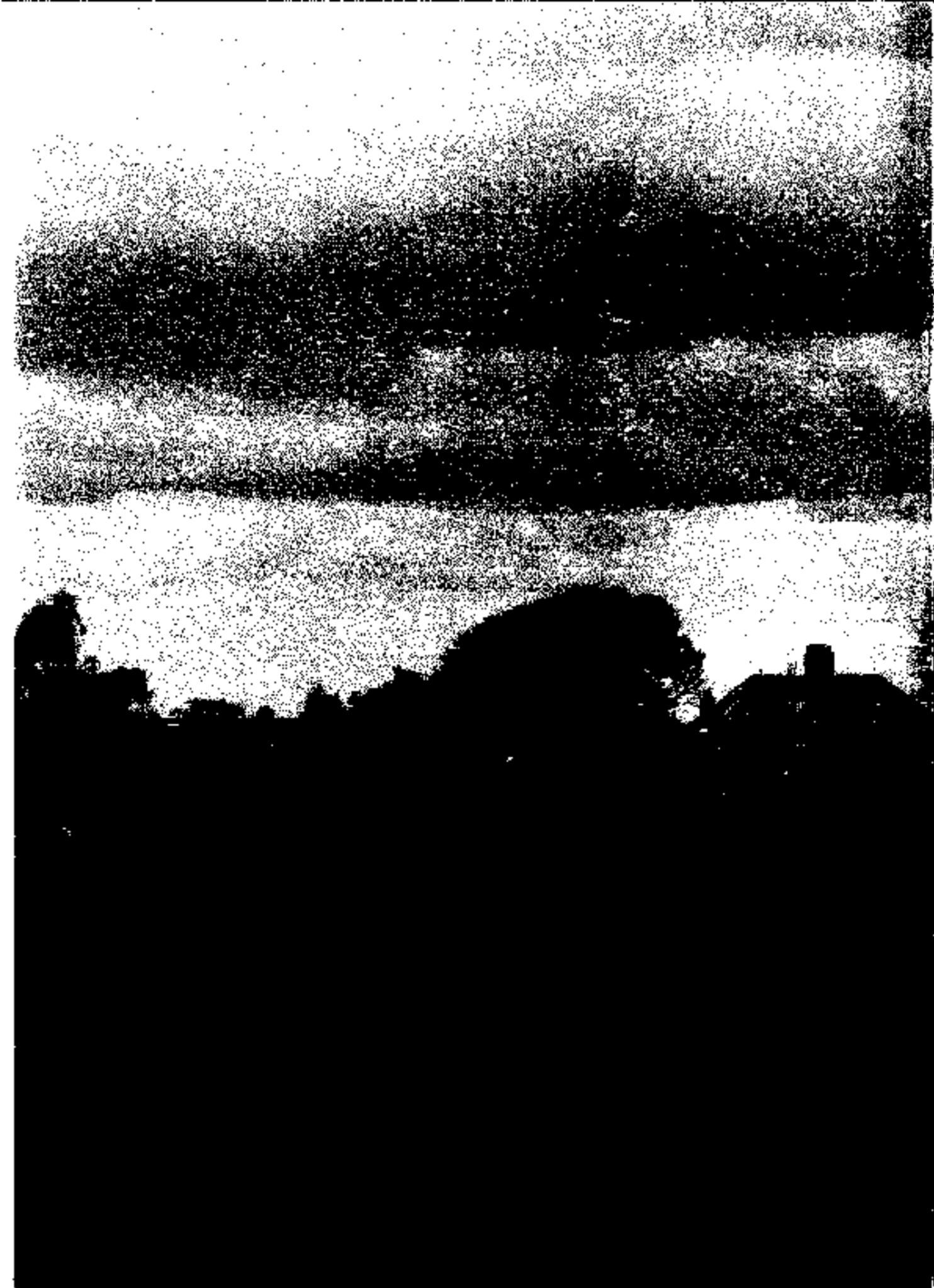
- 5.47 The above demonstrates the site is not a preferable site for allocation in Strensall. The location of the site is away from existing services in the village such that it would require the provision of a new primary school and community facilities. Not only does this mean that the development would require the provision of community facilities in a location not within close proximity to the centre of the village, but it also means that the allocation would not serve or benefit the existing community or services within. The development would therefore detract from the existing village services located in the core of the settlement and would be contrary to the NPPF in this regard.
- 5.48 We believe that our clients site is preferable to the proposed allocation not only because it accommodates less constraints to overcome, particularly in terms of matters surrounding heritage and trees, but also represents a more sustainable location to the existing facilities and services within the village. The development also has the potential to add to and support the facilities within the village which would benefit the existing community. It is also a site which is not reliant on the cessation of an existing use therefore is more certain and could be delivered in a quicker timescale.

## 6. SUMMARY AND CONCLUSIONS

- 6.1 In conclusion, we disagree with the annual housing provisions identified within draft Policy SS1 of the 'emerging' Local Plan. We believe that the housing target for the City of York should be significantly higher, as illustrated by the GL Hearn SHMA (update 2017) and the DCLG Consultation Proposals (2017). As a result, it is considered that the City Council is not using a proportionate evidence base, nor planning positively to meet objectively assessed need. The Plan cannot be sound in these circumstances.
- 6.2 We also have concerns over the Spatial Strategy of the 'emerging' Local Plan and question the strategy for growth, particularly with respect to the proposed 'green villages'. In our opinion, urban extensions to existing settlements represents a more sustainable approach to future development for the City.
- 6.3 Finally, we raise concerns with regards to the Council's failure to identify safeguarded land from the Local Plan. We do not consider that the approach here is consistent with National Planning Policy.
- 6.4 Whilst we welcome the allocation of additional housing in Strensall, we have concerns regarding Site ST35 (Land at Queen Elizabeth Barracks) and believe that our clients land to the South of Strensall represents a more suitable option for future development which is available and developable within the plan period and should therefore be included as an allocation. Failing this, the site should be removed from the Green Belt and identified as safeguarded land for future development needs.
- 6.5 We trust that the above comments will be taken into account in progressing the City of York Local Plan. Please advise us of further opportunities to comment on emerging policies in the future.

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**APPENDIX 1: BARTON WILLMORE 'LAND SOUTH OF STRENSALL VISION  
DOCUMENT SEPTEMBER 2016'**



# Land South of Strensall

Vision Document  
September 2016



Barton Willmore  
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# 1.0 Introduction

Barton Willmore has prepared this Vision Document on behalf of Lovel Developments (Yorkshire) Ltd and Shirethorn Ltd in relation to the Land South of Strensall.

## 1.1 Purpose of the Document

This document summarises our vision for the proposed mixed use development at Land South of Strensall, to inform the emerging Local Plan. It outlines the type and mix of development that could be achieved on the Site, how to make the best and most efficient use of land, the options for accessing the development and how Land South of Strensall can benefit the Village and its needs.

## 1.2 About The Site

Strensall village is located approximately 7 km north-east of the City of York and is predominantly a residential settlement. The village has seen significant growth over the last 30 years with major housing developments to the north east and south west of the village centre. Strensall offers a range of local services and facilities including a primary school, medical centre and library.

## 1.3 Site Description

The Sites boundaries are formed from the following:

- Southfields Road and The Village - the main road through Strensall to the north
- Existing residential homes and woodland to the east
- Flaxton Road and woodland to the south
- Backgardens of existing properties along Moor Lane to the west

### Legend

— Site Boundary



Site location within the village of Strensall.



Land South of Strensall is made up of two parcels of land approximately 29.7 ha in size which are defined by strong linear hedgerows. The Site is well screened by tree planting and landscape on all sides.

The emerging local plan proposes a railway station within the site that will connect the Site to York and Scarborough on the Scarborough/York railway line.

The Environment Agency's Flood Map shows the Site being within an area of low flood risk (FZ1).

There are three large detached residential dwellings located in the south-eastern corner of the Site, the ownership of these land parcels is unknown. The dwellings located to the northern and western boundaries comprise a mix of bungalows, two storey detached dwellings and two storey semi-detached dwellings.

The land is under control of Lovel Developments (Yorkshire) Ltd and Shirethorn Ltd and is deliverable and readily available for development.

### Legend

— Site Boundary



Site boundary





**CONTEXT**

## 2.0 Planning Overview

### Planning Policy Context

The role of the planning system, as stated in paragraph 17 of the National Planning Policy Framework (NPPF) is to 'proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure units, infrastructure and thriving local places that the country needs'. Pursuant to this objective and to significantly boost the supply of housing, the NPPF makes clear at paragraph 47 that local planning authorities should:

**"use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period".**

The Strensall Site is located within the administrative area of the City of York Council, and the City of York Council is the relevant Authority for planning purposes. The City of York Council does not have a formally adopted Local Plan. The development plan for the City of York currently consists only of the revoked parts of the Yorkshire and Humber Regional Spatial Strategy (RSS) relating to the Green Belt around York.

The City of York Council is in the process of preparing a new Local Plan to replace the existing draft City of York Local Plan incorporating 4th set of changes (April 2005). The City of York Development Control Local Plan was approved by the Council for development control purposes in 2005. It effectively forms the 4th set of modifications to what was the 1998 deposit draft Plan progressed through a series of untested modifications. It is considered that this draft Local Plan (2005) is out of date and weight can therefore only be attached to policies that are compliant with the NPPF.

Saved policies of the RSS that relate to the Green Belt around York remain extant and therefore carry weight, but the inner boundaries are to be set in the Local Plan. There are no adopted Development Plan policies or allocations to confirm definitively the Green Belt designation of the Site. The Councils failure to define the boundaries of the Green Belt therefore mean that the boundaries of the Green Belt cannot be formalised outside of the Local Plan, until such a time when they have been subject to independent examination through the Local Plan process.

The City of York is progressing in drafting a Local Plan for the City. The Preferred Options Draft Local Plan consultation was undertaken in 2013 and a Further Sites consultation in 2014. As part of this, the Council considered a range of potential Sites for housing development. The Site, subject of this report has been excluded from the Green Belt and has been identified by Policy SS6 as safeguarded land for longer term development needs (Site SF1 Land South of Strensall Village (29 ha)). Policy SS6 also protects the Site from development that would prejudice its long term role as a reserve of land for future development should the need arise. The allocation of a new rail station has also been promoted in both the existing and emerging Local Plans (Policy T8 and Policy T2). Emerging Policy T2 'Strategic Public Transport Improvements' allocates a new railway halt along with the Site itself in the long term Plan period (2024 – 2030).

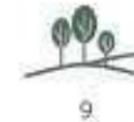
The Local Plan publication draft was aborted at full Council in October 2014 as Members were in favour of reviewing the housing requirements included within this Plan. Following this motion, further work on housing and employment requirements have been undertaken in the form of the City of York Preferred Sites Consultation (June 2016) which seeks to identify sufficient land to accommodate York's development needs across the Plan period, 2012-2032.

### City of York's Housing Need

The City of York has persistently under delivered housing numbers in the Plan period and the Council acknowledges that they are currently unable to demonstrate a five year housing land supply. The emerging Local Plan Preferred Sites document is currently underpinned by two key housing need documents:

- City of York Strategic Market Assessment (SHMA) prepared by GL Hearn (June 2016); and
- City of York SHMA Addendum, prepared by GL Hearn (also June 2016).

The SHMA and Addendum recommends that the objectively assessed housing need for the District is 16,820 dwellings over the 2012-2032 plan period, which equates to an average of 841 dwellings per annum (dpa). The emerging Local Plan Preferred Sites document has identified potential strategic and general housing allocation sites totalling 10,115 dwellings, equating to 506 dpa over the Plan period. The



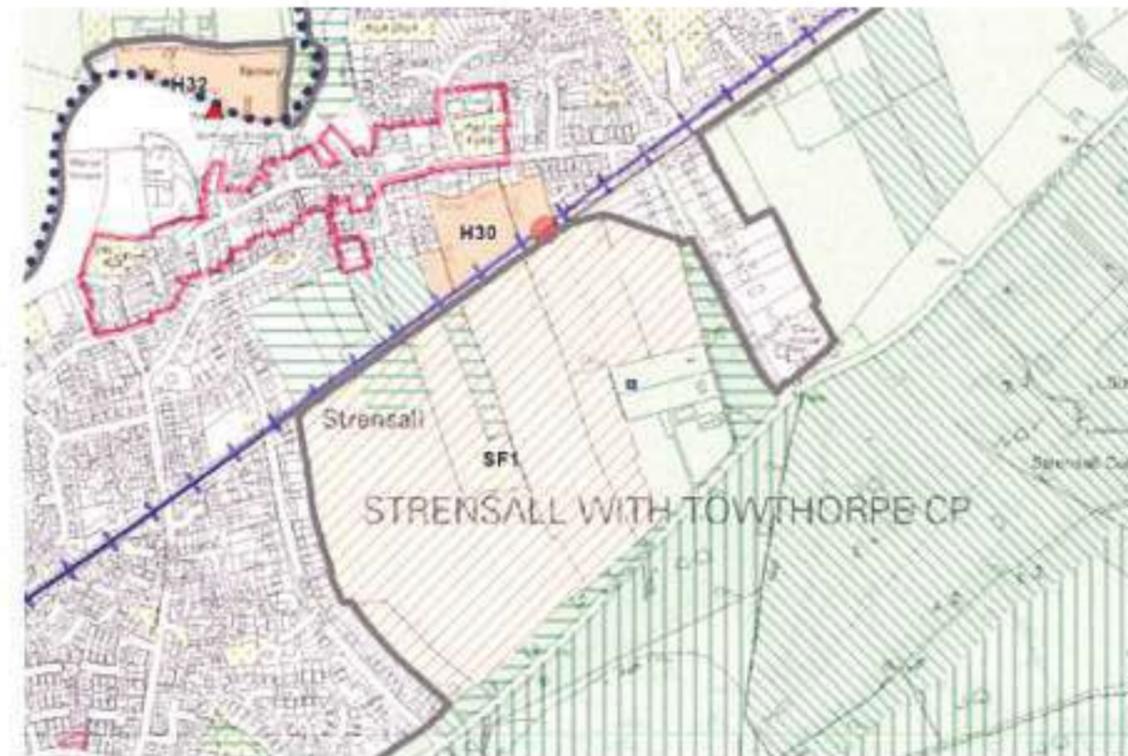
Councils spatial strategy is over reliant on large strategic sites being brought forward in the Plan period, where due to the lead in times and land assembly issues delivery of houses will realistically be towards the latter stages of the Plan period and beyond.

unmet housing need within the City of York in the short term (including much needed affordable housing) as well as contributing to the 5 year housing land supply.

### Strensall Village Design Statement

The Strensall Village Design Statement (VDS) was approved in March 2015 and sets out the aspirations for future development with Strensall. The VDS acknowledges the Site for potential future development and sets out the design guidelines.

The Site, as articulated within this document, represents a genuine opportunity to create a new sustainable logical expansion to the built-up area of the village of Strensall. It is self-contained and has logical, natural boundaries. The size, shape, character and density of any development at this Site would reflect its village location and therefore any development should aim to achieve a net residential density no greater than 30 dwellings per hectare (policy H5a of the existing Local Plan). Although the various versions of the draft City of York Local Plan (2005) show the Site to be located outside of the settlement limits for Strensall this Site presents itself as a suitable Site for residential development and its delivery would help to address



A  
Plan taken from the emerging draft Local Plan Preferred Options Consultation/ not to scale

# 3.0 Facilities Audit

## Introduction

The Audit is a comprehensive analysis of the site and the wider area, encompassing assessment of access to local facilities, landscape and open space, and connectivity.

## Selecting a Sustainable Site

Access to local facilities is fundamental to the concept of locating sustainable development. New development needs the full range of social, retail, educational, health and recreational facilities to allow people, especially those of limited means or mobility, to go about their daily lives without over reliance on a private car.



Building for Life is a tool to assess and compare the quality of proposed neighbourhoods. It is led by the Design Council CABE, Home Builders Federation and Design for Homes. Whilst Building for Life is usually awarded to completed schemes, the site selection criteria has been applied to the Land South of Strensall to demonstrate the sustainability of the site's location for future neighbourhood extensions. Building for Life asks:

- 1) Does the development provide (or is it close to) community facilities, such as shops, schools, workplaces, parks, play areas, pubs or cafes?
- 2) Are there enough facilities and services in the local area to support the development? If not, what is needed?

## Facilities Audit

The facilities audit on the following page demonstrates the Site has good access to a wide range of facilities such as Strensall Health Care Centre, Strensall and Towthorpe Village Hall, Strensall Community Library, Robert Wilkinson Primary Academy, convenience stores, formal playing pitches, local parks and Strensall golf course. There are larger employment areas located within City of York about 7km away from the Site.



Local facilities on The Village



Health Clinic on Southfields Road



Children's play area adjacent to The Village



Local church on Church Lane

## Legend

- Site Boundary
- Predominantly Residential
- Army Camp
- Predominantly Employment
- Primary School Site
- Public Open Space
- Green Belt
- Special Area of Conservation / Sites of Special Scientific Interest (SAC/SSSI)
- Golf Course
- Local High Street
- Local Park
- Leisure Walk
- Sports Pitches
- Golf Course Facilities
- Medical Centre
- Community Hall
- Public Library
- Church
- Food Store
- Post Office
- Public House



Land use and facilities plan:



# 4.0 Connectivity Audit

## Road

The Site is well connected to the strategic road network. The roads adjacent to the site provide access to City of York in less than 30 minutes. Destinations within an hour drive include Leeds, Scarborough, Harrogate.

## Bus

The Site is well served by the local bus route 5/5A serving York City Centre and other surrounding villages. Services run every 15 minutes Monday to Friday, every 20 minutes on a Saturday and twice an hour on Sundays. The nearest bus stops to the site are within a 5 minute walk on The Village and York Road.

## Rail

Despite the train line running through the centre of the village, the nearest station is in York City Centre providing connections to the north and south of the UK, including Edinburgh, Newcastle, Manchester and London. The emerging Local Plan proposes a railway station within the Site.

## Pedestrian Routes

The site is well served by Public Rights of Way, providing access to wider countryside. Foss Walk is a National Trail/ Recreational Route along the River Foss, providing connections to the surrounding villages of Sheriff Hutton and Haxby town.

The informal footpath running along southern edge of the Site on Flaxton Road provides an off road pedestrian link to residential development along Moor Lane and homes in the west of Strensall.



The nearest bus stop is on The Village



Flaxton Road



Railway line dividing the site east to west

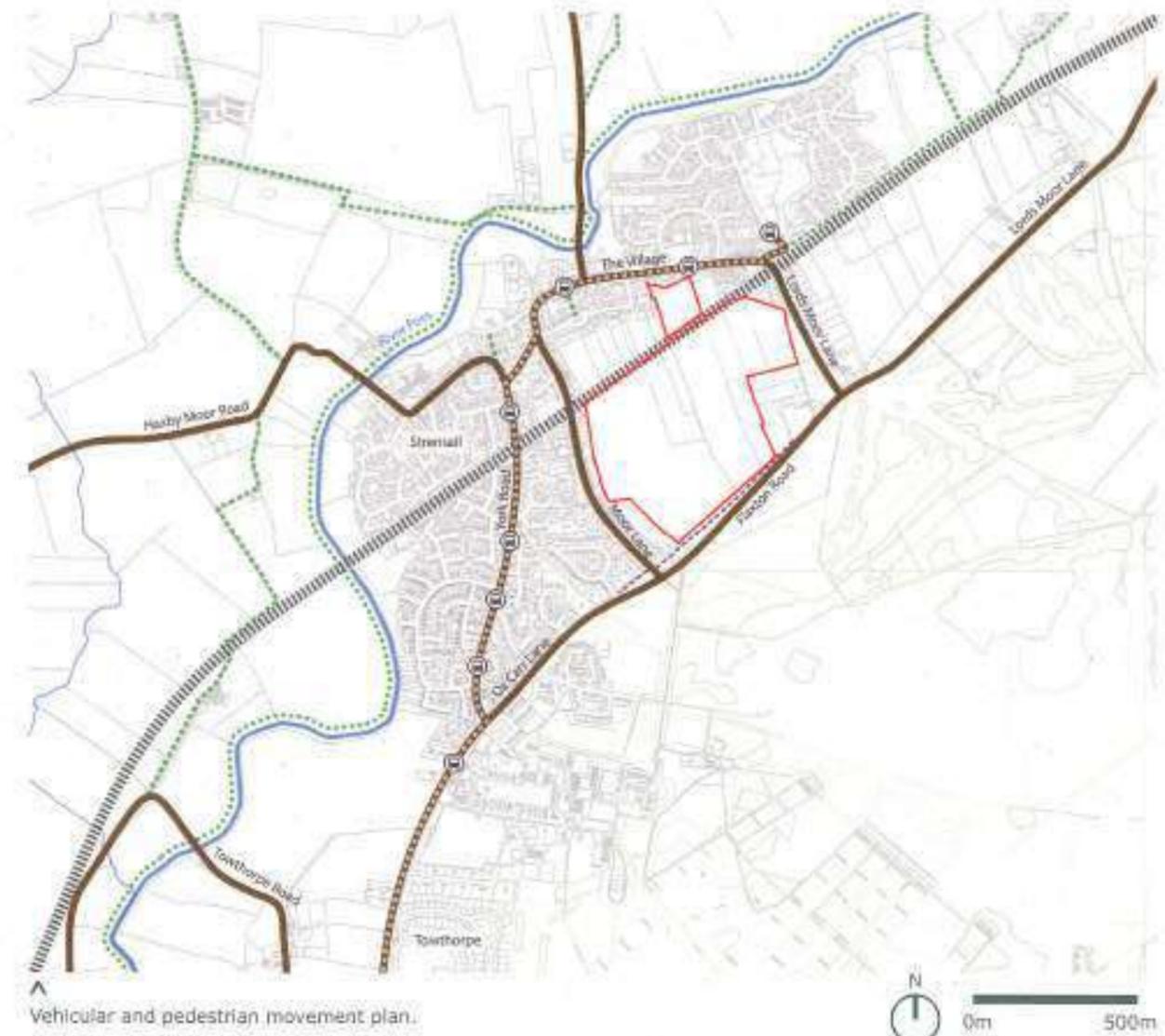


Informal footpath on Flaxton Road



## Legend

- Site Boundary
- Railway Line
- Main Road
- Bus Route
- Nearest Bus Stop
- Public Footpath
- National Trail/ Recreational Route (Foss Walk)
- Informal Path





# 5.0 Considerations

## Overview

The Land South of Strensall is considered to be suitably unconstrained and has the capacity to accommodate new homes.

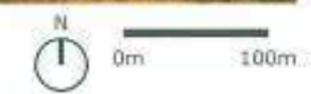
While there are a some considerations, such as trees and hedgerows, railway line and proposed station and properties backing onto the site, many of the perceived considerations are in fact opportunities. Our approach involves responding to these opportunities in an informed and considered manner to help to create a new and distinctive neighbourhood in Strensall.

## Legend

-  Site Boundary
-  Woodland
-  Special Area of Conservation / Sites of Special Scientific Interest (SAC/SSSI)
-  Railway Line
-  Main Road
-  Public Footpath
-  Recreational Route
-  Informal Track
-  Back Gardens
-  Nearest Listed Buildings
-  Watercourse
-  Hedgerows/Trees
-  Noise from Railway
-  Proposed Railway Station



Considerations plan.



# 5.1 Considerations: Photographic Record

The following images are a photographic record of Strensall Village, the Site and its considerations.



Location of photos



3. Trees and hedgerows to the south of the site



4. Existing access to the site from Flaxton Road



5. Dense hedgerows to the south west of the site



6. Railway Line dissecting the site east west



1. Properties in the south west corner of the site



2. Flaxton Road



7. Railway crossing on Moor Road



8. Existing residential dwellings on Moor Lane



YORKS  
SHIRE

Sheriff  
Hutton 4

Flaxton 3 1/2

Huntingington 3  
York 6

Village  
Hall

**VISION**

## 6.0 Vision

### Separate Yet Connected

The site exhibits two striking characteristics:

1. Well connected to the surrounding village, planned train station and local community facilities
2. A strong sense of individual identity and separation from the wider open countryside.

The site's character of 'separate yet connected' provides an opportunity to create a new, integrated, unique and logical sustainable quarter as part of the next evolutionary chapter of the village.

### Character

The strong sense of seclusion on-site provides an opportunity to create a new quarter for the village with its own distinct character derived from a combination of Strensall and a continuation of the garden village principles established locally at New Earswick.

### Garden Cities & Suburbs

The Garden Cities and villages movement, originally conceived in the early 20th century, is being advocated by the UK Government as the way forward for sustainable development in the 21st century. Given the site's strategic location, the Garden Cities and Suburbs movement provides a relevant model for future development.

While beginning life in the UK successful examples of the Garden City movement can be seen throughout much of the world. The movement seeks to combine the best of town and country living. The result, a town-country hybrid, is a combination of strengths without any of the weaknesses. Central to this approach has been the design of places where residents are able to access employment by being close to the city whilst at the same time enjoying a high quality, healthier, cleaner, greener living environment of parks, communal gardens and other public spaces.

### New Earswick

Joseph Rowntree began building the garden village of New Earswick in 1904, aiming to provide an alternative to the overcrowded and insanitary housing then available to workers in York. He planned the model village as a self-governing community, with its own Folk Hall, Village Council and school.

*If New Earswick was successful, Joseph Rowntree hoped that similar communities would be built elsewhere in the country.*

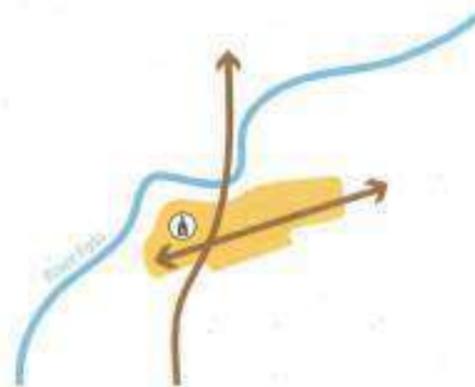
The planner Raymond Unwin and the architect Barry Parker were commissioned to produce an overall plan for a new 'garden' village and the detailed designs for its first houses. They were to go on to design the garden cities of Letchworth and Welwyn. New Earswick was one of their first opportunities to put their ideas into practice.

The building of New Earswick was an attempt to create a balanced village. Houses were to be open to any working people, not just Rowntree employees. The village was to be a demonstration of good practice: if New Earswick was successful, Joseph hoped that similar communities would be built elsewhere in the country.

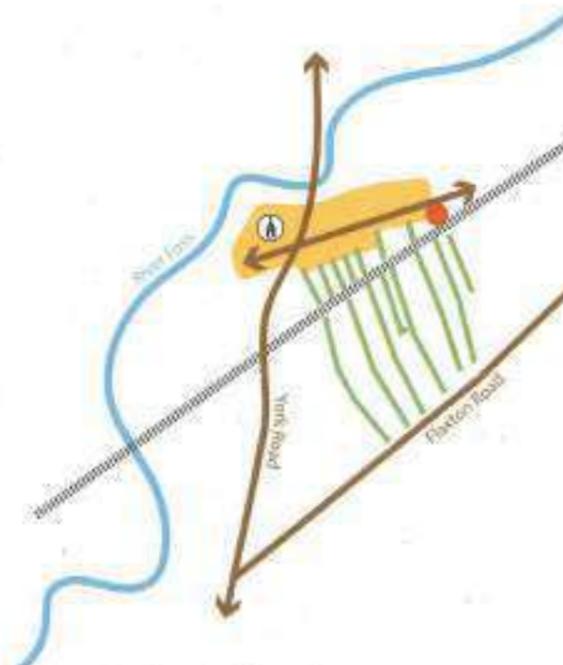
At Joseph Rowntree's insistence, houses had gardens with fruit trees and enough ground to grow vegetables. The Trust Deed of the Joseph Rowntree Village Trust (which was set up in 1904 to build and manage New Earswick) safeguarded generous open green space. All the grass verges were planted with trees. The village was built from the very ground it stands on: the bricks were made in the brickworks on the outskirts of New Earswick. From 1950 the brickyard, which closed down in the 1930s, was developed into a nature reserve. New Earswick continues to be a thriving community with a range of facilities, projects and programmes for involving residents of all ages.

Source: <http://www.jrht.org.uk/communities/new-earswick/history-of-new-earswick>

The diagrams, below and right, explore the historical evolution of Strensall. They propose the Land South of Strensall is the next logical piece in the jigsaw for the natural growth of the village.



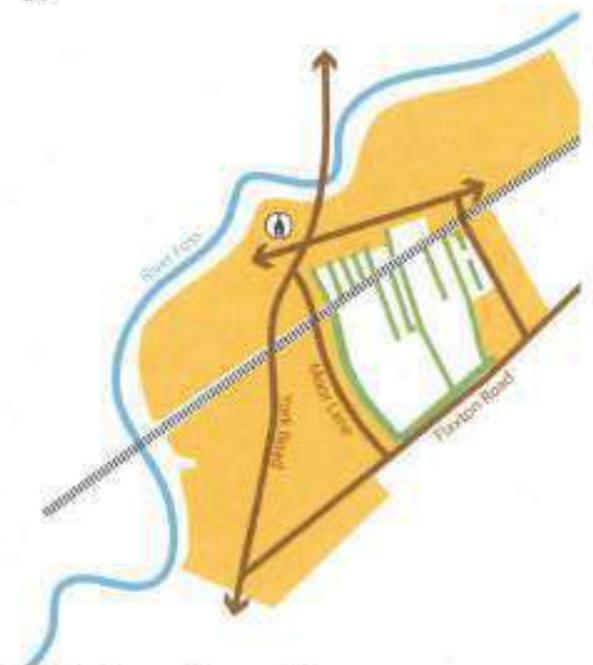
**1. Strensall origins**  
Strensall began life as a compact village on the crossroads of the York Road.



**2. Introduction of the railway**  
Introduction of the railway and station in the 1850's severed a strong, linear, north-south field pattern. The village grew.



**4. Opportunity to rebalance Strensall**  
The planned train station and new connections to the Land South of Strensall provides the opportunity to rebalance Strensall and locate development at the most sustainable location in the village, in close proximity to the facilities of the village centre.



**3. Unbalanced Strensall**  
In last century Strensall grew significantly. However the railway created unbalanced growth as new development is built further and further away from the facilities of the village centre. A strong, linear, north-south field pattern remains.



**5. Ideals of New Earswick**  
The site provides an opportunity to create a new quarter for Strensall derived from a combination of the traditional character of the village and a continuation of the garden village principles established locally at New Earswick. This approach includes a strong sense of community and the creation of series of neighbourhoods, each providing different public open space for recreation, community activities and growing.



# 7.0 Development Principles

The following sequence of diagrams, explore the key organising principles of locating development at Land South of Strensall.

The principles outlined in the following illustrations have been developed in response to the facilities/ connectivity audits and considerations plan set out in earlier chapters.



1. The site today consists of 29.7 ha of land divided into two parcels by a railway line.



2. Establishing strong green infrastructure corridors by completing and enhancing existing hedgerow pattern.



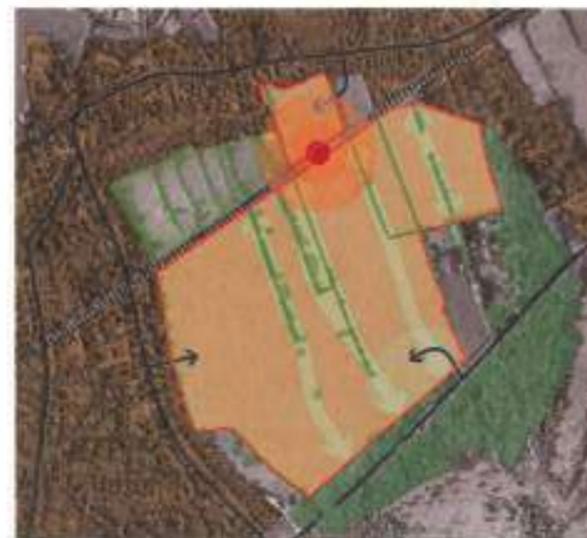
3. Enhancing ecological assets by creating a new Ecology Park.



4. Completing the southern edge of Strensall.



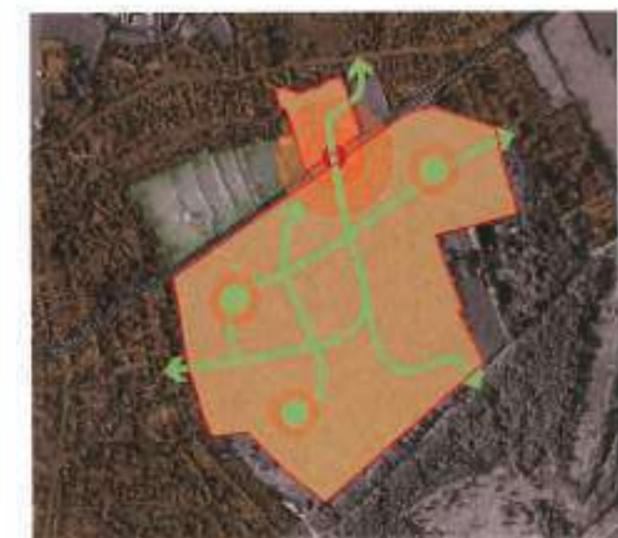
5. Establish access points into proposed site with an open green gateway at the primary access point from Flaxton Road creating a sense of arrival.



6. Creating a community hub around the proposed railway station with new facilities accessible for proposed and existing communities.



7. Establishing connections to Strensall village centre and its surroundings.



8. Creating new neighbourhoods within the proposed development connected by green infrastructure links. Each neighbourhood will have its own area of open space of different character.



# 8.0 The Framework

### Vision

The 'separate yet connected' nature of the site provides an opportunity to create a new, integrated, unique and logical sustainable quarter as part of the next evolutionary chapter of the village.

The strong sense of seclusion on-site provides an opportunity to create a distinct character derived from a combination of Strensall and a continuation of the garden village principles established locally at New Earswick.

The planned train station and new connections to the Land South of Strensall provides the opportunity to rebalance Strensall and locate development at the most sustainable location in the village, in close proximity to the facilities of the village centre.

### Numbers & Content

The framework plan has been developed in response to site and wider contextual analysis and would comprise of:

- Gross site area - 29.7 ha;
- Net developable area - 20.0 ha;
- Up to 700 units at density of 35 dph
- Typical housing mix comprised of detached, semi-detached and terraced family homes and some apartments;
- Generous green open spaces for variety of recreational facilities and community activities;
- Other non-residential uses including new train station, 1FE Primary School, Local Centre with Community Hall and Medical facilities.



### Legend

- Residential development
- Green open space
- A Local centre (community hall/medical facilities/convenience shop/ station car park)
- B 1FE Primary school site
- C Potential train station with pedestrian bridge crossing
- 1 Site access junctions
- 2 Public open space including SUDS, children's play and proposed footpath connections
- 3 Green corridor with footpath links to existing green open space
- 4 Village greens/ neighbourhood spaces with local children's play area
- 5 Main road with avenue of trees
- 6 Green corridor with existing vegetation retained and enhanced
- 7 Housing facing open space
- 8 Landscape buffer/bund
- 9 East/west corridor connecting proposed green spaces to potential sports pitches
- 10 Public square
- 11 Footpath connections to village centre/high street through ecological park

Illustrative framework plan.



## 9.0 The Way Forward

### Deliverability

It is important to understand the needs of local residents and the wider community, the wider needs for housing and schools and the requirements for access and transport links. This Vision Document is the start of the preparation of more detailed development proposals for Land South of Strensall. Further detailed work and consultation will be undertaken to develop the mix of uses for the site. As part of our technical work, we will also aim to meet with as many of the relevant organisations as we can and will continue to do this as we work on the details of the development proposals.

### Community Engagement

We believe that Land South of Strensall should be designed with input from the community. We propose to produce a site specific involvement strategy which will include collaborative design workshops. In these workshops, local people from the local area can genuinely shape the proposed development from the concept stage through to detailed design.

We believe that the creation of a new community at Land South of Strensall presents the perfect opportunity to demonstrate a responsible and transparent approach to community involvement, by setting out a coherent and incremental strategy from the early consultation stages right through to the implementation stages and beyond; indeed, the very nature of the concept will make it necessary to do so.

This process allows for the identification of issues and problems at an early stage, as well as providing the ability to capitalise on and respond to local initiatives; harness the energy and resourcefulness of local stakeholders and incorporate their ideas and ambitions. This will involve the establishment of appropriate new local agencies, forums and mechanisms for pro-active communication, incorporation of feedback and decision-making.



Public Engagement

**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 04 April 2018 11:23  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105137

Date submitted: 04/04/2018

Time submitted: 11:23:24

---

Thank you for submitting your Local Plan Publication Draft response form (ref: 105137, on 04/04/2018 at 11:23:24) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** Mrs

**Forename:** Amanda

**Surname:** Moore

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** No, I do not consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** NoCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

I believe that the local plan is not legally compliant. Legal compliance requires a duty to cooperate . I do not believe that there has been any co-operation with Elvington Parish Council or the village residents as they have never been consulted on what the village actually needs. I do not oppose residential development within the village but do oppose the sites selected.

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not positively prepared,not justified,not effective

**Please give reasons for your answer(s):**

I do not oppose residential development within the village but do oppose the sites selected. I believe the methodology of making the decisions and the overall recommendations are unsound on the following basis:-

H39 Extension to Beckside ( between Beckside and Church Lane)

- This area has already been classified as green belt land and houses significant wildlife. This decision was taken by a previous Planning Inspector therefore to overturn that is incorrect and an unsound decision. This also destroys confidence in the process and the council if when suited a decision can be overturned.
- This proposal would significantly increase the volume of traffic in Beckside fundamentally changing the nature of the cul-de-sac from a quiet residential area which is the essence of Elvington into a busy cul-de-sac as the scale of increase is disproportionate to the existing development . The extra traffic would adversely effect the existing residents of Beckside , in particular the young children who are currently able to play relatively freely.
- As an additional note I question this locations ability to sustain further housing . This area has been flooded for in excess of 2 weeks and despite constant pumping by council lorries and the road being inaccessible this has not been resolved ( evidential pictures available on request) I therefore strenuously object to the H39 proposals and wish it to be removed from the plan . I believe the decision to use H39 is unjustified on the basis that there is a suitable alternative supported by the village. The preference would be for H26 Dauby Lane to be reinstated as a proposed site for the following reasons:-
- This would have the effect of joining the 2 areas of the village.
- Provide a greater number of houses , and therefore enable a suitable range of houses , hopefully providing houses that the younger generation can afford to enable the to stay in the village should they wish to do so
- This location is supported by the Parish council and residents – but is not being considered – hence my challenge on duty to co-operate.

ST15 The Airfield

The proposed siting of this 'new village' has been moved from adjacent to the A64 to being closer to Elvington . I believe the original site is a more sound decision for the following reasons:-

- Principal access point would be A64 , the new proposal would result in even more through traffic on the B1228 – a road that is already used frequently by too many vehicles , particularly HGVs .
- The original proposal does not destroy the airfield runway . The airfield and the museum are historically important and contribute significantly to Yorks' tourism industry.

- The scale of the new site is out of kilter with the size of Elvington and Wheldrake changing the rural nature of the 2 villages by being too close .
- The airfield is green belt and important to nature the impact would be less if the original site was used.

Therefore I deem the decision to move sites as unsound and unjustified , on the basis that the original recommended site did not cause such significant issues , it seems illogical to move the site , particularly at the cost of history and tourism ( York's key attraction).

SP1 – The stables

This site was previously stated to be temporary by the planning inspector and for one dwelling . This is now proposed as permanent with 3 dwellings . Again this is overturning a previous decision and destroys confidence in the process and the council , it is also unsound on the basis that is inconsistent with other planning consent decisions.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: H39/ ST15 and SP1**

## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

I suggest removing site H39 from the plan and replacing with H26 for consideration.

I suggest moving ST15 back to its original location adjacent to the A64

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 04 April 2018 11:36  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105140

Date submitted: 04/04/2018

Time submitted: 11:36:25

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Thank you for submitting your Local Plan Publication Draft response form (ref: 105140, on 04/04/2018 at 11:36:25) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** Mr

**Forename:** Ian

**Surname:** Dickens

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

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## Legal compliance of the document

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**Do you consider the document is legally compliant?** No, I do not consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** NoCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

I object to the local plan on the basis of it not being legally compliant and has not honoured the duty to cooperate . Elvington Parish Council and the village residents have never been consulted on what the village actually needs. I do not oppose residential development within the village but do oppose the sites selected.

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not positively prepared,not justified,not effective

**Please give reasons for your answer(s):**

I believe the methodology of making the decisions and the overall recommendations are unsound for the following reasons:-

H39 Extension to Beckside

- This area has already been classified as green belt land. A decision which was taken by a previous Planning Inspector. To overturn that is incorrect and an unsound decision and questions the process and the council if a decision can simply be overturned.
  - The proposal would significantly increase the volume of traffic in Beckside fundamentally changing the nature of the cul-de-sac from a quiet residential area which is the essence of Elvington into a busy cul-de-sac as the scale of increase is disproportionate to the existing development .
  - I also challenge the locations ability to sustain further housing . This area has been flooded for in excess of 2 weeks and despite constant pumping by council lorries and the road being inaccessible this has not been resolved ( evidential pictures available on request)
- I therefore strenuously object to the H39 proposals and wish it to be removed from the plan . There is an alternative location which I and many villagers deem to be more suitable and therefore find the decision to keep H39 in the plan unjustifiable. The preference would be for H26 Dauby Lane to be reinstated as a residential site for the following reasons:-
- This would have the bring the 2 areas of the village.
  - Provide a greater number of houses , and therefore enable a suitable range of houses , enabling the younger generation to to stay in the village should they wish to do so
  - This location is supported by the Parish council and residents – but is not being considered – hence my challenge on duty to co-operate.

ST15 The Airfield

- The proposed siting of this 'new village' has been moved from adjacent to the A64 to being closer to Elvington. I believe the original site is a more sound decision for the following reasons:-
- Principal access point would be A64 , the new proposal would result in even more through traffic on the B1228 – a road that is already used frequently by too many vehicles , particularly HGVs .
  - The original proposal does not destroy the airfield runway. The airfield and the museum are historically important and contribute significantly to Yorks' tourism industry.
  - The scale of the new site is not in keeping with the size of Elvington and Wheldrake changing the rural nature of the 2 villages by being too close .
  - The airfield is green belt and important to nature the impact would be less if the original site was used.

Therefore I deem the decision to move sites as unsound and unjustified on the basis that the original recommended site did not cause such significant issues , it seems illogical to move the site , particularly at the cost of history and tourism ( York's key attraction).

**SP1 – The stables**

This site was previously stated to be temporary by the planning inspector and for one dwelling . This is now proposed as permanent with 3 dwellings . Again this is overturning a previous decision and destroys confidence in the process and the council , it is also unsound on the basis that is inconsistent with other planning consent decisions.

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: H39/SP1/ST15**

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## **Necessary changes**

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

remove H39 from the plan  
consider H26 for the plan  
relocate ST15

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

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**From:** Tracey Rathmell [Tracey.Rathmell@harrogate.gov.uk]  
**Sent:** 04 April 2018 11:35  
**To:** localplan@york.gov.uk  
**Cc:** Macefield, Rachel; Stokes, Ian  
**Subject:** Response to City of York Local Plan  
**Attachments:** 2018-04-03-Response to Publication Draft.pdf

Please find attached a response to the Publication draft Local Plan from Harrogate Borough Council.

Regards

Tracey

**Tracey Rathmell**  
**Principal Planning Policy Manager**  
Harrogate Borough Council  
Planning and Development  
PO Box 787  
Harrogate  
HG1 9RW  
Tel: 01423 556588  
email: [tracey.rathmell@harrogate.gov.uk](mailto:tracey.rathmell@harrogate.gov.uk)  
Web address: [www.harrogate.gov.uk](http://www.harrogate.gov.uk)

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Any opinions are those of the author and not necessarily those of the Council.

No officer is authorised to make a contract on the Council's behalf by e-mail.

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The Council does not accept service of legal documents by e-mail.

Mike Slater, Assistant Director  
City of York Council  
West Offices  
Station Rise  
York  
YO1 6GA

Our ref:  
Your ref:  
Date: 3 April 2017

Dear Mike

### **CITY OF YORK LOCAL PLAN – PUBLICATION DRAFT CONSULTATION**

I have set out below Harrogate Borough Council's response to City of York Council Publication Draft Consultation.

There is agreement amongst the Leeds City Region Authorities and North Yorkshire Authorities that each will plan to meet their housing needs within their own local authority boundaries. In line with this agreement, Harrogate Borough Council is planning to deliver a step change in housing delivery over that previously planned for in the adopted Core Strategy in order to meet in full its objectively assessed need. It is not making provision to deal with undersupply elsewhere. City of York Council will need to satisfy itself that, in light of its refreshed evidence on housing need, the City of York Local Plan will meet the tests of soundness.

The City of York Plan is also seeking to set an enduring Green Belt boundary beyond the Plan period. Harrogate Borough Council has previously raised concerns regarding the longevity of the boundary. Again City of York Council will need to satisfy itself that the approach it is taking will meet the tests of soundness.

Please do not hesitate to contact me should you wish to discuss these comments.

Yours sincerely



**Tracey Rathmell**  
**Principal Planning Policy Manager**  
[Tracey.rathmell@harrogate.gov.uk](mailto:Tracey.rathmell@harrogate.gov.uk)

*If you are replying to this communication by post, please ensure that you use the address at the bottom of the letter*

**From:** Claire Linley [Claire.Linley@dppukltd.com]  
**Sent:** 04 April 2018 11:48  
**To:** localplan@york.gov.uk  
**Cc:** Jennifer Winyard (Linden Homes) (Jennifer.Winyard@gallifordtry.co.uk); Tate, Liam  
**Subject:** York Local Plan Reps - Site ST9  
**Attachments:** ST9 Report and Appendices.pdf; ST9 Forms.pdf

Good morning,

Please find attached our representations on behalf of Linden Homes Strategic Land and Barratt Homes and David Wilson Homes Yorkshire East Division in relation to the City of York Local Plan Publication Draft Regulation 19 Consultation. This submission relates to the site known as land North of Haxby (ST9).

Please can you confirm receipt.

Kind regards,

**Claire Linley BA (hons) DIPTP MRTPI**  
Principal Planner

**M** 07870 997 841

**T** 0113 350 9865

[www.dppukltd.com](http://www.dppukltd.com)



# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title		Mrs
First Name		Claire
Last Name		Linley
Organisation (where relevant)		DPP
Representing (if applicable)		Linden Homes Strategic Land, Barratt Homes and David Wilson Homes Yorkshire East Division
Address – line 1		Second Floor
Address – line 2		1 City Square
Address – line 3		Leeds
Postcode		LS1 2ES
E-mail Address		Claire.linley@dppukltd.com
Telephone Number		01133509865

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

See attached report for full comments.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared  Justified   
 Effective  Consistent with national policy

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

It is considered that the development of 735 dwellings would justify the provision of an extensive area of open space and that this open space would not just benefit the residents on the allocation but also the wider community. The Developers do not object to the provision of open space on ST9.

