



Our Ref: York EiP/Phase2/Matter6

Your Ref: HS/P2/M6/IR/1b(i)

26 May 2022

FAO Inspector Simon Berkeley (BA MA MRTPI) and Inspector Paul Griffiths BSc (Hons) BArch IHBC
C/O Carole Crookes, York Local Plan Examination Programme Officer

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Dear Sirs

York Local Plan Examination in Public – Phase 2 Hearings – Matter 6 Additional Evidence

Avison Young acts for Defence Infrastructure Organisation (DIO). DIO is a Representor in respect of the emerging York Local Plan and recently submitted to the Inspectors a Hearing Statement dealing with certain MIQs arising under Matter 6 “Infrastructure Requirements, Delivery and Development”.

On 4 May 2022, the Council published an Update Addendum on its Local Plan Viability work (Ref: HS/P2/M6/IR/1b(i)). DIO notes that the addendum appears to correct previous errors and includes appraisal sheets for the tested strategic sites and a further sensitivity test for site ST15 containing lower build cost assumptions. More importantly, for DIO, some of the sites in the appraisal¹ include a “proposed planning obligation” in relation to proposed Policy G12a Strensall SAC of “£1,000 per house and £500 per flat”.

It is our understanding that the HRA for the Local Plan concludes that any forecast increase in the use of the SAC for recreational purposes poses an unacceptable risk to its integrity and thus requires mitigation sufficient to rule out the possibility of adverse effects occurring. In the cases of the sites referred to in this latest document, we had further understood that the Council had satisfied itself that any increase in the use of the SAC (deriving from these developments) could be ruled out with the provision, on site or immediately adjacent to the sites, of an appropriate type and amount of public open space. As the Inspectors will have noted, DIO has significant concerns about the HRA and the way in which sites like these have been assessed within it and we need not repeat these. But we are now additionally concerned that the references in this Addendum to mitigating the likely effects of these developments by the making of financial contributions raises questions about:

¹ SS9 Land East of Metcalfe Land P33; SS10 Land North of Monks Cross P34; SS11 Land North of Haxby (ST9); SS12 Land West of Wigginton Rd P36

- a) exactly what form of mitigation measures the Council considers are required for each of these developments and on what basis it has assessed their likely efficacy;
- b) where, geographically, these mitigation measures will need to be delivered;
- c) whether the Council is satisfied that there are no land ownership obstacles to the delivery of the mitigation measures, their monitoring and to be secured in perpetuity² (if, for example, the Council has in mind spending the financial contributions on the SAC itself, it will need the agreement of DIO as landowner and the same will be the case whenever the use of third party land is contemplated; and
- d) why it is acceptable to rely on financial contributions to mitigate the effects of certain developments (on the SAC) but not for others (i.e. Sites ST35 and H59) and how an approach to mitigation involving the use of financial contributions / unspecified mitigation measures (as is proposed here) can possibly be more acceptable than agreeing a comprehensive suite of clearly defined and implementable mitigation measures as proposed at QEB.

We will wish to explore all of these matters during the Phase 3 Hearing Sessions and would be grateful if the Inspectors could take this into account when drafting the MIQs for those sessions.

Yours sincerely



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For and on behalf of Avison Young (UK) Limited

² Legislation states that in perpetuity to be taken to be 80+ years