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EXAMINATION INTO THE SOUNDNESS OF THE CITY OF YORK LOCAL PLAN

Inspectors: Simon Berkeley BA MA MRTPI and Andrew McCormack BSc (Hons) MRTPI

Neil Ferris
Director of Economy and Place
City of York Council

By email only

12 February 2019

Dear Mr Ferris

Examination of the City of York Local Plan

Thank you for your letter of 29 January. We note its contents, and those of the 'City of York – Housing Needs Update' (January 2019) ('the Housing Needs Update') enclosed with it.

As we understand it, it is now the Council's intention to rely on the Housing Needs Update as its objective assessment of the need for housing ('OAN'), in effect superseding the assessment of overall housing need presented in the SHMA Update (2017). In addition, as you mention in your letter, you are presently preparing an addendum to the topic paper concerning the Green Belt. The purpose of this addendum is to clearly set out how the Council has gone about the task of delineating the Green Belt boundaries shown on the submitted Policies Map. Furthermore, we note from previous correspondence that there is also some additional work being undertaken by the Council with Natural England regarding the Habitat Regulations Assessment (HRA).

This all amounts to quite substantial new evidence of a fundamental nature. As such, it is difficult to see how we could proceed to holding hearings without first allowing interested parties to make their views known. Consequently, so that both we and you understand fully the stance of others prior to the hearings, it will be necessary for the Council to undertake a six week consultation exercise. As a minimum, anyone who has made a representation (at the Regulation 19 stage) concerning the Green Belt boundaries, the quantum of housing, or the housing sites proposed through the plan should be consulted directly, as should those with an interest in the proposed sites. It is likely that any work produced in relation to the

HRA will also need to be the subject of consultation, depending on its precise nature. Please liaise with us via our Programme Officer, Mrs Crookes, regarding the detail.

There are some other housing and Green Belt matters where we ask the Council to provide greater clarity. Our understanding is that the plan period is 2017/18 to 2032/33, and that the proposed housing target and supply both relate to this timeframe (although we note that the OAN applies to a longer period). For the avoidance of any doubt, please could you confirm this.

As submitted, the plan's housing requirement is 867 dwellings per annum (dpa). The Housing Needs Update arrives at an OAN of 790 dwellings dpa. Your letter of 29 January makes no suggestion that the plan requirement should be amended in the light of your new OAN figure. We ask the Council to prepare a short paper setting out the justification for this – that is, why the plan requirement is higher than the number of houses the Council now considers to be needed, given that land within the 'general extent of the Green Belt' is proposed to be allocated for housing.

We also ask that this paper addresses the relationship between the plan's housing requirement and the housing supply identified. You helpfully provided a breakdown of the housing land supply in the updated Figure 5.1 sent to us alongside your letter of 13 November 2018. From this, we understand that the plan's housing requirement for the plan period of 2017/18 to 2032/33, once adjusted to account for a shortfall from 2012/13 to the beginning of the plan period, is 14,768 dwellings. The identified supply, from sites which already have planning permission, the proposed allocated sites and a windfall allowance, amounts to 18,839 homes. This is 4,071 dwellings more than the housing target presently proposed and more still than the level of housing you now consider to be needed. We ask that the paper we have requested above also makes clear the Council's stance on this point – that is, to explain the necessity to allocate for housing land that is within the 'general extent of the Green Belt'. For fullness, the updated Figure 5.1 and housing trajectory should be incorporated into it.

In your letter of 13 November you say that you “... *accept that any such incursions should pass the exceptional circumstances test*”. We will be exploring this issue at the Phase 1 hearings. But if we concur with your view, it will be necessary for the Council to demonstrate the exceptional circumstances for releasing land within the 'general extent of the Green Belt' in order to contribute to a supply that exceeds the need for housing by some margin. We therefore request that the aforementioned paper should also cover this point and clearly set out the Council's 'exceptional circumstances' argument in this context.

Once the paper we have asked for is completed it should also be consulted on alongside the Housing Needs Update and the Green Belt topic paper addendum. It will then be possible to conduct our hearing sessions on a properly informed basis.

We recognise that the need to undertake consultation will delay the examination progressing to hearings. But given the circumstances, that is now unavoidable. To assist, we set out below the process and indicative timescales going forward.

- Council to complete Green Belt topic paper addendum – by mid-March (so we understand from your officers)
- Council to prepare and complete the paper addressing housing and Green Belt matters, as requested in this letter – by mid March
- Council to complete any work in relation to the HRA arising out of discussions with Natural England – by mid March
- Council to undertake consultation on the housing and Green Belt evidence, and most probably the HRA related work, as requested – consultation from mid March for six weeks ending around the end of April
- Inspectors to consider the responses to the consultation – early May
- Inspectors to finalise and publish their ‘Matters and Issues’ paper taking into account the consultation responses – early May
- Council to publish the statutory notice notifying people of the opening of the first hearing – early May (this must be six weeks before the first hearing session)
- Phase 1 hearings open – mid June

If you have any views on or suggestions about the above programme then please do let us know, particularly if you are able to identify a more expedient process. As we have indicated previously, we share your eagerness to progress to hearings as soon as possible. In any event, we would be grateful for your confirmation that this timetable is realistic and that you are likely to be able to meet the timescales indicated.

We trust that you find this letter helpful, and we look forward to hearing from you at the earliest opportunity concerning possible arrangements for the hearing sessions. In the meantime, please ensure that a copy of this letter is placed on the examination webpage.

Yours sincerely

Simon Berkeley and *Andrew McCormack*

Inspectors