However, the Developers request a meeting with the Council to discuss the implications of policy G16 and the relationship of OS9 to the delivery of ST9 and the capacity assessment undertaken.

The Developers therefore reserve the right to question the soundness of policy G16.

See attached report for full comments.

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

No modifications are suggested to policy GI6 at this stage but the Developers reserve the right to do so when the inter relation of the site-specific policies and policy GI6 are understood.

See attached report for full comments.

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

To elaborate on our written representations.

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

## Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

## Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

## Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on [01904 554145](tel:01904554145)

Signature

Date

04.04.18

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

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ID reference:

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**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title		Mrs
First Name		Claire
Last Name		Linley
Organisation (where relevant)		DPP
Representing (if applicable)		Linden Homes Strategic Land, Barratt Homes and David Wilson Homes Yorkshire East Division
Address – line 1		Second Floor
Address – line 2		1 City Square
Address – line 3		Leeds
Postcode		LS1 2ES
E-mail Address		Claire.linley@dppukltd.com
Telephone Number		01133509865

# Guidance note

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## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

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You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

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- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

See attached report for full comments.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

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**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared  Justified   
Effective  Consistent with national policy

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.

Policy  
Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

It is considered that policy H1, insofar as it includes the housing allocation known as ST9, is sound in that the allocation is justified, it has been positively prepared and it will be effective in delivering housing and as such the allocation will boost the supply of housing consistent with national policy.

See attached report for full comments.

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

In respect of ST9 no modification to policy H1 is required.

See attached report for full comments.

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

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## Storing your information and contacting you in the future:

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## Retention of Information

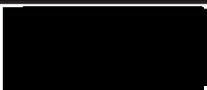
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Signature



Date

04.04.18

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

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# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

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**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title		Mrs
First Name		Claire
Last Name		Linley
Organisation (where relevant)		DPP
Representing (if applicable)		Linden Homes Strategic Land, Barratt Homes and David Wilson Homes Yorkshire East Division
Address – line 1		Second Floor
Address – line 2		1 City Square
Address – line 3		Leeds
Postcode		LS1 2ES
E-mail Address		Claire.linley@dppukltd.com
Telephone Number		01133509865

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

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## Do I have to use the response form?

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## Do I need to attend the Public Examination?

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# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

See attached report for full comments.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared  Justified   
 Effective  Consistent with national policy

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

We consider that Policy H2 and the associated assumed yields applied to various allocations are unsound and not justified and will not ensure effective delivery of the housing requirement and is therefore inconsistent with national policy.

See attached report for full comments.

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

We suggest that that net development density is reduced and that greater flexibility is included in the policy to allow for balanced developments to be created.

See attached report for full comments.

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

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To elaborate on our written representations.

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# Part C - How we will use your Personal Information

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## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

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First Name		Claire
Last Name		Linley
Organisation (where relevant)		DPP
Representing (if applicable)		Linden Homes Strategic Land, Barratt Homes and David Wilson Homes Yorkshire East Division
Address – line 1		Second Floor
Address – line 2		1 City Square
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# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

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## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

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**5.(1) Do you consider the document is Sound?**

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No

If yes, go to question 5.(4). If no, go to question 5.(2).

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**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

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We consider that Policy H3 is unsound as it will not be effective, it is not justified, and is not consistent with national policy.

See attached report for full comments.

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

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**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

We suggest the policy should be modified as referred to above to provide greater flexibility to allow for balanced developments to be created. In this regard we would suggest amending the policy to read "Proposals for residential development should assist in balancing the housing market, unless material considerations indicate otherwise, by including a mix of types of housing that respond to and reflects the diverse mix of need across the city and the character of the locality."

See attached report for full comments.

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

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Organisation (where relevant)		DPP
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Address – line 1		Second Floor
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Telephone Number		01133509865

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(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

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Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

See attached report for full comments.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

**Positively prepared**  **Justified**   
**Effective**  **Consistent with national policy**

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.

Policy  
Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

We make no comment on the soundness or otherwise of policy SS1 in this representation.

The Developers reserve their rights to comment on this policy separately.

See attached report for full comments.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

No comment in respect of this representation but the Developers reserve their rights to comment on this policy separately.

See attached report for full comments.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

# Part C - How we will use your Personal Information

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## Storing your information and contacting you in the future:

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## Retention of Information

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Signature



Date

04.04.18

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title		Mrs
First Name		Claire
Last Name		Linley
Organisation (where relevant)		DPP
Representing (if applicable)		Linden Homes Strategic Land, Barratt Homes and David Wilson Homes Yorkshire East Division
Address – line 1		Second Floor
Address – line 2		1 City Square
Address – line 3		Leeds
Postcode		LS1 2ES
E-mail Address		Claire.linley@dppukltd.com
Telephone Number		01133509865

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

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You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

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## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

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# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

See attached report for full comments.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

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**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

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**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared  Justified   
 Effective  Consistent with national policy

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(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

The Developers fully support the need for a detailed policy to guide the development of this Site. The Developers however have a number of minor comments in respect of policy SS11 which we will deal with under the following headings: -

- Masterplan Process
- Housing Mix
- Open Space
- New Local Facilities
- Access

See attached report for full comments.

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

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**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

To elaborate on our written representations.

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Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title		Mrs
First Name		Claire
Last Name		Linley
Organisation (where relevant)		DPP
Representing (if applicable)		Linden Homes Strategic Land, Barratt Homes and David Wilson Homes Yorkshire East Division
Address – line 1		Second Floor
Address – line 2		1 City Square
Address – line 3		Leeds
Postcode		LS1 2ES
E-mail Address		Claire.linley@dppukltd.com
Telephone Number		01133509865

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You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

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# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

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Policies Map

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## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

See attached report for full comments.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

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**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared  Justified   
 Effective  Consistent with national policy

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

ST9

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

It is considered that policy H1, insofar as it includes the housing allocation known as ST9, is sound in that the allocation is justified, it has been positively prepared and it will be effective in delivering housing and as such the allocation will boost the supply of housing consistent with national policy.

See attached report for full comments.

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**



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**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

In respect of ST9 no modification to policy H1 is required.

See attached report for full comments.

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

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Date

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# **RESPONSE TO YORK LOCAL PLAN PUBLICATION DRAFT**

**LINDEN HOMES STRATEGIC LAND  
AND BARRATT HOMES AND DAVID  
WILSON HOMES YORKSHIRE EAST  
DIVISION**

# RESPONSE TO YORK LOCAL PLAN PUBLICATION DRAFT

**On behalf of:** Linden Homes Strategic Land and Barratt Homes and  
David Wilson Homes Yorkshire East Division

**In respect of:** ST9 - Land North of Haxby

**Date:** April 2018

**Reference:** CL/ML/2417le/R003cl

**Author:** Claire Linley

DPP Planning  
Second Floor  
1 City Square  
Leeds  
LS1 2ES

**Tel:** 0113 350 9865  
**E-mail:** [info@dppukltd.com](mailto:info@dppukltd.com)

[www.dppukltd.com](http://www.dppukltd.com)



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## Executive Summary

The Council have accepted that ST9 is available and that the Site is suitable for residential development and that development can be achieved. As such, the Council are proposing to reaffirm the allocation of ST9 for residential development under policy H1.

The Developers wholly **support** the allocation of ST9.

The Developers also **support** the estimated development capacity of the Site and confirm that this can be delivered in the plan period.

The Developers have some concerns about policy H2 on the density of residential developments and H3 on balancing the housing market and **object** to the policies but in doing so suggest that additional evidence needs to be provided to justify the policies or propose minor amendments which would make the policies sound.

The Developers also **support** policy SS11 in that there is a need for a detailed policy to guide the development of the Site. The Developers **support** the requirement for a masterplan within policy SS11. The Developers have suggested a couple minor amendments to the text of the policy which would improve the interpretation of the policy and reflect good practice and allow a well-conceived and designed scheme to come forward which will provide an appropriate new extension to the settlement of Haxby.

However, the Developers are concerned with the inter relation of policy SS11 and GI6 and how this might impact on the capacity of ST9. The Developers reserve the right to comment in more detail on this matter when the details of the Council's intentions are fully understood.

## 1.0 Introduction

- 1.1 We are submitting this representation on behalf of our clients, Linden Homes Strategic Land and Barratt Homes and David Wilson Homes Yorkshire East Division (“the Developers”), in respect of various issues contained in the City of York Local Plan Publication Draft Regulation 19 Consultation (“the Local Plan”) and in particular their interests in the land North of Haxby (ST9) (“the Site”).
- 1.2 The Developers have options in respect of the allocation known as ST9. The land that is in the control of the Developers is shown on the plan attached at **Appendix 1**.
- 1.3 The City of York Council (“the Council”) have accepted that ST9 is available and that the Site is suitable for residential development and that development can be achieved and as such the Council are proposing to reaffirm the allocation of ST9 for residential development. The Developers wholly **support** the allocation known as ST9. The Developers also **support** the estimated development capacity of the Site and confirm that this can be delivered in the plan period.
- 1.4 The Developers also **support** policy SS11 in that there is a need for a detailed policy to guide the development of the Site. The Developers **support** the requirement for a masterplan within policy SS11. The Developers have suggested a couple of amendments to the text of the policy which would improve the interpretation of the policy and reflect good practice and allow a well-conceived and designed scheme to come forward which will provide an appropriate new extension to the settlement of Haxby.
- 1.5 However, the Developers are concerned with the inter relation of policy SS11 and GI6 and how this might impact on the capacity of ST9. The Developers reserve the right to comment in more detail on this matter when the details of the Council’s intentions are fully understood.
- 1.6 The Developers will be submitting separate representations on the matter of the Council’s calculation of the objective assessment of housing need (“OAHN”) and the subsequent housing requirement and the proposed housing supply.

## 2.0 The test of soundness

2.1 Paragraph 182 of the NPPF indicates that a Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is “**sound**” namely that it is:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

## 3.0 The Site

- 3.1 The Site extends to approximately 35ha and adjoins the north built up edge of Haxby.
- 3.2 The Site is partially bounded by Moor Lane to the west and Usher Lane to the east. Haxby and Wiggington Cemetery is situated immediately beyond the south-western boundary.
- 3.3 The Site is relatively flat and consists of a mix of small to medium sized, regularly shaped fields, with some slightly larger arable fields situated to the north west.
- 3.4 Field boundaries vary in type and condition and include intact or remnant hedgerows, either managed (approximately 1.2-1.5 m high), with occasional standard trees, or outgrown, unmanaged hedge lines (up to 2.5 m high in places).
- 3.5 The northern boundary of the Site has a ditch running partially along its length, mainly with a substantial hedge and trees, although the hedge line is broken at the western end where it joins Moor Lane. The southern end of the eastern boundary runs partly along Usher Lane with a field boundary hedge along the road side. The majority of the southern boundary backs onto the rear / side gardens of the existing housing, the boundaries here being a mix of fencing and vegetation. The part of the Site running along Moor Lane to the west consists of a hedge and semi mature sycamore trees, set back from the road by a reasonably wide grass verge.
- 3.6 A public footpath splits the Site in a north-south direction, along an unsettled track known as Crooklands Lane and is bounded by tall, dense hedges and trees, together with a substantial ditch positioned to the western edge. The footpath then heads west, beyond the Site, on a short spur, continuing northwards to join Moor Cross Lane.

## 4.0 Allocation History

### **The City of York Preferred Options (June 2013)**

- 4.1 Within this document the Site is identified by the Council as a housing allocation known as ST9. The Site is shown as having a Site area of 24.89ha and an estimated yield of 747 dwellings. The Preferred Options draft indicates that the Site is available for development over the lifetime of the plan.
- 4.2 The Preferred Options draft plan shows no strategic greenspace within the allocation.

### **The City of York Publication Draft Local Plan (September 2014)**

- 4.3 Within this version of the Local Plan the Site is again shown as a housing allocation with a capacity of 747 dwellings but the Site area had increased to 33.48ha. The Local Plan again indicates that the Site is available for development over the lifetime of the plan.
- 4.4 The Publication Draft plan shows two areas of strategic greenspace within the north-western and the north-eastern corners of the Site.

### **The Preferred Sites Consultation Document (July 2016)**

- 4.5 The Council published the Preferred Sites Consultation Document in July 2016 together with its associated evidence base. Within the Preferred Sites Document the Site had a slightly increased area of 35ha but the estimated capacity of the Site was reduced to 735 dwellings. It is again anticipated that the development of the Site would take place during the whole plan period.
- 4.6 The 35ha allocation incorporated 11.5ha of strategic open space. Within the Preferred Sites Consultation Draft of the Local Plan, the strategic open space is shown to be located to the south of the Site, effectively separating the existing built form of Haxby from the new proposed allocation.

### **The Local Plan Pre-Publication Draft Regulation 18 Consultation (September 2017)**

- 4.7 The Council published the Pre-Publication Draft of the Local Plan in September 2017 together with the associated evidence base. The Site is again shown as a housing allocation of 35ha with an estimated capacity of 735 dwellings.

## 5.0 Development Proposals for ST9

5.1 The Council have indicated in their letter to the Secretary of State in January 2018 and the Local Development Scheme (2017) that the Local Plan will be submitted to the Secretary of State at the end of May and that the plan will be examined between June and August 2018 with the Inspector's report being available towards the end of 2018. The Council have indicated that they hope to adopt the Local Plan in February 2019.

5.2 Lichfields, who have produced a well-considered and robust publication on the delivery of large scale housing schemes<sup>1</sup> estimate lead in times for developments. Lead in times relate to matters such as: -

- Securing outline planning permission;
- Negotiations on S106;
- The approval of reserved matters;
- The discharge of conditions;
- Completion of land purchases
- Mobilisation; and
- Infrastructure works.

5.3 Lead in times vary in relation to the stage that the application has reached and by the size of the site. The larger the site the more difficult the negotiations and matters that need to be resolved. The following table sets out a general methodology which provides robust lead in times.

Stage of Planning	0-250 units	250-500 units	500+ units
Full Planning Permission	1 Year	1.5 Years	2 Years
Outline Planning Permission	1.5 Years	2 Years	2.5 Years
Application Pending Determination	2.5 Years	3 Years	3.5 Years
No Planning Application	3 Years	3.5 Years	4 Years

5.4 In a similar fashion, Lichfields estimate delivery rates based on the size of the site. Lichfields indicate that small sites, less than 100 units, tend to be built by local or regional builders. On sites of less than 250 only one house builder is normally active but on sites up to 500 units there may be a second house builder and on sites over 500 units there may be a third house builder. See the table below.

	0-100 units	100-250 units`	250-500 units	500+ units
Annual Delivery	25 dpa	40 dpa	65 dpa	90 dpa

<sup>1</sup> Start to Finish – How Quickly do Large-Scale Housing Site Deliver? November 2016

5.5 A planning application is currently being prepared for the development of ST9. The planning application is being informed by the following reports and surveys: -

- Landscape Appraisal;
- Flood Risk and Drainage Strategy;
- Arboricultural Report;
- Air Quality Appraisal;
- Archaeological Report and Geophysical Survey;
- Geo-environmental Appraisal;
- Sustainability Statement;
- Design and Access Statement;
- Transport Statement;
- Noise Impact Assessment;
- Ecological Appraisal;
- Great Crested Newt Survey;
- Breeding Bird Survey;
- Hedgerow Survey;
- Water Vole Survey;
- Bat Activity Survey; and
- Walkover Botanical Survey.

5.6 It is anticipated that an outline planning application will be submitted to the Council in 2018. We would hope that outline planning permission is granted as soon as the Local Plan is adopted in the Spring of 2019. However, this does not equate to a start of development. If you apply the standard methodology adopted by Lichfields then you could expect a start of development works 3.5 years from the date that the application is submitted. We are aiming to submit the planning application in the summer of 2018. This would give you a date for the commencement of the development of ST9 of the spring of 2022.

5.7 The house builders who control ST9 are Linden Homes and Barratt Homes and David Wilson Homes. There are 3 different house type products to be delivered on the Site. We have therefore assumed a delivery rate of 90 dwellings per annum. ST9 would therefore be developed out in just over 8 years i.e. in 2030.

5.8 The above robust methodology confirms that ST9 can be delivered in the plan period.

## 6.0 Regulation 19 Consultation (April 2018)

### Policy SS1

- 6.1 Policy SS1 sets out the District housing requirement. The proposed housing requirement is 867 dwellings per annum until 2032/33 and post plan period until 2037/38. The housing requirement is based on the 2016 SHMA and the GL Hearn SHMA and Addendum 2017. The Developers will be submitting separate representations on the matter of the Council's calculation of the objective assessment of housing need ("OAHN") and the subsequent housing requirement and the proposed housing supply.

### Soundness

- 6.2 As a consequence, we make no comment on the soundness or otherwise of policy SS1 in this representation. The Developers reserve their rights to comment on this policy separately.

### Modification

- 6.3 No comment in respect of this representation but the Developers reserve their rights to comment on this policy separately.

### Policy H1 and ST9

- 6.4 Policy H1 confirms that in order to meet the housing requirement set out in policy SS1 land will be allocated for housing development. The policy lists the sites identified to meet the housing requirement. One of these sites is ST9. Policy H1 confirms that ST9 is 35 ha in size and has an estimated yield of 735 dwelling which is to be delivered over the lifetime of the Local Plan.
- 6.5 The allocation of Site ST9 has been carried through to the latest version of the Local Plan from all of the previous iterations.
- 6.6 It has been demonstrated to the Council through the preparation of the reports and surveys referred to in Section 5.0 and the various submissions to the Local Plan process that ST9 is available and suitable for residential development and that development is achievable.
- 6.7 It has also been demonstrated that the development of ST9 is viable.
- 6.8 We do not propose to repeat our submission here but rely on previous material submitted to the Local Plan process.
- 6.9 The Developers **support** the allocation known as ST9. The Developers also **support** the estimated development capacity of Site of 735 dwellings and confirm that this can be delivered in the plan period.

## Soundness

- 6.10 It is considered that policy H1, insofar as it includes the housing allocation known as ST9, is sound in that the allocation is justified, it has been positively prepared and it will be effective in delivering housing and as such the allocation will boost the supply of housing consistent with national policy.

## Modification

- 6.11 In respect of ST9 no modification to policy H1 is required.

## Policy H2

- 6.12 Policy H2 sets out the density of residential developments.
- 6.13 We have concerns about this policy but we welcome the recognition within the policy that on strategic sites the specific master planning agreements may provide density targets for that site that override the policy. We also welcome the clarification that this policy should be used as a general guide and that the density of any development will need to respond to its context.
- 6.14 We however have concerns about the density of development that the Council believe can be delivered from the various allocated sites.
- 6.15 We note that as a general trend the density of development on allocated sites increased in the Preferred Sites Consultation (2016) when compared to the Publication Draft (2014). These densities increased again when comparing the Preferred Sites Consultation (2016) to the Pre-Publication Draft. See the table attached at **Appendix 4**.
- 6.16 It would appear that the Council have changed their approach to calculating development densities between the various draft iteration of the Local Plan. For example, in the Preferred Options (2013) it was assumed that in the villages and rural areas development would occur at 30 dwellings per hectare. In the Publication Draft (2014) it is assumed that development in the villages and rural areas would occur at 35 dwellings per hectare. We feel that for villages and rural areas a development density of 30 dwellings per hectare would be more appropriate.
- 6.17 The development density for Haxby and Wigginton is identified as 40 dwellings per hectare. Given the character and form of Haxby and Wigginton it is considered that such a density of development could be harmful particularly if sustainable extensions are to be achieved and a balanced development provided. A development density of 40 dwellings per hectare is more characteristic of high density urban living rather than an extension to sustainable villages. It implies a high proportion of small tight knit dwellings which would be uncharacteristic of the adjoining urban areas which have typically been developed at about 25 dwellings per hectare. It would be reasonable to expect a development density above 30 dwellings per hectare but 40 dwellings per hectare is too high.

- 6.18 As to the proposed development densities of 50 dwellings per hectare for urban areas and 100 dwellings per hectare within the city centre, these densities of development are considered ambitious particularly where there is a need to incorporate open space. Development at this density may limit the marketability of the product and if this is the case it would not boost housing delivery.
- 6.19 The proposed densities and the increases in the yields from individual sites needs to be fully explained and justified.
- 6.20 The Council need to justify the density of development in the various areas and the increases in the yields from various sites in order to ensure that they are robust and are not going to lead to a shortfall in housing delivery.
- 6.21 On the basis of the above we object to the proposed development densities being applied in Policy H2 and on individual sites.

### Soundness

- 6.22 We consider that Policy H2 and the associated assumed yields applied to various allocations are unsound and not justified and will not ensure effective delivery of the housing requirement and is therefore inconsistent with national policy.

### Modification

- 6.23 We suggest that that net development density is reduced and that greater flexibility is included in the policy to allow for balanced developments to be created.

### Policy H3

- 6.24 This policy is related to balancing the housing market. We do not object to the principle of this policy and indeed we welcome the acknowledgement in the Local Plan that the Council will *“seek to balance the housing market across the plan period”*. In this regard we welcome the use of the word *“seek”*. However, the policy then says that the applicants *“will be required to balance the housing market by including a mix of types of housing which reflects the diverse mix of need across the city”*. The use of the word *“required”* is onerous and is not reflective of the tone of the policy when read as a whole. For example, the policy goes onto state that *“the final mix of dwelling types and sizes will be subject to negotiation with the applicant”*.
- 6.25 Further, we also feel that it is unreasonable for an applicant to provide sufficient evidence to support their proposals particularly where a developer is providing a housing mix which is broadly in accordance with the identified need. This should be deleted.

## Soundness

- 6.26 We consider that Policy H3 is **unsound** as it will not be effective, it is not justified, and is not consistent with national policy.

## Modification

- 6.27 We suggest the policy should be modified as referred to above to provide greater flexibility to allow for balanced developments to be created. In this regard we would suggest amending the policy to read *“Proposals for residential development should assist in balancing the housing market, unless material considerations indicate otherwise, by including a mix of types of housing that respond to and reflects the diverse mix of need across the city and the character of the locality.”*

## Policy SS11

- 6.28 Policy ‘**SS11 – Land North of Haxby**’ sets out the detailed requirements for the Site. The policy states as follows: -

*“Land North of Haxby (ST9) will deliver 735 dwellings at this urban extension development site. In addition to complying with the policies within this Local Plan, the site must be master planned and delivered in accordance with the following key principles:*

*i. Be of a high design standard which will provide an appropriate new extension to the settlement of Haxby.*

*ii. Deliver a sustainable housing mix in accordance with the Council’s most up to date Strategic Housing Market Assessment and affordable housing policy, addressing local need for smaller family homes and bungalows/sheltered housing.*

*iii. Create new open space to the south of the site (as shown on the proposals map) to reflect the needs of the Haxby and Wigginton ward including formal pitch provisions, informal amenity greenspace, play provision, cemeteries and allotments. The openspace needs of the area should be assessed in detail, liaising with Haxby Town Council and Wigginton Parish Council, the neighbourhood plan group and local residents.*

*iv. Create new local facilities as required to provide an appropriate range of shops, services and facilities to meet the needs of future occupiers of the development.*

*v. Provide a new primary school or required financial contributions to existing local primary and secondary facilities to enable the expansion to accommodate demand arising from the development.*

*vi. Provide a suitable drainage strategy to ensure there is no increase to existing agricultural run-off rates and existing drainage ditches are maintained and enhanced. The strategy should be developed in conjunction with the Council and required statutory bodies and should ensure that the*

*development will not exacerbate any existing issues with surface water and drainage owing to the site being flat with a high-water table. The drainage scheme will need to connect to the Strensall and Towthorpe Waste Water Treatment Works to the north of the site given capacity issues within Haxby.*

*vii. Connect the site to the public sewer network, which will incur additional costs. Developers will need to work with Yorkshire Water in developing a suitable scheme.*

*viii. Demonstrate that all transport issues have been addressed, in consultation with the Council as necessary, to ensure sustainable transport provision at the site is achievable. The impacts of the site individually and cumulatively with sites ST7, ST8, ST14 and ST15 should be addressed.*

*ix. Provide highway access to the site from Moor Lane on the West side, with secondary access from Usher Lane on the East side. Improvements would be required both to the junction of Moor Lane with The Village and Usher Lane/Station Road to improve safety and visibility. The scheme should seek to minimise the amount of trips using the Usher Lane/Station Road junction due to existing capacity and safety issues. Alternative access should also be explored in relation to this site.*

*x. Optimise pedestrian and cycle integration, connection and accessibility in and out of the site and connectivity to the city and surrounding area creating well connected internal streets and walkable neighbourhoods, to encourage the maximum take-up of these more 'active forms of transport (walking and cycling).*

*xi. Protect and enhance existing valuable landscape features including field patterns, mature hedgerows and trees. Development should minimise the impact on the landscape and setting of the village and reflect the character and rural setting of the surrounding area. Views into the site are limited as the site itself is mainly enclosed and well screened by mature trees and hedgerows which should be retained. New strong defensible landscape boundaries should be created and the historic field patterns should be protected and the layout of the development and the open space should be designed to integrate these narrow medieval strip fields."*

6.29 The Developers fully **support** the need for a detailed policy to guide the development of this Site.

6.30 The Developers however have a number of minor comments in respect of policy SS11 which we will deal with under the following headings: -

- Masterplan Process
- Housing Mix
- Open Space
- New Local Facilities
- Access

### **Masterplan Process**

6.31 The Developers have obtained a thorough knowledge of the technical issues relating to the development of ST9 through commissioning the following reports: -

- Landscape Appraisal;
- Flood Risk and Drainage Strategy;
- Arboricultural Report;
- Air Quality Appraisal;
- Archaeological Report and Geophysical Survey;
- Geo-environmental Appraisal;
- Sustainability Statement;
- Design and Access Statement;
- Transport Statement;
- Noise Impact Assessment;
- Ecological Appraisal;
- Great Crested Newt Survey;
- Breeding Bird Survey;
- Hedgerow Survey;
- Water Vole Survey;
- Bat Activity Survey; and
- Walkover Botanical Survey.

6.32 These technical reports informed the production of a masterplan to guide the development of the Site. It is considered that this process represents good planning practice.

6.33 As a result, the masterplan led design proposals for the development of ST9 sought to create the following: -

- A development which will be a natural extension to the main urban area of Haxby, responding sympathetically to the unique character of the area;
- Provide a development at a scale which can be accommodated by the landscape setting;
- Preserving important natural features of the Site including mature hedgerows and trees, watercourses and ponds;
- Retaining the historic character of the area by integrating the housing layout within the existing field pattern of the Site;
- Provide a legible layout of roads and buildings which incorporate distinctive elements and characteristics of the area, including wide grass verges, greens and ponds;
- Provide for a new primary school and local community facilities;
- Enhance the amenity value of the Site with new planting and the creation of accessible open space connected with new pedestrian routes; and
- Provide a scheme of sustainable urban drainage, creating new wetland areas, designed to provide opportunities for nature conservation as well as improving the amenity value of the Site.

6.34 The masterplan prepared by the Developers is attached at **Appendix 2**.

6.35 The Developers support the master planning approach to the development of ST9.

### Soundness

6.36 It is considered that the requirement to produce a masterplan is sound and is good planning practice.

### Modification

6.37 No modification required.

### Housing Mix

6.38 Criterion ii) of policy SS11 indicates that a sustainable housing mix should be delivered on the Site in accordance with the Council's most up to date Strategic Housing Market Assessment. We agree that this statement is sound. However, criterion ii) goes beyond this and indicates that ST9 should address the local need for smaller family homes and bungalows/sheltered housing. We object to this requirement for a number of reasons: -

- The criterion implies that the Site should only provide smaller family homes and bungalows/sheltered housing. This is unreasonable as it will not provide a mixed and balanced community;
- The SHMA indicates that a range and choice of housing and tenure types are required to meet the needs of the District. Whilst we accept that there is a particular need for smaller family homes this does not mean that there is no need for large family homes;
- ST9 is a large allocation which will deliver homes throughout the plan period. The Site will therefore be delivering houses for a considered period of time. The housing needs of the District may well change over time and it is therefore considered inappropriate to stipulate a particular housing mix at this stage; and
- The table attached at **Appendix 3** demonstrates that the Council have requested different housing mixes for the ST sites in the draft Local Plan. This is not explained or justified. However, what is clear is that for most of the sites, even the large new garden villages known as ST14 and ST15, the Council only require a mix in accordance with the Council's most up to date Strategic Housing Market Assessment and affordable housing policy. Indeed, it is only on ST9 and ST33 that the Council require a specific type of housing.

6.39 For the above reasons this criterion is considered unsound.

### Soundness

- 6.40 It is considered that criterion ii) is **unsound** in that the criterion is not justified, it has not been positively prepared and it will not be effective in delivering a balanced mix of housing and as such it is considered to be inconsistent with national policy.

### **Modification**

- 6.41 Criterion ii) should read as follows: -

*“Deliver a sustainable housing mix in accordance with the Council’s most up to date Strategic Housing Market Assessment and affordable housing policy.”*

### **Open Space**

- 6.42 Criterion iii) indicates that the proposed development of the Site should lead to the creation of new open space to the south of the Site (as shown on the proposals map) to reflect the needs of the Haxby and Wigginton ward including formal pitch provisions, informal amenity greenspace, play provision, cemeteries and allotments.
- 6.43 The Developers support the need to properly assess the open space needs of the area and that this should be done in liaison with the Council, Haxby Town Council and Wigginton Parish Council, the neighbourhood plan group and local residents.
- 6.44 The Developers also welcome the fact that the Local Plan no longer requires a specific quantum of open space as this should properly be informed by the above process.
- 6.45 The Developers note that policy GI6 states that the identified areas of proposed new open space are indicative which we support. However, whilst policy GI6 indicates that areas of proposed new open space are indicative the text to policy SS11 and the proposals map suggests otherwise.
- 6.46 The Developers note that criterion iii) and the proposals map still shows a single large area of strategic open space to the south of the Site. The Developers maintain their concern that such a specific locational requirement could prejudice the ability to provide for the other planning objectives mentioned in policy SS11 and a properly considered layout.
- 6.47 In their representation to the Preferred Sites Consultation the Developers previously noted a number of concerns regarding the location of the strategic open space. The Developers consider these concerns remain valid. Their concerns were as follows: -
- The previous masterplan aimed to locate key areas of strategic open space to outer edges, helping to reduce built form to the northern edges and sought to provide a better link towards the open landscape character of the countryside beyond the Site. This helped to create a strong landscape buffer along the northern edge to filter views of the development and provided opportunities to improve local views of the urban edge through new landscape proposals and reduce visual prominence of development. The result of identifying all of the strategic open

space to the south of the Site would mean pushing development further north and make it more difficult to create a buffer between the urban edge and the open countryside.

- The proposals previously used the southern areas of the Site to reflect some of the existing urban grain. This enabled the masterplan to begin to break down the density and height of buildings towards the northern boundary.
- The previous masterplan for the development of the Site proposed to locate the strategic open space in the large fields towards the north of the Site. The existing constraints in the southern part of the Site provided through the intimate and small-scale field structure, the existing hedgerows, the majority of which were proposed to be retained, would provide constraints to the location of larger strategic open space typologies such as sport facilities. It is anticipated that loss of hedgerows and possibly mature trees, beyond any already indicated for removal, would be required to accommodate formal sports provision.
- Existing local residents may object to the location of a football pitch close to their properties.
- It was proposed to retain the historic field pattern, hedgerow and hedgerow trees and drainage system on the Site within a series of open spaces. However, policy SS11 clearly suggests that the open space for ST9 should be provided in the southern part of the Site. In order to achieve the delivery of 735 dwellings on the northern part of the Site it is likely that this will require the removal of some of the historic field pattern, hedgerows and hedgerow trees and possibly the culverting of some of the existing drainage channels.
- The creation of a single large area of strategic open space on the southern boundary is not necessarily the best location for all of the typologies of particular outdoor sports facilities. Outdoor sports facilities need to be accessible to the residents of the development and the wider community. This should be properly assessed.
- To ensure that good urban design principles are adhered to, it should be recognised that key strategic open space can also be achieved through the creation of green corridors, incidental green open spaces, naturalistic landscape buffers, SUDs etc. Such features should form part of a scheme of this scale. The previous masterplan of the Site sought the integration of all of these forms of open space as part of well-considered development. However, the creation of a single large area of strategic open space would suggest that such open spaces will be limited within the development itself and this could produce a poor scheme; and
- The single large area proposed in policy SS11, rather than creating multiple areas of accessible open space, could result in a barrier separating the existing community from the proposed development. The single large area of strategic open space could therefore be contrary to good planning practice.

6.48 The Developers feel that the open space to be provided on the Site should be determined through the master planning process, which the Developers fully support, and which can determine the optimum location for such spaces.

6.49 The Developers have however tried to show how the policy's objectives of SS11 can be met through the masterplan attached at **Appendix 2**.

## Soundness

- 6.50 The Developers accept that proper provision should be made for the open space needs of the development but consider that this should be done as part of the preparation of a master plan to be agreed with the LPA in liaison with Haxby Town Council and Wigginton Parish Council, the neighbourhood plan group and local residents. It is therefore considered that criterion iii) is potentially **unsound** as it prejudices and pre-determines the location of the on-site open space.

## Modification

- 6.51 As such, the Developers suggest that criterion iii) should read as follows: -

*“the proposed development of the Site should lead to the creation of new on site open space to reflect the needs of the Haxby and Wigginton ward including formal pitch provisions, informal amenity greenspace, play provision and allotments; the location of which is to be determined through the preparation and submission of a masterplan and in liaison with the Council, Haxby Town Council and Wigginton Parish Council, the neighbourhood plan group and local residents.”*

## New Local Facilities

- 6.52 Criterion iv) requires the creation of new local facilities to meet the future needs of the development. We accept that such provision is necessary in relation to the sustainable garden village proposals which included ST14 and ST15 as these are new settlements isolated from existing urban areas and the facilities within them. However, ST9 is a sustainable urban extension to a highly sustainable settlement.
- 6.53 It is envisaged that the development of ST9 will be permeable and well-integrated with the existing urban area of Haxby meaning that the existing and extensive facilities in the centre of Haxby will be accessible to the occupants of the proposed development.
- 6.54 Although superseded by the NPPF, walking advice with PPG13, which still remains relevant, outlines that walking is the most important mode of transport at the local level and offers the greatest potential to replace short car trips, particularly under 2 km. The table below show the services and facilities accessible to the Site.

Trip Attractor	Suggested Walking Route(s)*	Approx Walking Distance^
<b>Schools</b>		
Ralph Butterfield Primary School	Oaken Grove – Usher Lane – Station Road	750m – 1.25km
Wigginton Primary School	Oaken Grove – Moor Lane – The Village – Westfield Lane	1.2km – 1.7km
Headlands Community Primary School	Oaken Grove – Usher Lane – Station Road – York Road – Holly Tree Lane – Oak Tree Lane	1.5km – 2km
<b>Town centre shopping/employment/leisure area (including: food retail outlets, banks, post office, newsagent, public houses, cafe, take-aways, hairdressers, estate agent, butchers, bakery, cafes, independent food and non-food shops)</b>		
The majority of the above facilities and amenities are located at different points along The Village and can be accessed from various routes (depending on the ultimate destination).		800m – 1.3km
<b>Health</b>		
Haxby and Wigginton Health Centre	Oaken Grove – Moor Lane – The Village	600m – 1.1km
North Yorkshire Dental Care	Oaken Grove – Moor Lane – The Village	600m – 1.1km
WS Inness Dental Practice	Oaken Grove – Reid Park – North Lane – The Village	900m – 1.4km
Mr K Lofthouse & Associated Dental Practice	Oaken Grove – Moor Lane – The Village – Mill Lane	1.3km – 1.8km
<b>Recreation</b>		
Wigginton Recreation Hall	Oaken Grove – Moor Lane – The Village	600m – 1.1km
Oaken Grove Community Centre	Oaken Grove – Reid Park	400m – 900m
Haxby Community Library	Oaken Grove – Usher Lane – Station Road	750m – 1.25km
Haxby Memorial Hall	Oaken Grove – Usher Lane – The Village	800m – 1.3km
Wigginton Squash & Social Club	Oaken Grove – Moor Lane – The Village – Mill Lane	1.5km – 2km
Ethel Ward Playing Field	Oaken Grove – Usher Lane – Station Road – York Road	850m – 1.35km

6.55 The main services and facilities within Haxby are only 800-900m walk from the Site. It is therefore questionable whether new services and facilities are needed or even desirable as these will compete and draw trade away from services and facilities in the existing centre.

## Soundness

6.56 The Developers do not rule out the provision of additional services and facilities within the proposed development but question whether they are justified given the close proximity of accessible existing services and facilities. Further the Developers question the viable and impact of such development.

## Modification

6.57 As such, the Developers suggest that criterion iv) should read as follows: -

*“The creation range of shops, services and facilities to meet the needs of future occupiers of the development should be explored with the Council, Haxby Town Council and Wigginton Parish Council, the neighbourhood plan group and local residents.”*

### **Access**

- 6.58 Criterion ix) indicates that access should be provided from Moor Lane to the west of the Site, with appropriate improvements to the junction with the Village and secondary access from Usher Lane to the east, with associated improvements to the junction with Station Road.
- 6.59 A Transport Assessment has been prepared on behalf of the Developers and this has previously been submitted to the Council. The Transport Assessment does not suggest that the Usher Lane access should only be a secondary access. It confirms that a primary access is acceptable onto Usher Lane if improvements are made to the Usher Lane/Station Road junction. Therefore, with sufficient mitigation at the junction both the primary access and two secondary accesses proposed onto Usher Lane, as shown on the Masterplan, can be accommodated.
- 6.60 We therefore do not understand why Criterion ix) suggests that the Proposed Development should seek to minimise the number of trips using the Usher Lane/Station Road junction. There is no justification provided by the Council for this and we have demonstrated within the previously submitted Transport Assessment that a primary access can be taken from both Moor Lane and Usher Lane. We therefore request that this reference is removed from the policy.
- 6.61 Further, there is no justification provided by the Council that alternative access should be explored or indeed whether this is possible. Again, we request that this reference is removed from the policy.

### **Soundness**

- 6.62 It is considered that criterion ix) is **unsound** in that the requirement to provided primary access from Moor Lane and secondary access from Usher Lane is not justified and in this regard policy SS11 has not been positively prepared and it will not be effective in maximising the delivery of housing and as such it is considered to be inconsistent with national policy.

### **Modification**

- 6.63 As such, the Developers suggest that criterion ix) should read as follows: -

*“Provide highway access via Moor Lane to the west, connecting with the B1363 Wigginton Road, and access via Usher Lane to the East. Improvements would be required both to the junction of Moor Lane with The Village and Usher Lane/Station Road to improve safety and visibility.*

### **Policy GI6 – New Open Space Provision**

- 6.64 Policy GI6 relates to the provision of new open space. It states that indicative new significant areas of open space have been identified in connection with the following strategic sites, as shown on the proposals map. One of these sites is ST9. The Developers welcome the word indicative and

- support the inclusion of this word in the policy as it would not be sensible to fix the precise area for new open space provision at the plan making stage.
- 6.65 Policy GI6 refers to the creation of new recreation and sports provision to the south of ST9. The Local Plan refers to this area as OS9.
- 6.66 As referred to above, the Developers support the allocation of ST9 and the need for policy SS11 in general terms and the need for the policy to refer to open space provision. However, the Developers are concerned about the requirement to provide a large area of strategic open space to the south of the Site and that this area is fixed through policy GI6 and by the identification of land under OS9. The Developers do not object to providing open space on the Site and the southern part of the Site might end up being the most appropriate location but the Developers feel that this should be determined by the master planning process which would take into account all of the factors relevant to the provision of open space and housing.
- 6.67 Further, and potentially more significantly, policy GI6 indicates that these new open spaces will be complemented by further on-site provision of local green and open space (as required in this and other relevant sections of the plan), and both should be planned cohesively in order, where appropriate, to:
- manage impacts on the city's historic character and setting;
  - mitigate and compensate for ecological impacts, and provide for ecological enhancement;
  - meet open space requirements arising from new development;
  - accommodate drainage infrastructure, flood storage and attenuation;
  - retain and enhance landscape and heritage features; and
  - frame pedestrian and cycle linkage.
- 6.68 Policy GI6 appears to be the principle policy for the provision of open space. However, it seems to conflict with criterion iii) of SS11 which appears to provide for all open space within the southern part of the Site.
- 6.69 It is difficult to see how the provision of further on-site open space can be required. If the Local Plan is suggesting that the development of ST9 should provide the open space identified as OS9 as well as other open space as required by GI6 then this could have material consequences.
- 6.70 In the Local Plan ST9 is 35ha in size and the allocation identified as OS9 is about 9ha in size. This gives a residual area of land of 26ha for the development of housing. If additional open space, other than incidental areas of amenity space, need to be provided within the allocation then this questions the estimated yield from the Site particularly as there is a need to retain historic field patterns, trees, drainage ditches and potentially provide community facilities and a primary school.
- 6.71 9ha of open space would on its own be equivalent to 122sqm of open space per dwelling if the assumed yield from the Site of 735 dwellings can be delivered. This is a significant quantum of open space.



## Soundness

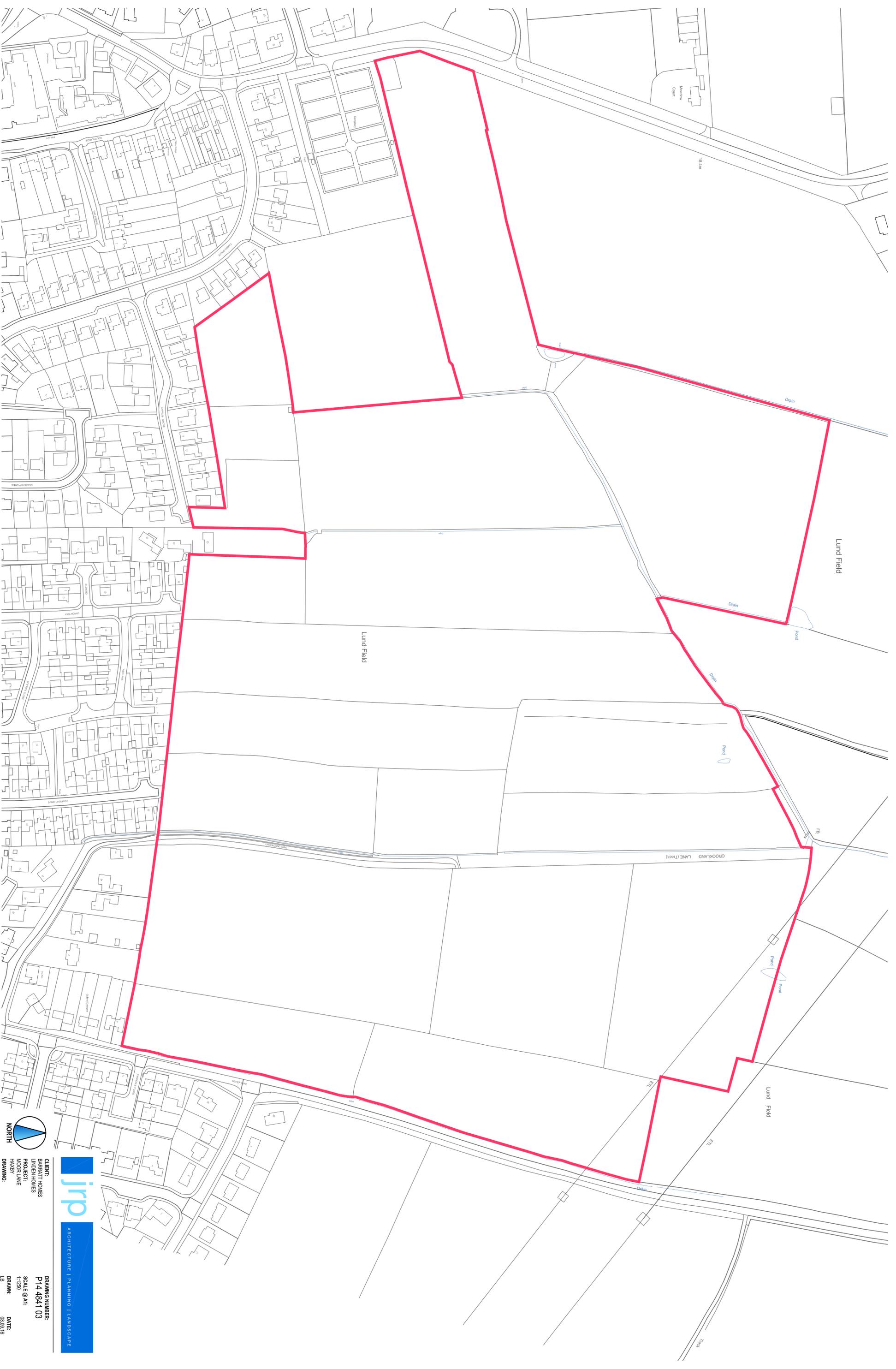
- 6.72 It is considered that the development of 735 dwellings would justify the provision of an extensive area of open space and that this open space would not just benefit the residents on the allocation but also the wider community. The Developers do not object to the provision of open space on ST9.
- 6.73 However, the Developers request a meeting with the Council to discuss the implications of policy G16 and the relationship of OS9 to the delivery of ST9 and the capacity assessment undertaken. The Developers therefore reserve the right to question the soundness of policy G16.

## Modification

No modifications are suggested to policy G16 at this stage but the Developers reserve the right to do so when the inter relation of the site-specific policies and policy G16 are understood.

## Appendix 1 – Site Location Plan

# 03 / LOCATION PLAN



CLIENT: BARRETT HOMES  
PROJECT: LINDEN HOMES  
MOOR LANE  
DRAWING: HANBY  
LOCATION PLAN

DRAWING NUMBER: P14 4841 03  
SCALE @ A1: 1:1250  
DATE: 06/08/16  
CHECKED: IB  
DATE:

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## Appendix 2 – Revised Masterplan



CLIENT:	BARRATT HOMES & LINDEN HOMES	DRAWING NUMBER:	P14 4841 02
PROJECT:	DRAFT ALLOCATION ST9, HAXBY	SCALE @ A2:	1:2500
DRAWING:	INDICATIVE MASTERPLAN	DRAWN:	LB
		CHECKED:	VS
		DATE:	06.09.16
		DATE:	06.09.16



# INDICATIVE MASTERPLAN

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## Appendix 3 – Comparison of Housing Mix Requirement within ST Policies

Site	Housing Mix Criteria
ST1	Create a sustainable balanced community with an appropriate mix of housing informed by the Council's Strategic Housing Market Assessment.
ST2	Create a sustainable balanced community with an appropriate mix of housing informed by the Council's Strategic Housing Market Assessment.
ST4	Deliver a sustainable housing mix in accordance with the Council's Strategic Housing Market Assessment.
ST5	Create a sustainable new community with a range of housing types and tenures. To reflect the site's location, high density development may be appropriate.
ST7	Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment and affordable housing policy.
ST8	Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment.
ST9	Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment and affordable housing policy, addressing local need for smaller family homes and bungalows/sheltered housing.
ST14	Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment and affordable housing policy.
ST15	Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment and affordable housing policy.
ST16	N/a
ST17	Provide a mix of housing in line with the Council's most up to date Strategic Housing Market Assessment.
ST31	Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment.
ST32	N/a
ST33	Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment and affordable housing policy, addressing local need for smaller family homes and bungalows/sheltered housing.
ST35	Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment.

## Appendix 4 – Density Table

# Housing Density Table

Site	Publication Draft (2014)			Preferred Sites Consultation (2016)			Change in Density (%)	Pre-Publication Draft [Reg 18] (2017)			Change in Density (%)	Publication Draft [Reg 19] (2018)			Change in Density (%)
	Site Size (ha)	Estimated Yield	Density	Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density	
H1	3.54	283	80	3.54	336	95	+19%	2.87	271	94	-1%	2.87	271	94	0
								0.67	65	97	+2%	0.67	65	97	0
H2A	2.33	98	42	Deleted				Deleted				Deleted			
H2B	0.44	18	41	Deleted				Deleted				Deleted			
H3	2.7	25	9	3.9	81	21	+133%	1.9	72	38	+81%	1.9	72	38	0
H4	2.56	157	60	Deleted				Deleted				Deleted			
H5	2.24	72	32	3.64	137	38	+19%	3.64	162	45	+18%	3.64	162	45	0
H6	1.53	49	32	Deleted				1.53	Specialist Housing use class C3b – supported housing			1.53	Specialist Housing use class C3b – supported housing		
H7	1.72	73	42	1.72	86	50	+19%	1.72	86	50	0	1.72	86	50	0
H8	1.57	50	32	1.57	60	38	+19%	1.57	60	38	0	1.57	60	38	0
H9	1.3	42	32	Deleted				Deleted				Deleted			
H10	0.78	187	240	0.96	Deleted	195	-19%	0.96	187	195	0	0.96	187	195	0
H11	0.78	33	42	Deleted				Deleted				Deleted			
H12	0.77	33	43	Deleted				Deleted				Deleted			
H13	1.30	55	42	Deleted				Deleted				Deleted			
H14	0.55	220	400	Deleted				Deleted				Deleted			

Housing



Site	Publication Draft (2014)			Preferred Sites Consultation (2016)			Change in Density (%)	Pre-Publication Draft [Reg 18] (2017)			Change in Density (%)	Publication Draft [Reg 19] (2018)			Change in Density (%)
	Site Size (ha)	Estimated Yield	Density	Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density	
H15	0.48	27	56	Deleted				Deleted				Deleted			
H16	1.76	57	32	Deleted				Deleted				Deleted			
H17	0.80	37	46	Deleted				Deleted				Deleted			
H18	0.39	13	33	Deleted				Deleted				Deleted			
H19	0.36	16	44	Deleted				Deleted				Deleted			
H20	0.33	15	45	0.33	17	52	+16%	0.33	56	170	+8%	0.33	56	170	0
H21	0.29	11	38	0.29	12	41	+8%	Deleted				Deleted			
H22	0.29	13	45	0.29	15	52	+16%	0.29	15	52	0	0.29	15	52	0
H23	0.25	11	44	Deleted				0.25	11	44	-	0.25	11	44	0
H25	0.22	20	90	Deleted				Deleted				Deleted			
H26	4.05	114	28	Deleted				Deleted				Deleted			
H27	4.00	102	25.5	Deleted				Deleted				Deleted			
H28	3.15	88	28	Deleted				Deleted				Deleted			
H29	2.65	74	28	2.65	88	33	+18%	2.65	88	33	0	2.65	88	33	0
H30	2.53	71	28	Deleted				Deleted				Deleted			
H31	2.51	70	28	2.51	84	34	+21%	2.51	76	30	-12%	2.51	76	30	0
H32	2.22	47	21	Deleted				Deleted				Deleted			

Housing



Site	Publication Draft (2014)			Preferred Sites Consultation (2016)			Change in Density (%)	Pre-Publication Draft [Reg 18] (2017)			Change in Density (%)	Publication Draft [Reg 19] (2018)			Change in Density (%)
	Site Size (ha)	Estimated Yield	Density	Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density	
H33	1.66	46	28	Deleted				Deleted				Deleted			
H34	1.74	49	28	Deleted				Deleted				Deleted			
H35	1.59	44	28	Deleted				Deleted				Deleted			
H37	3.47	34	10	Deleted				Deleted				Deleted			
H38	0.99	28	28	0.99	33	33	+18%	0.99	33	33	0	0.99	33	33	0
H39	0.92	29	32	0.92	32	35	+9%	0.92	32	35	0	0.92	32	35	0
H40	0.82	26	32	Deleted				Deleted				Deleted			
H43	0.25	8	32	0.25	12	48	+50%	Deleted				Deleted			
H46	4.16	118	28	2.74	104	38	+36%	2.74	104	38	0	2.74	104	38	0
H47	1.11	37	33	Deleted				Deleted				Deleted			
H48	0.42	15	36	Deleted				Deleted				Deleted			
H49	3.89	108	30	Deleted				Deleted				Deleted			
H50	2.92	70	24	Deleted				Deleted				Deleted			
H51	0.23	10	43	0.23	12	52	+21%	Deleted				Deleted			
H52	n/a			0.2	10	50	-	0.2	15	75	+50%	0.2	15	75	0
H53	n/a			0.33	11	33	-	0.33	4	12	-64%	0.33	4	12	0
H54	n/a			1.3	46	35	-	Deleted				Deleted			

Housing



Site	Publication Draft (2014)			Preferred Sites Consultation (2016)			Change in Density (%)	Pre-Publication Draft [Reg 18] (2017)			Change in Density (%)	Publication Draft [Reg 19] (2018)			Change in Density (%)
	Site Size (ha)	Estimated Yield	Density	Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density	
H55	n/a			0.2	20	100	-	0.2	20	100	0	0.2	20	100	0
H56	n/a			4	190	48	-	4	70	18	-63%	4	70	18	0
H57	n/a			2.8	93	33	-	<i>Deleted</i>			<i>Deleted</i>				
H58	n/a			n/a				0.7	25	36	-	0.7	25	36	0
H59	n/a			n/a				1.34	45	34	-	1.34	45	34	0
ST1	40.70	1140	28	40.7	1140	28	0	46.3	1,200	26	-7%	46.3	1,200	26	0
ST2	10.43	289	28	10.4	292	28	0	10.4	266	26	-7%	10.4	266	26	0
ST3	7.80	197	25	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST4	7.54	230	30.5	7.54	211	28	-8%	7.54	211	28	0	7.54	211	28	0
ST5	10.55	410	38.9	35	1250	36	-7%	35	845	24	-33%	35	1,700	49	+101%
ST7	113.28	1800	16	34.5	805	23	+44%	34.5	845	24	+4%	34.5	845	24	0
ST8	52.28	1400	27	39.5	875	22	-18%	39.5	968	24	+9%	39.5	968	24	0
ST9	33.48	747	22	35	735	21	-5%	35	735	21	0	35	735	21	0
ST11	13.76	400	29	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST12	20.08	421	21	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST13	5.61	125	22	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST14	157.09	2800	18	55	1348	25	+36%	55	1348	25	0	55	1348	25	0

Housing



Site	Publication Draft (2014)			Preferred Sites Consultation (2016)			Change in Density (%)	Pre-Publication Draft [Reg 18] (2017)			Change in Density (%)	Publication Draft [Reg 19] (2018)			Change in Density (%)
	Site Size (ha)	Estimated Yield	Density	Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density	
ST15/ST34)	392.58	4680	12	159	3339	21	+75%	159	3339	21	0	159	3339	21	0
ST16	10.23	395	39	2.04	89	44	+156%	2.18	Phase 1: 22	10	+16%	2.18	Phase 1: 22	10	0
ST16	10.23	175	17						Phase 2: 33	15			Phase 2: 33	15	
									Phase 3: 56	26			Phase 3: 56	26	
ST17 (N)	7.16	315	44	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST17 (S)		130	18	6.8	315	46	+5%	2.35	Phase 1: 263	112	+422%	2.35	Phase 1: 263	112	0
							4.7	Phase 2: 600	128	4.7		Phase 2: 600	128		
ST22	34.59	655	19	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST23 (P 2)	21.91	117	5	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST23 (P 3&4)		342	16	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST24	10.32	10	1	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST28	5.09	87	17	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST29	5.75	135	24	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			

Housing



Site	Publication Draft (2014)			Preferred Sites Consultation (2016)			Change in Density (%)	Pre-Publication Draft [Reg 18] (2017)			Change in Density (%)	Publication Draft [Reg 19] (2018)			Change in Density (%)
	Site Size (ha)	Estimated Yield	Density	Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density	
ST30	5.92	165	28	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST31	n/a			8.1	170	21	-	8.1	158	20	-5%	8.1	158	20	0
ST32	n/a			4.8	305	64	-	2.17	328	151	+136%	2.17	328	151	0
ST33 (H45)	n/a			6	147	25	-	6	147	25	0	6	147	25	0
ST35	n/a			n/a				28.8	578	20	-	28.8	500	17	-14%
ST36	n/a			n/a				18	769	43	-	18	769	43	0

**From:** Audrey Gould [a.gould@crombiewilkinson.co.uk] on behalf of Richard Watson [r.watson@crombiewilkinson.co.uk]  
**Sent:** 04 April 2018 11:46  
**To:** localplan@york.gov.uk  
**Subject:** City of York Local Plan Publication Draft 2018 Consultation response form 21 Feb - 4 Apr 2018  
**Attachments:** City of York Local Plan Publication Draft 2018.pdf

See Form attached.

RICHARD WATSON | Director and Head of Private Client Team | [r.watson@crombiewilkinson.co.uk](mailto:r.watson@crombiewilkinson.co.uk)

For and on behalf of Crombie Wilkinson Solicitors LLP | 19 Clifford Street YORK YO1 9RJ | DX: 61501 YORK  
Tel: 01904 624185 | Fax: 01904 623078 | Web: [www.crombiewilkinson.co.uk](http://www.crombiewilkinson.co.uk)



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# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MR	
First Name	RICHARD	
Last Name	WATSON	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing, a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting, signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York

# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)

## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

### What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?  
Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared  Justified   
Effective  Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

- ① Site ST 9 / Policy SS11 / Page 50  
The site fails because of the totally inadequate road network connectivity.
- ② Site ST 14 / Policy SS12 / Page 52  
The site is far too small and should be enlarged and developed on 'garden' village principles. It should accommodate the allocation from ST 9 (above).
- ③ Site ST 15 / Policy SS13 / Page 54  
The site is too small to be commercially viable. It cannot properly support a community created on 'garden' village principles.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

- ① Delete the allocation to site ST9 under Policy SS11 and reallocate it to Site ST14.
- ② Increase the allocation at Site ST14 to make it a more viable 'Garden' village development with connectivity to the A1237, a new Park + Ride to the South of the A1237 and a new rail halt adjoining.
- ③ Increase the allocation at ST15 to 12,000 to be a significantly self-sufficient 'Garden' village. Provide road connectivity to Gmston Bar roundabout.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



Yes, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

### Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law. The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

### Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

### Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on 01904 554145

Signature



Date

3rd April 2018

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

**From:** jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 04 April 2018 12:20  
**To:** localplan@york.gov.uk  
**Subject:** A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

## Submission details

Web ref: 105142

Date submitted: 04/04/2018

Time submitted: 12:20:24

---

Thank you for submitting your Local Plan Publication Draft response form (ref: 105142, on 04/04/2018 at 12:20:24) to City of York Council.

The following is a copy of the details you included.

---

## About your comments

**Whose views on the Local Plan publication draft do your comments represent?** Own comments

---

## About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

**Title:** Mr

**Forename:** Christopher

**Surname:** Cook

**Name of the organisation/individual/group you're representing:**

Address (building name/number and street): [REDACTED]

Address (area):

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

---

## What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

**Which document do your comments relate to?** Local Plan Publication Draft

---

## Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

**Do you consider the document is legally compliant?** No, I do not consider the document to be legally compliant

**Do you consider the document to comply with the Duty to Cooperate?** NoCompliestoDuty

**Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:**

My concerns relate to the proposed new visitor centre proposed for Clifford's Tower York. I am concerned by the fact that the Local Plan has already appropriated the piece of land where the Visitor Centre is due to be built. It was designated as Open Space and the Council by law are not allowed to appropriate such land without following due process and advertising that they are disposing of this land. "Local Government Act 1972 Section 123 (2A)". This should not be done until after the appeal against the planning approval and after the period of advertising to allow people to object.

---

## Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to

explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

**Do you consider the document to be 'sound'?** No, I do not consider the document to be sound

**Please indicate which of four 'tests of soundness' relate to your answer:**

[Response - SoundnessYES] not positively prepared,not consistent with national policy

**Please give reasons for your answer(s):**

See my previous answer

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** Clifford's Tower

---

## Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**I suggest the following change(s) to make the Local Plan legally compliant or 'sound':**

The piece of land now proposed as the new Visitor Centre should remain designated as Open Space.

**If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?** No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

**If you wish to participate at the hearing sessions, please state why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

---

**From:** Jennifer Longstaff [jennifer.longstaff@savills.com]  
**Sent:** 04 April 2018 12:14  
**To:** localplan@york.gov.uk  
**Subject:** Local Plan - Publication Draft Local Plan (February 2018) - York Diocesan Board of Finance Limited and The York and Ainsty Hunt - Joint Submission  
**Attachments:** Appendix 1.pdf; Appendix 2.pdf; Appendix 3..pdf; Public reports pack 25th-Jan-2018 17.30 Executive compressed.pdf; YDBF\_YAH\_PolicySS1.pdf; YDBF\_YAH\_PolicySS2.pdf; YDBF\_YAH\_PolicyH1.pdf

Dear Sirs,

We write to you on behalf of our clients, the York Diocesan Board of Finance Limited and The York and Ainsty Hunt – a Joint Submission - in response to the Publication Draft Regulation 19 Consultation.

Our clients would like to work closely and in partnership with the Council to support and help deliver sustainable development in York. We would be pleased if the attached comments are taken into account during the preparation of the Local Plan and we would ask that we are kept informed of all future consultations during the Plan process.

In the meantime, we would be most grateful if you could acknowledge receipt of this email and its attachments and, if you have any queries with regard to this submission, please do not hesitate to contact me.

Kind regards

**Jennifer Longstaff BA (Hons), MSc, MRTPI**  
**Associate Director**  
**Rural, Energy & Projects - Head of Planning (Darlington)**

26 Coniscliffe Road, Darlington, DL3 7JX

 Tel :+44 (0) 1325 370 516  
 Mobile :+44 (0) 7917 616 048  
 Email :[jennifer.longstaff@savills.com](mailto:jennifer.longstaff@savills.com)  
 Website :[www.savills.co.uk](http://www.savills.co.uk)

 Before printing, think about the environment



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Ref: A088531/ NRB

Date: 14<sup>th</sup> July 2014

Mr R Murphy

**Smiths Gore**

26 Coniscliffe Road

Darlington

DL3 7JX

Dear Robert

## Land South of Foxwood Lane, Acomb, York - Access Appraisal

Further to your instructions of last week I write with my views on the potential to access the land identified in the City of York Local Development Framework Submission Draft Core Strategy for Residential Development as Site 792, located to the south of Foxwood Lane, and Figure 1 attached shows the location of the site. I understand the site can accommodate around 120 homes.

### Local Transportation Networks

The development site is agricultural land and is bounded to the north by Foxwood Lane, to the east and south by agricultural fields and to the west by Askham Lane. Foxwood Lane runs in a general west to east direction from its roundabout junction with Askham Lane to its roundabout junction with Thanet Road. From Thanet Road, Tadcaster Road provides a direct route to York City Centre. In the vicinity of the site, Foxwood Lane has a carriageway width of some 7.5m with footway along the development site frontage running for the full extent of the route and footway along the north side of Foxwood Lane between Forester's Walk and Thanet Road. There are no waiting restrictions on Foxwood Lane but traffic calming features are present in the form of speed cushions. Foxwood Lane is subject to a 30mph speed limit.

Askham Lane runs from the A1237 York Bypass to Front Street and Gale Street. Askham Lane is approximately 6.9m wide in the vicinity of the development site. To the north of the Foxwood Lane junction Askham Road is developed on the east side with footways on both sides of the road, traffic calming and a 30mph speed limit. To the south of Foxwood Road it is undeveloped, without footways and has a 40mph speed limit.

Askham Lane provides a direct route for residents of Acomb and Foxwood to the A1237 York Bypass for connections northwards to north York, the A1(N) and Harrogate, and southwards to South & East York,

**creative minds** safe hands



A1(S) Tadcaster and Leeds via the A64. The A1237 carries a high volume of traffic and the A1237/ Askham Road/ Moor Lane roundabout is understood to experience some congestion in the morning and evening peak.

## Access

The development site would be served by a vehicle access from Foxwood Lane. The junction would take the form of a priority arrangement, providing a 5.5m wide carriageway direct into the site with footway along both sides.

Foxwood Lane is subject to a 30mph speed limit and it is expected that vehicle speeds will not significantly exceed the speed limit given the traffic calming along the route.

Drawing A088531/ C001 attached shows the proposed access junction and the MfS visibility splays which would be suitable to serve 120 homes. The proposed access junction can be delivered within adopted highway or land under the control of client.

## Accessibility

There are a number of schools and local facilities within an accessible walk of the development site. Westfield Primary Community School is located a kilometre to the north of the development site and can be reached within a 12-13 minute walk. York High School is accessible within a 15 minute walk from the proposed development. There is a Co-op food store and newsagents within a parade of shops on Foxwood Lane, which are approximately 600m away and can be reached within a 7-8 minute walk from the proposed development. There is a Tesco foodstore and a pub within a 12-13 minute walk to the south of the proposed development. Oaklands Sports Centre can be reached within a 15 minute walk from the development site. The average walking distance (DfT Walking Personal Travel Factsheet 2007) for all purposes is 0.7mile (1.12km), or a 14 minute walk. Therefore the local facilities are within a reasonable walking distance.

Much of York is within a 30 minute cycle ride of the site and there is a network of local routes which provide links to the city centre and other key destinations.

There are two bus stops located to the west of the proposed access and can be reached within a 2-3 minute walk from the centre of the development site and comprise shelters with timetable information. Regular and frequent services are available to/ from York City Centre at a 7-8 minute weekday frequency.



The site is accessible on foot or by bike to a range of useful local destinations, and there are public transport options available for journeys further afield.

### Traffic Impacts

The TRICS database has been used to derive suitable multi-modal trip generation rates for the development site. Vehicle trip rates for the AM and PM peak hours are shown below, and have been used to predict the traffic generated by 120 homes on site for the main modes of travel. TRICS output files can be provided on request.

### Selected Multi-Modal Rates and Predicted Generated Trips

Time Period	Arrivals		Departures	
	TRICS Rate	Trips	TRICS Rate	Trips
<b>Car Driver Trips</b>				
Weekday AM Peak Hour 08:00 to 09:00	0.152	18	0.420	50
Weekday PM Peak Hour 17:00 to 18:00	0.396	48	0.232	28
<b>Pedestrian Trips</b>				
Weekday AM Peak Hour 08:00 to 09:00	0.041	5	0.174	21
Weekday PM Peak Hour 17:00 to 18:00	0.067	8	0.051	6
<b>Cycle Trips</b>				
Weekday AM Peak Hour 08:00 to 09:00	0.006	1	0.017	2
Weekday PM Peak Hour 17:00 to 18:00	0.016	2	0.011	1
<b>Public Transport Trips</b>				
Weekday AM Peak Hour 08:00 to 09:00	0.007	1	0.022	3
Weekday PM Peak Hour 17:00 to 18:00	0.018	2	0.005	1

Trip rates are per dwelling

The site is anticipated to generate 68 additional vehicle movements in the AM peak hour and 76 additional vehicle movements in the PM peak hour. This traffic will be distributed via Askham Lane to the A1237 York Bypass and to Acomb, and via Foxwood Lane to Tadcaster Road. It is expected that the greatest proportion of traffic will be to/ from the A1237 York Bypass, but that the number of additional vehicles will be low, in the AM peak around 30 additional trips may add to the Askham Lane approach to the A1237 roundabout. During further planning stages the impact of the additional traffic on the local highway network will be assessed, but at this stage it is expected that some minor mitigation works may be needed at:

- The Askham Lane/ Foxwood Lane roundabout; if necessary these traffic impacts can be mitigated by roundabout improvements within developable land and public highway boundary.



- The Askham Lane/ Moor Lane/ A1237 roundabout; this is a sensitive junction, which experiences levels of congestion within the peak periods. The level of traffic expected to reach this junction is less than 30 trips on each approach and if necessary mitigation measures can be implemented within the public highway boundary.

The site is expected to generate 27 pedestrian movements in the AM peak hour. There is continuous footway from the development site to surrounding schools and facilities and no specific measures are required.

For a subsequent planning application a Transport Assessment will consider the transportation impacts in more detail.

## Summary

In response to the three key transportation issues to be considered as part of the process:

- 1) Access Suitable access arrangements for vehicles, pedestrians and cyclists can be provided at the development site, as indicated in Drawing A088531/ C001.
- 2) Accessibility The site is accessible on foot or by bike to a range of useful local destinations, and there are public transport options available for journeys further afield.
- 3) Traffic Impacts The site is expected to generate 68 motor vehicle trips in the AM peak hour and 76 in the PM peak hour. This level of additional traffic is not expected to result in any capacity problems but if necessary, mitigation measures can be delivered.

The development site satisfies the key transportation issues, and is suitable for allocation in the City of York Local Development Framework Submission Draft Core Strategy for residential development.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nick Bunn', with a long horizontal flourish extending to the right.

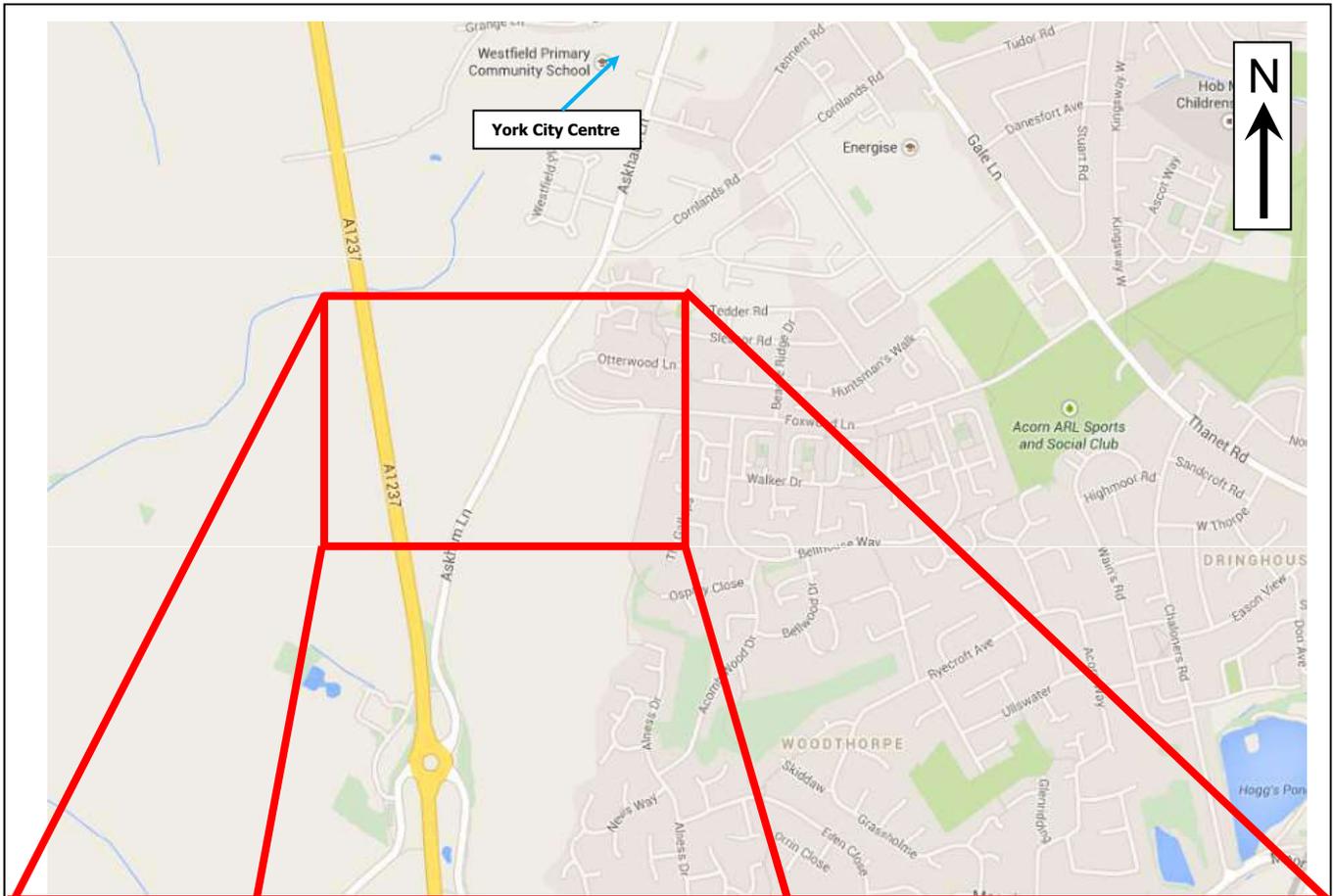
Dr Nick Bunn

**Director**

For and on behalf of WYG

Enc WYG Figure 1

Drawing A88531/ C001

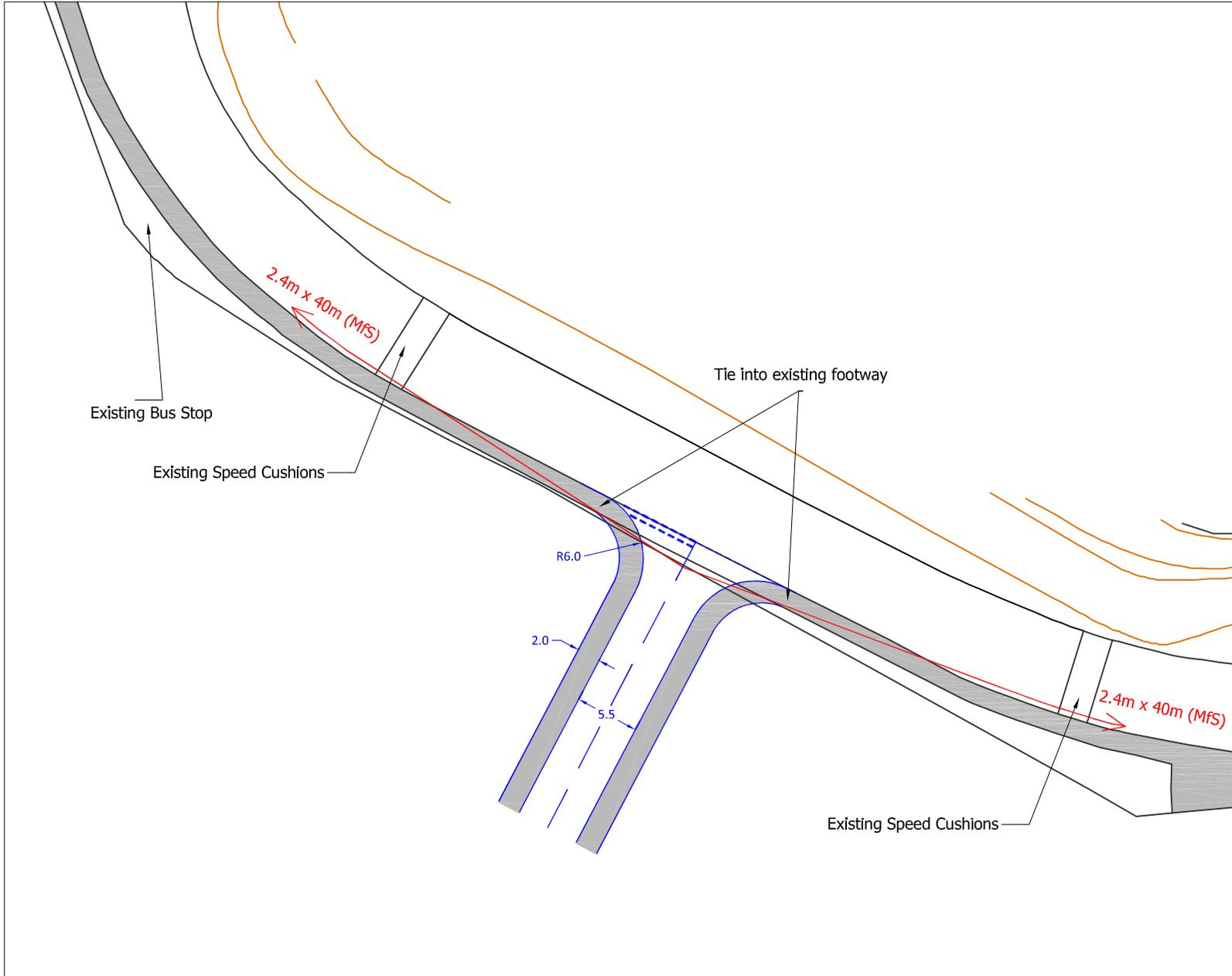


Land South of Foxwood Lane, Acomb, York

Site Location Plan

Figure 1





REV	DESCRIPTION	BY	CHK	APP	DATE
-----	-------------	----	-----	-----	------

Client:  
**BELLWAY HOMES (NORTH EAST) LTD**

2 St. JAMES GATE  
 NEWCASTLE UPON TYNE  
 TYNE & WEAR  
 NE1 4AD



TEL: +44 (0)191 255 7300  
 FAX: +44 (0)191 255 7301  
 e-mail: newcastle@wyg.com

Project:  
**LAND AT FOXWOOD LANE, ACOMB, YORK**

Drawing Title:  
**PROPOSED SITE ACCESS JUNCTION**

Scale @	A4	Drawn	Date	Checked	Date	Approved	Date
1:500		GW	14.07.14	AA	14.07.14	NB	14.07.14
Project No.	Office	Type	Drawing No.	Revision			
A088531	91	18	C001	-			

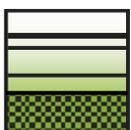


## **LANDSCAPE SCOPING REVIEW**

FOR

LAND OFF ASKHAM LANE, YORK

July 2014  
Rev A



**Wainwright**  
Landscape Architecture

6 Lindale Lane,  
Wrenthorpe,  
Wakefield,  
WF2 0PN.  
T. +44(0)1924 381256

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- Development Control Key Sheet
- Greenbelt Appraisal Map – South
- Extract from York City Council Online Mapping (POS, TPO's, PROW)
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- Extract from Historic Character and Setting Technical Paper, YCC, 2011
- Administrative Boundaries - Multi-Agency Geographic Information Countryside (MAGIC) Mapping
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- Statutory Designations (MAGIC)
- Other non-statutory designations (MAGIC)

## **1.0 Introduction**

Wainwright Landscape Architecture was commissioned by Smiths Gore in July 2014 to undertake a landscape scoping review for an area of land off Askham Lane near York.

This report aims to provide a summary of available site information in relation to landscape planning context, statutory landscape and heritage designations, views and visibility, landscape character. The report will review issues identified in the City of York Council's technical officer assessment for Historic Environment, Landscape and Design, and suggest how these could be mitigated should the site be developed.

A site visit was undertaken during July 2014 in order to review key views and general visibility of the site. A desk study collecting information on the physical, historical and cultural elements contributing to landscape character was collected from the following resources:

Cultural and natural environment information held on the government's geographic information MAGIC website, managed by Natural England.

National Landscape Character Area information and descriptions from Natural England;

North Yorkshire and York Landscape Characterisation Project, Chris Blandford Associates, May 2011;

York Landscape Appraisal, ECUS, 1996;

Ordnance Survey maps (1:25,000 Explorer Series);

North Yorkshire County Council Online Mapping and Aerial Photographs;

City of York Council Online Mapping and Document Archive;

Site 792 – Land South of Foxwood Lane, Acomb (City of York Council technical officer assessment).

## **2.0 Description of the site**

The site is located at Acomb Moor on the south west fringe of York near the settlements of Acomb and Woodthorpe, within the City of York Council planning area. To the west are Askham Lane and the A1237 and to the north is Fox Wood Lane.

Land to the west and south is low-lying arable farmland while to the north and east is urban settlement. The local topography is gently undulating and rises quickly from 20-30m AOD at 'Great Knoll', a low rounded hill to the south side of the site, with 'Gravel Hills' to the west side.

The site is approximately 4.5ha and comprises arable grazing land with mixed hawthorn and ash hedgerows on most sides. The site is located within the edge of draft Green Belt and several informal footpaths cross or connect close to the site.

### **3.0 Landscape Planning Context**

#### **Draft Green Belt**

The City of York Council is currently preparing a new Local Plan in line with the National Development Framework 2012. This will replace the 2005 Draft Local Plan.

The site is situated within draft Green Belt. The main purpose of the Green Belt around York is:

“to preserve the setting and the special character of the historic City. The most critical elements of the character are a series of green wedges (essentially the strays and floodplains), which run into the heart of the City from the surrounding areas of open countryside, and the relationship between the urban areas and the surrounding villages<sup>1</sup>.”

Work undertaken as part of the Green Belt Review<sup>2</sup> identified the most valuable parts of the Green Belt needed to protect York’s setting. This included areas which provide an impression of a historic city situated within a rural setting. The site is identified as Area F3 South and West of Woodthorpe, shown on Green Belt Appraisal Map - South as ‘Areas Retaining the Rural Setting of the City’<sup>3</sup>. These were identified as important for the following reasons:

- i) Open countryside visible from a prominent location enables views of the city, the historic character of which is particularly important.
- ii) Areas afforded either good views of the Minster or the urban edge comprised of a Conservation Area, the historic character of which is important to retain.”

As part of the LDF review, the Historic Character and Setting Technical Paper further consider the arable land immediately to the south of the site<sup>4</sup>. It’s potential to be removed from ‘Area Retaining the Rural Setting of York’ and use for residential development is rejected, recommending no change to historic character and setting boundary.

#### **Listed Buildings, TPO’s, PROW, POS, Other Designations**

One Tree Preservation Order (TPO3-G2) is located to the northern boundary of the site and includes an ash and two sycamore trees. There are no Listed Buildings, Public Rights of Way (PROW), Public Open Space or other planning designations directly affecting the site.

Several footpaths cross the site but these seem to have been established informally and are not listed as PROW. The site also appears to be used by local residents as informal open space, but has no formal designation.

---

<sup>1</sup> City of York Draft Local Plan Incorporating the 4<sup>th</sup> set of Changes, approved April 2005, chapter 5.

<sup>2</sup> City of York Local Plan. The Approach to the Green Belt Appraisal, City of York Council, 2003.

<sup>3</sup> Green Belt Appraisal Map – South, City of York Council, 2002.

<sup>4</sup> City of York LDF. Historic Character and Setting Technical Paper, City of York Council, 2011 (Site 11 Land East of Askham Lane).

### Key Issues

- The site is identified as an 'Area Retaining the Rural Setting of York'.
- Emphasis is placed on 'Open countryside visible from a prominent location enables views of the city'.
- TPO3-G2 is located on the northern site boundary.
- Several informal footpaths have been established across the site.
- The site is being used as informal open space.

## **4.0 Heritage and Archaeology**

### Site History

The City of York is included within the County historic landscape Characterisation project (HLC) and described as Planned Large Scale Parliamentary Enclosure, typically concentrated in lower areas often with a large degree of boundary loss due to changing farming practices<sup>5</sup>. Historical Ordnance Survey maps held on NYCC's HLC website indicates that 'York & Ainsty Kennels' once existed on the site<sup>6</sup>. This together with the naming of Fox Wood Lane suggests a possible association with the York and Ainsty Hunt which was extremely active in the area during the 1800's<sup>7</sup>.

### Key Issues

- The site may have some local historical significance due to possible connection with the York and Ainsty Hunt.
- The site has a precedent of being partly developed in the past.
- An archaeological desk study / investigation would usually be expected to support a planning application on a greenfield site.

## **5.0 Landscape and Design**

### Geology and Topography

The soils on the site are described as 'Loamy soils with Naturally High Groundwater'<sup>8</sup>. The underlying geology on the site is described as having 'Superficial Deposits of Sand and Gravel'<sup>9</sup>. This is also supported by the characteristic localised undulating topography at 'Great Knoll' to the south of the site and the naming of Gravel Hills to the west of the site.

### Trees and Vegetation

The site is mostly bounded by tall deciduous hawthorn hedgerows with some ash. Boundaries are open to the northeast side. There are very few mature trees on the site boundary.

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<sup>5</sup> North Yorkshire, York and Lower Tees Valley Landscape Characterisation, NYCC and Tess Archaeology, 2010 (ADS Website).

<sup>6</sup> Historical Landscape Character Mapping NYCC Online Version, 1889-99 & 1846-63.

<sup>7</sup> A History of the York and Ainsty Hunt, William Scarth Dixon, 1899.

<sup>8</sup> Soilscales, Cranfield Soil and Agrifood Institute, online mapping.

<sup>9</sup> Yorkshire and Humber Region Aggregate Minerals Resource Map, BGS / MIRO, 2008.

### Landscape Character

The area of the site is described as 'Character Type 28 - Vale Farmland with Plantation Woodland' within North Yorkshire's Landscape Character study<sup>10</sup>. The study describes Key Characteristics within the character type as:

- "A patchwork of low lying, predominantly arable fields, often delineated by a network of mature hedgerows and interspersed with patches of regular-shaped mixed and coniferous plantation woodlands;
- Large heathlands are key features on sandy soils;
- Distant visual containment is provided by higher Landscape Character Types to the east and west;
- Strong sense of openness throughout much of this Landscape Character Type;
- Scattered settlement pattern of towns, villages and farmsteads within the landscape around the main historic City of York (which forms part of the Urban Landscapes Primary Landscape Unit);
- A network of trunk roads linking the larger settlements and towns."

York's landscape appraisal<sup>11</sup> describes the site as falling within Landscape Character Type 1 – Flat, Open Arable Farmland, with the following key characteristics:

- "generally flat and low lying
- predominantly arable land use
- medium to large regular shaped fields
- generally quite open
- hedges and hedgerow trees
- traditional settlements
- negative influences of new development
- often noisy"

However the site is rather more un-typical of the wider character types, being relatively enclosed and discrete within localised gently rolling topography.

### Views and Visibility

The western and lower north eastern parts of the site are generally screened by the local undulating topography blocking and filtering long distance views towards the site from the west and south. Views are relatively well contained and do not extend to the wider open landscape and historic York.

The west side of the site is generally screened from the highway by the tall boundary hedgerows. The east side of the site is at a lower elevation with more open boundaries and views north and east towards housing on Fox Wood Land and Stirrup Close with the central southern part of the site being most elevated and visible. Views from housing along Foresters Walk are also partly screened by dense planting and mature trees.

There are few evergreen tree and hedgerow species so visibility is likely to increase during the winter months when trees are without leaves. Views of the site are generally limited to fringe properties directly overlooking the site.

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<sup>10</sup> North Yorkshire and York Landscape Characterisation Project, NYCC and Chris Blandford Associates, 2011.

<sup>11</sup> York Landscape Appraisal, ECUS, 1996.

### Key Issues

- The site has a distinct local undulating topography at 'Great Knoll' and Gravel Hills.
- Parts of the site are screened by the topography, particularly long distance views from the west and south. Views to the A1237 are limited and do not extend to historic York.
- The western side of the site is visible and open to fringe properties around the site.
- Development of the central southern part of the site is more visible due to elevation and may require appropriate mitigation as part of any site design to address this.

## **6.0 Open Space and Recreation**

### Footpaths and Public Rights of Way

There are several informal footpaths across and connecting to the site, although these are not formal PROW. There are limited connections to the wider PROW network.

### Public Open Space

The site is used by local residents for dog walking although the site is not subject to any formal designation as open space. The site is currently used for grazing and not ploughed as arable land.

There is an area of official informal natural and semi-natural open space off The Gallops to the SE of the site connected by a footpath along the eastern boundary. Other amenity greenspace is located nearby off Tedder Road to the north, and at Bachelor Hill to the north of the site.

### Key Issues

- The site may be regarded as informal open space by local residents due open access.
- Residents may resist redevelopment of the site due to perceived loss of footpaths and 'open space'.

## **7.0 Discussion and Summary**

The site is situated within the City of York draft Green Belt. Additionally the site is part of an area of land identified by the City Council 'Areas Retaining the Rural Setting of the City'.

The criteria to determine 'Areas Retaining the Rural Setting of the City' is partly based around 'Open countryside visible from a prominent location enabling views of the city', and 'Areas affording either good views of the Minster or the urban edge comprised of a Conservation Area'.

The site is relatively well screened by local undulating topography, particularly long distance views from the West and the south, including the Outer Ring Road A1237 and Askham Lane. The central southern part of the site does rise quickly towards 'Great Knoll' but views are locally contained to fringe housing to the north and east of the site along Fox Wood Lane and Stirrup Close. York Minster does not form a significant part of views to the site.

However this area of landscape does provide a transition between the urban fringe and rural countryside. The rolling topography and elevation of part of the site at 'Great Knoll' are an important

part of local landscape character. The layout, density and character of any potential development on the site must be carefully considered and appropriately mitigated.

Other than the draft Green Belt and one TPO on the northern boundary, there are no statutory or non-statutory landscape planning designations affecting the site.

Historical maps do suggest that part of the site has been developed in the past by 'York & Ainsty Kennels'. This may have local historical significance in relation to the York and Ainsty Hunt, active within the area during the 1800's. An archaeological desk study / investigation would usually be expected to support a planning application on a greenfield site.

The site is relatively well screened during the summer from Askham Lane by highway boundary hedges and along Fox Wood Lane and Foresters Walk. Views are likely to be more open during the winter months due to a lack of evergreen tree and hedgerow species. There are no boundary hedgerows to the NE side of the site.

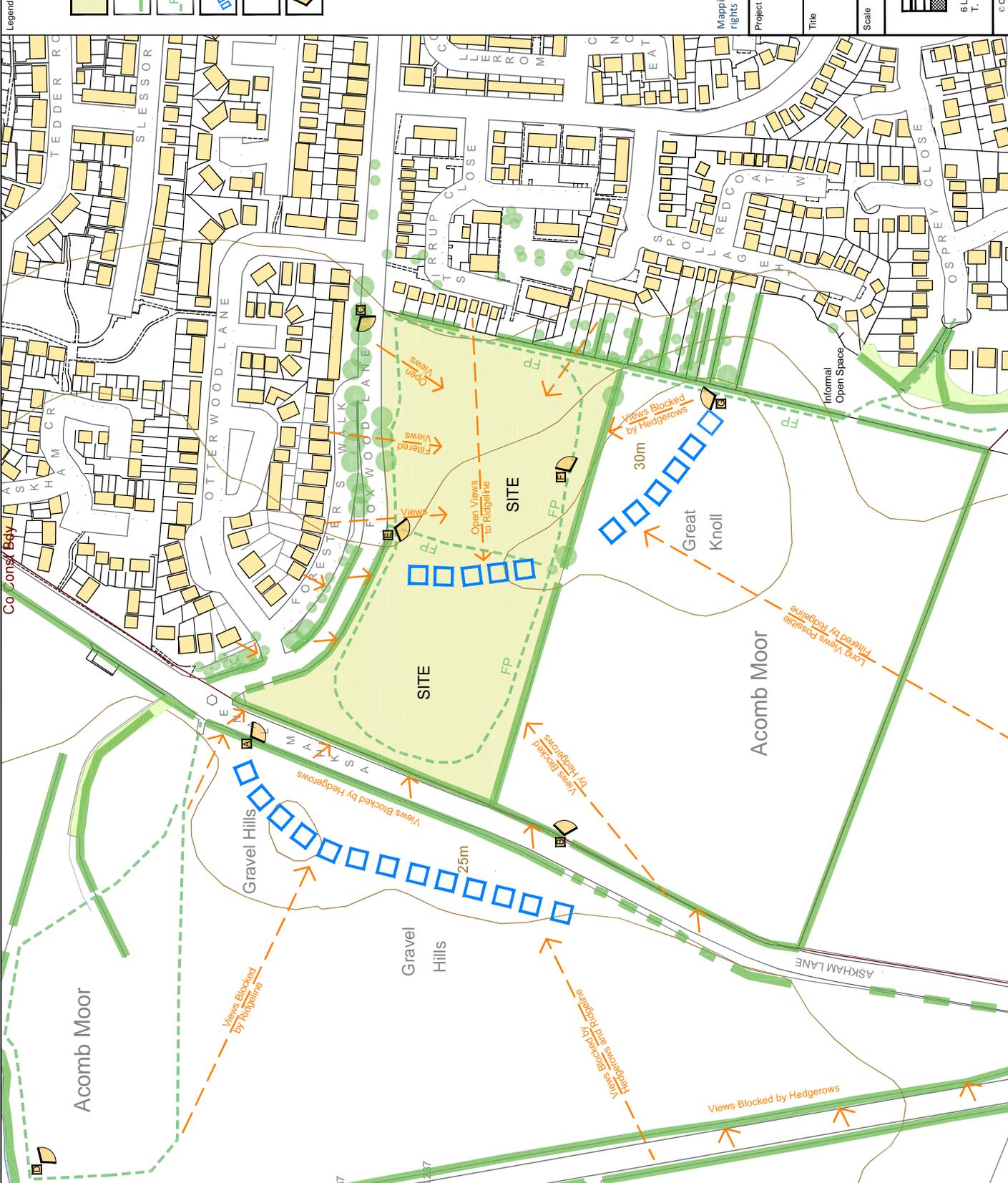
Several footpaths cross the site which are used by local residents. There are several other areas of informal amenity green space located close to the site. There are no formal PROW or areas of formal play connected to the site. Local planning authorities would typically expect new development proposals to support improvement of local open space provision either by creation of new POS within the site, or by agreement of a commuted sum to improve other facilities nearby.

## **8.0 Guidance for Design and Mitigation**

The following design and mitigation measures should be considered to guide development on the site:

- A detailed visual assessment should be undertaken to guide site layout and placement of landscape screening. The assessment should consider short and long distance views and use cross sections to help establish limits of visibility.
- A site archaeology desk study should be undertaken to determine whether further site investigation is required.
- Development design should be sympathetic to local character, topography and setting, using local building styles and materials.
- Consider reducing development height and density and incorporate POS and planting within more elevated parts of the site to reduce visibility and help integration.
- Protect and retain existing hedgerows and trees around the site. Tree protection areas for mature site trees should be defined and fenced during construction.
- Restore fragmented gappy hedgerows through replanting and allow hedgerows to grow taller and thicker to provide landscape enhancement and wildlife opportunities.
- Encourage planting of new broad-leaved woodland as small copses for landscape structure and biodiversity.
- Tree and hedgerow planting should use locally occurring native species.
- Identify opportunities to formalise footpath connections to the site with links to POS.

## **Figures and Illustrations**



Legend

- The Site
- Trees and Hedgerows
- Footpath
- Minor Topographical Horizon (Ridgeline)
- Key Views
- Photograph View Location

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Project <b>LAND OFF</b>	ASKHAM LANE, YORK
<b>SITE ANALYSIS</b>	
Scale <b>1:2,500</b>	Paper <b>A3</b>
Fig No. <b>01</b>	
<b>Wainwright</b> Landscape Architecture	
6 Lindale Lane, Wrenthorpe, Wakefield, WF2 0PN T. +44 (0)1924 381256 E. info@wainwrightia.co.uk	
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**A**



**B**



**C**



**D**

- View A - Looking south-east towards the site showing the site boundary hedgerow from Askham Lane.
- View B - Looking towards the north-east showing the site southern boundary hedgerow from Askham Lane.
- View C - Looking towards the south-west across the site from Askern Lane.
- View D - Looking south-east towards site with Gravel Hills in the foreground.

Project		LAND OFF	
		ASKHAM LANE, YORK	
Title		PHOTOGRAPHIC	
		VIEWPOINTS A, B, C, D	
Scale	NTS	Paper	A3
		Fig No.	02
 <b>Wainwright</b> Landscape Architecture		6 Lindale Lane, Wrenthorpe, Wakefield, WF2 0PN T. +44 (0)1924 381256 E. info@wainwright.co.uk <small>© Copyright Wainwright Landscape Architecture</small>	



**E**



**F**



**G**

- View E - Looking south across the site from Askham Lane along the site central footpath.
- View F - Looking northwards across the site from the southern hedgerow boundary.
- View G - Looking northwards towards the site southern hedgerow from the east boundary footpath.

Project		LAND OFF	
		ASKHAM LANE, YORK	
Title		PHOTOGRAPHIC	
		VIEWPOINTS E, F, G	
Scale	NTS	Paper	A3
		Fig No.	03
 <b>Wainwright</b> Landscape Architecture			
6 Lindale Lane, Wrenthorpe, Wakefield, WF2 0PN T. 444 (0)1924 387256 E. info@wainwrightia.co.uk			
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## KEY

	Local Plan Boundary
	City Centre Inset Boundary
<b>LOCAL PLAN STRATEGY (CHAPTER 1)</b>	
	Action Area (SP9)
<b>GENERAL PLANNING POLICIES (CHAPTER 2)</b>	
	Open Space (GP7)
	Reserved Land (GP24a)
	Mixed Use Site (please note different policies apply)
<b>NATURAL ENVIRONMENT (CHAPTER 3)</b>	
	Site of Special Scientific Interest (NE4a)
	RAMSAR Sites (NE4a)
	Special Protection Area (NE4a)
	Special Area of Conservation (NE4a)
	Non Statutory Nature Conservation Site (NE5a)
<b>HISTORIC ENVIRONMENT (CHAPTER 4)</b>	
	Conservation Area (HE3) (see appendices)
	Area of Archaeological Importance (HE10) (see appendices)
	Historic Park / Garden (HE12)
<b>GREEN BELT (CHAPTER 5)</b>	
	Green Belt (SP2)
	Defined Settlement Limit
	Defined Settlement Limit (GB2)
	Major developed site in the Green Belt (GB10a)
<b>TRANSPORT (CHAPTER 6)</b>	
	Pedestrian Priority Zone - Footstreets (T1)
	Proposed Cycle / Pedestrian Network (T2) - Indicative Locations
	Proposed Cycle/Pedestrian Bridge (T3a)
	Park and Ride Allocation (T6)
	Railway Station site (T8a)
	Highway Improvement Scheme (T19a)
	Potential Park and Ride (T6) - Indicative Locations
<b>HOUSING (CHAPTER 7)</b>	
	Housing Allocation (H1.6, H1.24, H1.31 to H1.37, H1.39 to H1.41, H1.43 to H1.46)
<b>EMPLOYMENT (CHAPTER 8)</b>	
	Premier Employment Allocation (E12a to E12d and E12f)
	Standard Employment Allocation (E3a.1 to E3a.10)
<b>EDUCATION (CHAPTER 9)</b>	
	Educational Establishments (ED1 and ED6)
	St Barnabas Centre (ED2)
	Existing University of York Heslington Campus (ED8)
	New University Campus (Phase 2) Indicative Boundaries (ED9)
	New University Campus (Phase 1) Indicative Boundaries (ED9)

## SHOPPING (CHAPTER 10)

	Shopping Sites (S1a)
	District Centres

## LEISURE AND RECREATION (CHAPTER 11)

	Recreational Opportunity Areas (L1d)
	Recreational Opportunity Areas (L1d)

## COMMUNITY FACILITIES (CHAPTER 13)

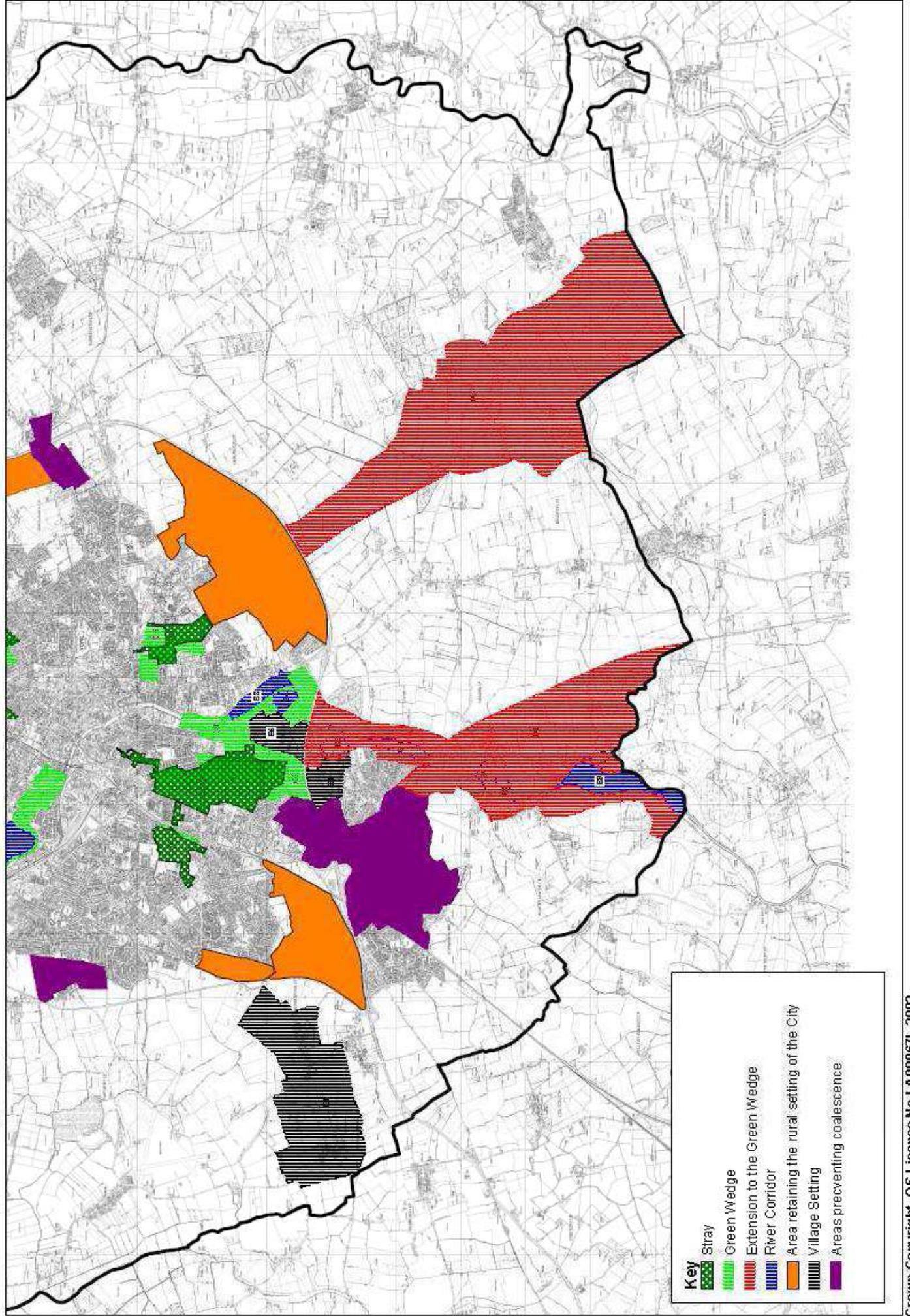
	York District Hospital (C4)
	Bootham Park Hospital (C5)

## MINERALS AND WASTE CHAPTER 14

	Area of Search for Minerals (M01)
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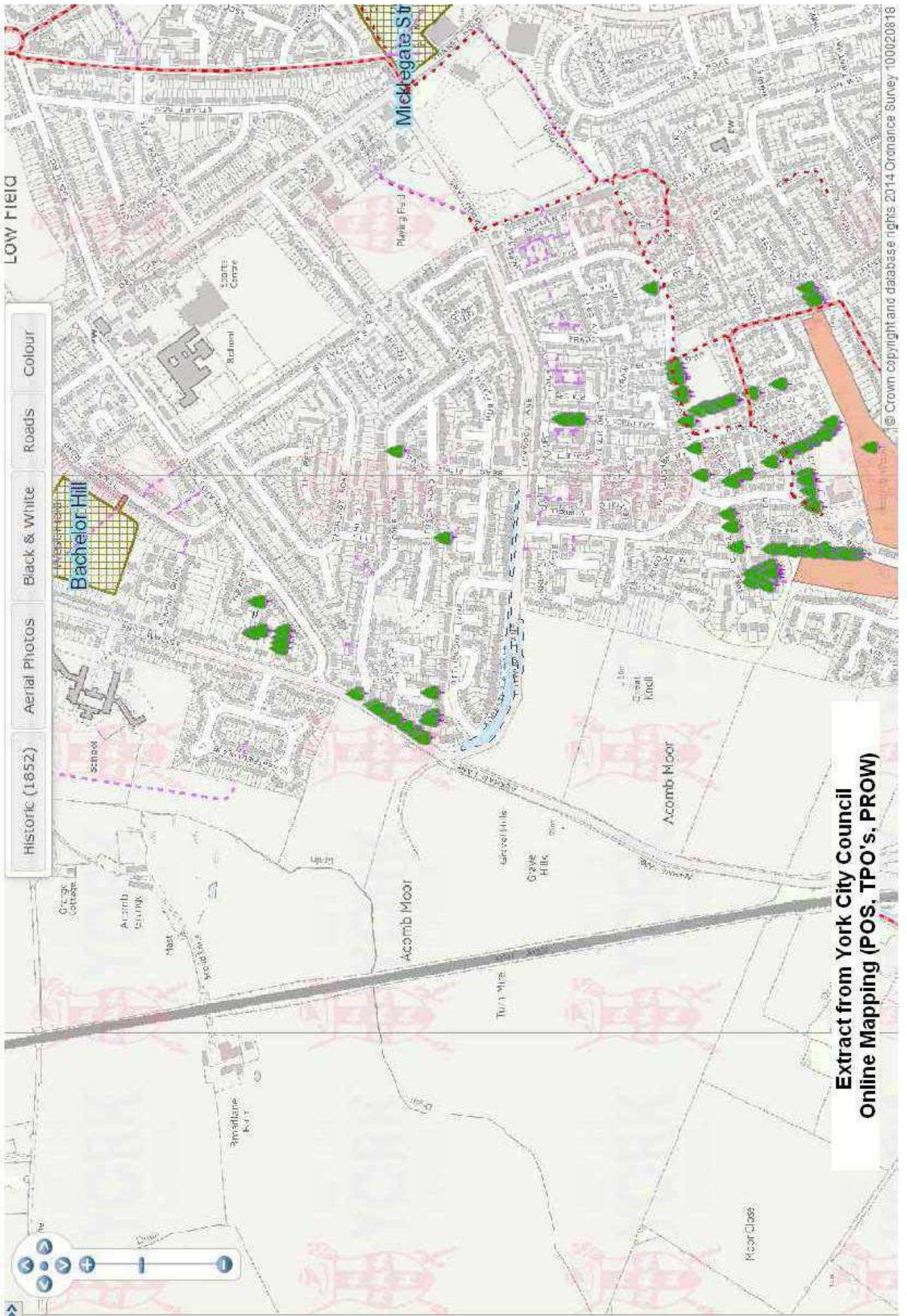
**Extract from City of York Development  
Control Local Plan - South, approved April  
2005**

Greenbelt Appraisal Map - South

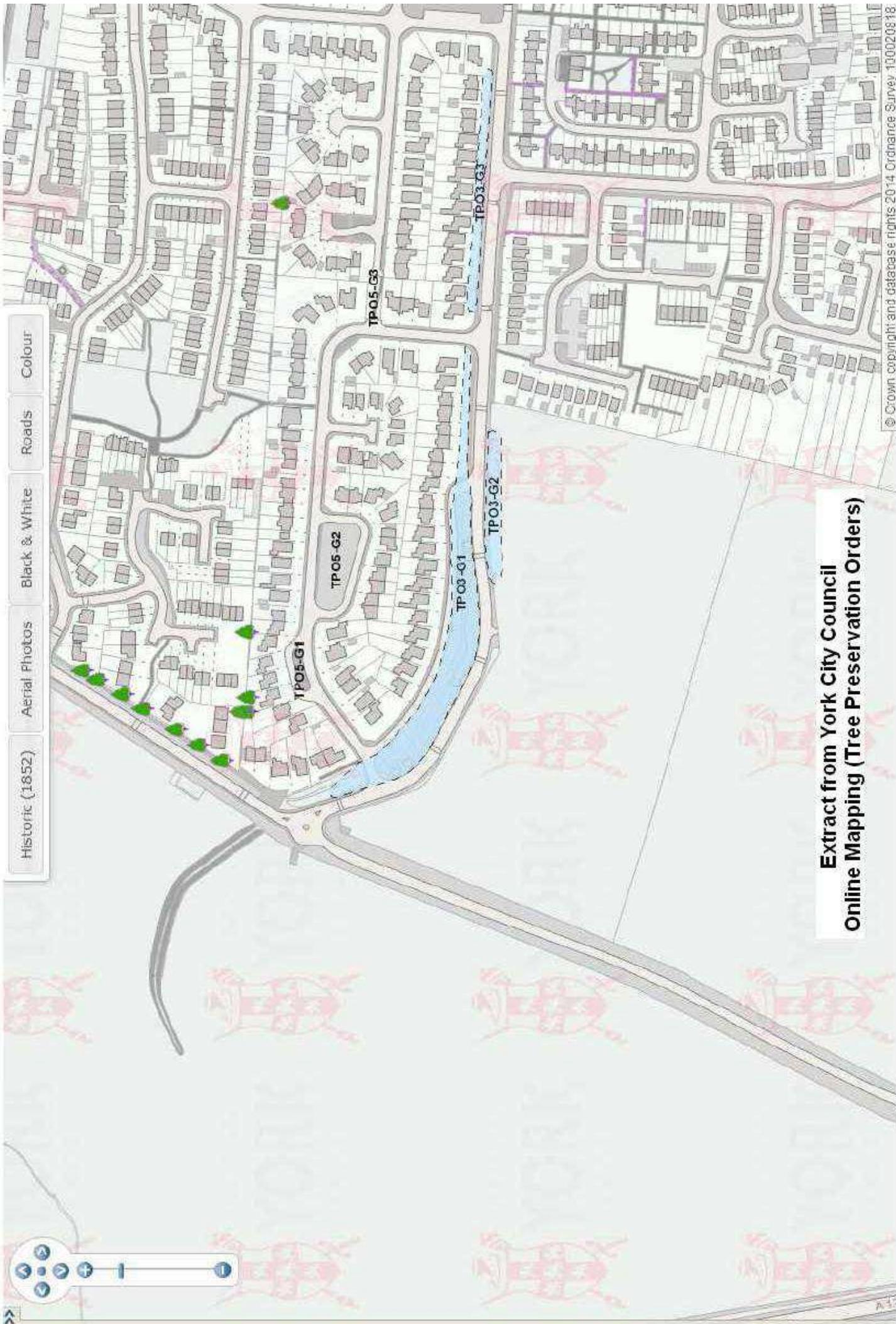


**Key**

- Stray
- Green Wedge
- Extension to the Green Wedge
- River Corridor
- Area retaining the rural setting of the City
- Village Setting
- Areas preventing coalescence



**Extract from York City Council  
Online Mapping (PO's, TPO's, PROW)**



**Extract from York City Council  
Online Mapping (Tree Preservation Orders)**

### **Site 11: Land east of Askham Lane**

**Proposed Change:** Remove land from 'Area Retaining the Rural Setting of York' and use for residential development.

**Comments via:** Consultation responses to the Core Strategy and Allocations DPD.

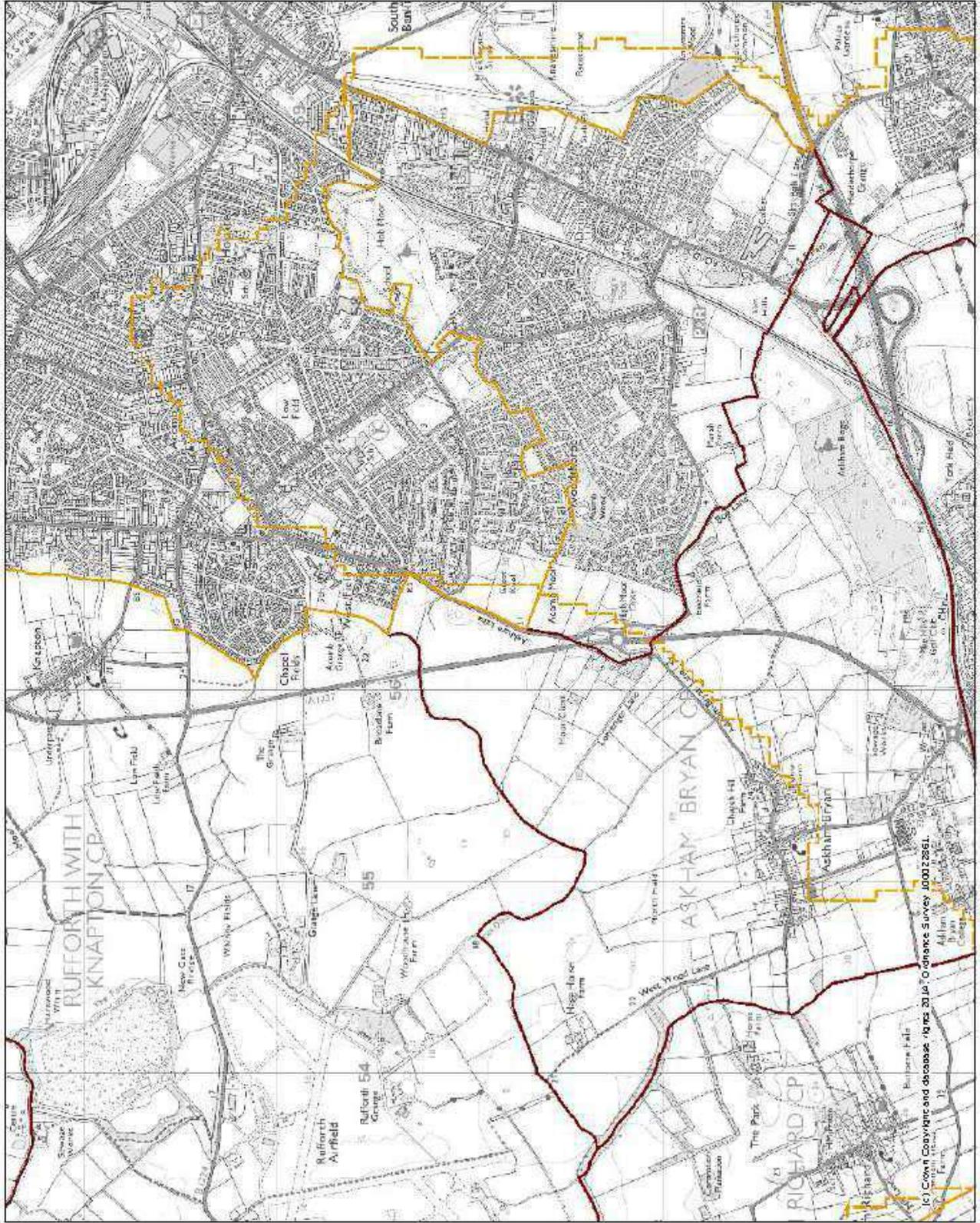


Comment ref / objector	161: Persimmon Homes 2542: Terence O'Rourke
Summary of objector's comments	The Green Belt boundaries are drawn excessively tightly around York, and that the land should be released from the Green Belt for Housing development.
Officer comments	The site lies within the 'Area Retaining the Rural Setting of the City' (F3). The area of land is essential to the rural setting of York – providing an interface between the built up part of York and the flat rural areas beyond the Outer Ring Road.
Officer recommendation	No change to historic character and setting boundary.

**Extract from Historic Character and Setting  
Technical Paper, York City Council, 2011.**

## Legend

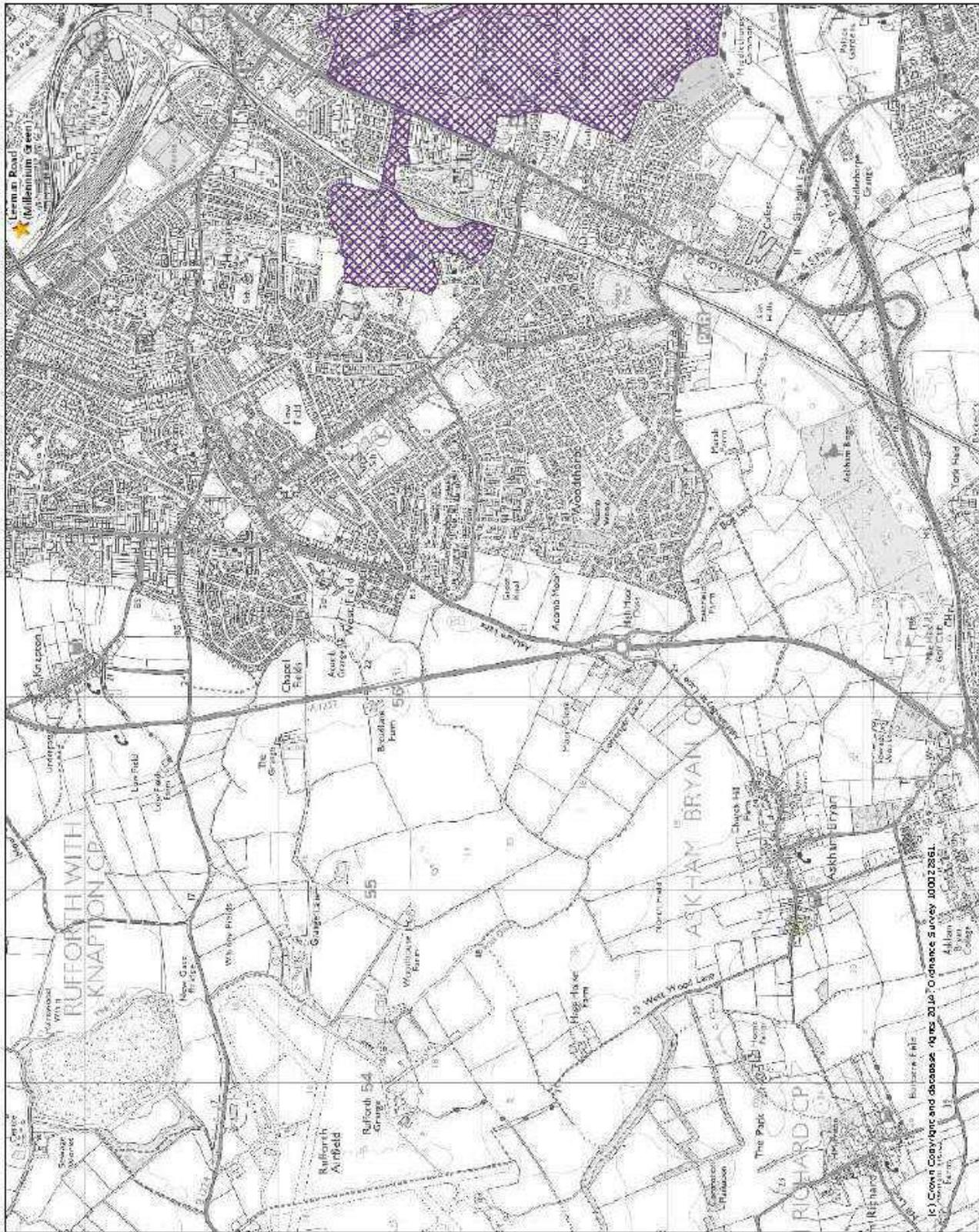
- Catchment Abstraction Management Strategy (CAMS) Reference Boundaries (England and Wales)
- Parliamentary Constituency notes (England)
- Parishes (GB)



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 ymax = 052200

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## Legend

- National Trails (England)
- Doonstep Greens (England) - points
- Millennium Greens (England) - points
- Country Parks (England)
- Registered Common Land (England)
- Countryside and Rights of Way Act, Section 15 Land (England)
- Countryside and Rights of Way Act 2000 - Access Layer (England)

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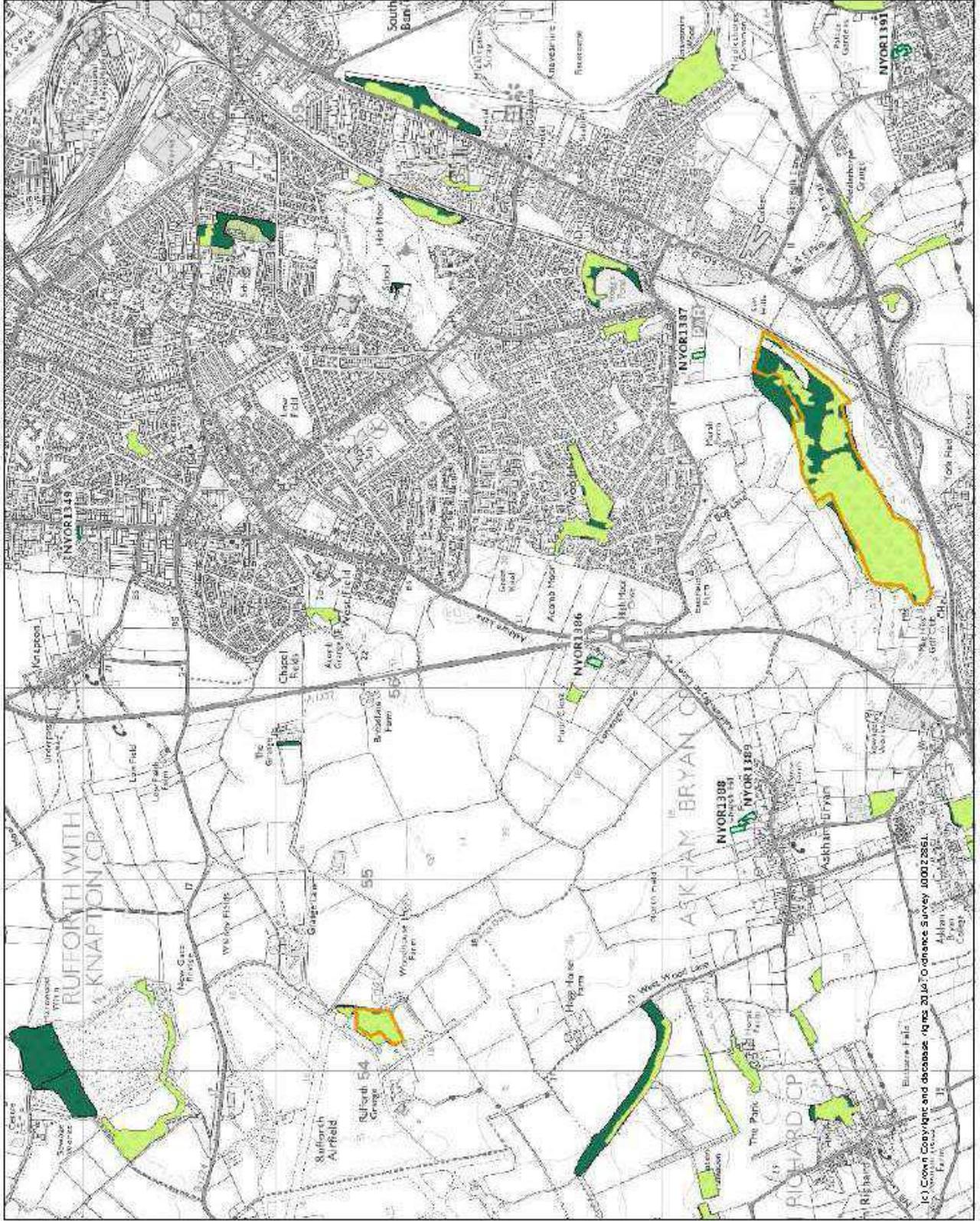
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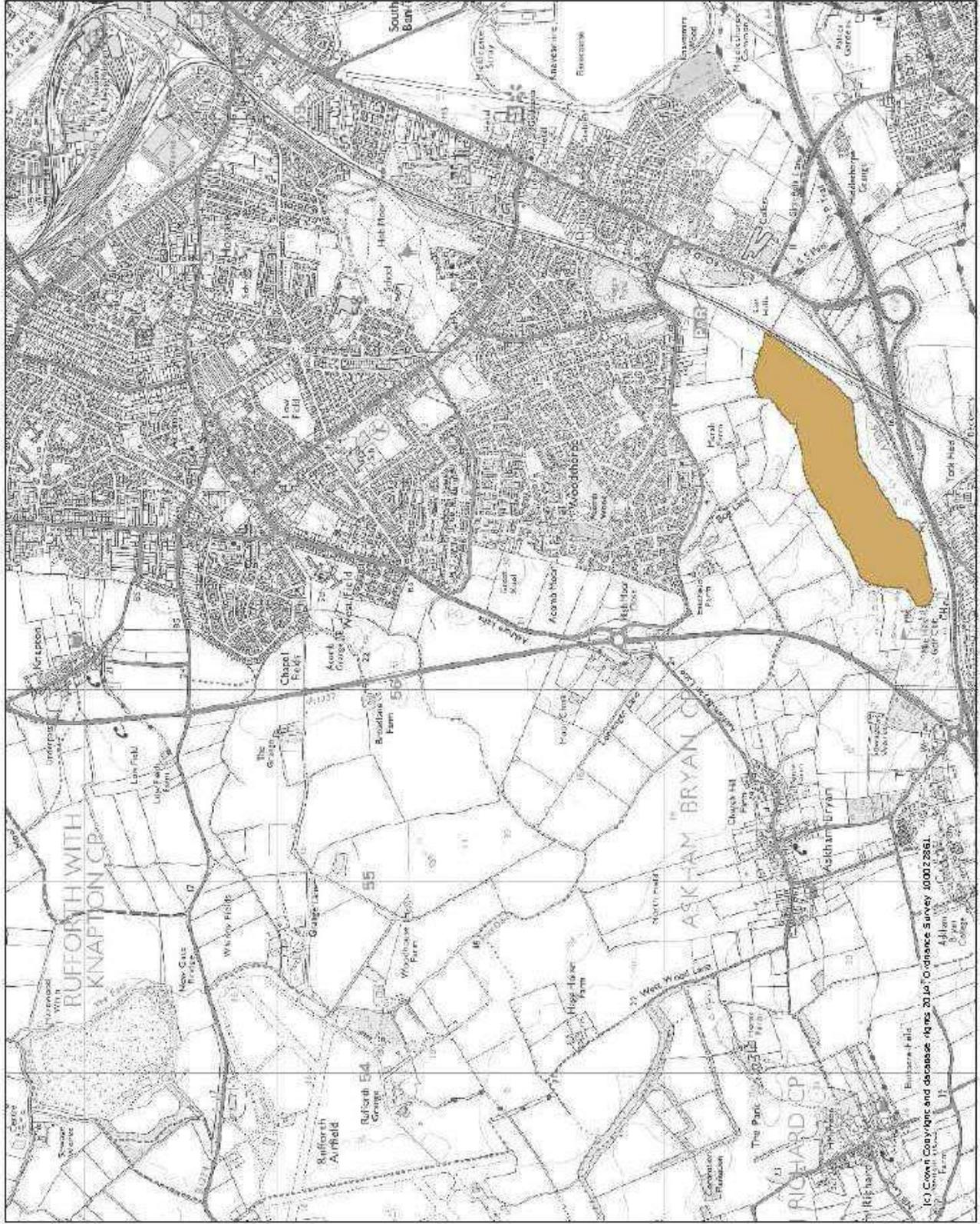


## Legend

- Ancient and Semi-Natural Woodland
- Ancient Replanted Woodland
- Traditional Orchard BAP Priority Habitat (England)
- Deciduous Woodland BAP Priority Habitat (England)
- National Inventory of Woodland and Trees (England)
- Woodpasture and Parkland BAP Priority Habitat (England)

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**Legend**

Fens BAP Priority Habitat  
(England)

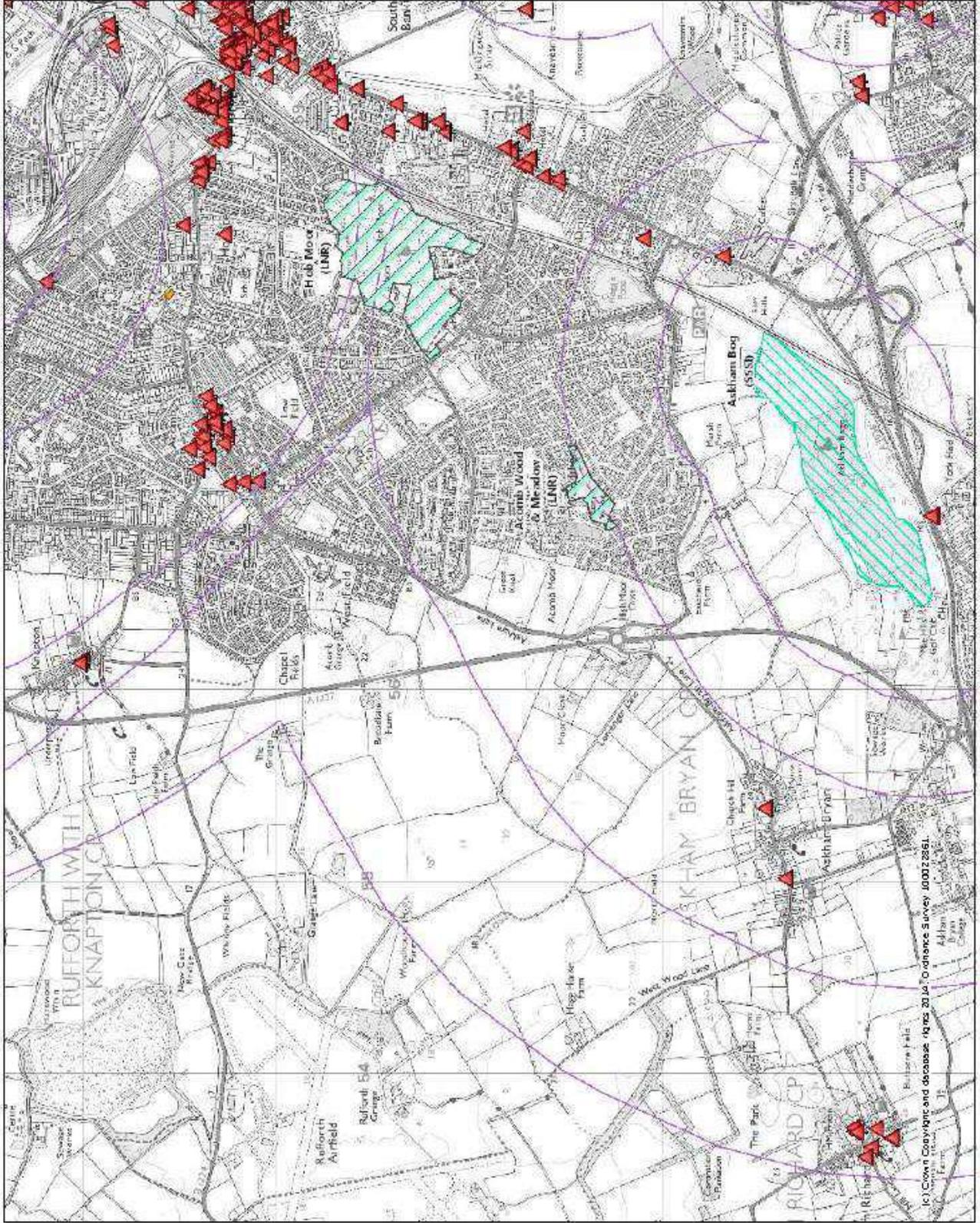


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## Legend

-  Local Nature Reserves (England)
-  Sites of Special Scientific Interest (England)
-  SSSI Impact Risk Zones (England)
-  Scheduled Monuments (England)
-  Listed Buildings (England)

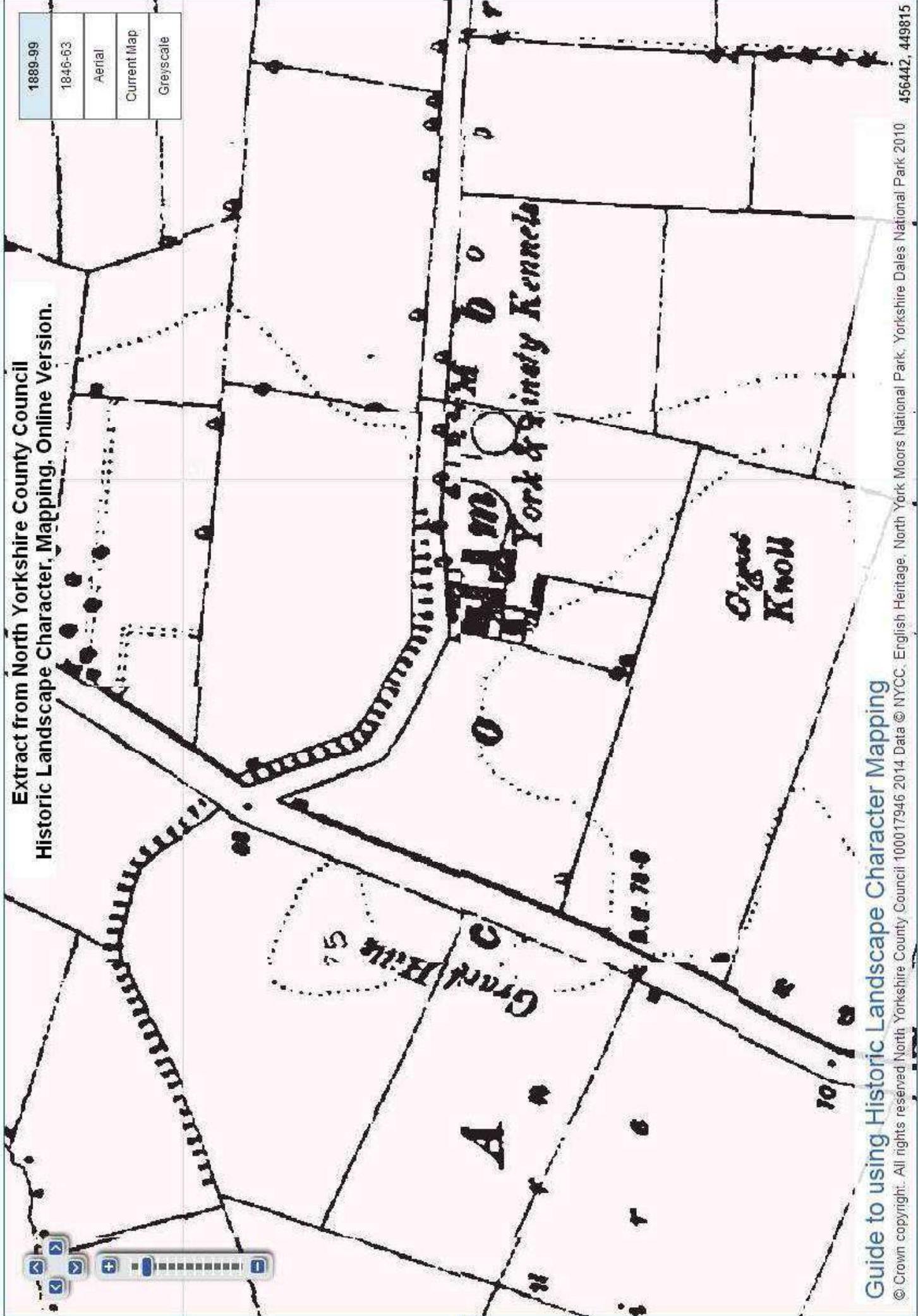


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Extract from North Yorkshire County Council  
Historic Landscape Character, Mapping, Online Version.

1889-99
1846-63
Aerial
Current Map
Greyscale



- ▼ Landscape character types
- 1 Urban Landscapes
- 2 Sandstone Moors
- 3 Sandstone Moors Foothills
- 4 Limestone Foothills and Valleys
- 5 Limestone Ridge
- 6 Magnesian Limestone Ridge
- 7 Yoredale Moors and Fells
- 8 Limestone Moors Scar
- 9 Farmed Dale
- 10 Narrow Upland Dale
- 11 Broad Valleys
- 12 Wooded Hills and Valleys
- 13 Moors Fringe
- 14 Rolling Upland Farmland
- 15 Rugged Cliffs Coastal Valleys and Bays
- 16 Soft Coastal Cliffs and Bays
- 17 Chalk Headland
- 18 Chalk Wolds
- 19 Chalk Foothills
- 20 Broad Chalk Valley
- 21 Narrow Chalk Valley
- 22 Open Carr Vale Farmland
- 23 Levels Farmland
- 24 River Floodplain
- 25 Settled Vale Farmland
- 26 Enclosed Vale Farmland
- 27 Vale Farmland with Dispersed Settlements
- 28 Vale Farmland with Plantation Woodland and Heathland
- 29 Undulating Lowland Farmland
- 30 Sand and Gravel Vale Fringe
- 31 Settled Industrial Valleys
- 32 Drumlins Valleys
- 33 Gritstone High Plateau
- 34 Gritstone High Moors and Fells

## Extract from North Yorkshire County Council Landscape Character Assessment, Online Version.

Aerial

Map

Greyscale

**28**

**28 Vale Farmland with Plantation Woodland and Heathland**

(28) Vale Farmland with Plantation Woodland and Heathland

**Primary Landscape Units**

**(G) Farmed Lowland and Valley Landscapes** [click to open](#)

**National Character Areas**

**(28) Vale of York** [click to open](#)

458476, 451259

For information, tick a map category and click on the relevant object  
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**Executive****25 January 2018**

Report of the Assistant Director, Planning and Public Protection

Portfolio of the Executive Leader (incorporating Finance & Performance) and Deputy Leader

**City of York Local Plan****Summary**

1. This purpose of the report is:
  - (i) To provide a background summary of the previous iterations of draft policies and the circumstances which led to the rationale of the Executive decision to approve the Pre-Publication Draft Local Plan for consultation;
  - (ii) To provide a summary of the present national policy and legislative context, including the “soundness” requirement and potential for Government intervention;
  - (iii) To report responses to the Autumn 2017 Pre Publication Draft Local Plan Consultation;
  - (iv) To provide Officers’ advice regarding appropriate responses to the Consultation outcomes; and
  - (v) To seek Member approval of the next steps in the York Local Plan making process.

These issues were considered at Local Plan Working on 23<sup>rd</sup> January 2018 and the minutes will be circulated to Executive.

## Recommendations

2. Members are asked to:

- (i) Consider any potential changes to the pre publication draft Local Plan (Regulation 18) based on the information included within this report and associated annexes and confirm the basis on which the Local Plan should be progressed to the Regulation 19 stage including a city wide consultation.

Reason: So that an NPPF compliant Local Plan can be progressed.

- (ii) Following decisions on the matters referred to in (i) above authority be delegated to the Assistant Director of Planning and Public Protection in consultation with the Leader and Deputy Leader to approve all policies necessary for the production of a composite Local Plan for the purposes of public consultation.

The Leader and Deputy Leader to keep Group Leaders informed through Group Leaders meetings.

Reason: So that an NPPF compliant Local Plan can be progressed

- (iii) Delegate to the Assistant Director of Planning and Public Protection in consultation with the Leader and Deputy Leader the consideration and approval of further technical reports and assessments to support the Local Plan including, but not limited to the SA/ SEA, HRA, Viability Study and Transport Assessment.

The Leader and Deputy Leader to keep Group Leaders informed through Group Leaders meetings.

Reason: So that an NPPF compliant Local Plan can be progressed.

- (iv) Delegate authority to the Assistant Director of Planning and Public Protection in consultation with the Leader and Deputy Leader to approve a consultation strategy and associated material for the purposes of a city wide consultation and to undertake consultation on a composite plan in accordance with that agreed strategy.

The Leader and Deputy Leader to keep Group Leaders informed through Group Leaders meetings.

Reason: So that an NPPF compliant Local Plan can be progressed.

### **Background**

3. Officers produced a publication draft Local Plan in Autumn 2014. This process, however, was halted by Council resolution on the 9th October 2014. Following the Local Government Elections in May 2015 the agreement between the Conservative and Liberal Democrat Groups, to establish a joint administration for City of York Council from May 21st 2015 states that:

*'We will prepare an evidence-based Local Plan which delivers much needed housing whilst focusing development on brownfield land and taking all practical steps to protect the Green Belt and the character of York.'*

4. In 2016 a Preferred Sites Consultation was undertaken. It began on 18<sup>th</sup> July 2016 and ended on 12<sup>th</sup> September 2016. 1,766 individual responses were received from members of the public, developers and statutory consultees. After the Preferred Sites Consultation concluded the Ministry of Defence (MOD) announced as part of its Defence Estate Strategy on 7<sup>th</sup> November 2016 the release of three substantial sites in York:

- Imphal Barracks, Fulford Road;
- Queen Elizabeth Barracks, Strensall; and
- Towthorpe Lines, Strensall.

Technical work was carried out which established that the sites represented 'reasonable alternatives' and, therefore, should be considered as part of the Local Plan process.

5. At the Executive in July 2017 Officers sought approval to undertake a full consultation on a Pre publication draft Local Plan (Reg 18). To support this process the report included a Strategic Housing Market Assessment (SHMA) which made a recommendation on the level of housing growth

for York, an Employment Land Review (ELR) and a series of sites to meet the related arising demand. It also included recommendations on non sites related policies.

6. The Local Plan Preferred Sites Consultation (2016) included an annual housing figure of 841 dwellings pa. The SHMA produced by GL Hearn suggested increasing this figure to 867 dwelling and including an uplift of 10% to the baseline household projections for York to allow for market signals (lifting it to 953 dwellings per annum). Members accepted the higher baseline figure, but not the 10% uplift on the basis that the figure of 867 dwelling represented a significant step change in past delivery. They considered Hearn's conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attached little or no weight to the special character and setting of York and other environmental considerations. The employment land requirements included in the ELR were agreed.
7. A city-wide consultation on the Local Plan Pre Publication Draft (Reg 18) commenced on the 18<sup>th</sup> September 2017 and finished on 30<sup>th</sup> October 2017. It was carried out in compliance with the Council's adopted Statement of Community Involvement (2007). The consultation included contacting individuals and organizations on the Local Plan database, public exhibitions, meetings, a special edition of 'OurCity', and information provided via conventional and social media.

### **National Policy Context**

8. On 7<sup>th</sup> February 2017, the Department for Communities and Local Government (DCLG) published a Housing White Paper. As part of which, DCLG also consulted on changes to planning policy and legislation in relation to planning for housing, sustainable development and the environment. It is anticipated that the outcomes of the consultation will involve amendments to the National Planning Policy Framework (NPPF) and regulations. This is likely to be before the end of Summer 2018.
9. Following on from the White Paper on 14<sup>th</sup> September 2017 the Department for Communities and Local Government (DCLG) released 'Planning for the right homes in the right places: consultation proposals'.

These focused on streamlining the planning system and were primarily concerned with how local housing need is assessed. The consultation ran for eight weeks and closed on 9<sup>th</sup> November 2017. The Government indicated that after reviewing the responses to this consultation along with responses to the Housing White Paper it would publish a draft revised National Planning Policy Framework (NPPF) in 2018.

10. The DCLG November 2017 consultation included a proposed methodology for calculating housing need. This is based on three principles: simplicity, using publicly available data and producing realistic targets. The document applies this methodology to City of York and indicated a minimum of 1,070 dwellings p/a for the period 2016 to 2026. It should be noted that this methodology was the subject of consultation and formal changes to the NPPF have not yet been incorporated by the Government.
11. In addition, it should be noted that the figure of 1070 dwellings is based on 2014 sub-national population projections (released in 2016) which are due to be replaced with the 2016 sub-national population data in May 2018. The National Population Projections released in October 2017 (on which the 2016 sub-national population figures will be based) suggest slower growth than the previous (2014-based) projections. This is because of lower assumptions about future levels of fertility and international migration, and an assumption of a slower rate of increase in life expectancy.
12. A key change is that the proposed methodology put forward by DCLG is forward looking; conversely the current target included in the Pre-publication Local Plan involved considering under delivery from 2012 – 2017 and meeting this by adding to the future supply.
13. The consultation on the proposed new methodology made explicit reference to protecting Green Belt and acknowledged it as a constraint. It also highlights the extent of York's Green Belt. It is not however completely clear about the effects of this constraint and how it would effect York in setting Green Belt Boundaries for the first time.
14. It is proposed by DCLG that in the absence of an up-to-date local strategic plan that after 31<sup>st</sup> March 2018 the new method for calculating

housing need would be adopted. However, should the revised national planning policy framework be published after this date, subject to the outcomes of consultation, it will be introduced at that later date. Given the Government haven't yet responded to this consultation and the potential timeframe for the publication of the revision to NPPF the 31<sup>st</sup> March adoption date seems unlikely. For the purposes of this report we will continue to use the methodology reported to Members in July 2017.

15. The National Population Projections were published by the Office for National Statistics on 26<sup>th</sup> October 2017. We anticipate that the Sub-National Population Projections will be released in May 2018 in accordance with previous releases. The Sub-National Household projections to be released by the DCLG, which use the population ONS data, are likely to follow in July/August 2018. This reflects the nature of changing data sets that surround the plan making process.
16. On 16<sup>th</sup> November 2017 the Secretary of State for Communities and Local Government wrote to the Council. The letter emphasised the importance of up-to date local plans. He then expressed concern about the lack of progress City of York has made on plan-making. The last adopted detailed plan for the city was produced in 1956. The Council is asked to respond by 31st January 2018.
17. The Council is currently preparing a response to the Secretary of State emphasising the importance of responding through the Local Plan process to the release of the MOD sites in November 2016 and including a commitment to submit at the end of May 2018.

### **Local Plan Pre Publication Draft Consultation Response**

18. During the autumn 2017 consultation period we have received responses from circa 1,295 individuals, organisation or interest groups. In response to the Preferred Sites Consultation (2016) held in July - September 2016, we received 1766 responses from individuals and organisations.
19. In conjunction with this report all representations received will be published on line via the Council's website and will be available both electronically and in hard copy at West Offices reception. Those

representations received from members of the public will have personal information redacted to comply with the Data Protection Act 1998.

20. The representations received as a part of the consultation raise a range of issues some of which are complex in nature. These are provided in summary in Annex A to this report along with potential changes for Members' consideration.
21. Given the historical and national policy context associated with the development of the City of York Local Plan Members' attention is particularly drawn to the following key issues :
  - Housing Need and Land Supply; and
  - Employment Land Supply.

### **Housing Need and Land Supply**

22. The historical approach taken to housing need and the related changing national policy context is detailed above. In addition comments received during consultation on this matter are included in Annex A and provided in summary below.
  - Support was received for the principle of council meeting their entire objectively assessment housing need (OAHN).
  - Some parish representations supported the 867 dwellings per annum figure particularly in comparison to the Government's proposed standardised methodology.
  - In respect of housing numbers responses, particularly planning agents and developers, objected to using 867 dwellings per annum; the reasons for this included: the failure to comply with the Strategic Housing Market Assessment (2017) and the lack of conformity with both existing and emerging national policy.
  - Some respondents objected to the approach taken to backlog, student housing and windfalls.
  - The majority of responses from the public were in objection to proposed sites.

23. It is important to recognise that the proposed methodology included in the document produced by DCLG was for the purposes of consultation and may be subject to change (although at present it indicates the direction of travel anticipated for national policy). The methodology differs from that applied by the Council in reaching the housing need figures, and thus cannot be compared without further analysis. The reasons for this are outlined below.
24. As previously highlighted the Government's proposed methodology is forward looking and unlike the Council's methodology, does not add in any additional amounts for previously unmet demand. The City of York Local Plan has an effective start date of the 1<sup>st</sup> April 2012 in terms of population and housing. This is to fit with the position taken by Government in terms of their demographic projections. Using the Council's methodology, any under delivery against the housing target between 2012 – 2017 is accommodated over the life time of the plan.
25. In July the Executive agreed a figure of 867 dwellings per annum for the duration of the City of York Local Plan and Green Belt (until 2033 and 2038 respectively). As the Council's methodology includes provision to meet previous under supply within the 2012 to 2017 period, this means the plan as produced for the autumn 2017 consultation includes a sufficient overall supply to meet both these requirement.
26. Members must be satisfied that they consider the Submission Draft Plan meets the test of "soundness". This is a statutory duty. Officer's advice is that the direction of travel in national policy indicates that if the site proposals previously consulted on were increased this would be a more robust position. However, this is not to say that the proposals previously consulted on would be unreasonable; It is a matter for Members to determine the degree of risk they wish to take.
27. In Officer's opinion, an increase in the supply of housing would place the Council in a better position for defending the Plan proposals through the Examination process. However, Members will be aware of the counter arguments in particular the community responses to consultation. In addition in potentially increasing supply Members will also be mindful of

the time required for achieving this more robust position in line with legislative requirements. An important issue to consider is whether changes can be made to the plan without undertaking additional consultation. This is a critical issue if the Council is to meet the May 2018 deadline for submission.

28. In response to developer proposals submitted during the Pre Publication Draft Local Plan Consultation (details of which are included in Annex A), potential options for increasing the housing supply are set out in tables 1 to 4 below along with the potential risk in terms of the need for additional consultation. The table also highlights a small reduction on the Queen Elizabeth Barracks Site. This reflects outcomes from the Habitats Regulation Assessment.

**Table 1: Potential changes to housing sites allocated in the Pre Publication Draft Local Plan in response to developer proposals (With minor or no boundary changes)**

<b>Allocation Reference</b>	<b>Site Name</b>	<b>No. Included in PPLP</b>	<b>Potential Revised Figure</b>
ST5	York Central	1500	1700 - 2500
ST35	Queen Elizabeth Barracks, Strensall	578	500

29. Following consultation discussions have been held with representatives from the York Central Partnership. This has indicated that York Central is capable of accommodating between 1700 – 2400 residential units and that the higher figure of 2500 units could be achieved through detailed applications by developers for individual plots and / or flexibility to increase residential at the margins of the commercial core. The figure of 1700 reflects land currently under the partnerships control; the higher figure includes land in private ownership or currently used for rail operations.
30. The higher number is proposed to be part of the partnerships planning application anticipated in summer 2018.

**Table 2: Potential changes to housing sites allocated in the Pre Publication Draft Local Plan in response to developer proposals (With boundary changes)**

Allocation Reference	Site Name	No. Included in PPLP	Potential Revised Figure
ST 7	Land East of Metcalfe Lane	845	975
ST 14	Land West of Wiggington Road	1348	1,672
ST 15	Land West of Elvington Lane	3,339	3,901

31. Table 1 & 2 relates to increasing the capacity and extending existing site allocations. It is a matter of judgment as to whether the changes to the existing sites are “material”. However, in the context of the large strategic allocations, it is considered arguable by your officers that the additional land is not a material change. However, this is a matter of judgment, and there is a residual risk that the Examiner will take a different view and require the Council to undertake further consultation on this issue following submission.

**Table 3: Potential new housing site allocations , in response to developer proposals (previously rejected housing sites)**

Site Reference	Site Name	Potential Revised Figure
H28	Land North of North Lane, Wheldrake	88 dwellings / 3.15 ha
H2b (132)	Land at Cherry Lane	18 dwellings / 0.44 ha
H37 (6)	Land at Greystone Court Haxby	34 dwellings / 3.47 ha
SF10 (874)	Land North of Riverside Gardens Elvington	102 dwellings / 4.15 ha
H2a (33)	Racecourse stables off Tadcaster Road	98 dwellings / 2.44 ha (years 16-21)
964	Galtres Farm	1575 dwellings / 75 ha (years 16-21)

32. Table 3 includes sites that have in the past been assessed against the site selection criteria and rejected, but now given further work Officers feel should be considered. These could potentially be included in the Publication Draft without the need for a further additional consultation, as they have already been the subject of public scrutiny through previously published Local Plan evidence or SA/ SEA. There is however

a higher risk than tables 1 & 2 that the Examiner may find further consultation is needed.

**Table 4: Potential completely new housing site allocations in response to developer proposals**

Site Reference	Site Name	No. Included in PPLP	Potential Revised Figure
956	Milestone Avenue, Rufforth	n/a	9 dwellings / 0.37 ha
959	Land at Kettlestring Lane, Clifton Moor	n/a	92 dwellings / 3.2 ha (years 16-21)

33. Table 4 includes new sites that have emerged during the Autumn 2017 Consultation. Although they do meet the requirements of the site selection methodology and therefore potentially represent reasonable alternative, they have not been included in any previous consultation. If any of these sites were to be included in the next stage of the Local Plan the lack of consultation creates a risk to process and the Examiner could require further consultation before the Examination could proceed. Carrying out further consultation now about proposing to include these new sites would mean that the May 2018 date for submission could not be met.

### **Employment Land Supply**

34. The Employment Land Review (ELR) July 2016 published as part of the Preferred Sites Consultation used projections by Oxford Economics (OE) dated May 2015 as the forecast for employment land demand over the Local Plan period. These forecasts provided the starting point for determining the amount and type of employment land required to be identified in the Plan. The projections by Oxford Economics presented a baseline scenario for York forecasting a job growth of 10,500 jobs over the period 2014-2031. Two further scenarios were considered by OE; scenario 1 – higher migration and faster UK recovery, which identified an additional 4,900 jobs above the baseline over the same period and scenario 2 – re-profiled sector growth which identified 500 additional jobs above the baseline. Scenario 2 was endorsed as it reflected the economic policy priorities of the Council to drive up the skills of the workforce and encourage growth in businesses which use higher skilled staff.

35. To sensitivity test the original 2015 OE projections, the latest Experian economic forecasts within the Regional Econometric Model (REM) were used. The conclusion was that the original forecasts were still robust. At the Executive in July 2017 Members endorsed this position.
36. During the consultation a range of points were raised. These are provided in summary below:
- general support for the Local Plan as positively and proactively encourage sustainable economic growth, including tourism and leisure;
  - the approach to focusing retail development in the City Centre and reducing / limiting future development at out of town locations was also supported;
  - some representations recognised the uncertainties inherent in long term economic forecasting and therefore suggested that the using the baseline forecast to inform the employment land requirements of the Plan was over cautious;
  - it was also suggested that housing and employment policies are restrictive and the employment land supply will not cater for York's future needs;
  - the cost of housing impinging on companies and public services abilities to recruit staff was raised;
  - a perceived conflict was highlighted relating to acknowledging the universities importance for growth but failure to allocate land for expansion; and
  - a few members of the public were opposed to, or questioned, economic growth as a goal in of itself saying it is incompatible with sustainability.
37. Given comments made about economic growth Members may wish to consider increasing the employment land supply. The sites included in tables 5, 6 and 7 provided potential options. As with housing supply above it is important that this is balanced against whether changes can be made to the plan without undertaking additional consultation, a critical issue if the Council is to meet the May 2018 deadline for submission.

**Table 5: Potential changes to employment sites allocated in the Pre Publication Draft Local Plan in response to developer proposals (With minor or no boundary changes)**

<b>Allocation Reference</b>	<b>Site Name</b>	<b>No. Included in PPLP</b>	<b>Potential Revised Figure</b>
ST5	York Central	60,000 sqm	100,000 sqm

**Table 6: Potential changes to employment sites allocated in the Pre Publication Draft Local Plan in response to developer proposals (With boundary changes)**

<b>Allocation Reference</b>	<b>Site Name</b>	<b>No. Included in PPLP</b>	<b>Potential Revised Figure</b>
ST27	University of York expansion	21.5ha	26ha
ST26	Elvington Airfield Business Park	10 ha/	15 ha / 33,000sqm

38. Table 5 and 6 relates to increasing the capacity and extending existing site allocations. It is a matter of judgment as to whether the changes to the existing sites are “material”. In the context of the large strategic allocations, it is considered arguable by your officers that the additional land is not a material change. However, this is a matter of judgment, and there is a residual risk that the Examiner will take a different view and require the Council to undertake further consultation on this issue following submission.

**Table 7: Potential new employment site allocations , in response to developer proposals (previously rejected employment sites)**

<b>Site Reference</b>	<b>Site Name</b>	<b>Potential Revised Figure</b>
795	Greenacres Murton Lane	1.95ha / 6,000 sqm
864	Extention to Elvington Industrial Estate	5.4ha / 17,820 sqm
940	Remaining Land at Bull Commercial Centre	3ha/ 10,000 sqm

39. Table 7 includes sites that have in the past been assessed against the site selection criteria and rejected, but now given further work Officers

feel should be considered. These could potentially be included in the Publication Draft without the need for a further additional consultation, as they have already been the subject of public scrutiny through previously published Local Plan evidence or SA/ SEA. There is however a higher risk than tables 5 & 6 that the Examiner may find further consultation is needed.

### **Transport Assessment**

40. To support the Local Plan Pre Publication Draft (Reg 18) Consultation, future year forecasting of the transport impacts of potential residential and employment allocations together with the inclusion of a number of infrastructure improvements that can realistically be expected to be put in place within the Plan period was undertaken. This is contained in the Transport Topic paper, 2017. This is important background to any further decision on sites.
41. The main outcome of this forecasting shows that from 2016 to 2032/33 on the network as a whole:
  - Total trips increase by approximately 20%
  - Total travel time increases by approximately 30%
  - Total delay increases by approximately 55%
42. More detailed mapping of the forecast changes in traffic volume, traffic speeds and changes in traffic speed from the baseline year (2016) to the end of the plan period (2032/33) show that the main parts of the network to be impacted on are:
  - The A64
  - A1237 Clifton Moor to A64 Hopgrove
  - A59/A1237 Roundabout /A59 / Wetherby Road
  - Malton Road
  - A19 / Fulford Road
  - Hull Road
  - Tadcaster Road
43. Although the more detailed mapping referred to in the preceding paragraph shows the changes in traffic volumes and vehicle speeds across the network they may not necessarily give the information that would be of direct relevance to road users undertaking journeys into, around, or through York. To provide a more relevant indication of how a

typical journey will be affected in the future year the changes on travel time on the fifteen routes that could be deemed to be representative of 'typical' trips on the network are shown in Table 8.

**Table 8 Comparison of future year modelled travel times with baseline year travel times**

Trip		2016 Base year modelled peak hour trip time (min : sec)		Future Year (2032/33) Forecast					
				Modelled peak hour trip time (min : sec)		Increase from baseline year (min : sec)		Percentage increase in time from Baseline year	
Route No.	Description	AM	PM	AM	PM	AM	PM	AM	PM
1	A1237 (Northbound)	26:38	34:46	28:03	32:34	01:25	-02:12	5.3	-6.3
	A1237 (Southbound)	26:28	25:55	28:26	28:34	01:58	02:39	7.4	10.2
2	A64 (Northbound)	14:05	14:06	16:06	16:06	02:01	02:00	14.3	14.2
	A64 (Southbound)	14:07	14:47	15:42	17:15	01:35	02:28	11.2	16.7
3	Inner Ring Road (Clockwise)	22:15	25:48	24:11	27:39	01:56	01:51	8.7	7.2
	Inner Ring Road (Anti-clockwise)	19:03	21:38	20:40	23:27	01:37	01:49	8.5	8.4
	A1036 Tadcaster Road (Inbound)	12:55	12:32	13:24	12:40	00:29	00:08	3.7	1.1
	A1036 Tadcaster Road (Outbound)	11:24	10:27	11:54	11:08	00:30	00:41	4.4	6.5
5	A19 Fulford Road (Inbound)	15:46	14:18	19:31	18:49	03:45	04:31	23.8	31.6
	A19 Fulford Road (Outbound)	13:25	23:16	14:16	24:22	00:51	01:06	6.3	4.7
6	A1079 Hull Road (Inbound)	17:46	15:17	19:40	16:59	01:54	01:42	10.7	11.1
	A1079 Hull Road (Outbound)	12:11	14:47	12:37	18:18	00:26	03:31	3.6	23.8
7	A1036 Malton Road (Inbound)	07:40	08:12	08:04	9:04	00:24	00:52	5.2	10.6
	A1036 Malton Road (Outbound)	07:21	07:29	07:30	7:49	00:09	00:20	2.0	4.5
8	B1363 Wigginton Road (Inbound)	14:08	13:35	13:56	15:05	-00:12	01:30	-1.4	11.0
	B1363 Wigginton Road (Outbound)	13:59	13:34	13:40	20:39	-00:19	07:05	-2.3	52.2
9	A19 Shipton Road (Inbound)	14:23	09:57	12:30	09:55	-01:53	-00:02	-13.1	-0.3
	A19 Shipton Road (Outbound)	10:49	09:19	09:54	09:02	00:55	-00:17	8.5	-3.0
10	A59 Boroughbridge Road (Inbound)	18:10	17:13	18:19	18:39	00:09	01:26	0.8	8.3
	A59 Boroughbridge Road (Outbound)	15:50	19:20	17:16	19:58	01:26	00:38	9.1	3.3
11	B1224 Wetherby Road (Inbound)	08:07	08:09	08:35	08:31	00:28	00:22	5.7	4.5
	B1224 Wetherby Road (Outbound)	07:53	07:53	08:03	08:12	00:10	00:19	2.1	4.0
	Haxby Road (Inbound)	15:24	11:29	14:45	12:13	-00:39	00:44	-4.2	6.4
	Haxby Road (Outbound)	11:18	11:41	11:21	14:23	00:03	02:42	0.4	23.1
13	Water End (to northeast)	05:12	03:26	05:13	03:37	00:01	00:11	0.3	5.3
	Water End (to southwest)	03:38	03:40	03:35	03:37	-00:03	-00:03	-1.4	-1.4
14	Leeman Road (Inbound)	05:11	03:38	05:11	03:37	00:00	-00:01	0.0	-0.5
	Leeman Road (Outbound)	03:25	05:41	03:25	05:40	00:00	-00:01	0.0	-0.3
15	Bishopthorpe Road (Inbound)	09:52	08:38	09:53	08:40	00:01	00:02	0.2	0.4
	Bishopthorpe Road (Outbound)	08:34	08:42	08:40	09:08	00:06	00:26	1.2	5.0

44. If the housing supply for the Publication Draft Plan is increased from that in the Pre Publication Draft Local Plan it is likely that the transport impacts will be exacerbated. For example, if the level of growth is increased by the order of 10% it can reasonably be assumed that the impacts will increase by a similar scale. More detailed modelling will have to be undertaken to support the regulation 19 consultation.

### **Viability**

45. Ensuring sites are viable and deliverable in the context of planning policy is a requirement of national guidance. Thus, 'The City of York Local Plan and Community Infrastructure Levy Viability Assessment, 2017', was undertaken and issued for consultation alongside the Local Plan Pre-Publication Draft (Regulation 18).
46. For residential development policy testing was undertaken for each typology and strategic site. The policy testing comprised testing a series of policy layers. For each policy layer, the impact of those policy considered to have a notable impact on viability is then considered through adding policy 'layers' to judge the cumulative impact of these policies. These are:
- Policy layer 1 – This is a base layer, which includes open space and design cost allowances but no policy layer applied;
  - Policy layer 2 – This layer adds a S106 contribution at £3,300 per unit to the Policy layer 1;
  - Policy layer 3 – Policy layer 2 plus the policy requirement for affordable housing (Policy H10)
  - Policy layer 4 – Policy layer 3 plus the requirement for meeting sustainable construction standards (Policy CC2)
  - Policy layer 5 – Policy layer 4 plus an allowance for Gypsy and Traveller pitches where required (Policy H5).
47. The Viability testing for residential development shows that there is viability across all residential site typologies with the imposition of the average S106 contributions (i.e. policy layer 2). But at cumulative policy layer 3, when affordable housing is also applied, some of the smaller sites (delivering less than 10 units) are unable to meet the full policy requirements beyond the average S106 contribution per unit. All the

other tested typologies, including all sites within the urban area and all sites with 10 or more units in all locations (including the bespoke-tested Strategic Sites), are shown to be able to fully meet the Pre Publication Draft Local Plan Policy requirements (i.e. at cumulative policy layer 5).

48. Overall, for residential development the viability testing results imply that the cumulative policy requirements identified in the Pre Publication Draft Local Plan (2017) do not adversely affect the majority of development in most parts of the City of York area. The recommendations included within Annex A seek to address the outcomes of this work.
49. It should be noted however that allowing an increase in site size could in some cases allow the delivery of an increased level of planning gain relating to facilities and services for future residents.
50. For Non- residential development two policy layers were tested:
  - Policy layer 1 – This is a base layer, where no policies are applied; and
  - Policy layer 2 – This layer includes the requirement for achieving a BREEAM 'excellent' delivery in line with Policy CC2: Sustainable Design and Construction.
51. The viability assessment determined that all non-residential uses are unable to show viability with or without meeting proposed policy CC2 Sustainable Design and Construction with the exception of retail. However, the viability of non-residential uses is not necessary for supporting such allocations in the Local Plan, principally because non-residential development is generally more speculative than residential .

### **Sustainability Appraisal**

52. When producing Local Plans, authorities are required to consider, at each stage of production, the impacts their proposals are likely to have on sustainable development. The emerging Local Plan is subject to ongoing Sustainability Appraisal incorporating the requirements of Strategic Environmental Assessment (SA/SEA) as required through NPPF. SA/SEA is a means of ensuring that the likely social, economic

and environmental effects of the Local Plan are identified, described and appraised to identify how they support the Council's sustainable development objectives.

53. At the Pre publication stage of the Local Plan a SA/SEA was undertaken. 'The Sustainability Appraisal Summary 2017' is a detailed technical document; and is an important background paper to this report to inform Members decisions. It has also been used to inform the recommendations in Annex A and will be updated following Members decisions on this report. It will be made available as a part of the Local Plan Publication (Reg 19) consultation.

### **Duty to Cooperate**

54. The Localism Act 2011 introduced the Duty to co-operate (the Duty) that requires local planning authorities and other prescribed bodies to 'engage constructively, actively and on an on-going basis' to maximise the effectiveness of local plan preparation in relation to strategic matters.
55. The Act also extended the purposes of the plans Examination to include determination as to whether the Duty has been complied with. National Planning Practice Guidance makes it clear that Inspectors testing compliance with the duty at examination will assess the outcomes of co-operation rather than the process of dialogue. Failure to demonstrate compliance with the duty at the examination cannot be corrected after the local plan has been submitted for examination.
56. As it has developed the Local Plan has been subject to on-going and constructive engagement with neighbouring authorities and relevant organisations. This has included:
- the preparation and updating of a Duty to Cooperate Matrix (that has been generally circulated to the officer level groups for subsequent discussion and comment);
  - regular one-to-one officer meetings;
  - making representations, as appropriate, to other authorities Local Plan documents, and vice versa; and
  - regular technical discussions at regional sub-regional Member and officer groups.

57. Through the meetings highlighted Officers have sought to gauge the appetite of neighbouring authorities for a sub-regional approach to delivering housing within the context of the Duty to Cooperate. Whilst this wasn't supported for the current round of Local Plans there may be some support to consider this in the future.
58. Details on how the Council has fulfilled the requirements under the Duty was contained in the 'Demonstrating the Duty to co-operate (Interim Statement)' that is part of the supporting evidence base for the Pre Publication Draft Local Plan.
59. Several Prescribed Bodies including many of York's neighbouring authorities, the Local Enterprise Partnerships and Highways England returned representations during the Pre Publication Draft Local Plan consultation. These have been considered in coming to the recommendations included in Annex A. In addition they are summarised in Annex B to inform Members consideration of the recommendation associated with this report. The comments provided are broadly supportive of ongoing engagement and alignment with economic objectives, but stress the importance of an appropriate land supply for housing and the need for joint working on issues such as transport.
60. Post consultation reports on the City of York Local Plan have been considered at the following meetings:
  - Leeds City Region - Heads of Planning – 8<sup>th</sup> December 2017;
  - Leeds City Region Planning Portfolios Board 15<sup>th</sup> December 2017;
  - York, North Yorkshire East Riding and Hull - Directors of Development – 07<sup>th</sup> December 2017; and
  - North Yorkshire and York Spatial Planning and Transport Board 17<sup>th</sup> January 2018.

## **Options**

61. Officers request that Members consider the following options to enable a composite Local Plan Publication (Regulation 19) document to be produced for statutory soundness consultation prior to submission:

**Option 1:** *The additions of further housing sites from tables 1 – 4;*

**Option 2:** *The additions of further employment sites from tables 5 – 7;  
and*

**Option 3:** The proposed policy changes highlighted in Annex A.

### **Analysis of Options**

62. Members are being asked to consider amendments to the plan previously consulted upon and approve a Publication Draft Local Plan which ultimately will be subject to examination by a member of the Planning Inspectorate. They must therefore, when considering the options above, be aware of the procedures which the Council is required to follow when producing a Local Plan. These are derived from the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Development) (England) Regulations 2012. The legislation states that a local planning authority must only submit a plan for examination which it considers to be sound. This is defined by the National Planning Policy Framework as being:

- **Positively Prepared:** based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;
- **Justified:** the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective:** deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy:** enable the delivery of sustainable development in accordance with the policies in the Framework.

63. Members must consider whether in light of the consultation responses and changes in the national policy context the proposed Publication Draft Local Plan meets the above tests and is 'sound'. This includes the approach to both housing and employment need and supply.

### **Next Steps**

64. Following the Executive, if Members agree, Officers will produce a composite draft Plan and a city-wide proposals map. In addition this

document will be accompanied by a range of technical documents which will need to be prepared after the Executive. These will include (but not be limited to):

- SA/SEA;
- Habitat Regulation Assessment (HRA);
- City-wide transport model;
- Viability Assessment;
- Strategic Housing Land Availability Assessment (SHLAA);
- Any technical addendums necessary arising from the recommendations of this report relating to growth and sites.

65. Following the Regulation 19 consultation, Officers will report the responses received to Local Plan Working Group, Executive and Council seeking approval to submit a plan for public examination before the end of May 2018. Legislation requires that Full Council, having had regard to any consultation responses, determines whether the plan is 'Sound' to enable submission for independent examination under Regulation 20. The timetable highlighted is in conformity with the Council's published Local Development Scheme (LDS).
66. Officers will continue to seek dialogue with key partners including neighbouring authorities, the County Council and both LEPs. In addition dialogue will also be sought with both DCLG and the Planning Inspectorate.

### **Impacts**

67. **Financial (1)** – The work on the Local Plan is funded from specific budgets set aside for that purpose. Over the last four years, significant sums have been expended on achieving a robust evidence base, carrying out consultations, sustainability and other appraisals, policy development and financial analyses. Whilst this work remains of great value it is important that progress is made to ensure that unnecessary additional costs do not occur.
68. **Financial (2)** - It should also be considered that if the approach taken is subsequently judged to be non compliant with Government Guidance either before or after submission this could lead to further technical work

and additional consultation adding to the identified costs and creating delay.

69. **Financial (3)** - Managing the planning process in the absence of a Plan will lead to significant costs to the council in managing appeals and examinations.
70. **Human Resources (HR)** – The production of a Local Plan and associated evidence base requires the continued implementation of a comprehensive work programme that will predominantly, although not exclusively, need to be resourced within EAP.
71. **Better Decision Making Tool** – Attached as annex C.
72. **Legal** – The procedures which the Council is required to follow when producing a Local Plan derive from the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Development) (England) Regulations 2012.
73. The legislation states that a local planning authority must only submit a plan for examination which it considers to be sound. This is defined by the National Planning Policy Framework as being:
  - **Positively Prepared:** based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;
  - **Justified:** the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
  - **Effective:** deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
  - **Consistent with national policy:** enable the delivery of sustainable development in accordance with the policies in the Framework.
74. In order for the draft Local Plan to pass the tests of soundness, in particular the 'justified' and 'effective' tests, it is necessary for it to be based on an adequate, up to date and relevant evidence base. The Council also has a legal duty to comply with the Statement of Community Involvement in preparing the Plan. (S19(3) 2004 Act).
75. In addition the Council also has a legal "Duty to Co-operate" in preparing the Plan. (S33A 2004 Act).

76. In due course Council will be asked to approve the publication draft Local Plan for submission to the Secretary of State. It will then be subject to examination by a member of the Planning Inspectorate before being finally adopted. If the draft Local Plan is not prepared in accordance with legal requirements, fully justified and supported by evidence, the draft Local Plan is likely to be found unsound at examination and would not be able to proceed to adoption.
77. **Crime and Disorder** – The Plan addresses where applicable.
78. **Information Technology (IT)** – The Plan promotes where applicable.
79. **Property** – The Plan includes land within Council ownership.
80. **Other** – None

### **Risks**

81. The main risks in failing to progress a Local Plan for the City of York in compliance with laws, regulations and guidance are as follows:
- the plan is found ‘unsound’ at examination leading to ‘withdrawal’ or further work;
  - direct interventions by Government into the City’s Local Plan making;
  - inability to steer, promote or restrict development across its administrative area;
  - potential damage to the Council’s image and reputation if a development plan is not adopted in an appropriate timeframe; and
  - financial risk associated with the Council’s ability to utilise planning gain and deliver strategic infrastructure.

Measured in terms of impact and likelihood, the risks associated with this report have been assessed as requiring frequent monitoring.

**Contact Details**

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**Executive Members Responsible for the Report:**

Cllrs D Carr & A Waller

**Report  
Approved**



**Date** 15/01/18

**Specialist Implications Officer(s):**

Finance Manager  
Senior Solicitor, Planning

**Wards Affected:**

All

**Annexes**

Annexe A: Pre Publication Draft Local Plan (2017) Consultation  
Response Summaries & Recommendations

Annex B: Duty to Cooperate Responses

Annex C: Better Decision Making Tool

**Background Papers**

Transport Topic paper, 2017.

[https://www.york.gov.uk/downloads/file/14278/transport\\_topic\\_paper\\_2017](https://www.york.gov.uk/downloads/file/14278/transport_topic_paper_2017)

The City of York Local Plan and Community Infrastructure Levy Viability Assessment, 2017.

[https://www.york.gov.uk/downloads/file/14273/local\\_plan\\_and\\_community\\_infrastructure\\_levy\\_viability\\_assessment\\_2017](https://www.york.gov.uk/downloads/file/14273/local_plan_and_community_infrastructure_levy_viability_assessment_2017)

The Sustainability Appraisal Summary, 2017.

[https://www.york.gov.uk/downloads/file/14276/sustainability\\_appraisal\\_summary\\_2017](https://www.york.gov.uk/downloads/file/14276/sustainability_appraisal_summary_2017)

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**Annex B: Duty to Cooperate Responses****Summary of Prescribed Body Representations on City of York Local Plan Pre Publication Draft (Regulation 18) Consultation, 2017**

Prescribed Body	Summary of Representation
East Riding of Yorkshire Council (ERC)	<ul style="list-style-type: none"> <li>• The draft plan, which has been based on ongoing co-operation between the two authorities throughout the plan making process.</li> <li>• Strongly supports the provision of sufficient housing within the York Local Plan to enable the full need for housing to be met within the York HMA.</li> <li>• Welcomes the identification of strategic highways network improvements at Grimston Bar in policy T4 and the need for joint working.</li> <li>• Expressed concern at the Breen Belt boundary being set precisely at 6miles from the city centre as this would encroach into East Riding.</li> <li>• More detailed comments relating to Site ST15 Land West of Elvington Lane</li> </ul>
Environment Agency	<ul style="list-style-type: none"> <li>• On the whole, the Environment Agency's comments from previous consultations have been taken on board and the EA find the content of the plan positive. The section on green infrastructure is good and recognises the dual of both green open spaces and mitigation of current and future flood risk, as sustainable drainage systems (SuDS) or flood storage, can be achieved.</li> <li>• More detailed comments on policies relevant to its remit, e.g. Flood risk and land contamination.</li> </ul>
Hambleton District Council (HDC)	<ul style="list-style-type: none"> <li>• The document identifies sufficient land to meet the development needs of the City and establishes a Green Belt enduring 20 years. It does not safeguard land for development and recognises the build out time of the strategic sites will extend beyond the plan period. The proposed detailed boundaries of the Green Belt offer little opportunity to accommodate the increased level of growth proposed in the White Paper, should this be required.</li> <li>• If the City of York does not ensure that its longer term development needs are met this will place pressure on areas in neighbouring authorities.</li> <li>• The Local Plan has been subject to viability testing and the proposed allocations have been selected through a robust assessment process, but the level of assessment that has been undertaken to confirm the viability and deliverability of the allocated sites is unclear</li> </ul>
Harrogate Borough Council (HBC)	<ul style="list-style-type: none"> <li>• No representation made at this stage but ongoing discussions under the Duty will continue as the plan is taken forward</li> </ul>
Highways England (HE)	<ul style="list-style-type: none"> <li>• Welcome the emphasis on sustainable travel, high quality public transport links serving new sustainable communities and travel planning as key components of policy, and that new development sites are located with</li> </ul>

Summary of Prescribed Body Representations on City of York Local Plan Pre Publication Draft (Regulation 18) Consultation, 2017	
Prescribed Body	Summary of Representation
	<p>good access to public transport, walking and cycling networks, thereby minimising growth in traffic.</p> <ul style="list-style-type: none"> <li>• The Plan lacks recognition of the scale of the forecast traffic growth on the A64 trunk road and its junctions with local primary roads will require physical mitigation in the form of investment in highway infrastructure despite the extensive sustainable travel proposals.</li> <li>• The spatial distribution and particularly the development of land opportunities in the south and eastern parts of York should be dependent upon agreement between the Council and HE of a Management Strategy for the A64 and its junctions with the local primary road network.</li> <li>• HE expects that the strategic sites located around the A1237 Northern Ring Road will combine to have a significant impact on the junctions of the A1237 with that A64 east and west of York. It will need to have a good understanding of that cumulative impact if it is to be able to state that the Plan is sound at Publication Draft stage.</li> <li>• HE will continue to work in partnership with CYC to understand the impact of the Local Plan proposals on the operation of the A64 and its junctions with the primary road network.</li> <li>• Requested that the key principles in many of the Spatial Strategy (SS) policies for the strategic sites be modified to include HE as an organization to be consulted with by developers when demonstrating that all transport issues have been addressed.</li> <li>• Requested explanatory text to several Spatial Strategy (SS) policies for the strategic sites be modified to include the need for a Transport Assessment to support the key principles relating to demonstrating that all transport issues have been addressed.</li> </ul>
Leeds City Region Local Enterprise Partnership (LCR LEP) / West Yorkshire Combined Authority (WYCA)	<ul style="list-style-type: none"> <li>• The Plan forms a complete suite of local policies and directly addresses many aspects of the strategies in the SEP.</li> <li>• Land allocations for the provision of jobs will support sustainable economic activity with a focus on allocating enough sites to satisfy market demand and maximise connectivity to transport</li> <li>• The Plan supports the aim of increasing the amount of energy generated from renewable and low carbon sources, and supports proposals for renewable and low carbon infrastructure. These elements are well-aligned with the SEP</li> <li>• York has not applied the 10% market signals adjustment as recommended in the York 2017 Strategic Housing Market Assessment.</li> <li>• The Plan policies could strengthen the commitment to delivering better digital infrastructure which would support</li> </ul>

Summary of Prescribed Body Representations on City of York Local Plan Pre Publication Draft (Regulation 18) Consultation, 2017	
Prescribed Body	Summary of Representation
	<p>the SEP priorities</p> <ul style="list-style-type: none"> <li>• Sites and policies are not supported by an up to date infrastructure delivery plan and one would be expected.</li> <li>• The Plan acknowledges that commuting to destinations outside York occurs. Welcome that improvements to York Railway Station are included in the plan to accommodate enhancements for the planned electrification of the Trans Pennine Line, HS2 and Northern Powerhouse Rail aspirations.</li> </ul>
North Yorkshire County Council (NYCC)	<ul style="list-style-type: none"> <li>• York is an important driver for growth both within the York, North Yorkshire and East Riding LEP area and the Leeds City Region. It is important that the City has a robust and high quality Local Plan in place that best enables it to unlock economic growth and prosperity for the benefit of its communities and those of its wider hinterland.</li> <li>• Welcome the commitments set out in Policy DP1: York Sub Areas. In particular that York will <i>'fulfil its role as a key driver in the Leeds City Region , York, North Yorkshire and East Riding Local Enterprise Partnership (LEP) area...'</i> and <i>'The housing needs of City of York 's current and future population including that arising from economic and institutional growth is met within the York local authority area.'</i></li> <li>• Support the general thrust and intent of Policy SS1 : Delivering sustainable growth for York</li> <li>• Policy SS2: the Role of York's Green Belt - defining a clear and detailed inner boundary of the York Green Belt is welcomed and supported. In defining the Green Belt boundary it is important that the evidence underpinning the decision is clearly presented and included within the narrative accompanying the policy. NYCC recognise that the Plan makes provision up to 2038, providing for an additional 5 years beyond the plan period. In adopting this approach it is acknowledged that in the longer term consideration will need to be given to how future growth needs will be managed to provide confidence in relation to planning for infrastructure and services including within neighbouring parts of North Yorkshire</li> <li>• Any traffic impact on NYCC's local highway network that could arise from allocations need to be identified and considered. Where it is clear that a development will have a material impact on its local highway network, NYCC request to be included in agreeing the scoping for the Transport Assessment (TA) and Travel Plan (TP) in addition to being formally consulted during the application process.</li> <li>• Ask that within CYC's transport evidence account is taken of the traffic generated by the allocations of surrounding planning authorities., particularly Harrogate district and</li> </ul>

Summary of Prescribed Body Representations on City of York Local Plan Pre Publication Draft (Regulation 18) Consultation, 2017	
Prescribed Body	Summary of Representation
	<p>the Green Hammerton settlement and that committed developments within North Yorkshire that will impact on cross border issues are included.</p> <ul style="list-style-type: none"> <li>• The Development of the York Central site will provide new economic and residential uses and activity in the centre of the City in a location well connected to sustainable transport which will benefit from regeneration.</li> </ul>
Ryedale District Council (RDC)	<ul style="list-style-type: none"> <li>• No representation made at this stage but ongoing discussions under the Duty will continue as the plan is taken forward</li> </ul>
Selby District Council (SDC)	<ul style="list-style-type: none"> <li>• Broadly supports the Local Plan approach and its policies, and more specifically, Policy DP1</li> <li>• SDC notes Policy SS1 states that the plan will deliver a minimum of 867 dwellings per year .Having read the SHMA Addendum, it is also noted that this figure does not take into account the level of employment growth proposed by the Local Plan and that the SHMA has not undertaken a full update to the analysis of economic growth. Whilst the SHMA concludes that there is unlikely to be any justification for an uplift in housing numbers in York to support expected growth in employment, Selby District Council need to be confident that undertaking a policy-on approach to housing need would identify no more than 867 dwellings per annum.</li> <li>• CYC will also be aware of the proposed methodology for the calculation of housing need requirements set out in the in the DCLG consultation on 'Planning for the Right Homes in the Right Places', which if taken forward would increase York's housing requirement figure to 1,070 dwellings per annum. Whilst you are confident that you can realise the growth aspirations detailed within the Pre-Publication Local Plan within the City of York boundary, Selby District Council is concerned that any increases to this figure could raise significant cross-boundary issues.</li> <li>• Question whether a Green Belt boundary enduring for 20 years is sufficient to meet the NPPF as it pertains to the intended permanence of Green Belt boundaries in the long term so they are capable of enduring beyond the plan period.</li> <li>• Site ST15 is in a remote location and will require significant investment in public transport infrastructure. The cumulative impact of this proposed new settlement on the highways network, along with the proposed expansion of York University (Site ST27) and the employment allocation at Elvington Airfield will need to be mitigated. Selby District Council need more detail to that shown in the Transport Topic Paper, before providing any further comments on the potential impact this allocation may have on Selby district.</li> <li>• CYC as education authority, will need to be satisfied that</li> </ul>

Summary of Prescribed Body Representations on City of York Local Plan Pre Publication Draft (Regulation 18) Consultation, 2017	
Prescribed Body	Summary of Representation
	Wheldrake with Thorganby CE School is capable of meeting any additional demand generated by Site ST33, without any detriment to the population of Thorganbury (in Selby District)
York, North Yorkshire and East Riding Local Enterprise Partnership (YNYER LEP)	<ul style="list-style-type: none"> <li>• The quantum and nature of the proposed development will be of great strategic benefit to this LEP area and it is important that the Local Plan is advanced to adoption quickly to allow delivery of these sites.</li> <li>• Past issues of under delivery of housing, together with recent market signals for York mean that it will be essential to achieve the proposed minimum annual provision of 867 dwellings over the plan period, together with any additional homes to reflect under delivery.</li> <li>• Concerned at only 60,000m<sup>2</sup> of B1a office space at York Central, given the significantly higher figure in the EZ proposal and the pivotal role of such development on this site for the economy of York and the LEP area</li> <li>• Welcome the funding from WYCA to undertake feasibility and business case development for dualling the A1237</li> <li>• Grimston Bar junction, that already has capacity problems and faces increasing pressure through the Local Plan proposals, is important for east-west connectivity</li> </ul>

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The 'Better Decision Making' tool should be completed when proposing new projects, services, policies or strategies.

This integrated impact assessment tool was designed to help you to consider the impact of your proposal on social, economic and environmental sustainability, and equalities and human rights. The tool draws upon the priorities set out in our Council Plan and will help us to provide inclusive and discrimination-free services. The purpose of this new tool is to ensure that the impacts of every proposal are carefully considered and balanced and that decisions are based on evidence.

**Part 1** of this form should be completed as soon as you have identified a potential area for change and when you are just beginning to develop a proposal. If you are following the All About Projects Framework it should be completed before going through Gateway 3.

**Part 2** of this form should be filled in once you have completed your proposal and prior to being submitted for consideration by the Executive. If you are following the All About Projects Framework it should be completed before going through Gateway 4. Your answer to questions 1.4 in the improvements section must be reported in any papers going to the Executive and the full 'Better Decision Making' tool should be attached as an annex.

Guidance to help you complete the assessment can be obtained by hovering over the relevant text or by following this link to the 'Better Decision Making' tool on Colin.

Guidance on completing this assessment is available by hovering over the text boxes.

Please complete all fields (and expand if necessary).

**Introduction**

<b>Service submitting the proposal:</b>	Strategic Planning
<b>Name of person completing the assessment:</b>	Alison Cooke
<b>Job title:</b>	Development Officer
<b>Directorate:</b>	Economy and Place
<b>Date Completed:</b>	23rd January 2018
<b>Date Approved:</b> form to be checked by service manager	

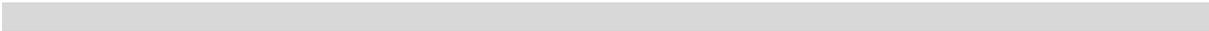
**Part 1**

**Section 1: What is the proposal?**

1.1	<b>Name of the service, project, programme, policy or strategy being assessed?</b> Pre Publication Draft Local Plan 2017
1.2	<b>What are the main aims of the proposal?</b> The main aim of the report is to update Members on the response to the Pre Publication Draft Local Plan Consultation 2017. It presents a background summary of previous iterations of draft policies and the circumstances which led to the rationale of the Executive decision to approve the Pre-Publication Draft Local Plan for consultation. It also provides a summary of the present national policy and legislative context, and Officers' advice on appropriate responses to the Consultation outcomes.
1.3	<b>What are the key outcomes?</b> The Local Plan is the planning policy document through which we aim to deliver York's sustainable development objectives in a spatial way through identifying policies to inform decision making and site allocations to meet development needs.

Section 2: Evidence

2.1	<p><b>What data / evidence is available to understand the likely impacts of the proposal?</b> (e.g. hate crime figures, obesity levels, recycling statistics)</p> <p>The proposed changes as a result of the Consultation responses are set out in Annex A against each of the sites and policies.</p>
2.2	<p><b>What public / stakeholder consultation has been used to support this proposal?</b></p> <p>The Local Plan process has been subject to several consultations, the latest of which was the Pre Publication Draft (2017). This set out the Council's preferred housing and employment need as well as sites to satisfy the demand. The outcomes of this consultation have been reviewed and incorporated into the emerging position. Annex A accompanies this report setting out the proposed changes, supported by the evidence base. Further consultation, subject to members decision, will take place in Spring 2018.</p>
2.3	<p><b>Are there any other initiatives that may produce a combined impact with this proposal?</b> (e.g. will the same individuals / communities of identity also be impacted by a different project or policy?)</p> <p>This report will ultimately feed into the Regulation 19 Local Plan wherein it is likely to be positive through meeting the city's spatial development needs and contribute towards meeting York's sustainable development objectives. Specifically in relation to communities, this will effect all people in York who engage with planning such as through obtaining planning permission as well as ensuring planning policies in place to meet the city's objectives for sustainable development.</p>



**Part 1**

**Section 3: Impact on One Planet principles**

Please summarise any potential positive and negative impacts that may arise from your proposal on staff or residents. This section relates to the impact of your proposal on the One Planet principles.

For 'Impact', please select from the options in the drop-down menu. If you wish to enter multiple paragraphs in any of the boxes, hold down 'Alt' before hitting 'Enter'.

**Equity and Local Economy**

Does your proposal?	Impact	What are the impacts and how do you know?
<p>3.1</p> <p><b>Impact positively on the business community in York?</b></p>	Positive	<p>The policies of the Local Plan support the delivery of the city's economic objectives and will enable York to realise its economic growth ambitions as set out in the city's economic strategy (2016). It will promote private sector employment growth through the provision of sites and infrastructure to deliver new jobs over the plan period for current and future residents. The Employment Land Review (2016 and update 2017) sets out our assumptions for identifying employment need. Meeting York's housing requirements is also likely to have a positive outcome for provision of affordable housing for workers within York.</p>
<p>3.2</p> <p><b>Provide additional employment or training opportunities in the city?</b></p>	Positive	<p>The policies of the local plan support the delivery of the city's economic objectives and will enable York to realise its economic growth ambitions as set out in the city's economic strategy (2016). It will promote private sector employment growth through the provision of sites and infrastructure to deliver new jobs over the plan period for current and future residents. Housebuilding and commercial development as a result of allocations in the LocalPlan may provide some certainty over jobs in construction. The scale of employment activity depends on the growth targets agreed.</p>
<p>3.3</p> <p><b>Help individuals from disadvantaged backgrounds or underrepresented groups to improve their skills?</b></p>	Positive	<p>The plan supports the delivery of the city's economic objectives and social objectives, including promoting social inclusivity. The plan will help to unlock the further potential of the higher and further education sector in York through development and redevelopment.</p>

Health & Happiness	
Does your proposal?	What are the impacts and how do you know?
3.4 <b>Improve the physical health or emotional wellbeing of staff or residents?</b>	Neutral The Local Plan aims to support healthy lifestyles and healthy environments across the city. The plan includes policies to conserve and enhance York's green infrastructure, providing opportunities for a healthy lifestyle and optimising its role in contributing to York being a healthy city, drawing on the Open Space Study (2014) and its 2017 update. Providing homes to meet the needs of people will also have a positive impact on people's well being.
3.5 <b>Help reduce health inequalities?</b>	Positive The community facilities section of the plan has been revised to have a greater focus on health and wellbeing. The new section covers the protection and enhancement of sports, healthcare, childcare, and community facilities. An additional policy related to healthy placemaking has been added which encourages designing environments that encourage health-promoting behaviours, helping to delivery York's Joint Health and Wellbeing Strategy and the Council Plan. There are also opportunities as part of new development for the provision of new services. These will have to be developed in tandem to avoid negatives impact in the short-term.
3.6 <b>Encourage residents to be more responsible for their own health?</b>	Neutral The Local Plan encourages healthy lifestyles through the safeguarding and provision of different types of openspace and recreational opportunities. The plan includes policies to conserve and enhance York's green infrastructure, providing opportunities for a healthy lifestyle and optimising its role in contributing to York being a healthy city. See Annex 7 to this report to see updates to these policies.
3.7 <b>Reduce crime or fear of crime?</b>	Positive The plan includes a placemaking policy which seeks to balance the needs of urban design principles for good design against 'secured by design' principles to design out crime, helping to delivery the City of York Streetscape Strategy Guidance (2014). See Annex 7 to this report to see updates to these policies.
3.8 <b>Help to give children and young people a good start in life?</b>	Positive The Local Plan seeks to respond to the need to increase primary and secondary education provision, including addressing need arising from strategic development sites and supporting proposals to ensure that existing facilities can continue to meet modern educational requirements. See Annex 7 to this report to see updates to these policies.

Culture & Community		
	Does your proposal?	What are the impacts and how do you know?
3.9	<b>Help improve community cohesion?</b>	Neutral Community cohesion and the development of strong, supportive and durable communities is promoted through the creation of sustainable, low carbon neighbourhoods.
3.10	<b>Improve access to services for residents, especially those most in need?</b>	Positive The plan will prioritise tackling existing gaps and prevent gaps from being created in the provision of key services and public transport, helping to support the Council's Transport Plan 2011-2031. The Plan's spatial strategy also uses access to services and transport as a key indicator for sustainability and uses this to help determine suitable sites for development. The majority of strategic allocations are also expected to incorporate local provision on site and have access to sustainable transport.
3.11	<b>Improve the cultural offerings of York?</b>	Positive A new cultural provision policy has been developed as well as strengthening references to culture throughout the plan. The new policy supports development proposals where they are designed to sustain, enhance and add value to the special qualities and significance of York's culture. See Annex 7 to this report to see the new and revised policies.
3.12	<b>Encourage residents to be more socially responsible?</b>	Positive Through consultation the local plan process actively encourages residents to shape their communities by commenting on the policies that will shape development in the future in line with the Council's Statement of Community Involvement (2007)

Zero Carbon and Sustainable Water		
	Does your proposal?	What are the impacts and how do you know?
		Impact

3.13	<p><b>Minimise the amount of energy we use, or reduce the amount of energy we will use/pay for in the future?</b></p>	Mixed	<p>The plan will respond to the opportunities offered by the city's natural resources whilst at the same time protecting current and future residents from environmental impacts. It will help York become a sustainable, resilient and collaborative 'One Planet'. It will create energy efficient buildings, support the use of energy from renewable sources and ensuring York is climate ready. Notwithstanding this, development in York is likely to increase the city's resource consumption. Local Plan policy relating to climate change, renewable energy and sustainable design have been updated in line with new/updated evidence base and legislation. See Annex 7 to this report for updates to these policies.</p>
3.14	<p><b>Minimise the amount of water we use or reduce the amount of water we will use/pay for in the future?</b></p>	Mixed	<p>The plan will respond to the opportunities offered by the city's natural resources whilst at the same time protecting current and future residents from environmental impacts. It will help York become a sustainable, resilient and collaborative 'One Planet' city, ensuring that new development uses water efficiently and delivers sustainable drainage solutions. Local Plan policy relating to climate change, renewable energy and sustainable design have been updated in line with new/updated evidence base and legislation. See Annex 7 to this report for updates to policy.</p>
3.15	<p><b>Provide opportunities to generate energy from renewable/low carbon technologies?</b></p>	Positive	<p>A revised climate change section now more strongly ties the policies to the social and economic benefits of low carbon developments which consider sustainable design and construction principles. See Annex 7 to this report for updates to policy.</p>

Zero Waste			
3.16	<p><b>Does your proposal?</b></p> <p><b>Reduce waste and the amount of money we pay to dispose of waste by maximising reuse and/or recycling of materials?</b></p>	Impact	<p><b>What are the impacts and how do you know?</b></p> <p>The plan will contribute to the reduction of waste through supporting innovation and improvement of current waste practices and the promotion of recycling. Sustainable design and construction principles will be embedded in new developments. Local Plan policy relating to Waste management has been revised in line with the emerging Joint Minerals and Waste Local Plan being prepared by North Yorkshire County Council, City of York Council and North York Moors National Park. See Annex 7 to this report for updates to policy</p>

Sustainable Transport	
Does your proposal?	What are the impacts and how do you know?
3.17 <b>Encourage the use of sustainable transport, such as walking, cycling, ultra low emission vehicles and public transport?</b>	Positive  The plan will help deliver a fundamental shift in travel patterns by ensuring that sustainable development and travel planning is a key component of future development, promoting sustainable connectivity, reducing the need to travel, helping to deliver the infrastructure to support sustainable transport and managing private travel demand. Helping to support the Council's Transport Plan 2011-2031. This has also been translated into the Site Selection process as a key stage in considering suitability of a potential development site. The outcomes of sites are referred to in annexes 3-5. See Annex 7 for revisions to policy.
3.18 <b>Help improve the quality of the air we breathe?</b>	Positive  The plan supports measures to help reduce the emissions of Nitrogen Dioxide, Particulate, Carbon Dioxide and other greenhouse gases from both transport and other sources helping to deliver the Council's Low Emission Strategy (2012) and therefore features as a consideration throughout the Local Plan. See Annex 7 to this report for detailed updates to policy.
Sustainable Materials	
Does your proposal?	What are the impacts and how do you know?
3.19 <b>Minimise the environmental impact of the goods and services used?</b>	Mixed  Development advocated by the Local Plan will have an inevitable impact on the use of resources and waste. However, sustainable design and construction principles will be embedded in new developments through policy. See annex 7 to this report for detailed policy updates.
Local and Sustainable Food	
Does your proposal?	What are the impacts and how do you know?
3.20 <b>Maximise opportunities to support local and sustainable food initiatives?</b>	Neutral  n/a
Land Use and Wildlife	

Does your proposal?	What are the impacts and how do you know?	Impact
<p>3.21</p> <p><b>Maximise opportunities to conserve or enhance the natural environment?</b></p>	<p>York's Green Infrastructure, including open space, landscape, geodiversity, biodiversity and the natural environment will be both conserved and enhanced. This is a key consideration in the Local Plan and evidence base such as the Green Infrastructure and Openspace Study (2014, Openspace update 2017). The vision, spatial strategy and specific policies all support the conservation and enhancement of the natural environment. Furthermore, this is translated into the Site Selection methodology to determine a potential site's suitability for development. See Annex 7 for updates to specific policies and annexes 3-5 to see comments in relation to specific sites.</p>	<p>Positive</p>
<p>3.22</p> <p><b>Improve the quality of the built environment?</b></p>	<p>The Local Plan will help York to safeguard its outstanding heritage for future generations by promoting development which respects the city's special character and culture and encourages opportunities for rediscovering and reinterpreting those assets which make it an attractive, beautiful and accessible city. The Plan will do this through the conservation and enhancement of six defining characteristics of York's built environment; strong urban form, compactness, landmark monuments, unique architectural character, archaeological complexity and landscape setting set out in the Heritage Topic Paper (2014) and Heritage Impact Appraisal (tbc 2017).</p>	<p>Positive</p>
<p>3.23</p> <p><b>Preserve the character and setting of the historic city of York?</b></p>	<p>The plan will help York to safeguard its outstanding heritage for future generations by promoting development which respects the city's special character. The Local Plan will ensure that the city's heritage assets are preserved and enhanced. Beyond the city centre, the key radial routes are of particular importance, and the surrounding villages and Green Infrastructure, including its valued strays, river corridors and open spaces that contribute to the city's setting. The Historic Character and Setting evidence base (2003 updated in 2013 and 2014) identifies areas of primary importance for this. The Plan will also create a Green Belt for York that will endure beyond the end of this plan period providing a lasting framework to shape the future development of the city. Its primary aim will be to preserve and enhance the special character and setting of York. It will also have a critical role in ensuring that development is directed to the most sustainable locations.</p>	<p>Positive</p>

3.24	<b>Enable residents to enjoy public spaces?</b>	Positive	Development will not be permitted which would harm the character of or lead to the loss of open space of environmental and or recreational importance unless it can be satisfactorily replaced. All residential development should contribute to the provision of open space for recreation and amenity. As supported by the open space study (2014) and its update and the Green Infrastructure Strategy.
3.25	<b>Additional space to comment on the impacts</b>		

**Part 1**

**Section 4: Impact on Equalities and Human Rights**

Please summarise any potential positive and negative impacts that may arise from your proposal on staff or residents. This section relates to the impact of your proposal on **advancing equalities and human rights** and should build on the impacts you identified in the previous section.

For 'Impact', please select from the options in the drop-down menu.  
 If you wish to enter multiple paragraphs in any of the boxes, hold down 'Alt' before hitting 'Enter'

**Equalities**

Will the proposal **adversely impact** upon 'communities of identity'?  
 Will it **help advance equality** or **foster good relations** between people in 'communities of identity'?

		Impact	What are the impacts and how do you know?	Relevant quality of life
4.1	<b>Age</b>	Positive	The plan will meet housing needs and provide a range of house types for all ages. The SHMA (2016) and SHMA update (2017) provide relevant evidence for this. It will also improve the safety and accessibility of the city's streets and spaces.	Comfortable standard of living
4.2	<b>Disability</b>	Positive	The plan will meet housing needs and provide a range of house types for all ages. The SHMA (2016) and SHMA update (2017) provide relevant evidence for this. It will also improve the safety and accessibility of the city's streets and spaces.	Comfortable standard of living
4.3	<b>Gender</b>	Neutral	None deemed likely	n/a
4.4	<b>Gender Reassignment</b>	23rd January 2018	None deemed likely	n/a
4.5	<b>Marriage and civil partnership</b>	Neutral	None deemed likely	n/a
4.6	<b>Pregnancy and maternity</b>	Neutral	None deemed likely	n/a
4.7	<b>Race</b>	Positive	Meeting Gypsy, Traveller and Travelling Showpeople's accommodation needs, supporting the outcomes of the Gypsy and Traveller Accommodation Assessment (2017)	Comfortable standard of living
4.8	<b>Religion or belief</b>	Neutral	None deemed likely	n/a
4.9	<b>Sexual orientation</b>	Neutral	None deemed likely	n/a
4.10	<b>Carer</b>	Neutral	None deemed likely	n/a
4.11	<b>Lowest income groups</b>	Positive	The plan will meet housing needs and provide a range of house types. The SHMA (2016) and SHMA update (2017) provide relevant evidence for this, including the need for affordable housing.	Comfortable standard of living
4.12	<b>Veterans, Armed forces community</b>	neutral	The emerging Local Plan and supporting evidence considers the potential of the MOD sites in York for development following the Defence Infrastructure Estates Review (2016). The closure of these sites will have an impact on the armed forces community which is out of the remit of the Local Plan.	n/a

**Human Rights**

Consider how a human rights approach is evident in the proposal

		Impact	What are the impacts and how do you know?
4.13	Right to education	neutral	None deemed likely
4.14	Right not to be subjected to torture, degrading treatment or punishment	neutral	None deemed likely
4.15	Right to a fair and public hearing	neutral	None deemed likely
4.16	Right to respect for private and family life, home and correspondence	neutral	None deemed likely
4.17	Freedom of expression	neutral	None deemed likely
4.18	Right not to be subject to discrimination	neutral	None deemed likely
4.19	Other Rights	neutral	None deemed likely

4.20	Additional space to comment on the impacts

**Part 1**

**Section 5: Developing Understanding**

Based on the information you have just identified, please consider how the impacts of your proposal could be improved upon, in order to balance social, environmental, economic, and equalities concerns, and minimise any negative implications.

It is not expected that you will have all of the answers at this point, but the responses you give here should form the basis of further investigation and encourage you to make changes to your proposal. Such changes are to be reported in the final section.

	<b>Taking into consideration your responses about <u>all of the impacts</u> of the project in its <u>current form</u>, what would you consider the overall impact to be on creating a fair, healthy, sustainable and resilient city?</b>
5.1	Given the wide range of policy areas covered by the Local Plan and its over all vision which responds to the issues, opportunities and challenges facing the city it is considered that the plan will have a strongly positive impact overall on creating a fair, healthy, sustainable and resilient city.

	<b>What could be changed to improve the impact of the proposal on the <u>One Planet principles</u>? (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)</b>
5.2	Preparation of the Local Plan is part of an ongoing process that involves monitoring the success and progress of its policies. The process will make sure it is achieving its objectives and making necessary adjustments to the plan if the monitoring process reveals that changes are needed. This enables the plan to maintain sufficient flexibility to adapt to changing circumstances. Furthermore, the plan is subject to ongoing Sustainability Appraisal incorporating the requirements of Strategic Environmental Assessment which appraises the plan and site allocations against a bespoke social, economic and environmental objectives to understand how the plan is contributing the sustainable development objectives for York.

	<b>What could be changed to improve the impact of the proposal on <u>equalities and human rights</u>? (please consider the questions you marked either mixed or negative, as well as any additional positive impacts that may be achievable)</b>
5.3	No mixed or negative impacts on equality and human rights are considered likely.

**Section 6: Planning for Improvement**

23rd January 2018

	<b>What further evidence or consultation is needed to fully understand its impact? (e.g. consultation with specific communities of identity, additional data)</b>
6.1	Members will use the recommendations to decide the future approach for the Local Plan which will then be subject to public consultation. A publication draft plan will then be prepared before being submitted to the secretary of state for examination.

6.2 **What are the outstanding actions needed to maximise benefits or minimise negative impacts in relation to this proposal?** Please include the action, the person(s) responsible and the date it will be completed (expand / insert more

Action	Person(s)	Due date

6.3 **Additional space to comment on the impacts**

**Part 2**

**Section 1: Improvements**

Part 2 builds on the impacts you identified in Part 1. Please detail how you have used this information to make improvements to your final proposal.

**Please note that your response to question 1.4 in this section must be reported in the One Planet Council implications section of reports going to the Executive.**

1.1	<p><b>For the areas in the 'One Planet' and 'Equalities' sections, where you were unsure of the potential impact, what have you done to clarify your understanding?</b></p> <p>Given the wide ranging policy areas covered in the plan and the process taken so far in preparing the plan there are inherent links and good understanding of the one planet principles and equalities.</p>
1.2	<p><b>What changes have you made to your proposal to increase positive impacts?</b></p> <p>No changes considered necessary, however the monitoring element of the local plan process will ensure the success and progress of the policies are able to adapt to changing circumstances. For example, air quality will be monitored to ensure new development does not result in poorer air quality.</p>
1.3	<p><b>What changes have you made to your proposal to reduce negative impacts?</b></p> <p>No negative impacts anticipated.</p>
1.4	<p><b>Taking into consideration everything you know about the proposal in its revised form, what would you consider the overall impact to be on creating a fair, healthy, sustainable and resilient city?</b></p> <p>Your response to this question must be input under the One Planet Council implications section of the Executive report. Please feel free to supplement this with any additional information gathered in the tool.</p> <p>Given the wide range of policy areas covered by the Local Plan and its over all vision which responds to the issues, opportunities and challenges facing the city it is considered that the plan will have a strongly positive impact overall on creating a fair, healthy, sustainable and resilient city.</p>
1.5	<p><b>Any further comments?</b></p>



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**Executive****25 January 2018**

Report of the Economy &amp; Place Policy Development Committee

**Impact of Arts & Culture on the Economy Scrutiny Review - Cover Report****Introduction**

1. This cover report presents the final report from the Impact of Arts & Culture on the Economy Scrutiny Review and asks the Executive to approve the recommendations arising from the review.

**Review Recommendations**

2. In November 2017, the Economy & Place Policy Development Committee considered the review findings arising from the review, as presented in the Task Group final report at Appendix 1 and agreed to endorse the draft recommendations listed below:
  - i. The Council should demonstrate its commitment to the city's cultural sector by progressing the development and promotion of a clearly defined Cultural Strategy with the Cultural Leaders Group, with the Council showing leadership in its creation and adoption. This should include the provision of:
    - A one-off sum of £20k early in the new financial year, to support its development;
    - An ongoing sum of £6k annually for secretarial services;
  - ii. The Council should support the Cultural Leaders Group in working as a cohesive unit to build and achieve wide acceptance of that Cultural Strategy
  - iii. As part of renewing MIY's Service Level Agreement, the Council should clarify the role of Make It York in supporting York's cultural sector and offer, and ensure it:
    - Develops a narrative about York's ambitions with cultural partners;
    - Improves its collaboration with Welcome to Yorkshire

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title		Mrs
First Name		Jennifer
Last Name		Longstaff
Organisation (where relevant)	York Diocesan Board of Finance & The York and Ainsty Hunt	Savills (UK) Limited
Representing (if applicable)		York Diocesan Board of Finance & The York and Ainsty Hunt
Address – line 1		Savills
Address – line 2		26 Coniscliffe Road
Address – line 3		Darlington
Address – line 4		
Address – line 5		
Postcode		DL3 7JX
E-mail Address		<a href="mailto:Jennifer.longstaff@savills.com">Jennifer.longstaff@savills.com</a>
Telephone Number		01325 370516

Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing, a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York

# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)

## 3. To which document does your response relate? (Please tick one)

- City of York Local Plan Publication Draft
- Policies Map
- Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with statutory regulations; the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

## 4. (1) Do you consider the document is Legally compliant?

Yes  No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

N/A

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

**5.(1) Do you consider the document is Sound?**

Yes  No



If yes, go to question 5.(4) If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

**Positively prepared**  **Justified**   
**Effective**  **Consistent with national policy**

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no.

Policy Ref

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Savills, on behalf of the York Diocesan Board of Finance (YDBF) and The York and Alosty Hunt (The Hunt) (the landowners), jointly submit the following representations to the City of York Local Plan Publication Draft 2018 Consultation.

City of York Council is preparing a new Local Plan for York, which covers the period from 2017 to 2032/33 with the exception of the Green Belt boundaries which will endure up to 2037/38. Its main function is to set out how much and where land should be provided to accommodate the new homes and jobs that are needed in the city. It should also facilitate new infrastructure to ensure that development is sustainable. This may include new transport measures, schools, shops, community facilities and public open space and sports facilities. The Local Plan should also protect and enhance the high quality natural and built environment and heritage of York.

As set out in our comments to both Policy SS1 and Policy SS2, it is not considered that the City of York Council is proposing to submit a sound Local Plan particularly in respect of the proposed housing numbers and the associated housing allocations, to which these comment apply.

As set out at paragraph 5.2 of the draft Local Plan, it is important that the Plan delivers sufficient housing (including the right mix and type) to meet the City's needs, now and in the future. However, by seeking to adopt a plan for only 867 new dwellings per annum over the Plan period until 2033, when there is evidence that there is a need for 1070 dwellings per annum as set out in the OCLG proposed methodology for calculating housing need, it is considered that the Plan has not been prepared positively.

These concerns are also noted in the Executive Meeting Public Report (dated 25<sup>th</sup> January 2018 – attached for ease of reference) whereby Officers state that Members are going against Officers advice in respect of housing numbers and this is opening the Council up to scrutiny during the Local Plan examination

Furthermore, the Council has agreed to the employment land requirements, therefore, to ensure that the economic growth ambitions are met, the necessary housing needs to be available during the lifetime of the Plan.

Whilst it is acknowledged that the formal changes to the NPPF have not yet been incorporated by the Government, the revised NPPF is not far off publication. As such, the Council should be supporting a pro-growth approach, especially since they haven't had an adopted Plan in place since 1956.

It is therefore proposed that, due to the existing, tightly set Green Belt boundaries, the Council should seek to delete more land from the Green Belt and allocate more housing and to ensure that there is housing land available during and beyond the Plan period to meet the objectively assessed housing need.

YDBF and The Hunt are committed to working alongside the City of York Council to bring forward deliverable housing sites under their ownership.

This representation is made in respect of the following site which is under the joint ownership of the YDBF and the Hunt, and as such, would like to support the future allocation of this site for residential development:

- Land South of Foxwood Lane, Acomb

A site location plan of the above site is included in Appendix 1 of this submission along with the following reports:

- Initial Access Appraisal: White Young Green (WYG) (Appendix 2); and
- Potential Landscape Impact: Wainwright Landscape Architecture Assessment (Appendix 3).

Further technical work can be undertaken when deemed necessary.

'Land south of Foxwood Lane, Acomb' is located directly adjacent to existing residential development in Acomb and immediately south of Foxwood Lane. The site is approximately 4.5 hectares in size and represents a logical extension to the west of Acomb (located southwest of York). The site is also in close proximity to a range of local services and facilities (including Woodthorpe Primary School, Tesco Express, Co-op, newsagents, hairdressers, playing fields, open space, public houses, restaurants and more) and is within the existing bypass (A1237) that surrounds York.

Based on the site boundary (equating to 4.5 hectares), the development yield for the site would be circa 144-180 units (based on an 80% developable area at 40 to 50 dwellings per hectare respective  $\gamma$ ). However, it should be noted that this number is indicative only and has not been subject to a detailed design exercise, which may result in an amendment to the indicative yield.

It should be noted that a joint approach has been taken and discussions have resulted in both parties supporting the allocation of the land to the south of Foxwood Lane for housing. This larger allocation was previously considered by the local planning authority and their evaluation of this option was set out within Appendix 4 ('Changes to Allocated Sites') of the Further Sites Consultation. In response to the site within the ownership of the YDBF, the technical officer assessment concluded that the site failed Criteria 1 and, as such, recommended that the site boundary for H9 should not be enlarged and should instead remain in its current form. However, there are very limited greenfield housing sites proposed in the south western part of the City area and we therefore disagree with the removal of this site from the list of residential allocations.

To address the previous constraints / comments identified and to demonstrate why the larger site to the south of Foxwood Lane should be allocated for housing, please see below.

#### Site Assessment

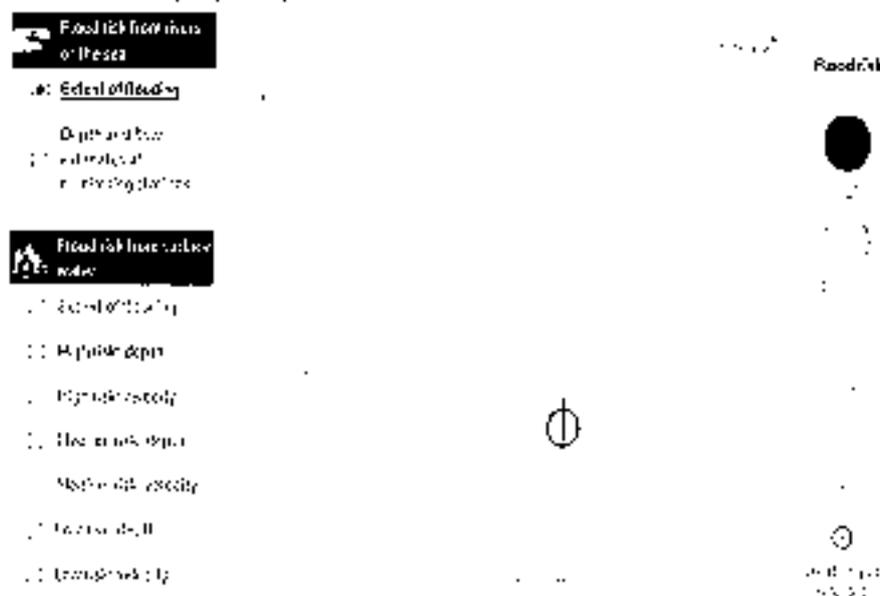
In previous consultations, the technical officer assessment contained within Appendix 4 of the Further Sites Consultation identifies three main constraints in respect of the potential enlargement of site which was previously identified as Site H9 in the earlier consultation document:

- Drainage/Flood Risk;
- Access; and,
- Landscape Impact.

We do not agree with the assessment of these issues and have responded to these three matters below.

### Drainage/Flood Risk

The site is located in Flood Zone 1. This position has been confirmed through a review of the Flood Map for Planning (Rivers and Sea). An extract from this map can be viewed below (note – the site has been marked with a cross for identification purposes).



(Extent of River and Sea Flood Risk Source: <https://flood-warning-information.service.gov.uk/long-term-flood-risk/map?easting=456132&northing=449964>).

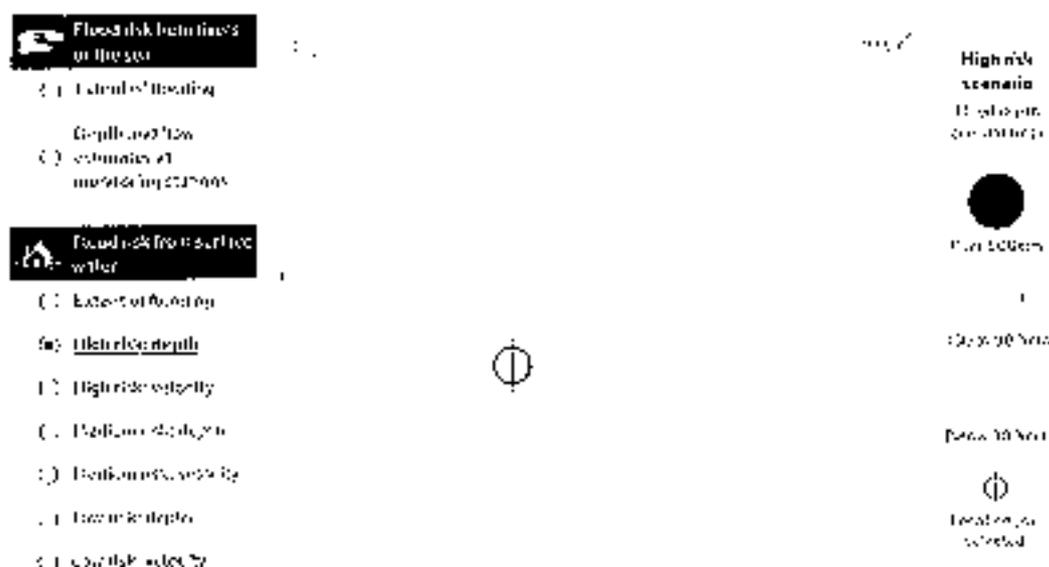
It is confirmed therefore that the site is within Flood Zone 1, which is considered to have a low probability of flooding and is defined as being land with a less than 1 in 1,000 annual probability of river and sea flooding (<1%). This is supported by the NPPF which, at paragraph 101, states that – “The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding”. We would therefore contend that this evidence confirms that flood risk is not a constraint to our client’s site south of Foxwood Lane, Acornb.

Furthermore, only a minor portion of the site is subject to possible surface water flooding. Please see the extracts from the Flood Warning Information Service below.



(Extent of Surface Water Flood Risk Source: <https://flood-warning-information.service.gov.uk/long-term-flood-risk/map?easting=456534&northing=445954>).

When considering the area of land subject to high risk surface water flooding, there is very little land subject to this implication. Please see below for reference.



{Extent of High Risk Surface Water Flood Risk Source: <https://flood-warning-information.service.gov.uk/long-term-flood-risk/map?eastings=456538&northings=449964>}

Flood risk is not therefore a constraint to development and should not be considered a reason as to why the site cannot be allocated for future housing development.

#### Access

The previous concerns raised in respect of access were:

- Potential impact of the development on the Minor Lane junction of the A1237 as well as capacity issues at the existing;
- The site is not considered sustainable due to location and distance from services;
- Confirmation required in respect of access to public transport; and,
- Concern over the proximity to Acomb local centre (noted as being 1km away).

In response to these points, the landowners commissioned White Young Green (WYG) to undertake an initial access appraisal of the site which considers the entire site proposed for allocation. A copy of this assessment is provided in support of this document (Appendix 2).

As a starting point, it should be noted that WYG identified that a suitable vehicular access can be achieved from Foxwood Lane. A drawing has been prepared in order to demonstrate this and is also included within Appendix 2.

In terms of local transportation networks, Foxwood Lane (to the North of the site) runs in a general West to East direction from its roundabout junction with Askham Lane to its roundabout junction with Tharvet Road. From Tharvet Road, Tadcaster Road provides a direct route to York City Centre. Askham Lane (to the West) provides a direct route for residents of Acomb and Foxwood to the A1237 York Bypass for connections northward to north York, the A1(N) and Harrogate, and southwards to South and East York, A1(S) Tadcaster and Leeds via the A64. The site can therefore be seen to offer excellent connectivity to the local transportation networks.

The Council's previous assessment of the site considered the issue of services and, in particular, the proximity of the site to existing local facilities. To refute this concern it can be confirmed that:

- There are a number of schools and local facilities within a reasonable walking distance of the development site – Westfield Primary Community School is a 12-13 minute walk away, with York High School a 15 minute walk away;
- There are a number of local shops in close proximity to the site – there is a Co-Op food store and newsagents within a parade of shops on Foxwood Lane (approximately 600m from the site and within a 7-8 minute walk of the site) and a Tesco foodstore and a pub within a 12-13 minute walk to the south of the site; and,
- The site has good access to sports facilities – Oakland Sports Centre can be reached within a 15 minute walk of the site.

The average walking distance (DfT Walking Personal Travel Factsheet 2007) for all purposes is 0.7 miles (1.12km), or a 14 minute walk. Therefore, the report concludes that the local facilities are within a reasonable walking distance of the site. This provides greater clarity in respect of the concerns raised previously by the Council that raised "questions over whether facilities are only a 15 minute walk away".

Furthermore, much of York is within a 30 minute cycle ride of the site and there is a network of local routes which provide links to the city centre and other key destinations.

Additionally, the report illustrates that there are two bus stops located to the west of the proposed access that can be reached within a 2-3 minute walk from the centre of the development site and comprise shelters with timetable information. Regular and frequent bus services are available to/from York City Centre at a 7-8 minute weekday frequency. In addition, the site is accessible on foot or by bike to a range of useful local destinations, and there are public transport options available for journeys further afield.

In respect of potential traffic impacts, WYG have used the TRICS database to derive suitable multi-modal trip generation rates for the development site. This modelling has concluded that the site would generate 68 additional vehicle movements in the AM peak hour and 76 vehicle movements in the PM peak hour on the basis of 120 dwellings and is not expected to result in any capacity problems. This is considered to still be the case at the higher site capacity already discussed (circa up to 180 dwellings). However, should any capacity problems arise, the report identifies that suitable mitigation measures can be delivered as appropriate in order to address these issues. It should be recognised that, should any development on the site be brought forward, a full Transport Assessment would be undertaken that would consider transportation impacts in more detail.

Finally, it should be noted that the site is expected to generate 27 pedestrian movements in the AM peak hour. There is continuous footway from the development site to surrounding schools and facilities and no specific measures are required.

In conclusion, it is considered that all previously raised concerns relating to access and sustainability with regard to the site location have been addressed. As such, the site is a suitable site to accommodate housing as part of this Local Plan and access and location should not be identified as a reason for not allocating the site for residential development.

#### Landscape Impact

The Council also previously raised landscape impact as a potential concern, namely that the extension of what was previously identified as allocation H9 would "undermine the setting of the city in this location, especially given the gentle topography of the site".

In response to this, our clients commissioned Wainwright Landscape Architecture to undertake an assessment of the potential landscape impact the land south of Foxwood Lane, Acornb. This assessment has taken into account the landscape value of the entire site. A copy of this assessment is provided in support of this document (Appendix 3).

The report considered the site to be "relatively well screened by local undulating topography, particularly long distance views from the West and the South, including the Outer Ring Road A1237 and Askham Lane". In addition, the report states that, while the central southern part of the site does rise towards 'Great Knoll', "views are locally contained to fringe housing to the North and East of the site along Foxwood Lane and Stirrup Close". It should also be noted that York Minster does not form a significant part of views to the site.

The report also identifies, at Section 4, that historical mapping indicates that 'York & Ainsty Kennels' once existed on the site, thereby setting a precedent in respect of the fact that the site has been partly developed in the past. The report confirms that there are no Listed Buildings, Tree Preservation Orders (TPOs), Public Rights of Way (PROW), Public Open Space or other planning designations directly affecting the site.

On the basis of the above comments and documents set out at Appendix 2 and 3, it is considered that all previous areas of concerns have been addressed. We therefore consider our client's land, as identified in Appendix 1, to be suitable, available, achievable and deliverable land to accommodate housing development during the plan period. In conclusion, we respectfully request that the land is deleted from the Green Belt and allocated for housing during the Plan period.

The site, due to its size, is also considered capable of being brought forward in the short to medium term (1-10 years). We therefore respectfully request that the site is added to Table 5.1 of the Draft Plan.

Furthermore, based on the site boundary (equating to 4.5 hectares), the development yield for the site known as 'land south of Foxwood Lane, Acomb' would be circa 144 - 180 units (this is based on a 80% of the gross site area being developable at a general density of 40 to 50 dwellings per hectare respectively). As such, Table 5.1 should also be amended to include the estimated yield (dwellings) for the site to be circa 180 (subject to detailed site assessments on final site capacity).

Moving away from site specific comments, we also note, as part of Policy H1 (page 94 of the consultation document), that the Local Plan proposes an annual figure for 169 dwellings to come via windfall sites. Due to the existing restrictive nature York City has owing to the existing draft green belt boundary and the diminishing infill sites available, we question whether this number of units can be achieved via windfall sites?

In conclusion, due to the current undersupply in respect of the number of dwelling proposed per annum, the existing draft Green Belt Boundary, and the limited land available for windfall development due to existing designation implications, we continue to support and propose that our client's land, "land south of Foxwood Lane, Acomb", should be identified as an additional housing site within the Local Plan to help ensure that the appropriate number of housing sites are allocated and delivered.

This site represents a logical extension to the southwest of the settlement. This site should therefore be deleted from the Green Belt and included in Policy H1 as a housing allocation during the Plan period. The scale of development is not considered to be detrimental to the existing infrastructure and landscape. Indeed, suitable additional reports, to supplement those already undertaken and provided as part of this submission, could be prepared to address any remaining issues should it be deemed necessary to prepare these.

It should also be noted that, if a development on the site was brought forward, developer contributions would be required and these would provide further benefit to the local area.

**6.(1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

***Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

It is not considered that the City of York Council is proposing to submit a sound Local Plan particularly in respect of the proposed housing numbers set out in Policy 551 and the associated housing allocations in Policy H1. We therefore request that the Council increase its housing numbers and, as part of this, seek to delete more land from the Green Belt in appropriate locations and propose additional housing allocations.

To support this we request that our clients site, 'Land off Foxwood Lane, Acornb' (please see Appendix 1 for reference), should be deleted from the Green Belt and allocated as a housing site. This submission and the associated appendices / documents provide certainty and clarity as to the suitability of the site for housing.

In line with this additional housing allocation, and to ensure that the Plan is succinct, the Key Diagram on page v) should be amended to include our clients site as a residential allocation and deleted from the Green Belt.

Furthermore, the site off Foxwood Lane should be added to Table 5.1 of the Draft Plan as an additional housing allocation for circa 180 dwellings to meet appropriate housing needs and demand

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

N/A

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination

## Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

### Storing your information and contacting you in the future:

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### Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

### Your rights

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If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on 01904 664145

Signature



Date

03/04/18

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17, 22, 25 & 30 Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>2</sup> Regulation 29 Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) (England) Regulations 2012



# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:  
 ID reference

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address)

1. Personal Details		2. Agent's Details (if applicable)
Title		Mrs
First Name		Jennifer
Last Name		Longstaff
Organisation (where relevant)	York Diocesan Board of Finance & The York and Ainsty Hunt	Savills (UK) Limited
Representing (if applicable)		York Diocesan Board of Finance & The York and Ainsty Hunt
Address – line 1		Savills
Address – line 2		26 Coniscliffe Road
Address – line 3		Darlington
Address – line 4		
Address – line 5		
Postcode		DL3 7JX
E-mail Address		<a href="mailto:Jennifer.longstaff@savills.com">Jennifer.longstaff@savills.com</a>
Telephone Number		01326 370516

Representations must be received by Wednesday 4 April 2018, up until midnight.  
 Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries or you can download it from the council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/raction group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

# Part B -Your Representation

(Please use a separate Part B form for each issue to you want to raise)

## 3. To which document does your response relate? (Please tick one)

- City of York Local Plan Publication Draft
- Policies Map
- Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes  No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

N/A

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No



If yes, go to question 5.(4) If no, go to question 5 (2)

**5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)**

Positively prepared  Justified   
Effective  Consistent with national policy

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no.

Policy Ref

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Savills, on behalf of the York Diocesan Board of Finance (YDBF) and The York and Ainsty Hunt (The Hunt) (the landowners), jointly submit the following representations to the City of York Local Plan Publication Draft 2018 Consultation.

City of York Council is preparing a new Local Plan for York, which covers the period from 2017 to 2032/33 with the exception of the Green Belt boundaries which will endure up to 2037/38. Its main function is to set out how much and where land should be provided to accommodate the new homes and jobs that are needed in the city. It should also facilitate new infrastructure to ensure that development is sustainable. This may include new transport measures, schools, shops, community facilities and public open space and sports facilities. The Local Plan should also protect and enhance the high quality natural and built environment and heritage of York.

With regard to Sustainable Growth, it is not considered that the Council is seeking to address the objectively assessed housing need.

Policy SS1 sets out that the City Council via the Local Plan will deliver a minimum annual provision of 867 new dwellings over the plan period until 2033 (and post plan period until 2038 in respect of Green Belt). However, it is not considered that the City of York Council is proposing to submit a sound Local Plan particularly in respect of the proposed housing numbers set out and the associated housing allocations.

As set out in the Executive Meeting Public Report (dated 25th January 2018 – attached for ease of reference), Members have gone against Officers advice with regard to housing provision.

To support the Local Plan, a Strategic Housing Market Assessment (SHMA) which made a recommendation on the level of housing growth and an Employment Land Review (ELR) were prepared to assess an accurate need and demand for development sites during the Plan period. However, it is considered that the draft Plan fails to comply with the Strategic Housing Market Assessment (2017).

Furthermore, DCLG issued a consultation in November 2017 which included a proposed methodology for calculating housing need. This is based on three principles: simplicity, using publicly available data and producing realistic targets. The document applies this methodology to City of York and indicated a minimum of 1,070 dwellings per annum for the period 2016 to 2026.

Whilst we acknowledge that formal changes to the NPPF have not yet been incorporated by the Government, the revised NPPF is anticipated to be published this summer. As such, an increase in the supply of housing would place the Council in a better position for defending the Plan proposals through the Examination process. It is therefore considered that the draft Plan fails to conform with both existing and emerging national policy in respect of identifying and meeting its objectively assessed housing needs.

In addition, the proportion of the local authority area covered by Green Belt is high (at 82%). As such, the number of sites available to come forward outside this land designation is limited. As a consequence, it is considered that the Plan is not prepared positively and does not seek to a) identify a correctly assessed housing need, nor, b) allocate enough land to meet this need.

As we do not consider that enough sites have been identified to accommodate the correct amount of dwellings needed to ensure that the correct housing need is met during the Plan period, the Council, as a consequence, will not meet its economic growth ambitions as set out in the York Economic Strategy (2016).

We therefore propose additional sites are identified to accommodate future housing need and one site in particular which is considered appropriate to be identified as a housing allocation is our client's site off Foxwood Lane at Acomb. This site is under the joint ownership of the YDBF and the Hunt, and as such, both landowners support the future allocation of this site for residential development. A location Plan is appended (Appendix 1) for reference.

Notwithstanding the site specific comments, in accordance with Policy SS1, it is considered that the deletion of this site from the Green Belt and allocating it for housing would not adversely affect York's historic or natural environment; it is accessible to sustainable modes of transport and a range of local services and facilities; it would not lead to an unacceptable level of congestion or pollution; and the site is not subject to flood risk (from either rivers and the sea or surface water). In short, it is considered that the Council has previously assessed this site incorrectly. Please refer to our comments against Policy H1 for further detail regarding the sustainability and suitability of this site.

We cannot therefore support Policy SS1 until the entire Plan is amended to ensure that an OAHN is fully met. It is not considered that the Local Plan is NPPF compliant as the plan does not appear to be positively prepared. We therefore consider the Plan to be unsound on this basis.

YDBF and The Hunt are committed to working alongside the City of York Council to bring forward deliverable housing sites under their ownership. As such, we support the future allocation of our client's land identified at Appendix 1 to help meet the unmet housing need. Technical works supporting the allocation of this site for housing can be found at Appendix 2 and 3 and further technical work can be undertaken if deemed necessary by the Council.

**6.(1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

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After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

It is not considered that the City of York Council is proposing to submit a sound Local Plan particularly in respect of the proposed housing numbers set out in Policy 5S1 and associated housing allocations proposed at Policy H1.

We therefore request that the Council increase its housing numbers (to meet the OAHN) and, as part of this, seek to delete more land from the Green Belt and propose additional housing allocations to meet the unmet need.

To meet the outstanding need, we request that our clients site, 'Land off Foxwood Lane, Acomb' (please see appendix 1 for a site location plan), should be deleted from the Green Belt and allocated as a housing site. Please see our comments to Policy H1 for further detail which provides certainty and clarity as to the suitability and sustainability of the site for housing.

In line with this additional housing allocation, and to ensure that the Plan is succinct, the Key Diagram on page vi should be amended to include our clients site as a residential allocation deleted from the Green Belt.

Furthermore, the site off Foxwood Lane should be added to Table 5.1 of the Draft Plan as an additional housing allocation for circa 180 dwellings to meet the objectively assessed housing needs and demand.

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

N/A

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination

## Part C - How we will use your Personal Information

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Signature



Date

03.04.18

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17.22, 35 & 36 Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>2</sup> Regulation 29 Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) (England) Regulations 2012



# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

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**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full (in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title		Mrs
First Name		Jennifer
Last Name		Longstaff
Organisation (where relevant)	York Diocesan Board of Finance & The York and Ainsty Hunt	Savills (UK) Limited
Representing (if applicable)		York Diocesan Board of Finance & The York and Ainsty Hunt
Address – line 1		Savills
Address – line 2		26 Coniscliffe Road
Address – line 3		Darlington
Address – line 4		
Address – line 5		
Postcode		DL3 7JX
E-mail Address		<a href="mailto:Jennifer.longstaff@savills.com">Jennifer.longstaff@savills.com</a>
Telephone Number		01325 370516

Representations must be received by Wednesday 4 April 2018, up until midnight.  
 Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form by **Wednesday 4 April 2018, up until midnight**

- To: **FREEPOST RTEG-TYYU-KLTZ Local Plan**, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form

## Do I have to use the response form?

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## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing, a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/act on group meeting, signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)

## 3. To which document does your response relate? (Please tick grid)

City of York Local Plan Publication Draft	X
Policies Map	X
Sustainability Appraisal/Strategic Environmental Assessment	<input type="checkbox"/>

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes  No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

N/A

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

 Yes  No 

If yes go to question 5.(4) If no go to question 5.(2)

**5.(2) Please tell us which tests of soundness the document fails to meet:** (Tick all that apply)

<b>Positively prepared</b>	<input checked="" type="checkbox"/>	<b>Justified</b>	<input type="checkbox"/>
<b>Effective</b>	<input type="checkbox"/>	<b>Consistent with national policy</b>	<input type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no.

Policy Ref

Site Ref

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Savills, on behalf of the York Diocesan Board of Finance (YDBF) and The York and Ainsty Hunt (The Hunt) (the landowners), jointly submit the following representations to the City of York Local Plan Publication Draft 2018 Consultation.

City of York Council is preparing a new Local Plan for York, which covers the period from 2017 to 2032/33 with the exception of the Green Belt boundaries which will endure up to 2037/38. Its main function is to set out how much and where land should be provided to accommodate the new homes and jobs that are needed in the city. It should also facilitate new infrastructure to ensure that development is sustainable. This may include new transport measures, schools, shops, community facilities and public open space and sports facilities. The Local Plan should also protect and enhance the high quality natural and built environment and heritage of York.

As set out in our comments to Policy SS1 and Policy H1, it is not considered that the Plan has been prepared positively in respect of addressing the objectively assessed housing needs for the City. To meet the appropriate housing needs it is considered that further land need deleting from the Green Belt and allocated as housing sites.

YDBF and The Hunt are committed to working alongside the City of York Council to bring forward deliverable housing sites under their ownership. This representation is therefore made in respect of the following site which is under the joint ownership of the YDBF and the Hunt, and as such, would like to support the future allocation of this site for residential development:

- Land South of Foxwood Lane, Acomb (site location plan is included in Appendix 1).

The NPPF specifies that the Green Belt is of great importance in order to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. The NPPF is clear that "once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of a Local Plan" (NPPF, Para. 83). However, the NPPF is equally clear that "Local Plans should meet objectively assessed needs...unless specific policies...indicate development should be restricted" (NPPF, Para. 14). Given the commitment as part of the Local Plan process to review the Green Belt and the development requirements for the district, it is considered that exceptional circumstances apply.

Representations must be received by Wednesday 4 April 2018, up until midnight.

Representations received after this time will not be considered duly made.

As stated above, it is considered that further assessments should be made with regard to deleting land south of Foxwood Lane at Acomb from the Green Belt as allocated as a housing site to help meet the housing needs for the City in a sustainable and suitable location. This site does follow recognisable physical features that will endure the development (e.g. a hedgerow runs along the southern boundary of the site). This is particularly relevant as, at Paragraph 85, the National Planning Policy Framework (NPPF) states that, when defining boundaries, local planning authorities should – “define boundaries clearly, using physical features that are readily recognisable and likely to be permanent”.

With regard to the proposed site for housing at Foxwood Lane, the site would result in defensible boundaries on all four sides as follows:

- By Foxwood Lane to the north;
- By residential dwellings on Stirrup Road to the east;
- By an existing field boundary / hedging to the south; and,
- By Askham Lane to the west

In addition, the amended site would have strong links to the urban area and is well contained, therefore eliminating potential for future urban sprawl. Please see our comments to Policy H1 in respect of the sustainability of the site and its proximity to a wide range of local services and facilities.

Ensuring sufficient land is deleted from the Green Belt is essential to ensure that there is a degree of permanence for the revised Green Belt boundary going beyond the Local Plan period whilst meeting the objectively assessed housing need identified as part of the Local Plan process.

Land south of Foxwood Lane, proposed for housing as part of this representation, is not considered to benefit the Green Belt, nor does it comply with the 5 purposes identified in the NPPF at paragraph 80 for identifying land to be designated as Green Belt. As such, we can confirm the following points in line with the NPPF (paragraph 80)

- Development of the site would not lead to the unrestricted sprawl of a large built up area based on the natural/physical boundaries of the site;
- Development of the site would not lead to neighbouring towns merging into one another;
- The site is not valuable countryside or utilised agricultural land;
- The site does not preserve the setting and special character of a historic town; and,
- The development of the site would help address the housing need and demand in the area without having an adverse impact on urban regeneration.

The future development of the site would create an attractive, vibrant and successful place, promoting a long term sustainable community and delivering quality housing in an area of high market demand. Additional housing choice is considered to be of huge benefit to local communities and to the district as a whole, helping to meet the local housing needs and demands during the plan period.

The scale of development is not considered to be detrimental to the existing infrastructure and landscape. Indeed, suitable additional reports, to supplement those already undertaken and provided as part of this submission (Appendix 2 and 3), could be prepared to address any issues should it be deemed necessary.

It should also be noted that, if a development on the site was brought forward, developer contributions would be required and these would provide further benefit to the local area.

In conclusion, it is proposed that the land identified in Appendix 1 should be deleted from the Green Belt and as such the Key Diagram be amended in accordance with this deletion.

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness**

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

It is not considered that the City of York Council is proposing to submit a sound Local Plan particularly in respect of the proposed housing numbers identified in Policy S51 and the associated housing allocations proposed in Policy H1:

We therefore request that the Council increase its housing numbers (to meet the OAHN) and, as part of this, seek to delete more land from the Green Belt and propose additional housing allocations.

To meet the outstanding housing need, we request that our client's site, 'Land off Foxwood Lane, Acomb' (please see appendix 1 for a site location plan), should be deleted from the Green Belt and allocated as a housing site. Please see our comments to Policy H1 for further detail which provides certainty and clarity as to the suitability of the site for housing.

In line with this additional housing allocation, and to ensure that the Plan is succinct, the Key Diagram on page v) should be amended to include our clients site as a residential allocation deleted from the Green Belt.

Furthermore, the site off Foxwood Lane should be added to Table 5.1 of the Draft Plan as an additional housing allocation for circa 180 dwellings to meet appropriate housing needs and demand.

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation**

**Yes, I wish to appear at the examination**

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

N/A

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website: they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

### Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law. The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

### Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

### Your rights

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If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on [01904 554145](tel:01904554145)

Signature



Date

03.04 '18

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17, 27, 35 & 35 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012



MRS. J Nicholson



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MY COMMENTS TO THE LOCAL PLAN.

Clean air is not just for children but for all.

Houses means transport - transport does not bring clean air.

Green belt is there to give us all a better life - recreation not a car in sight. Greenbelt is for the future generations.

The ring road is so congested with fumes from cars and will be worse when the Stadium is finished also the houses proposed which are going to be built around it.

Boonfield sites in York need to be filled with accommodation before encroaching onto virgin land.

Before any housing is considered the pothole of York need to be addresses. Get the infrastructure right and the rest will slot into place. Safe guard against FRACKING.

WE DO NOT WANT THIS IN YORK.

Our children get older  
and need a house of their own.  
Older terrace houses were a good  
start. Now the university of  
York are about to purchase  
these houses leaving our children  
unable to afford houses and all  
they can do is to live with parents  
on rent. Why has the Council allowed  
the university to take over. I.e.  
Lawrence Street a fine example.  
Even affordable houses are too  
expensive for first time buyers!  
Why would you go into York -  
if yes to go to the Bank as they  
have disappeared from our villages.  
10 Steps to let in Cony Street  
our main shopping Street. Parliament St.  
an entirely mess. The market should  
be in the main Street like it was  
of old, bringing a buzz to our City.  
Keep building houses outside of town  
and there will be no York at all.



**City of York Local Plan  
Publication Draft 2018  
Consultation response form  
21 February – 4 April 2018**

OFFICE USE ONLY:  
ID reference:

**RECEIVED**  
04 APR 2018

BY: \_\_\_\_\_

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MRS.	
First Name	JANET	
Last Name	HOPTON	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1	[REDACTED]	
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode	[REDACTED]	
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight. Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

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## Do I need to attend the Public Examination?

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## Part C - How we will use your Personal Information

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### Storing your information and contacting you in the future:

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### Retention of Information

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If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at \_\_\_\_\_ or on \_\_\_\_\_

Signature



Date

4th April, 2018.

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

# Part B -Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)

### 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

### What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at

### 4. (1) Do you consider the document is Legally compliant?

Yes  No

### 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

### 4.(3) Please justify your answer to question 4.(1) and 4.(2)

### What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

### What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared  Justified   
 Effective  Consistent with national policy

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no.

P. 42.

Policy Ref.

General to Strategic Housing Sites. Site Ref. —

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

It could be more effective with the additional recommendation.  
 See attached.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

See attached.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To expand on this suggestion as effectively as possible.

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

**Janet Hopton: response to Local Plan – Publication Draft.**

**Page 42. 3.39. Strategic Housing Sites.**

All the Strategic Housing Sites (over 5 hectares) state they must be of a high design standard. This is welcomed, as is the requirement for all of them to be master planned (Policies SS6 – SS17). This requirement appears to have been omitted for Policies SS18, SS19, SS20 (sites ST33, ST35, ST36) but should be included.

It would be greatly beneficial for York if, in addition to master planning, the Strategic Housing Sites, should also be expected to consult the Yorkshire & Humber Design Review Panel (or the local York Design Review Panel if one is established in future).

All city proposals need inside knowledge of the city but the Design Panel's objective review of a scheme will help ensure the best design possible is achieved.

The listed Strategic Sites tend to be in what currently has been accepted as Green Belt. How they are developed is, therefore, critical to ensuring York's setting and special character are not harmed.

This policy should also apply to any future housing sites over 5 hectares.



# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)

### 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

### What does 'legally compliant' mean?

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Yes  No

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### 4.(3) Please justify your answer to question 4.(1) and 4.(2)

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**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**Yes No 

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)Positively prepared Justified Effective Consistent with  
national policy **5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.Policy  
Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

See attached.

Inappropriate  
allocation.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

See attached.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To argue the case more effectively.

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

**Page 43. Site Ref. ST2. Policy SS7. Former Civil Service Sports Ground.  
(Cross Reference Site Ref. ST1. Policy SS6. Former British Sugar Site.)**

If the two sites are both developed, it is difficult to see how the necessary infrastructure for both will be provided. The former Civil Service Sports Ground should not be developed for residential but should be retained to provide recreational/sports facilities requirement for the British Sugar site and also for the acknowledged shortfall of sports provision in this part of York. It would also allow for the secondary education expansion which will be required by the British Sugar development, and also possibly for the primary education also required.

If the former Civil Service Sports Ground is developed, along with the British Sugar site, where will the sports facility and education provision be provided for the combined 1,466 dwellings? Poppleton and neighbouring Beckfield/Acomb area cannot absorb it. Health facilities have to be provided somewhere also.

Even with the proposed highway improvements for A59 and A1237, will they be sufficient to prevent future congestion arising from the British Sugar and the Civil Service sites?

Site ST2 has been accepted for many years as a valuable area of Green Belt, for its important Green Belt functions. It keeps York separate from the Poppletons, Upper Poppleton in particular, and its current openness contributes to the setting of York. Returning the site to recreational use with the addition of essential educational facilities for Site ST1 will help to retain this important openness.



# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)

3

### 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

### What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at

### 4. (1) Do you consider the document is Legally compliant?

Yes

No

### 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

### 4.(3) Please justify your answer to question 4.(1) and 4.(2)

### What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

### What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**Yes No 

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)Positively prepared Justified Effective Consistent with  
national policy **5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.Policy  
Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Been attached.  
PSH.

See attached.

Inappropriate allocation.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

See attached.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



**Yes**. I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

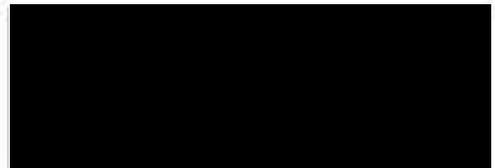
Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

Janet Hopton: response to Local Plan – Publication Draft

**Page 73. Site Ref. ST 19. Policy SS23 : Land at Northminster Business Park.**

I fully support the comprehensive response by Upper and Nether Poppleton Parish Councils which gives all the reasons against allocating this additional large area to the current Northminster Business Park.

There seems to have been little consideration given to the existing residential dwellings on Northfield Lane.



# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)

4

## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

4(1) I am questioning the legality of the map only, not the procedural requirements of the Local Plan.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

**Positively prepared**  **Justified**   
**Effective**  **Consistent with national policy**

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no.

ST (on map) 20 ✓

Policy Ref.

SS5

Site Ref.

ST20

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Inaccurately shown.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

See attached.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



**Yes**, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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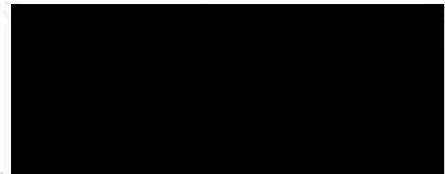
Janet Hopton: response to Local Plan – Publication Draft.

**Page 38. Site Ref. ST20. Policy S55: Castle Gateway:**

The Policies Map indicates that a small area at the base of Clifford's Tower, covering the bottom half of the access steps and an area each side of them, is no longer marked with the rest of the mound as open/public space. Unprotected by its previous open space allocation, this leaves it vulnerable to development.

There is currently an appeal in the High Court, based on incorrect procedure being followed when this area of open space was disposed of with a specific development in mind.

Until the legal outcome is known, surely this area must still legally be shown as Open Space.



# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

5

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**Yes  No 

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)**

Positively prepared	<input type="checkbox"/>	Justified	<input checked="" type="checkbox"/>
Effective	<input type="checkbox"/>	Consistent with national policy	<input type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.Policy  
Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

No solution for affordable housing  
in rural communities.

See attached.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

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*See attached.*

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

*To try to find a solution!*

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

### Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

### Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

### Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on [01904 554145](tel:01904554145).

Signature

Date

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17, 22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

**Page 115. Policy H10 and Table 5.4 iii. Affordable Housing**

In rural areas, developments between 2 and 14 dwellings are to make an off-site contribution. So where/how do we provide affordable housing in rural areas, other than utilising the policy of exceptional sites in the Green Belt? Identifying land is likely to be difficult for those villages only narrowly separated by Green Belt from the city as extending into the Green Belt would impact negatively on its purposes of separation and setting. If land can be found this will result in one type of housing, all affordable, rather than enabling a mixed development, however small.

Where will the off-site contributions from rural developments go?



# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)

6

## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

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**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

<b>Positively prepared</b>	<input type="checkbox"/>	<b>Justified</b>	<input checked="" type="checkbox"/>
<b>Effective</b>	<input type="checkbox"/>	<b>Consistent with national policy</b>	<input type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

*Need to strengthen - type of business .*

*See attached.*

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

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See attached.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



Yes, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

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Janet Hopton: response to Publication Draft – Local Plan

**Page 76. Policy EC1 reference E16. Poppleton Garden Centre.**

Any future part or total redevelopment of this site should consider its location on an important approach road to York, the A59, so the site should not be overdeveloped and should remain a rural business use, preferably its present use as a Garden Centre.



f

Ref: Regulation 19 Consultation. 4th Apr 2018  
SID 270 270

The document provided at the  
Council offices  
City of York Local Plan Publication  
Draft (Regulation 19 Consultation.)  
This document is different to the  
document provided by Huntington  
Library.

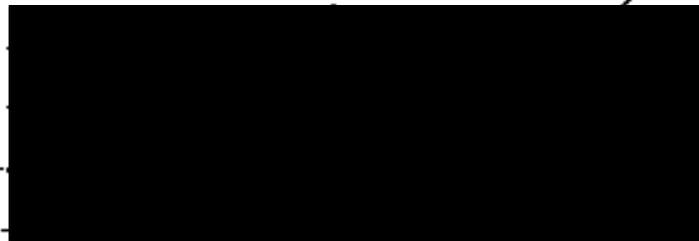
Unacceptable.

When is the consultation.

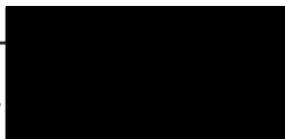
• Only Two questions addressed.  
(This is shambolic)

Please contact:

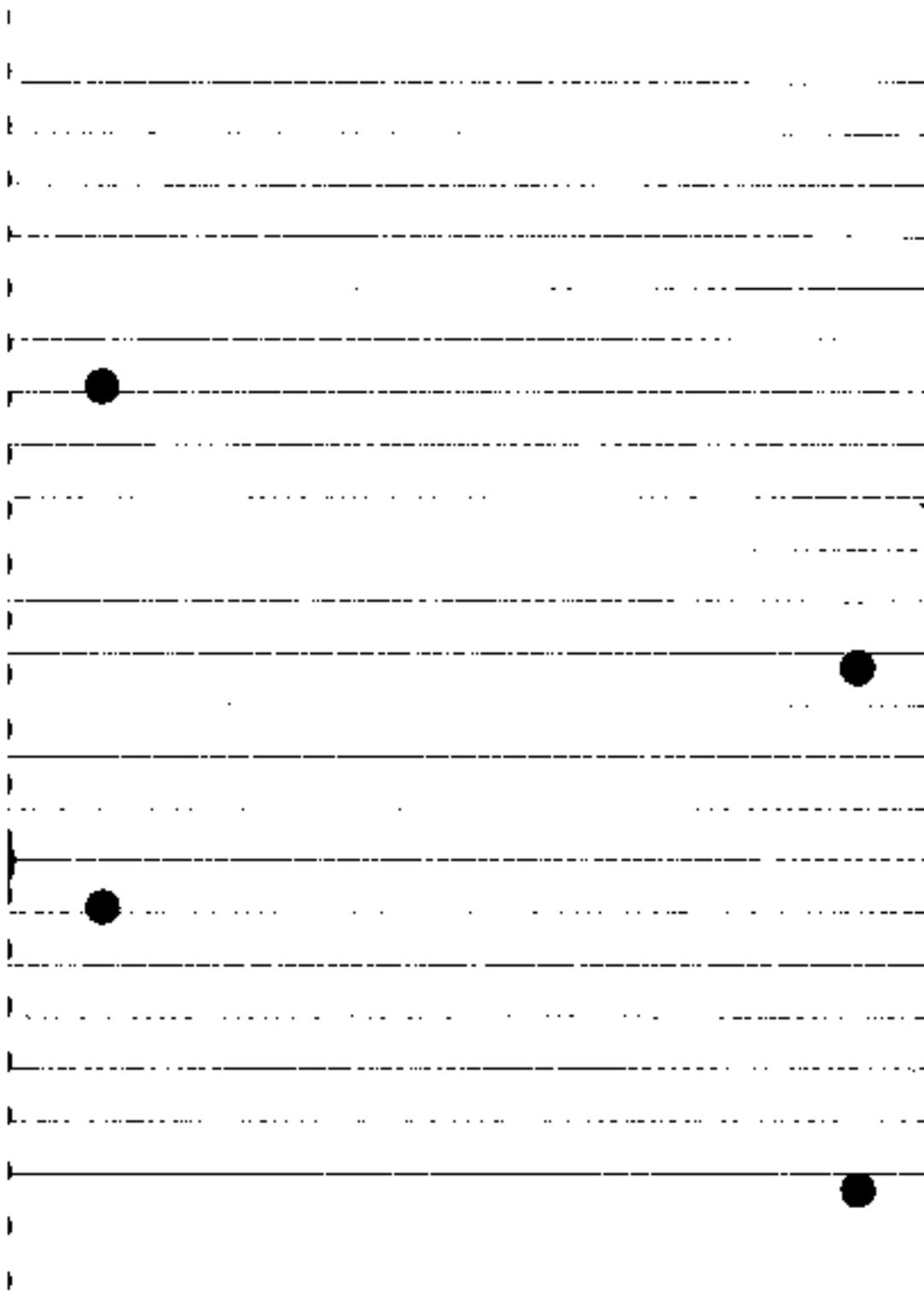
Mr. Peter Carney



RECEIVED  
04 APR 2018  
BY: \_\_\_\_\_



4th Apr 2018



# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

 reference

**RECEIVED**

04 APR 2018

BY:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address)

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	
First Name	Peter	
Last Name	Carey	
Organisation (where relevant)		
Representing (if applicable)		
Address - line 1		
Address - line 2		
Address - line 3		
Address - line 4		
Address - line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response

## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing: a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one):

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

'The duty to cooperate'. The cooperation should be between the local population and the city council. Where is the evidence of this?  
Justified 'based on proportionate evidence'. The proportionate evidence is against destroying green belt farm land.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

 Yes  No 

If yes, go to question 5.(4) If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared	<input type="checkbox"/>	Justified	<input checked="" type="checkbox"/>
Effective	<input type="checkbox"/>	Consistent with national policy	<input type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no.

Policy Ref

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Page 1, Paragraph 1

" A local plan should set out where land should be provided for new homes and jobs that are needed in the city "

Needed in the city is an opinion. Have the local huntington residents been asked? What did the majority say?

A thousand new homes will need 2 thousand new jobs.

York is a popular place to live. The building companies want to build here because house prices & profit margins are high.

STOP : People before profit

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

The government policy was generated between 2011 and 2016. In 2016 the British people said 'no' to uncontrolled population increase and damage to our 'special' countryside. The council & government need to listen to the people. Profit at any cost - NO.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The policy of new homes / new jobs is self defeating. A thousand new houses new & 2000 new jobs. Because York is a sort after place to live, next year will be the same, and the year after, and the year after. Look again in 5 years we have voted out of Europe.

**Please note:** the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

### Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law. The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

### Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

### Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on [01904 554145](tel:01904554145).

Signature



Date

3<sup>rd</sup> April 2018

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17, 22, 35 & 36 Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) (England) Regulations 2012

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY: ID reference: <div style="border: 1px solid black; padding: 5px; text-align: center;"> <b>RECEIVED</b>            04 APR 2018            BY: _____         </div>
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This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full: in order for the Inspector to consider your representations you must provide your name and postal address)

1. Personal Details	2. Agent's Details (if applicable)
Title	MRS
First Name	ANGELA
Last Name	WHEATCROFT
Organisation (where relevant)	/
Representing (if applicable)	/
Address - line 1	[REDACTED]
Address - line 2	
Address - line 3	
Address - line 4	
Address - line 5	
Postcode	
E-mail Address	/
Telephone Number	/

Representations must be received by Wednesday 4 April 2018, up until midnight. Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: **FREEPOST RTEG-TYYU-KLTZ** Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations: the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes  No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

To the best of my knowledge, I believe the plan has been prepared in line with statutory requirements.  
The City Council sent an explanatory leaflet about the local Plan to my house and I have been able to examine the Publication Draft, Policies Map and SA/SEA documents at West Offices.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

 Yes  No 

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (Tick all that apply)

Positively prepared	<input type="checkbox"/>	Justified	<input type="checkbox"/>
Effective	<input type="checkbox"/>	Consistent with national policy	<input checked="" type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no.

9.1

Policy Ref.

G 11 &amp; 15

Site Ref.

See diagram at 5(4) but also

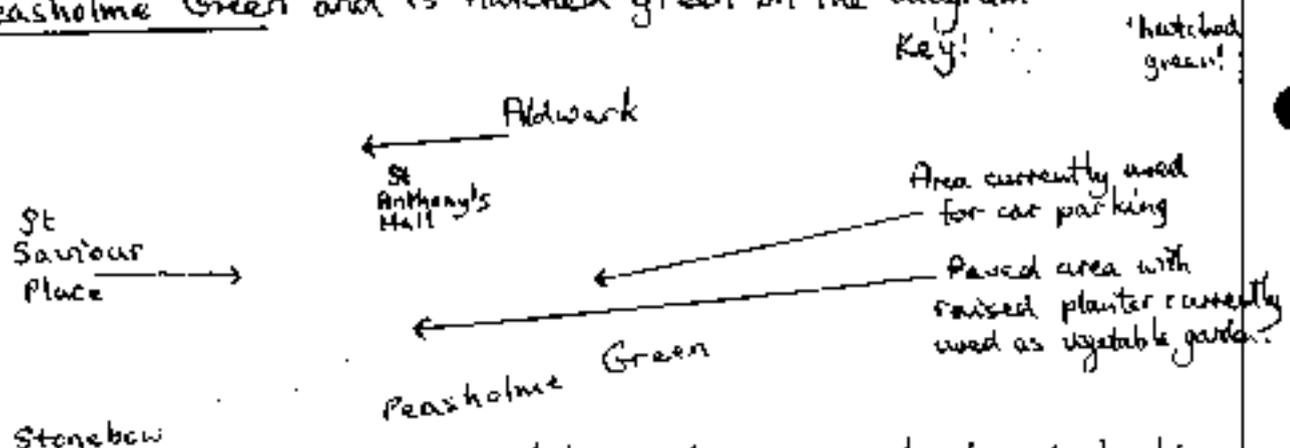
**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Policy G11iv refers to: ... role of common land, village greens ... in protecting + enhancing historic character + inspiring recreational benefits.

Policy G15 refers to: ... protection needed from unsuitable development

An area of common land covered by this policy has been omitted from the Policies Map (City Centre). It is part of Peasholme Green and is 'hatched green' on the diagram below.



The area 'hatched in green' is public common land and should be defined on the Policies Map so its role under policies G11iv and G15 can be acknowledged and implemented. As common land its fairground rights were still exercised during the 1950s.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

To make the local Plan consistent with national policy, the area 'hatched green' in 5(4) should

- 1) be given a site reference + name e.g. Peasholme Green (part of)
- 2) be defined on the Policies Map as open space i.e. common land
- 3) be described in local Plan Publication Draft

e.g. Peasholme Green (part of)

Common land enhancing the historic character of St. Anthony's Hall, Aldwark and St Saviour Place. Providing an open space giving opportunity to develop neighbourhood recreation benefits e.g. growing vegetables for public use.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

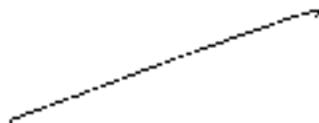


Yes, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:



**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

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### Storing your information and contacting you in the future:

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### Retention of Information

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If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on 01904 554145

Signature



Date

4 April 2018

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17.22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

<b>OFFICE USE ONLY:</b> ID reference: <b>RECEIVED</b> 04 APR 2018 BY:
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This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address)

1. Personal Details	2. Agent's Details (if applicable)
Title	
First Name	
Last Name	
Organisation (where relevant)	
Representing (if applicable)	
Address – line 1	
Address – line 2	
Address – line 3	
Address – line 4	
Address – line 5	
Postcode	
E-mail Address	
Telephone Number	

Representations must be received by Wednesday 4 April 2018, up until midnight.  
 Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: **FREEPOST RTEG-TYYU-KLTZ** Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)

## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft



Policies Map



Sustainability Appraisal/Strategic Environmental Assessment



## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

I consider all documents comprising the draft local plan to be legally compliant. In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2)

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

**Positively prepared**  **Justified**   
**Effective**  **Consistent with national policy**

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.

Policy  
Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

**I consider all documents comprising the draft local plan to be sound.** In respect of the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents meet all the tests of soundness.

I believe the draft local plan strikes the right balance between providing the homes and jobs York needs, whilst also protecting the Green Belt, preserving the unique character and setting of York, and maintaining the amenity, sustainability, and resilience of Copmanthorpe, the community in which I live.

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

### Storing your information and contacting you in the future:

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### Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

### Your rights

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Signature



Date

28.3.18

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17, 22, 35 & 36 Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) (England) Regulations 2012

**City of York Local Plan  
 Publication Draft 2018  
 Consultation response form  
 21 February – 4 April 2018**

OFFICE USE ONLY:
<b>RECEIVED</b>
04 APR 2018
BY: _____

This form has three parts: **Part A Personal Details**, **Part B Your Representation** and **Part C How we will use your Personal Information**

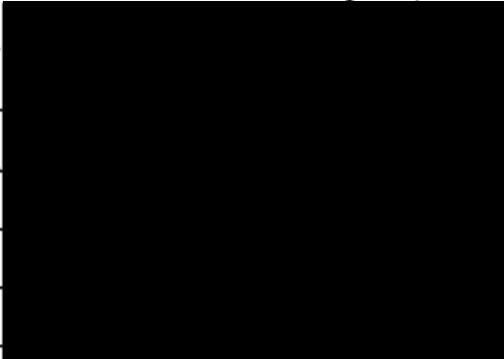
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**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full in order for the Inspector to consider your representations you must provide your name and postal address.

1. Personal Details		2. Agent's Details (if applicable)
Title	MRS	
First Name	MARGARET	
Last Name	THOMAS	
Organisation (where relevant)		
Representing (if applicable)		
Address - line 1		
Address - line 2		
Address - line 3		
Address - line 4		
Address - line 5		
Postcode		
E-mail Address		
Telephone Number		

# Guidance note

## Where do I send my completed form?

Please return the completed form by **Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

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## What can I make comments on?

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## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

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## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing, a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/ackin group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

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# Part B -Your Representation

(Please use a separate Part B form for each issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

- City of York Local Plan Publication Draft
- Policies Map
- Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes  No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant. I would prefer, however, that the housing densities identified for the two development sites in Copmanthorpe, which are substantially greater than the current average density for the village and which would result in the overwhelming of already stretched infrastructure and services, be reduced to the densities detailed in Policy CNP2 of the draft Neighbourhood Plan

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four tests of soundness listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**Yes  No 

If yes, go to question 5.(4) If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared	<input type="checkbox"/>	Justified	<input type="checkbox"/>
Effective	<input type="checkbox"/>	Consistent with national policy	<input type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.Policy  
Ref

Site Ref

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question

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**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness**

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes** I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations

**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination

# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

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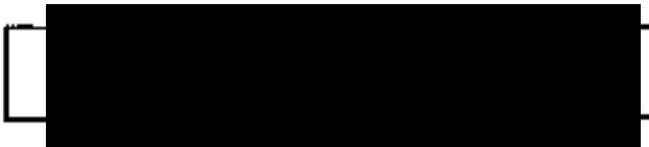
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Signature



Date

28/03/18

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Publication Draft 2018  
Consultation response form  
21 February – 4 April 2018**

OFFICE USE ONLY:

ID reference

**RECEIVED**

4 APR 2018

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## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	
First Name	Mark	
Last Name	Dransfield	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.

# Guidance note

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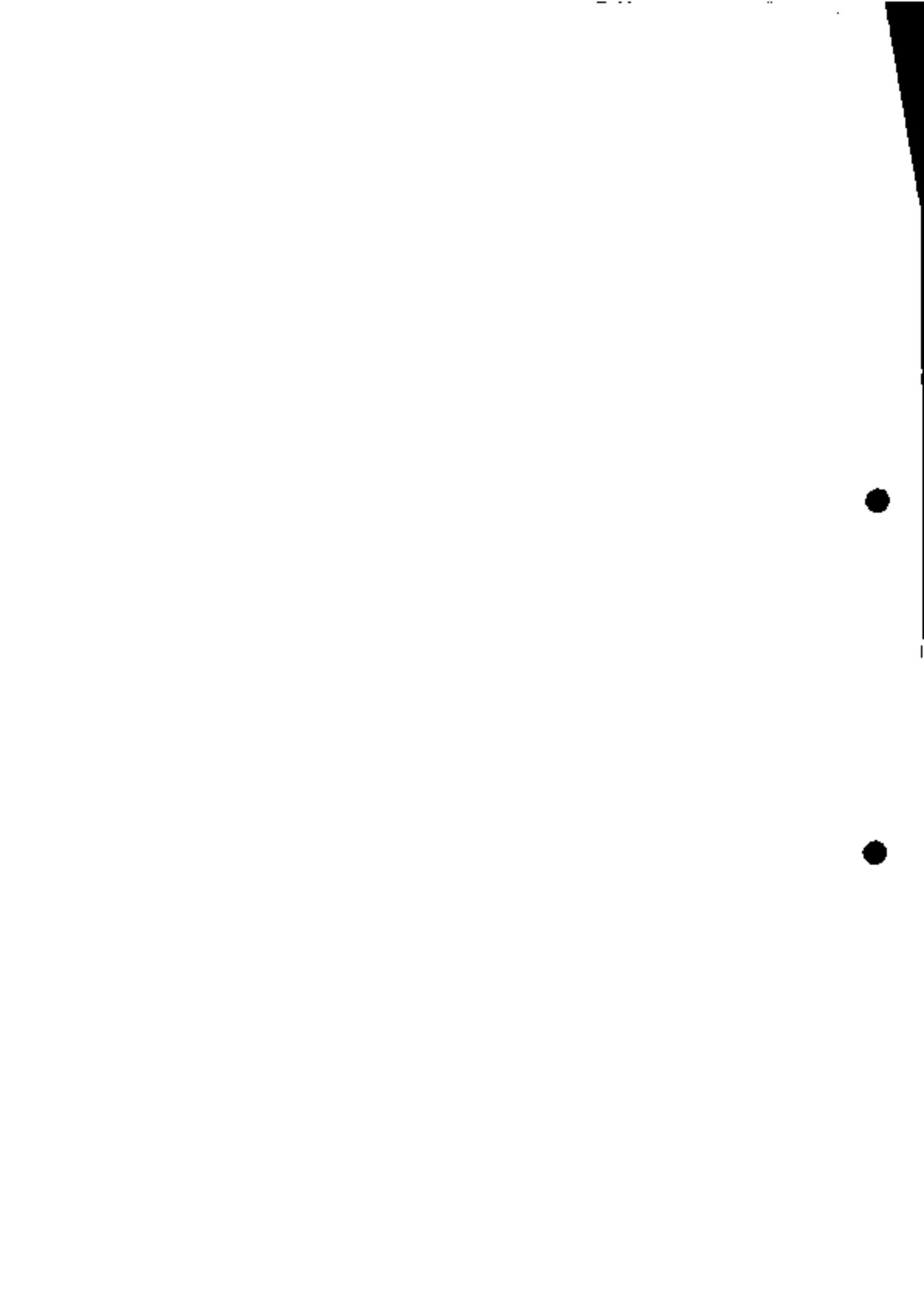
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# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft



Policies Map



Sustainability Appraisal/Strategic Environmental Assessment



## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No



## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

The Duty to Co-operate may have been fulfilled, but how does it positively inform the location choice of developments within the proposed CYC Plan?

A high level of CYC's development is planned for the North of York (approx. 9000 out of 14,000 homes).

Harrogate and Hambleton District Councils have both proposed plans for their own significant developments of several thousand homes to villages/land within 10 miles north of the CYC boundary. The potential cumulative impact of these developments plus CYC's developments upon the Northern Ring-Road A1237 is unacceptable.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

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**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

 Yes  No 

If yes, go to question 5.(4). If no, go to question 5.(2)

**5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)**

<b>Positively prepared</b> ✓ <input checked="" type="checkbox"/>	<b>Justified</b> ✓ <input checked="" type="checkbox"/>
<b>Effective</b> ✓ <input checked="" type="checkbox"/>	<b>Consistent with national policy</b> ✓ <input checked="" type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no.

Policy Ref.

T4 &amp; SS12

Site Ref. ST14

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question

The Plan is not SOUND, is not fit for purpose, is not consistent with achieving sustainable development and does not show good judgement. It is not the most appropriate strategy when considered against reasonable alternatives. The Plan is not deliverable over the period.

**ST14 - 'Land West of Wigginton Road' and its impact on greenfield land.**

I refer in particular to ST14 which sits on the Northern ring-road A1237 and consists of 1348 houses. It comprises of 55Ha of greenbelt (albeit not formally adopted). This land provides the medieval village of Skelton with a buffer between the Northern edge of the city where Clifton Moor is currently prevented from overspill by the boundary of the A1237. These fields also provide necessary separation from the village of Wigginton. ST14 is infill development and rural urbanisation. The historic locations and green natural environments of Skelton and York must be respected and the 'squeezing in' of ST14 is highly inappropriate. It is not a 'Garden Village'; it is overflow. The Plan must pursue brownfield sites as a priority rather than opting for the easy option of green field development.

**Road network and congestion & Lack of recent in-depth traffic modelling**

It is extremely concerning that recent in-depth traffic modelling STILL appears to be unavailable, as it was in the previous consultations. The Plan for York's future CANNOT take priority over the current needs of York's residents. With no definite plans for dualing the northern ring-road, the proposed developments to the north cannot be included in the Plan.

The Plan admits in Policy SS12, 3.61, that the location of ST14 on the stretch of the A1237 opposite Clifton Moor is the "most congested part of the northern ring-road". This road cannot cope with CURRENT levels of traffic and therefore the Plan is not sustainable in terms of road infrastructure because of the future impacts of the ST14 development (plus cumulative impact from several thousand other homes proposed to the north of the city at ST 7,8,9,35) upon A1237 congestion, thus rendering the Local Plan unviable.

Although Policy T4 proposes improvements to the A1237 over three timescales, this will be 'too little too late' if the development of ST14 is given the go-ahead in the Plan and construction begins immediately. It is crucial that the Council tackles the current problem of the A1237 capacity provision BEFORE giving large sites in its vicinity the go-ahead in the Local Plan. A Plan which proposes building first and increasing road capacity later cannot be SOUND. Therefore, the larger sites such as ST14 that feed directly onto the A1237 are UNVIABLE at this stage and should be removed immediately.

#### **Impact on Local roads**

Villages such as Skelton are already struggling from the current effects of rat-running as traffic tries to avoid the congested A1237. Traffic arising from all the proposed developments to the north of the city will also be forced onto less suitable routes to avoid the grid-locked A1237.

An added concern for Skelton residents is that the site of ST14 comes very close to Moor Lane (one field away). If access is opened up from ST14 onto Moor Lane this would have disastrous consequences for Skelton's narrow lanes. Moorlands Road, The Village and St Giles Road are already experiencing increased and speeding traffic, and some of this is now diverting past Skelton Primary School on Brecksfield.

#### **Summary:**

- \* The Plan is not 'Positively prepared' because it does not seek to meet the infrastructure requirements of the northern ring-road, A1237.
- \* The Plan is not 'Effective' because it cannot be delivered over its period due to issues with unacceptable traffic congestion issues on the A1237.
- \* The Plan is not 'Consistent with national policy' because it cannot deliver sustainable development due to the lack of road infrastructure necessary. (Dualled A1237)
- \* The Plan is not 'Justified' because it is not the most appropriate strategy when considered against the reasonable alternatives. The housing quota of 1348 homes at ST14 should be added to ST15 'Land West of Elvington Lane' which already has a dualled access road of the A64.

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

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After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

To make the Plan 'Sound' ...

- 1) ST14 must be removed from the Plan.
- 2) The numbers of other sites feeding into the A1237 northern ring-road must be heavily reduced.
- 3) The inclusion of any northern housing sites in the Plan are SUBJECT to full dualling of the A1237 which must occur in the first instance.
- 4) The housing quota of 1348 homes at ST14 should be added to ST15 'Land West of Elvington Lane' which already has a dualled access road with grade-separated junctions: the A64. There are also plans to further dual the A64 towards Scarborough which would alleviate any potential congestion on this stretch.

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation.

Yes, I wish to appear at the examination.

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations

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Signature



Date

29/3/2018

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OFFICE USE ONLY:

ID reference:

**RECEIVED**

04 APR 2018

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

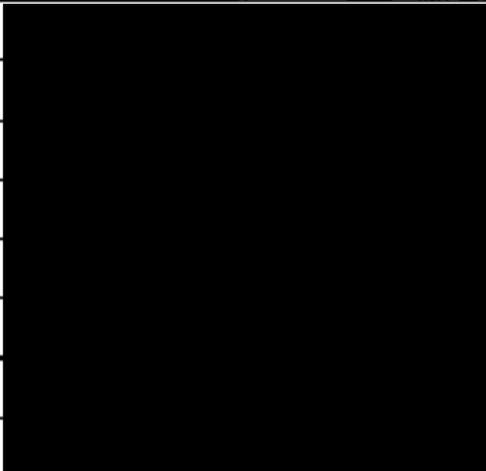
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**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

**Part A - Personal Details**

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MR.	
First Name	PAUL	
Last Name	TURPIN	
Organisation (where relevant)	N/A.	
Representing (if applicable)	N/A.	
Address - line 1		
Address - line 2		
Address - line 3		
Address - line 4		
Address - line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight. Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

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# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one):

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with statutory regulations: the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

I feel that the document is not legally compliant as it seems to offer no consideration for the concerns of existing residents lifestyles and the <sup>negative</sup> impact of this huge development on them. Indeed I feel that they have not cooperated with residents, merely pushing through what they wish

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

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**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

 Yes  No 

If yes, go to question 5.(4). If no, go to question 5.(2)

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

 Positively prepared 

 Justified 

 Effective 

 Consistent with national policy 
**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

I refer to the site ST9 within Haxby.

① The plan fails to offer the guarantee that the infrastructure will be in place before any consentment to development of the said site. Indeed as I understand the developers have offered no concrete proof that any road improvements, school places, doctors surgery, new drainage system, additional parking within an already overstretched village facilities.

② The Council plan offered a guarantee of a buffer zone (or green site) between proposed development and existing housing. Indeed as I understand the developers wish to remove this buffer zone which will further reduce a healthy environment in a village with very little green space already.

③ Also very importantly H.V. pylons run through the proposed site and of course National Grid forbids any development adjacent or underneath pylons.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Cast Iron Guarantees must be written into any development, which must include, drastic updating of existing road system, additional doctors surgery to accommodate new patients. An updating of the existing water and drainage system which already is woefully inadequate. Also no movement of the site to within the guaranteed promised green buffer zone.  
and no illegal development beneath the pylons which may of course be a health hazard.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



**Yes**, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

### Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law. The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

### Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

### Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on 01904 554145

Signature



Date

29th March 2018

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17, 22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

<b>OFFICE USE ONLY:</b> ID reference: <div style="border: 1px solid black; padding: 5px; display: inline-block;"> <b>RECEIVED</b>            04 APR 2018            BY: _____         </div>
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This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full: in order for the inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MRS	
First Name	CATHERINE	
Last Name	BOWES	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1	[REDACTED]	
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.  
 Representations received after this time will not be considered duly made

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

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## Do I need to attend the Public Examination?

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# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with; statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

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**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

---

Representations must be received by Wednesday 4 April 2018, up until midnight  
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5.(1) Do you consider the document is Sound? Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

- Positively prepared  Justified   
Effective  Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

The development of "Land North of Harby" cannot be justified because the resulting traffic would have a detrimental effect on the lives of the people currently living in Harby and Wigginton, causing gridlock and difficulty in accessing the present overloaded facilities

There is no REALISTIC way of upgrading the present road system to cope with this increased level of traffic.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

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After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Site Ref. ST9 Land North of Harby should be removed from the City of York Plan.

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**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

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Signature



Date

28<sup>th</sup> March 2018

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First Name	
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Address - line 1	
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Address - line 3	
Address - line 4	
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Postcode	
E-mail Address	
Telephone Number	

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(Please use a separate Part B form for each issue to you want to raise)



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## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

REGARDING STR LAND NORTH OF MARKET 735 NEW HOUSES?  
1 BORN AND BRED MARKET BEING 70 YEARS OLD THIS YEAR I HAVE SEEN ALL THE GROWTH OF MARKET + HIGHWAY 1 STRONG ALL SINCE 1948, FROM VILLAGES TO NOW A TOWNSHIP!! ORIGINAL PAVES, DIRT ROADS AND MARSHLAND HAVE BEEN BUILT OVER CAUSING THE WATER TABLE TO NOW BE VERY HIGH! HOUSES IN MARKET GARDEN + DISCHARGE HAVE PROBLEMS WITH FLOODING AND SEWAGE! USING LARGE CARPAGES FLOOD ALSO  
2 MARKET + HIGHWAY ARE VIBRANT GREEN SPACES, THE MARKET + HIGHWAY WOULD BE FULL UP?  
3 TRAFFIC CONGESTION - NO WHERE TO PARK IN THE CENTRE OF MARKET WE LIVE IN A CLINIC WORKS AREA - TRAFFIC REGULARLY BLOCKS UP ALL VILLAGES LANE, YORK QUAYS, EASTFIELD LANE, WILKINSON ROAD "THE VILLAGES". MORE HOUSES = MORE PROBLEMS, HORSE FITTING

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4) If no, go to question 5.(2)

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared	<input checked="" type="checkbox"/>	Justified	<input checked="" type="checkbox"/>
Effective	<input checked="" type="checkbox"/>	Consistent with national policy	<input type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.

Policy  
Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Some reasons are stated in 4.(3)

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

TO CASE THE BELMONT CONCEALED AREA OF HAYBY AND  
WILKINGTON THE A123 NEEDS TO BE UPGRADED  
AND FOLLOWS AT HAYBY LEVEL CRUISE AND WILKINGTON ROAD  
SO TRAFFIC FROM WILL BE IMPROVED

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

### Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law. The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

### Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

### Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on 01904 554146.

Signature



Date

21 - 03 - 18

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17.22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 10 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

IL: reference

**RECEIVED**

04 APR 2018

BY: \_\_\_\_\_

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full, in order for the inspector to consider your representations you must provide your name and postal address.)

1. Personal Details		2. Agent's Details (if applicable)
Title	MRS.	
First Name	GILLIAN	
Last Name	HINTON	
Organisation (where relevant)		
Representing (if applicable)		
Address - line 1	[REDACTED]	
Address - line 2		
Address - line 3		
Address - line 4		
Address - line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018 (up until midnight)  
 Representations received after this time will not be considered duly made

# Guidance note

## Where do I send my completed form?

Please return the completed form by **Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing, a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)

## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes  No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant. I would prefer, however, that the housing densities identified for the two development sites in Copmanthorpe, which are substantially greater than the current average density for the village and which would result in the overwhelming of already stretched infrastructure and services, be reduced to the densities detailed in Policy CNP2 of the draft Neighbourhood Plan.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**Yes  No 

If yes, go to question 5 (4). If no, go to question 5 (2)

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

<b>Positively prepared</b>	<input type="checkbox"/>	<b>Justified</b>	<input type="checkbox"/>
<b>Effective</b>	<input type="checkbox"/>	<b>Consistent with national policy</b>	<input type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.Policy  
Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question

'In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents meet all the tests of soundness'. I would prefer, however, that the housing densities identified for the two development sites in Copmanthorpe, which are substantially greater than the current average density for the village and which would result in the overwhelming of already stretched infrastructure and services, be reduced to the densities detailed in Policy CNP2 of the draft Neighbourhood Plan

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness**



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** tick one box only

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes** wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations

**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination

---

Representations must be received by Wednesday 4 April 2018, up until midnight  
Representations received after this time will not be considered duly made.

# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process

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## Storing your information and contacting you in the future:

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## Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

## Your rights

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Signature



Date

30.03.2018

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17, 24, 25 & 36 Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) (England) Regulations 2012

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# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

<b>OFFICE USE ONLY:</b> ID reference: <div style="border: 1px solid black; padding: 5px; text-align: center;"> <b>RECEIVED</b>            04 APR 2018         </div> BY: _____
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This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced, if hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MRS	
First Name	CHRISTINE	
Last Name	DAKER	
Organisation (where relevant)	-	
Representing (if applicable)	-	
Address - line 1	[REDACTED]	
Address - line 2		
Address - line 3		
Address - line 4		
Address - line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.  
 Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

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## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

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## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

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- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

ST9 LAND NORTH OF NAKBY PROPOSED 735 NEW HOME  
Houses already built are existing ponds + ditches  
& marshallard causing the water table to be high  
now house will make the area with problems  
with sewage in certain areas  
Not enough green space lack of infrastructure  
ie schools, doctors & traffic congestion  
is already intense  
ST9 is already overcrowded

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

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**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes

No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared

Justified

Effective

Consistent with  
national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph  
no.

Policy  
Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

See Section 4?

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



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After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

we would need to ease the  
congestion we would need change  
to as road system is flyover  
• dual carriageway.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



Yes, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

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Signature



Date

3/4/2018

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17, 22, 35 & 36 Town and Country Planning (Local Planning) (England) Regulations 2012

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**City of York Local Plan  
Publication Draft 2018  
Consultation response form  
21 February – 4 April 2018**

OFFICE USE ONLY:  
ID reference:

**RECEIVED**  
04 APR 2018

BY: \_\_\_\_\_

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

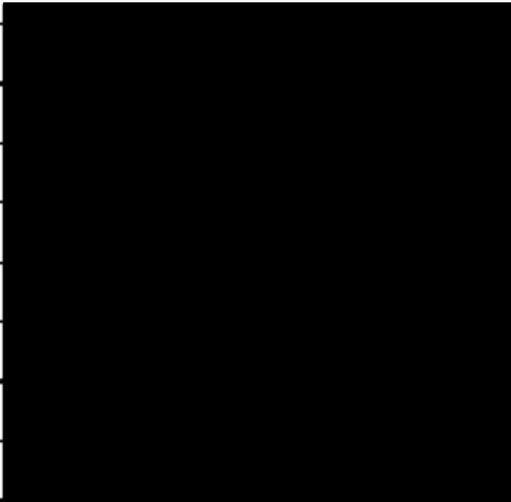
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**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

**Part A - Personal Details**

Please complete in full: in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	SIR & LADY	
First Name	TOM	DURRITY
Last Name	LAWTON	LAWTON
Organisation (where relevant)		
Representing (if applicable)		
Address - line 1		
Address - line 2		
Address - line 3		
Address - line 4		
Address - line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

# Guidance note

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# Part B -Your Representation

(Please use a separate Part B form for each issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

### What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

 Yes  No 

If yes, go to question 5.(4) If no, go to question 5.(2)

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared	<input type="checkbox"/>	Justified	<input type="checkbox"/>
Effective	<input type="checkbox"/>	Consistent with national policy	<input type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no.

Policy Rel.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

York desperately needs a LOCAL PLAN and we believe the draft plan is as sound as it is possible to be when there are obvious constraints imposed by York being a unique medieval city.

Heslington as a conservation village will be impacted by two particular sites ST27 - the University of York expansion and ST15 - land west of Elvington Lane.

The University is a very important economic entity in the city and as such is treated very kindly by the City Council. For example they were given planning permission to build a new medical centre and retail park in an area that was not set aside for development in the inspector's report on the Heslington East development. The report also identified how here to be the southern boundary of the development. This is now overturned with the allocation of ST27 in the draft local plan.

It seems to us that the Heslington East site contains sufficient as yet undeveloped land for a great deal of expansion. The site also has the potential to impact on Heslington village unless severe mitigation is imposed.

As residents who are interested in nature conservation we are pleased that the site ST15 has now moved further away from the Tilnott SSSI and that there is a proposed open space 0.510 to protect the SSSI. However we are concerned that ST15 is not large enough to guarantee sustainable infrastructure, including public transport.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation.

**Yes**. I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the Independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

### Storing your information and contacting you in the future:

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### Retention of Information

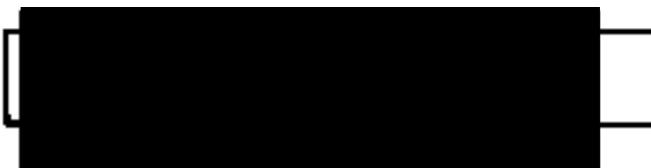
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Signature



Date

3.4.18

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# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:
ID reference: _____
<b>RECEIVED</b>
04 APR 2018
BY: _____

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## Part A - Personal Details

Please complete in full: in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details	2. Agent's Details (if applicable)
Title	
First Name	
Last Name	
Organisation (where relevant)	
Representing (if applicable)	
Address - line 1	
Address - line 2	
Address - line 3	
Address - line 4	
Address - line 5	
Postcode	
E-mail Address	
Telephone Number	

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# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

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## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

WITH REGARD TO STR LAND NORTH OF HARBLY. PROPOSED 735 NEW HOUSES

1. HOUSES ALREADY BUILT IN HARBLY HAVE BEEN BUILT OVER ORIGINAL EXISTING FARMS, DITCHES, AND MARSH LAND. THEREFORE THE WATERTABLE IS HIGH. IN THE LAST FIVE YEARS MY GARDEN HAS FLOODED. BUILDING THESE HOUSES WILL EXAGGERATE THE PROBLEM. SEWAGE BACKS UP INTO HOUSES IN CROOKLANDS LANE WHEN IT RAINS!
2. HARBLY + WILKINGTON HASN'T ENOUGH GREEN SPACES
3. TRAFFIC - NOT ENOUGH PARKING SPACES - WE LIVE IN A GRID LOCKED AREA - TRAFFIC BACKS UP ALL THE TIME!
4. THE HARBLY + WILKINGTON HEALTH CENTRE IS FULL TO CAPACITY SO ARE THE SCHOOLS
5. STR IS OVERCROWDED BUILDING IN THIS AREA WILL CAUSE MORE PROBLEMS FOR RESIDENTS

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

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5.(1) Do you consider the document is Sound?

Yes

No

If yes go to question 5.(4). If no, go to question 5.(2).

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(Complete any that apply)

Paragraph no.

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SAME REASONS AS STATED IN 4.(3)

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TO EASE THE HEAVILY CONGESTED AREA OF HANBY AND WILKINGTON  
THE A1237 NEEDS TO BE DUAL CARRIAGEWAY AND REMOVED AT  
HANBY LEVEL CROSSING AND WILKINGTON ROAD SO TRAFFIC FLOW WOULD BE  
(IMPROVED).

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



**Yes**, I wish to appear at the examination



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Signature

Date

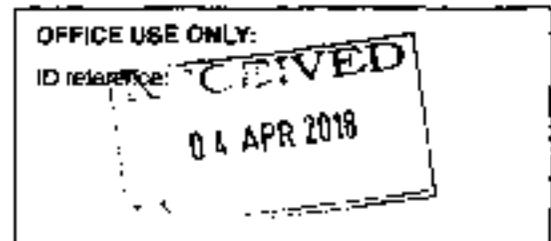
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Title	MR.	
First Name	BARRIE	
Last Name	MOORE	
Organisation (where relevant)		
Representing (if applicable)		
Address - line 1	[REDACTED]	
Address - line 2		
Address - line 3		
Address - line 4		
Address - line 5		
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E-mail Address		
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# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)

## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft



Policies Map



Sustainability Appraisal/Strategic Environmental Assessment



## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

I consider all documents comprising the draft local plan to be legally compliant. In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5 (4). If no, go to question 5 (2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared  Justified   
Effective  Consistent with national policy

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.

Policy  
Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

I consider all documents comprising the draft local plan to be sound. In respect of the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents meet all the tests of soundness.

I believe the draft local plan strikes the right balance between providing the homes and jobs York needs, whilst also protecting the Green Belt, preserving the unique character and setting of York, and maintaining the amenity, sustainability, and resilience of Copmanthorpe, the community in which I live.

5. (f) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

### Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law. The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

### Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

### Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on 01904 564145

Signature



Date

31/3/18.

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17, 22, 35 & 36 Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) (England) Regulations 2012

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY: ID reference: <div style="border: 1px solid black; padding: 5px; text-align: center;"> <b>RECEIVED</b>            04 APR 2018            BY: _____         </div>
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This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MR	
First Name	MARSHALL P	
Last Name	CURTIS	
Organisation (where relevant)	-	
Representing (if applicable)	-	
Address – line 1	[REDACTED]	
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight. Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations: the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes  ? No  Legal direction required

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  ? No  Legal direction required

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four tests of soundness listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

### What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

 Yes  No 

If yes, go to question 5.(4); If no, go to question 5.(2)

**5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)**

Positively prepared	<input checked="" type="checkbox"/>	Justified	<input checked="" type="checkbox"/>
Effective	<input checked="" type="checkbox"/>	Consistent with national policy	<input checked="" type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

ST 15

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Choice of this location for housing development does not show "good judgement" From a position chosen adjacent to S.S.1 sites, now moved further south to split a well used air-field runway into three parcels of land is a matter of great concern. This isolation in prime countryside make transport links even more distant to the A64, B1228, A1079 and A1231 systems. The new link roads and infrastructure required will create much more disturbance through unspoilt countryside. All the existing road network is in need of a major upgrade, being overused, and the B1228 through Elvington and Sutton villages unfit for HGV transport vehicles. To consider new development with connection for some 6-10,000 extra vehicles cannot be justified.

If development were to happen, there would be a great loss of bio-diversity, and disturbance to the many types of animals, birds etc. which inhabit the whole area. It will also destroy high quality farmland, historic farms, trees, hedges, ponds, etc, and will ruin the serenity of the bridleways and footpaths, including the renowned 'Minster Way' track.

The historic airfield museum and runway should be treated as a national tourism asset, as it is used for many events, displays, speed records, etc, and 'change of use' should not even be considered for any part of the runway, protection for any future flying or emergencies. Has employment for the region been discussed with neighbouring authorities. Development at a distance leads to dormitory suburbs for Yorkshire and brown field sites are recommended.

6.(1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

As other size sites have been proposed within the ring road boundary and added to the Local Plan since the Pre-Publication draft, these sites should be more effective for time scales, infrastructure, transport and employment.

If inner ring road sites were designed as "Garden suburbs" they would follow in the footsteps of New Earswick a "Model Village" established adjacent to York in 1902.

National Policy prefers and recommends unused brown field sites, which are, or will become available in the near future.

Sound judgement should be applied and the ST15 proposal should be withdrawn in its entirety from the Local Plan to define and protect what has always been a very "Green Belt" to the south of the City of York.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

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### Retention of Information

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Signature



Date

27-03-2018

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

**RECEIVED**

04 APR 2018

BY: \_\_\_\_\_

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MR + MRS	
First Name	AUSDAIR + ROSEY	
Last Name	DUNN	
Organisation (where relevant)		
Representing (if applicable)		
Address - line 1		
Address - line 2		
Address - line 3		
Address - line 4		
Address - line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.  
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# Guidance note

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Please return the completed form **by Wednesday 4 April 2018, up until midnight**

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## Do I need to attend the Public Examination?

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# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

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Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

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**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5 (4) If no, go to question 5 (2)

**5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)**

<b>Positively prepared</b>	<input type="checkbox"/>	<b>Justified</b>	<input type="checkbox"/>
<b>Effective</b>	<input type="checkbox"/>	<b>Consistent with national policy</b>	<input checked="" type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.

Policy  
Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

We would like to offer the land at North Carlton Farm, Sandy Lane, Stocton on Forest, York, YO32 9UT for housing as part of the City of York Council Local Plan. This comprises the farmhouse, farmyard, buildings & adjacent fields. Fields Nos. 2975, 6186, 6900 & 8900. As shaded on the attached plan.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation.

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

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### Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law. The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

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Signature



Date

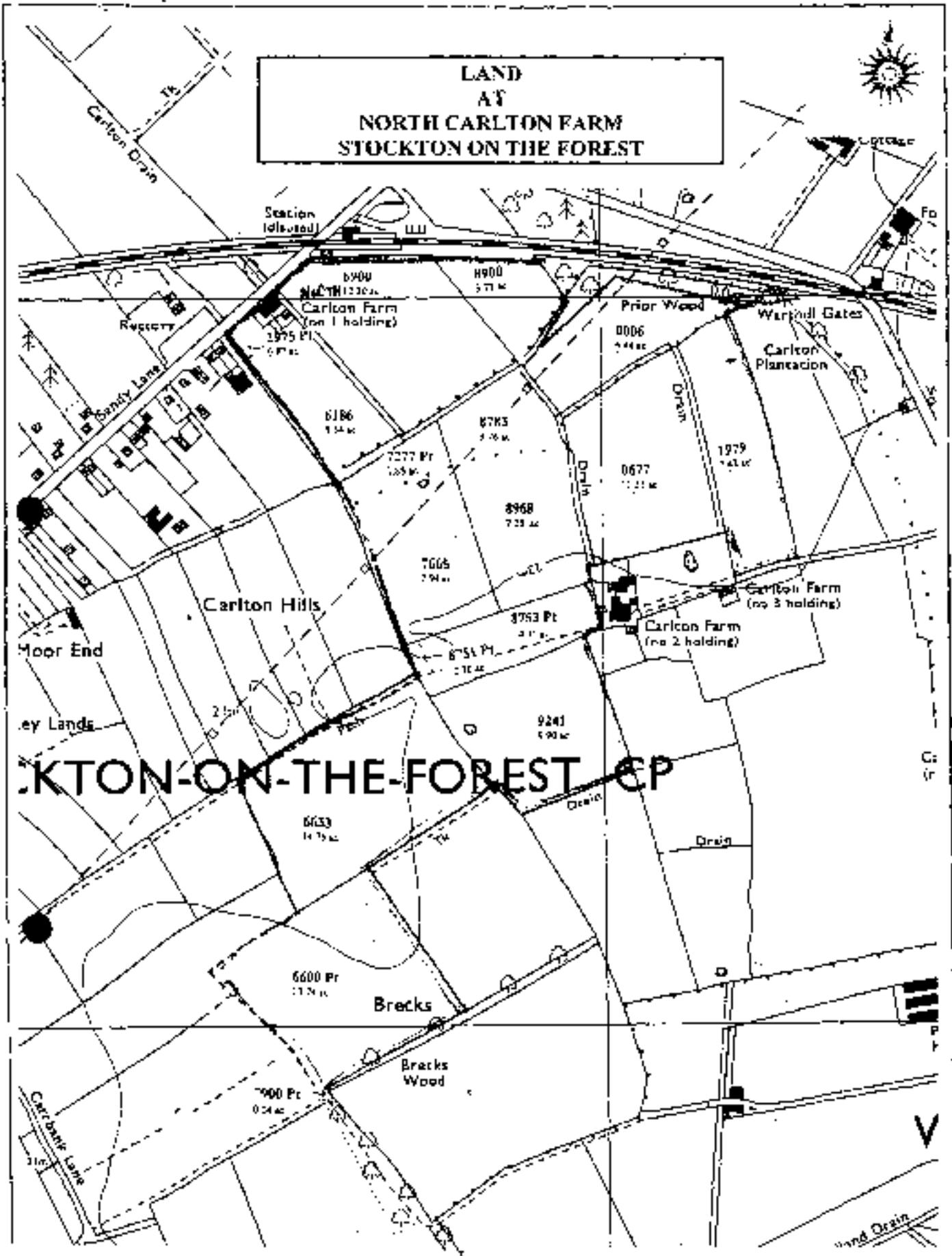
3 - 4 - 18

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17, 22, 35 & 36 Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) (England) Regulations 2012

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**LAND  
AT  
NORTH CARLTON FARM  
STOCKTON ON THE FOREST**



**STOCKTON-ON-THE-FOREST CP**

— Boundary of farm  
 Proposed site

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY: IC reference: <div style="border: 1px solid black; padding: 5px; text-align: center;"> <b>RECEIVED</b>            04 APR 2018         </div> BY: _____
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This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full: in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details	2. Agent's Details (if applicable)
Title	
First Name	
Last Name	
Organisation (where relevant)	
Representing (if applicable)	
Address – line 1	
Address – line 2	
Address – line 3	
Address – line 4	
Address – line 5	
Postcode	
E-mail Address	
Telephone Number	

Representations must be received by Wednesday 4 April 2018, up until midnight.  
 Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

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## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

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## Can I submit representations on behalf of a group or neighbourhood?

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## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

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# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

The Plan has been through the correct procedures

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**Yes  No 

If yes, go to question 5 (4). If no, go to question 5 (2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared  Justified   
Effective  Consistent with national policy

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.Policy  
Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Throughout the local Plan process, full consideration of the needs for Travelling Showpeople have been assessed and sites considered in the preferred options and further site consultations.

The need for 3 Travelling showpeople sites is established through an updated GTAA and the Plan has been prepared to deliver a site to meet this need. The need is for Travelling Showpeople who have a longstanding connection to the York city Council area both personally and for showmen's business purposes.

Site SP1 on the Plan will deliver a site for travelling showpeople and thereby satisfy a long outstanding need for a Travelling Showpeople's site.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

None.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected No, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

As we support site Allocation SPI, we do not necessarily wish to participate in the procedure, but would like to if objectors to this site are afforded the opportunity to participate.

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

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### Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

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Signature

Date

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**City of York Local Plan  
Publication Draft 2018  
Consultation response form  
21 February – 4 April 2018**

OFFICE USE ONLY:

ID reference:

**RECEIVED**

04 APR 2018

BY: \_\_\_\_\_

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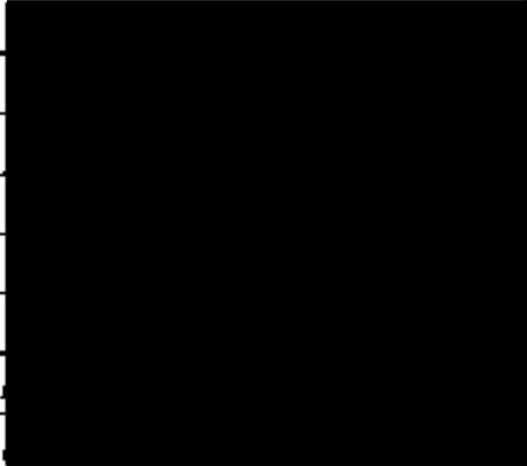
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Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

**Part A - Personal Details**

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address)

1. Personal Details		2. Agent's Details (if applicable)
Title		
First Name	TONIC MARTIN	
Last Name	PICKARD	
Organisation (where relevant)		
Representing (if applicable)		
Address - line 1		
Address - line 2		
Address - line 3		
Address - line 4		
Address - line 5		
Postcode		
E-mail Address		
Telephone Number		

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# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

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Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

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## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

I AGREE WITH THE CITY COUNCIL'S PROPOSED PROCEDURES AND JUSTIFICATIONS AND SUPPORT ITS DECISION NOT TO ALLOW ANY DEVELOPMENT ON THE WEST SIDE OF COPFANTHORPE BUT REGRET ITS REFUSAL TO ~~DESIGNATE~~ DESIGNATE AN AREA OF EMPLOYMENT LAND WITHIN THE VILLAGE

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

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**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**Yes  No 

If yes go to question 5.(4). If no go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (pick all that apply)

Positively prepared  Justified   
Effective  Consistent with national policy

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.Policy  
Ref

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

I CONSIDER THE PLAN MEETS THE TESTS OF SOUNDNESS  
BUT REGRET THAT IT FAILS TO PROVIDE ANY EMPLOYMENT  
LAND IN THE VILLAGE

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

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After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

**No.** I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



**Yes.** I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

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Signature



Date

3<sup>rd</sup> April 2018

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17, 22, 35 & 36 Town and Country Planning (Local Planning) (England) Regulations 2012

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# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:  
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**RECEIVED**  
04 APR 2018

BY: \_\_\_\_\_

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## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title		
First Name	KATHERINE	
Last Name	PICKARD	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1	[REDACTED]	
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.

# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes  No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant. I would prefer, however, that the housing densities identified for the two development sites in Copmanthorpe, which are substantially greater than the current average density for the village and which would result in the overwhelming of already stretched infrastructure and services, be reduced to the densities detailed in Policy CNP2 of the draft Neighbourhood Plan

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

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7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



Yes, I wish to appear at the examination

If you have selected No, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

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Signature



Date

03/4/18

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17, 22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012



288

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference

RECEIVED

04 APR 2018

BY: ---

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	
First Name	Peter	
Last Name	Vaughan	
Organisation (where relevant)		
Representing (if applicable)		
Address - line 1		
Address - line 2		
Address - line 3		
Address - line 4		
Address - line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form by **Wednesday 4 April 2018, up until midnight**

- To: **FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA**
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## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

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## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing: a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

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- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
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- In all libraries in York

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

---

Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

5.(1) Do you consider the document is Sound? ✓

Yes

No

If yes go to question 5 (4). If no go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared

Justified

Effective

Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no

Policy Ref

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

The Plan contains developments of housing near Hoxby and Wigginton of well over 2000 new houses. In the area adjoining a "new railway station at Haxby" [para is on page 213 of the February 2018 Local Plan] eg in Hoxby, Wigginton, North Huntington, New Earswicks and adjoining areas eg Clifton, Shipton, Strensall, Earswicks, there are already over 25000 potential rail users - the new houses will raise this to over 30,000!

To defer a new station either near the York Rd level crossing - or perhaps <sup>Hurry</sup> North East - ignores for decades passenger rail access. Not effective!

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

York railway station, by rail from the Hoxby level crossing at York Road, is reached in 5 minutes. By road car or bus 25 to 35 minutes. Connectivity by rail is severely frustrated and road congestion worsens daily [Weekday services by train York head = 100 trains per day] York Station offers many effective services, their use from North York residents greatly deterred. Station needed now.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected No, your representation(s) will still be considered by the independent Planning Inspector by way of written representations

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To ensure this Plan's omission of a new station - being built a.s.a.p and not even by 2032 - is corrected. Existing <sup>rail</sup> benefits are under-used by North York's current residents, let alone the thousands of new ones assumed in this Plan.

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

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### Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

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Signature



Date

31-3-2018

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Ref. City of York Local Plan  
Publication Draft 2018  
Response - See address  
- FINAL CONSULTATION

MR Graham Keightley

SID 290



28/3/2018.

290

Dear Sir/Madam,  
Local Plan - Soundness.

I believe that the above plan is unsound for the following reasons.

- 1) The proposed sites are greenbelt
- 2) These v v would affect the economy of the village by losing visitors/revenues to the air museum
- 3) Loss of Wildlife e.g. reeds and ems particularly Barn owls.
- 4) Loss of nature conservation as identified by etc
- 5) There is land further north which would not affect nature conservation and is available
- 6) Loss of historical significance of airfield - a loss to future generations
- 7) and with reference to 5) above. By building houses further north there would be reduced impact on Elvington village and reduced traffic on B1228 which is already badly affected. And, the land further <sup>north</sup> would, as I've already said not adversely impact on wildlife and conservation.
- 8) I know that the local community's wishes would be ignored if this plan was to go ahead.
- 9) There are alternative sites e.g. Dandy Lane and Grimston Bar

I appreciate that the government needs more houses to be built, but surely not at the expense of local habitats. I do not believe that this plan is the most appropriate strategy and certainly not, when considered against reasonable known alternatives

See over

I wrote to you on 22/10/17 and so any further comments can be referred to therein.

Yours Sincerely

[REDACTED]

GRAHAM KETCHLEY  
(RESIDENT & COUNCIL TAX PAYER)

I wrote to you on 22/10/17 and so any further  
Comments can be referred to therein.

Yours Sincerely

[REDACTED]

GRAHAM KETCHLEY  
(RESIDENT & COUNCIL TAX PAYER)

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**City of York Local Plan  
Publication Draft 2018  
Consultation response form  
21 February – 4 April 2018**

OFFICE USE ONLY:

ID reference:

<b>RECEIVED</b>
04 APR 2018
BY: _____

This form has three parts:

**Part A Personal Details, Part B Your Representation and Part C How we will use your Personal Information**

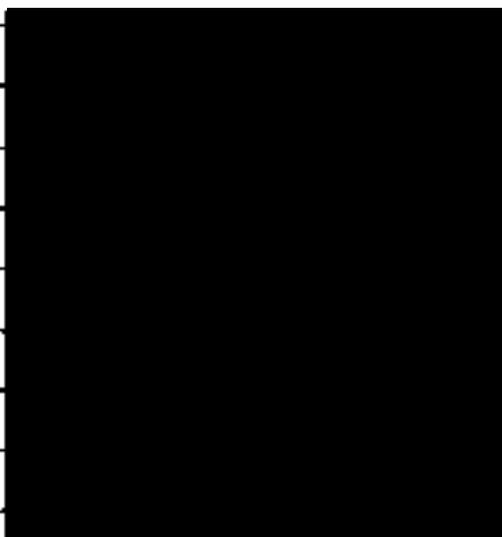
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## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	
First Name	DEREK	
Last Name	BOWER	
Organisation (where relevant)		
Representing (if applicable)		
Address - line 1		
Address - line 2		
Address - line 3		
Address - line 4		
Address - line 5		
Postcode		
E-mail Address		
Telephone Number		

# Guidance note

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# Part B- Your Representation

(Please use a separate Part B form for each issue to you want to raise)

## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes  No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant. I would prefer, however, that the housing densities identified for the two development sites in Copmanthorpe, which are substantially greater than the current average density for the village and which would result in the overwhelming of already stretched infrastructure and services, be reduced to the densities detailed in Policy CNP2 of the draft Neighbourhood Plan

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

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**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes                          No

If yes, go to question 5.(4) If no, go to question 5.(2)

**5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)**

**Positively prepared**

**Justified**

**Effective**

**Consistent with  
national policy**

**5.(3) If you are making  
comments on whether the**

**document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.

Policy  
Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

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**6.(1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

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**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)**

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

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# Part C - How we will use your Personal Information

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Signature

Date		
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31 March 2018
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292

**City of York Local Plan  
Publication Draft 2018  
Consultation response form  
21 February – 4 April 2018**

OFFICE USE ONLY:

ID reference:

RECEIVED

04 APR 2018

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Please fill in a separate part B for each issue/representation you wish to make.

Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MRS	
First Name	JANICE	
Last Name	MOUNTFORD	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1	[REDACTED]	
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.  
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# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)

### 3. To which document does your response relate? (Please tick one)

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Sustainability Appraisal/Strategic Environmental Assessment

### What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

### 4. (1) Do you consider the document is Legally compliant?

Yes  No

### 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

### 4.(3) Please justify your answer to question 4.(1) and 4.(2)

The Plan has been prepared in line with statutory regulations, the duty to co-operate and legal procedural requirements.

### What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

### What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**Yes  No 

If yes, go to question 5.(4) If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared	<input type="checkbox"/>	Justified	<input type="checkbox"/>
Effective	<input type="checkbox"/>	Consistent with national policy	<input type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
noPolicy  
Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

The Plan has been positively prepared,  
has been justified, is effective and is  
consistent with National Policy.

**6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.**

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination?** (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

**7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation, including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

### Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

### Retention of information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

### Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on 01904 554145

Signature

Date

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17, 22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

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**City of York Local Plan  
Publication Draft 2018  
Consultation response form  
21 February – 4 April 2018**

OFFICE USE ONLY:

ID reference

**RECEIVED**

04 APR 2018

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

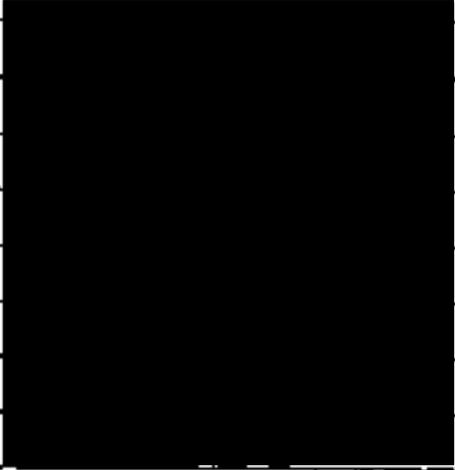
To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

**Part A - Personal Details**

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MR	
First Name	GRAHAM	
Last Name	AULTON	
Organisation (where relevant)		
Representing (if applicable)		
Address - line 1		
Address - line 2		
Address - line 3		
Address - line 4		
Address - line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight. Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form by **Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and use one response form for each representation you wish to make (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing: a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

---

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# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)

## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Polices Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes  No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant. I would prefer, however, that the housing densities identified for the two development sites in Copmanthorpe, which are substantially greater than the current average density for the village and which would result in the overwhelming of already stretched infrastructure and services, be reduced to the densities detailed in Policy CNP2 of the draft Neighbourhood Plan

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

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**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared  Justified   
Effective  Consistent with national policy

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no.

Policy  
Ref.

Site Ref.

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

'In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents meet all the tests of soundness'. I would prefer, however, that the housing densities identified for the two development sites in Copmanthorpe, which are substantially greater than the current average density for the village and which would result in the overwhelming of already stretched infrastructure and services, be reduced to the densities detailed in Policy CNP2 of the draft Neighbourhood Plan

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

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7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



Yes, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

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### Storing your Information and contacting you in the future:

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### Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

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Signature

Date

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17, 22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

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# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

RECEIVED

04 APR 2018

BY: \_\_\_\_\_

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 8.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MRS	
First Name	JEAN	
Last Name	AULTON	
Organisation (where relevant)		
Representing (if applicable)		
Address - line 1	[REDACTED]	
Address - line 2		
Address - line 3		
Address - line 4		
Address - line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form by **Wednesday 4 April 2018, up until midnight**

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- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

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## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and use **one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

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## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

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- City of York Council West Offices
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# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)

## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes  No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

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**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5.(4) If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)**

Positively prepared  Justified   
Effective  Consistent with national policy

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(Complete any that apply)

Paragraph  
no.

Policy  
Ref.

Site Ref.

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You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

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**7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)**

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**Yes**, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

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**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination

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## Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

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### Storing your Information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

### Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

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If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on 01904 564145

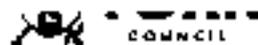
Signature

Date

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012



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# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

RECEIVED

04 APR 2018

BY: \_\_\_\_\_

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A – Personal Details

Please complete in full; in order for the inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MR	
First Name	ROBERT	
Last Name	ARNOLD	
Organisation (where relevant)	RESIDENTS OF [REDACTED] Norths Ball; Norths Lane; Norths	
Representing (if applicable)		
Address – line 1	[REDACTED]	
Address – line 2	[REDACTED]	
Address – line 3	[REDACTED]	
Address – line 4	[REDACTED]	
Address – line 5	[REDACTED]	
Postcode	[REDACTED]	
E-mail Address	[REDACTED]	
Telephone Number	[REDACTED]	

Representations must be received by Wednesday 4 April 2018, up until midnight.

# Part B - Your representation

2 of 7



(Please use a separate Part B form for each issue to you want to raise)

3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/foia](http://www.york.gov.uk/foia)

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

There is no evidence that consideration has been given by City of York, nor detailed planning for the outer perimeter of the enlarged City of York when it acquired the existing Green Belt in 1995, prior to which it was included as Green Belt by North Yorkshire County Council as a Sales District Council. The Revocation Order states that the established Green Belt should be excluded from development unless it satisfies the criteria laid down for development in the Green Belt. This is particularly pertinent in respect of ST33, especially as it is part of the 'Open Country'. The land owner, planning a hedge along the Southern Boundary and the proposed reference to it as an attempt to shield off the 'Open Country' aspect of the area in 1993.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

### What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

# Part B - Your representation

3 of 7



(Please use a separate Part B form for each issue to you want to raise)

### 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

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### 4. (1) Do you consider the document is Legally compliant?

Yes

No

### 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

### 4.(3) Please justify your answer to question 4.(1) and 4.(2)

SI 33 does not comply with the Planning Policies as outlined in the NPPF in respect of Green Belt Policies, as it is not in full of a limited size (the development for 47 dwellings). The hedge on the Southern boundary was established prior to planning for 189 dwellings being sought in 1992/93. The inspector noted this fact when planning was refused following a Public Inquiry held in 1993. Previously the field was part of the Open Countryside but some 25 years later it no longer appears to be part of the original Open Countryside. The drainage does not have a suitably inflexible for 189 extra dwellings, School over subscribed, insufficient sewerage for limited Public Transport, (Requiring further) limited doctors surgery etc.

### What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

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**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

5.(1) Do you consider the document is Sound? Yes  No

If yes, go to question 5.(4). if no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet (tick all that apply)

- Positively prepared
- Justified
- Effective
- Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no. 1.50 Policy Ref.  Site Ref. ST 33

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

ST 33 originally consisted of H49 which was mixed Green Belt & Brownfield land. This was rejected by City of Woking Planners because it failed to meet the requirements of the NPPF. A revised version then appeared at the eleventh hour and therefore did not allow any time for consultation. This now showed a strip of land adjacent to the Industrial Estate, which was to be left undeveloped allowing for the Plan to be approved for inclusion. Subsequently this area was increased to include a parcel of land to the West and this parcel of land was previously set aside for Employment (Business Development) adjacent to the Industrial Estate. The number of properties however remain unchanged at 147 but the dwellings are mainly confined to the aspect of ST33 which mainly falls within the Green Belt such that it satisfies the NPPF requirements. As stated previously the infrastructure within Whiddrakes is not adequate to service 147 extra dwellings, the school is over subscribed, the Public Transport (rail, bus and likely to be reduced even further, no Sunday service and a reduction/elimination of the main Monday to Saturday service. A doctors surgery that only operates on two part days each week. Sewerage system that is not coping - would get even worse with up to 147 extra dwellings.

5.(1) Do you consider the document is Sound?

Yes  No

If yes, go to question 5.(4). If no, go to question 5.(2).

6.(2) Please tell us which tests of soundness the document fails to meet (tick all that apply)

Positively prepared  Justified   
Effective  Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

1.50

Policy Ref.

Site Ref.

ST33

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Green Belt for Outer York when acquired from North Yorkshire County Council - Salley District in 1956 was already established and therefore was adopted fully by City of York Council and there is clear evidence of this as various developments were rejected because they did not meet the laid down requirements for development in the Green Belt. Various attempts have been made to develop parts of the area now known as ST33 and all of which have failed for a variety of reason - the Green Belt was the most significant justification when Wolds was part of Salley District Council (NYCC). As stated in 4(3) the Public Enquiry rejected the attempt in 1993 to develop the field - which is the most significant area contained within ST 33 in the current CMC Local Plan. The Inspector noted that the open aspect was attempted to be less obvious by the planting of a hedge and a few trees, however this is less obvious in 2018 as the hedge & trees have grown substantially in the following 25 years. So to the uninformed it appears as though this field is no longer part of the 'Green Belt'. We would also cite recent refusals for planning permission being refused Application Ref: 15/00798/OUTM of Alan Dave - Huntington for 109 dwellings based on Green Belt Appeal failed April 2017. Application Ref: 13/03267/OUTM for 102 dwellings & open space on two parcels.

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the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

A much more appropriate development would be to extend the scope and size of the Garden Village ST15 to the West of the adjacent village of Elvington. This would totally eliminate the need for any further increase in the number of current dwellings in either Wheldrake or Elvington. The City of York Planning were recommending that the Garden Village ST15 should be increased substantially to justify the necessary infrastructure and provide an additional Secondary School which would help alleviate the pressure of Fulford School on numbers and provide flexibility on the side of the City.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected No, your representation(s) will still be considered by the Independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

To explain why ST 33 fails to meet the full requirements of the NPPF and to explain more clearly why extending the size & scope of the Garden Village ST15 would be to the benefit of the villages of Elvington & Wheldrake in the short, medium and long term.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.



# Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

### Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

### Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

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Signature

[Redacted Signature]

Date

28 | 03 | 2018

<sup>1</sup> in 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) d) Regulations 2012  
<sup>2</sup> ation 19 Town and Country Planning (Local Planning) England) Regulations 2012  
<sup>3</sup> ation 35 Town and Country Planning (Local Planning) England) Regulations 2012

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Peter &amp; Barbara Bentley

2<sup>nd</sup> April 2018

Local Plan  
City of York Council  
West Offices, Station Rise  
York YO1 6GA

Dear City of York council

We write to provide feedback to the Local Plan Publication draft 2018. We congratulate those officers and staff that have contributed to the plan which has clearly taken many hours to construct.

We are overall content with the new housing plans and the guarantees for the protection of the greenbelt. We do observe however that for the period of concern (2012 to 2032) 12 of the 21 years have housing targets above the 923 per annum. As we understand population figures are predicted to be lower than previously estimated, future housing levels could be reduced for these years.

Of more concern are the transport plans. The emphasis in the plan is for public transport, cycling and walking. We observe no mention in the plan for vans, lorries, wagons or business persons going about their business. The plan predicts a 20% increase in vehicular traffic, a 30% increase in journey time and a 55% increase in delays. The plan states "this level of growth could lead to significant delays being experienced on radial routes and routes within the outer ring road". But significant delays are *already* being experienced, particularly on the A1237 and A1036. No significant improvements were made to roads when the Vanguard development was established. The city's roads are becoming parking lots, which further hinder traffic flow.

York has been classified as a "cycling city". Creating cycling lanes by drawing white lines on roads is not sufficient and we will not cycle in York until it is safe to do so.

Yours faithfully



# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY. ID reference: <div style="border: 1px solid black; padding: 5px; text-align: center;"> <b>RECEIVED</b>            04 APR 2018         </div> BY: _____
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This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full, in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	CLERK MR	
First Name	ROGER	
Last Name	BEDFORD	
Organisation (where relevant)	OSBALDWICK PARISH COUNCIL	
Representing (if applicable)	OSBALDWICK	
Address – line 1	[REDACTED]	
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.  
 Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Electronic copies of this form are available to download at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or you can complete the form online at [www.york.gov.uk/consultations](http://www.york.gov.uk/consultations)

## What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan) or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

## Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

## Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

## Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).
- City of York Council West Offices
- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

4.(1) AND 4.(2)

THE POLICES MAP PROVIDES MISLEADING INFORMATION TO BOTH CITY OF YORK RESIDENTS AND THE PLANNING INSPECTORATE.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

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**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

---

Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

**5.(1) Do you consider the document is Sound?**

 Yes  No 

If yes, go to question 5.(4) If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared	<input checked="" type="checkbox"/>	Justified	<input checked="" type="checkbox"/>
Effective	<input type="checkbox"/>	Consistent with national policy	<input type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no	<input type="text"/>	Policy Ref	<input type="text"/>	Site Ref	<input type="text" value="ST 7"/>
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**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

THE CITY OF YORK (LPP) DRAFT POLICIES MAP (NORTH) DATED FEBRUARY 2018, DOES NOT SHOW ALL OCCUPIED HOUSING DEVELOPMENTS IN THE OSBAKOWICK PARISH AREA.

SPECIFICALLY THE JOSEPH ROWNTRBE HOUSING TRUST DEVELOPMENT (DERWENTHOP) MARKED (L1) ON THE PHOTOCOPIED EXTRACT ATTACHED TO THIS DOCUMENT.

THE PLAN IS THEREFORE UNSOUND AS IT DOES NOT SHOW ALL EXISTING OCCUPIED DEVELOPMENTS WHICH CAUSE IMPACT ON LOCAL INFRASTRUCTURE AND TRAFFIC MOVEMENT.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

**After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

REVISED POLICIES MAPS CLEARLY DEFINING ALL RESIDENTIALLY OCCUPIED DEVELOPMENTS AND THOSE UNDER CONSTRUCTION, BE MADE AVAILABLE TO CITY OF YORK RESIDENTS, THE PLANNING INSPECTORATE AND ANY OTHER INTERESTED PARTIES.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



**Yes**, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

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### Storing your information and contacting you in the future:

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### Retention of Information

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Signature

Date

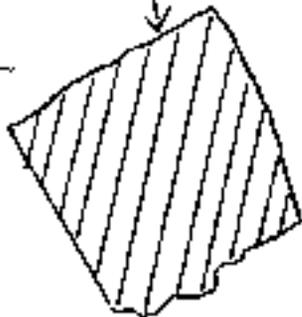
<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17, 22, 35 & 36 Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) (England) Regulations 2012

(L1)

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# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

**RECEIVED**

04 APR 2018

BY: \_\_\_\_\_

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

**Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.**

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

## Part A - Personal Details

Please complete in full, in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MRS	
First Name	SALLY	
Last Name	BRUCKSHAW	
Organisation (where relevant)	NEW EARSWICK PARISH COUNCIL	
Representing (if applicable)	PARISH COUNCIL MEMBERS	
Address – line 1	[REDACTED]	
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

# Guidance note

## Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

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You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

## Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

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You can view the Local Plan Publication draft Consultation documents

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# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

PRESUME CITY OF YORK COUNCIL HAVE FOLLOWED THE  
REQUIRED LEGAL PROCEDURES.

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

## What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

**5.(1) Do you consider the document is Sound?**

Yes  No

If yes, go to question 5 (4) If no, go to question 5.(2)

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared	<input checked="" type="checkbox"/>	Justified	<input checked="" type="checkbox"/>
Effective	<input checked="" type="checkbox"/>	Consistent with national policy	<input checked="" type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
no

5-11

Policy  
Ref.

H 1

Site Ref.

H 46

**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

LAND TO THE NORTH OF HILTON BANK AND EAST OF HAYBY ROAD, NEW BARNICK.

THE SITE IDENTIFIED IS IN THE PARISH OF NEW BARNICK, A NATIONAL AND INTERNATIONALLY RECOGNISED VILLAGE OF HISTORIC SIGNIFICANCE.

SUBMISSIONS MADE AT EARLIER STAGES OF THE DEVELOPMENT OF THE LOCAL PLAN HIGHLIGHTED THE INFRASTRUCTURE REQUIREMENTS THAT CANNOT BE MET.

THE SITE IF DEVELOPED WOULD REMOVE THE LAST REMAINING AREA OF OPEN GREEN SPACE.

CURRENTLY THERE ARE THREE APPROVED DEVELOPMENTS THAT WILL SIGNIFICANTLY IMPACT ON OVERSTRETCHED FACILITIES:-

1. 151 ADDITIONAL DWELLINGS AS PART OF THE RED LODGE DEVELOPMENT.
2. HUNTINGTON STADIUM - A LARGE SPORTING/LEISURE VENUE.
3. MAJOR NEW HEALTHCARE FACILITY OFF HAYBY ROAD.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

*Please note* your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

TO ENSURE THE PLAN IS SOUND - NEED TO ADDRESS ISSUES  
RAISED DURING THE CONSULTATION PERIOD, E.G.  
FLOOD PLANNING  
HISTORIC CHARACTER AND SETTING  
CONSERVATION  
GREEN INFRASTRUCTURE  
TRAFFIC / TRANSPORT  
LOCAL FACILITIES AND SERVICES.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected No, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

### Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.<sup>1</sup> The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

### Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

### Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on [01904 554145](tel:01904554145)

Signature

Date

Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England Regulations 2012

Regulation 19 Town and Country Planning (Local Planning) England Regulations 2012

Regulation 35 Town and Country Planning (Local Planning) England Regulations 2012

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299

**City of York Local Plan  
Publication Draft 2018  
Consultation response form  
21 February – 4 April 2018**

OFFICE USE ONLY.  
ID reference:  
**RECEIVED**  
04 APR 2018  
BY: \_\_\_\_\_

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

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Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

**Part A - Personal Details**

Please complete in full in order for the Inspector to consider your representation; you must provide your name and postal address.

1. Personal Details		2. Agent's Details (if applicable)
Title	MRS	
First Name	MARGARET	
Last Name	MILLER	
Organisation (where relevant)	---	
Representing (if applicable)	---	
Address - line 1	[REDACTED]	
Address - line 2		
Address - line 3		
Address - line 4		
Address - line 5		
Postcode		
Email Address		
Telephone Number		

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# Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)



### 3. To which document does your response relate? (Please tick one)

- City of York Local Plan Publication Draft
- Policies Map
- Sustainability Appraisal/Strategic Environmental Assessment

### What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

### 4. (1) Do you consider the document is Legally compliant?

Yes  No

### 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes  No

### 4.(3) Please justify your answer to question 4.(1) and 4.(2)

In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant. I would prefer, however, that the housing densities identified for the two development sites in Copmanthorpe which are substantially greater than the current average density for the village and which would result in the overwhelming of already stretched infrastructure and services, be reduced to the densities detailed in Policy CNP2 of the draft Neighbourhood Plan

### What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

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---

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**5.(1) Do you consider the document is Sound?**Yes  No 

If yes, go to question 5.(4). If no, go to question 5.(2)

**5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)**

<b>Positively prepared</b>	<input type="checkbox"/>	<b>Justified</b>	<input type="checkbox"/>
<b>Effective</b>	<input type="checkbox"/>	<b>Consistent with national policy</b>	<input type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph  
noPolicy  
Ref

Site Ref

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'In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents meet all the tests of soundness'. I would prefer, however, that the housing densities identified for the two development sites in Copmanthorpe, which are substantially greater than the current average density for the village and which would result in the overwhelming of already stretched infrastructure and services, be reduced to the densities detailed in Policy ENP2 of the draft Neighbourhood Plan

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

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7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

**No**, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

**Yes**, I wish to appear at the examination

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Signature



Date

29.03.18

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17, 22, 35 & 36 Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) (England) Regulations 2012

# City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY: ID reference: <b>RECEIVED</b> 04 APR 2018 BY: _____
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1. Personal Details	2. Agent's Details (if applicable)
Title	
First Name	
Last Name	
Organisation (where relevant)	
Representing (if applicable)	
Address – line 1	
Address – line 2	
Address – line 3	
Address – line 4	
Address – line 5	
Postcode	
E-mail Address	
Telephone Number	

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- In all libraries in York.

# Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



## 3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

## What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan)

## 4. (1) Do you consider the document is Legally compliant?

Yes

No

*NO VIEW*

## 4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

## 4.(3) Please justify your answer to question 4.(1) and 4.(2)

## What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four tests of soundness listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

### What makes a Local Plan "sound"?

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

**Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

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Representations must be received by Wednesday 4 April 2018, up until midnight.  
Representations received after this time will not be considered duly made.

**5.(1) Do you consider the document is Sound?**

 Yes  No 

If yes, go to question 5.(4). If no, go to question 5.(2).

**5.(2) Please tell us which tests of soundness the document fails to meet:** (tick all that apply)

Positively prepared	<input type="checkbox"/>	Justified	<input checked="" type="checkbox"/>
Effective	<input checked="" type="checkbox"/>	Consistent with national policy	<input type="checkbox"/>

**5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph no	<input type="text"/>	Policy Ref.	<input type="text"/>	Site Ref.	<input type="text" value="ST9"/>
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**5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)**

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

The assumption seems to be made that new residents will all make use of "good quality" public transport and little planning has taken place surrounding the impact of at least an additional 750 cars on the immediate local area. The likely impact on travel into and out of York appears to have been glossed over.

Presumably there will be impact assessments available nationally on the past impacts of such developments.

It may not be the responsibility of C4C but it takes 8 to 10 days currently to obtain an appointment at the local G.P. surgery - what impact will the new development have?

York needs new housing but it also needs realistic planning

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

*More detailed planning on infrastructure  
prior to development taking place.*

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



Yes, I wish to appear at the examination



If you have selected No, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

## Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.<sup>1</sup>

### Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law. The Council must also notify those on the database at certain stages of plan preparation under the Regulations.<sup>2</sup>

### Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.<sup>3</sup>

### Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at [haveyoursay@york.gov.uk](mailto:haveyoursay@york.gov.uk) or on 01904 554145.

Signature



Date

27/3/18

<sup>1</sup> Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17, 22, 35 & 36 Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>2</sup> Regulation 19 Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>3</sup> Regulation 35 Town and Country Planning (Local Planning) (England) Regulations 2012